

Alastair Jewell

From: Max Clark <maxclark7196@gmail.com>
Sent: Thursday, 6 April 2023 6:50 pm
To: Alastair Jewell
Cc: Resource Consent Admin
Subject: CJ Industries Ref: RM200488 and 220578

Hello Alastair,

On behalf of my Wife, Lyn Rombouts, and myself, I request you and the Commissioner to note that the changes recorded since the hearing have not changed our objection to the applications by CJ Industries.

As I said in my Zoom submission at the hearing, we have left it to others opposing the application, who are more knowledgeable than us, to deal with the technical aspects of the matter. But we do support their submissions. Our primary objections are based on our concerns, should consent be granted, over the potential use of the section of Motueka River West Bank Road ("MRWBR") between Brooklyn and the application site at 493 MRWBR. This section of the road contains many homes right on the road frontage. There are many more such homes on this section than on the section of MRWBR between Alexander Bluff Bridge and 493. So, our comments on the recent submissions of the applicants are as follows:

1. In his 3rd Supplementary Report-7/3/23-, Gary Clark says at para 1.10, that new trucks will be used to carry heavier loads. No doubt these new trucks will also be heavier and bigger than the current ones. If so, they will be more dangerous on the narrow winding section of the road I have described. They will also be more noisy. Further, Gary Clark states the heavier load capacity will reduce the number of loads each day, but I do not recall seeing any reference as to how many daily truck movements of backfill will now be added to the original number of truck movements of gravel from the extraction.
2. In para 1.13, Gary Clark, referring to movements of fill, states that the route to the site will be by way of Motueka Valley Highway and MRWBR. Whilst the inference is that the return journey, with or without extracted gravel, will be using the same route in reverse, it should be made abundantly clear that is the case. But our fear is that, if clean and approved fill is coming from, say, Riwaka, or any place east or north of the site, the temptation for any independent truck driver delivering from, or, with an empty truck, returning to, such place, will be overwhelming when most of these drivers are paid according to the number of loads they can carry during the working day. How efficiently can this be policed, particularly, after a few years when the personnel have changed? And, anyway, independent drivers may not be subject to the terms of any Resource Consent granted to CJI.
3. In Memorandum of Counsel-9/3/23-Sally Gepp, at para 5 states that there is no legal requirement that conditions be limited to the application site. She even indicates that conditions applicable beyond the application site are not uncommon. She cites as an example, in para, 5.a, that all trucks shall observe a speed limit of 60ks along MRWBR. So, if such a condition can, legally, be imposed, so can a requirement that no trucks shall travel to or from the application site using the vulnerable section of MRWBR as I have described above. Further, I suggest that, despite the applicant's claim that there is an existing authorisation for the traffic movement of clean fill from the Hau Road site (para 19- Memo of Counsel,) additional conditions can be imposed in respect of a new consent application where the safety of vulnerable people is at stake. In any event, the existing authorisation would appear to apply to transportation of fill to and from Hau Road, not gravel extracted from a new site not yet permitted.

Please let me know if you require me to send a copy of this further submission to the applicant or its representative.

Thank you and regards.

Max Clark and Lyn Rombouts