

## STAFF REPORT

**TO:** Environment & Planning Committee

**FROM:** Dennis Bush-king, Environment & Planning Manager

**REFERENCE:** S611

**SUBJECT:** **MANAGER'S REPORT - REPORT REP10-02-07** - Report prepared for meeting of 25 February 2010

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### 1. WATER METERING AND PROPOSED REGULATIONS ON WATER METERING

The Tasman District Council has been progressively metering consented water takes in our region. Most of the takes are metered using conventional analogue meters which are manually read with data submitted to Council primarily between November and April coinciding with the irrigation season and high water demand periods. With technological advances there are new meters with digital capability. These allow continuous data to be stored electronically, providing volume taken and date/time used. It is also noted that there are several water takes where measurement of take/release are made via open flow channel methods (gauge/weirs etc i.e. dams, fish farms); these are typically rated but can be managed via electronic loggers.

The Government has been working on Regulations in relation to water metering with a draft proposal having been released in late 2008 proposing that all consented takes be metered. It is our understanding that the minimum specifications for meters have not changed and are noted below:

Meters should:

- be capable of continuous measurement
- measure volume in cubic metres
- have data storage capability
- have an accuracy standard of  $\pm 5\%$
- be capable of recording daily volume
- be fit for purpose
- be tamper-proof and sealed.

*(Note: Specifications for open channel flow measurements are also being specified – we only have a few of these and they would be able to meet specifications)*

MfE officials inform us that the regulation will be going to Cabinet soon for a decision and then consequent drafting and enactment. A phase-in clause is expected to provide a time period of five years from the enactment of the regulation to when implementation needs to be completed by Councils. Most of our meters do not have the capability specified above and will therefore need to be upgraded.

The TRMP in Schedule 31.1B provides timelines for metering of various zones in Tasman. Of particular note is that metering is required to be implemented in the Central Plains and Riwaka Zone by November 2010. There are approximately 200 meters yet to be installed in this zone. As our current provisions only require analogue meters there is an issue of timing and potentially dual cost i.e. the analogue meters having to be changed to the digital ones if we enforce this timeline. It would be appropriate in the circumstances to defer the metering implementation for the above zones to November 2011 to allow greater certainty around meter requirements.

It is also brought to the attention of the Committee that over time the existing 800 meters presently in use will have to be changed and that all presently non-metered zones will have to be brought into metering (bar some exemptions) within the five year period from the advent of the regulation. The technology, security and storage and maintenance of the data from the new meters will require changes to our systems and most probably extra resourcing (which can be recovered largely through the additional recovery expected with most water takes becoming metered.)

We will send a letter to permit holders affected by any decision to defer metering.

**Recommendation:**

**That the Committee agree to defer the implementation of water metering in the Central Plains and Riwaka Zones until 30 November 2011.**

**2. RECREATIONAL MOTORBIKE NOISE**

Attached as Appendix I is a report from Graham Caradus, Regulatory Co-Ordinator reviewing issues concerning recreational motorbike noise. No recommendation is provided but the report does attach a proposed variation that was put forward as a means to address some of the issues back in 2006. Since that last consideration the Code of Practice has had some success although the TRMP still is unclear in how to deal with commercial recreational activities and the exemption given to intermittent use of mobile horticultural or agricultural equipment remains untested. Since that time the Council has also moved to amend the noise rules in rural areas as they relate to frost fans.

While there are specific issues regarding the Golden Bay complaint still to work through, staff seek direction from Council as to whether any more general but different approach is required. A further report can be provided if so.

**3. A NEW START FOR FRESHWATER**

I will be attending a workshop on water management initiatives on 18 February and will give the Committee a update on where the Government is at in relation to reviewing water management arrangements.

#### **4. BIOSECURITY REORGANISATION**

As of result of a review of our arrangements for delivering biosecurity functions a minor restructuring has taken place within the Environment & Planning Department. Lindsay Vaughan as Biosecurity Co-Ordinator will now report to Rob Smith as Environmental Information Manager. The opportunity was also taken to align environmental education under Susan Edwards, Strategic Development Manager, to compliment her oversight of communications.

#### **5. NGATI KUIA LIAISON**

The Policy manager and I have had a very useful meeting with representatives of Ngati Kuia and discussed their approach to the Treaty Settlement process and their interests in resource management across the top of the South. I will provide a verbal update to Councillors.

#### **6. RICHMOND WEST APPEALS**

Appendix 2 contains an updated summary for Councillors of the appeals lodged against Richmond West decisions and identifies where parties support or oppose the relief being sought. We are working with the Environment Court over a mediation schedule.

#### **7. BIOSECURITY ACT REVIEW**

The Minister for Biosecurity plans to introduce a Biosecurity Amendment Bill into Parliament during the second half of 2010. A summary paper is available for Councillors if interested but we will now await the draft bill

#### **8. ECOFEST FUNDING**

As is normal practice we apply to the Canterbury Community Trust and Lion Foundation for funding assistance to run the annual Ecofest programme. As part of the application process both bodies now need a resolution from the applicant body requesting the funding assistance.

This year being the 10<sup>th</sup> anniversary of Ecofest we are seeking to cover some additional expenses from Canterbury Community Trust and the Lion Foundation grant is to go primarily towards the hire of solid cover for all outside stand/seminar/activity spaces (we got caught out by wet and mud last year)

#### **Recommendation**

**That the Committee authorises the organisers of Ecofest to apply to The Canterbury Community Trust for \$7,500 as a contribution to Ecofest 2010**

**That the Committee authorises the organisers of Ecofest to apply to The Lion Foundation for \$30,000 as a contribution to Ecofest 2010**

## 9. PROPOSED NES ON CONTAMINATED LAND

Ministry for the Environment has released a discussion paper proposing a National Environmental Standards for assessing and managing contaminants in soil. In essence, the proposal is a mix of allowing (permitting) and controlling (requiring resource consents) certain activities on land affected or potentially affected by soil contaminants. The standard will only impact on new decisions and resource consents but does set up some difficult obligations on councils and prospective applicants. What constitutes contamination is clear through the threshold standards provided for but how you know whether the thresholds are breached is unclear. Submissions are invited and close April. A workshop to which Councillors can signal an interest in attending is to be in Richmond on 26 March.

## 10. RECOMMENDATION

**It is recommended that this report be received.**



Dennis Bush-King  
**Environment and Planning Manager**

# Memorandum

APPENDIX 1

Environment & Planning Department

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**TO:** Environment & Planning Manager  
**FROM:** Graham Caradus, Co-Ordinator Regulatory  
**DATE:** 17 February 2010 **FILE:** S611  
**SUBJECT:** RECREATIONAL MOTORCYCLE NOISE

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## 1. BACKGROUND

Council last reviewed this issue in 2007. Minutes of two relevant meetings are attached as appendix 1. The net result is that a Code of Practice has been established to cover recreational use of motorbikes in rural 1 & 2 zones. A copy is attached in appendix 2.

## 2. THE CURRENT SITUATION

1. A good working relationship has been established with the Nelson Motorcycle Club, who are putting considerable effort into ensuring that their events do not cause unreasonable noise. Their strategy involves moving events to various locations throughout the season, to ensure that no neighbours are exposed to ongoing noise; and rigorous enforcement of the noise levels set for individual motocross bikes. The events run by the motorcycle club are not included in the type of use intended to be captured by the "Code of Practice for Recreational use of Motorbikes" (COP)



2. A commercial operation involving motocross riding has been established. The events are run on the basis of “fundraisers” for various groups such as country schools, but the commercial entity that organises the events takes a cut of the entry fee. Such operations fit into the definition of “recreational activity” in the TRMP, despite the profit that may be taken by the business running the event. These commercial fundraising events are not supported by the Nelson Motorcycle Club. These events fall outside the COP but no noise complaints relating to the events have been received in the last year.
  
3. Complaints aimed at recreational motorcycle noise appear to have substantially reduced, although there is still one area of concern in Golden Bay. Details of the complaints logged in the Service Request system in the last 12 months are:  
Total number recorded: 6 Total from Golden Bay: 3

### **3. THE GOLDEN BAY PROBLEM**

The photograph on the previous page shows the location of the moto-cross track that is causing most complaint. Whilst some neighbouring dwellings are only slightly over 200 metres from the track, (and are severely troubled by the noise) problems exist for many of the dwellings on the elevated land generally to the east (to the right in the photo) of the track. The photograph below is the view from one such property towards the track over a distance of approximately 700 metres. That distance to the track is typical of many of the dwellings in that elevated part of Motupipi/Rocklands. Whilst a limited number of formal complaints are logged on the “Service Request” data base, it is known that some complainants have been complaining directly to Councillors and that none of these complaints are recorded by the service request process.



#### **4. NATURE OF COMPLAINTS**

The complainants appear to have two basic issues as follows:

- Some operators of recreational motocross bikes are reported to be deviating from the letter of the COP by using bikes that are not appropriately silenced through their exhaust muffler systems.
- The COP is seen by some as being too generous to the riders of such bikes in terms of either the number of occasions or length of time that bikes can be ridden.

## 5. ENFORCEMENT OPTION 1: UNREASONABLE OR EXCESSIVE NOISE

The COP would be used as a guide by environmental health officers to establish “reasonableness” for any noise, in particular, the duration (number of hours in a day) and time of day. The requirement for factory fitted mufflers and maximum numbers of bikes also contributes in establishing “best practicable options to ensure... noise...does not exceed a reasonable level.” (section 16 RMA: Duty to avoid unreasonable noise). It is likely that the Courts would also be influenced by the COP as guidance from Council on what is considered “reasonable” noise within the District.

Suspecting a non-compliance with the RMA is only the initial step towards having sufficient evidence to contemplate taking action under either section 16 or section 328 (Compliance with an excessive noise direction) of the RMA.

The main difficulty is that some form of objective noise measurement in addition to subjective assessment that the noise was unreasonable or excessive would be desirable to convince a District Court Judge that an offence had been committed. There are a number of problems with obtaining such objective and subjective assessments in tandem, as follows:

- Such assessments can only be carried out by suitably trained and qualified staff. In our case, the three Environmental Health Officers that fit the bill are all based in Richmond, as is the sound level meter.
- Such recreational motocross activities are not programmed or advertised publicly, so planning ahead to undertake noise measurements is not usually a possibility. The standard greeting to Environmental Health staff involved in responding on demand to similar complaints about noise is, “It’s stopped now: you should have been here half an hour ago...”
- The occurrence of such noise is inevitably a day time activity in open spaces. This makes any attempt at covert monitoring challenging at best.
- During summer months, typical background noise levels due to insects is above the TRMP compliance level of either L<sub>10</sub>55 or L<sub>10</sub>40 for day or night respectively. For example, during preparation of this report, a brief excursion to Washbourn Gardens found background noise levels at three different locations to be L<sub>95</sub> 57dBA; L<sub>95</sub> 63dBA; and L<sub>95</sub> 67dBA. In each case, the L<sub>10</sub> was only another additional 2dBA, demonstrating that the steady insect noise made up the majority of the measurable noise environment. Other intrusive noise could be heard, but was not loud enough to influence the measurement.
- There are real restrictions on the sort of weather conditions under which noise can be measured. Either wind or rain prevents noise measurements being accurate and of a quality that could be used as evidence in court.

In summary, measuring noise to prove non-compliance to an evidential standard is very difficult for relatively unpredictable outdoor events.



## 6. ENFORCEMENT OPTION 2: TRMP

Currently no rule exists that will control recreational use of motorbikes in rural areas within the TRMP. If such control was desirable, the sort of rule required is such as that presented to Council in EP07/02/16 – Report Prepared for 8 February 2007 meeting. Appendix 3 contains that proposed rule change which was rejected in 2007.

## 7. ENFORCEMENT OPTION 3: CODE OF PRACTICE

Changes could be made to the Code of Practice Recreational Use of Motorbikes. Such changes could include conditions that would deal with the problems of:

- Consecutive days of use (reported use on the last day of the week, followed immediately by use on the first day of the next week). The draft TRMP rule change provided better clarity on this than the current COP
- Number of bikes using the track. The current COP allows no more than 4 bikes to use the track at any one time, but does not prevent another four bikes using the track immediately afterwards, giving no respite to the noise.
- Condition 7 of the current COP is impractical for some tracks: the number of affected parties in some situations could be dozens. If any aspect of the COP is seen as impractical and generally ignored, (with no consequence from Council) that may result in the whole document being seen as unrealistic and lacking credibility.
- Non-compliance with the COP has not resulted in any action from Council. A clear consequence for non-compliance should exist. If this was to be considered, some changes to the TRMP would be necessary along the lines described in 6 above.

### Appendix 1

*(Temporary Activities – Code Of Practice Recreational Use Of Motorbikes - EP06/10/05 – Report Prepared for 11 October 2006 Meeting) in a report prepared by Policy Planner Rose Biss. The following detail is recorded:*

## 2. TEMPORARY ACTIVITIES – CODE OF PRACTICE RECREATIONAL USE OF MOTORBIKES – REPORT EP06/10/05

Policy Planner, R Biss, spoke to this report of 4 October 2006 contained within the agenda together with the attached draft variation titled Temporary Activities. The Committee discussed both the content of the report and draft variation. Mr Bush-King said that no response had been received from the Ombudsman regarding the issues of motocross noise and tracking. A letter received from C Crowley and M Gunn was tabled by R Biss and read by Cr Kempthorne. Mr Bush-King suggested that an amendment to paragraph 2 of the explanation within the variation could read as follows:

“Temporary activity rules have been clarified to allow for small groups for recreational motorcycling. The proposed rules do not affect peoples existing use rights under Section 10 of the Resource Management Act.”

The Committee discussed the temporary activity rules proposed under the new Section 2 of Rule 16.8.1A. Mr Markham assisted the Committee to formulate the following additional Section (f):

“Activity on any property involving more than four motorcycles that is an organised competitive event, is undertaken on no more than six days in any 12 month period.”

It was noted that some conditions in the rule would need to be qualified in light of Condition (f).

Moved Crs Henry / Borlase

THAT a new Section (g) be added to new Section (2) as follows:

“The track is no closer than 200 metres from a neighbouring dwelling.”

LOST

**Moved Crs Norriss / Riley**  
**EP06/10/11**

**THAT the Environment and Planning Committee approve the release of the amended draft variation for temporary activities, for a consultation period of six weeks.**  
**CARRIED**

*Subsequently Ms Biss produced report EP07/02/16 which was considered by the E&P Committee of Council on 28 February 2007. Records of that meeting note the following:*

#### **4. DRAFT VARIATION, TEMPORARY ACTIVITIES - RECREATIONAL MOTORCYCLING - REPORT EP07/02/16**

Ms Biss referred to the report contained within the agenda and produced copies of a circular letter which had been received from over 2000 people and also provided copies of additional circular letters and emails.

Co-ordinator Regulatory Services, D Lewis, said he did not believe the proposed noise control was practical and sought that controls be implemented in other forms such as a limitation on the number of motorcycles and time periods for riding. Cr Norriss said that the vast majority of riders are not Motorcycle NZ members. He referred to the Council records for the number of complaints received during the 2001 to 2007 period.

Cr Norriss questioned how long the noise rules for other activities have been in the proposed Tasman Resource Management Plan. Ms Biss responded that the period was since 1996. Cr Higgins sought that Council provide a clear direction on noise levels to allow adequate enforcement by Council staff. He said that the code of practice has not been successful in providing the controls required.

Cr King said that in a small number of cases and sites the impact of motorcycle noise is significant.

Mayor Hurley believed the way forward was to work with Motorcycle NZ on an amended voluntarily code.

Cr Henry requested that another report on the motorcycle noise issue be provided to Council in 12 months time.

Cr O'Regan said that the cost of enforcement of the proposed variation would be disproportionate to the benefits and enforcement action is impractical.

**Moved Cr O'Regan / Mayor Hurley  
EP07/02/45**

**THAT the Council:**

- 1. retains the status quo, using the Code of Practice for recreational use of motorbikes on a voluntary basis;**
- 2. seeks to resolve conflicts by mediation, asking the Nelson Motorcycle Club for assistance when required.**

**Cr Bryant called for a division.**

<b>Cr Borlase</b>	<b>For</b>
<b>Cr Bryant</b>	<b>For</b>
<b>Cr Currie</b>	<b>For</b>
<b>Cr Henry</b>	<b>For</b>
<b>Cr Higgins</b>	<b>Against</b>
<b>Mayor Hurley</b>	<b>For</b>
<b>Cr Inglis</b>	<b>For</b>
<b>Cr Kempthorne</b>	<b>For</b>
<b>Cr King</b>	<b>For</b>
<b>Cr Norriss</b>	<b>For</b>
<b>Cr O'Regan</b>	<b>For</b>
<b>Cr Riley</b>	<b>For</b>
<b>Cr Wilkins</b>	<b>For</b>
<b>CARRIED</b>	

L203

**CODE OF PRACTICE  
RECREATIONAL USE OF MOTORBIKES**

March 2007

**Introduction**

This Code of Practice introduces guidelines on the frequency, the number and types of motorbikes and the length of time that they can be ridden on a recreational basis only on Rural 1 and Rural 2 zoned properties in the Tasman District. The guidelines are intended to reduce the impact of nuisance effects but also to allow recreational motorbike riding to be carried out and enjoyed by private property owners. This Code of Practice does not apply to motorbikes being used for legitimate farming activities.

**Terms of Code of Practice**

Recreational riding of motorbikes on Rural 1 and Rural 2 zoned properties shall be subject to the following guidelines:

1. Not more than four motorbikes shall be used on a property at any one time.
2. Motorbikes used on the property shall have standard, factory-fitted, unmodified exhaust systems that are properly maintained.
3. A maximum period of up to four hours per day from the time of start of riding (ie, if riding commences at 2.00 pm it must finish at 6.00 pm).
4. Riding times shall be between the hours of 9.00 am and 7.00 pm.
5. Up to three non-consecutive days may be used in a one week period (ie, between Monday to Sunday inclusive).
6. An appropriate area away from adjacent neighbours should be used as far as is practicable for the recreational riding of motorbikes on an individual property.
7. Those responsible for the recreational motorbike riding on their property will inform the potentially affected neighbours of a likely timetable in accordance with the above limitations indicating the days and times during which motorbike riding is likely to take place.
8. The terms of this Code of Practice may be varied with the written agreement of adjacent neighbours.
9. Proven non-compliance with this Code of Practice may result in appropriate enforcement action being instigated under the Resource Management Act 1991.

Extract from report EP07/02/16

## TASMAN DISTRICT COUNCIL

### PROPOSED TASMAN RESOURCE MANAGEMENT PLAN

#### PROPOSED VARIATION

#### Temporary Activities — Recreational Motorcycling

February 2007

#### ***EXPLANATORY STATEMENT***

Variation x changes the temporary activity rule and addresses some cross-boundary issues that have arisen with certain recreational activities that occur in the rural part of the district. There have been complaints about noise from recreational motorcycling, and there has been a lack of clarity as to which noise rules apply. The Variation is not intended to apply to motorcycles being used for farming activities.

Temporary activity rules have been clarified to allow for recreational motorcycling subject to noise controls and for organised motorcycle club events for a limited number of days per calendar year.

The Council has been trialling a Code of Practice for Recreational Use of Motorbikes but has found that it has not been completely effective as a management tool.

The Council has considered the benefits and costs, and need and appropriateness of these amendments. Council reports EP05/08/03, EP05/09/24, EP06/09/03 and EP06/10/05 assess the options and are the reports prepared in compliance with the duties under Section 32 of the Resource Management Act 1991.

#### ***SCHEDULE OF PLAN AMENDMENTS***

##### **1. CHAPTER 5 - SITE AMENITY EFFECTS**

1.1 **Amend Policy 5.1.4(i)** to read:  
*“temporary activities, including recreational motorcycling.”*

##### **2. CHAPTER 16, section 16.8 - TEMPORARY ACTIVITIES RULES**

2.1 **Add** a new section (2) to **Rule 16.8.1A** as follows:

(2) *Recreational motorcycle riding activity provided it complies with the following standards and terms:*

(a) *The activity is in the Rural 1 or Rural 2 zone.*

- (b) *Motorcycles emit no more noise than that produced by a standard factory-fitted unmodified exhaust with a maintained muffler.*
- (c) *Except as permitted by 16.8.1A(2)(e) riding time is limited to between the hours of 9.00 am and 7.00 pm and does not exceed more than four hours in total in any one day.*
- (d) *Except as permitted by 16.8.1A(2)(e), no more than three days are used in a week for the activity, and riding is not undertaken on consecutive days.*
- (e) *The activity on any property is an organised, competitive motorcycle club event which occurs on no more than three days in any one calendar year.*
- (f) *The activity, except as permitted by rule 16.8.1A(2)(e) or written neighbour agreement, complies with the noise standards for the relevant rural zone.*

2.2 **Add** a new section **16.8.1B** as follows:

**16.8.1B Restricted Discretionary Activities (Temporary Activities)**

*A temporary activity (recreational motorcycle riding) that does not comply with the standards and terms for a permitted activity is a restricted discretionary activity.*

**A resource consent is required.** *Consent may be refused or conditions imposed, only in respect of the following matters over which the Council has restricted its discretion:*

- (1) *Hours of operation.*
- (2) *Noise conditions.*
- (3) *Location and density of tracks in relation to neighbouring properties.*

2.3. **Add** a new paragraph to **Principal Reasons for Rules 16.8.4** as follows:

*It is necessary to mitigate the cross-boundary effects of recreational motorcycle activities in the rural area, taking into consideration the proximity and density of neighbouring dwellings and the scale and duration of activities while allowing reasonable recreational riding opportunities on rural properties.*

2.4 **Add** the underlined words to rules 17.4.2(d)(i), 17.5.2(d)(i), 17.5A.2(d)(i) and 17.6.2(h)(i):

*(i) mobile horticultural and agricultural equipment (excluding recreational motorbikes)*

Graham Caradus  
**Co-Ordinator Regulatory**

## TRMP CHANGE 10 APPEALS RECEIVED TO DATE CONCERNING RICHMOND WEST DEVELOPMENT AREA

File Note: L 332-5  
17 February 2010

File No.	Appellant	Sub'r No.	EC Ref. No.	Relief Requested	Interested Parties	Analysts
R834	New Zealand Transport Agency	806	ENV-2009-WLG-000201	<ul style="list-style-type: none"> <li>• Requests financial contributions provisions generally specified, for upgrading unspecified elements of the state highway network</li> <li>• Remove or tag indicative road on SH60</li> </ul>	Alliance Group Ltd (opposes first item) Lower Queen Street Ltd and others (opposes items)	SM, NJ, GC
R835	JP Heslop	3526	ENV-2009-WLG-000205	<ul style="list-style-type: none"> <li>• Delete indicative reserve on property</li> <li>• Replace Open Space zoning with Rural 2 Deferred Light Industrial</li> </ul>		SM, NJ
R836	Alliance Group Ltd	3530	ENV-2009-WLG-000204	<ul style="list-style-type: none"> <li>• Replace part of Open Space zoning on property with Mixed Business zoning</li> <li>• Delete indicative reserve</li> <li>• Delete MBZ amenity planting requirement next to OSZ</li> <li>• Delete MBZ amenity planting requirement next to LIZ</li> <li>• Delete all transmission line setbacks for subdivision and buildings or reduce buildings setbacks</li> <li>• Amend MBZ rules to clearly permit industrial activities</li> </ul>	NZ Transport Agency (opposes last item)  Oldfields Ltd (supports fifth item)	SM, NJ, MH, RS
R837	Hunter Nominees and others	3535	ENV-2009-WLG-000207	<ul style="list-style-type: none"> <li>• Remove Beach Road location (BRL) from RWDA and applicable rules</li> <li>• Delete in BRL LIZ amenity planting condition and general policy</li> <li>• Delete in BRL LIZ condition requiring stormwater interceptor treatment device</li> <li>• Delete provisions for filling of building platforms to 4.6 m AMSL</li> <li>• Delete provision explaining HF's below 4.0 m</li> </ul>	Camden Properties Ltd (supports item 4) Alliance Group Ltd (supports item 4) Firth Industries (supports all items_ Oldfields Ltd (supports all items)	SM, MAB, NJ

File No.	Appellant	Sub'r No.	EC Ref. No.	Relief Requested	Interested Parties	Analysts
R838	Lower Queen St Ltd McShanes Holdings Ltd A E Field & Sons Ltd & Nicolaas & Lisabeth Punt (Richmond West Group)	3514	ENV-2009-WLG-000206	<ul style="list-style-type: none"> <li>Replace area of deferred LIZ with MBZ west of Borcks Creek and replace area of deferred MBZ with Residential zone west of Borcks Creek</li> <li>Delete all deferred zonings for RWDA</li> <li>Delete and relocate specified indicative roads</li> <li>Amend subdivision roading standards</li> <li>Provide credit for land vested in Borck Creek indicative reserve</li> <li>Amend MBZ amenity planting condition</li> <li>Amend MBZ site coverage condition</li> <li>Amend MBZ permitted uses to include visitor accommodation, community activities</li> </ul>	Dynea NZ Ltd (opposes second item) Nelson Pine Industries (opposes second item) NZ Transport Agency (opposes various items) Alliance Group Ltd (supports items 6 and 7) Cephas Group (supports item 1) Grace Church (supports item 3)	SM, NJ, MH, DL, urban planners
R839	Cephas Group Ltd	R839	ENV-2009-WLG-000210	<ul style="list-style-type: none"> <li>Amend policy re mixed business environment to protect Richmond CBD</li> <li>Amend MBZ rules to restrict retail only to larger sites</li> <li>Reduce extent of MBZ</li> </ul>	Lower Queen St Ltd, McShanes Holdings Ltd, A E Field & Sons Ltd, & Nicolaas & Lisabeth Punt (oppose items 2 and 3) Alliance Group Ltd (opposes item 3) NZ Transport Agency (opposes last item)	SM, MH, NJ, RB
R840	Metlifecare Ltd	R840	ENV-2009-WLG-000211	<ul style="list-style-type: none"> <li>Replace MBZ on sites on LQS frontage near property with Residential zoning</li> </ul>	NZ Transport Agency (opposes relief) Lower Queen St Holdings Ltd (opposes relief)	SM, urban planners
R841	M Clark & S McBride	R841	ENV-2009-WLG-000203	<ul style="list-style-type: none"> <li>Delete deferred MBZ on property and replace with MBZ</li> <li>Extend MBZ to 20m above MHWS</li> <li>Other unspecified relief (appeal refers to party submission)</li> </ul>	NZ Transport Agency (opposes items)	SM, NJ