



Ref: SR2428570

Civic House, 110 Trafalgar Street
PO Box 645, Nelson 7040, New Zealand

P (03) 546 0200

5 September 2024

E LOGIMA@ncc.govt.nz
[nelson.govt.nz](https://www.nelson.govt.nz)

Gwyn Walker

By E-Mail Only: fyi-request-28041-e432784f@requests.fyi.org.nz

Dear Gwyn

OFFICIAL INFORMATION REQUEST FOR INFORMATION ABOUT NOISE CONTROL ACTIVITY

I refer to your request of 14 August 2024 for the following information:

- "... information on noise control complaints in the central business district, specifically:*
- How many noise complaints the council or its contractor(s) have received for the central business district during the past 24 months.*
 - How many of those complaints relate to the same complainee or complainees?*
 - The outcomes of those complaints.*
 - The process or procedure manual for dealing with noise complaints."*

The information you have requested is set out below:

- 1.** *How many noise complaints the council or its contractor(s) have received for the central business district during the past 24 months?*
119 total noise complaints from within Nelson City CBD for the period August 2022 to August 2024
- 2.** *How many of those complaints relate to the same complainee or complainees? And the outcomes of those complaints.*
 - **Achilles Ave 2-**
Same complainant, 2 complaints on same day 16/4/24 regarding 60 Achilles Ave - deemed not excessive.
 - **Bridge Street 10-**
Same complainant x4: 4 - 8 Jan 2023- unknown Bridge Street address - no noise on arrival; 2x -14 May 2023 regarding 145 Bridge St - no noise on arrival; 7 Nov 2023 regarding 96 Bridge St- noise not excessive

Same complainant x3 - 8 November 2023 regarding 186 Bridge St – not excessive; 20 Nov 2023 regarding 186 Bridge Street - no noise on arrival; 22 Nov 2023 regarding 186 Bridge St- excessive noise direction (END) notice issued
 - **Buxton Carpark 2-**
Same complainant x2 complaints- 5 Jan 2023 - noise not excessive

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- **Cathedral Square Trafalgar Street 1-**
x1 - 10/08/24 - no Noise on arrival

- **Church Street 1-**
4/11/23- unknown address - no noise on arrival

- **Collingwood Street 14-**
Same complainant - 2x calls on same day 4 Feb 2023 regarding 208 Collingwood St - noise not excessive
Same complainant 2x calls on same day 11 Feb 2023- regarding 211 Collingwood St - END Notice issued
Same complainant - 2x calls on same day 11 Feb 2023 - regarding 205 Collingwood St - no noise on arrival
Same complainant - 2x calls on same day 28 Aug 2022 regarding 58 Collingwood St - no noise on arrival
Same complainant - 2x calls - 15 Oct 2023 and 18 May 2024 - regarding 205 and 192 Collingwood respectively - no noise on arrival
1x call, 6 Sept 2023 regarding 215 Collingwood St - no action required
1x call, 18 May 2024 regarding 192 Collingwood St- no noise on arrival
1x call, 27 July 2024 regarding 58 Collingwood St. Requested to reduce noise, complied

- **Halifax Street 7-**
Same complainant x4 - 15 Nov 2022 - 16 Nov 2022 - unknown Halifax address - no noise on arrival
Same complainant x 2 - 21 Jan 2023 - END Notice issued regarding 74 Halifax St
X1 - 07 Jan 2024 - unknown Halifax address - no noise on arrival

- **Hardy Street 47-**
Same complainant x2 on 23/11/22 - unknown Hardy St address - no noise on arrival
x1- 28/10/22 regarding 280 Hardy Street - no noise on arrival
Same complainant x4 - 22 & 23/11/22 - all regarding 410 Hardy St - no noise on arrival
x1 - 25/11/23 - regarding 279 Hardy Street - noise acceptable
Same complainant x 4 - 2x 3/3/23, 1x 12/9/23 and 1x 27/12/23 - all regarding 280 Hardy Street - no noise on arrival or noise acceptable
Same complainant_x 2 both on 20/1/23 both regarding unknown number on Hardy Street - noise not excessive
Same complainant x 3 - 2x 16/12/23 and 1x 11/5/24. All regarding 377 Hardy Street - noise acceptable
Same complainant x2 both on 4/11/23- regarding 280 Hardy Street - no noise on arrival
Same complainant x 2 both on 25/3/23- regarding unknown number on Hardy St - warning issued
Same complainant x 4 - 2x 3/3/23 and 2x 10/11/23 - regarding 280 Hardy Street - no noise on arrival or acceptable levels
x1 - 11/2/24 - regarding 113A Hardy Street - volume turned down on request
Same complainant x 8 - 2x 7/10/22, 4x 8/10/22, 2x 9/10/22 - all regarding 223 Hardy St - no noise on arrival, or verbal warnings given
x1 - 27/09/22 regarding 269 Hardy St - noise not excessive
x 1 - 20/10/22 regarding unknown Hardy St address - no noise on arrival
Same complainant x2 both on 6/03/23 - regarding 370B Hardy St - no noise on arrival
Same complainant x 2 both on 28/10/22 - regarding 280 Hardy Street - noise not excessive
Same complainant x2 both on 21/01/23 regarding unknown Hardy St address - noise not excessive
x1 - 11/08/22 regarding address on Hardy St - verbal Warning

- **Montgomery Square 1-**
x1 - 11/09/23 – Montgomery Square (car park) no noise on arrival
- **New Street 3-**
Same complainant x2 both on 18/3/23 regarding 22 New Street - asked to turn down
x1 - 23/05/24 regarding 19 New Street - noise not excessive
- **Rutherford Street 18-**
Same complainant x2 both on 29/04/23 regarding 111 Rutherford St – no noise on arrival
x1 - 28/10/22 regarding 210 Rutherford St - no noise on arrival
x1 - 13/11/22 regarding 275 Rutherford St - no noise on arrival
Same complainant x 2 - 1x 3/12/22 and 1x 3/03/24. Regarding 173 Rutherford St - no noise on arrival
Same complainant x2 - 1x 12/08/23, 1x 9/01/24. Regarding 118 Rutherford St - no noise on arrival
x1 - 13/08/24 regarding 114 Rutherford Street - END Notice issued
x1 - 25/10/23 regarding 173 Rutherford Street- no noise on arrival
Same complainant x2 - both on 18/11/23. Regarding 3/237 Rutherford St - no noise on arrival
x1 - 01/03/24 regarding 173 Rutherford St - no noise on arrival
x1 (anonymous) - 03/03/24. Regarding 173 Rutherford St - no noise on arrival
x1 - 15/04/24 regarding 114 Rutherford St - music turned down on request
- **Trafalgar Street 12-**
Same complainant x2 - 30/06/23 complaint regarding 6/15 Trafalgar St and 10/08/24 - no noise on arrival
x1 (anonymous) - 02/08/23. Regarding 219 Trafalgar St - no noise on arrival
Same complainant x2 on same day - 16/09/23. Regarding 6/15 Trafalgar St - no noise on arrival
x1 (anonymous) - 26/09/23 – 219 Trafalgar Street - no noise on arrival
x1 - 24/11/23 - Re 9 Trafalgar Street - no noise on arrival
Same complainant x2 - 10/12/23 & 06/01/24 - unknown address on Trafalgar St - no noise on arrival
x1 - 06/01/24 – Re 219 Trafalgar St - no noise on arrival
x1 - 29/02/24- unknown address on Trafalgar St - no noise on arrival
x1 - 29/02/24- unknown address on Trafalgar St- no noise on arrival
- **Wakatu Lane 1-**
x1 - 14/03/24- 23 Wakatu Lane- noise due to roadworks

3. *The process and procedure for dealing with noise complaints*

Noise made by stereos or other noise produced by devices under human control is covered by the Noise Control provisions in the [Resource Management Act 1991](#).

The meaning of “excessive noise” under s.326 of this Act is:

(1) In this Act, the term excessive noise means any noise that is under human control and of such a nature as to unreasonably interfere with the peace, comfort, and convenience of any person (other than a person in or at the place from which the noise is being emitted), but does not include any noise emitted by any—

- a) aircraft being operated during, or immediately before or after, flight; or*
- b) vehicle being driven on a road (within the meaning of section 2(1) of the Land Transport Act 1998); or*
- c) train, other than when being tested (when stationary), maintained, loaded, or unloaded.*

(2) Without limiting subsection (1), excessive noise –

- a) includes noise that exceeds a standard for noise prescribed by a national environmental standard; and*
- b) may include noise emitted by –*
 - (i) a musical instrument; or*
 - (ii) an electrical appliance; or*
 - (iii) a machine, however powered; or*
 - (iv) a person or group of persons; or*
 - (v) an explosion or vibration.*

Where a noise complaint is received, attending noise control officers assess noise by taking into account a number of factors including, the day of the week, the time of the day, the place and the source of the noise.

Once the attending officer has completed their assessment of the noise and either taken action or deemed the noise to not be excessive, they report their findings and actions and the information is entered on to the Council system.

You have the right to seek an investigation and review by the Ombudsman of this response. Information about how to make a complaint is available at www.ombudsman.parliament.nz or Freephone 0800 802 602

Yours sincerely



Mandy Bishop
Group Manager Environmental Management