

To: The Resource Consent Administration Officer

Tasman District Council
Private Bag 4
Richmond 7050



tasman
district council

Te Kaunihera o
te tai o Aorere

Email: resourceconsentadmin@tasman.govt.nz

Served on applicant only - accepted
sections 37 & 37A RMA under delegated authority
9 Nov 2022
Alastair Jewell, Principal Planner

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: (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*):

1. EXCESSIVE TRUCK TRAVEL
2. EXCESSIVE NOISE IMPACT
3. WATER CONTAMINATION ISSUE
4. OTHER ENVIRONMENTAL ISSUES
5. EXCESSIVE DUST IMPACTS

As per attached separate document.

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

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

As per above

*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):

I wish Council to decline the application entirely.

*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.

Submission to Proposal for Establishment of Gravel Extraction by C.J. Industries on Peach Island.

By: Diane Joy Harris

Address: 273a College Street, Motueka

Date: 13 January 2022

In respect of the proposal for C.J. Industries to establish a gravel extraction quarry on Peach Island, I wish to submit my vehement objection.

I share our land with my sister and brother in-law and have built a house on which is a full time Airbnb. The land borders the Motueka Valley Highway on the East bank of the Motueka River. I bought this property in good faith knowing that I overlooked Rural 1 land and believed therefore that Tasman District Council zoning rules and the provisions of the RMA would protect me from industries such as gravel extraction. As Peach Island is Rural 1 productive horticulture land, gravel extraction is a discretionary activity I ask TDC to decline this consent application.

The proposed industrial development would affect me for the following reasons.

1. EXCESSIVE NOISE IMPACT

Noise travels around the hills surrounding the Motueka River, I can hear dogs barking on the West bank of the river. In the application the noise levels were understated significantly and lack any substantiation.

When work was done moving gravel in the river last year, the rumble from the boulders as they came off the truck was deafening. My guests were upset and wanted to leave. I explained it was only for a short time.

Noise from the proposed application will go on for 15 years which will mean my business will be adversely impacted.

The applicants describe the quarrying activities as being undertaken by an excavator (singular) and a dump truck (also singular) thereby implying that site noise would be essentially limited to that produced by two diesel powered machines – refer page 31 of the Application. In addition to engine noise there will be noise generated by ground engaging activities; the transportation and dumping of extracted material at stockpiles; loading truck/trailer units with gravel for transporting off site; the dumping of inwards backfill and maintaining the stockpiles of that material.

Even a cursory assessment of these activities would suggest that the described site works are beyond the capacity of two production machines. We believe a more likely scenario is that a 20 or 25 tonne hydraulic excavator would be used to strip topsoil and then extract the compacted gravel. This material would likely be loaded into an off-road dump truck then transported for stockpiling. A second excavator, or more likely a wheeled loader, would be tasked with servicing (up to) 30 truck movements per day including maintaining the gravel stockpiles and loading the dump truck and trailer units. This machine would also be required to process and mix (to meet the stated 10% organic matter assurance) the dumped inwards back fill material and the probable loading of an off road dump truck to transport and dump the back fill in the exposed gravel pits. Presumably, the above described activities will be occurring simultaneously and not sequentially so it would appear that the applicants have considerably understated the use and number of heavy machines that would be deployed in this operation which would likely challenge TRMP noise restrictions.

Given a hypothetical scenario of TDC approving this Application, stipulating a rigorously enforced consent condition that only two items of heavy machinery could be in operation at any one time then we believe that the Applicants would concede that the operation could not achieve its stated output and productivity.

A more realistic scenario is that the actual noise levels created would be highly invasive and would be difficult to live with considering it could go on for the rest of my life. (15 years or more),

If this consent is allowed, and the noise level is unbearable, we need to be able to contact the independent person monitoring the site, or the council directly, NOT CJ Industries, as the applicants stated in their application.

If there is no independent monitoring person hired, or the council don't monitor the site adequately, the Peach Island site will end up like the Douglas Road excavation site, where all sorts of people and trucks dump fill in the holes. Wells are contaminated and dust and noise is extreme for the residents of Douglas Road.

2. EXCESSIVE TRUCK TRAVEL

The West Bank road is narrow and impossible to pass bikes on bends. It is a National Cycle Way and should be protected from heavy truck traffic. There are 2 one way bridges on the West Bank Road. The Alexander Bluff Bridge is one way also. When travelling from Motueka and turning onto the bridge, it is difficult to see if there is traffic on the bridge. If there is traffic, you have to stop with part of the car out on the East Bank highway. This is dangerous for cars but would be much worse if a truck and trailer had to stop and let traffic over the bridge.

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

3. WATER CONTAMINATION ISSUE

Our family and 3 other families have just drilled a new well at Woodmans corner.

As stated previously, there is evidence that the people on Douglas Road had contaminated wells as a result of the gravel extraction carried out by CJ Industries and other contractors. Over time, what happens to the wells and bores downstream of the proposed extraction site (including our well) when silt, organic matter and hydrocarbons leak from the infilled gravel holes and from the work site generally? Who would monitor the water quality?

As locals, we knew that we could take green waste and dump it at Douglas Road gravel pit for free. Who would monitor the fill going into the pits on Peach Island, considering that it floods regularly?

I have seen Peach Island flood numerous times, the last time was this past winter. Given the obvious climatic impacts of Global Warming/climate change we believe that historical data cannot be relied upon to assess flood hazards. Heavy flood events are increasing in frequency and severity, exacerbated by silt loading due to ground disturbance, particularly in the Separation Point Granite zone.

We also believe that our groundwater quality will be at considerable risk from site contaminants. On page 27 the Applicant outlines its protocols for the containment of accidental spills of fuel and contaminants. By its very nature, the site comprises areas of highly porous gravels. It is axiomatic that the use of heavy machinery inevitably leads to instances of hydraulic hose failures, ruptured fuel lines, transmission breakages, engine oil spills etc. Even if such events are responded to rapidly there remains an unacceptable risk of groundwater contamination from oil products and disbursement chemicals given the rapid percolation of such fluids through the porous gravel to the shallow water table.

The Application perversely states at page 13 that sediment entering the Motueka River "...will not be discernible relative to the naturally elevated sediment concentrations that would exist in such a flood." We find this an extraordinary mitigating statement. TDC is fully aware of the critical state of sediment flows in the Motueka River (and neighbouring catchments) and the adverse impacts in Tasman Bay due to suspended sediment plumes and fine silt deposits on the seabed, as described in separate papers published by Cawthron Institute, by NIWA and by Landcare Research. The Motueka River Integrated Catchment Management study (Fenemore and others) is a further seminal scientific publication that highlights the importance and vulnerability of the Motueka River.

The Application devotes one paragraph (6 lines) at page 28 to the Motueka River Water Conservation Order, gazetted in 2004. In layman's terms the WCO is the highest level of environmental protection that can be afforded to a river under current New Zealand Law – in effect granting 'National Park' status to the river - in order to protect its outstanding environmental, cultural, recreational and amenity values. If this Application was instead to establish a 5 day per week gravel mining operation within 20 metres of the Abel Tasman National Park boundary it would be deemed totally inappropriate and there would be public outcry if TDC gave its consent. TDC should apply the same rationale to this Application.

3. OTHER ENVIRONMENTAL ISSUES

As far as we can ascertain the Applicants have undertaken no assessment of the impact the works on native fauna, particularly bird populations. The berm lands and environs are known nesting, feeding and roosting sites for several important bird species including terns, wading birds and waterfowl.

The stop banks are vitally important for the safety of Motueka and the valley residents and should not be disturbed. There is evidence that one stop bank has already been damaged by machinery and has not been fixed.

4. EXCESSIVE DUST IMPACTS

Most of the residents in the Motueka Valley will be affected by the dust especially when the Southerly or Westerly is blowing. During the summer particularly, a stiff downstream prevailing sea breeze kicks in from late morning/early afternoon. We watch how the pollen covers our place from pine trees on the west bank, but this is seasonal, not year round as the gravel extraction process would be.

5. UNSOCIAL HOURS OF WORK

The application states that truck movements will begin at 7am which will mean the trucks are heading up the valley past our place at 6.30am. This is unreasonable and unfair to expect residents to be woken at 6.30am 5 days/week for the next 15 years.

6. CONCLUSION

We request that an independent commissioner is appointed to review the submissions as well as members of the Motueka community board and other local valley people.

We reject the Applicant's statements that the proposed quarrying activities will only have a minor effect on the environment or on affected persons and that any adverse effects can be mitigated, thereby the works would not be in breach of the TRMP, Resource Management Act 1991, NPS for Freshwater Management 2014, and the Motueka River WCO. We believe the combined adverse effects as outlined above, would severely impact on our quality of life, the environmental and rural amenity values of this outstanding river valley and the safety of travel on the effected road systems.

7. RECOMMENDATION

I recommend that the Application be declined in its totality.

Submitted by:

Diane Joy Harris, P O Box 290, Motueka 7143

From: Alastair Jewell
Sent: Thursday, 10 November 2022 10:11 am
To: harrisdi@xtra.co.nz
Cc: Sally Gepp
Subject: Belated acknowledgment of your submission on CJ Industries Ltd's land use consent applications RM200488 and RM200489
Attachments: 150 - D Harris - s37- oppose.pdf
Categories: [SharePoint] This message was saved in 'Intranet > Resource Consents 2020 > Resource Consents > 200488 > Submissions'

Kia ora,

I refer to your submission made on the land use consent applications by CJ Industries Ltd, as notified in December 2021.

It has just been brought to my attention that it was not recognised in the list of submissions received for RM200488 and RM200489.

It appears that you may have only sent a copy of the submission to the applicant. Any copy shared by the applicant subsequently with the Council appears to have fallen between the cracks, and was not logged into our system, nor its omission picked up in the reporting / assessment stage.

Therefore I have exercised my delegated authority [under section 37](#) to recognise your submission.

I have done this after considering the requirements of [section 37A](#), including

- the interests of all parties considered directly affected by the waiver with the submission time period, and in particular your participation rights and the interests of the applicant,
- the public interest in having evidence on the potential and actual, and
- the Council's duty to avoid unreasonable delay.

The applicant and the Council's reporting planner will have the chance to acknowledge and address issues in your submission at the hearing.

I note we do have the submission for the discharge permit RM220578, and that you have been notified of the hearing and evidence exchange timetable.

A copy of the submission is attached, stamped, and confirmed as accepted under sections 37 & 37A.

Ngā mihi

Alastair Jewell

Principal Planner - Resource Consents

DDI +64 3 543 8422 | Mobile +64 27 225 8948 | Alastair.Jewell@tasman.govt.nz

Private Bag 4, Richmond 7050, NZ



To: The Resource Consent Administration Officer

Tasman District Council
Private Bag 4
Richmond 7050



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Email: resourceconsentadmin@tasman.govt.nz

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Submitter Details

Full Name: SANDRA POWIS

Contact Person (if different):

Address for correspondence: PO BOX 624
PILTON

Postcode: 7250

Phone: 03 573 4492 E-mail: SANDSBATKE@GMAIL.CO.NZ

tasman district council | Te Kaunihera o **te tai o Aorere**

Served on applicant only - accepted
sections 37 & 37A RMA under delegated authority
9 Nov 2022
Alastair Jewell, Principal Planner

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 LTD

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

REMOVE GRAVEL ETC VEHICLE ACCESS
RM 200489

Tasman District Council Application Number (if known): RM

200489

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

DISAGREE WITH ALL PARTS OF APPLICATION

ALL BORE WATER WILL BE COMPROMISED - EVERYONE IS ENTITLED TO SAFE DRINKING WATER.

WILL INCREASE FLOOD RISK ON PEACH ISLAND

DUST LEVELS AND NOISE WILL BE IMPOSSIBLE TO LIVE WITH, ON PEACH ISLAND AND LOCAL AREA

DAMAGE TO MOTUEKA RIVER - ENVIRONMENTAL HAZARD

Any additional information should be submitted on a separate sheet(s).



Reasons for my submission are (Give details*):

LASTING EFFECT TO THE RIVER

ROAD USED AND ADVERTISED ON GREAT TASTE CYCLE TRAIL WILL NOT SUSTAIN OR IS NOT WIDE ENOUGH FOR LARGE DUMP TRUCKS FULL OR EMPTY. NOT SHAREABLE WITH BIKES, LOCAL RESIDENTS VEHICLES, SCHOOL BUSES ETC. OVERALL DUST POLLUTION INTO ATMOSPHERE

Any additional information should be submitted on a separate sheet(s).

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

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

Grant consent To refuse/decline consent

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

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

Additional information should be submitted on a separate sheet(s).

Do you wish to be heard 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

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 if a hearing is held.

Name: SANDRA POWIS

Date: 2/7/2022

(Print name of person making submission or authorised agent)

A signature is not required if you make your submissions by electronic means.

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

From: Alastair Jewell
Sent: Thursday, 10 November 2022 10:33 am
To: Sandra Powis
Subject: FW: Belated acknowledgment of your submission on CJ Industries Ltd's land use consent applications RM200488 and RM200489
Attachments: 151 - S Powis - s37 - oppose.pdf
Categories: [SharePoint] This message was saved in 'Intranet > Resource Consents 2020 > Resource Consents > 200488 > Submissions'

Apologies – difficulty making out the email address on the submission form.

Alastair Jewell

Principal Planner - Resource Consents

DDI +64 3 543 8422 | Mobile +64 27 225 8948 | Alastair.Jewell@tasman.govt.nz

Private Bag 4, Richmond 7050, NZ



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tasman district council Te Kaunihera o te tai o Aorere

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From: Alastair Jewell
Sent: Thursday, 10 November 2022 10:31 am
To: Sandra Powis <sands2tk@gmail.com>
Subject: Belated acknowledgment of your submission on CJ Industries Ltd's land use consent applications RM200488 and RM200489

Kia ora,

I refer to your submission made on the land use consent applications by CJ Industries Ltd, as notified in December 2021.

It has just been brought to my attention that it was not recognised in the list of submissions received for RM200488 and RM200489.

It appears that you may have only sent a copy of the submission to the applicant. Any copy shared by the applicant subsequently with the Council appears to have fallen between the cracks, and was not logged into our system, nor its omission picked up in the reporting / assessment stage.

Therefore I have exercised my delegated authority [under section 37](#) to recognise your submission.

I have done this after considering the requirements of [section 37A](#), including

- the interests of all parties considered directly affected by the waiver with the submission time period, and in particular your participation rights and the interests of the applicant,

- the public interest in having evidence on the potential and actual, and
- the Council's duty to avoid unreasonable delay.

The applicant and the Council's reporting planner will have the chance to acknowledge and address issues in your submission at the hearing.

A copy of the submission is attached, stamped, and confirmed as accepted under sections 37 & 37A.

While you did not ask to speak at any hearing, for your information the hearing starts on 21 November, and the reporting team's evidence and the applicant's evidence is available on the Council website at www.tasman.govt.nz – use the keyword search "CJ Industries" on the website; or just google "tdc cj industries".

We will give you notice of any decision as soon as it is available

Ngā mihi