

Form 5 Submission on notified proposal for policy statement or plan,
change or variation

[Clause 6](#) of Schedule 1, Resource Management Act 1991

To: Whakatāne District Council

Name of submitter: GUY BARLASS

This is a submission on the following change proposed to the plan:

Whakatāne District Plan - Plan Change 2: 23 and 45 Keepa Road

Trade Competition

I could/could not* gain an advantage in trade competition through this submission.

Could not

If you could gain an advantage in trade competition through this submission, please answer the following:

I am/am not* directly affected by an effect of the subject matter of the submission that—

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

*[*Select one]*

The specific provisions of the proposal that my submission relates to are:

Negative effects of the proposal for residential development of the land :

To human health both on the site and districts residents, my self and family from Dioxin contaminated soil diturbence./ migration off site /living on the site.

To the environment from Dioxin contaminated soil disturbance and disposal.

The application of the NESCS for Dioxins to the whakatane district and residents.

Hazards substances contaminated land chapter 19 ,objective 2, policys 1,2,&3 not complied with.

Degree of risk assessment [low] for proposal from dioxin contaminated soils assessment done.

Flood risk from Koppeopo canal across its Dioxin contaminated southern stop bank.

Distance of residential housing for the known dioxin contaminated koppeopeo canal stop bank

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My submission is:

I oppose the current proposal in its current form.

My reasons are

1/ complex and not easily laid out in this form

2/ better expanded and explained at the verbal hearing with supporting documents and evidence

3/ I am awaiting further information and feed back from other expert sources.

However the main points are;

I personally have had extensive work place exposure to Dioxins ,with resulting very negative health effects.

My further “safe exposure level” is Zero.

My childrens “safe future exposure level” is also zero as the health effects of dioxins are shown to be affecting upto the 6th generation of decedents elsewhere in the world [viet nam, seveto Italy, ect] as shown by top international scientific /epidemological studies.

Here in Piripai/ Coastlands we live surrounded by dioxin contaminated mill waste dumps, contaminated waterways, and soils from the Pinex Timber treatment plant ,many of which have NOT been well managed by WDC, BOPRC or some land owners, resulting in further unnessacary exposures to Known dioxin contamination.[my nearest Mill waste Dump is 60 mtrs away from my house] for many local residents.

1/ The application of the NESCS for Dioxins [90 ppg/l-TEQ soil] to Whakatane district residents is Inappropriate given that Whakatane residents have had considerable historic Dioxin exposures from the Pinex timber treatment plant sited nearby since 1949 to present, through a Considerable number of Contamination Discharge sources [air ,soil, dumping waterways, food chain, former sawmill workers and their decedents] that have had an UNKNOWN affects to their health. There being NO human health Epidemological studies for the Districts Residents Completed.

MfE background test results for Dioxins elsewhere in NZ show a MAXIMUM background level for Dioxins on flat farm/pasture land as being 0.90ppg/l-TEQ [less than One picogram of Dioxins per gram of soil was the Maximun found throught NZ]

This proposal will allow residents to live on land with up to 120 ppg/l-TEQ on it, the land to be dug up and spread around [including dust] with NO CONTROL at all or regard to other residents who may be affected.

Until a District wide [or for residents living around the districts 32 Mill Waste Dumps] Epidemological study is completed ,The PRECAUTIONARY PRINCIPLE should apply ie; Irreversible harm from excess Dioxin exposure and Insufficient information to predict the outcome to ensure the protection of human health for Whakatane residents , decedents of former Saw mill Workers, and my self and family and others who have known Dioxin exposures exceeding those of the general public elsewhere in NZ, which the NESCS does not apply to .

The objectives of the Stockholm convention for POPS is to minimise exposure and reduce body levels of what is one of mankind most toxic substances . [NZ is a signitury to the convention]

2/The testing for Dioxins on the site is Inadaquate under the Hazards Substances Contaminated Land HSCL chapter 19,objective 2, policies 1, 2 and 3.

Objective 1/ Fully test /Delineate Extent of Contamination

Only 3 [three] Dioxin Soil Samples were carried out from 84 soil samples for this site. The tests were carried out in 2004 , As recent testing done [the koppeope canal decontamination project] has REPEATEDLY shown ALL the testing carried out for Dioxins In the district at that time are INACCURATE ,with recent test results returning Considerably Higher Levels when the SAME AREAS are RETESTED Independently ,using upto date Lab tests.

Areas Identified as potently contaminated in the Gulf Resourse Managment Nov 2003 EBOP Site investigation maps have not been tested or investigated for Dioxins at all.

The extent of Mill Ash [dioxin contaminated material was reguly burnt in the Pinex Mills boilers and spread over many local land areas and roads] is unkown on this site,however the site IS known to have recived this ash.

How can objective 2 {manage with No significant risk be achived ?}

Objective 3/

The propsed disposal of Dioxin contaminated material of site to land fill is not following Best International Practice [back lifting of material showing reduced costs?]

The risk of unknown Dioxin discharges to the Air will affect the entire community.

3/ The Koppeopeo Canal has been Dregded of Dioxin Contaminated sediment at least twice , the contaminated sediment being deposited on the South Banks.

It is well known that the Southern Kopeopeo Canal BANKS at the North Boundry of the site are contaminated with Dioxins upto and Exceding 600 ppg/l-TEQ in places [recent koppeopeo canal remediation project test results] How far this has been spread on to the adjoining land is UNKOWN,

This unkown factor is refered to in the Tonkin @ Taylo report of 14 dec 2015 also the EDC report of 02 oct 2017 , submitted by the applicant.

4/ The risk of the as yet UnDecontaminated Koppeopeo canal over-topping onto the site during a flood event is Identified and has previously happened.

The risk of the Dioxin contaminated Koppeopeo canals stop banks collapsing or being washed onto the site is also identified in the submitted documents.

5/ The degree of risk assesment for the Dioxin contamination for this proposal is given as LOW,

Given the range of Unknowns listed above that is not an appropriate risk assessment.

Again the RMA guidelines indicate that the Precautionary Principle should apply.

seek the following decision from the local authority:

Dismiss the application to rezone to residential.

Hearing submissions

I wish/do not wish* to be heard in support of my submission. [**Select one*]

I wish to be heard in support of my application in person with supporting evidence.

If others make a similar submission, I will/will not* consider presenting a joint case with them at a hearing. [**Select one*]

I will consider presenting a joint case with others

Signature of submitter (or person authorised to sign on behalf of submitter)

Date: [12/04/2018]

(A signature is not required if you make your submission by electronic means.)

Contact Details

Electronic address for service of submitter: gpbarlass@gmail.com

Telephone: 07 3086012

Postal address: 20A Landscape rd ,Coastlands, Whakatane, 3120

Contact person: Guy Barlass

Note to person making submission

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by [clause 6\(4\)](#) of Part 1 of Schedule 1 of the Resource Management Act 1991.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious:
- it discloses no reasonable or relevant case:
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
- it contains offensive language:
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.