

To: The Resource Consent Administration Officer

Tasman District Council  
Private Bag 4  
Richmond 7050

Email: resourceconsentadmin@tasman.govt.nz



## Submission on Resource Consent Application

PLEASE ENSURE THAT ALL SECTIONS OF THIS FORM, ON BOTH SIDES, ARE COMPLETED.

Please note: all submissions become public documents. If the application requires a hearing, your submission may be published on the council's hearings page, including your name and contact details.

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### Submitter Details

Full Name:	Graham Richard Sandlant	
Contact Person (if different):		
Address for Service:	4 Mickell Road Brooklyn RD3 Motueka	
Postcode:	7198	
Phone:	021 054 0091	E-mail: graham.ento@gmail.com

### Submission Details

This is a submission on the following application for resource consent lodged with the Council:

This is a submission on an application from: (Name of Applicant): CJ Industries Limited

For a resource consent to: (details can be found on the notice in the letter from Council, newspaper, website or on-site)

Publicly notified resource consent application for gravel extraction by CJ Industries Ltd at Peach Island, Motueka

Tasman District Council Application Number (if known): RM 200488

**1) The specific part(s) of the application that my submission relates to is/are (Give details\*):**

ALL

\* Note: Any additional information should be submitted on a separate sheet(s).

**2) The reasons for my submission are (Give details\*):**

Quarrying gravel in a Rural 1 zone is not a permitted activity, and for very good reasons.

The proposed extraction of gravel from the Motueka River bed at Peach Island would be a disaster, with a high risk of water contamination and environmental degradation. The Motueka river is a national treasure that has unique natural, recreational, historical and cultural connections to all the people of this area, and should not be subject to this proposal.

In addition, results of this proposal will have risks to the flood banks from altered river flows, as well as a degradation of nearby properties and lifestyles, including all those living on the roads used to transport the gravel. I oppose this application.

\*Note: Any additional information should be submitted on a separate sheet(s).

**3) The nature of my submission is that: (Tick one of the following three boxes):**

I support the application       I oppose the application       I am neutral regarding the application

**4) The decision I would like the Council to make is (Tick one of the following two boxes):**

To grant consent       To refuse/decline consent

If consent is granted, I wish the council to impose the following conditions

(Note: you do not have to suggest conditions, particularly if you want the council to refuse consent):

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**5) Attendance at any Council Hearing (You must tick one of the following two boxes):**

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(Person making submission or authorised agent)

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### Submitter Details

Full Name:	Jane Hobday	
Contact Person (if different):		
Address for Service:	4 Mickell Rd RD3 Motueka	
Postcode:	7198	
Phone:	03 528 9093	E-mail: jane.hobday17@gmail.com

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For a resource consent to: (details can be found on the notice in the letter from Council, newspaper, website or on-site)

Tasman District Council Application Number (if known): RM

**1) The specific part(s) of the application that my submission relates to is/are (Give details\*):**

RM 200488 and RM 200489

I would like to voice my objection to the proposal to extract gravel in such quantities and to have a large number of trucks using an unformed road in a rural 1 zoned area.

\* Note: Any additional information should be submitted on a separate sheet(s).

**2) The reasons for my submission are (Give details\*):**

Quarrying isn't a permitted activity on good farm land which we may need in the future for growing food for the community. I don't think the extraction of gravel warrants this change to zoning.

I am concerned about the environmental impact. While I appreciate the intention for CJ industries to attempt to restore the area after extraction, their proposal is not going to lead to healthy fertile soil. Quite the opposite I would imagine. The quarrying of land will make a dramatic impact on a very special and unique natural, historical, cultural and also place for recreation which is that area of the Motueka river. I am concerned about water contamination and risks to flood barriers in a flood prone area.

I am concerned about the level of heavy truck traffic not only for local residents but for cyclists. This is a part of the Poultar Great Taste Trail and while truck drivers are often very considerate of cyclists the sheer volume and size of the traffic will have a considerable and I consider negative impact on locals and cyclists in particular.

I think now is a time to conserve our natural environment in beautiful special places like this and to uphold the existing zoning for rural 1 land. I appreciate this application being notified. It is very important that it is +

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For a resource consent to: (details can be found on the notice in the letter from Council, newspaper, website or on-site)

Tasman District Council Application Number (if known): RM

**1) The specific part(s) of the application that my submission relates to is/are (Give details\*):**

Devaluation of residents peaceful lifestyle.

Enviromental issues: noise, dust, visual.

Water quality - risk of groundwater contamination.

Increased heavy traffic on Motueka River West Bank Road (collector road).

\* Note: Any additional information should be submitted on a separate sheet(s).

**2) The reasons for my submission are (Give details\*):**

The proposed activities will have an adverse effect on surrounding residents lifestyle.

The gravel extraction activities will have adverse environmental effects - noise, visual, dust and increase in heavy traffic which are more than minor.

I am concerned that the gravel extraction activities will contaminate the groundwater.

Motueka River West Bank Road is not suitable for the truck or truck and trailer units the Applicant proposes to use as they are a hazard to walkers, cyclists and other road users.

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I support the application       I oppose the application       I am neutral regarding the application

**4) The decision I would like the Council to make is (Tick one of the following two boxes):**

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## Submitter Details

Full Name:	Graham John Peacock	
Contact Person (if different):		
Address for Service:	396 Motueka River West Bank Road RD1 Motueka	
Postcode:	7196	
Phone:	021 1188085	E-mail: grahampeacock@yahoo.co.nz

## Submission Details

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This is a submission on an application from: (Name of Applicant): CJ Industries Limited

For a resource consent to: (details can be found on the notice in the letter from Council, newspaper, website or on-site)

Extract Gravel at 134 Peach Island Road, Motueka

Tasman District Council Application Number (if known): RM200488

**1) The specific part(s) of the application that my submission relates to is/are (Give details\*):**

Devaluation of peaceful lifestyle.

Environmental issues: noise, dust, visual.

Water quality - risk of groundwater contamination.

Increased heavy traffic on Motueka River West Bank Road (collector road).

Rehabilitation of land after gravel extraction.

\* Note: Any additional information should be submitted on a separate sheet(s).

**2) The reasons for my submission are (Give details\*):**

I live in a peaceful, quiet setting above and overlooking the proposed gravel extraction property. The proposed activities will have an adverse effect on my lifestyle.

The gravel extraction activities will have adverse environmental effects - noise, visual, dust and increase in heavy traffic which are more than minor.

My water supply is from a bore near 134 Peach Island Road and I am concerned that the gravel extraction activities will contaminate the groundwater.

I often walk along Motueka River West Bank Road and can state from my observations that the truck or truck and trailer units the Applicant proposes to use are a hazard to walkers, cyclists and other road users.

Dr Bernard Simmonds wrote: "Unfortunately, for these sites there is no way of reinstating land following gravel extraction that would retain the same levels of versatility and productive potential as previously held."

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Signature\*: \_\_\_\_\_ Date:

(Person making submission or authorised agent)

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### Submitter Details

Full Name:	Frances Theresa Harris	
Contact Person (if different):		
Address for Service:	POBox 250 Motueka	
Postcode:	7143	
Phone:	0211521845	E-mail: cqnfhnz@gmail.com

### Submission Details

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This is a submission on an application from: (Name of Applicant): CJ Industries

For a resource consent to: (details can be found on the notice in the letter from Council, newspaper, website or on-site)

Proposal to extract gravel at Peach Island , Motueka River by CJ Industries.

Tasman District Council Application Number (if known): RM

**1) The specific part(s) of the application that my submission relates to is/are (Give details\*):**

Location of extraction site.

Noise, dust , road congestion , traffic disturbance.  
Water contamination  
environmental degradation, safety to highway traffic  
affect on Motueka Valley residents wells/bores ( historically has been a problem at previous site)

number of truck and trailers each day  
length of project  
hours of work

type of fill used in pit.

\* Note: Any additional information should be submitted on a separate sheet(s).

**2) The reasons for my submission are (Give details\*):**

Please, we live near the proposed excavation site, we will have loud noise every working day for 15 years. We will also have 30 truck and trailer units per day on the East and West Bank roads. The west bank road is a national cycleway with barely enough room for two cars to pass, low visibility on corners, 2 one way bridges. The East Bank Road is already busy and very narrow. Woodman's corner is very sharp and dangerous. 30 truck movements a day will make the corner even more dangerous.

Peach Island is zoned Rural1. It is prime horticulture land and should not be used as a gravel pit. Disturbance to original productive farms and orchards is disastrous.

A healthy environment is essential for human health and well-being. We as ratepayers should be protected by the council from this activity as the noise and dust will be detrimental to our health.

\* Surely there are other areas to remove river gravel with less impact to this area MUST be considered.

\*Note: Any additional information should be submitted on a separate sheet(s).

**3) The nature of my submission is that: (Tick one of the following three boxes):**

I support the application  I oppose the application  I am neutral regarding the application

**4) The decision I would like the Council to make is (Tick one of the following two boxes):**

To grant consent  To refuse/decline consent

If consent is granted, I wish the council to impose the following conditions

(Note: you do not have to suggest conditions, particularly if you want the council to refuse consent):

We want council to refuse consent.  
 If they dont, we want commitment from the council that they will hire a indepentant contractor to monitor the noise, dust and the type of fill put in the pits and water quality  
 We also request that an independant commisioner be hired to read the submissions.  
 breaches of the consent should be dealt with by the independent monitoring person and the council, not CJ Industries as stated in their application.  
 Work start time would need to be 8am not 7am.

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### Submitter Details

Full Name:	Maureen Urwin	
Contact Person (if different):		
Address for Service:	555 Motueka River Westbank Road RD1 Upper Moutere 7196	
Postcode:		
Phone:	0211630635	E-mail: mouxsie33@gmail.com

### Submission Details

This is a submission on the following application for resource consent lodged with the Council:

This is a submission on an application from: (Name of Applicant): CJ Industries

For a resource consent to: (details can be found on the notice in the letter from Council, newspaper, website or on-site)

CJ Industries Limited seeks resource consents for a duration of 15 years to extract gravel from the berm of the Motueka River and on the landward side of the stopbank at Peach Island. This includes stockpiling topsoil, reinstatement of quarried land and associated amenity planting, access formation and signage.

Tasman District Council Application Number (if known): RM

#### 1) The specific part(s) of the application that my submission relates to is/are (Give details\*):

##### Vehicle access and truck movements

The proposed vehicle access involves the use of the existing vehicle crossing at 493 Motueka River West Bank Road, then via Crown land and unformed legal road to the extraction / stockpiling areas. The proposal includes establishment and use of a formed / upgraded accessway and safety signage as needed.

Excavated material is transported to the existing processing unit by truck - trailer units with 15 return / 30 single truck movements per day. The proposed transport route off site is west along Motueka River West Bank Road to the bridge at Alexander Bluff Road and then via Motueka Valley Highway. Inbound vehicles may return with back fill material for the extraction site.

\* Note: Any additional information should be submitted on a separate sheet(s).

**2) The reasons for my submission are (Give details\*):**

I live at 555 Westbank Road. The current rate of heavy vehicles using this already under maintained road is causing safety issues. There are Fontera milk trucks as well as Solly's cattle transporters and other regular trucking companies using this stretch of road. A large number of these trucks (mostly Fontera) do not abide the speed limit - which I believe should be reduced to 60kmph - we are families with children, pets, vehicles and cycles living on this stretch of road. Since moving to the Westbank 11 years ago, I have lost 3 cats and one had to have a leg amputated after being hit by a truck. I digress! Then on top of this we have all the holiday makers who divert down the Westbank on thier way to or from Golden Bay. The amount of noise, danger, dust and road distruction to come is really disturbing. I recently drove the Westbank taking photographs of the poorly maintained state of our roads, it is disgusting given we all get ZERO for the rates we pay. Dirches remain undug - flooding hazard, potholes and road cambers remain an already huge and dangerous hazard. When it rains torrentially as it does regularly - the speed and frequency of the trucks, already sends floods of water down my driveway and into my property -water pooling,poor mainte

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If consent is granted, I wish the council to impose the following conditions

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That the current road is brought up to a better and safer standard - it is also deemed a cycle way!  
 That the road, ditches and slips are REGULARLY maintained, like after EVERY storm  
 That the speed limit is altered to 60km for the proposed strip  
 That the amount of truck and trailer trips is limited to a more appropriate number for the road condition  
 That we have a guarantee that there will not be a crushing plant added in the future  
 That YOU can guarantee that everything the applicant says they are going to do in terms of clean backfill, planting and returning the land to it's natural state is written.

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Tasman District Council Application Number (if known): RM

**1) The specific part(s) of the application that my submission relates to is/are (Give details\*):**

1. EXCESSIVE NOISE IMPACT
  2. EXCESSIVE IMPACT OF HEAVY TRUCK TRAFFIC
  3. WATER CONTAMINATION ISSUES
  4. EXCESSIVE DUST IMPACT
  5. PROPOSED HOURS OF WORK
  6. NEGATIVE VISUAL IMPACT
- Refer to details above in separate document.

\* Note: Any additional information should be submitted on a separate sheet(s).

**2) The reasons for my submission are (Give details\*):**

Because we live near the proposed excavation site, we will have loud noise 5 days a week for 15 years. We will also have 30 truck and trailer units per day on the east and west bank roads. The west bank road is a national cycleway with barely enough room for two cars to pass, low visibility on corners, 2 one way bridges, plus the Alexander Bluff Bridge. The East bank road is already busy and very narrow. Woodmans corner is very sharp and dangerous. 30 truck movements a day will make the corner even more dangerous.

Peach Island is zoned Rural1. Peach Island is prime horticulture land and should not be used as a gravel pit.

A healthy environment is essential for human health and well-being. We as ratepayers should be protected by the council from this activity as the noise and dust will be detrimental to our health.

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If consent is granted, I wish the council to impose the following conditions

(Note: you do not have to suggest conditions, particularly if you want the council to refuse consent):

We want council to refuse consent on the grounds of this submission. Please see attached information.

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## **Submission to Proposal for Establishment of Gravel Extraction At Peach Island by C.J. Industries on West Bank.**

By: David Virgin and Trish Harris-Virgin

Address: 273 College Street, Motueka

Date: 14 January 2022

In respect of the proposal for C.J. Industries to establish a gravel extraction quarry on Peach Island, we wish to submit our strong objection. We also request an independent commissioner to review the submissions and resource consent application.

Our land borders the Motueka Valley Highway on the East bank of the Motueka River. We bought this property in good faith knowing that we overlooked Rural 1 land believed therefore that Tasman District zoning rules and provisions of the RMA would protect us from industries such as gravel extraction. As Peach Island is Rural 1 productive horticulture land, gravel extraction a discretionary activity, is not of right, nor consistent with current zoning and therefore this resource consent application should not be approved.

The proposed gravel extraction business would negatively affect us for the following reasons.

### **1. EXCESSIVE NOISE IMPACT**

Noise travels and echoes around the hills surrounding the Motueka River. The proposed 30 truck and trailers movements a day past our property would cause an excessive amount of noise and disturbance to us.

In the Resource Consent Application it says our address would be impacted by an average of 37 dbl. We have measured 50 dbl regularly from the road below our property from normal car traffic. Tractor and general farming noise can be as high as 70dbl, however this is intermittent noise, unlike the resource application, where 5 days a week from 7am – 4.30pm there will be 30 truck and trailer movements on the road. The use of an average dbl reading in the applicant's submission is misleading as the truck and trailer noise will be well above that. It will be intrusive and disruptive.

In addition to the 30 x truck and trailer movements proposed by CJ Industries, there will be additional trucks accessing the plant to pick up gravel for their projects. And also there will be trucks dropping off fill which will also be very noisy and dusty.

As well, we will be subject to the noise from the machinery used for the gravel extraction itself and this will be a continuous disturbance all day, every day.



The extraction process and filling of the trucks would cause noise levels that would be difficult to live with considering it could go on for the rest of our lives.



## 2. EXCESSIVE IMPACT OF HEAVY TRUCK TRAFFIC

The West Bank road is winding, narrow and is already difficult to drive particularly when there are cyclists on the road. It is a National Cycle Way and should be protected from excessive heavy truck traffic use. It is also used by tourists as an alternative route to Riwaka and Motueka.

Adding 30 x industrial-sized truck and trailer movements to the road every day will put dangerous pressure on the roads which are already challenged with farm and tourist traffic. Furthermore, in addition to the 30 x truck and trailer movements proposed by CJ Industries, there will be additional truck movements by contracting and roading companies such as Downers and Fulton Hogan as well as others, accessing the gravel extraction plant to pick up loads of gravel for their projects.

The 2 bridges on the West Bank Road are one way only and not suitable for heavy traffic. Visibility is limited on the approaches to the bridges.

Woodmans corner on the East bank is a dangerous bend with no visibility.

## 3. WATER CONTAMINATION ISSUES

In November 2021 we drilled a new well at Woodmans corner, replacing our old one, which serves 4 households.



There is evidence that the people on Douglas Road had contaminated wells as a result of the gravel extraction carried out on Douglas Road. The gravel extraction proposed is on a bigger scale than Douglas Road with longevity of 15 years. This puts the wells and bores downstream of the proposed extraction site, including our well, at high risk of contamination, including that from oil spills from machinery, during flood events.

As locals, we know that we can take green waste and dump it at Douglas Road gravel pit at no cost. This is not managed or monitored in any way by the site operators, CJ Industries. If this policy is replicated at the proposed Peach Island site it is fair to assume that the same lack of control of dumped waste will prevail, putting the water quality at risk for those with wells in the area.

Residents of Douglas Road have endured well contamination as a direct result of the gravel extraction operation for years, with no remediation attempts by the operators. Clearly this would also occur on the proposed Peach Island operation and this is 100% unacceptable.

We have lived in the Motueka Valley for 35 years and have seen Peach Island flood numerous times, the last time was this past winter. For CJ Industries to cite negative flooding impacts only during 50 year flood events is erroneous and misleading given that it is well known that serious floods are happening more frequently as a result of global warming.

#### 4. EXCESSIVE DUST IMPACT

It is inevitable that the gravel extraction process would cause excessive dust problems for local residents which could exacerbate and/or cause respiratory problems. Most of the residents in the nearby Motueka Valley will be affected by the dust especially when the southerly or westerly wind is blowing.

We know that the for the residents of Douglas Road, the constant dust is a nightmare to live with and they cannot wait for the gravel extraction to finish. CJ Industries are proposing to move all the same problems to the Peach Island location and impose the same nightmare impacts on the local residents here.



We observe how the pollen covers our property from pine trees on the west bank during the spring, however this is short term and seasonal, not year-round as the gravel extraction proposal would be.

#### 5. PROPOSED HOURS OF WORK

The proposed start time of 7am is completely unacceptable. That will result in trucks heading up the valley past our property at 6.30am and the disturbance to us and our neighbours will be considerable. This is unreasonable and should not be allowed.

#### 6. NEGATIVE VISUAL IMPACT

The proposed gravel extraction plant will be ugly, unsightly and in full view of the neighbouring properties. It will be a bare gravel landscape, littered with structures and equipment and stockpiles of gravel. This is a far cry from the rural outlook currently enjoyed by those living in the area and motorists using both the east and west bank roads.



## CONCLUSION

As directly-affected residents we submit that Council should honour the Rural 1 status of the proposed site and decline this consent application in its entirety .

David Virgin and Trish Harris-Virgin

**Alastair Jewell**

---

**From:** Reception Richmond  
**Sent:** Monday, 17 January 2022 9:20 am  
**To:** Resource Consent Admin  
**Subject:** FW: Submission re Resource Consent Application by CJ Industries  
**Attachments:** Form for submission on resource consent application 140122.pdf; Harris-Virgin Submission 0122 (3).pdf

**Categories:** Lynda to deal with

**Reception Richmond**  
Customer Services Team  
DDI+64 3 543 8588

---

**From:** Trish Harris-Virgin <harrisvirgin@gmail.com>  
**Sent:** Sunday, 16 January 2022 9:38 am  
**To:** Reception Richmond <Reception.Richmond@tasman.govt.nz>; hayden@planscapes.co.nz  
**Subject:** Submission re Resource Consent Application by CJ Industries

Please find attached 2 x documents attached for our submission to the above resource consent application.  
Patricia Harris-Virgin

To: The Resource Consent Administration Officer

Tasman District Council  
Private Bag 4  
Richmond 7050

Email: resourceconsentadmin@tasman.govt.nz



## Submission on Resource Consent Application

PLEASE ENSURE THAT ALL SECTIONS OF THIS FORM, ON BOTH SIDES, ARE COMPLETED.

Please note: all submissions become public documents. If the application requires a hearing, your submission may be published on the council's hearings page, including your name and contact details.

Personal information will also be used for administration purposes, including notifying submitters of hearings and decisions. All information will be held by the Tasman District Council with submitters having the right to access and correct personal information.

### Submitter Details

Full Name:	<input type="text" value="jean-luc azzis"/>		
Contact Person (if different):	<input type="text"/>		
Address for Service:	<input type="text" value="51 Stony Ridge Way&lt;br/&gt;RD1&lt;br/&gt;7196. Motueka"/>		
Postcode:	<input type="text"/>		
Phone:	<input type="text" value="021529947"/>	E-mail:	<input type="text" value="jlazzis@gmail.com"/>

### Submission Details

This is a submission on the following application for resource consent lodged with the Council:

This is a submission on an application from: *(Name of Applicant)*:

For a resource consent to: *(details can be found on the notice in the letter from Council, newspaper, website or on-site)*

Tasman District Council Application Number (if known): RM

**1) The specific part(s) of the application that my submission relates to is/are (Give details\*):**

\* Note: Any additional information should be submitted on a separate sheet(s).

**2) The reasons for my submission are (Give details\*):**

- The land is in a Rural 1 zone which prohibits industrial activities and specifically quarrying.
  - The Motueka river is protected and should not be allowed to be damaged or polluted
- The proposed activity will:
- generate a lot of heavy traffic on a very narrow and already dangerous road
  - further damage infrastructure of bridges and tar seal which are already in poor condition
  - disturb all the properties with direct line of sight with constant noise (it will echo in the surrounding valley)
  - generate large amount of dust which will affect all neighbouring orchards and residents
  - destroy arable land which cannot be restored after the activity (see TDC reply in the consent application)
  - pollute the aquifer with leakage from the machinery and infill material (despite assurances that it won't)
  - negatively impact the values of all properties from which the activity can be seen or heard

Alternatively, there is plenty of readily available gravel on the river bed. Removing it would actually be beneficial to everyone in the area (including TDC) by reducing the flood risk. No long term negative effects and it gets replaced naturally and quickly for more collecting when needed.

\*Note: Any additional information should be submitted on a separate sheet(s).

**3) The nature of my submission is that: (Tick one of the following three boxes):**

- I support the application       I oppose the application       I am neutral regarding the application

**4) The decision I would like the Council to make is (Tick one of the following two boxes):**

- To grant consent       To refuse/decline consent

If consent is granted, I wish the council to impose the following conditions

(Note: you do not have to suggest conditions, particularly if you want the council to refuse consent):

- Should this consent go ahead.
- Operation should be no more than 8 hours per day (8am-4pm or 9am-5pm)
  - monitoring of infill and trucks movement should be done by independant company with 24/7 camera surveillance, and the cost covered by the applicant.
  - truck movement should be limited to 1 per hour
  - water quality (river downstream, and aquifers) should be monitored 3 monthly for the duration of the consent
  - all vehicle access to the site should be fully sealed and kept in good condition (to minimise dust)
  - Traffic in and out of the site should be through riwaka bridge and Motueka town which is a better, safer and wider road for the trucks

\*Note: Any additional information should be submitted on a separate sheet(s).

**5) Attendance at any Council Hearing (You must tick one of the following two boxes):**

- I wish to be heard in support of my submission       I do not wish to be heard in support of my submission

Note: If you indicate that you do not wish to be heard, you will still receive a copy of the Council's decision but you will not receive a copy of the hearing report if a hearing is held.

Print Full Name:

Signature\*:  Date:   
 (Person making submission or authorised agent)

\*Note: A signature is not required if you make your submissions by electronic means.

**A copy of this submission MUST also be sent to the applicant as soon as reasonably practicable after serving a copy on the Council.**

To: The Resource Consent Administration Officer

Tasman District Council  
Private Bag 4  
Richmond 7050

Email: resourceconsentadmin@tasman.govt.nz



## Submission on Resource Consent Application

PLEASE ENSURE THAT ALL SECTIONS OF THIS FORM, ON BOTH SIDES, ARE COMPLETED.

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Personal information will also be used for administration purposes, including notifying submitters of hearings and decisions. All information will be held by the Tasman District Council with submitters having the right to access and correct personal information.

### Submitter Details

Full Name:	Heather Brooks	
Contact Person (if different):		
Address for Service:	23 Rocky River Road RD1 Motueka	
Postcode:	7196	
Phone:	027 867 6966	E-mail: hazelbrooks09@gmail.com

### Submission Details

This is a submission on the following application for resource consent lodged with the Council:

This is a submission on an application from: (Name of Applicant): CJ Industries

For a resource consent to: (details can be found on the notice in the letter from Council, newspaper, website or on-site)

Gravel Extraction  
134 Peach Island Road, Motueka

Tasman District Council Application Number (if known): RM200488, RM200489

**1) The specific part(s) of the application that my submission relates to is/are (Give details\*):**

Land disturbance for the purpose of gravel extraction on land zoned Rural 1, Land Disturbance Area 1, and noted as subject to flood hazard under the TRMP.

Purposed Transport Route.

\* Note: Any additional information should be submitted on a separate sheet(s).



**2) The reasons for my submission are (Give details\*):**

Gravel extraction is damaging to the river environment. Yes, we use gravel to many legitimate purposes and gravel is formed by water action, but gravel extraction near a present water course is a very real threat to water dwelling species (native and non native). It is well documented that flooding (which occurs regularly in our valley) is of much greater environmental impact in areas that have been significantly disturbed as this site will be for the 15 years of it's contract and until any revegetation is firmly established. The Motueka river is already showing species die back (particularly in native galaxiid fish) due to silt build up and pesticide use/pollution. This is a general observation that I have noticed in my years living in the Motueka Valley as well as conversations with a local fisheries officer. There is little to no work being done to establish the current status of these declining species in the Motueka River. The greyling went extinct and we don't even know exactly why, but it had to do with the arrival of the white man - let's not be so ignorant in the present. I would love to see our river as a national example of a thriving ecosystem in the midst of human settlement. This gravel extraction project would seriously undermine that vision.

Another reason for me to firmly oppose this application is the noise and pedestrian/biker safety factor of large trucks on the Westbank Road. We have enough traffic as it is, adding to the traffic is disturbing the peace.

\*Note: Any additional information should be submitted on a separate sheet(s).

**3) The nature of my submission is that: (Tick one of the following three boxes):**

I support the application       I oppose the application       I am neutral regarding the application

**4) The decision I would like the Council to make is (Tick one of the following two boxes):**

To grant consent       To refuse/decline consent

If consent is granted, I wish the council to impose the following conditions

(Note: you do not have to suggest conditions, particularly if you want the council to refuse consent):

\*Note: Any additional information should be submitted on a separate sheet(s).

**5) Attendance at any Council Hearing (You must tick one of the following two boxes):**

I wish to be heard in support of my submission       I do not wish to be heard in support of my submission

Note: If you indicate that you do not wish to be heard, you will still receive a copy of the Council's decision but you will not receive a copy of the hearing report if a hearing is held.

Print Full Name:

Signature\*:

(Person making submission or authorised agent)

Date:

\*Note: A signature is not required if you make your submissions by electronic means.

**A copy of this submission MUST also be sent to the applicant as soon as reasonably practicable after serving a copy on the Council.**

To: The Resource Consent Administration Officer  
 Tasman District Council  
 Private Bag 4  
 Richmond 7050



## Submission on Resource Consent Application

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Personal information will also be used for administration purposes, including notifying submitters of hearings and decisions. All information will be held by the Tasman District Council with submitters having the right to access and correct personal information.

### Submitter Details

Full Name:

Contact Person (if different):

Address for Service:

Postcode:

Phone:  E-mail:

### Submission Details

This is a submission on the following application for resource consent lodged with the Council:

This is a submission on an application from: (Name of Applicant):

For a resource consent to: (details can be found on the notice in the letter from Council, newspaper, website or on-site)

Tasman District Council Application Number (if known): RM

**1) The specific part(s) of the application that my submission relates to is/are (Give details\*):**

\* Note: Any additional information should be submitted on a separate sheet(s).

**2) The reasons for my submission are (Give details\*):**

environmental damage to productive land and waterways from excavation.  
 heavy traffic on what are rural, recreational roadways totally unsuitable for this type of use. The use of these roadways for recreational travellers is a drawback for this area and we should be doing all we can to preserve these by-ways. To introduce 30 daily truck movements would create a dangerous, noisy, polluted, unpleasant environment.  
 This is rural land, enjoyed by all, and important to those who grow food to feed us all. This needs protecting.

\*Note: Any additional information should be submitted on a separate sheet(s).

**3) The nature of my submission is that: (Tick one of the following three boxes):**

I support the application       I oppose the application       I am neutral regarding the application

**4) The decision I would like the Council to make is (Tick one of the following two boxes):**

To grant consent       To refuse/decline consent

If consent is granted, I wish the council to impose the following conditions

(Note: you do not have to suggest conditions, particularly if you want the council to refuse consent):

\*Note: Any additional information should be submitted on a separate sheet(s).

**5) Attendance at any Council Hearing (You must tick one of the following two boxes):**

I wish to be heard in support of my submission       I do not wish to be heard in support of my submission

Note: If you indicate that you do not wish to be heard, you will still receive a copy of the Council's decision but you will not receive a copy of the hearing report if a hearing is held.

Print Full Name:

Signature\*: \_\_\_\_\_ Date:

(Person making submission or authorised agent)

\*Note: A signature is not required if you make your submissions by electronic means.

**A copy of this submission MUST also be sent to the applicant as soon as reasonably practicable after serving a copy on the Council.**

To: The Resource Consent Administration Officer

Tasman District Council  
Private Bag 4  
Richmond 7050

Email: resourceconsentadmin@tasman.govt.nz



## Submission on Resource Consent Application

PLEASE ENSURE THAT ALL SECTIONS OF THIS FORM, ON BOTH SIDES, ARE COMPLETED.

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Personal information will also be used for administration purposes, including notifying submitters of hearings and decisions. All information will be held by the Tasman District Council with submitters having the right to access and correct personal information.

### Submitter Details

Full Name:	Sue Boissevain	
Contact Person (if different):		
Address for Service:	1109 Motueka Valley Highway RD 1 Motueka 7196	
Postcode:		
Phone:	0211368993	E-mail: suebois65@gmail.com

### Submission Details

This is a submission on the following application for resource consent lodged with the Council:

This is a submission on an application from: (Name of Applicant): C J Industries Ltd

For a resource consent to: (details can be found on the notice in the letter from Council, newspaper, website or on-site)

for a duration of 15 years to extract gravel from the berm of the Motueka River and on the landward side of the stopbank at Peach Island. This includes stockpiling topsoil, reinstatement of quarried land and associated amenity planting, access formation and signage.

Tasman District Council Application Number (if known): RM RM200488 and RM200489

**1) The specific part(s) of the application that my submission relates to is/are (Give details\*):**

"Vehicle access and truck movements  
...

Excavated material is transported to the existing processing unit by truck - trailer units with 15 return / 30 single truck movements per day. The proposed transport route off site is west along Motueka River West Bank Road to the bridge at Alexander Bluff Road and then via Motueka Valley Highway. Inbound vehicles may return with back fill material for the extraction site."

NB \*THIS SUBMISSION REPLACES MY SUBMISSION DATED 17/01/2022

\* Note: Any additional information should be submitted on a separate sheet(s).

**2) The reasons for my submission are (Give details\*):**

- 1) The West Bank Road is a narrow road in average condition with no shoulder.
- 2) The West Bank Road used by many bikers as an alternative to the busy Motueka Valley Highway.
- 2A) The West Bank Road is the route of Tasman's Great Taste Trail
- 3) A truck went over the bank last month on this particular section of road.
- 4) The single lane bridge at Rocky River is very poor
- 5) The Bluff bridge is a dangerous crossing (Highway side)

For all reasons above, the increased traffic of this activity on the West Bank Road will produce very dangerous conditions.

The route via Brooklyn is shorter (by 4 km) and faster.

\*Note: Any additional information should be submitted on a separate sheet(s).

**3) The nature of my submission is that:** (Tick one of the following three boxes):

- I support the application       I oppose the application       I am neutral regarding the application

**4) The decision I would like the Council to make is** (Tick one of the following two boxes):

- To grant consent       To refuse/decline consent

If consent is granted, I wish the council to impose the following conditions

(Note: you do not have to suggest conditions, particularly if you want the council to refuse consent):

To decline route to go via West Bank as proposed, but instead use route via Brooklyn. (Or use this application as a stepping stone for a new - double lane - bridge across Motueka River?!)

\*Note: Any additional information should be submitted on a separate sheet(s).

**5) Attendance at any Council Hearing (You must tick one of the following two boxes):**

- I wish to be heard in support of my submission       I do not wish to be heard in support of my submission

Note: If you indicate that you do not wish to be heard, you will still receive a copy of the Council's decision but you will not receive a copy of the hearing report if a hearing is held.

Print Full Name:

Signature\*: \_\_\_\_\_  
(Person making submission or authorised agent)

Date:

\*Note: A signature is not required if you make your submissions by electronic means.

**A copy of this submission MUST also be sent to the applicant as soon as reasonably practicable after serving a copy on the Council.**

**Subject:** Printed copy of email submission CJ Industries RM200488 received 19 Jan 2022

---

**From:** tessa - remko in nz <tessa\_remko@yahoo.com>  
**Sent:** Thursday, 20 January 2022 4:07 pm  
**To:** Resource Consent Admin <Resourceconsentadmin@tasman.govt.nz>  
**Subject:** Re: Submission on CJ Industries RM200488 - Heard or not

Thanks for the response, only our written submission please.  
Cheers,  
Remko

Sent from my iPad

On 20/01/2022, at 3:25 PM, Resource Consent Admin <[Resourceconsentadmin@tasman.govt.nz](mailto:Resourceconsentadmin@tasman.govt.nz)> wrote:

Hi Tessa / Ros

Please advise if you wish to be heard as a submitter to your submission .

Kind regards

Lynda Cross

**Resource Consent Admin**  
Call+64 3 543 8400|[Resourceconsentadmin@tasman.govt.nz](mailto:Resourceconsentadmin@tasman.govt.nz)  
Private Bag 4, Richmond 7050, NZ

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-----Original Message-----

**From:** tessa - remko in nz <[tessa\\_remko@yahoo.com](mailto:tessa_remko@yahoo.com)>  
**Sent:** Wednesday, 19 January 2022 12:50 pm  
**To:** Resource Consent Admin <[Resourceconsentadmin@tasman.govt.nz](mailto:Resourceconsentadmin@tasman.govt.nz)>  
**Subject:** Submission

We asa family would like to make a submission to the following applicant

CJ industries

We oppose the resource consent application for extracting gravel for the coming 15 years at the properties mentioned in the application.  
We agree with the community group R.A.G.E. that this is the wrong place for this activity.

Our main concern as residents with children living on the Motueka river west bank road, is that this road is not suitable for truck and trailer traffic.

The applicant has stated that the Motueka river west bank road has between 1000 and 3000 vehicle

movements per day. I doubt the accuracy of this and even if this is true our findings are that the movement's of truck and trailer don't exceed the 20 per day on average.

CJ industries will increase this with almost 100%.

This will have a major impact on the safety on the road. Our children use the road for biking to friends. They have to go into the berm with the Frontera and Sollies truck and trailers because it's just not safe enough. All the great taste trail riders use this road and an increase of 1 truck and trailer every half an hour doesn't add to a pleasant experience.

Already the Motueka river West Bank road is not suitable for truck and trailers being able to drive 80 km/h. We have had several times that the truck and trailers were taking corners with the trailer far over the middle of the road.

Another major concern we have regarding to safety on the road is the 1 lane bridge over the Rocky river road. We have had several near misses with cars and trucks not giving way. In my opinion 15 truck and trailer movements per day will increase the risk for a major collision beyond what's tolerable.

Last point is the Alexander bluff bridge. Turning truck and trailer might hold up traffic on the Highway which then causes increased risk of collisions again. Getting on to the bridge and again onto the highway is quite tricky with a truck and trailer because the turn is sharp and narrow. With an increase of 15 movements per day this is asking for trouble.

Adding this all up makes us really concerned about this application. We foresee an increase in injuries and possible deaths on a rural road, not suitable for truck and trailers for an activity that's not permitted on rural 1 land.

So we strongly oppose this application.

Remko Ros

Tessa Hiebendaal

5/820 Motueka river West Bank road

Sent from my iPad

To: The Resource Consent Administration Officer

Tasman District Council  
Private Bag 4  
Richmond 7050

Email: resourceconsentadmin@tasman.govt.nz



**tasman**  
district council

Te Kaunihera o

**te tai o Aorere**

RM200488 - CJ Industries Limited

## Submission on Resource Consent Application

PLEASE ENSURE THAT ALL SECTIONS OF THIS FORM, ON BOTH SIDES, ARE COMPLETED.

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Personal information will also be used for administration purposes, including notifying submitters of hearings and decisions. All information will be held by the Tasman District Council with submitters having the right to access and correct personal information.

### Submitter Details

Full Name:	Nina Jefferies		
Contact Person (if different):			
Address for Service:	12a Grey Street Motueka 7120		
Postcode:			
Phone:	0275931708	E-mail:	nkjefferies@gmail.com

### Submission Details

This is a submission on the following application for resource consent lodged with the Council:

This is a submission on an application from: **CJ Industries Limited**

For a resource consent to: *(details can be found on the notice in the letter from Council, newspaper, website or on-site)*

**Gravel extraction...**

Tasman District Council Application Number (if known): RM **RM200488 and ors**

**1) The specific parts of the application that my submission relates to are (details\*)**

**Truck movements on Motueka Valley Highway and Westbank Road  
Industrial operations in a rural 2 zone**

\* Note: Any additional information should be submitted on a separate sheet(s).



**2) The reasons for my submission are (Give details\*):**

Roading is not sufficient/safe enough for the volume of movements proposed.  
 The road is not wide enough for trucks passing in opposite directions without the risk of them moving onto the verges causing further corrosion to the road edges.  
 One lane bridges at Alexander Bluff and Rocky River do not have sufficient space and visibility for HGV, especially truck and trailer.  
 Residents and other road users will be negatively impacted by the volume of large trucks and dust created during dry weather.  
 The poor visibility on the road put cyclists, hikers and animals at risk.  
 The vibrations have the potential to increase the risk of slipping when winter weather arrives. This area is already slip prone.  
 This area is rural and already has to contend with livestock vehicles at regular intervals. All other HGV movements should be considers ONLY when the condition of the road is improved.  
 Residents pay the same rates as town residents even though they don't have some of the basic town services provided (refuse collection and lighting). On top of this they contend with a poorly maintained road.

\*Note: Any additional information should be submitted on a separate sheet.

**3) The nature of my submission is that:** (Tick one of the following three boxes)

I support the application       I oppose the application       I am neutral regarding the application

**4) The decision I would like the Council to make is** (Tick one of the following two boxes)

To grant consent       To refuse/decline consent

If consent is granted, I wish the council to impose the following conditions

(Note: you do not have to suggest conditions, particularly if you want the council to refuse consent)

Smaller trucks and less movements.  
 Alternate route that does not operate into the valley.  
 Slower speed restriction.  
 Repairs to roads post operation should be done at a cost to CJs.

\*Note: Any additional information should be submitted on a separate sheet(s).

**5) Attendance at any Council Hearing (You must tick one of the following two boxes):**

I wish to be heard in support of my submission       I do not wish to be heard in support of my submission

Note: If you indicate that you do not wish to be heard, you will still receive a copy of the Council's decision but you will not receive a copy of the hearing report if a hearing is held.

Print Full Name:

Signature\*: \_\_\_\_\_ Date:   
 (Person making submission or authorised agent)

\*Note: A signature is not required if you make your submissions by electronic means.

**A copy of this submission MUST also be sent to the applicant as soon as reasonably practicable after serving a copy on the Council.**

**Alastair Jewell**

---

**Subject:** FW: Nina Jeffries - additional info asked for on submission - Form for submission - RM200488 - from Nina Jefferies

---

**From:** Nina Jefferies <nkjefferies@gmail.com>  
**Sent:** Tuesday, 1 February 2022 3:31 pm  
**To:** Resource Consent Admin <Resourceconsentadmin@tasman.govt.nz>  
**Subject:** Re: Nina Jeffries - additional info asked for on submission - Form for submission - RM200488 - from Nina Jefferies

Hi Lynda,

Thank you but I didn't check when I saved the submission and now I can't remember what I wrote!

It's fine as it is :-)

On Tue, 1 Feb 2022 at 14:52, Resource Consent Admin <[Resourceconsentadmin@tasman.govt.nz](mailto:Resourceconsentadmin@tasman.govt.nz)> wrote:

Hi Nina

We have received your submission and note that some of your reasons for your submission have been cut off and not able to be read . (Please see above page 2 under reasons )Unfortunately this box , obviously lets you keep on typing when unfortunately its fields are full . If you wish to say more than what is shown on the submission . Please jot down on a separate piece of paper and email as an attachment so it can be attached to this existing submission. Meanwhile I have asked if something can be changed to the submission format so that this does not occur again.

Sorry about this

Kind regards

Lynda Cross

**Resource Consent Admin**

Call+64 3 543 8400|[Resourceconsentadmin@tasman.govt.nz](mailto:Resourceconsentadmin@tasman.govt.nz)

Private Bag 4, Richmond 7050, NZ



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**From:** Hayden Taylor <[Hayden@planscapes.co.nz](mailto:Hayden@planscapes.co.nz)>  
**Sent:** Tuesday, 1 February 2022 9:47 am  
**To:** Resource Consent Admin <[Resourceconsentadmin@tasman.govt.nz](mailto:Resourceconsentadmin@tasman.govt.nz)>  
**Subject:** RE: Form for submission - RM200488 - from Nina Jefferies

Hi,

We have noticed that a few of the submissions that have come through (including this one) have text within the text boxes that seems to continue past the bottom of the box. Are you able to read all of this, or is this something that Council should be following up with the submitters to make sure all of their submission is able to be read?

Thanks,

Hayden

**Hayden Taylor**

Resource Management Consultant

BSc (Hons)

**Planscapes (NZ) Ltd**

94 Selwyn Place : PO Box 99 : Nelson

**T** 03 539 0281 : **M** 021 071 2209 **E** [Hayden@planscapes.co.nz](mailto:Hayden@planscapes.co.nz)



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---

**From:** Nina Jefferies <[nina@gbwct.org.nz](mailto:nina@gbwct.org.nz)>  
**Sent:** Friday, 21 January 2022 1:09 PM  
**To:** [resourceconsentadmin@tasman.govt.nz](mailto:resourceconsentadmin@tasman.govt.nz)  
**Cc:** Hayden Taylor <[Hayden@planscapes.co.nz](mailto:Hayden@planscapes.co.nz)>  
**Subject:** Form for submission - RM200488 - from Nina Jefferies

**Ngā mihi**

**Nina Jefferies**

**Youth Service Coach**

**Motueka**

**027 257 9777**



To: The Resource Consent Administration Officer

Tasman District Council  
Private Bag 4  
Richmond 7050

Email: resourceconsentadmin@tasman.govt.nz



tasman  
district council

Te Kaunihera o

te tai o Aorere

RM200488 - CJ Industries Limited

## Submission on Resource Consent Application

PLEASE ENSURE THAT ALL SECTIONS OF THIS FORM, ON BOTH SIDES, ARE COMPLETED.

Please note: all submissions become public documents. If the application requires a hearing, your submission may be published on the council's hearings page, including your name and contact details.

Personal information will also be used for administration purposes, including notifying submitters of hearings and decisions. All information will be held by the Tasman District Council with submitters having the right to access and correct personal information.

### Submitter Details

Full Name:	Paul Blackham	
Contact Person (if different):		
Address for Service:	8 Hau Road Motueka 7120	
Postcode:		
Phone:	0211168621	E-mail: blackers@ts.co.nz

### Submission Details

This is a submission on the following application for resource consent lodged with the Council:

This is a submission on an application from: CJ Industries Limited

For a resource consent to: (details can be found on the notice in the letter from Council, newspaper, website or on-site)

Gravel extraction...

Tasman District Council Application Number (if known): RM RM200488 and ors

**1) The specific parts of the application that my submission relates to are (details\*)**

The impact on the residents of Hau road

\* Note: Any additional information should be submitted on a separate sheet(s).

**2) The reasons for my submission are (Give details\*):**

Hau road already sees a number of large trucks heading down to the CJ processing plant at the bottom of the road. The proposed scheme would see another 15 or more truck/truck and trailer units using Hau Road each day. The noise and disturbance from the current volume of traffic is already quite noticeable, and any additions to the volume of heavy traffic would be a major inconvenience due to the noise and vibrations these trucks cause which is felt indoors by residents. Hau Road is primarily a residential street, and were this consent granted it would adversely impact on the living conditions of residents and their wellbeing, as well as their property values.

\*Note: Any additional information should be submitted on a separate sheet.

**3) The nature of my submission is that: (Tick one of the following three boxes)**

I support the application       I oppose the application       I am neutral regarding the application

**4) The decision I would like the Council to make is (Tick one of the following two boxes)**

To grant consent       To refuse/decline consent

If consent is granted, I wish the council to impose the following conditions

(Note: you do not have to suggest conditions, particularly if you want the council to refuse consent)

\*Note: Any additional information should be submitted on a separate sheet(s).

**5) Attendance at any Council Hearing (You must tick one of the following two boxes):**

I wish to be heard in support of my submission       I do not wish to be heard in support of my submission

Note: If you indicate that you do not wish to be heard, you will still receive a copy of the Council's decision but you will not receive a copy of the hearing report if a hearing is held.

Print Full Name:

Signature\*:

(Person making submission or authorised agent)

Date:

\*Note: A signature is not required if you make your submissions by electronic means.

**A copy of this submission MUST also be sent to the applicant as soon as reasonably practicable after serving a copy on the Council.**

To: The Resource Consent Administration Officer

Tasman District Council  
Private Bag 4  
Richmond 7050

Email: resourceconsentadmin@tasman.govt.nz



**tasman**  
district council

Te Kaunihera o

**te tai o Aorere**

RM200488 - CJ Industries Limited

## Submission on Resource Consent Application

PLEASE ENSURE THAT ALL SECTIONS OF THIS FORM, ON BOTH SIDES, ARE COMPLETED.

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### Submitter Details

Full Name:	Wakatu Incorporation	
Contact Person (if different):	Mike Ingram	
Address for Service:	P O Box 440 Nelson	
Postcode:	7040	
Phone:	021 565 462	E-mail: mike@wakatu.org

### Submission Details

This is a submission on the following application for resource consent lodged with the Council:

This is a submission on an application from: CJ Industries Limited

For a resource consent to: (details can be found on the notice in the letter from Council, newspaper, website or on-site)

Gravel extraction, signage and access.

Tasman District Council Application Number (if known): RM200488 and RM200489

#### 1) The specific parts of the application that my submission relates to are (details\*)

1. Excavation and Backfill
2. Access
3. Cultural Heritage
4. Effects on adjoining land
5. Duration of consent
6. Consultation

\* Note: Any additional information should be submitted on a separate sheet(s).

**2) The reasons for my submission are (Give details\*):**

See attached.

\*Note: Any additional information should be submitted on a separate sheet.

**3) The nature of my submission is that:** (Tick one of the following three boxes)

I support the application       I oppose the application       I am neutral regarding the application

**4) The decision I would like the Council to make is** (Tick one of the following two boxes)

To grant consent       To refuse/decline consent

If consent is granted, I wish the council to impose the following conditions

(Note: you do not have to suggest conditions, particularly if you want the council to refuse consent)

\*Note: Any additional information should be submitted on a separate sheet(s).

**5) Attendance at any Council Hearing (You must tick one of the following two boxes):**

I wish to be heard in support of my submission       I do not wish to be heard in support of my submission

Note: If you indicate that you do not wish to be heard, you will still receive a copy of the Council's decision but you will not receive a copy of the hearing report if a hearing is held.

Print Full Name:

Signature\*: \_\_\_\_\_  
(Person making submission or authorised agent)

Date:

\*Note: A signature is not required if you make your submissions by electronic means.

**A copy of this submission MUST also be sent to the applicant as soon as reasonably practicable after serving a copy on the Council.**



## **WAKATŪ INCORPORATION**

### **SUBMISSION ON RM200488 and RM200489**

**20 January 2022**





**Submitter details:**

Wakatū Incorporation, Nelson

**Contact details:**

Mr Mike Ingram, Wakatū  
mike.ingram@wakatu.org

Wakatū House,  
Montgomery Square,  
PO Box 440, Nelson.

03 546 8648

## Introduction

1. This submission, on behalf of the Wakatū Incorporation (**Wakatū**), the submitter, is made in relation to Resource Consent Application RM200488 and RM200489 (**the Application**).
2. Our submission includes specific submissions and comments on the Application alongside framing our submission with kōrero about our responsibilities as kaitiaki (guardians) and our connection to our taonga (treasure/s).

## Ko wai mātou? Who are we?

3. Wakatū is a Māori Incorporation pursuant to Te Ture Whenua Māori Act 1993. Based in Whakatū Nelson, New Zealand. Wakatū has approximately 4,000 shareholders who are those families who descend from the customary Māori landowners of the Whakatū, Motueka and Mohua (Golden Bay) regions – Te Tau Ihu.
4. Wakatū has an intergenerational 500-year vision - Te Pae Tawhiti - which sees us through to 2512.<sup>1</sup> It is a declaration of our fundamental values, common goals and guiding objectives that will ensure our success and create a strong identity now and in the future. At the heart of Te Pae Tawhiti is our overarching purpose which is to preserve and enhance our taonga for the benefit of current and future generations.
5. Wakatū grew from \$11m asset base in 1977 to a current value of over \$300m. Whenua (land) is the foundation of our business with 70% of assets held in whenua and water space. We manage a diverse portfolio from vineyards, orchards to residential properties, large retail developments, office buildings, marine farms and water space. Wakatū owns, on behalf of its shareholders, both Māori land and General land.
6. Our whānau and our businesses are located primarily in our traditional rohe, Te Tau Ihu – the top of the South Island.

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<sup>1</sup> Te Pae Tāwhiti is available online at <https://www.Wakatū.org/te-pae-tawhiti>.

7. In short, our purpose is to preserve and enhance our taonga, for the benefit of current and future generations. Our submission on RM200488 and RM200489 is made with that at the forefront of our minds.
8. We have included further detail in an **Appendix A**, to this submission which sets out who we are in further detail.

### **Our kaitiaki responsibilities**

*Toitū te marae a Tāne, Toitū te marae a Tangaroa, Toitū te Iwi*

9. We have a unique relationship with our ancestral lands and waters which have sustained us since the arrival of our tūpuna. The proverb above, “Toitū te marae a Tāne, Toitū te marae a Tangaroa, Toitū te Iwi”, has been passed down by our ancestors and identifies that when the realm of Tāne – deity of the forest and the domain of Tangaroa – god of the Ocean are sustained, so too is the future of the iwi. The Māori connection to customary land is very powerful. It is mana tūpuna - power from the ancestors. This generation is the living face of all those that came before, carrying all of their hopes and aspirations in our DNA. They give us the right to be.
10. As mana whenua, we have customary and legal rights to use and access our land and water within our rohe. We also have intergenerational responsibilities to protect the physical and spiritual components of our land and water. We are always mindful of the need to look after our resources for the benefit of current and future generations.
11. As kaitiaki, we adhere to certain practices and protocols that were established by our tūpuna when using land and resources. These practices ensure that the physical and spiritual aspects of life are kept in balance.
12. Fundamental to our identity is our connection with place. It has reflected the tenets of our culture since time immemorial. It shapes our thinking, our way of being and our priorities of what is of value. Learning about land is not the same as recognising that we learn best from land.
13. Our interaction with our lands and waters defines us, providing clarity on our roles and relationships, our responsibilities, and our place in the natural world.

14. Our relationship with our land and water is based on and strengthened by our whakapapa to the land and water and the fact that we are descendants of the earth and sky, and all elements. We whakapapa to our ancestral lands and waters and see them as a part of us, as our ancestors.
15. This whakapapa demonstrates how the world has unfolded both physically and spiritually. It is the thread connecting us from the beginnings of time to today and beyond. It demonstrates how everything is part of a web of relationships, not only in relation to other human beings but in relation to everything in nature as well. This understanding underpins our approach to our environment and our use of resources.
16. There is no separation between the land, water and people. All things are interconnected, particularly through the burial of our ancestors. The land and water, for example, is one - an indivisible whole. The land is connected to the water resources which flow in, on or under it, as is the water connected to the land that surrounds it. Both the land and water are in turn connected to us, as the people who have mana whenua and mana moana over this area. Water is imbued with a mauri, a life force and personality of its own which is to be protected and sustained for future generations. Maintaining and protecting the mauri of our ancestral waters are of critical importance to us.
17. Wakatū has a number of work-programmes underway focused on ensuring that we whakatinana (embody) our kaitiaki values and responsibilities, these include our Whenua Ora and Tangata Ora programmes. Wakatū is committed to showing leadership in these matters to achieve transformative change for our taiao and our whānau.

## **SUBMISSION**

18. The area subject of the application comprises the following parcels of land.
  - A Lot 2 DP 432236
  - B Lot 2 DP 2357

19. Wakatū is the owner in fee simple of that parcel of land described as Lot 3 DP 1650, comprised in Record of Title NL58/75. This parcel of land immediately adjoins the applicant's land, being Lot 2 DP 2357. Wakatū is an affected party.
20. SO 1045 is the original Plan of Motueka District, surveyed by S. Stephens in 1842. This plan shows that part of the Motueka River flowed over that land described as Lot 2 DP 432236, part of the balance of that land comprising areas of gravel and native bush. Native bush is also shown covering a significant part of Lot 2 DP 2357 (original Section 252).

### ***Gravel Extraction and Site Rehabilitation***

21. The submitter notes the application is to be undertaken in three stages. These are shown as follows (page 10):
  - a. Stage 1 – being part of Lot 2 DP 432236.
  - b. Stage 2 - being the balance of part of Lot 2 DP 432236.
  - c. Stage 3 – being part of Lot 2 DP 2357.
22. The applicant has stated that “*No excavation will occur within 20m of stop banks, on the Motueka River side of the stop bank within Lot 2 DP 2357,* ”. In this context the submitter will refer to this as a buffer. The application does not state whether that 20m buffer is from the base of the stop banks or the crest. It also appears to indicate that the buffer only applies to the stop banks on the Motueka River side of Lot 2 DP 2357. Stop banks are also located on Lot 2 DP 432236. It is not clear whether the buffer refers to each side of the stop banks or just that referred to in Lot 2 DP 2357.
23. The submitter notes that the extraction in all of the stages will occur up to the boundary of the following land:
  - a. Stage 1 - Parcel ID 3653387, described as Crown Land Block III (under action) Motueka Survey District, adjoining to the west and north of Lot 2 DP 432236 and adjoining the unformed legal (paper) road to the south of Lot 2 DP 432236.
  - b. Stage 2 –adjoining the unformed legal (paper) road to the south and east of Lot 2 DP 432236.

- c. Stage 3 - adjoining the unformed legal (paper) road to the west of Lot 2 DP 2357 and adjoining Lot 3 DP 1650 on the southern boundary.
24. The applicant proposes a 1:1 batter when any excavation “*approaches property boundaries*”.
25. The submitter objects to the extraction areas of land as identified in stages 1 to 3. The proposed batters to other properties including private, unformed legal road and Crown land immediately adjoining the stages are insufficient. There is no assessment of what effect the batter would have with the stability to these lands or any potential future impacts (subsidence etc.) to the owners or users over time. Such a narrow buffer to an adjoining property has the potential to cause damage to or affect the owner of the adjoining property from fully utilising their property rights to occupy and use.
26. The submitter notes the type of back fill, (page 11 and page 25). The submitter is concerned about the indirect environmental issues associated with gravel extraction and backfilling particularly to leaching of contamination fill and alteration to subsurface water flows. Any backfill material should be of a material that will not impact the Mauri of the land. The submitter's comments about the characteristics of the land in paragraph 20 refer. Only a formal Cultural Impact Assessment undertaken and agreed to by Mana Whenua iwi will the applicant be truly able to gauge the appropriateness of any back fill material.
27. The submitter objects to some of the proposed backfill (page 11). Also see (8) *Types and quantity of introduced fill*, (page 25) It is inappropriate to consider reinforced concrete as a suitable fill material. There is also

***Transport and Access (page 11)***

28. The formed and used part of Peach Island Road stops at 130/131 Peach Island Road. The submitter's land has legal access, but the road to its land is not formed. The applicant notes that these areas of road are currently under pasture. As the Council is responsible for roads whether formed or not, the Council grants rights to use unformed legal road for other purposes. The submitter understands that no

agreements have been granted to any party for use of the extension to Peach Island Road.

29. The applicant intends to form access over that part of the extension of Peach Island Road travelling south before accessing land referred to as “*river reserve land*” shown as Crown land (Parcel ID 3596136), then over land described as Section 1 SO 15112 (Parcel ID 3621907) before entering Motueka River West Bank Road over a Right of Way servicing 493 Motueka River West Bank Road. It is also understood that the applicant intends to disestablish the crossing at the expiry of their consent.
30. Assessment Criteria in Rule 18.5.2.4 (Land Disturbance Area 1), (1) Public access (page 26). It is noted that the applicant intends to place a gate across the unformed legal road being the extension of Peach Island Road. They do not indicate what position they intend to place the gate.
31. Volunteered Conditions of Consent - Access to Site (page 74). The applicant states that the Consent Holder will form and maintain a ramp over the stop bank and maintain the crest of the stop bank. While the applicant has volunteered to maintain the crest of the stop bank, given the amount of proposed traffic movements and weight of those vehicles, the submitter is concerned about what affect the amount of traffic proposed will have on the stop bank and what consideration has been given to ensure the integrity of the stop bank at this crossing point.
32. The submitter notes that several parcels of affected land are defined as Crown Land, managed by the Department of Conservation. The submitter refers to the Supreme Court decision SC 13/2015 [2017] NZSC 17. Refer to **Appendix B**, for a summary of that decision. Any Crown land is subject to a legal claim by the successful Appellant, Mr Stafford.
33. The submitter objects to the proposed access route. Any access route should be as an extension of Peach Island Road. The submitter would still not have formed or legal access to its property described as Lot 3 DP 1650 if the proposed route requested by the applicant proceeds. The submitter would have no legal rights to cross either the Crown land (Parcel ID 3596136) or Section 1 SO 15112 (Parcel ID 3621907). Any rights granted could be revoked. The submitter is unable to identify any impediment

that would inhibit the applicant from using the unformed legal road extension of Peach Island Road for access.

34. The submitter objects to the placement of any gate across legal road, regardless of whether it is formed or not.
35. Any ramp required over a stop bank should be constructed and engineered so as to mitigate the significant vehicle movements proposed over it.
36. The submitter objects to the proposed route over any land held by the Crown as a result of any potential claim made as a result of the Supreme Court decision SC 13/2015 [2017] NZSC 17.

***Cultural Heritage (page 8)***

37. SO 1045 is the original Plan of Motueka District, surveyed by S. Stephens in 1842 shows the Motueka River gravel areas and native bush.
38. The applicant identifies three sites N27/203-205, being the closest identified areas of Māori occupation.
39. Assessment Criteria in Rule 18.5.2.4 (Land Disturbance Area 1), *(10) Potential damage to any cultural heritage site or area, including any archaeological site or site of significance to Māori*, (page 24). The applicant identifies that there are “no known cultural heritage/archaeological sites within the application site. The applicant has indicated that an “*accidental discovery protocol will be in place at the application site and screening yard*”.
40. The Motueka River and its surrounds were significant resource areas for Māori. Not only was the river used for transport, but it also provided other resources i.e. materials, food, gardens, and working areas. These areas may or may not be evident.
41. Given the proximity to sites N27/203-205, related to the land originally surveyed on SO 1045, the likelihood of the area being utilised by Māori would be deemed to be more than minor. Only a formal Cultural Impact Assessment undertaken and agreed



to by Mana Whenua iwi will the applicant be truly able to gauge the cultural significance of the area. This would determine the correct oversight required to satisfy mana whenua iwi by recognising and protecting their interests.

42. Mana whenua Iwi may require a Matakite to walkover the application site to provide guidance on any matters of cultural significance to Māori.
43. The submitter objects to the assessment of the any matters of cultural significance to Māori. Only a formal Cultural Impact Assessment can determine that level of significance.

***Duration of Consent (page 24).***

44. The submitter objects to the length of time of the consent.

***Noise***

45. The submitter notes that the assessment of noise is based on a predictor model. The submitter is concerned about the prolonged periods of noise nuisance and that the activity cannot comply with 55dBA. The submitter believes that an actual assessment of noise needs to be determined rather than using predictive modelling.

***Consultation and Affected Parties (page 33).***

46. Lot 3 DP 1650 is held in fee simple by the Proprietors of Wakatū. There is no longer any leasehold interest in the property and hasn't been for a number of years.
47. Crown Land. There is an external interest in any Crown land which is subject to the Supreme Court decision SC 13/2015 [2017] NZSC 17. **Appendix B** refers. The applicant may not be aware of this important decision. The Crown agency responsible for managing Crown Land should have made the applicant aware of this.
48. Iwi Consultation. The submitter notes that it has a "Proof of Consultation" document obtained from Ngāti Kuia. Ngāti Kuia have a statutory acknowledgement over the Motueka River. The submitter notes the recommendation by Ngāti Kuia and the example of the accidental discovery protocol attached to the Proof of Consultation

obtained by Ngāti Kuia. Any accidental discovery protocol if approved must be consistent and agreed to by mana whenua Iwi.

49. The document labelled “Agreement for Iwi Monitor Engagement” (page 83) is not a consultation document and is totally irrelevant as part of this application and should be ignored.
50. There is no evidence confirming that consultation has been undertaken with mana whenua Iwi. It is important that the submitter understand the importance of consulting with mana whenua Iwi. See the submitters comments in paragraph 52.
51. The submitter requests that the applicant ensure that they fully understand the importance of consulting with mana whenua iwi and considering their views.

#### ***Other Comments***

52. Mana whenua refers to the mana held by local people who have ‘demonstrated authority’ over land or territory in a particular area, authority which is derived through whakapapa links to that area. While tangata whenua refers to ‘people of the land’, our indigenous people (ngā iwi Māori), mana whenua refers to the people who have local tribal or sub-tribal (hapū) authority.
53. It is noted that some of the numbering used by the applicant is inconsistent. The submitter refers to pages 24 and 25 of the application endorsed (RM200488 CJ Industries Ltd – Application, AEE and attachments – for notification page 24/25 of 103).
54. The submitter is aware that the Council has recently granted a Resource Consent to another party to extract gravel off Douglas Road. RM200392 refers. The submitter trusts that if the consent is granted the Council will be consistent with its approach when considering conditions of consent.
55. It is strongly recommended that without a formal Cultural Impact Assessment undertaken by mana whenua iwi and the applicant engaging a Matakite to walk over the site, that the true cultural significance of this area can be gauged.

## **Conclusion**

56. The submitter objects/comments on the applications of RM200488 and RM200489 as follows:
- a. Excavation
  - b. Backfill Material
  - c. Access
  - d. Cultural Heritage
  - e. Consultation
  - f. Use of other land
  - g. Effects on adjoining land
  - h. Duration of Consent
  - i. Noise

57. Thank you for the opportunity to participate in this process.

*Ngā mihi nui,*

Mike Ingram  
Property Manager

## APPENDIX A

### A BRIEF CUSTOMARY HISTORY OF THE NELSON AND TASMAN DISTRICT

1. In the 1820s and 1830s, mana whenua then living in Te Tau Ihu were conquered by tribes from the North Island, including Ngāti Rārua, Ngāti Awa (now known as Te Ātiawa), Ngāti Tama and Ngāti Kōata. This tribal grouping is known as Ngā Tāngata Heke – the people of the Heke. The Heke were the series of migrations back and forth from the north to the south, including to Te Tau Ihu, in the early 19th century from the Kāwhia and Taranaki coasts. These migrations are remembered in the collective memory of the people as a series of named Heke.
2. By 1830, it was established that the hapū who held Māori customary title or mana whenua in Nelson, Tasman Bay and Golden Bay were the descendants of the four Tainui-Taranaki iwi of Ngāti Koata, Ngāti Rārua, Ngāti Tama and Te Ātiawa.
3. The four Tainui-Taranaki iwi in western Te Tau Ihu are recognised as the mana whenua on the basis of acquiring Māori customary title through a combination of take (raupatu (conquest) and tuku (gift)) and ahi kā roa (keeping the fires alight, by occupation or in other recognised ways). Over time, the whakapapa of the migrant iwi from the north became, as the Waitangi Tribunal has put it, ‘embedded in the whenua through intermarriage with the defeated peoples, the burial of placenta (whenua) and the dead, residence, and the development of spiritual links.’<sup>2</sup>
4. From the time of the heke onwards, Māori customary title manifested itself in western Te Tau Ihu (Nelson, Tasman Bay and Golden Bay) as an exclusive right to land, with the power to exclude others if necessary, with the ability to dictate how land and resources was used and accessed.
5. Ngāti Rārua, Te Ātiawa, Ngāti Tama and Ngāti Koata did not move to Te Tau Ihu en-masse, but particular whānau and hapū, or sections of particular whānau and hapū, from those iwi settled in a staged series of migrations, with land allocated in various locations as different groups arrived.

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2 Waitangi Tribunal, *Te Tau Ihu o Te Waka a Maui*, vol III, 1366.

6. The pattern of mana whenua in Te Tau Ihu was dictated by the pattern of settlement, in which each kāinga (village) was established around a chief or chiefs and each kāinga was home to extended whānau, with most residents at each kāinga related by blood or marriage. The whānau or hapū (an extended whānau or cluster of whānau could equally be described as a hapū) tended to establish themselves at locations where their neighbouring communities were relatives and/or close allies.
7. By 1840, whānau or hapū belonging to the four Tainui Taranaki iwi were established in Nelson, Tasman Bay and Golden Bay as the mana whenua.

### **The arrival of the New Zealand Company**

8. When the New Zealand Company (“NZ Company”) arrived in the South Island in 1841, rangatira [tribal leaders] representing the families of those whānau or hapū who held mana whenua and who were resident in western Te Tau Ihu negotiated with Captain Arthur Wakefield of the NZ Company and agreed to welcome European settlement in parts of the Nelson, Motueka and Golden Bay area.
9. One of the main reasons for this agreement, from the Māori perspective, was to promote trade relationships between European settlers and Māori for mutual benefit, bearing in mind that tribes of Te Tau Ihu had already had several decades of contact with European traders prior to 1841.
10. According to the arrangements a major benefit promised by the NZ Company when it entered into what it called ‘Deeds of Purchase’, was that the resident Māori and their families who held mana whenua in the relevant parts of western Te Tau Ihu (Nelson, Motueka and Golden Bay), would be entitled to retain all existing Māori settlements, including urupa, wāhi tapu and cultivated land, and in addition reserves would be set aside comprising one-tenth of the land purchased. These additional land reserves became known as the Nelson Tenths Reserves (“Tenths Reserves”).
11. As a result of the negotiations between the NZ Company and tāngata whenua, the Crown issued a grant in 1845 which extinguished Māori aboriginal (or customary) title over 151,000 acres in Nelson and Tasman (the Nelson settlement). The 1845 Crown Grant excluded all existing Māori settlements, including urupa, wāhi tapu and

cultivated land, along with one-tenth of the total area of land acquired for European settlement (15,000 acres).

12. The Crown intended to hold the Tenths Reserves on trust on behalf of and for the benefit of the tāngata whenua who were those families who held Māori customary title to the 151,000 acres in the 1840s.
13. Despite the guarantees and the provisions stipulated in the 1845 Crown Grant, the Crown failed to reserve a full one-tenth of land or exclude settlements, urupa, wāhi tapu and cultivated land from European settlement.
14. On completion, the NZ Company's Nelson Settlement comprised approximately 172,000 acres, although it is likely a much larger area of approximately 460,000 acres was eventually acquired by the Crown.
15. As at 1850, the Nelson Tenths Reserves comprised only 3,953 acres (this figure does not include the designated Occupation Reserves).
16. Between 1841 and 1881, Crown officials administered the Tenths Reserves and the occupation reserves on behalf of the original owners. From 1882, the Public Trustee administered the estate.

### **Identifying the original landowners**

17. In 1892 – 1893, the Native Land Court undertook an inquiry to ascertain who owned the land in Nelson, Tasman Bay and Golden Bay prior to the transaction with the New Zealand Company. The reason for this inquiry was to determine the correct beneficiaries of the Tenths Reserves trust.
18. The Native Land Court Judge (Judge Alexander MacKay) considered that the “New Zealand Company Tenths” (as he called them) had been set aside in accordance with the NZ Company's stipulation in the Kapiti Deed that it would hold a portion of the land on trust, and accordingly he decided that to ascertain those persons with a beneficial interest “it was necessary to carry back the inquiry to the date the land comprised in the original Nelson Settlement was acquired by the Company”.

19. The Court's ruling determined the ownership of the 151,000 acres "at the time of the Sale to the New Zealand Company", with the ownership of the four hapū – Ngāti Koata, Ngāti Tama, Ngāti Rārua and Ngāti Awa - broken down according to each of the areas awarded by Commissioner Spain in 1845 (Nelson district, 11,000 acres; Waimea district, 38,000 acres; Moutere and Motueka district, 57,000 acres, and Massacre Bay, 45,000 acres).

20. The Judge's ruling included a determination:

*That although the Reserves made by the Company were situated in certain localities the fund accruing thereon was a general one in which all the hapū who owned the territory comprised within the Nelson Settlement had an interest proportionate to the extent of land to which they were entitled, at the time of the Sale to the Company.*

21. The Court requested each of the hapū so entitled to provide lists of the persons who were the original owners of the land at the time of the New Zealand Company's arrival and their successors.

22. Importantly, therefore, the 1893 lists were not drawn up by the Native Land Court, but by the people. The evidence of how this was done is consistent with a tikanga Māori style process where the lists were debated and revised until consensus is reached.

### **The Crown's management of the land**

23. From 1842 until 1977, when the original owners regained control of their lands, the Crown held the Tenths Reserves and occupation reserves in trust and managed it on behalf of its owners.

24. From 1882 onwards, the Public Trustee, Native Trustee and Māori Trustee administered the Tenths Reserves and occupation reserves on behalf of the original owners and their descendants. During this period, a great deal of land was either sold

or taken under public works legislation - in many cases without the owners' consent and without compensation for the loss.

25. A clear example of the Crown's mismanagement during this period is illustrated by the imposition of perpetual leases on the Tenths Reserves and occupation reserves. By way of legislation, the Crown imposed perpetual leases on the land, which for example, allowed for 21-year rent review periods, rents below market value, and perpetual rights of renewal for lessees. In practice this meant the Māori owners could not access or use their land, nor did they receive adequate rent for leasing the land. The problems associated with the perpetual lease regime continue to impact adversely on the submitters' land, despite some legislative changes in 1997.
26. In the period to 1977, as a result of the Crown's mismanagement, the Tenths Reserves estate was reduced to 1,626 acres.

#### **Proprietors of Wakatū (Wakatū Incorporation)**

27. By the 1970s, the descendants of the original owners were lobbying for the return of their land to their control and management. This led to a Commission of Inquiry (the Sheehan Commission) into Māori Reserved Lands.
28. Our establishment was the result of recommendations made by the Sheehan Commission of Inquiry that the Tenths Reserves should be returned to the direct ownership and control of Māori. This recommendation was implemented by the Wakatū Incorporation Order 1977, which according to its explanatory note constituted "the proprietors of the land commonly known as the Nelson-Motueka and South Island Tenths".
29. The land vested in Wakatū Incorporation comprised the remnants of the Tenths Reserves and occupation reserves and the beneficial owners of the land were allocated shares in the same proportion as the value of their beneficial interests in the land transferred.
30. With a few exceptions, those beneficial owners were the descendants of the 254 tūpuna identified as beneficial owners by the Native Land Court in 1893. Wakatū can



therefore trace the genesis of a large portion of the land in its estate back to the initial selection of the Tenths Reserves in 1842.

### **Wakatū Incorporation today**

31. Wakatū is the kaitiaki and legal trustee of the remnants of the Tenths Reserves and occupation reserves. Wakatū Incorporation is responsible for the care and development of the owners' lands.
32. The Incorporation represents approximately 4000 Māori landowners in Nelson, Tasman Bay and Golden Bay. Apart from the Crown and local authorities, Wakatū is one of the largest private landowners in the Nelson/Tasman regions.
33. Since 1977, the owners of Wakatū have built a successful organisation that has contributed to the economic growth of the Tasman District and the economic, social and cultural well-being of the descendants of the original owners.
34. Wakatū Incorporation's primary focus is based around its management and use of the ancestral lands of the owners for their cultural and economic sustenance. Today, this comprises a mixture of leasehold land, commercial land and development land.
35. Wakatū has interests in horticulture, viticulture and aquaculture (Kono NZ LP) throughout the Tasman and Nelson District as well as in other parts of New Zealand.
36. The principles and values of Wakatū Incorporation are reflected in its guiding strategic document – Te Pae Tāwhiti.

### **Further information**

37. A full history of the lands administered by Wakatū Incorporation, along with Ngāti Rārua Ātiawa Iwi Trust, Rore Lands, and other whānau and iwi trusts, who own land in the Nelson and Tasman region is set out and discussed more fully in the Waitangi Tribunal, Te Tau Ihu o te Waka a Maui report. Also see [www.Wakatū.org.nz](http://www.Wakatū.org.nz) for further information.

## APPENDIX B



### Supreme Court of New Zealand Te Kōti Mana Nui

28 FEBRUARY 2017

MEDIA RELEASE – FOR IMMEDIATE PUBLICATION

*PROPRIETORS OF WAKATU & ORS v ATTORNEY-GENERAL*

(SC 13/2015) [2017] NZSC 17

#### PRESS SUMMARY

This summary is provided to assist in the understanding of the

**Court’s judgment. It does not comprise part of the reasons for that judgment. The full judgment with reasons is the only authoritative document. The full text of the judgment and reasons can be found at Judicial Decisions of Public Interest [www.courtsofnz.govt.nz](http://www.courtsofnz.govt.nz).**

In March 1845 Commissioner William Spain found in an award made under the Land Claims Ordinance 1841 that a purchase in 1839 by the New Zealand Company of substantial territory in the north of the South Island of New Zealand (Te Tau Ihu) had been “on equitable terms”. The award cleared the land of native title and vested it as Crown land, able to be granted by the Governor. Spain recommended that a Crown grant of 151,000 acres of the land be made to the Company for its Nelson settlement.

Under Spain’s award, land amounting to one-tenth of the recommended grant to the Company was to be reserved for the benefit of the original Māori owners (in accordance with the terms of the Company’s purchase, in which such reservation had been part of the consideration for the purchase). Those entitled to the benefit of the reserves were hapū of Ngati Rarua, Ngati Tama, Te Atiawa and Ngati Koata. In addition to the tenths reserves, all Māori occupied land within the grant (including cultivated land and urupa) was to be excepted and reserved for the occupiers under the terms of the award.

Only 5,100 acres of the 15,100 acres of tenths reserves required by the Spain award were identified and reserved at the time of the award. These comprised 100 one-acre town sections in Nelson township and

100 "suburban" sections of 50 acres in the districts of Motueka and

Moutere. After selection, they were taken under the control of Governor Hobson and administered by agents and officials from 1842. The appellants allege that there were losses to these reserves in the period up to 1856 (after which the remaining tenths reserves were administered under the New Zealand Native Reserves Act 1856). They allege further losses up to 1882 when the lands then remaining were vested in the Public Trustee. The tenths reserves were later vested in the Māori Trustee before being transferred to the first appellant, the Proprietors of Wakatu, in 1967.

The balance of the tenths reserves required under the Spain award, amounting to 10,000 acres of rural land, was never obtained and added to the tenths reserves. The failure to reserve these 10,000 acres is a principal claim in the litigation that gives rise to the appeal. The lands were included in a grant eventually accepted by the New Zealand Company in 1848 and were returned to the Crown after the failure of the Company in 1850.

In addition, before the 1848 grant, some of the town sections reserved for Māori had been lost when there was a reduction in the overall number of town sections. Other reserved lands had been exchanged by the Crown for land occupied by Māori. The exchanges benefited the particular occupiers, but it was alleged they diminished the effective extent of the tenths reserves for the wider beneficiaries, being the customary owners of the entire district covered by the Spain award.

The Māori occupied land was not surveyed in 1842 and it is alleged that much was not separated either from the lands granted to the Company in 1848 or from the Crown lands obtained following the Spain award but not granted to the Company. In 1848 Māori occupied land in Massacre Bay was identified by survey and reserved. But there was no similar exercise of identification and reservation undertaken in the balance of the Nelson Districts. The loss to the occupiers through failure to exclude the occupied land has not been quantified, although some occupied land was later returned to Māori ownership.

The administration of the tenths lands actually reserved was not regulated by any statutory instrument until enactment of the Native Reserves Act 1856. After 1856, their management was undertaken in reliance on powers in that Act and in succeeding legislation, although the blocks themselves remained vested in the Crown until vested in the Public Trustee in 1882. By that date, the town and suburban sections had been diminished through exchanges and Crown grants under Crown management from 5,100 acres in 1842 to 2,774 acres in 1882.

The appeal concerned:

- a) The losses to the tenths reserves arising out of:

- i) the failure to reserve the 10,000 acres required for their completion in accordance with the Spain award; and
  - ii) the diminution of the identified town and suburban tenths reserves by some 2,326 acres in the period of Crown administration between 1842 and 1882.
- b) The failure to reserve occupied land for the benefit of the occupiers in accordance with the Spain award.

In 1893 253 beneficiaries of the reserves by descent were identified by the Native Land Court on application of the Public Trustee. In 1977 the tenths reserves, by then held by the Māori Trustee, were vested by private Act of Parliament in Wakatu, a Māori incorporation which holds the land on trust under Te Ture Whenua Māori Act 1993 for the successors of the beneficiaries identified in 1893.

The loss of the tenths reserves and the occupied lands in 1986 was the subject of a claim taken by Rore Pat Stafford to the Waitangi Tribunal. Mr Stafford is kaumatua of Ngati Rarua and Ngati Tama and descendant of beneficiaries identified by the Māori Land Court in 1893. The claim, Wai 56, was heard by the Tribunal in a district-wide inquiry into a number of historical grievances by hapū within Te Tau Ihu. The

Waitangi Tribunal reported in 2008 that the Crown was in breach of its

Treaty obligations in a number of respects, including in relation to the Nelson tenths reserves. The Tribunal did not make specific recommendations as to relief. Instead it recommended that Crown and iwi enter into negotiations with a view to settlement.

Wakatu and Mr Stafford joined in the settlement negotiations and subscribed to the mandate given to the negotiator on behalf of all iwi in the area but on the basis that Wakatu remained kaitiaki of the Wai 56 claim. Wakatu and Mr Stafford sought to have a separate settlement of Wai 56, initially with some support from the mandated negotiator. When the Crown would not agree to a separate settlement of the tenths claims, Wakatu and Mr Stafford first sought an urgent hearing in the Waitangi Tribunal. That application was declined.

The present proceedings were filed in the High Court in 2010. The three plaintiffs were the appellants in this Court: Wakatu, Mr Stafford and the trustees of Te Kahui Ngahuru Trust. Wakatu's owners no longer coincide entirely with the descendants of the beneficiaries identified by the Native Land Court in 1893 because some descendants were excluded under legislation for consolidation of Māori land interests and others have succeeded under former legislative provisions which did not confine succession to descendants. Te Kahui Ngahuru Trust was set up as a vehicle to represent all descendants of those identified as beneficiaries in 1895, to remedy the fact that Wakatu does not represent all of them.

The claim was that the Crown had breached duties owed by it to the original customary owners of the land as trustee or otherwise as a fiduciary to reserve and hold one-tenth of the 151,000 acres purchased by the Company in and around Nelson for their benefit and to except and hold on trust the lands occupied by the proprietors as pa, urupa and cultivations. In addition, the plaintiffs claimed that the tenths reserves in the town and suburban sections had been diminished by the exchanges and

transactions in breach of trust or fiduciary duty entered into by the Crown in the years from 1842 to 1882.

In the High Court, the plaintiffs sought relief by way of declarations. The declarations sought were that:

- a) the Crown was obliged to reserve and hold the 15,100 acres of tenths reserve land (the 5,100 acres of town and suburban land originally reserved together with the 10,000 acres never reserved) and the occupied lands on express trust for the tenths owners;
- b) any land held by the Crown in the Nelson Settlement is held on an express, constructive or resulting trust for the beneficiaries of the tenths reserves (defined as the descendants of those identified by the Māori Land Court as beneficiaries in 1893); and
- c) “to the extent that the Crown has converted to its own use tenths land or occupied land”, it is obliged to restore the land or pay compensation (in substitute land or money) to the owners or to account for its profits on sale.

The plaintiffs were unsuccessful in the High Court. Clifford J held that none had standing to bring the claim. Nor did he accept that the Crown had assumed responsibility for the tenths reserves or the occupied land as trustee or fiduciary. Rather, he considered that the Crown had acted in a governmental capacity incompatible with a duty of loyalty to any particular group.

The plaintiffs appealed to the Court of Appeal. Before their appeal could be heard, the settlement negotiations in respect of Te Tau Ihu, (which had been suspended pending the determination of the claim by the High Court) resumed. Deeds of settlement were entered into and enacted as the Ngāti Kōata, Ngāti Rārua, Ngāti Tamaki Te Tau Ihu and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014. Under the Settlement Act, the Crown was discharged from any liability, including legal or equitable liability, in respect of “historical claims”, defined to include claims in connection with the Nelson tenths reserves. There was, however, a savings provision related to this litigation. The meaning of the Settlement Act, and whether it prevented the claim on behalf of the beneficiaries of the tenths reserves proceedings, became an additional issue in the Court of Appeal.

The Court of Appeal allowed Mr Stafford’s appeal against the finding in the High Court that he lacked standing to bring the claim and made a declaration that he had such standing. Otherwise, the Court dismissed the appeal. The Court was unanimous in the view that the Crown did not owe fiduciary obligations to the beneficiaries of the tenths reserves, again because it was acting in a governmental capacity rather than as a fiduciary.

The appellants appealed to the Supreme Court against the decision of the Court of Appeal. The Crown cross-appealed against the Court of Appeal’s determination that Mr Stafford had standing.

On the appeal, the principal questions for the Supreme Court were:

- a) whether the Crown owed fiduciary duties to the customary owners to reserve or hold on trust for them the tenths reserves and the occupation lands;
- b) whether claims of breach of any fiduciary duty owed (through failure to set aside the tenths and occupation reserves and through the dealings which diminished the tenths reserves) were subject to defences through lapse of time under the Limitation Act 1950 or in application of the doctrine of laches in equity;
- c) whether the appellants had standing to bring civil proceedings for breach of such duties against the Crown; and
- d) whether relief was barred by the terms of the Settlement Act.

The Supreme Court has allowed the appeal in part. The reasons are given in the four judgments delivered by the Court.

In accordance with the opinion of the majority comprising Elias CJ,

Glazebrook, Arnold and O'Regan JJ, Mr Stafford has succeeded on the principal point on which his claim failed in the High Court and Court of Appeal. The majority decision in this Court is that the Crown owed fiduciary duties to reserve 15,100 acres for the benefit of the customary owners and, in addition, to exclude their pa, urupa and cultivations from the land obtained by the Crown following the 1845 Spain award. The appeal is allowed on this point and Mr Stafford has been granted a declaration to that effect. Mr Stafford's claim may proceed in the High Court for determination of matters of breach and remedy.

The Supreme Court has unanimously dismissed the cross-appeal by the Attorney-General against the determination of the Court of Appeal that Mr Stafford has standing to pursue the claim. The Court has determined that Mr Stafford, as kaumatua and descendant of some of the customary owners, has standing to take the claim on behalf of the customary owners.

By majority, comprising William Young, Arnold and O'Regan JJ, the Court has held that Wakatu and Te Kahui Ngahuru Trust lack standing to bring the claims on behalf of the customary owners.

A majority of the Court, comprising Elias CJ, Glazebrook, Arnold and O'Regan JJ, has held that Mr Stafford's claims are not barred by the Limitation Act 1950 to the extent that they are within the terms of s 21(1)(b) of the Act – that is, to the extent that they seek to recover from the Crown trust property either in the possession of the Crown or previously received by the Crown and converted to its use. Any other issues relating to limitation, including the availability of a limitation defence to any claim for equitable compensation, have been remitted by the Supreme Court to the High Court for consideration and determination. The Supreme Court has directed that it will be necessary for the High Court to determine, once the facts as to breach and possible prejudice have been found, whether the claims are barred in application of the equitable doctrine of laches.

A majority of the Court, comprising Elias CJ, Glazebrook, Arnold and

O'Regan JJ, has held that Mr Stafford's claims are not barred by the

Ngāti Kōata, Ngāti Rārua, Ngāti Tamaki Te Tau Ihu and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014. They consider, however, that the effect of the settlement achieved by that Act may be shown on determination of the facts to have caused prejudice to the Crown or to others which it will be appropriate to take into account in considering application of the doctrine of laches. These matters turn on determinations of breach and loss still to be considered by the High Court.

Findings of breach and as to the extent of any consequential losses were not made in the High Court or Court of Appeal. The Supreme Court has not been able to make final determinations concerning liability, loss, and remedy in the absence of primary findings of fact in the lower courts and in the absence of full submissions on the matters, which were not the focus of the present appeal. While it is acknowledged by the Crown that 10,000 acres of the tenths reserves awarded by Spain were never reserved, the extent of loss to the suburban and town reserves is not clear. Nor is it clear to what extent the customary owners have been deprived of their occupied lands which should have been excluded from the Crown land obtained following the Spain award.

Mr Stafford's claim is remitted to the High Court for determination of remaining issues of liability, defence and relief, in accordance with the judgment and reasons of the Supreme Court.

Although the appeal does not finally determine the litigation and significant issues have been referred back for the determination of the High Court (as indicated in the reasons for this judgment), the Supreme Court has determined that Mr Stafford is entitled to costs. He has succeeded on the principal issue raised by the appeal. The respondent has been ordered to pay Mr Stafford costs of \$55,000 together with disbursements and has quashed the costs orders made in the Court of Appeal and High Court against all appellants.

To: The Resource Consent Administration Officer

Tasman District Council  
Private Bag 4  
Richmond 7050

Email: resourceconsentadmin@tasman.govt.nz



## Submission on Resource Consent Application

PLEASE ENSURE THAT ALL SECTIONS OF THIS FORM, ON BOTH SIDES, ARE COMPLETED.

Please note: all submissions become public documents. If the application requires a hearing, your submission may be published on the council's hearings page, including your name and contact details.

Personal information will also be used for administration purposes, including notifying submitters of hearings and decisions. All information will be held by the Tasman District Council with submitters having the right to access and correct personal information.

### Submitter Details

Full Name:	JUSTIN AND VICKI WALKER	
Contact Person (if different):		
Address for Service:	130 PEACH ISLAND ROAD BROOKLYN	
Postcode:	7196	Motueka
Phone:	03 5280082	E-mail: jvwalker@xtra.co.nz

### Submission Details

This is a submission on the following application for resource consent lodged with the Council:

This is a submission on an application from: (Name of Applicant): C J Industries Limited

For a resource consent to: (details can be found on the notice in the letter from Council, newspaper, website or on-site)

Gravel Extraction

Tasman District Council Application Number (if known): RM RM 200488 and ors

**1) The specific part(s) of the application that my submission relates to is/are (Give details\*):**

1. The dwelling and bore at 131 Peach Island Road is omitted from all reports.
2. Hegley Acoustic Assessment - Annexure C - this report is not based on actual fact but predictions.
3. Land usage - Rural land use - 17.5.2.9  
Having a quarry in Rural 1 zone is not acceptable under the TRMP rules (chapter 17.5 of submission)  
Dr Simonds report to Alice Woodward
4. Traffics concepts - Annexure D  
Motueka River Westbank Road is narrow and winding.

\* Note: Any additional information should be submitted on a separate sheet(s).



**2) The reasons for my submission are (Give details\*):**

1. This submission does not show the dwelling and bore at 131 Peach Island Road, hence the submission is incorrect as it does not show the closeness of this property to the proposed quarry. It also does not show the noise effect for the LeFrantz's living at this property and the effect on their bore that this proposed quarry would have.

2. The Hegley Acoustic Assessment is incorrect due to the omission of 131 Peach Island Road. The noise volume assessment is only a prediction. It is known that the dBA level of a dump truck tipping it's load is 95dBA - well above their predicted 55 dBA. The dBA of an excavator loading a dump truck is also 95dBA. It is unclear from the submission if the gravel is going to be stockpiled like the topsoil? So if the gravel is going to be stockpiled, there is a further omission noting the extraction and movements to the stockpile. Under the Tasman Resource Management Plan, noise levels can not exceed 55 dBA in Rural 1 zone. A dump truck being loaded by an excavator and then tipping it's load well exceeds this level. From previous experience of CJ's, they have transferred gravel across the Motueka River and dumped the load. This happened opposite 121 Peach Island and occurred at various times of the day with one instance being 6am.

\*Note: Any additional information should be submitted on a separate sheet(s).

**3) The nature of my submission is that: (Tick one of the following three boxes):**

I support the application  I oppose the application  I am neutral regarding the application

**4) The decision I would like the Council to make is (Tick one of the following two boxes):**

To grant consent  To refuse/decline consent

If consent is granted, I wish the council to impose the following conditions

(Note: you do not have to suggest conditions, particularly if you want the council to refuse consent):

\*Note: Any additional information should be submitted on a separate sheet(s).

**5) Attendance at any Council Hearing (You must tick one of the following two boxes):**

I wish to be heard in support of my submission  I do not wish to be heard in support of my submission

Note: If you indicate that you do not wish to be heard, you will still receive a copy of the Council's decision but you will not receive a copy of the hearing report if a hearing is held.

Print Full Name:

Signature\*:

(Person making submission or authorised agent)

Date:

\*Note: A signature is not required if you make your submissions by electronic means.

**A copy of this submission MUST also be sent to the applicant as soon as reasonably practicable after serving a copy on the Council.**

Submission on Resource Consent Application

RM200488

**2) The reasons for my submission are:**

**2. continued**

This harsh grating background noise is a noise expected in an industrial area, not Rural 1 Zone. This continuing grating noise will affect the communities wellbeing. It is proven that excessive and continuous environmental noise causes physical, physiological and psychological health consequences.

During winter, it is still dark at 7am so it is still quiet with no noise. With their operating hours of 7am to 5pm, their environmental noise will travel a wider distance and have a bigger impact on the environment.

**3.**

The area that they want to quarry in Rural 1 has Riwaka/Motueka soil. This type of soil is adequate for horticulture and agriculture and this is the land use of Peach Island. Dr Simmons soil report states soil disturbance in this area will result in compaction and drainage problems. Drainage problems will be an issue at Peach Island due to the area being flood prone.

These soils are particularly prone to damage from disturbances from gravel extraction and will never recover. This land needs to have no disturbances to sustain the level of nutrients required for horticulture or agriculture. This industrial quarry will have a huge impact on property values in the wider area. This is not acceptable when all current landowners bought their land before the owners at 134 Peach Island purchased theirs. We do not want an industrial quarry in our community settlement of Peach Island and closely surrounded inhabited areas. We are closely settled and having a proposed quarry is an industrial activity not suited to this area.

If you are allowing such a discrepancy in Rural zone 1, that will allow other people to question this zoning and how they can get around the rules.

**4. Traffic Concepts**

It was noted that the Motueka River Westbank Road is narrow and winding. It does not have a berm or path. This road is used by 2 school buses and a van collecting pre-school children. With the increase of more heavy vehicles on this narrow winding road, there is a higher risk of accidents. The road is not wide enough to accommodate this extra heavy traffic.

I drive the Brooklyn School bus on this road and over the last 12 years I have had several close calls with heavy vehicles (Milk Tankers and Solly's trucks). They come across the centre line as in many places the road is not wide enough (or they are going too fast around the bends). I have been forced off the road near Oke Manga and this is dangerous with children on the bus. This road is not wide and safe enough for the extra heavy traffic volume .

**References**

**[hse.gov.uk](http://hse.gov.uk)** - Reducing noise when loading a dump truck.

**[www.science.org.au](http://www.science.org.au)** - Health effects on environment noise.

**Alastair Jewell**

---

**From:** Resource Consent Admin  
**Sent:** Friday, 21 January 2022 12:25 pm  
**To:** Service Desk  
**Subject:** submission on RM200488  
**Attachments:** Submission.zip

**Importance:** High

Hi team,

I can open the submission form perfectly however have not got the soft wear to view the attachments can you save these in a combined format that I can read and save to harmoni.e

Many thanks

Lynda

---

**From:** Vicki Walker <jvwalker@xtra.co.nz>  
**Sent:** Thursday, 20 January 2022 4:15 pm  
**To:** Resource Consent Admin <Resourceconsentadmin@tasman.govt.nz>  
**Subject:** RM 200488

Dear sir/madam

Please find attached our submission objecting to the resource consent application for the industrial quarry at Peach Island.

If you have any trouble opening the file, please let me know.

Many thanks

Vicki Walker

Sent from my iPad

To: The Resource Consent Administration Officer

Tasman District Council  
Private Bag 4  
Richmond 7050

Email: resourceconsentadmin@tasman.govt.nz



## Submission on Resource Consent Application

PLEASE ENSURE THAT ALL SECTIONS OF THIS FORM, ON BOTH SIDES, ARE COMPLETED.

Please note: all submissions become public documents. If the application requires a hearing, your submission may be published on the council's hearings page, including your name and contact details.

Personal information will also be used for administration purposes, including notifying submitters of hearings and decisions. All information will be held by the Tasman District Council with submitters having the right to access and correct personal information.

### Submitter Details

Full Name:	Sebastien Den Doncker	
Contact Person (if different):		
Address for Service:	860 Motueka River West Bank Road 7196 Motueka	
Postcode:		
Phone:	0210572755	E-mail: dendoncker@gmail.com

### Submission Details

This is a submission on the following application for resource consent lodged with the Council:

This is a submission on an application from: (Name of Applicant): CJ Industries Limited

For a resource consent to: (details can be found on the notice in the letter from Council, newspaper, website or on-site)

gravel extraction by CJ Industries Ltd at Peach Island, Motueka

Tasman District Council Application Number (if known): RM

#### 1) The specific part(s) of the application that my submission relates to is/are (Give details\*):

CJ Industries Limited seeks resource consents for a duration of 15 years to extract gravel from the berm of the Motueka River and on the landward side of the stopbank at Peach Island.

The specific parts of the application that my submission relates to are mainly :

- the location of the project (excavation across 7.4 hectares in three stages) and nuisances (dust, trucks, noise, ...): quiet zone RURAL 1, river flood plain (flooded area!), narrow road with official cycle trail, noise and dust for locals and tourist, visitors, property devaluation, etc.
- the backfill proposed after the gravel excavation 'using imported cleanfill material and stockpiled overburden'
- the impact on aquifer (groundwater) and river ecosystem (flood plain and river itself, impact on wildlife)
- the carbon foot print (climate change)
- the size of the site and the timing/planning
- local impact but also national legislations (not respected)
- etc.

\* Note: Any additional information should be submitted on a separate sheet(s).

**2) The reasons for my submission are (Give details\*):**

1. The location. the area is RURAL 1, quiet area with a narrow road for locals with an official cycle trail. The gravel extraction will be a huge nuisance for 15 years (!) : noise (on site and on the West Bank Road), dust (with potential health problems), property devaluation, security for road users (too many trucks per day), etc.
2. Backfill. it will be really difficult to control the quality of the material used to back fill. it will create a strong pollution (soil, aquifer (ground water), river...potential asbestos, etc.) that will spread.
3. The river : the site is flooded (cf. flood of July 2021) so totally inappropriate.
4. The river : Motueka river is protected by the Water Conservation (Motueka River) Order 2004. This project is a threat to the river ecosystem, used by locals but also well know by fishermen around the World.
5. The river : the project does not respect the new legislation on Freshwater (NPS 2020) : 'prioritizing the health and wellbeing of water bodies, then the essential needs of people, followed by other uses'
6. Climate change : the carbon foot print of the project is a non sense, it's not susbtainable developement.

\*Note: Any additional information should be submitted on a separate sheet(s).

**3) The nature of my submission is that: (Tick one of the following three boxes):**

- I support the application       I oppose the application       I am neutral regarding the application

**4) The decision I would like the Council to make is (Tick one of the following two boxes):**

- To grant consent       To refuse/decline consent

If consent is granted, I wish the council to impose the following conditions

(Note: you do not have to suggest conditions, particularly if you want the council to refuse consent):

- excavation across 1 ha maximum, buffer zone of 30 meters with native forest planted and maintained with out herbicides
- 3 years of extraction maximum
- 5 trucks a day maximum on road with on site cleaning system( dust) and max. 50 km/h on West Bank Road
- no back fill allowed, no imported material allowed
- the site belongs to TDC after extraction , and will be a wild life reserve
- hours of operation 9.00 am to 3.00 pm Monday to Friday but no works on weekends or public holidays
- no additional associated service area and no stockpiling area (including for overburden and topsoil)
- no screening, crushing or processing will occur on site and no excavation deeper than groundwater.

\*Note: Any additional information should be submitted on a separate sheet(s).

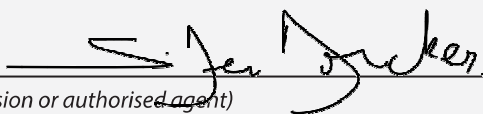
**5) Attendance at any Council Hearing (You must tick one of the following two boxes):**

- I wish to be heard in support of my submission       I do not wish to be heard in support of my submission

Note: If you indicate that you do not wish to be heard, you will still receive a copy of the Council's decision but you will not receive a copy of the hearing report if a hearing is held.

Print Full Name:

Signature\*:



Date:

(Person making submission or authorised agent)

\*Note: A signature is not required if you make your submissions by electronic means.

**A copy of this submission MUST also be sent to the applicant as soon as reasonably practicable after serving a copy on the Council.**

To: The Resource Consent Administration Officer

Tasman District Council  
Private Bag 4  
Richmond 7050

Email: resourceconsentadmin@tasman.govt.nz



**tasman**  
district council

Te Kaunihera o

**te tai o Aorere**

RM200488 - CJ Industries Limited

## Submission on Resource Consent Application

PLEASE ENSURE THAT ALL SECTIONS OF THIS FORM, ON BOTH SIDES, ARE COMPLETED.

Please note: all submissions become public documents. If the application requires a hearing, your submission may be published on the council's hearings page, including your name and contact details.

Personal information will also be used for administration purposes, including notifying submitters of hearings and decisions. All information will be held by the Tasman District Council with submitters having the right to access and correct personal information.

### Submitter Details

Full Name:	Ruby fitzgerald	
Contact Person (if different):	0211851581	
Address for Service:	34 Peach Island RD1 Motueka 7196	
Postcode:		
Phone:	0211851581	E-mail: Rubyfitzy@gmail.com

### Submission Details

This is a submission on the following application for resource consent lodged with the Council:

This is a submission on an application from: **CJ Industries Limited**

For a resource consent to: *(details can be found on the notice in the letter from Council, newspaper, website or on-site)*

**Land disturbance for the purpose of gravel extraction, and associated site rehabilitation and amenity planting, on land zoned Rural 1, Land Disturbance Area 1, and noted as subject to flood hazard under the TRMP**

Tasman District Council Application Number (if known): RM **RM200488 and RM200489**

**1) The specific parts of the application that my submission relates to are (details\*)**

Support

\* Note: Any additional information should be submitted on a separate sheet(s).

**2) The reasons for my submission are (Give details\*):**

Support

\*Note: Any additional information should be submitted on a separate sheet.

**3) The nature of my submission is that:** (Tick one of the following three boxes)

- I support the application       I oppose the application       I am neutral regarding the application

**4) The decision I would like the Council to make is** (Tick one of the following two boxes)

- To grant consent       To refuse/decline consent

If consent is granted, I wish the council to impose the following conditions

(Note: you do not have to suggest conditions, particularly if you want the council to refuse consent)

Closed at night time.

\*Note: Any additional information should be submitted on a separate sheet(s).

**5) Attendance at any Council Hearing (You must tick one of the following two boxes):**

- I wish to be heard in support of my submission       I do not wish to be heard in support of my submission

Note: If you indicate that you do not wish to be heard, you will still receive a copy of the Council's decision but you will not receive a copy of the hearing report if a hearing is held.

Print Full Name:

Signature\*: \_\_\_\_\_ Date:

(Person making submission or authorised agent)

\*Note: A signature is not required if you make your submissions by electronic means.

**A copy of this submission MUST also be sent to the applicant as soon as reasonably practicable after serving a copy on the Council.**

To: The Resource Consent Administration Officer

Tasman District Council  
Private Bag 4  
Richmond 7050

Email: resourceconsentadmin@tasman.govt.nz



## Submission on Resource Consent Application

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### Submitter Details

Full Name:	Alison Kay	
Contact Person (if different):		
Address for Service:	125B dehra Doon Rd 7198	
Postcode:		
Phone:	03 528 6111	E-mail: rob.and.al@xtra.co.nz

### Submission Details

This is a submission on the following application for resource consent lodged with the Council:

This is a submission on an application from: (Name of Applicant): C J Industries Limited

For a resource consent to: (details can be found on the notice in the letter from Council, newspaper, website or on-site)

Proposed gravel extraction on Peach Island.

Tasman District Council Application Number (if known): RM 200488 & 200489

**1) The specific part(s) of the application that my submission relates to is/are (Give details\*):**

Transport  
Zone rules  
Discharges to fresh water  
Noise and Dust  
Cultural Heritage

\* Note: Any additional information should be submitted on a separate sheet(s).



**2) The reasons for my submission are (Give details\*):**

Not consented activity on Rural 1 land.

The Motueka River is a Taonga/treasure and this work on the edge of the river will have major effects on the environment, wildlife, the people that live there or for that enjoy the river.

The land will be irrevocably damaged and lose it's Mauri/life force, the dust is dangerous to health, poor fill quality goes back in holes, stagnant water in the huge holes, noise issues and lots of extra truck movement on road.

Land owners that live around a current work site downstream (Douglas Rd) have to use water filtration systems (ground water contamination) and have major issues with dust.

\*Note: Any additional information should be submitted on a separate sheet(s).

**3) The nature of my submission is that: (Tick one of the following three boxes):**

I support the application       I oppose the application       I am neutral regarding the application

**4) The decision I would like the Council to make is (Tick one of the following two boxes):**

To grant consent       To refuse/decline consent

If consent is granted, I wish the council to impose the following conditions

(Note: you do not have to suggest conditions, particularly if you want the council to refuse consent):

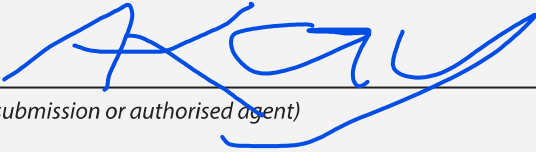
\*Note: Any additional information should be submitted on a separate sheet(s).

**5) Attendance at any Council Hearing (You must tick one of the following two boxes):**

I wish to be heard in support of my submission       I do not wish to be heard in support of my submission

Note: If you indicate that you do not wish to be heard, you will still receive a copy of the Council's decision but you will not receive a copy of the hearing report if a hearing is held.

Print Full Name:

Signature\*:  Date:   
 (Person making submission or authorised agent)

\*Note: A signature is not required if you make your submissions by electronic means.

**A copy of this submission MUST also be sent to the applicant as soon as reasonably practicable after serving a copy on the Council.**

To: The Resource Consent Administration Officer

Tasman District Council  
Private Bag 4  
Richmond 7050



Email: resourceconsentadmin@tasman.govt.nz

## Submission on Resource Consent Application

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### Submitter Details

Full Name:

Contact Person (if different):

Address for Service:

Postcode:

Phone:  E-mail:

### Submission Details

This is a submission on the following application for resource consent lodged with the Council:

This is a submission on an application from: (Name of Applicant):

For a resource consent to: (details can be found on the notice in the letter from Council, newspaper, website or on-site)

Tasman District Council Application Number (if known): RM

1) The specific part(s) of the application that my submission relates to is/are (Give details\*):

I was recently made aware about an application for a Industrial Gravel Extraction Application that the district is to consider for CJ Industry Gravel Extraction.  
The land is Rural zone 1 (which is food productive land) so i was suprised to hear about an industrial extraction business being about to work in that area.  
We will be subjected to heavy work trucks that will carry the gravel on the West Bank road, over the Alexander Bluff bridge and back to CJ industry on pah street all day long.  
Both roads are very narrow and are heavily used by cyclists. This will make an already narrow road extremely dangerous for cyclists and will further damage the tar seal (which is already in a poor condition).  
It will create a huge amount of dust and silt which will affect my home and my neighbors homes as well as the water quality, there will be constant noise from the machinery, trucks loading all day which will disturb the peace we have all enjoyed  
The noise, dust and heavy truck traffic will also likely affect my and my neighbours properties values too.  
The Motueka river has a status that gives it a level of protection which was issued by TDC about 30 years ago, and this would go against your own policies to allow this type of work to be done in such close proximity to one of NZs most beautiful and well known rivers.

\* Note: Any additional information should be submitted on a separate sheet(s).

EP-RC040D 08/19

**2) The reasons for my submission are (Give details\*):**

The land is Rural zone 1 (which is food productive land),  
The trucks will carry the gravel on the West Bank road, over the Alexander Bluff bridge and back to CJ industry on pah street. Both roads are very narrow and are heavily used by cyclists. This will make an already narrow road extremely dangerous for cyclists and will further damage the tar seal (which is already in a poor condition). It will create a huge amount of dust and silt which will affect my home and my neighbors homes as well as the water quality, there will be constant noise from the machinery, trucks loading all day, which will disturb the peace we have all enjoyed.

The noise, dust and heavy truck traffic will also likely affect my and my niehgbours properties values too.

The Motueka river has a status that gives it a level of protection which was issued by TDC about 30 years ago, and this would go against your own policies to allow this type of work to be done in such close proximity to one of NZs most beautiful and well known rivers.

As a resident and neighbour i strongly oppose this application.

\*Note: Any additional information should be submitted on a separate sheet(s).

**3) The nature of my submission is that: (Tick one of the following three boxes):**

I support the application       I oppose the application       I am neutral regarding the application

**4) The decision I would like the Council to make is (Tick one of the following two boxes):**

To grant consent       To refuse/decline consent

If consent is granted, I wish the council to impose the following conditions

(Note: you do not have to suggest conditions, particularly if you want the council to refuse consent):

\*Note: Any additional information should be submitted on a separate sheet(s).

**5) Attendance at any Council Hearing (You must tick one of the following two boxes):**

I wish to be heard in support of my submission       I do not wish to be heard in support of my submission

Note: If you indicate that you do not wish to be heard, you will still receive a copy of the Council's decision but you will not receive a copy of the hearing report if a hearing is held.

Print Full Name:

Dennis Hamann

Signature\*:



Date:

18 Jan 2022

(Person making submission or authorised agent)

\*Note: A signature is not required if you make your submissions by electronic means.

**A copy of this submission MUST also be sent to the applicant as soon as reasonably practicable after serving a copy on the Council.**

To: The Resource Consent Administration Officer  
 Tasman District Council  
 Private Bag 4  
 Richmond 7050  
 Email: resourceconsentadmin@tasman.govt.nz



## Submission on Resource Consent Application

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### Submitter Details

Full Name:

Contact Person (if different):

Address for Service:

Postcode:

Phone:  E-mail:

### Submission Details

This is a submission on the following application for resource consent lodged with the Council:

This is a submission on an application from: (Name of Applicant):

For a resource consent to: (details can be found on the notice in the letter from Council, newspaper, website or on-site)

Tasman District Council Application Number (if known): RM

**1) The specific part(s) of the application that my submission relates to is/are (Give details\*):**

The land is Rural zone 1 (which is food productive land),  
 The trucks will carry the gravel on the West Bank road, over the Alexander Bluff bridge and back to CJ industry on pah street. Both roads are very narrow and are heavily used by cyclists. This will make an already narrow road extremely dangerous for cyclists and will further damage the tar seal (which is already in a poor condition). It will create a huge amount of dust and silt which will affect my home and my neighbors homes as well as the water quality, there will be constant noise from the machinery, trucks loading all day which will disturb the peace we have all enjoyed.  
 The noise, dust and heavy truck traffic will also likely affect my and my neighbours properties values too.

The Motueka river has a status that gives it a level of protection which was issued by TDC about 30 years ago, and this would go against your own policies to allow this type of work to be done in such close proximity to one of NZs most beautiful and well known rivers.  
 As a resident and neighbour i strongly oppose this application.

\* Note: Any additional information should be submitted on a separate sheet(s).

EP-RC040D 08/19

**2) The reasons for my submission are (Give details\*):**

The land is Rural zone 1 (which is food productive land),  
 The trucks will carry the gravel on the West Bank road, over the Alexander Bluff bridge and back to CJ industry on pah street. Both roads are very narrow and are heavily used by cyclists. This will make an already narrow road extremely dangerous for cyclists and will further damage the tar seal (which is already in a poor condition). It will create a huge amount of dust and silt which will affect my home and my neighbors homes as well as the water quality, there will be constant noise from the machinery, trucks loading all day, which will disturb the peace we have all enjoyed.  
 The noise, dust and heavy truck traffic will also likely affect my and my niehgbours properties values too.  
 The Motueka river has a status that gives it a level of protection which was issued by TDC about 30 years ago, and this would go against your own policies to allow this type of work to be done in such close proximity to one of NZs most beautiful and well known rivers.  
 As a resident and neighbour i strongly oppose this application.

\*Note: Any additional information should be submitted on a separate sheet(s).

**3) The nature of my submission is that: (Tick one of the following three boxes):**

I support the application       I oppose the application       I am neutral regarding the application

**4) The decision I would like the Council to make is (Tick one of the following two boxes):**

To grant consent       To refuse/decline consent

If consent is granted, I wish the council to impose the following conditions

(Note: you do not have to suggest conditions, particularly if you want the council to refuse consent):


\*Note: Any additional information should be submitted on a separate sheet(s).

**5) Attendance at any Council Hearing (You must tick one of the following two boxes):**

I wish to be heard in support of my submission       I do not wish to be heard in support of my submission

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Print Full Name:

Signature\*:  Date:   
 (Person making submission or authorised agent)

\*Note: A signature is not required if you make your submissions by electronic means.

A copy of this submission **MUST** also be sent to the applicant as soon as reasonably practicable after serving a copy on the Council.

To: The Resource Consent Administration Officer

Tasman District Council  
Private Bag 4  
Richmond 7050

Email: resourceconsentadmin@tasman.govt.nz



**tasman**  
district council

Te Kaunihera o  
**te tai o Aorere**

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### Submitter Details

Full Name:	Linda Jenkins and Larry Lumsden	
Contact Person (if different):		
Address for Service:	6/26 Kotare Place Little Kaiteriteri 7197	
Postcode:		
Phone:	021797267	E-mail: linda.jenkins@tourismdevelopment.co.nz

### Submission Details

This is a submission on the following application for resource consent lodged with the Council:

This is a submission on an application from: (Name of Applicant): CJ Industries

For a resource consent to: (details can be found on the notice in the letter from Council, newspaper, website or on-site)

Extract gravel from Peach Island, Motueka

Tasman District Council Application Number (if known): RM 200488 and 200489

**1) The specific part(s) of the application that my submission relates to is/are (Give details\*):**

Increase in heavy traffic on the Motueka Valley Highway which is already under stress with current traffic levels including cyclists, motorhomes, cars towing boats and trailers.

\* Note: Any additional information should be submitted on a separate sheet(s).

**2) The reasons for my submission are (Give details\*):**

As a user of the Motueka Valley Highway we are concerned at the additional heavy traffic which will increase the danger of serious accidents on the road.

\*Note: Any additional information should be submitted on a separate sheet(s).

**3) The nature of my submission is that: (Tick one of the following three boxes):**

I support the application       I oppose the application       I am neutral regarding the application

**4) The decision I would like the Council to make is (Tick one of the following two boxes):**

To grant consent       To refuse/decline consent

If consent is granted, I wish the council to impose the following conditions

(Note: you do not have to suggest conditions, particularly if you want the council to refuse consent):

We ask Council to refuse consent.

\*Note: Any additional information should be submitted on a separate sheet(s).

**5) Attendance at any Council Hearing (You must tick one of the following two boxes):**

I wish to be heard in support of my submission       I do not wish to be heard in support of my submission

Note: If you indicate that you do not wish to be heard, you will still receive a copy of the Council's decision but you will not receive a copy of the hearing report if a hearing is held.

Print Full Name:

Signature\*: \_\_\_\_\_  
(Person making submission or authorised agent)

Date:

\*Note: A signature is not required if you make your submissions by electronic means.

**A copy of this submission MUST also be sent to the applicant as soon as reasonably practicable after serving a copy on the Council.**

## Submission to Resource Consent Application by CJ Industries Ltd for Gravel Extraction at Peach Island, Motueka.

### RM200488 and RM200489

**Name:** Linda Jenkins and Larry Lumsden

**Email:** [linda.jenkins@tourismdevelopment.co.nz](mailto:linda.jenkins@tourismdevelopment.co.nz)

**Mob:** 021 797 267

We wish to object to the proposal to extract gravel from Peach Island on the grounds of the associated increase in heavy truck traffic posing a high risk to other road users. CJ Industries propose 30 heavy truck and trailer movements per day, 5 days a week, year round.

The Motueka Valley Highway between Alexander Bluff Bridge and College Street is limited to 80kph. There are numerous sharp bends with slower speed limits between 35km/h and 55km/h that have very limited visibility.

Rural driveways with limited views of oncoming traffic pose a hazard both to drivers using the highway and property owners exiting their driveway. For a rural property owner exiting a property by tractor or some other form of slow-moving machinery onto the highway is already risky. The addition of 30 x heavy truck and trailer movements a day add massively to this threat.



Most of the Motueka Valley Highway is narrow gauge with no shoulder. There is no room for any error of judgement. It is already a road with known dangers to motorists and cyclists.





The approach to the Alexander Bluff Bridge from Motueka is concealed around a corner giving following motorists very short notice that there may be a right-turning truck and trailer just around the bend waiting in the turning bay.

If the waiting truck and trailer is behind another vehicle also turning right onto the bridge the space in the turning bay will be exceeded and the risk of an accident heightened.



There is very limited visibility to see oncoming traffic on the bridge until the driver is committed to entering the bridge.

If a truck/trailer unit approaching the bridge needs to reverse to allow an oncoming vehicle to pass, there is little or no room behind it to reverse into, particularly if another vehicle is also waiting in the turning bay to access the bridge.



When a truck and trailer exits the bridge to do a left hand turn on to the Motueka Valley Highway, both left and right there are bends with limited visibility.

The truck and trailer unit will be slow moving as it navigates on to the road.

Oncoming traffic from the right will not have advance warning of the danger because of the bend in the road obscuring their visibility.

And furthermore oncoming traffic will be travelling at 80-100km/h



The Alexander Bluff Bridge is one way, old and unsuitable for heavy truck and trailer units crossing it 30 times every day.



There is a sharp bend where the Motueka Valley Highway morphs into College Street which has a speed restriction of 35km/h. Trucks coming around this corner will need to brake to safely navigate it, then accelerate up to 80km/h again. This braking/acceleration procedure will cause excessive noise to residents 30 x times a day.

It is well known amongst locals that the Motueka Valley Highway is low grade, in need to repair and widening and to be treated with extreme caution, particularly over the summer months when it attracts heavier usage by cyclists, motorhomes and cars towing trailers and boats.

Adding 30 x heavy truck and trailer movements to this combination every day is irresponsible under the current roading conditions.

As regular users of the Motueka Valley Highway, we would be highly disappointed if Council agreed to exacerbate an already difficult stretch of road by giving consent to CJ Industries to add their heavy haulage trucks and trailers. Council would not want to be held responsible for any resulting accidents, injuries or fatalities.

We therefore object to both resource consent applications by CJ Industries.

24 January 2022

**Alastair Jewell**

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**Subject:** Copy of emails re Submission to Application by CJ Industries to Extract Gravel from Peach Island - RM200488/489  
**Attachments:** Submission to Resource Consent Application by CJ Industries Les for Gravel Extraction at Peach Island.pdf; Form for submission on resource consent application completed 240122.pdf

---

**From:** Hayden Taylor <Hayden@planscapes.co.nz>  
**Sent:** Tuesday, 25 January 2022 10:40 am  
**To:** Resource Consent Admin <Resourceconsentadmin@tasman.govt.nz>  
**Subject:** FW: Submission to Application by CJ Industries to Extract Gravel from Peach Island - RM200488/489

Hi,

Just forwarding in case this had trouble finding its way via the info@ address.

Regards,

Hayden

**Hayden Taylor**

Resource Management Consultant  
BSc (Hons)

**Planscapes (NZ) Ltd**

94 Selwyn Place : PO Box 99 : Nelson

T 03 539 0281 : M 021 071 2209 E [Hayden@planscapes.co.nz](mailto:Hayden@planscapes.co.nz)



*CONFIDENTIALITY: This email and any attachments are confidential and may be legally privileged. If you have received this email in error or are not the intended recipient, please notify the sender and delete the email message immediately. Planscapes (NZ) Ltd does not warrant or guarantee that this communication is free of errors, virus or interference.*

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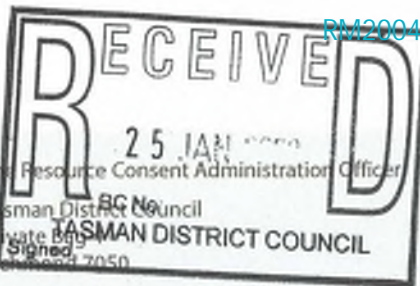
**From:** Linda Jenkins <[linda.jenkins@tourismdevelopment.co.nz](mailto:linda.jenkins@tourismdevelopment.co.nz)>  
**Sent:** Tuesday, 25 January 2022 10:37 AM  
**To:** [info@tasman.govt.nz](mailto:info@tasman.govt.nz)  
**Cc:** Hayden Taylor <[Hayden@planscapes.co.nz](mailto:Hayden@planscapes.co.nz)>  
**Subject:** Submission to Application by CJ Industries to Extract Gravel from Peach Island - RM200488/489

Please find attached completed submission form and supporting submission document – 2 x docs.

**Linda Jenkins and Larry Lumsden**

P O Box 6026, Riwaka, RD3, Motueka, New Zealand

M: 021 797 267 E: [linda.jenkins@tourismdevelopment.co.nz](mailto:linda.jenkins@tourismdevelopment.co.nz)



To: The Resource Consent Administration Officer  
 Tasman District Council  
 Private Bag 1  
 TASMAN DISTRICT COUNCIL  
 Richmond 7050  
 Signed  
 Email: resourceconsentadmin@tasman.govt.nz



RM200488 - CJ Industries Limited

## Submission on Resource Consent Application

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### Submitter Details

Full Name:

Contact Person (if different):

Address for Service:

Postcode:

Phone:  E-mail:

### Submission Details

This is a submission on the following application for resource consent lodged with the Council:

This is a submission on an application from:

For a resource consent to: (details can be found on the notice in the letter from Council, newspaper, website or on-site)

Tasman District Council Application Number (if known): RM

1) The specific parts of the application that my submission relates to are (details\*)

\* Note: Any additional information should be submitted on a separate sheet(s).

2) The reasons for my submission are (Give details\*):

1, Lowering the value of my property  
2, Endangering cyclists with extra traffic  
3, Noise Pollution  
4, contamination of the Motueka River

\*Note: Any additional information should be submitted on a separate sheet.

3) The nature of my submission is that: (Tick one of the following three boxes)

I support the application       I oppose the application       I am neutral regarding the application

4) The decision I would like the Council to make is (Tick one of the following two boxes)

To grant consent       To refuse/decline consent

If consent is granted, I wish the council to impose the following conditions

(Note: you do not have to suggest conditions, particularly if you want the council to refuse consent)

\*Note: Any additional information should be submitted on a separate sheet(s).

5) Attendance at any Council Hearing (You must tick one of the following two boxes):

I wish to be heard in support of my submission       I do not wish to be heard in support of my submission

Note: If you indicate that you do not wish to be heard, you will still receive a copy of the Council's decision but you will not receive a copy of the hearing report if a hearing is held.

Print Full Name: Andrew Hutton

Signature\*: A Hutton      Date: 24/1/2022  
(Person making submission or authorised agent)

\*Note: A signature is not required if you make your submissions by electronic means.

A copy of this submission MUST also be sent to the applicant as soon as reasonably practicable after serving a copy on the Council.

To: The Resource Consent Administration Officer

Tasman District Council  
Private Bag 4  
Richmond 7050tasman  
district council

Te Kaunihera o

te tai o Aorere

Email: resourceconsentadmin@tasman.govt.nz

Submission on Resource  
Consent Application

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## Submitter Details

Full Name: Ashley Hodder

Contact Person  
(if different):Address for  
Service: 380 Motueka River West Bank Rd

RD1

Motueka

Postcode: 7196

Phone: 0220343569

E-mail: hodznz@gmail.com

## Submission Details

This is a submission on the following application for resource consent lodged with the Council:

This is a submission on an application from: (Name of Applicant): CJ Industries Limited

For a resource consent to: (details can be found on the notice in the letter from Council, newspaper, website or on-site)

Gravel Extraction from the Motueka River valley, Motueka River West Bank Rd

Tasman District Council Application Number (if known): RM 200488 and RM200489

1) The specific part(s) of the application that my submission relates to is/are (Give details\*):

Both RM applications. They are not a permitted activity  
in Rural 1 zone.

See attached Word Document

\* Note: Any additional information should be submitted on a separate sheet(s).

2) The reasons for my submission are (Give details\*):

see attached document

\*Note: Any additional information should be submitted on a separate sheet(s).

3) The nature of my submission is that: (Tick one of the following three boxes):

- I support the application
- I oppose the application
- I am neutral regarding the application

4) The decision I would like the Council to make is (Tick one of the following two boxes):

- To grant consent
- To refuse/decline consent

If consent is granted, I wish the council to impose the following conditions

(Note: you do not have to suggest conditions, particularly if you want the council to refuse consent):

A revised monitoring plan, a far higher proposed total

\*Note: Any additional information should be submitted on a separate sheet(s).

5) Attendance at any Council Hearing (You must tick one of the following two boxes):

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission

Note: If you indicate that you do not wish to be heard, you will still receive a copy of the Council's decision but you will not receive a copy of the hearing report if a hearing is held.

Print Full Name: Ashley Groves Hodder

Signature\*:   
(Person making submission or authorised agent)

Date: 18/01/2022

\*Note: A signature is not required if you make your submissions by electronic means.

A copy of this submission MUST also be sent to the applicant as soon as reasonably practicable after serving a copy on the Council.

To

Resource Consents Administration

Tasman District Council

Private Bag 4

Richmond

**RM200488 and RM200489, Gravel Extraction at 134 Peach Island Rd, Motueka**

I wish to submit my objection to the above two Resource Management applications as well as any other gravel extraction application for this site.

My objection is based on the following :-

1/ there is confusion in the documents supplied from the Tasman District Council of whether the amount of gravel to be extracted is 1 million tonnes or 1,000,000 million tonnes. I now note that there is no mention of the amount of gravel to be extracted.

**2/ Gravel extraction.** This is not a permitted activity and is not an activity that fits within the character of permitted activities in a Rural 1 zone – under Rule 17.5.2.1 and Rule 28.5.2.1 (Resource Management Act RMA).

Rate payers have brought into the area of the Motueka River West Bank Rd for the rural lifestyle, the outlook and the environment, not to have industrial operation on our doorstep.

The attached Further information documents refer to forestry and forestry vehicles. This is an allowable operation in the Rural 1 zone, and also it is a one in 20 to 25 year occurrence, whereas the application for gravel extraction is a 15 year full time operation.

I argue that that no discretionary activity be approved under Rule 17.5.2.9 (RMA).

The granting of a RM for this activity will set a precedence in the Motueka River valley which will have wide ranging consequences in the future.

**3/ Hours of operation.** There are conflicting mentions in the various reports. These range from only Monday to Friday 7am to 5pm, to Monday to Friday 7am to 9pm, Saturday 7am to 6pm.

A 7am start needs to be changed. This early start will mean that operations vehicles will be onsite from approx. 6am.

**4/ Noise.** Although CJ Industries have applied to keep the noise levels below 55dBA, this noise will be a continuous noise, every day of operation, whereas agricultural and horticultural noise is variable throughout the day and not continuous every day.



The planting that is proposed to help mitigate noise and dust will only be most probably effective from 10 to 15 years after planting, so will not solve the problem.

**5/ Water Quality.** Copper and zinc levels already exceed the ANZ guidelines for freshwater ecosystems and are nearing the permitted levels of Drinkwater Standards (DWSNZ, 2008)

The report from EnviroLink Ltd (4 June 2021) mixes concentrations levels from g/m<sup>3</sup> to mg/l.

I dispute the Record Results and their conclusions from Table 3.3 of their report.

0.8g/m<sup>3</sup> does not equal 0.8mg/l Copper

0.24g/m<sup>3</sup> does not equal 0.24mg/l zinc

Therefore there are mistakes from page 47 to page 50 of their attached further info and the table on page 50 conclusions are wrong.

Conversion verified from

[http://www.endmemo.com/sconvert/g\\_m3mg\\_l.php](http://www.endmemo.com/sconvert/g_m3mg_l.php)

There is no way that the council can allow these figures to go any higher.

**6/ Backfill.** A letter from Dr B Simmonds from the Tasman District Council states

“there is no way of reinstating land following gravel extraction that would retain the same levels as versatility and productive potential as previously held”

The question to be asked what will happen to the land after 15 years?

There is no mentioning of the monitoring of this operation.

**7/Transport.** Nowhere in any report is the mention that proposed section of the Motueka River West Bank Road to be used is part of Nga Haerenga (National Cycleway), Tasman Great Taste Trail – on road section. To put 30 heavy trucks and trailers on a windy narrow road, with the majority of the side of the road being culverts or steep drop-offs, will increase the danger to cyclists.

There is no mention that on the proposed route, there are two narrow single lane bridges.

The entry from the Motueka River Road to the Alexander Bluff bridge from Motueka direction is a dangerous intersection, especially for long vehicles.

Both entries to the Roxy River bridge are blind corners and entry both ways are narrow.

There is mentioned of dump trucks on the road. My understanding these vehicles are huge and would pose a huge transport risk.

There is also no mention of any monitoring of these 30 truck movements. I suggest that at CJ Industries cost, monitoring cameras be installed at the entry/exit of the quarry and at both ends of the one way bridges of the proposed truck route.

RM200489 is about the establishment and vehicle access on a paper road. There are conflicting statements re the establishment of the road, from graded to sealed. To mitigate the dust and noise issues this must be sealed from the West Bank Road to the direct entry to the quarry, and a correctly contoured road to the quarry face. These roads must be properly maintained

8/ The proposed bond at \$20,000 is far too low. Considering the damage that could happen (pollution, accidents, devaluation of nearby properties) if resource consent is given, this should be in the millions.

CJ Industries Ltd have consents RM150901 and RM150896 at Douglas Rd in the TDC. There has been no monitoring of this site by TDC inspectors even when they have been presented photographic evidence of non-compliance. What faith does one have that if this application goes ahead that the TDC will again turn a blind eye to the applicator actions. There should be an independent consultant engaged, at CJ Industries Ltd cost, for 3 monthly monitoring of all aspects of the application, with reports back not only to the council but affected rate payers

Ashley Hodder

380 Motueka River Rd

RD1

Motueka

hodznz@gmail.com

Dated 18 January 2022

To: The Resource Consent Administration Officer

Tasman District Council  
Private Bag 4  
Richmond 7050

Email: resourceconsentadmin@tasman.govt.nz



**tasman**  
district council

Te Kaunihera o  
**te tai o Aorere**

RM200488 - CJ Industries Limited

# Submission on Resource Consent Application

PLEASE ENSURE THAT ALL SECTIONS OF THIS FORM, ON BOTH SIDES, ARE COMPLETED.

Please note: all submissions become public documents. If the application requires a hearing, your submission may be published on the council's hearings page, including your name and contact details.

Personal information will also be used for administration purposes, including notifying submitters of hearings and decisions. All information will be held by the Tasman District Council with submitters having the right to access and correct personal information.

## Submitter Details

Full Name:

Contact Person (if different):

Address for Service:

Postcode:

Phone:  E-mail:

## Submission Details

This is a submission on the following application for resource consent lodged with the Council:

This is a submission on an application from:

For a resource consent to: *(details can be found on the notice in the letter from Council, newspaper, website or on-site)*

Tasman District Council Application Number (if known): RM

**1) The specific parts of the application that my submission relates to are (details\*)**

\* Note: Any additional information should be submitted on a separate sheet(s).

**2) The reasons for my submission are (Give details\*):**

Creating jobs, keeping gravel prices down, going forward with business in the area

\*Note: Any additional information should be submitted on a separate sheet.

**3) The nature of my submission is that: (Tick one of the following three boxes)**

I support the application       I oppose the application       I am neutral regarding the application

**4) The decision I would like the Council to make is (Tick one of the following two boxes)**

To grant consent       To refuse/decline consent

If consent is granted, I wish the council to impose the following conditions

(Note: you do not have to suggest conditions, particularly if you want the council to refuse consent)

Road repairs as damage is done. Road is bad enough already!  
But im sure C.js are paying adequate road user charges in which the council will be hot on there tail repairing the road surfaces.  
Reasonable working hours, No wekends or public hollidays

\*Note: Any additional information should be submitted on a separate sheet(s).

**5) Attendance at any Council Hearing (You must tick one of the following two boxes):**

I wish to be heard in support of my submission       I do not wish to be heard in support of my submission

Note: If you indicate that you do not wish to be heard, you will still receive a copy of the Council's decision but you will not receive a copy of the hearing report if a hearing is held.

Print Full Name:

Signature\*: \_\_\_\_\_ Date:   
(Person making submission or authorised agent)

\*Note: A signature is not required if you make your submissions by electronic means.

**A copy of this submission MUST also be sent to the applicant as soon as reasonably practicable after serving a copy on the Council.**