

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: Whakatane Mill Limited

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.

[*Select one]

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:

Section 3.2 Surrounding Environment

Section 5.4 Reverse sensitivity effects

Section 5.5 Residential Amenity

My submission is:

- Whakatane Mill Limited OPPOSES the rezoning of the properties from light industrial to residential.

- Within the proposal there is no consideration given to the close proximity of the major industrial activity of Whakatane Mill (zoned Industrial refer WDP 3.1.13.1).
- The noise assessment undertaken by Hegley Acoustics Consultants does not identify Whakatane Mill as a possible source of noise. It only identifies noise sources from the neighbouring light industrial zone and traffic noise. In reference to Rule 11.2.6, Table 11.1 does not recognise noise generated from Industrial zone. The following applies

		75 LAmax	
g. Industrial	75 LAeq	70 LAeq 80 LAmax	

Table 11:1 Zone Noise Limits

- Sections 5.4 and 5.5 of the proposal, whilst acknowledging that there will be reverse sensitivity effects related to the light industrial zone, there is no regard given to the 20 hectare industrial site located to the south and within 100 metres of the proposed development. Whakatane Mill has been in existence for almost 80 years, and is a major

source of employment in the Whakatane District. By the very nature of such an industrial site, there are possible noise, light, traffic, emissions and other environmental effects, which should be considered in a reverse sensitivity assessment, in any rezoning proposal - particularly to residential.

I seek the following decision from the local authority:

To give due regard to existing use rights of major industry within close proximity of the proposed rezoning from light industrial to residential zone.

Reverse sensitivity clauses must be considered within the scope of the proposal, which should be extended to include Whakatane Mill, not only that of the light industrial area.

Hearing submissions

I wish/~~do not wish~~* to be heard in support of my submission.

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

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

Jessica Hunter-Smith
Environment and Risk Manager
Whakatane Mill Limited

Date: 12 April 2018

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

Contact Details

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Environment and Risk Manager

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.