

UNDER the the Resource Mangement Act 1991 ("RMA")
IN THE MATTER of Proposed Waikato District Plan (Stage 1) Hearing 25 –
Zone Extents

**SUMMARY STATEMENT OF EVIDENCE OF NEVIL IAN HEGLEY ON
BEHALF OF 2SEN LTD AND TUAKAU ESTATES LIMITED**

[Submission 299]

NOISE

1. INTRODUCTION

1.1 My full name is Nevil Ian Hegley. I am a partner of Hegley Acoustic Consultants. I am providing evidence on behalf of 2Sen Limited and Tuakau Estates Limited ("**the Submitters**") in relation to their joint submission on the Proposed Waikato District Plan (Stage 1) ("**PDP**"). My qualifications and experience are set out in of my Evidence in Chief dated 17 February 2021 ("**EIC**"). The purpose of this statement is to summarise my EIC and provide general commentary in respect of matters arising in the section 42A reports prepared by Council.

2. SUMMARY OF EIC

2.1 The Franklin Section of the Operative Waikato District Plan (Rule 29.6.1A) requires the existing Business Zone located to the immediate south of 48 and 52 Dominion Road to comply with the following noise limits within the boundary of any other site, that is the southern boundary of 48 and 52 Dominion Road:

<i>Time/hours</i>	<i>L₁₀</i>	<i>L_{max}</i>
<i>0700 to 1900</i>	<i>50dBA</i>	<i>75dBA</i>
<i>1900 to 2200</i>	<i>45dBA</i>	<i>75dBA</i>
<i>At all other times</i>	<i>40dBA</i>	<i>65dBA</i>

2.2 The noise limits as currently adopted in the Proposed District Plan are identical to those required within a residential site with the only

change being L_{Aeq} has been adopted rather than the L_{10} limit used in the Proposed District Plan plus the standards have been updated from the 1991 versions to the 2008 versions. The effect of these changes is insignificant for this site.

- 2.3 Measurements undertaken of the existing noise environment on three separate occasions between December 2008 and November 2020 showed the existing Business Zone is complying with these levels at the most exposed boundary of the proposed residential development.
- 2.4 Based on the currently permitted noise limits and the noise presently generated from the adjoining activities, the noise to the proposed residential zoning is being achieved without any additional controls for both the noise maker and noise receiver.
- 2.5 In my opinion, there is no potential for any reverse sensitivity effects with respect to noise should the sites at 48 and 52 Dominion Road be zoned residential.

3. COMMENTS ON SECTION 42A REPORT

- 3.1 I understand that the proposed amenity yard mechanism is now to be extended onto the neighbouring property at 54 Dominion Road. In order to ensure a continuous northern “boundary” to the amenity yard, Mr Grey on behalf of the neighbour has suggested a minor amendment to the easternmost part of the amenity yard on the Submitters’ property, as illustrated in Ms Heppelthwaite’s summary of her evidence. I have reviewed the proposed minor change in this location and confirm that I do not consider that development of the small area of additional land affected would give rise to any incompatibility with industrial uses in the Whangarata industrial area located south of the railway.

4. CONCLUSION

- 4.1 I have assessed the potential of any reverse sensitivity effects with respect to noise from the rezoning of 50 - 52 Dominion Road on the Bollard Road industrial area.

- 4.2 From my analysis it is my opinion that the separation provided within the rezoning together with the proposed “amenity yard” mechanism as modified in the summary of Ms Heppelthwaite’s evidence will ensure there is no potential for noise related reverse sensitivity effects to arise from the operation of currently permitted industrial activities within the Bollard Road industrial area.

Nevil Hegley

12 May 2021