

**FURTHER SUBMISSION/S IN SUPPORT OF SUBMISSIONS ON A PUBLICLY NOTIFIED  
PROPOSED PLAN**Clause 8 of Schedule 1,  
Resource Management Act 1991

TO: **Bay of Plenty Regional Council**

FURTHER SUBMISSIONS ON: Proposed Plan Change 13 to the Bay of Plenty  
Regional Plan

NAME: **WHAKATANE MILL LIMITED**

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**Whakatane Mill Ltd supports** the submissions identified in the table below on Proposed Plan Change 13 to the Bay of Plenty Regional Plan ("PC13").

**Whakatane Mill Ltd** is an entity with an interest in PC13 that is greater than the interest the general public has. Whakatane Mill Ltd is a producer of carton board located in Whakatane and is potentially affected by the provisions of PC13.

**The particular parts of the submission and the reasons for Whakatane Mill Ltd's support are set out in the table below.**

To the extent that the following further submissions support the relief sought by another party, Whakatane Mill Ltd consider that the relief sought is generally appropriate, reasonable and / or necessary including for the reasons set out in the submission, or that it is otherwise consistent with the provisions of the RMA.

The above reasons are deemed to be included as part of the "reason for support or opposition" for each further submission referred to in the following table.

**Whakatane Mill Ltd seeks that the whole/ part of the submission be allowed / disallowed as shown in the table.**

**Whakatane Mill Ltd wishes to be heard** in support of its further submissions.

If others make similar submissions Whakatane Mill Ltd would consider presenting a joint case with them at any hearing.

Dated this 26<sup>th</sup> day of July 2018

Signed:

A handwritten signature in blue ink, appearing to be 'G. Chappell', written in a cursive style.

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**Gill Chappell**  
**Barrister**  
**Authorised agent for and on behalf of**  
**Whakatane Mill Limited**

Submission Number	Decision Requested by Submission	Support / Oppose	Reason for Support / Opposition	Relief Sought
<b>Definitions</b>				
45-18 Fonterra Ltd	Include a new definition of regionally significant industry as follows: <b><u>Regionally significant industry</u></b> means an economic activity based on the use of natural and physical resources in the region and is identified in regional or district plans, which has been shown to have benefits that are significant at a regional or national scale. These may include social, economic or cultural benefits.	Support	PC13 should include specific recognition of regionally significant industrial sites in Bay of Plenty.	Support
36-17 Mercury NZ	Delete clause (h) – (n) from the definition of sensitive activities	Support	The PC13 definition of sensitive activity is too broad and could include a number of activities that are not sensitive.	Accept submission
50-20 Ravensdown Ltd	Delete the 'sensitive activity' definition as notified, and replace it with the definition contained in the RPS, as follows: <b><u>Sensitive activities:</u></b> <i>Activities which suffer should they experience adverse effects typically associated with some lawful activities. For example, smells from a sewage treatment facility or noise from a port facility. Activities considered to be sensitive include but are not necessarily limited to any residential activity, any childhood education centre and any other accommodation facility.</i>	Support	The PC13 definition of sensitive activity is too broad and could include a number of activities that are not sensitive.	Accept submission
67-19 Port of Tauranga	Delete clause (h) – (n) from the definition of sensitive activities	Support	The PC13 definition of sensitive activity is too broad and could include a number of activities that are not sensitive.	Accept submission

Submission Number	Decision Requested by Submission	Support / Oppose	Reason for Support / Opposition	Relief Sought
74-17 Bay of Plenty Regional Council	Amend the definition of sensitive activity as follows: sensitive activity means an activity that may be adversely affected by contaminants <u>is particularly sensitive to adverse effects associated with air contaminant discharges either due to the vulnerability of the population or area exposed to the contaminant, or due to the potential for prolonged exposure and includes....</u> :	Support	The PC13 definition of sensitive activity is too broad and could include a number of activities that are not sensitive.	Accept submission
<b>Policies – AQ P4</b>				
50-10 Ravensdown Ltd	Amend clause (g) as identified in the submission	Support	It is appropriate to recognise existing investments when addressing the effects from existing lawfully established activities.	Accept submission
<b>Rules – AQ R21</b>				
19-14 Z Energy Ltd, BP Oil NZ Ltd and Mobil Oil NZ Ltd	Retain Rule R21 without further modification	Support	Rule R21 appropriately includes the activities undertaken at Whakatane Mill.	Accept submission
<b>Reverse Sensitivity</b>				
19-18 Z Energy Ltd	Amend the definition of ‘Reverse sensitivity’ to provide for the potential impacts of the intensification of sensitive activities, as follows: <b>Reverse sensitivity means the potential for the operation of an existing lawfully established activity to be compromised, constrained or</b>	Support	Whakatane Mill consider the PC13 definition of reverse sensitivity in PC13 adequately describes the concept. But it agrees that ‘intensification’ is one way reverse sensitivity effects can arise and that it is useful to include reference to this matter in the definition.	Accept submission

Submission Number	Decision Requested by Submission	Support / Oppose	Reason for Support / Opposition	Relief Sought
	<i>curtailed by the more recent establishment or intensification of other activities which are sensitive to the adverse environmental effects being generated by the pre existing activity.</i>			
33-19 Balance Agri- nutrients	Retain the definition of reverse sensitivity as notified	Support	The definition of reverse sensitivity in PC13 adequately describes the concept.	Accept submission
19-21 Z Energy Ltd	Insert provisions to manage reverse sensitivity	Support	Whakatane Mill agree that additional provisions to manage reverse sensitivity should be included in PC13.	Accept submission
33-4 Balance Agri nutrients	Insert new objective as follows: <u>Avoid reverse sensitivity effects on lawfully existing business and industrial activities</u>	Support	Whakatane Mill agree that additional provisions to manage reverse sensitivity should be included in PC13.	Accept submission
45-9 Fonterra Ltd	Insert new policy as follows: <u>Seek to avoid the establishment or expansion of land uses which are sensitive to the effects of existing activities involving the discharge of contaminants to air</u>	Support	Whakatane Mill agree that additional provisions to manage reverse sensitivity should be included in PC13.	Accept submission
58-6 Horticulture NZ	Insert new policy as follows: <u>The Regional Council will recognise reverse sensitivity when considering:</u> a) <u>complaints on discharges to air; and</u> b) <u>resource consent applications and making comments or submissions on territorial authority district plans and resource consent applications where new activities are proposed in areas</u>	Support	Whakatane Mill agree that additional provisions to manage reverse sensitivity should be included in PC13.	Accept submission

Submission Number	Decision Requested by Submission	Support / Oppose	Reason for Support / Opposition	Relief Sought
	<p><u>that may compromise, constrain or conflict with existing lawfully established activities which discharge to air.</u></p>			
58-38 Horticulture NZ	<p>Include a new method as follows:  <u>The Bay of Plenty Regional Council will seek to avoid potential reverse sensitivity effects associated with odours, chemicals, and particulates when considering resource consent applications or making submissions on district plans and resource consent applications to TA's. by actively discouraging:</u>            (a) <u>new sensitive activities locating near activities that discharge to air offensive and objectionable odours, chemical emissions or particulates</u>            (b) <u>New activities that discharge offensive and objectionable odours, chemical emissions or particulates from locating near sensitive activities</u></p>	Support	Whakatane Mill agree that additional provisions to manage reverse sensitivity should be included in PC13.	Accept submission