

Response ID ANON-URZ4-5FQ4-N

Submitted to Fast-track approval applications
Submitted on 2024-05-03 13:57:58

Submitter details

Is this application for section 2a or 2b?

2A

1 Submitter name

Individual or organisation name:
CJ Industries Ltd

2 Contact person

Contact person name:
Desmond Corrie-Johnston

3 What is your job title

Job title:
Director

4 What is your contact email address?

Email:
s 9(2)(a)

5 What is your phone number?

Phone number:
s 9(2)(a)

6 What is your postal address?

Postal address:

CJ Industries Ltd
34 Hau Road, Motueka

7 Is your address for service different from your postal address?

No

Organisation:

Contact person:

Phone number:

Email address:

Job title:

Please enter your service address:

Section 1: Project location

Site address or location

Add the address or describe the location:

134 Peach Island Road, Tasman (Lot 2 DP 2357 comprised in RT NL77/73 and Lot 2 DP 432236 comprised in RT 524970.)
Access to the site is via a right of way in favour of 493 Motueka River West Bank Road, and marginal strip administered by the Department of Conservation.
As shown in the Context Map in Attachment 1

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1 Landscape Assessment Appendix 1.pdf was uploaded

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Do you have a current copy of the relevant Record(s) of Title?

Yes

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Who are the registered legal land owner(s)?

Please write your answer here:

The quarry site (RT 524970 and RT NL77/73) is owned by Timothy Corrie-Johnston.

The access route comprises

- NL75/164 , owned by Arthur and Derek Woodcock, subject to a right of way in favour of 493 Motueka River West Bank Road.
- Crown land (marginal strip adjacent to 493 Motueka River West Bank Road) administered by the Department of Conservation

Detail the nature of the applicant's legal interest (if any) in the land on which the project will occur

Please write your answer here:

CJ Industries has a legal interest in the land and there are no impediments to it undertaking the work required for the project.

- C J Industries Ltd has entered into an agreement with Mr Corrie-Johnston to undertake gravel extraction at the quarry site.
- CJ Industries Ltd is authorised to use the right of way that will form part of the access. The owner of 493 Motueka River West Bank Road is Rapid Ridge Trust Limited. Both Rapid Ridge Trust Ltd and CJ Industries are directed by Desmond Corrie-Johnston.
- CJ Industries Ltd has obtained a concession over the marginal strip for the purposes of constructing and using that part of the access road.

Section 2: Project details

What is the project name?

Please write your answer here:

Peach Island Quarry

What is the project summary?

Please write your answer here:

The project is an aggregate quarry and associated clean fill deposition (to reinstate ground levels post-quarrying). These activities will occur within an area of approximately 6.73 hectares and are expected to yield between 375,000 and 525,000 tonnes of gravel.

What are the project details?

Please write your answer here:

The purpose of the project is to provide a supply of aggregate, which is in very high demand as an essential material for infrastructure, housing and community projects in Motueka and surrounding areas. The objective of the project is to extract the aggregates from the site, then to reinstate the site to enable the part of the site that is within the stopbank to be used for farming, and planting that part of the site that is outside the stopbank, which is prone to flooding, with native vegetation to provide a net biodiversity benefit.

The activities involved in the project are gravel extraction, stockpiling and transport of gravel and clean fill, formation of an access road, and site restoration. Quarrying and clean fill placement will occur over a 15 year period. No processing, screening, washing or crushing of gravel will occur on site. Aggregates will be carted to the applicant's processing site in Hau Rd, Motueka (processing gravel is authorised, and not part of the project that this application relates to). Clean fill will be virgin granite overburden sourced from the applicant's limestone quarry at Riwaka. A range of measures (conditions, standard operating procedures and management plans) will be volunteered to manage potential effects on groundwater, surface water, dust, productive land, noise, landscape and visual amenity, the transport network, cultural values, ecology and productive land.

The project requires the following consents:

- Land use consent to disturb land and rehabilitate for the purpose of gravel extraction within the Rural 1 Zone
- Land use consent to erect signage and establish access via an unformed legal road
- Discharge of contaminants being cleanfill to land

Describe the staging of the project, including the nature and timing of the staging

Please write your answer here:

Construction of the access road is the project's first step. Quarrying and clean fill placement will then occur, in three areas (called Stage 1, Stage 2, and Stage 3 – see Figure 1 in Attachment 1), over a 15 year period. As a result of feedback and technical advice, Stages 2 and/or 3 will be undertaken first. Stage 1 will now be undertaken last, to enable mitigation planting to establish.

CJ Industries is ready to commence work as soon as authorisation is obtained.

What are the details of the regime under which approval is being sought?

Please write your answer here:

Resource Management Act 1991 – land use and discharge consents.

The project has already obtained a concession under the Conservation Act 1987 for construction and use of an access road on marginal strip.

If you seeking approval under the Resource Management Act, who are the relevant local authorities?

Please write your answer here:

Tasman District Council (unitary authority)

What applications have you already made for approvals on the same or a similar project?

Please write your answer here:

The project has already obtained a concession under the Conservation Act 1987 for construction and use of an access road on marginal strip.

CJ Industries applied for resource consents for the project on 15 June 2020. Following a request for information on 3 July 2020 which was answered on 8 June 2021, the application was eventually notified in December 2021. 147 submissions were lodged. A related application for a discharge permit (to discharge clean fill) was lodged on 15 July 2022. Evidence was filed in July and November 2022 and a hearing for all resource consent applications occurred on 21, 22, 24 and 25 November 2022. The Commissioner directed witness conferencing which occurred in February 2023, and requested information on a range of topics, resulting in further evidence being filed in December 2022, March 2023 and April 2023. The hearing was reconvened on 9 May 2023 and closed on 17 May 2023.

The consent applications were declined on 29 June 2023. In summary:

- The primary reason for declining consents related to potential effects on groundwater from clean fill placement, which the Commissioner was not satisfied would be appropriately avoided, remedied or mitigated. As a result, CJ Industries has changed the source of clean fill to be limited to a single source being virgin granite overburden from its own quarry. Expert conferencing subsequent to that change has confirmed agreement between CJ Industries' groundwater expert and Council's groundwater expert that effects are predicted to be less than minor.
- The other key reason for decline related to effects on "highly productive land". The Commissioner held that although the National Policy Statement for Highly Productive Land enables quarrying, it does not enable clean filling. CJ Industries and its advisors consider this interpretation is wrong in law.
- The Commissioner also found that effects on cultural values had not been adequately avoided, remedied or mitigated because Te Ātiawa and Ngāti Rārua were opposed to granting consent. This was despite CJ Industries volunteering all but one of the conditions proposed by those iwi (the disputed condition would have required an iwi monitor to be on site for all quarrying).

CJ Industries appealed the Commissioner's decision on 7 July 2023. Mediation occurred in December 2023. The appeal process is ongoing.

Is approval required for the project by someone other than the applicant?

No

Please explain your answer here:

No approvals are required by anyone other than the applicant.

If the approval(s) are granted, when do you anticipate construction activities will begin, and be completed?

Please write your answer here:

CJ Industries' high level timeline is set out below:

- Detailed design will be complete within 2 months of consent being granted
- Procurement will be complete within 3 months of consent being granted
- Funding will be in place within 1 month of consent being granted
- Site works can commence within 5 months of consent being granted

The volunteered conditions will require one year of monthly groundwater monitoring prior to the commencement of clean filling. That monitoring is underway and will be complete by February 2025, and as such will not delay the commencement of works following grant of consent.

Section 3: Consultation

Who are the persons affected by the project?

Please write your answer here:

Relevant local authority: Tasman District Council

Relevant iwi authorities/Treaty settlement entities: There are eight iwi in Te Tau Ihu. The application site is within the rohe of all of these iwi except Rangitāne o Wairau (Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, Te Ātiawa o Te Waka-a-Māui, Ngāti Toa Rangatira, Ngāti Apa ki te Rā Tō, and Ngāti Kuia).

Wakatū Incorporation (Wakatū) is a neighbouring property owner. Wakatū comprises approximately 4,000 owners that are descendants of four iwi - Ngāti Kōata, Ngāti Rārua, Ngāti Tama, and Te Ātiawa.

Detail all consultation undertaken with the persons referred to above. Include a statement explaining how engagement has informed the project.

Please write your answer here:

Consultation has been undertaken with TDC, Wakatū Inc, Ngāti Rārua and Te Ātiawa. CJ Industries requested that its RMA application be publicly notified, and this provided the opportunity for the views of neighbouring property owners and the wider public to be heard.

That engagement has significantly informed the project, including:

- Changes to the material and source of material to be used for clean filling.
- Changes to staging, to delay Stage 1 to enable landscape mitigation planting to establish.
- Changes to plant species proposed for landscape mitigation planting and river terrace restoration and enhancement planting.
- Amended groundwater quality conditions (which now have the support of TDC's groundwater expert).
- Amended conditions to address cultural effects.

A summary of all consultation is provided in Attachment 3 Consultation

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Describe any processes already undertaken under the Public Works Act 1981 in relation to the land or any part of the land on which the project will occur:

Please write your answer here:

n/a

Section 4: Iwi authorities and Treaty settlements

What treaty settlements apply to the geographical location of the project?

Please write your answer here:

There are 7 treaty settlements deeds applying to the project site that are implemented through 3 treaty settlement Acts. These are:

- Ngāti Toa Rangatira Deed of Settlement 2012. Given effect to by the Ngāti Toa Rangatira Claims Settlement Act 2014.

The related post settlement entity is Te Rūnanga o Toa Rangatira Inc

- Te Ātiawa o Te Waka-a-Māui Trust Deed of Settlement of Historical Claims 2012. Given effect to by the Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014.

The related post settlement entity is Te Ātiawa o Te Waka-a-Māui Trust.

- Ngāti Apa ki te Rā Tō Deed of Settlement 2010. Given effect to by the Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau Claims Settlement Act 2014.

The related post settlement entity is Ngāti Apa ki Te Rā Tō Post-Settlement Trust.

- Ngāti Kuia Deed of Settlement 2010. Given effect to by the Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau Claims Settlement Act 2014.

The related post settlement entity is Te Rūnanga o Ngāti Kuia Trust.

- Ngāti Rārua Deed of Settlement 2013. Given effect to by the Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014

The related post settlement entity is Ngāti Rārua Settlement Trust.

- Ngāti Kōata Deed of Settlement 2012. Given effect to by the Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014.

The related post settlement entities are Te Pātaka a Ngāti Kōata and Ngāti Kōata Trust. Te Pātaka a Ngāti Kōata is the entity with responsibility for resource management matters.

- Ngāti Tama ki Te Tau Ihu Deed of Settlement 2013. Given effect to by the Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te

Waka-a-Māui Claims Settlement Act 2014.

The related post settlement entity is the Ngāti Tama ki Te Waipounamu Trust.

These treaty settlements have been identified based on the definition of “treaty settlement” in the Fast-track Approvals Bill which is a Treaty settlement Act or a Treaty settlement deed (s 4).

A “Treaty settlement Act” is then defined (s 4) to capture 5 specific Acts (none of which apply to the project site), an Act listed in Schedule 3 of the Treaty of Waitangi Act 1975 or, any other Act that provides for redress for Treaty of Waitangi claims (including Acts providing for collective redress. The Acts referred to above fall within the last part of this definition.

A “Treaty settlement deed” is defined (s 4) to be a deed or agreement signed by the Crown and Māori in settlement of claims by that group or in anticipation of that settlement but does not include an agreement in principle that is preliminary to a signed at ratified deed. The deeds referred to above fall within this definition.

Summary of relevant principles and provisions

This summary focuses on the principles and provisions of the settlement Acts referred to above, as the statutory instruments implementing the deeds of settlement.

Ngāti Toa Rangatira Claims Settlement Act 2014

The Act sees final settlement of historical claims by Ngāti Toa Rangatira (s 16). The Act provides statutory acknowledgments that consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga must have regard to (ss 26-29). Those statutory acknowledgements are evidence of Ngāti Toa Rangatira association with the areas covered by them, and Ngāti Toa Rangatira must be notified of any resource consent application within them for a period of 20 years after the settlement date (approx. 2035) (ss26, 31). The Act includes cultural redress (Part 2) in the form of statutory acknowledgements (addressed below), protection of nga paihau sites, vesting in fee simple of specified cultural redress properties, adoption of traditional te reo Māori place names, access and ownership rights relating to Kapiti Island, preparation of a poutiaki plan for specific parts of the coastal marine area, provisions of specified interests in the Queen Elizabeth Park campground site, and establishment of a river and freshwater advisory committee to provide advice on policy statements and plans. The Act also includes commercial redress in the form of property transfer, interests, and rights of first refusal.

The aspect of the Act that applies to the project site is that relating to statutory acknowledgements because it is within the statutory acknowledgement area relating to the Motueka River and its tributaries (Sch 1 of the Settlement Act). The project site is outside other areas specified in the Settlement Act.

Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014

The Act sees final settlement of historical claims by the iwi to which it relates (s 25). It includes cultural redress (Part 2) in the form of:

- Recording and recognition of cultural protocols in conservation documents and fisheries plans, and by MBIE in relating to identified mineral protocol areas.
- Statutory acknowledgements that consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga must have regard to when making decisions on applications. Those statutory acknowledgements are evidence of the relevant iwis association with the areas covered by acknowledgement. The iwi subject to the acknowledgement must be notified of any resource consent application for a specified time period. Any acknowledgement relating to a river or stream applies to continuously and intermittently flowing parts of it, and to its bed if owned by the Crown.
- Overlay classifications for specified areas. For areas where these apply the NZ Conservation Authority and Conservation Boards must have particular regard to statements of values, protection principles and iwi views in decision-making.
- Vesting of cultural redress properties. These do not include the project site.
- Adopting of traditional te reo Māori geographic names.
- Mineral fossicking rights from river beds.
- Establishment of statutory advisors to the Minister and Director-General of Conservation, statutory kaitiaki including preparation of a kaitiaki plan for specified coastal areas.,
- Establishment of a river and freshwater advisory committee to provide advice on policy statements and plans.

The Act also includes commercial redress in the form of property transfer, interests, and rights of first refusal (Part 3).

The aspect of the Act that applies to the project site is that relating to statutory acknowledgements because it is within the statutory acknowledgement area relating to:

- the Motueka River for Ngāti Rārua
- the Motueka River for Ngāti Tama ki Te Tau Ihu
- the Motueka River for Te Ātiawa o Te Waka-a-Māui

The project site is outside other areas specified in the Settlement Act. It is not impacted by fossicking rights because quarrying occurs outside the river.

Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau Claims Settlement Act 2014

The Act sees final settlement of historical claims by the iwi to which it relates (s 22). It includes cultural redress (Part 2) in the form of:

- Recording and recognition of cultural protocols in conservation documents and fisheries plans, and by MBIE in relating to identified mineral protocol areas.

- Statutory acknowledgements that consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga must have regard to when making decisions on applications. Those statutory acknowledgements are evidence of the relevant iwi's association with the areas covered by acknowledgement. The iwi subject to the acknowledgement must be notified of any resource consent application for a specified time period. Any acknowledgement relating to a river or stream applies to continuously and intermittently flowing parts of it, and to its bed if owned by the Crown.
- Overlay classifications for specified areas. For areas where these apply the NZ Conservation Authority and Conservation Boards must have particular regard to statements of values, protection principles and iwi views in decision-making.
- Vesting of cultural redress properties. These do not include the project site.
- Adopting of traditional te reo Māori geographic names.
- Customary use of eels.
- Pakohe removal and consultation.
- Minerals fossicking rights.
- Establishment statutory kaitiaki to advise the Minister and Director General of Conservation.
- Use of titi.
- Establishment of a river and freshwater advisory committee to provide advice on policy statements and plans.
- Preparation of a conservation management plan for the Wairau Boulder Bank.

The Act also includes commercial redress in the form of property transfer, interests, and rights of first refusal (Part 3).

The aspect of the Act that applies to the project site is that relating to statutory acknowledgements because it is within the statutory acknowledgement area relating to:

- the Motueka and Motupiko Rivers and their tributaries for Ngāti Kuia

The project site is outside other areas specified in the Settlement Act. It is not impacted by eel, pakohe, and fossicking rights because quarrying occurs outside the river.

Are there any Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 principles or provisions that are relevant to the project?

No

If yes, what are they?:

Are there any identified parcels of Māori land within the project area, marae, and identified wāhi tapu?

No

If yes, what are they?:

Is the project proposed on any land returned under a Treaty settlement or any identified Māori land described in the ineligibility criteria?

No

Has the applicant has secured the relevant landowners' consent?

Yes

Is the project proposed in any customary marine title area, protected customary rights area, or aquaculture settlement area declared under s 12 of the Māori Commercial Aquaculture Claims Settlement Act 2004 or identified within an individual iwi settlement?

No

If yes, what are they?:

Has there been an assessment of any effects of the activity on the exercise of a protected customary right?

No

If yes, please explain:

Upload your assessment if necessary:

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Section 5: Adverse effects

What are the anticipated and known adverse effects of the project on the environment?

Please describe:

The project's effects have been the subject of detailed assessment by relevant technical experts. Their findings are summarised below, with further detail provided in Attachment 4 Effects Summary. Additionally, summary effects assessments are provided in Attachment 5 Groundwater, Attachment 6 Productive Capacity, Attachment 7 Landscape and visual amenity, and Attachment 8 Traffic.

Amenity (noise, dust, visual): Effects on amenity values will be no more than minor. Quarrying is an activity that is specifically envisaged in the Rural 1 zone. Specific management plans have been developed by noise, dust, and landscape specialists to ensure amenity values are maintained.

Traffic: Vehicle movements will be on routes that are largely operating well below capacity without no inherent safety deficiencies. With adherence to volunteered conditions of consent (including improvements to access formation and adherence to specified routes and maximum vehicle speeds in certain locations) the activity will operate safely and efficiently within the existing road environment with any effects being less than minor.

Productive land: The land will be returned to productive use following aggregate extraction (with the exception of a flood-prone area that will be planted in native vegetation). A detailed Soil Management Plan (SMP) sets out the methodology for this. The re-established soil will over the long term retain or exceed the soil versatility of the original soil on the site.

Flood plain and land stability: The project will not worsen existing flood hazard, impact natural drainage patterns or negatively impact the flood plain storage or conveyance capacity. The project is not expected to affect the stability/function of the existing stopbank surrounding Peach Island. Effects on stability of adjacent land can be effectively managed with appropriate batter slope angles.

Surface water quality: Sedimentation risks are very low for the majority of the site given its separation from freshwater bodies by the stopbank. In the event of inundation of the Stage 1 area (on the river side of the stopbanks) in a large flood event, any impact from the works will be less than minor in relation to the impacts of the flood and the flood's interactions with other anthropogenic features of the landscape, such as forestry and farmland.

Groundwater: Following the change to a single clean fill source, along with detailed consent conditions to manage excavations and clean fill and monitor water quality, potential groundwater effects will be less than minor.

Effects on cultural values: CJ Industries has sought to support preparation of cultural impact assessments but this has not eventuated. Its volunteered conditions address matters raised in submissions by interested iwi (Ngāti Rārua and Te Ātiawa) and neighbouring landowner Wakatū Inc. The project sufficiently addresses matters relevant to cultural values to enable a conclusion to be drawn that these effects will be appropriately managed.

Ecology: The site consists of highly modified and degraded berm land dominated by exotic pasture and as such provides only poor habitat for fauna. Actual and potential adverse effects on ecological values will be very low. The proposal to plant 1.35 ha with indigenous vegetation (post-quarrying) will greatly outweigh any adverse terrestrial ecological effects.

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4 Effects summary.pdf was uploaded

Section 6: National policy statements and national environmental standards

What is the general assessment of the project in relation to any relevant national policy statement (including the New Zealand Coastal Policy Statement) and national environmental standard?

Please write your answer here:

The proposal is entirely consistent with relevant national policy statements (being the National Policy Statement for Freshwater Management 2020) and the National Policy Statement on Highly Productive Land 2022. An assessment is provided in Attachment 9 National Direction

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Section 7: Eligibility

Will access to the fast-track process enable the project to be processed in a more timely and cost-efficient way than under normal processes?

Yes

Please explain your answer here:

Yes. The application was lodged in 2020 and is still progressing through the RMA process (it is acknowledged that part of that time is due to CJ Industries seeking time to engage further with iwi and responding to requests for information). Even if the appeal is heard by the Environment Court this year, there is no certainty as to when a hearing will conclude, and it is unlikely the appeal will be decided in 2024. The applicant is ready to lodge an application for fast-track as soon as the Bill is passed and comes into effect.

The RMA appeal costs will be high, with evidence required from at least 12 expert witnesses. The fast-track provides a much more cost-effective process because those experts have already prepared technical reports that can be used for the fast-track, and will not need to additionally prepare written evidence or appear (unless a hearing is held, which we understand is unlikely based on experience with the Covid-19 Recovery (Fast-track Consenting) Act 2020).

What is the impact referring this project will have on the efficient operation of the fast-track process?

Please write your answer here:

Referring this project to the fast-track will support efficient operation of the fast-track process, because this project is ready to lodge its application as soon as legislation is in place. Additionally, the proposal does not raise novel effects nor are the components of the project complex. As such it is likely to be relatively straightforward to process, making it well suited to consideration by an Expert Panel in accordance with the fast-track process's time frames.

Has the project been identified as a priority project in a:

Not Answered

Please explain your answer here:

no

Will the project deliver regionally or nationally significant infrastructure?

Regional significant infrastructure

Please explain your answer here:

The project will provide a source of aggregate, which is critical to the delivery of infrastructure.

Will the project:

increase the supply of housing, address housing needs, contribute to a well-functioning urban environment

Please explain your answer here:

The project will provide a source of aggregate, which is critical to the delivery of housing.

Will the project deliver significant economic benefits?

Yes

Please explain your answer here:

Yes. The project has been assessed by the New Zealand Institute of Economic Research (NZIER) as delivering significant economic benefits. The net economic benefit of the Peach Island quarry was estimated at \$327,000 per year, including the benefit of access to local aggregate, the loss of pasturage, and the benefit of avoided carbon emissions. Over the 15 years of the proposed project, the net economic benefit was estimated at \$3.56 million. This is addressed in Attachment 10 Significant Regional Benefits.

Will the project support primary industries, including aquaculture?

No

Please explain your answer here:

Will the project support development of natural resources, including minerals and petroleum?

Yes

Please explain your answer here:

Yes. As discussed in Attachment 10 Significant Regional Benefits, this application would support development of a mineral resource, namely river run aggregate. This is a finite resource that is essential for high-value end products – concrete and sealing chip – that have a wide range of uses in community, industrial, and infrastructure developments in the region. There are limited sources of river run aggregate available in the Motueka area. The demand cannot be met from rivers alone, and other rock cannot be substituted. This material is used for concrete for house builds, factories, sheds, driveways, marae, community facilities, infrastructure, and any other use where concrete is required.

Will the project support climate change mitigation, including the reduction or removal of greenhouse gas emissions?

Yes

Please explain your answer here:

Yes. Aggregate is extremely heavy, and is typically transported by diesel powered trucks. This has a high carbon emission footprint, which can currently only be reduced by sourcing aggregate in close proximity to its end use locations. NZIER has estimated that using local aggregate would save 21,551 kilometres of heavy vehicle travel per year (compared with sourcing from outside the Motueka area), with a total tonne-kms of over 1.21 million per year. Using local aggregate would therefore save 285 tonnes of CO₂-e annually. See Attachment 10 Significant Regional Benefits.

Will the project support adaptation, resilience, and recovery from natural hazards?

Yes

Please explain your answer here:

The project will provide a source of aggregate, which is critical to many works to recover from natural hazards (for example, roading repairs following slips on Takaka Hill Highway).

Will the project address significant environmental issues?

No

Please explain your answer here:

Is the project consistent with local or regional planning documents, including spatial strategies?

Yes

Please explain your answer here:

Yes. The proposal enables the efficient use of a valuable and finite mineral resource within the region, in a location that is able to benefit the delivery of infrastructure and building materials in the region in an economically viable manner. In this way, the proposal assists significantly in achieving outcomes sought by local/ regional planning documents – in this case the Tasman Regional Policy Statement (TRPS) and the Tasman Resource Management Plan (TRMP). This is addressed further in Attachment 11 Significant Regional Benefit - Consistency with Regional Planning Documents

Anything else?

Please write your answer here:

Does the project includes an activity which would make it ineligible?

No

If yes, please explain:

Section 8: Climate change and natural hazards

Will the project be affected by climate change and natural hazards?

No

If yes, please explain:

One of the three gravel extraction borrows is located outside the Peach Island stopbanks in an area that is susceptible to flooding. Tonkin and Taylor have assessed flood risk, and how this will be impacted by climate change. Climate change, and its related impacts on the occurrence of both extreme weather events and on rainfall distributions, are likely to alter the frequency at which various river flood flows occur. Taking those effects into account, Tonkin and Taylor consider that there is an acceptable degree of flood risk that can be controlled through conditions of consent. This is addressed in Attachment 12 Climate Change and Natural Hazards.

Section 9: Track record

Please add a summary of all compliance and/or enforcement actions taken against the applicant by any entity with enforcement powers under the Acts referred to in the Bill, and the outcome of those actions.

Please write your answer here:

An abatement notice was served on CJ Industries Ltd in relation to its Riwaka Quarry on 16/10/2020, but cancelled on 26/01/2021.
An infringement notice was served on CJ Industries Ltd on 23 April 2022 in relation to its quarry at 83 Douglas Road, Tasman. This resulted from a staff member, who lived on site, undertaking some boundary fencing on the weekend including extracting gravel to a stockpile in the location where the new fence was to be installed. This gravel work was outside the terms of the relevant resource consent, which was accepted by CJ Industries.
On 13 October 2020 TDC prosecuted CJ Industries Ltd for burning unauthorised material at 105 Douglas Road. At this site, third parties were authorised to enter and deposit clean fill. A burn pile, which should only have comprised organic matter, was set alight by a staff member. It resulted that the pile contained contaminants including inorganic house demolition material that had been deposited there by a third party. CJ Industries plead guilty to the charges and initiated significant changes in its practices. These included putting in place controls so that third parties could not deposit demolition material on any of its sites. For completeness, it is noted that the volunteered consent conditions for Peach Island only authorise CJ Industries itself to transport clean fill to Peach Island.

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Declaration

Do you acknowledge your submission will be published on environment.govt.nz if required

Yes

By typing your name in the field below you are electronically signing this application form and certifying the information given in this application is true and correct.

Please write your name here:

Desmond Corrie-Johnston

Important notes