RECEIVED
28/10/2026
CODC

SUBMISSION IN EVIDENCE AND WRITTEN HEARING UPDATE

BEFORE THE CENTRAL OTAGO DISTRICT COUNCIL

IN THE MATTER OF: Resource Consent Application RC250077 (Awa Koura Mining Limited)

APPLICANT: Awa Koura Mining Limited

PROPOSED ACTIVITY: Alluvial Gold Mine, Luggate-Cromwell Road (State Highway 6), Luggate / Queensberry

SUBMITTER: Jason Chauval (Property Owner, 63 River Ridge Road, Tarras)

DATE OF SUBMISSION: October 2026

HEARING DATE: 29 October 2026

1. INTRODUCTION & EXECUTIVE SUMMARY

1.1 My name is Jason Chauval. I am the owner and resident of 63 River Ridge Road, Tarras. My property directly overlooks the proposed Awa Koura mining site from the eastern side of the Clutha River / Mata-Au.

1.2 I submit this written update and hearing presentation to reinforce my complete opposition to application RC250077 and to support the recommendation of Council's Reporting Planner, Ms. Emma Spalding, that **resource consent be REFUSED**.

1.3 While I endorse the Planner's recommendation to decline consent, this supplementary submission addresses critical gaps in the applicant's technical assessments—specifically regarding **acoustic topographies, dust propagation, flood risk liabilities, and a fundamental flaw in the economic justification** presented by the applicant.

1.4 The core grounds of this evidence are:

- **Misrepresentation of Activity.** The Applicant's planner, Mr Darryl Sycamore attempts to soft-pedal this proposal as a routine, temporary rural earthwork under the guise of "Primary Production." But let there be no mistake: stripping all topsoil across a rolling 2-hectare footprint, excavating up to 1.5 million cubic metres of earth 3 to 4 metres deep, and running 20-tonne excavators, heavy dump trucks, and a mechanical wash plant continuously for three years is, by every physical, legal, and planning definition, **an**

open-cast alluvial gold mine.

- **Risks of an Open Cast mine.** This is not an agricultural activity, nor is it a brief seasonal land development. Unlike river dredging that operates on a floating vessel within a watercourse, this is an open-air, land-based industrial excavation pit situated right on the river terrace. Calling it what it truly is—an open-cast mine—is critical because an open-pit operation of this scale creates continuous, unshielded surface noise, exposes 2 hectares of stripped earth to severe windborne dust, and introduces major industrial risks onto an active floodplain directly in line-of-sight of our homes.
- **Severe Acoustic Flaws:** The acoustic modeling completely fails to measure or account for sound elevation and directional propagation across the river valley to elevated properties (such as my own, situated ~40 meters above the riverbed).
- **Unacceptable Nuisance & Dust Impacts:** The dry, windy environment of the Clutha valley makes dust suppression unreliable, directly threatening downwind eastern properties.
- **High-Risk Flood Plain Operation:** The site sits on an active floodplain. A 10-year or 50-year flood event during active mining presents catastrophic environmental risks (sediment washout, fuel spillage) and massive unbonded remediation costs.
- **Superior Alternative Economic Yield:** A rigorous, fair economic evaluation reveals that proceeding directly with the consented 8-lot rural-lifestyle subdivision (even under a conservative 50/50 housing mix) injects **~$3.83M annually** in direct construction outlay—**outperforming the mine's claimed $2.57M annual GDP boost by nearly 50%** while employing 5 to 7 times more local workers.
- **Protection of Existing Private Investment & Amenity:** Over 20 surrounding property owners have invested **$45M to $60M+ in private capital**, driving local rate growth and economic vitality. Granting an industrial intrusion that subjects residents to 10-hour daily noise violates our fundamental right to peaceful enjoyment and threatens widespread equity impairment.

2. CRITICAL FLAWS IN THE NOISE & DUST EVALUATIONS

2.1 Acoustic Elevation & Topographical Omission

The noise assessment prepared by Marshall Day Acoustics (MDA) and reviewed by Styles Group acknowledges that predicted operational noise levels will reach **45 to 55 dB** across surrounding properties, and up to **65 dB** along the river margin. However, the methodology contains a severe physical oversight:

- **The "Elevation Effect":** My property at 63 River Ridge Road sits approximately **30-40 meters above the river terrace** on the eastern bluff. Sound traveling upward across an open water body and valley face experiences zero obstacle masking or ground

attenuation.

- **Thermal Inversions & Southerly Winds:** Ambient sound measurements were taken at low levels west of SH6. No physical baseline measurements were conducted at elevated eastern properties where prevailing atmospheric conditions and rising sound vectors cause industrial noise (excavator buckets, dozers, engine revs) to amplify rather than dissipate.
- **Continuous Industrial Intrusion:** As noted in Mr. Jon Styles' peer review, operational noise of 45–55 dB will be the **dominant sound in the environment**, completely masking natural river sounds and birdsong for up to 10 hours a day, 5 days a week, over a 3-year period. This level of continuous industrial noise is fundamentally incompatible with the Rural Resource Area.

Today we have a neighbouring property at number 43B River Ridge Road currently with a digger onsite developing their land for house and tracks. The current works are almost exactly 312 metres away from our kitchen, see image 1 below from google maps. This work can be heard and felt occasionally from within our kitchen, through ½ metre thick canadian western red cedar logs. I hold no grudges to our neighbour in developing their land in this manner, this is in the normal course of work for the area.

The proposed development is the same distance away to our west, see image 2 below. It is also below us by approximately 30-40 metres and upwind of normal weather patterns. I can only imagine the impact that the proposed project with 5 to 7 pieces of heavy industrial equipment running simultaneously 10 hours a day directly within a rural valley will have on our ability to hold a private conversation in our lounge.

We bought the land at River Ridge in Dec 2015 and built a 4 million+ home and developed the land so that we could enjoy some peace and a high quality of life in our retirement. If this project goes ahead how will my wife be able to find peace or simply enjoy being able to sit outside and enjoy the views and environment that the applicant plans to disrupt. I am sure there will be little respite from staying inside and trying to escape the continual assault on our senses.

No family should be subjected to 3 years of continuous industrial noise in a quiet Rural Resource Area.

View from our property, taken 19th October at 9:14 am

Looking South East over the applicants property



And to the North East



2.2 Dust Propagation in a Wind Corridor and Visual Impacts

- The air quality assessment (WSP / SES) confirms that local wind patterns are heavily channeled through the Clutha River valley, dominated by strong northwesterly winds.
- Eastern properties elevated above the site sit directly downwind. Dust generated from an active open mining operation comprising a rolling 2 hectares of stripped topsoil, dry tailings, and heavy truck movements cannot be reliably controlled by a single water cart during hot, windy Central Otago summers.
- On dust: Sandy Point is a well-known wind corridor subject to severe, gusty north-westerly winds frequently exceeding 5 metres per second (18 km/h). A single water cart cannot control particulate dust across 2 hectares of stripped earth when 30-knot gusts sweep down the valley toward our homes.
- Subjecting neighboring homes to windborne particulate matter for 3 years represents an unacceptable health hazard and amenity nuisance.
- The **Applicant's landscape architect, Mr. Mike Moore,** attempts to characterize visual effects as temporary. Yet in his own assessment, **he admits that elevated properties along River Ridge Road—including numbers 63, 67, 79, and 85—will face "more than minor" to "moderate-high" adverse visual effects for 12 to 24 months.** An active open mining operation comprising a rolling 2-hectare industrial pit, stripping machinery, topsoil stockpiles, and a floating screen plant directly in our primary line-of-sight degrades the scenic value of the Clutha River corridor.

3. FLOODPLAIN HAZARDS: ENVIRONMENTAL & ECONOMIC LIABILITIES

3.1 The subject site is formally classified within an **Otago River Flood Hazard Zone**. Similar flat terrace land along this reach of the Clutha River has experienced major flood inundation within the last decade. We have personally witnessed flooding across this plain and our lower level property at least twice in the last 10 years.

3.2 **Environmental Impact of a Flood Event:**

- **Mass Sediment Mobilization:** An active 2-hectare pit with exposed earth, topsoil windrows, and loose tailings heaps will be scoured during a major flood, washing tens of thousands of cubic meters of silt directly into the Clutha River, smothering aquatic habitats and destroying river clarity.
- **Hazardous Chemical Spills:** The site depot proposes to store **10,000 liters of bulk diesel fuel** alongside heavy machinery. Inundation of active pit workings creates an immediate risk of fuel and hydraulic oil contamination entering a statutory river corridor.
- **Riverbank Erosion & Avulsion:** Excavating 3–4 meters deep near the river edge creates significant risk of riverbank slumping or catastrophic pit avulsion, where the Clutha River

permanently carves a new course through the mine pit.

3.3 **Unfunded Remediation Costs:** De-watering, de-silting, re-contouring, and repairing a flooded 2-hectare mine pit easily exceeds **$300,000 to $1,000,000+ in emergency civil works**. If a flood event causes operator insolvency, the ratepayers of Central Otago and local landowners will be left bearing the financial and environmental cleanup burden due to insufficient bonding mechanisms.

4. RIGOROUS ECONOMIC RE-ANALYSIS: MINE vs. SUBDIVISION

The Applicant relies heavily on an Economic Impact Assessment by Benje Patterson claiming the mine adds **$8.44 million in GDP** to the local economy over 3 years. This $8.44M figure is a complete economic illusion, falls apart when subjected to a realistic opportunity-cost analysis against the consented 8-lot rural-lifestyle subdivision (RC230386).

First, Mr. Patterson's definition of 'GDP' includes the mine's gross corporate EBITDA—in other words, the private commercial profit of Awa Koura Mining's owners. Out of their claimed $8.51M total revenue, **less than 10%—just $840,000 over three years—actually goes to local worker wages for 4 staff.** The rest goes to heavy plant machinery, fuel, and external owner returns.

Second, the report completely ignores opportunity costs. The subject site is already consented for an 8-lot rural-lifestyle subdivision. Developing those 8 lots **injects $11.49 million in direct residential construction outlay over 3 years—that is $3.83 million per year,** outperforming the mine's claimed $2.57M annual GDP by 49%. The subdivision could employ 1**8 to 30 local tradespeople** compared to just 4 mine operators, retains 100% of spending in the local economy, and creates a permanent $15M+ rateable asset base for Council.

Finally, Mr. Patterson's model ignores negative externalities. Imposing 3 years of 9-hour daily industrial noise and dust onto surrounding properties introduces an **estimated $2.4 million loss in private property equity impairment across neighbouring homes**. That loss in private community equity single-handedly wipes out the entire wage and procurement benefit of the mine. The mine does not add net economic benefit to Central Otago—it displaces superior residential investment, destroys private equity, and privatizes profit while socialized costs fall on neighbours.

The economic argument is a complete illusion. The subdivision provides greater certainty of economic yield, employs significantly more local workers, and creates a permanent rateable

asset base without destroying neighborhood amenity. The landowner should just go ahead and develop the land appropriately.

4.1 Fair 50/50 Residential Construction Model

To establish a realistic baseline, let us evaluate the direct economic outlay of developing the 8 consented lifestyle lots under a conservative **50/50 mix** of high-end semi-rural builds and standard regional homes:

- **4 High-End Semi-Rural Homes:** Average $350m^2 footprint at $5,000m^2 (architectural finishes, large garaging) = **$7.00 M**
- **4 Standard Regional Homes:** Average $190 m^2 footprint at $3,800m^2 (standard family build rate) = **$2.89M**
- **Subdivision Civil Infrastructure:** Roading, power, water bores, and septic systems across 8 lots = **$1.60 M**
- **TOTAL DIRECT CAPITAL OUTLAY: $11.49 million $**

4.2 Economic Output & Employment Comparison

Annualized Residential Outlay (3-Year Horizon)} = $11.49 M / 3 years = $3.83 million per year

Economic Indicator	**Awa Koura Mining Proposal**	**8-Lot Lifestyle Subdivision (50/50 Mix)**	**Comparative Advantage**
Annual Direct Economic Flow	**$2.57M / year** (claimed GDP)	**$3.83M / year** (direct capital outlay)	**Subdivision yields +49% MORE annual capital flow**
3-Year Total Direct Injection	**$8.44M** (total GDP)	**$11.49M** (total build spend)	**Subdivision yields +$3.05M higher direct spend**
Direct On-Site Jobs	**4 staff**	**18 to 30 active tradespeople**	**Subdivision provides 5x to 7x MORE direct employment**

Economic Retention	High leakage to external owners	100% localized to local builders/trades	**Subdivision retains capital in Upper Clutha**
Post-Year 3 Asset Legacy	Nil (returns to pasture)	**$15M–$18M+ rateable asset base**	**Subdivision creates permanent council rate growth**

Conclusion of Economic Analysis: Proceeding directly with the residential subdivision yields significantly higher annual economic activity ($3.83M/yr vs $2.57M/yr), employs far more local tradespeople, and creates a permanent rateable asset base, completely invalidating the applicant's economic justification.

5. RIGHT TO PEACEFUL ENJOYMENT & INVESTMENT PROTECTION

5.1 **Legitimate Expectation of Rural Amenity:** The 20+ property owners surrounding this site did not purchase land in an industrial zone. We invested in the Upper Clutha / Tarras / Queensberry region based on the explicit protections of the Central Otago District Plan, which designates this area as a Rural Resource Area intended for pastoral, viticultural, and rural-lifestyle living.

5.2 **Protection of Capital Investment & Rate Base:**

- Surrounding property owners have collectively invested **$40M to $60M+ in private capital** into high-value homes and land holdings.
- This private investment directly drives Council revenue through rating valuations and fuels the local service economy.
- Imposing 3 years of 10-hour daily industrial noise (45-65 dB) and dust nuisance onto an $50M+ residential enclave introduces severe equity risk. A temporary **4% to 5% market impairment** on surrounding properties represents an approximate **$2.25 M loss in private equity**—almost single-handedly wiping out the mine's entire 3-year net GDP contribution.

5.3 **Right to Peaceful Living:** Residents have a fundamental right under Sections 16 and 17 of the RMA and District Plan Policy 4.4.8 to be protected from unreasonable industrial noise and nuisance. A 4-person mining operation should not be permitted to compromise the health, wellbeing, and peaceful enjoyment of dozens of established families for private extraction profit.

6. APPLICANT'S COMPLIANCE HISTORY & REGULATORY TRUST

6.1 As detailed in prior public submissions (including Submitter 5, Oliver Moon), serious concerns remain regarding the applicants' operational track record at other regional dredging sites.

6.2 In a highly sensitive river corridor environment subject to flood risks and close neighbor proximity, regulatory trust is paramount. The Council cannot rely on self-monitoring or adaptive management plans when past performance indicates a risk of non-compliance with environmental conditions.

6.3 This proposal represents a classic case of privatized profit and socialized burden—where four operators extract commercial gain while surrounding landowners are left absorbing the acoustic, visual, and financial fallout.

7. RELIEF SOUGHT

The applicant asks you to view mining as a routine rural activity. But 3 years of continuous 9-hour daily industrial noise, dust, and visual scarring which is not intermittent or seasonal like farming or forestry harvesting, or even bird scarring as the applicant notes in their submission. It is a severe industrial intrusion into an established rural-lifestyle community that fails to meet the Objectives and Policies of your District Plan and severely impacts dozens of rateholders who have already invested substantial sums of money to improve the value of the region.

Am I mistaken to believe that residents in the Central Otago District have a fundamental statutory right under Sections 16 and 17 of the Resource Management Act, and Policy 4.4.8 of our own District Plan, to be protected from unreasonable industrial noise, windborne dust, and amenity degradation?

Section 16 creates an explicit duty to avoid unreasonable noise, and Policy 4.4.8 strictly requires Council to protect neighbouring properties from adverse noise, dust, and visual impacts. The Applicant’s own experts admit that this mine will mask natural birdsong, generate moderate-high visual scarring, and fail to provide acoustic shielding for elevated homes. Granting consent here directly breaches those statutory protections.

This proposal represents a classic case of privatized profit and socialized burden—where a few operators and owners extract commercial gain while surrounding landowners are left absorbing the acoustic, visual, and financial fallout as well as local councils.

I respectfully request that the Hearings Panel:

1. **ADOPT** the formal recommendation of the Reporting Planner, Ms. Emma Spalding, and **REFUSE** resource consent application RC250077 in its entirety pursuant to Sections 104 and 104B of the Resource Management Act 1991.
2. **FIND** that the proposed activity generates unacceptable, unmitigated adverse acoustic and amenity effects that violate Objectives 4.3.3, 12.3.2 and Policies 4.4.8, 12.4.2 of the Central Otago District Plan.
3. **DETERMINE** that the temporary economic benefit of the gold mine ($2.57M/yr GDP) is far outweighed by the superior economic return of the consented 8-lot residential subdivision ($3.83M/yr outlay) and the potential capital impairment to the surrounding $65M–$80M+ private asset base.

Respectfully submitted,

Jason Chauval

Owner, 63 River Ridge Road, Tarras

Dated: October 2026

ADDENDUM / HEARING UPDATE (OCTOBER 2026 EVIDENCE REBUTTAL)

APPENDIX I: REBUTTAL TO KEY APPLICANT EVIDENCE & SUBMISSIONS (OCTOBER 2026)

1. Rebuttal to Darryl Sycamore (Applicant's Planner - Terramark)

• **Brushing Off CODC Planning Concerns:** Sycamore explicitly dismisses Council Planner Ms. Spalding's conclusion that noise and visual effects are "unreasonable" [cite: 136, 146], attempting to reduce major land-use amenity conflicts to minor temporary rural inconveniences [cite: 119, 149].

• **Misapplication of "Primary Production":** Sycamore asserts that mining sits on equal footing with farming under "Primary Production" National Planning Standards [cite: 143, 149]. Continuous mining running 9 hours/day (8:00 am to 5:00 pm), 5 days/week for up to 3 years [cite: 105, 127] is characteristically heavy industrial—not brief or seasonal like farming or forestry harvesting [cite: 116, 149].

• **Sidestepping CODC Jurisdiction:** Sycamore uses the granting of ORC regional water/dust permits (RM26.315.01–04) to claim environmental effects are "fully resolved" [cite: 137, 158]. This inappropriately brushes off CODC's statutory responsibility under Section 104 of the RMA to protect local land-use amenity, living character, and acoustic privacy [cite: 137, 158].

2. Admissions of Severe / Negative Impacts by Applicant's Own Technical Experts

• **Brendon Shanks (Acoustics - MDA):**

  • **Low Background Noise:** Admits ambient background sound along River Ridge Road is exceptionally quiet at $35 -- 42dBL_{A90}$ [cite: 106].

  • **Audibility & Masking:** Confirms mine operations ($45 -- 53dBL_{Aeq}$) will be **clearly audible** and will mask natural river sounds and birdsong across living areas [cite: 111, 118].

  • **Zero Shielding for Elevated Homes:** Admits localized earth bunds provide **zero acoustic shielding** for elevated dwellings on River Ridge Road due to terrain topography (~25–30m elevation difference) [cite: 114].

• **Mike Moore (Landscape Architecture):**

• **Visual Degradation:** Confirms visual effects on elevated properties along River Ridge Road (including 63, 67, 79, and 85 River Ridge Rd) will be **"more than minor" to "moderate-high"** for 12 to 24 months [cite: 224, 238].

3. Track Record Concerns & Operational Non-Compliance Evidence (Cold Gold Clutha / Shared Management)

• **Shared Operational Management:** Key directors and operational personnel of Awa Koura Mining Limited share direct management overlap with Cold Gold Clutha Limited (CGCL).

• **Witness Testimony & Evidence (2023–2024 Hearings):** During joint council hearings for CGCL (Application RM22.434 / RC220255), formal evidence and testimony were presented by a certified marine engineer/skipper detailing significant operational shortfalls on the river dredge:

• **Air Quality & Exhaust:** Issues regarding untreated generator engine exhaust discharge along river corridors.

• **Onboard Waste Management:** Concerns regarding greywater and effluent containment over active river waterways.

• **Fuel Handling:** Operational practices during river-surface diesel transfers.

• **Relevance to RC250077:** Demonstrates that reliance on self-monitoring and Applicant management plans is insufficient. If consent is granted, strict, legally binding third-party auditing, real-time public telemetry, and enforceable financial bonding are critical to protect the community [cite: 183, 251, 254].

APPENDIX II: WHY THIS PROJECT IS AN OPEN CAST MINING OPERATION

PHYSICAL & OPERATIONAL CHARACTERISTICS OF THE ACTIVITY

The proposed operation exhibits all the physical hallmarks of an open-cast surface mine rather than agricultural or seasonal rural land preparation:

- **Mass Earth Movement & Volumetric Scale:** Excavation and processing of up to **1.5 million cubic metres** of overburden, gravel, and rock across an active 80-hectare mining permit area over a multi-year duration.
- **Rolling Surface Pit Footprint:** Complete stripping of all topsoil and vegetative cover across a rolling **2-hectare active pit footprint** at any given time.
- **Excavation Depth:** Deep trenching and open-pit benching reaching **3 to 4 metres below natural ground level** down to bedrock/gravel terraces.
- **Heavy Industrial Extractive Fleet:** Continuous operation of heavy plant machinery, including 20- to 30-tonne excavators, heavy articulated dump trucks, bulldozers, front-end loaders, and high-capacity water pumps.
- **On-Site Ore Processing & Mechanical Washing:** Raw alluvial gravels are excavated, transported internally, fed into a land-based mechanical screening and washing plant (trommel/screen box) to extract fine gold, with remaining washed gravels (tailings) and overburden stockpiled and backfilled.

STATUTORY & PLANNING DISTINCTIONS

Open-Cast Mining vs. Agricultural Primary Production

- Agricultural land preparation, cultivation, or standard rural earthworks are seasonal, intermittent, and intended to support biological production (pasture, viticulture, cropping).
- Operating a 5-to-7-piece heavy machinery fleet for **9 hours per day (8:00 am to 5:00 pm), 5 days per week, continuously over a 3-year period** is characteristically heavy industrial extraction.

Open-Cast Mining vs. River Dredging

- River dredging operates on a self-contained vessel floating directly within an active watercourse or flowing river channel.
- Open-cast mining occurs as an open-air, land-based excavation pit cut into river terrace land. Because extraction takes place in an unroofed surface pit exposed directly to the atmosphere, sound and particulate dust propagate upward across the valley without topographical shielding or vessel enclosure.

Appendix IV: Distance measurements

Image 1: Shows distance from our Kitchen to southerly neighbouring property, 43B River Ridge road, where current earth works are occurring, 314 metres

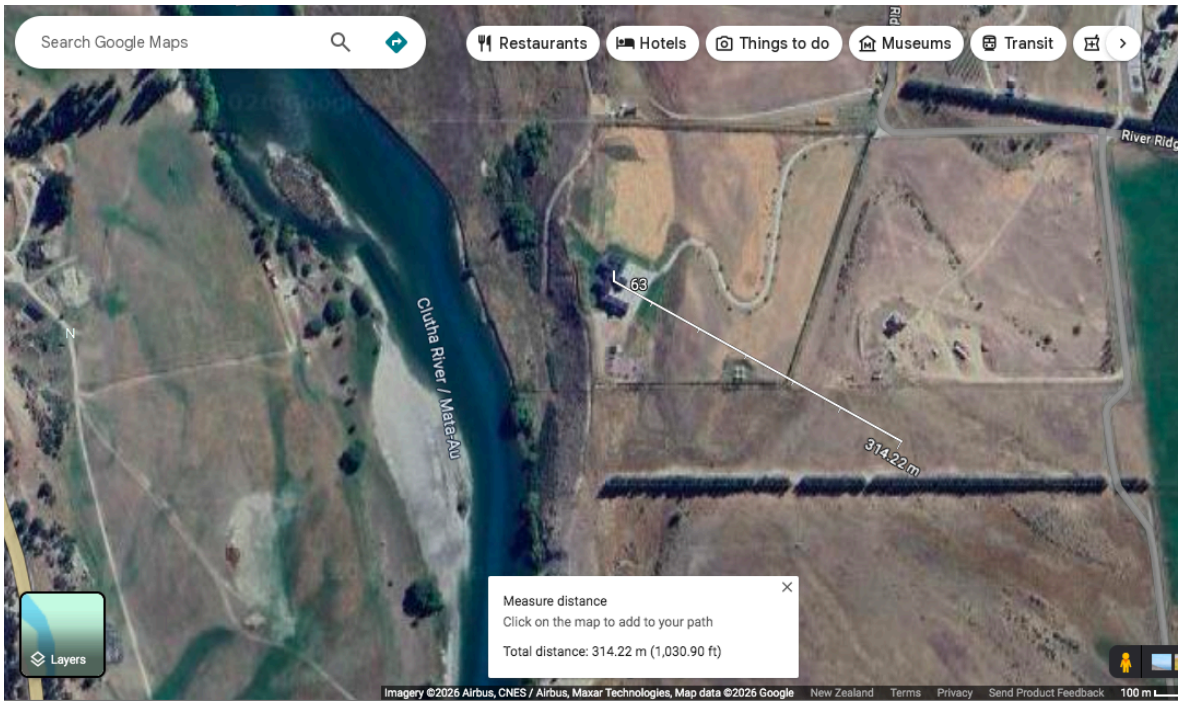
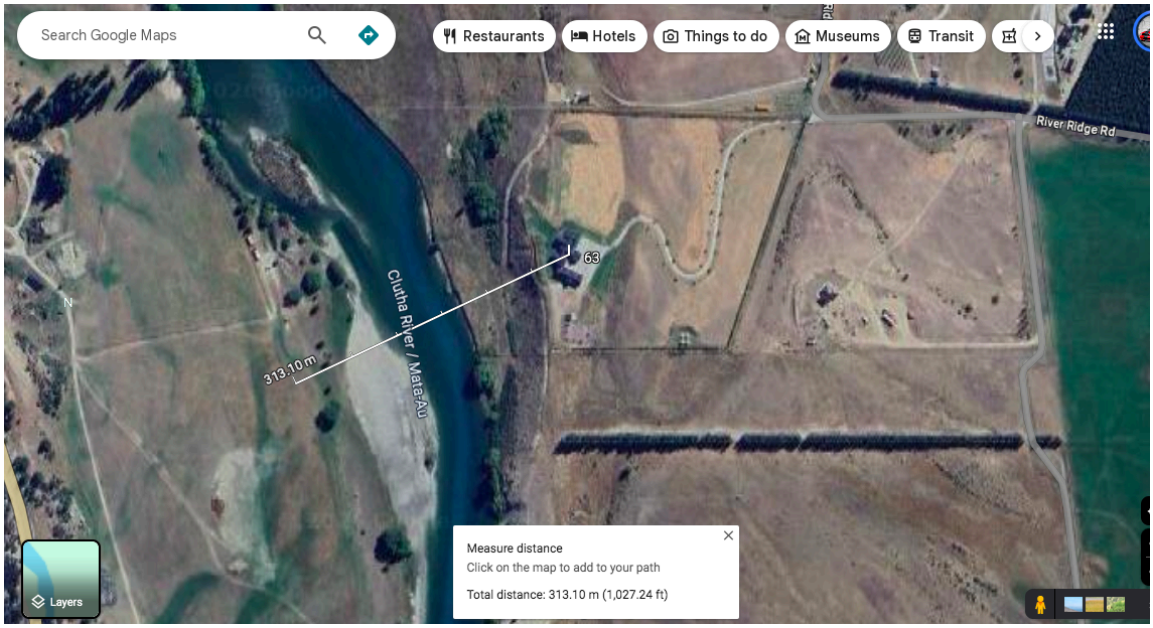


Image 2: shows that the proposed property is also only 314 metres away across the river and at a lower elevation.


Search Google Maps
Restaurants
Hotels
Things to do
Museums
Transit
River Ridge Rd
63
313.10 m
Clutha River / Mata-Au
Measure distance
Click on the map to add to your path
Total distance: 313.10 m (1,027.24 ft)
Layers