

Before the Board of Inquiry

under: the Resource Management Act 1991

in the matter of: applications for resource consent and notices of
requirement by Transpower New Zealand Limited for the
North Island Grid Upgrade Project

and submission by Glencol Energy Limited, Margaret Stirling,
Jan Stirling and Andrew Stirling (*Submitter No 1070*)

Statement of Evidence of Benjamin William Coleman for
Glencol Energy Limited, Margaret Stirling, Jan Stirling and
Andrew Stirling

Dated: 26 February 2008

Chapman Tripp *Barristers & Solicitors*

23-29 Albert St
PO Box 2206
Auckland 1140

Tel +64 9 357 9000
Fax +64 9 357 9099
DX CP24029

Reference: Suzanne Janissen (suzanne.janissen@chapmantripp.com)
Paula Brosnahan (paula.brosnahan@chapmantripp.com)

**STATEMENT OF EVIDENCE OF BENJAMIN WILLIAM COLEMAN FOR
GLENCOAL ENERGY LIMITED, MARGARET STIRLING, JAN STIRLING
AND ANDREW STIRLING**

INTRODUCTION

Qualifications and Experience

- 1 My name is Benjamin William Coleman. I am the National Property Manager for Fonterra Co-operative Group Limited (*Fonterra*).
- 2 I hold a Bachelor of Property Administration from Auckland University. I am a Registered Valuer and an Associate of the Real Estate Institute of New Zealand. I am also a Member of the Property Institute of New Zealand.
- 3 I have been with Fonterra for 6 years, and as National Property Manager I deal with all facets of property including acquisition, disposal, leasing, project management, compliance, and 3rd party interest negotiations.
- 4 Prior to this, I spent 4 years with Property Group Limited acquiring land under the Public Works Act 1981 for Transit New Zealand. Earlier in my career I worked in property consultancy and valuation for Opus International Consultants (formerly Works Consultancy Services) and Rolle Associates.
- 5 My evidence is given in relation to the Overhead Line Notice of Requirement (Waikato District Council) (Ref no. DES0011/07) issued by Transpower New Zealand Limited (*Transpower*) for a designation for the construction, operation and maintenance of a 400kV-capable transmission line within the Waikato District (*Project*).
- 6 I am authorised to give evidence on behalf of Glencoal Energy Limited (*Glencoal*) and Margaret, Jan and Andrew Stirling (*the Stirlings*) who are directly affected parties and joint submitters on Transpower's Project.
- 7 I have been become involved in the Project because my role includes ensuring that Fonterra's property rights are protected. This includes mineral rights which form part of the portfolio of interests owned by Fonterra. Over the course of the last 2 years, I have also been directly involved in Transpower's consultation with Glencoal.

OUTLINE OF EVIDENCE

- 8 My evidence will cover the following areas:
 - 8.1 Background to Glencoal;
 - 8.2 The interests of Glencoal and the Stirlings in the Maramarua Coalfield;
 - 8.3 Impact of Transpower's project;
 - 8.4 Fonterra's use of the coal resource;
 - 8.5 Adverse effects of Transpower's project on the coal resource;
 - 8.6 Consultation by Transpower;
 - 8.7 Comments on Transpower's evidence;
 - 8.8 Conclusions.

COMPANY BACKGROUND

- 9 Glencoal is a wholly-owned subsidiary of Fonterra Co-operative Group Limited (*Fonterra*). It was incorporated as Glen Afton Collieries Limited in 1926.
- 10 Glencoal has been mining coal in the Waikato since 1919 to provide a secure long-term energy supply to Fonterra's manufacturing sites and the predecessor Dairy Co-operative's sites. It has been a significant coal producer in the Maramarua Coalfield since 1946, when Glencoal purchased the United Coal Company (*UCC*). The Maramarua Coalfield is located in the north of the Waikato coal region, the extent of which is shown on the plans attached as **Appendices 1A and 1B**.
- 11 Throughout Glencoal's tenure in the Maramarua Coalfield, it has expanded its land and mineral ownership. A plan showing Glencoal's current land, mineral and mining licence ownership in the Maramarua Coalfield is attached to my evidence as **Appendix 2**.
- 12 While not continuous, mining has been a significant industry in the Maramarua area commencing in the 1800's with a small underground coal mine located just north of the Glencoal coal processing plant on Coalfields Road. This mine has three periods of

operation: prior to 1900 as the Miranda Mine, 1900 - 1911 as Union Collieries and 1911 - 1914 as UCC.

- 13 In 1946, Glencoal purchased UCC and developed the Kopako Opencast to supply coal to its parent company's dairy factories. In 1958 Glencoal joined with the Crown to form Maramarua Coalfields Ltd (MCL) to develop the Kopako 1 & 2 opencasts to supply the Meremere Power Station. Supply to Meremere finished in the 1980's, but Glencoal continued to mine the No 2 Opencast until 1996.
- 14 Glencoal then developed the No 3 Opencast with coal transported back to the coal processing plant at Coalfields Road. This coal is still primarily used as an important energy source for the Fonterra dairy factories (as outlined below).
- 15 Glencoal's coal is used as a long term energy supply for Fonterra's Waitoa, Hautapu and Te Awamutu milk processing plants, all located in the Waikato region.

THE INTERESTS OF GLENCOAL AND THE STIRLINGS IN THE MARAMARUA COALFIELD

- 16 Glencoal is the title holder to an estate in fee simple in coal and fireclay, comprised in certificate of title 58C/221 (South Auckland Registry) (*Glencoal's title*) lying under land located at the corner of Coalfields Road and State Highway 2, Maramarua. This was secured in March 1996.
- 17 The fireclay which comprises part of Glencoal's title extends from the top of the coal layer to approximately five metres below the surface of the land.
- 18 The surface land and land above Glencoal's title is comprised in certificate of title 5A/133 (South Auckland Registry) and owned by the Stirlings.¹
- 19 These two titles are collectively known as the *Maxwell Block*. Copies of the relevant certificates of title for the Maxwell Block are attached as **Appendix 3**.

¹ For clarity, it is noted that the Stirlings are the Trustees of the Alwinger No. 2 Trust.

- 20 The Stirlings also hold surface title comprised in certificates of title 28C/771 and 1050/105 (South Auckland Registry) and a separate title to coal comprised in certificate of title 29B/858 (South Auckland Registry), collectively known as the *Stirling Block*. It adjoins the west boundary of the Maxwell Block. Copies of the Stirling Block certificates of title are attached as **Appendix 4**.
- 21 The location of the Maxwell and Stirling Blocks within the Maramarua Coalfield is shown on the plan attached as **Appendix 5**.
- 22 Glencoal holds other interests in the immediate vicinity of the proposed route for the 400kV line. These are located south of the Maxwell and Stirling Blocks, and are held in certificates of title 33B/589 (South Auckland Registry) and 582/321 (South Auckland Registry). These titles are collectively known as the *Maby Hill Block* (shown on Appendix 2).
- 23 Glencoal also retains mineral, coal mining licences, mineral permits and above ground interests in other land parcels to the south west of the Maxwell block, including the Kopako 3 active open cast mine.

IMPACT OF TRANSPOWER'S PROJECT

- 24 The 400 kV overhead line proposed by Transpower as part of the Project runs directly through the Maxwell Block (refer section 6 of the Notice of Requirement). Specifically:
- 24.1 Transpower proposes to locate Tower 88 near the northern boundary of the Maxwell Block;
- 24.2 Tower 89 is to be located near the southern boundary of the Maxwell Block; and
- 24.3 400kV lines will run above Maxwell Block land connecting Towers 88 and 89 (and on either side).
- 25 A plan showing the proposed location of the line and Towers 88 and 89 is attached as **Appendix 6**².
- 26 Glencoal and the Stirlings have a very significant concern with the impacts of the Project on their interests. In particular, the proposed

² This plan was tabled by Transpower at a meeting I attended with Transpower representatives on 20 November 2007.

location of Tower 88 will sterilise part of their existing coal resource in the Maxwell and Stirling Blocks, and the transmission line extending across the Maxwell Block between Towers 88 and 89 may impede future mining operations.

- 27 Provided that Transpower does not move Tower 89 from its current proposed location, the tower itself should not impact the coal resource.
- 28 I would also note that, provided the Transpower line is not moved or realigned to the west, I understand that Glencoal's coal resource in the Maby Hill Block should not be affected by the Project.

Submission to the Board of Inquiry

- 29 Glencoal and the Stirlings filed a joint submission to the Board of Inquiry on 5 October 2007. (A copy of the submission is attached as **Appendix 7**).
- 30 In the submission they sought the following relief from the Board:
- 30.1 Recommend to Transpower that it modifies the requirement to avoid the land under which the Stirling and Glencoal titles lie; or
- 30.2 Recommend that the requirement be withdrawn; or
- 30.3 Adjourn the Hearing for a period of three months to enable Transpower to conclude its obligations to consider alternative routes which do not have the potential to sterilise significant coal resources, to negotiate the correct environmental outcome with affected parties, and to undertake a cost/benefit analysis of alternatives to potentially sterilising the coal deposit (submission, para 32).

The submitters' current position

- 31 Glencoal and the Stirlings remain very concerned that the Project will have a significant adverse effect on their ability to extract the coal resource from this land. However, they also appreciate the national significance of the Transpower Project and are aware that realignment of the transmission line and/or relocation of towers may be a complex exercise.

- 32 Accordingly, Glencoal and the Stirlings will not challenge the current alignment of the transmission line on and over the Maxwell Block:
- **provided that** Transpower satisfies them (and the Board) that Tower 88 (in particular) cannot in fact be moved; and
 - **provided that** appropriate conditions are attached to the designation to mitigate the Project's significant impacts on their property and provide them with assurance that their ability to mine coal will not be significantly affected.³

FONTERRA'S USE OF THE COAL RESOURCE

- 33 Before detailing Glencoal/Stirling's specific concerns with the Project, I will explain the significance of the coal resource to Fonterra.
- 34 Glencoal's coal is used as an important long term energy supply for Fonterra's Waitoa, Hautapu and Te Awamutu milk processing plants.
- 35 In these plants the coal provides energy for raising steam for milk powder manufacturing. Boiler efficiency is enhanced by producing high pressure steam, which passes through a steam turbine generating electricity. The lower pressure steam is used to evaporate the water from concentrated milk, which enables the production of a range of milk powder products.
- 36 The current usage of coal at Fonterra's three processing plants is as follows:
- 36.1 Waitoa – 55,000 tonnes per annum;
- 36.2 Te Awamutu – 55,000 tonnes per annum; and
- 36.3 Hautapu - 10,000 tonnes per annum.
- 37 The use of this coal is fundamental to Fonterra's operations in the Waikato. If alternative sources of coal or alternative fuel sources were required, this would significantly increase Fonterra's operation costs in this region. The price of energy and security of energy

³ And provided also, of course, that appropriate compensation is paid (e.g. for the coal sterilised by the Project) which I understand to be a separate issue governed by the Public Works Act 1981.

supply is key to Fonterra's commercial competitiveness. If the cost of energy were to increase for any reason, this would impact on Fonterra's competitive advantage.

Significance of coal resource in the Stirling/Maxwell Blocks

- 38 In the 1980's, the Crown undertook an extensive coal exploration programme and confirmed the existence of a number of significant coalfields within the Waikato Coalfield with combined coal reserves of 1 billion tonnes. One of these coalfields is the Maramarua coalfield, of which the Stirling and Maxwell Blocks form part.
- 39 Due to the constraints of seam depth, coal quality, geotechnical difficulties and geographical features, only 5 to 7% approximately of the Waikato Coalfield reserves are currently economically mineable. The significance of the Maramarua Coalfield is that it represents between 21 to 30% of the currently economically mineable coal within the Waikato Coalfield.
- 40 Glencol is currently sourcing coal from its Kopako 3 Opencast mine. At the current rate of extraction, the Kopako 3 Opencast mine will be depleted by approximately 2017. As part of its long term plans, Glencol intends to utilise its coal reserves in the Maxwell Block as part of the eastward development of the Kopuku sector of the Maramarua Coalfield. Extraction of the coal in the Maxwell Block would need to be mined at the same time as the adjacent Stirling Block (as explained in Dr Ian Brown's evidence).
- 41 The Stirling/Maxwell Blocks are part of the last remaining significant blocks of low cost, low sulphur opencast coal available in the Waikato. Dr Brown has stated in his evidence that the volume of coal that could be mined as a stand alone open cast mine from the Stirling/Maxwell Blocks is approximately 1,666,700 tonnes.

Existing Transmission Lines

- 42 I note that there are two existing transmission pylons, owned by Transpower, located on the Maxwell Block. However, we have never regarded the existing Transpower lines as sterilising the coal resource in the Maxwell Block because these pylons could be moved when Glencol and the Stirlings are ready to mine the area.
- 43 It is my understanding that under the Electricity Act 1992 (section 35), owners of private land may move any "existing works" (defined as being works that were wholly or partly in existence before 1 January 1988) on their land at the owner's expense. While

the consent of Transpower is required prior to moving the pylons, this consent cannot be "unreasonably withheld" (section 35(2)).

- 44 To my knowledge the existing pylons were constructed well before 1988 and therefore could be moved.
- 45 It is my understanding that one of the primary reasons Transpower has selected the alignment through the Maxwell Block is because it considers that the presence of the existing transmission line as having already sterilised some of the coal resource. However, that is simply not correct.

ADVERSE EFFECTS OF TRANSPOWER'S REQUIREMENT ON THE COAL RESOURCE

Adverse effects of Tower 88

- 46 Tower 88 is shown on the plan attached as **Appendix 6**. As explained in the evidence of Dr Brown, Tower 88 will sterilise a substantial portion of the coal resource.
- 47 It is my understanding from my discussions with Transpower on 20 November 2007 and from Dr Brown's evidence that:
- 47.1 Tower 88 will be constructed on a 20 metre by 20 metre square base.
- 47.2 There will need to be a further 30 metre buffer zone around the tower base.
- 47.3 This means that the top of the batter slope for the open cast pit will need to be 50 metres from the centroid of the tower.
- 48 Dr Brown has recommended in his evidence that a batter slope angle of 2 horizontal to 1 vertical around Tower 88 is required in order to maintain slope stability.
- 49 Consequently, Dr Brown has estimated that approximately 123,800 tonnes of coal within the Maxwell and Stirling Blocks will be sterilised as a result of Tower 88 being located on the Maxwell Block.
- Opencast mining under transmission line**
- 50 In addition to the significant impact of Tower 88, Glencoal and the Stirlings are also very concerned to ensure that open cast mining will be possible beneath the new 400kV transmission line. It is

critical that we have sufficient certainty on that issue now. If (for whatever reason) that was not possible then the new 400kV lines presence would sterilize a much larger portion of the existing coal resource. Dr Brown estimates potentially in the order of 317,900 tonnes in the Maxwell Block alone.

- 51 As explained in Dr Brown's evidence, he met last week (19 February 2008) with Transpower representative (Mr Roy Noble) to obtain further detail and certainty in that regard, but he was simply advised that open cast mining under transmission lines "should not pose any problems". The only limitations which I understand that Transpower referred to would be:
- 51.1 Ensuring that any mining structures did not exceed 7 metres in height so as to have a sufficient separation distance from the 400 kV line; and
 - 51.2 Avoiding "excessive" dust (without defining what excessive might be).
- 52 While Mr Noble's verbal assurance is somewhat positive, so far as I am aware, no concrete evidence has been provided by Transpower to confirm what its engineering requirements or restrictions would in fact be. For obvious reasons, Glencoal/the Stirlings require much greater certainty that the new Transpower line and designation will **not** impede their ability to carry out coal mining on their land in the future, subject to agreed engineering standards.
- 53 Accordingly, in order to ensure that the impact of the proposed transmission line on their existing coal resource is minimised, Glencoal and the Stirlings seek some protection of their ability to extract this resource by way of appropriate condition(s) on the designation.
- 54 Glencoal is aware that, if the designation is confirmed, then Transpower's prior written consent may be required under section 176 of the Resource Management Act 1991 (*RMA*) to extract the coal under the transmission line if their future mining operations were seen to "prevent or hinder" Transpower's Project. As a result, the inclusion of a condition on the designation now is necessary to provide them with sufficient certainty that any adverse effects of the designation currently sought on the Stirling/Maxwell Block coal resource will be sufficiently minimised and that they will be able to mine under the lines in the future - without having prohibitively

expensive or restrictive conditions imposed by Transpower under s176.

- 55 Glencoal and the Stirlings therefore seek the imposition of appropriate conditions on the designation which will permit the activity of open pit mining on the Stirling and Maxwell Blocks, provided that any mining structures do not exceed 7 metres in height, that relevant (and agreed) engineering standards are followed and that excessive dust (to be defined) is avoided.⁴
- 56 Glencoal is particularly concerned to obtain that greater level of certainty now – before or while the designation is confirmed – because Transpower’s conduct to date has consistently failed to focus on this significant issue for the Stirlings and Glencoal. This is further illustrated in the next section of my evidence.

CONSULTATION BY TRANSPOWER

- 57 Glencoal and the Stirlings first raised their concerns regarding the potential sterilisation of the coal resource in the Stirling and Maxwell Blocks, and impediments to their ability to undertake open cast mining beneath the transmission line, well over 2 years ago. However, Transpower’s approach to consulting with Glencoal demonstrates a troubling (and continued) lack of attention to these issues and/or recognition of the significance of the affected coal resource. Consequently, and in spite of verbal assurances that mining “should be able to proceed”, Glencoal currently has no clarity from Transpower as to whether it can mine under the 400kV transmission line, or how its mining operations might be constrained or otherwise impacted in the future by the designation.
- 58 Ms Julie Stirling and I have had numerous discussions and communications to share any information provided by Transpower and to co-ordinate how best to protect our interests and future development of the coal reserve.
- 59 Glencoal started to receive generic National Grid Update consultation letters from Transpower from 27 October 2004. As explained below, however, it appears that Transpower has only

⁴ In the event that the Board of Inquiry confirms Transpower’s Notice of Requirement, separately Glencoal and the Stirlings will be seeking compensation from Transpower under the Public Works Act 1981 in respect of the value of the coal resource sterilised by the granting of easements for this part of the Project.

begun to appreciate the significance of the coal resource in the Stirling/Maxwell Blocks at a late stage in this Project.

- 60 Transpower wrote to Glencoal on 5 November 2005, indicating the revised indicative centre-line of its Project and seeking feedback from Glencoal. Glencoal responded via its planning consultants, Bentley & Co, on 28 November 2005, who advised that the confirmed route of the 400 kV transmission line could sterilise a significant portion of the coal resource in the Stirling/Maxwell Blocks. Bentley & Co sought information from Transpower regarding the implications of the Project on coal mining activities in proximity to the proposed 400 kV line and Transpower's requirements for separation. (A copy of this letter and the correspondence that followed are attached as part of **Appendix 7**.)
- 61 Transpower and Glencoal met on 8 December 2005 (which I attended, together with Jennifer Carvill of Bentley & Co) to commence discussions regarding a possible easement agreement. One of the issues discussed at that meeting related to Transpower's "standard easement agreement", which provides for normal farming operations being able to occur within the easement area as of right. However, it did not provide for the extraction of coal.
- 62 I distinctly recall at that meeting being assured by Mr Roy Noble of Transpower that Glencoal would be able to mine under the transmission line, subject to agreed engineering conditions (or words to that effect) and further, that the easement would be specifically drafted to accommodate the proposed land use. Mr Noble also advised that agreement had been reached between Transpower and Solid Energy in the context of the 400kv line and that he would pursue with Solid Energy the option of including Glencoal in 3-way discussions to resolve these matters to the satisfaction of all parties. Since that time, however, I have received no further clarification in respect of what those agreed engineering conditions are, nor have we been party to any 3-way discussions.
- 63 Given the significance of the coal resource to Glencoal (and the Stirlings), it would be commercially unwise of me to simply rely on Mr Noble's verbal assurances.
- 64 Subsequently, in a letter dated 25 January 2006 (refer to Appendix 7), Transpower confirmed that any excavation to allow the extraction of coal within the easement and designation areas "would need Transpower's written consent" (which would constitute consent under section 176 of the Resource Management Act 1991). While

Transpower advised that it was “unlikely” it would unreasonably withhold its written consent to coal extraction, it noted that it might impose conditions “to ensure that the proposed excavation and subsequent mining operations do not adversely affect the transmission lines (e.g. reducing conductor ground clearance, undermining towers, creation of dust, etc.)”.

- 65 As a result, it was made clear in our response via Bentley & Co (dated 20 March 2006) (refer to Appendix 7) that Glencol required much greater certainty in relation to its ability to carry out mining within the easement and designation areas, and that an amendment to the easement agreement should be made to provide for mining operations.
- 66 Glencol’s request was met with silence, for months.
- 67 I sent a series of follow up emails to Transpower between July 2006 and December 2006, seeking a response to the Bentley 20 March letter (refer to Appendix 7).
- 68 However, I consider that Transpower has never formally responded to the 20 March 2006 letter, and has repeatedly failed to provide the information sought regarding coal mining in proximity to 400kV lines and its requirements regarding the separation of coal mining activities.
- 69 Finally, I was invited to a meeting with Transpower on 20 November 2007.⁵ At this meeting we were presented with the current plan identifying the location of the proposed transmission line and Towers 88 and 89 (shown in Appendix 6) and we discussed the design of the Tower 88 base and buffer area. I was also presented with another draft easement, which contemplated mining activities but certainly did not define rules or conditions for ensuring safe engineering practice for coal to be extracted beneath the line.
- 70 More recently, I understand that Dr Ian Brown met with Mr Noble of Transpower on 19 February 2008 (at our request) to obtain more detailed information. However, that detail was still not forthcoming.

⁵ Between December 2006 and November 2007 I continued attempts to seek clarification from Transpower, without success, other than assurances that Transpower “would be in contact soon”.

- 71 As of today, Glencoal and the Stirlings still remain uncertain about their ability to undertake excavation and coal mining operations in proximity to the new 400kV lines. This is particularly so, given my understanding that this is the first 400 kV transmission line to be constructed in New Zealand, so Transpower is unable to point to examples of other coal mining operations being successfully carried out under 400kV lines.
- 72 In the absence of any attempts by Transpower to engage in meaningful discussions with Glencoal over the last 2 years, I am unconvinced that Transpower has turned its mind to the value of the coal resource in the Stirling and Maxwell Blocks or the potential adverse effects of the proposed transmission line and Tower 88 on this coal resource - nor considered how these effects might be mitigated. This is particularly frustrating given that Transpower has had every opportunity to discuss this issue with Glencoal and despite my attempts to elicit some response from Transpower.
- 73 In my view, there remains a great deal of uncertainty for Glencoal and the Stirlings as to whether they will be able to undertake excavation and mining operations beneath the 400 kV transmission line. It is appropriate to deal with that now in these designation proceedings, rather than leave it hanging over Glencoal's (and the Stirlings') heads until mining operations are about to commence, when we may find that Transpower's approval under section 176 RMA suddenly includes conditions that significantly impedes our mining operations, or sterilises even more of our coal resource.

COMMENTS ON TRANSPOWER EVIDENCE

- 74 This lack of consideration is reflected in Transpower's own evidence to date, which pays scant attention to this coal resource issue or to the interests of Glencoal, Fonterra or the Stirlings.
- 75 For example, I note that Ms Sylvia Allan in her first statement of evidence states (at paragraph 165):
- In my opinion, while the line may represent a constraint on future coal-mining operations, it is a situation that can be managed.
- 76 Ms Allan does not explain the nature of the "constraint" on future coal-mining operations. Nor does she provide any evidence or detail supporting her claim that this constraint "can be managed". I find this somewhat surprising given that Transpower has no operational experience with 400kV transmission lines.

- 77 Indeed, there are very few references within Transpower's evidence to potential effects of the transmission lines on the existing coal resource and no references regarding whether open pit mining can in fact be undertaken beneath the 400kV transmission lines.
- 78 As a result, I am left to conclude that Transpower has given little attention to this issue and/or the adverse effects of this Project on this valuable natural resource and/or the impacts on the property owners and mineral owners.
- 79 As a final point, I understand that on the eve of our evidence being due (25 February 2008), Dr Brown contacted Transpower's Mr Noble to clarify what Transpower's separation requirements may be. As part of the discussion Dr Brown was advised that Transpower might be able to move Towers 88 and 89 further north after all. Obviously, Glencoal and the Stirlings would be pleased to have any impacts on their coal resource avoided or minimised. However, as no detail or further information on this new development (if correct) is yet available, the significant concerns highlighted in our evidence remain.

CONCLUSIONS

- 80 Glencoal and the Stirlings consider that the impact of Tower 88 and the 400 kV transmission line on the Stirling and Maxwell Blocks coal reserve is a significant issue. Dr Brown has estimated that 123,800 tonnes of coal within the Maxwell and Stirling Blocks will be sterilised as a direct result of Tower 88 being located on the Maxwell Block.
- 81 Further, despite numerous attempts to discuss with Transpower the issue of whether open cast mining can be undertaken beneath the 400 kV transmission line, Glencoal and the Stirlings have received little more than a verbal assurance from Mr Noble that this should be possible, subject to some limitations. To date, Transpower has still not provided specific information about its engineering requirements or what those limitations might be.
- 82 Clearly, given the significance of this coal resource, Glencoal and the Stirlings require much greater certainty that the new Transpower line and designation will not impede their ability to carry out open cast mining on their land in the future.
- 83 Accordingly, Glencoal and the Stirlings seek the inclusion of appropriate conditions on the designation to provide them with

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sufficient certainty that any adverse effects of the designation on the Stirling and Maxwell Block coal resource will be sufficiently minimised, and that open cast mining beneath the lines will be permitted without prohibitively restrictive conditions being imposed in the future.



Ben Coleman
26 February 2008

List of Appendices:

- 1A Plan showing Waikato Region Coalfields
- 1B Plan showing location of Maramarua Coalfield
- 2 Glencol's Interests in the Maramarua Coalfield
- 3 Maxwell Block Certificates of Title
- 4 Stirling Block Certificates of Title
- 5 Plan showing location of Maxwell and Stirling Blocks
- 6 Plan showing location of Transpower's line/towers on Maxwell Block
- 7 Glencol and Stirlings' submission to Board of Inquiry

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