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NEW ZEALAND COAL & CARBON LTD: SUBMISSION ON THE DRAFT NATIONAL POLICY STATEMENT FOR FRESHWATER MANAGEMENT AND PROPOSED NATIONAL ENVIRONMENTAL STANDARDS FOR FRESHWATER

New Zealand Coal & Carbon Ltd (NZCC) is one of New Zealand’s largest coal mining companies and exporters of coal. NZCC encompasses three mining companies: ROA Mining Company Ltd, Francis Mining Co. Ltd and New Creek Mining Ltd. Our mining operations are based on the West Coast of New Zealand’s South Island. Having conducted business since 1982 we have extensive history and experience in mining, producing predominantly export and some domestic coal, and are part of the communities and environments in which we operate.

We support the Government developing policy for, and agree with the importance of, managing New Zealand’s freshwater resources.

The minerals and mining sector is important to, and contributes towards, New Zealand’s economic, social and environmental growth and wellbeing. This is especially true for the regions, particularly the West Coast. We consider that activities such as mining can occur alongside the management, maintenance and enhancement of our freshwater resources.

The management of freshwater is a key component in mining activities and includes the management of surface stormwater (including the creation of drains), infilling and removal of sections of streams (and the associated recreation of streams and their habitat, where possible, in adjacent locations), diverting of streams, discharge of treated stormwater and mine discharges to streams, clearance of riparian vegetation as well as the take, capture and discharge of groundwater.
We are a member of Straterra Inc. (Straterra), the minerals and mining sector representative, and have had input into and support the submission made by them.

We are concerned that the current drafting of the Draft National Policy Statement for Freshwater Management (NPS-FM) and Proposed National Environmental Standards for Freshwater (NES-F) would likely preclude mining and other land development activities. Given this, we would like to see a number of changes made to the documents. While the submissions made by Straterra and other mining companies set out a comprehensive list of these, we wish to highlight some key matters we feel need to be revised:

1. **NPS-FM**

   - Environmental bottom lines (Page 10, 3.9 and Appendix 2B (in particular Table 10): we believe caution is required in the application of, and limits created by, these.

     Depending on where the monitoring site is located in relation to development activities and their discharges, the limits for these may be unattainable.

     We are also not convinced that the limits provided are appropriate, especially for all locations, and believe further work is required in relation to these.

   - Page 18, 3.16(4)(a) and (5)(a): we do not support that the infilling of streams is to be avoided except in the circumstances listed.

     Such a provision would preclude mining activities, such as overburden landforms and opencast pits which need to fill streams and where the effects of such are adequately addressed.

2. **NES-F**

   - We do not support the non-complying status with respect to clauses 8, 11, 17, 18(3) or the prohibited status of clause 14.

     We feel these activities should be permitted, controlled or discretionary depending on the extent of the works and what conditions relating to such are met.

   - We do not support the use of the word “destruction” throughout the document in relation to activities associated with vegetation.

     The word destruction is emotive, has negative connotations and could be considered as being something that should not be done. This may prejudice decision makers in circumstances where the effects of such are adequately addressed. We feel more
appropriate language would be “vegetation clearance”, as is currently used in planning documents.

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