



Ref: [REDACTED]

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

8 March 2024

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nelson.govt.nz



Dear [REDACTED]

OFFICIAL INFORMATION REQUEST FOR AIRPORT NOISE RULES

I refer to your official information request dated 9 February 2024.

The information you have requested is reproduced here, with our responses set out below each one:

1. *Can you please inform me of the noise control rules for the Nelson airport?*

Rules regarding airport noise are contained in the Nelson Resource Management Plan (NRMP), accessible via this link:

<https://nelson.isoplan.co.nz/operative/rules/0/68/0/0/0/134>

Of particular relevance are:

- Rule INr.25 relates to aircraft engine testing; and
- Rule INr.39 relates to aircraft noise management.

When I met with one of the Nelson airport representatives last year, he advised me that the airport is not operating after 10pm, so no planes/ helicopters have landed or taken off. He confirmed that Nelson Airport is fined for every single landing or taking off after 10pm. As I live near the airport, I can see that aircraft land almost every day after 10 p.m.

Can you please:

2. *Confirm that Nelson Airport is getting fined for every landing or taking off after 10pm.*

A fine may be applicable were airport activity determined to breach the above referenced Rule INr.39, however flights after 10pm do not automatically equate to a breach of the rule. Please refer to above referenced Rule INr.39 regarding the Permitted standards for airport noise and the answer to point 3. below, which clarifies how possible breaches are investigated.

3. *Who and how is this controlling?*

Internal Document ID: [REDACTED]

The council's regulatory function for enforcement of NRMP rules (including airport noise) is undertaken through Environmental Inspections Limited (EIL) which is responsible for investigating when it becomes aware of a possible breach of the rules. This usually occurs either via public complaint or from information Nelson Airport provides to NCC. Through any subsequent investigation, if non-compliance is detected appropriate enforcement action is taken, which may involve a fine.

4. Who is getting the funds paid, and how do they use it?

When a fine is payable for a breach of the NRMP rules, the funds are used to offset the cost of the enforcement and investigations.

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.

If you wish to discuss this decision with us, please feel free to contact me.

Yours sincerely



Chris Miles
Manager Consents and Compliance