

**Before the Independent Hearing Panel**

**In the Matter** of the Resource Management Act 1991 (**RMA**)

**And**

**In the Matter** of an application to the Central Otago District Council and Otago Regional Council for resource consent to establish and operate a gold mining activity at 1346 – 1536 Teviot Road, Millers Flat

**Reference** RC230325 (Central Otago District Council)  
RM23.819 (Otago Regional Council)

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**Summary Statement of Nevil Ian Hegley on behalf Hawkeswood Mining Limited**

**(Noise)**

**Dated 13 May 2024**

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## **Introduction**

1. My full name is Nevil Ian Hegley. I am civil engineer specialising in environmental acoustics. I hold the qualifications and experience as set out in paragraphs 2 and 3 of my Evidence in Chief. I confirm that I have continued to comply with the Code of Conduct for expert witnesses in preparing this summary statement.

## **Summary**

2. The Central Otago District Plan sets out noise limits for a permitted activity to protect the noise environment for the neighbours around the proposed mine site. These limits are 55dBA  $L_{10}$  during the daytime (7:00am – 10:00pm) and 40dBA  $L_{10}$  plus 70dBA  $L_{max}$  night time (10:00pm – 7:00am)
3. The District Plan also provides guidance on the Objectives and Policies to ensure noise is controlled to within a reasonable level.
4. As there is no other guidance on the control of noise in the District Plan then if the noise limits, objectives, and policies are satisfied it is considered reasonable to assume the noise effects will be within a reasonable noise level for the neighbours.
5. Noise from the proposed mining has been predicted based on field measurements undertaken for all plant that will be used on site and adopting a recognised computer noise prediction model. This is the same approach that has been successfully adopted at many similar mining ventures both locally and throughout the country.
6. Based on the predicted noise levels it is apparent the noise limits as set out in the District Plan will be achieved with a factor of safety. Similarly, the objectives and policies will be satisfied.
7. The existing noise environment has been measured and compared with the predicted mining noise. From this, the noise from the proposed mining will

be well within a reasonably noise level and not have any adverse effect for the neighbours.

8. There have been a number of submissions that raised noise as a potential concern for them. I have addressed these concerns in my evidence and conclude that the with the proposed mitigation measures, the noise effects will be less than minor.
9. It is important to realise the mining is a transient effect and it will not continue at any given point for more than a few months. Other transient noise sources that can occur for a similar period to the proposed mining, include the construction of a building or a highway reconstruction. Both of these activities are treated as construction noise so may generate much higher noise levels for the residents than will ever be experienced from the proposed mining.
10. Subject to relatively minor changes (as set out in my evidence in chief) the noise conditions as proposed by the Council Planner are accepted.

## **Conclusions**

11. In my view, with the noise control proposed plus achieving the noise limits with a good factor of safety, will ensure the objectives, policies, noise conditions for a permitted activity and section 16 of the RMA to adopt the best practicable option to minimise noise are all satisfied.
12. Considering the above and the requirements of the Resource Management Act, the proposed alluvial gold mine can be managed so the noise effects will be less than minor.

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**Nevil Hegley**

Dated 13 May 2024