

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 # 7 of the Hearing Commissioner – Further Information –
Assessment of Effects of Erosion of Pit 1 Arising From Flood Events**

1. I have received the Applicant's response to Minute 6 and the Joint Witness Statements.
2. For natural justice reasons, I am minded to provide other parties with a chance to respond to the new information provided in the Applicant's response to Minute 6. I consider this could occur at the same time that the Applicant's revised conditions and management plans are circulated.
3. However, there are two matters that I would like the Applicant to address before the bundle of new information, the applicants revised conditions and updated management plans are circulated.
4. Firstly, I direct Dr MacNeil to review the Joint Witness Statement relating to Pit Erosion dated 6 March 2023 (JWS-Pit Erosion) and Mr Aiken's supplementary evidence dated 19 December 2022 (which is referenced in the JWS-Pit Erosion) and identify any changes he might want to make to his evidence (if any). Dr MacNeil should provide this response by Friday 17 March 2023. Other parties will have a chance to respond to this addendum.
5. Secondly, I now understand on the basis of evidence of Mr Corrie-Johnston (dated 9 March 2023) that cleanfill material will either be transported to the site from Hau Road or from the other sites listed by Mr Corrie-Johnston including several quarry sites on the West side of the Motueka River. This raises questions regarding the scope of the application as notified. The discharge permit application and AEE - 15 Jul 2022 clearly states in the transport and access section on page 8 that "The truck and trailer units will travel to and from the site to CJ Industries' processing plant at 34 Hau Road, Motueka... This route has been chosen so as to avoid travelling across the busy Motueka River bridge on State Highway 60 as well as through Brooklyn and Motueka Township."
6. It also raises questions about the scope of the assessment of effects of the traffic generated by the proposal. Carting clean fill directly from the three quarries identified in paragraphs 2.1(a) to (c) of Mr Corrie-Johnston's evidence must involve travelling along one of the routes specifically excluded in the above mentioned application and AEE that was publicly notified.
7. I direct that the timetable as outlined in my Minute 5 be placed on hold until the Applicant responds to the matters outlined in paragraph 4 to 6 above.

8. I reserve the right to issue further directions when I have heard back from the Applicant on the matters listed above.
9. I direct that Mr Alastair Jewell circulate this minute to all parties to the proceedings.

Dated: 10 March 2023



Craig Welsh

Chairman