

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: Josephine Smith

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 not gain an advantage in trade competition through this submission.

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

All provisions in proposed plan change

My submission is: I oppose the proposed plan change from industrial to residential and wish to have it amended to Community and Cultural Zone with underlying Residential.

I wish to have it amended as such based on the existing Maori Freehold Land, Te Hokowhitu Marae, the occupied houses and the contaminated sites of land that are recorded within the property boundary of the subject land.

I belong to Ngati Hokopu Hapu, Te Hokowhitu atu Marae , and the Wharewera whanau . I resided on the Maori Freehold block labelled Lot1 DPS 18658 in the Wharewera Homestead with my cousins and Grandmother Kaperiere the daughter of the Original Land owner Pakitua Wharewera of Lot 2 DP 452650.

My issues with the plan change

I am concerned the way we use our Marae will be changed and rules from the residential development put upon us.

We live, celebrate, reunite, mourn our loved ones, host whanau/ visitors from all over the globe various hours of the day any day of the week.

This week gone we have hosted the

- Whakatane Mayor and councillor

- An under 16s Rugby team from South Africa,

- came together as a whanau for a workshop

- Today hosted Paroa School students.

- An variation of groups and sizing and variation of activities in one week

- Sometimes our Marae will be mourning in these times we will have groups of people sometimes 100's arriving throughout the days to pay their respect. We will have Kaumatua speaking on the Pae , waiata, crying, whakawhanaungatanga.

- The site line to Kapu-te-rangi /Kohi point is very important to us and our Whaikorero

- We are the only Hapu in Ngati Awa faced with the challenges of being boxed in this is the second time. First time Te whare o Toroa Marae.

- the current buffer areas provided for in the district plan

- Lack of parking facilities at the marae that the plan change would impose

- additional traffic movements and parking congestion on if the proposed plan change were adopted

- There are 3 recorded contamination sites on the subject land I dont consider it appropriate to allow residential development on contaminated land without addressing the contamination issue.

Our whanau that associate with the whenua and Marae have a large and varied history of illness.

My Grandmother had 11 children 6 of those have suffered with cancer including my own mother.

3 of those 6 have passed away from Cancer

Many of my mothers first cousins and Aunty's and Uncles have also suffered with these diseases.

These illnesses have meant that as a whanau and marae community we have experienced painful and inconsolable loss that has torn through our cultural knowledge, leaving us with gaps on our paepae, and difficulties in passing our tikanga down to the younger generation.

I do not wish Residents to suffer these same health issues

I seek the following decision from the authority

To recognise and provide for the relationships of Ngati Hokopu ki te Hokowhitu a Tu hapu and whanau, and our culture and traditions with our ancestral lands, waters, sites, waahi tapu and other taonga

To provide for future generations of Ngati Hokopu ki te Hokowhitu a Tu community who will continue to actively participate in their community at their marae

Provides opportunity for residential householders to have covenants over title that explain how to live next to a marae and a marae community

To recognise the reverse sensitivity matters that result from the ongoing and enduring activities undertaken at the marae and whanau households – including gathering places for solemn (tangihanga/funerals) and celebratory (21st birthday parties, weddings, club parties) and educational activities ranging from quiet events like healing workshops and more noisy events like secondary school workshops and kapa haka and other purposes

For the safety of families living adjacent to subject land and families that may purchase that land and establish homes and gardens there I recommend

- More investigation of sites of contamination
- Testing of soil at the developer's expense at 46b State Highway 30 due to the nature of rain runoff onto the low-lying areas of that block from a known and identified contamination site which has been built up by the developer.
- Testing of roadway (what we called the black road) owned jointly by Marae and Wharewera whanau for any contamination and if proved contaminated include this in the residential buffer zone
- Areas of contaminated sites and sites up for remediation (dump sites, Kopeopeo canal) be given a 100-metre buffer zone to protect future residents and discourage everyone but primarily children (identified as most at risk, page 12 Derivation of Risk based Soil Guideline Values for Selected Contaminants Associated with Former Mill Wasted in Whakatane, Environment BOP Delineation & Risk Assessment. Mill Waste Disposal Sites 24a & 24b Keepa Road.) from entering areas of contamination or possibly coming in contact with contaminants in the Kopeopeo Canal and its banks.
- Adequate fencing around suggested buffer zones to further deter
- Large clear warning signs that describe the contaminant and the contaminated areas
- Achievement of 100% bioremediation on all sites recorded and yet to be discovered.

- Appendix 6 of the proposed plan change is vague and does not identify two other sites of contamination. It also proposes that the contaminated material be once again shifted to another site and not remediated.
- Digging up and shifting of the sawmill waste may further contaminate the surrounding area due to dust movement putting the wellbeing of humans living nearby in danger.
- The summary in Appendix 6 states that the contamination levels on the site meet COMMERCIAL operations guidelines. Once again there is not adequate data to ensure that human occupancy near these sites of contamination is safe.
- The house that stands on the land at 45 Keepa Road is of cultural significance to the Te Hokowhitu a Tu Marae. It is currently in a bad state but is still greatly appreciated and remembered by whanau associated to the whenua and Marae due to it being a one of the surviving original homes that were built before 1940. I ask it be considered that Te Hokowhitu a Tu Marae be gifted as a gesture of goodwill the house and land at 45 Keepa Road from the bottom of the house to the tip of the triangle to use as a capped carpark. The outfall is less than 1 km away from this section and the results from the discharge testing done in 2006 indicate that dioxins are still being discharged sometimes at levels which can be considered as high when comparison to background concentrations in New Zealand. This land could be capped and left undisturbed and provide an additional buffer to industrial and toxicity for proposed residents, and the house can provide for temporary housing for our hapū who are in need, expectant mothers who need a rest from the busy noisy marae, babies and mama who need a place to rest temporarily. This would also mitigate the adverse affect of congestion that will be caused around the Marae (as at present the Marae utilises privately owned land for carparking) and ensure that the Marae is not enclosed by the proposed residential subdivision.

Return of the land in the proposed plan lot 91 returned to the Wharewera Maori Freehold land as it is has caused us distress and seperated our Whanau for long enough

Hearing submissions I wish to be heard in support of my submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

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

Date 11/04/2018

Contact details

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