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BEFORE

An Independent Commissioner
appointed by Tasman District Council

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER

of an application by CJ Industries Ltd
for land use consent RM200488 for
gravel extraction and associated site
rehabilitation and amenity planting and
for land use consent RM200489 to
establish and use vehicle access on an
unformed legal road and erect
associated signage

**REPLY EVIDENCE OF TIMOTHY GEORGE CORRIE-JOHNSTON
FOR CJ INDUSTRIES LIMITED
(CORPORATE AND OPERATIONS)**

24 April 2023

1. INTRODUCTION

1.1 My full name is Timothy George Corrie-Johnston.

1.2 I am a consultant contractor to CJ Industries Ltd, with my role being to support operations (for both CJ Industries and related companies), including at Hau Road. If consent for the Peach Island Quarry is granted, my role will include management of clean fill that is destined for Peach Island (at source sites & quarries, at Hau Road when clean fill is stored or handled there, and at Peach Island). I am authorised by CJ Industries to give this evidence. Where I state agreement/acceptance of recommended conditions or amendments to management plans, I am authorised by CJ Industries to provide that agreement on its behalf.

1.3 I have filed evidence in chief dated 15 July 2022, a first supplementary statement of evidence dated 4 November 2022, a second supplementary statement of evidence dated

19 December 2022, a third supplementary statement of evidence dated 9 March 2023, and a fourth supplementary statement of evidence dated 23 March 2023.

- 1.4 In this statement, I reply to matters raised at the hearing (that have not already been addressed in my supplementary evidence) and matters raised in submitter and Council comments dated 7 April and 14 April respectively.

2. EVIDENCE

Matters raised at hearing

- 2.1 During the hearing, Dr Harvey (witness for Valley RAGE) said that he believed TDC in 2021 estimated there would be close to half a million tonnes of aggregate available for extraction from the Waimea River alone. As set out in my primary evidence¹, comparatively large volumes of aggregate can be sourced from the Waimea River, and CJ Industries occasionally sources a small quantity of Waimea gravel from a Waimea aggregate supplier. However, no aggregate supplier in Waimea is currently able to commit to supplying CJ Industries' river run demand, and the volume of aggregate that CJ Industries can access from the Waimea River is only about 5000 m³, which is about a month's demand). Also, the Waimea River aggregate is a weaker gravel and not ideal for our ready mix. It can only be used by blending it with local river run. It is about 35 km from the Waimea River gravel source to Motueka, so the transportation costs and emissions effects of carting aggregate that I outlined in my primary evidence would apply to this source.
- 2.2 A submitter (Evans) queried whether clean fill would be compacted and what machine would be used for this. The clean fill will be compacted with the excavator bucket as it is placed. A compacting machine will not be used.

Submitter comments 7 April 2023

David and Susan Kellogg

- 2.3 The Kelloggs commented that CJ Industries cannot be trusted. I described the methods that would be used to ensure compliance with consent conditions in my primary evidence.² At that stage, CJ Industries had developed a position for an Environmental

¹ Paragraph 3.13

² Paragraphs 3.49 to 3.54.

and Consents Officer and was recruiting for that role. The role has now been filled. The Environmental Compliance Officer (as the role is now called) is Rod Markham.

Webster, Sundbye and Le Frantz

- 2.4 Submitters Webster, Sundbye and Le Frantz note that the DMMP says there will be adequate staff and equipment at all times to implement the dust control and that this should include after hours and weekends. Ms Mae also comments on out of hours dust suppression (re the DMMP).
- 2.5 I live on the site so I will generally be available for this, but I acknowledge there will be times when I am away or sleeping. Mr Bluett has now recommended an automated system for dust suppression. I have made enquiries with Pattle Delamore about this system. Wind speed and direction will be measured using an ultrasonic wind sensor that will be mounted on a 5-metre-high mast. The metrological monitoring station will be coupled with a datalogger and telemetry system that will send live data to a cloud database system which will be capable of sending out alerts when average wind speeds exceed 7.5 m/s during two consecutive 10-minute periods. Alerts can be sent out to key quarry staff via text message and email to ensure that the appropriate dust management and mitigation measures are in place. Alternatively, the telemetry system can also be configured to automatically turn on and off the pump to the sprinkler system based on the predefined wind speed limits.

Hannah Mae

- 2.6 Ms Mae says that without 24/7 video surveillance of trucks through site access, this fails to protect against unauthorised back fill content, unauthorised entry and an excessive truck count. She makes a similar comment in relation to land use condition 111.
- 2.7 CJ Industries controls the supply chain for clean fill and only CJ Industries or its contractors' vehicles will deliver clean fill to Peach Island. CJ Industries currently uses video surveillance at its Douglas Road site. If consent is granted, this video surveillance system will be moved to Peach Island. CJ Industries' "eroad" GPS system will verify the number of truck movements.
- 2.8 Ms Mae says that reporting of extraction volumes to Council is based on a "trust us" mentality, yet CJ Industries is not adequately reporting at other consented and expired consent gravel extraction locations (Douglas Road). The assertion that reporting at

Douglas Road is not in accordance with consent requirements is not correct. Further, CJ Industries' Environmental Compliance Officer will be responsible for reporting extraction volumes (and other reporting requirements) in accordance with consent conditions.

- 2.9 Ms Mae commented that up to 40 local contracting companies have discharged their waste fill to Douglas Road extraction sites over the years under the applicants' gravel extraction consents, and this proposal is going to need to dump that additional pressure at Hau Road or other CJs Yards. Mr Taia makes a similar comment. Ms Mae later says (in relation to Appendix A of the GCMP) that this proposed plan does not provide for any confidence that this practice will be improved from what has occurred at Douglas Road, Motueka where all manner of back fill is dumped into the excavation areas.
- 2.10 Consent conditions at Douglas Road are different to the proposed consent conditions at Peach Island. Material that is acceptable for deposition at Douglas Road would not meet the clean fill parameters in the consent conditions. CJ Industries is not obliged to accept fill from other companies. If fill does not meet the clean fill requirements of the GCMP it will not be accepted. This is likely to reduce the number of suppliers that fill will be accepted from. As set out in my third supplementary evidence, CJ Industries will be able to source sufficient clean fill from its own quarries, land development sites, and road maintenance sites.
- 2.11 Ms Mae says that material taken to Hau Road will be unknown fill that may contain hazardous content such as lead, and it is not correct to classify this as "clean fill". Ms Mae is correct that the material will not be confirmed to be clean fill until it has been inspected and tested, but I consider it very unlikely that the material would contain hazardous content such as lead (or asbestos, hydrocarbons etc) as it will not come from HAIL sites.
- 2.12 Ms Mae says that I am not the site manager for Hau Road. Mr Taia makes the same comment. That is correct, as of 1 January 2023. This was corrected in my fourth supplementary evidence.
- 2.13 Ms Mae refers to consent RM070640 for 36 Hau Road and Condition 1 which says:

This consent shall be personal to CJ Industries Ltd which has been advised at the hearing to be the applicants' company and this consent expires and the activity must cease if none of the following Directors of CJ Industries Ltd are actively involved in managing the activity:

- Desmond Michael Corrie-Johnston

- Elaine Ruth Corrie-Johnston; or

- Michael George Corrie-Johnston

...

All or any of the directors listed in this Condition must be actively involved in managing the business, otherwise the activity must cease. Active involvement means being involved in the day-to-day running of the business and being a silent or sleeping partner in the business does not constitute active management

- 2.14 Ms Mae says she has heard that two of the three listed family members have not been active in day to day business at Hau Road, and that this should be validated. I confirm that Desmond Michael Corrie-Johnston (my father) is actively involved in the day-to-day running of the business at Hau Road.
- 2.15 Ms Mae comments on condition 51 (quarrying within 100 m of an orchard) and says that the orchard to the west of stage 1 should be included. The condition would already apply to this orchard.
- 2.16 Ms Mae comments on condition 79 which prevents heavy vehicle maintenance other than servicing (e.g. an oil change) and asks why a heavy vehicle would be serviced outside a workshop. Services like oil changes would normally happen on-site, as this avoids the need to transport an excavator to a different location for these routine services.
- 2.17 Ms Mae comments on condition 86 global position and elevation systems, and says that GPS is not accurate below ground. This is not correct. The GPS system will be supplied by Global Survey. Global Survey has confirmed that as long as the machine itself is not underground there is no issue. All of the signals from the Satellites (shown in red in the image below) are received into antennas mounted on the rear of the excavator, usually on masts (as pictured) and sometimes on safety handrails if they are available. Sensors on the boom, stick, bucket and body of the excavator are then used to calculate the position of the bucket. In the image below, the excavator would easily be able to dig down 5-6m below ground and still get good accuracy.



- 2.18 Ms May comments on land use consent condition 87 which is about temporary excavation (test pitting). She asks how many temporary excavations will be performed on the excavation day, and asks will the gravel attained be harvested and removed from that temporary excavation and the hole refilled with the unwanted material.
- 2.19 The conditions do not allow CJ Industries to extract (keep) the gravel from temporary test pits, as they must be refilled with the same material within half an hour.³ It is envisaged that a maximum of one test pit per day will occur but this may depend on groundwater conditions.
- 2.20 Ms Mae comments on land use condition 112 which refers to re-excavating from pits that have been back filled because of rising groundwater. Council also comments on this (Condition 117 in Council Memorandum). As I said in response to a question at the hearing, this re-excavation will not occur. Condition 112 has been corrected.
- 2.21 Ms Mae asks how a soil stockpile can be 3 m high without machinery driving over the soil (in relation to the Soil Management Plan). A dump truck will leave a 2 metre high pile, and a loader can push the soil up higher if required, without needing to drive on the pile.
- 2.22 Ms Mae notes that the Soil Management Plan says that some topsoil may be used for construction of a noise bund if required. To clarify, the noise bund will not be

³ Condition 87: The backfilling material must be the same material that was excavated to create the temporary excavation.

constructed from top soil, as top soil is in limited supply and is valuable. A layer of topsoil sufficient to establish a grassed cover will be used on the bund. The rest of the bund, under the topsoil, will be constructed of material that meets the clean fill criteria in the GCMP.

- 2.23 Ms Mae says in relation to the DMMP requirement for a site walk over daily that this should occur in the afternoon of each working day when windy conditions are typical. I plan to complete site inspections twice daily; once in the morning and once in the afternoon.

Valley RAGE Memorandum of Counsel

- 2.24 At paragraphs 36-37 the Memorandum asks how the applicant will ensure that a SQEP is available when required. Clean fill will not be transported to Peach Island until it has been confirmed as meeting clean fill parameters. If a SQEP is not available (which seems unlikely) the clean fill will not be accepted for use at Peach Island. As excavation will only occur if there is sufficient clean fill on site for backfilling, I do not see how unavailability of a SQEP is a problem (at most, it might mean excavation could not occur, if there was not enough clean fill on site).

Pete Taia

- 2.25 I have responded to some of Mr Taia's comments above, where they are the same as Ms Mae's comments.
- 2.26 Mr Taia says there can only be a significant increase in truck movements to and from Hau Road on a daily basis. The SOP (Appendix A to the GCMP) would allow clean fill storage and testing at CJ Industries' quarries or secure sites, not only Hau Road. The use of larger capacity trucks will reduce vehicle movements. There will be vehicle movements to and from Hau Road, but this is anticipated and authorised at Hau Road.
- 2.27 Mr Taia says that gravel excavated from Stage 1 may well be totally unsuitable for use as aggregate for concrete as it may have high concentrations of soft granite that has been deposited on that site from the Chapman stream. The Stage 1 gravel is suitable for use in aggregate production. If any pockets of gravel are not suitable, that will reduce the yield from the quarry overall, but I don't expect it to be a major problem.

Council comments 14 April 2023

- 2.28 Council has recommended a requirement for ongoing maintenance of the plastic liners that are used to reduce noise from loading trucks and trailers. I had expected to replace the liners when necessary, and I agree with the recommended condition.
- 2.29 Council recommends a Truck Routes Plan. I agree with Mr Clark's evidence that this is would be impracticable, as clean fill will come from a range of sources. I agree with Mr Clark that if a Truck Routes Plan is considered necessary it should only cover Motueka River West Bank Road.
- 2.30 Mr Fon's memorandum comments on the difference in density vs weight of gravel and clean fill and what this means for vehicle capacity. I agree with Mr Clark that Mr Fon's comment that in practice the volume is the limiting factor is not correct.

Tim Corrie-Johnston

24 April 2023