

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of application RM200488, RM200489 (Land Use Consents), and RM220578 (Discharge Permit to Land), CJ Industries, 134 Peach Island Road, Motueka

BEFORE Tasman District Council

Minute # 6 of the Hearing Commissioner – Further Information Traffic Movements and Clean Fill Acceptance Procedures

1. As part of my deliberations on the information received to date, I have identified further information that I consider should be addressed before the Applicant provide revised conditions and updated Management Plans (due on 3 March 2023).
2. Mr Clark provided second supplementary traffic evidence dated 19 December 2022 in response to two questions of clarification at the hearing. These questions are referred to in paragraph 1.5 of his second supplementary evidence. They include the route for truck and trailer units carrying clean fill; and truck and trailer movements at Hau Road.
3. He stated in paragraph 2.1 that all clean fill associated with the gravel extraction application will use Motueka Valley Highway and Motueka West Bank River Road (from Alexander River Bridge to the site).
4. He provided an explanation as to why truck and trailer movements at Hau Road associated with the proposal will reduce. In paragraph 2.6 he states that “Overall, the delivery of gravel material and picking up of clean fill from the Hau Road Depot associated with the application will be less as a result of truck and trailers being able to carry heavier loads. There will be an increase in some movements to Hau Road Depot, but this is a result of changes not related to this application”.
5. I wish to pursue this line of enquiry further. My line of questioning related to truck movements that will be generated by bringing fill material to Hau Road for screening prior to accepting or rejecting it.
6. Mr Corrie-Johnston stated in his primary evidence (paragraph 3.52) that clean fill will be brought to Hau Road, where it will be inspected visually and additional testing as specified in the Groundwater and Clean Fill Management Plan (GCFMP) carried out.
7. When I did my site visit on 9 December 2022 I was shown where Clean Fill Screening, Handling and Stockpiling would be located. There was no facility in place at the time of my site visit.
8. Mr Corrie-Johnston stated in paragraph 3.42 of this primary evidence that “the sources of clean fill for Peach Island reinstatement would include: (a) Rock and overburden from CJ Industries Riwaka Quarry. (b) Cuttings from road construction. (c) Cuttings removed from land during subdivisions. (d) Slip materials.”

9. Furthermore, in paragraph 2.16(a) of his supplementary evidence, Mr Corrie-Johnston stated that “CJ Industries now owns or has access to three rock quarries that have considerable amounts of granite/overburden available for use as backfill.”
10. Against this background, I direct the following:
 - a. Mr Clark reconsider his evidence taking into account the fill material that will be bought to Hau Road for screening, handling and stockpiling prior to clean fill being transported to Peach Island. It appears that this is an additional layer of truck movements that has not been considered to date. This might include truck movements from Riwaka Quarry to Hau Road for instance;
 - b. The Applicant clarify the source of the clean fill material as described in paragraph 8 and 9 above;
 - c. The Applicant provide more information regarding the facility that will be created at Hau Road to screen potential fill material, reject unacceptable material, stockpile acceptable material and load/unload the material. Further to this, the Applicant shall clarify whether existing Hau Road consents allow for handling of fill material (clean and not clean – due to the fact that screening won’t take place until the fill material reaches Hau Road) or whether other consents are required.
11. In addition, at the hearing Ms Gepp stated that she considered Hau Road is not part of the application “site”. I heard evidence that quality control of the clean fill is important to manage water quality effects on Peach Island. If Hau Road is not considered as part of the application site, then I seek assistance from the Applicant with respect to how consent conditions would be worded to address clean fill management (reject, stockpile, load/unload etc) at Hau Road.
12. I seek feedback from the Applicants’ counsel with respect to any timetable adjustments that may be required to address these matters. I understand the Joint Witness Statements from the experts witness caucusing are being drafted. I consider that this additional information can run in parallel to the caucusing process as they are separate matters.
13. I reserve the right to issue further directions when I have heard back from the Applicant on the matters listed above.
14. I direct that Mr Alastair Jewell circulate this minute to all parties to the proceedings.

Dated: 22 February 2023.



Craig Welsh

Chairman