



ENVIRONMENT AND CONSERVATION ORGANISATIONS OF NZ INC.

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Buller District Council

PO Box 21

Westport

BY EMAIL inhill@xtra.co.nz

West Coast Regional Council,

PO Box 66,

Greymouth 7840.

Email info@wrc.govt.nz

BY EMAIL rc@wrc.govt.nz

Copy to:

Stevenson Mining Ltd,

C/- Landpro Limited,

PO Box 302,

Cromwell 9342.

Dear all,

Submission re Resource Consent application by Stevenson Mining Limited

APPLICATION Numbers RC-2016-0098 (WCRC) RC160038 (BDC)

LOCATION: South Western part of Mt William Range, near Te Kuha

Introduction

Who we are

1. The Environment and Conservation Organisations of NZ (ECO) is the national alliance of about 45 groups with a concern for the environment and conservation. Some of these member bodies are themselves federations or multiple groups.
2. ECO has followed issues of conservation and environmental management and practice, law and policy since its formation in 1971-2 and we have member groups from all around New Zealand.
3. Thank you for the opportunity to make a submission on the consent applications by Stevenson Mining Limited to undertake mining and ancillary activities for the 'Te Kuha Mine Project';

located over two different land parcels – public conservation land administered by the Department of Conservation and land managed by the Buller District Council as Westport Water Conservation Reserve.

4. We, the Environment Conservation Organisations of New Zealand Inc, **oppose these applications in full, and request that they are declined.** We seek this decision as this application is inconsistent with good resource management practice, and with the Resource Management Act 1991 (the Act).
5. Granting this application will have a significant adverse effect on the environment of the areas described and beyond the boundaries of the areas in question in relation to land, air, water, and the life supporting capacity of the environment, including on biodiversity, habitat and natural character.
6. **ECO wishes to be heard in relation to these applications. Please contact the ECO office at eco@eco.org.nz and 04 970 8696 and at our address in the letterhead on the first page of this submission.**
7. **Rationale:** Granting this application would be contrary to the Purpose and Principles of the Resource Management Act 1991 (the Act) and are not consistent with the requirements of the Act Sections 5, 6 (a),(b) and (c) or with Section 7 subsections (b) to (g) inclusive, and also fail the requirements, plans and tests that section 104 (1)(b) planning and other documents that apply to these activities and areas, including these:
 - (a) Operative Buller District Plan (**BDP**);
 - (b) Proposed Buller District Plan (**PBDP**);
 - (c) West Coast Regional Policy Statement (**WCRPS**);
 - (d) Proposed Regional Plan (**PWCRPS**);
 - (e) National Policy Statement on Freshwater Management 2014 (**NPSFM**);
 - (f) The Regional Land and Water Plan;
 - (g) New Zealand Coastal Policy Statement (**NZCPS**);
 - (h) National Policy Statement (Renewable Electricity Generation 2011); and

- (i) West Coast Conservation Management Strategy.

The Purpose of the RMA

8. Section 6 (b)(c) of the Act requires that “[I]n achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, **shall recognise and provide for** the following matters of national importance: the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development or the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna”.

Section 7 of the Act requires all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, to [shall] have **particular regard** to—

(b) the efficient use and development of natural and physical resources:

(ba) the efficiency of the end use of energy:

(c) the maintenance and enhancement of amenity values:

(d) intrinsic values of ecosystems:

(f) maintenance and enhancement of the quality of the environment:

(g) any finite characteristics of natural and physical resources:

(i) the effects of climate change.

9. The only way that these requirements can be achieved is to decline the application. In light of the intrinsic and unique values of the environment in the proposed mine area, to enable open cast coal mining would be an inappropriate use of this land, and that the territorial authorities must be mindful of their duties and protect both the outstanding natural features and landscapes of the area and the areas of significant indigenous vegetation and habitats of indigenous fauna.
10. We do not believe that enabling an opencast coal mine in this area would be an efficient use of this natural resource – it’s current use, by the environment in which it belongs, is the most efficient use. The closure of other very recent and high profile coal mining activities in the surrounding area (including on areas of similar ecological characteristics and rarity) indicates that to remove it [coal] in such an irreversible fashion is not efficient. Indeed, we note that in the introductory paragraphs of the Plan, reference is made to the cumulative effect. We encourage Council to consider any such effects when considering this application, with particular regard to land use activities on these coal measure landscapes within the District.

11. Similarly, it is questionable, in light of the science behind climate change issues, and the known impacts of burning coal, that this application would result in efficient end use of energy. Clearly, establishing an open cast coal mine does not in any way maintain or enhance amenity values. In giving regard to the intrinsic values of ecosystems, the applications AEE's and the CMS for the area both highlight that the ecosystems contained within the area have a significant intrinsic value, and again we would encourage the decision makers to consider other contemporary applications that had significant impact on the unique ecosystems of the West Coast coal plateaux. As with amenity values not being enhanced or maintained by the establishment of an open cast coal mine, the quality of the environment most certainly wouldn't be. Further, it is identified, for example, in the Terrestrial Ecology peer review, that the areas of the proposed mine "is one of an ecological landscape characterised by special communities that are recognised as being some of the highest ecological value of their type". Enabling mining in such an area is contrary to Part 2 of the Act.
12. **Coal and steel gluts continue globally with China taking action to reduce coal and steel production which is involving reducing employment by 1.8 million people with 500,000 jobs going this year (see for example – ‘China Job Cuts Include 500,000 in Steel, Coal Industries’ - <http://www.newsmax.com/TheWire/china-job-cuts-steel/2017/03/01/id/776312/>).**
13. We believe this application would be contrary to other relevant planning documents for this area (documents as listed). These include the provisions in the Operative Buller District Plan. Examples of this inconsistency include: The Buller District Plan, s 1.2.2 (Achieving Sustainable Management) states that "[T]he role of the District Plan within the framework of the Act, is to create a management framework which enables people and communities in Buller to provide for their social and economic needs, while ensuring that specific resources of value are protected, and environmental quality is maintained and enhanced." The District Council states that (4.5.7.1.) "[T]he Council is particularly concerned about long-term effects on resources while recognising that mining, by its very nature, will generally have some short term effects".
14. This application is clear that the activity will result in the permanent loss of significant ecology and the destruction of areas of high natural character. While there is some planning for rehabilitation of the site, the long term effects of this loss is contrary to the Council's own reasoning in the Plan. The District Council identifies the following as a 'Key Consideration' (s4.8.3.3) "*The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna contained in those ecosystems.*" The Conservation Management Plan identifies that the area that includes the mine footprint is one of the more

geologically complex parts of the Conservancy. As such, the area of the proposed mine must be protected and the application for associated activities declined.

15. Biodiversity

The proposed site includes threatened and rare ecosystems, communities and species and within the Ngakawau Ecological District. A number of threatened species has been identified as being present in this area, for example, as described in the West Coast Conservation Management Strategy 2010. Industrial activity including the open cast mining, haul roads and ancillary mining, processing, waste rock and disposal of fines will destroy the coal measure, wetland, aquatic and other ecosystems in the areas in question, and associated ecosystems in water and adjacent through edge effects and through the transfer of coal dust, other sedimentation, noise and disturbance. The relative absence of external impacts such as fire means that this area has a high degree of naturalness.

16. The area includes a number of threatened or otherwise at risk species. This includes the great spotted kiwi which is a national priority threatened species in the Draft Threatened Species Strategy (May 2017, Department of Conservation).

17. Habitat

The activity will fragment habitat that has been identified as unique and nationally significant. It will also destroy well established habitat areas, some of which are unique to this area. It has been identified in the applications documentation that there are several species of indigenous flora and fauna recorded in the area, and that a number of threatened species including the great spotted kiwi have been identified there. The AEE also identifies that Te Kuha has high connectivity with surrounding habitats.

18. Natural Character

The natural character of this area has been identified as belonging to one of the more geologically complex parts of the Conservancy, with its great diversity of landforms and varied landscapes. “Landscape” should be understood as having an ecological meaning, not just views, as seems to be the assumption behind the applicant’s landscape assessment which focuses on viewpoints. That is a constricted and inadequate understanding of what landscape means and renders the applicant’s assessment inadequate to the requirements of good planning and the RMA.

19. Water

Aquatic ecological values at the site are high, and as identified in the Assessment of Environmental Effects compiled by Boffa Miskell for the applicant loss of streams at this site

would be unavoidable if these consents were granted. Other effects on the downstream aquatic environment include sedimentation, loss of habitat, contamination and flow changes. The proposed mine is located in a number of catchments which drain either into the Buller or the Orowaiti River.

20. Climate Change

Section 7(i) RMA requires a decision maker to take into account the effects of climate change on a proposed activity. Given that the West Coast region already experiences high and often sudden incidences of rainfall, modelling for and/or the consideration of the impacts of this as a consequence of climate change should be a requirement of resource consents for an activity of a significant duration, particularly when it also has an effect on water systems.

Further, as referred to in some of the documentation, and as also observed in other countries, the coal market, while economically unpredictable, is a declining market internationally as countries become more aware of the consequences of coal use on climate change.

21. The effect on ocean acidification of increased carbon dioxide levels from the burning of fossil fuel impacting on the marine environment and marine ecosystems needs to be considered separately from the effects of climate change.

Social and Economic considerations.

22. ECO notes the following excerpts from the Buller District Plan are relevant for the economic, environmental and social aspects:

3.5.4.3. The Council recognises that tourism has significant potential to provide a long-term, sustainable income to many of the District's residents.

Objective 4.8.6.1. To protect areas of significant indigenous vegetation and significant habitats of indigenous fauna and to recognise their importance to the character and quality of the natural and physical environment and to the wellbeing of the people and communities in Buller.

4.8.5. Key Issues

The natural "untouched" character of much of the District represents a significant tourist asset. Tourism as an activity, particularly nature based tourism, is recognised as having significant growth potential for Buller. Other potential and actual users of the resource include forestry, sphagnum moss harvesting, recreation and primary industry.

Reasoning for Objective 4.4:

4.5.7.3. *Mining activities, particularly those on a large scale, can have significant impacts on local rural communities, in particular on social and economic factors. Increased population, employment opportunities and support of local facilities can be benefits in the short term. However mineral resources are finite and in the long-term the continued sustainability of the community and local natural and physical resources must be taken into account.*

23. We are also aware of the provisions of the RMA in Part II and the decision criteria.

24. On the social and economic considerations, we observe:

- a) Coal mining is a “sunset industry” is in long term decay. This is because of loss of social licence due to climate change; over supply and competition from gas from fracking and other sources; and competition and structural change with shifts to renewable energies of various kinds. Despite the optimism expressed in the West Coast Regional Growth plan, coal is on the way out. For example, the unit (financial) cost of coal is now above that of PV electricity in India. (see for example - <https://cleantechica.com/2016/01/22/solar-power-now-cheaper-than-coal-in-india-says-energy-minister/> and <https://www.pv-magazine.com/2017/03/06/indian-electricity-commission-cuts-price-of-renewable-energy-certificates/>).
- b) One of the effects of climate change is that the social licence for burning fossil fuels has been significantly reduced: many people find it intolerable that companies and “responsible” authorities should continue to allow coal mining and combustion despite the adverse effects of climate change and damage to the environment from mining.
- c) The use of coking coal is important for the steel industry, but there is a massive glut in steel, so the prospects for that are not particularly promising. Alternatives such as the use of pine timber for structural building processes are available – and are a much more sustainable approach if plantation grown timber is not planted and grown at the expense of native ecosystems. That proposition underlies the New Zealand Forest Accord, of which ECO is a founding signatory member.
- d) The environmental consequences of open cast or strip mining in areas of native forest and wetlands are also no longer acceptable to many people. There no longer is a social licence and projects that defy the lack of social licence will attract protests, outrage, and reputational damage for those who try to pursue them.

- e) The social and economic impact of industrial activity in areas of considerable natural value may be severe, despite the short-term jobs and economic activity. Tourists do not cross the seas to come to industrialization. Tourism, a significant and if done well sustainable activity, can also foster other local activities including a thriving arts and crafts scene, outdoor recreation, hospitality and public transport.
- f) From the point of view of the local and regional economy and society, coal mining and other extractive economic industries have resulted in a classic “resource curse” where the natural capital of the place affected is removed but the economic linkages and the multiplier effect on income and jobs is small. Locals are left with the mess.
- g) Continuing to pursue a sunset extractive industry in the face of the loss of global and national social licence and of acute concern at the loss of indigenous biodiversity, as would be the case with this mining proposal and its related activities, means that both people and other capital will become “stranded assets”. The Buller District Council District Plan (as noted above) clearly recognizes the need to move away from coal mining. It is unfair to people and communities and to people in the future to encourage people and investments into dying industries. What is needed is help to make the transition out of mining, coal or otherwise.
- h) The West Coast Region Growth Plan (September 2016), though optimistic about the prospects for mining, seems to us misguided on that point, but correct in its coverage of many other economic activities – such as the growth potential of “foot loose” industries such as IT, arts, and a variety of professional work that can be done remotely using modern technology.
- i) The West Coast lifestyle, dramatic scenery, wild coast line, and splendid native ecosystems is the real jewel and attraction for the West Coast – and that needs to be recognised and protected. Industrialising the landscape is counter-productive as are activities that destroy or damage the environment. The councils in our view should ensure that when considering economic and social consequences, they consider the loss of potential earnings and non-market values to those outside the coal and other extractive industries, if the extractive industries go ahead.
- j) As well as market earnings that may be lost, there should also be accounting for the loss of ecosystem services, the loss of non-extractive economic activity, and the loss of option,

bequest and existence values. These are opportunity costs of allowing coal mining and logging of forests, with accompanying loss of environmental values.

- k) The cumulative impacts of coal mining and of the sort of proposals for mining as a permitted use that are contained in the Growth plan are not considered in the application and assessment. Proposals to log native forests in the Growth Plan would add to cumulative impacts and those from past logging and mining need to be considered. The application does not do at all well on consideration of cumulative impacts or with the consideration of the matters in the District Plan.

25. Conclusion

- I. There are a significant number of adverse effects associated with this application.
- II. The adverse effects associated with this application render it inconsistent with the governing instruments for this area.
- III. The significance of the environment of this area must be protected.
- IV. The application by Stevenson Mining Limited to undertake mining and ancillary activities for the 'Te Kuha Mine Project' must be declined.

Thank you for considering our submission on this application.

Yours

Barry Weeber
ECO Co-Chairperson