

Section 42A: Beneficial use and development

Report Overview

Prepared by Paul Denton

1. Introduction

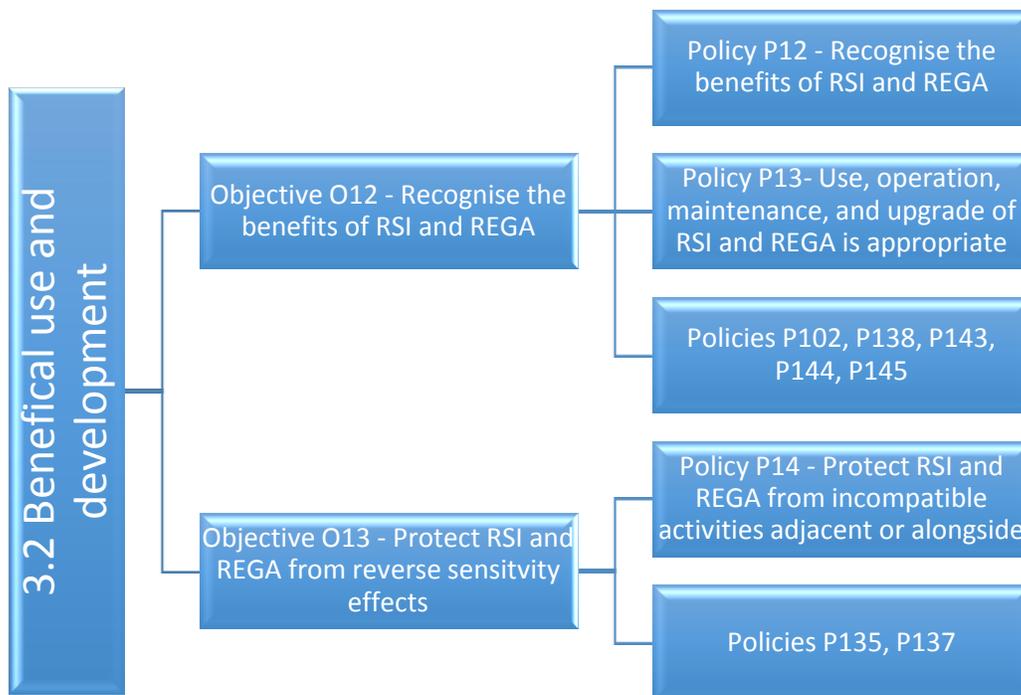
1. The section 42A officer's report: Beneficial use and development addresses submissions on provisions in the proposed Plan that relate to the benefits to people and the community from the use of land and water for certain activities; and the benefits to the environment from certain activities.

2. Plan framework for beneficial use and development

2. The beneficial use and development provisions reflect recognition by Council during deliberations and from key stakeholders during consultation that the proposed Plan needed to include explicit statements about the contribution that land and water have for the social, cultural and economic well-being of the regional community.
3. That is, to include plan provisions that explicitly state to the plan user that there are benefits to people and the community from the use of land and water for certain activities; and benefits to the environment from certain activities. In all, these activities are considered to be beneficial to the overall well-being of the regional community. Adverse effects of those activities on the environment are managed through other provisions in the proposed Plan.
4. Objectives O2, Objective O6, Objective O7 and Objective O8 all recognise the importance of land and water to the social, economic and cultural well-being of the community. In particular, Objective O6 and Objective O7 recognise the quality and quantity of water for the health needs of people and the reasonable needs of livestock. Objective O8 recognises the benefits and provides for the taking and use of water within the water allocation framework. Policy P7 and Policy P8 recognise the cultural, social and economic benefits, and activities of the using land and water. Policy P11 recognises

benefits associated with in-stream water storage, and Policy P15 and Policy P16 recognise catchment based flood and erosion protection activities.

5. Objective O9, Objective O10 and accompanying Policy P9 address the maintenance and enhancement of recreation values and public access to and along the coastal marine area and the beds of lakes and rivers.
6. Objective O12 recognises the benefits of regionally significant infrastructure with accompanying Policies P12 and Policy P13. Objective O13 is to protect regionally significant infrastructure within the coastal marine area from incompatible development alongside. Policy P14 protects regionally significant infrastructure and renewable energy generation activities from new incompatible developments that may cause reverse sensitivity effects.
7. The objectives are implemented by policies. This diagram below, from page 16 of my s42A report summaries the direct relationships between the objectives and policies that are specific to recognising the benefits of regionally significant infrastructure.



8. Submissions on rules and other methods are not assessed in this s42A report.

3. Key issues addressed in the s42A report

9. Submissions on the beneficial use and development provisions are organised into four issues:
10. **Issue 1** - New objectives requested. Submitters have requested new objectives for rural production activities, biosecurity and quarries.
11. **Issue 2** – Importance of land and water (submissions on Objectives O2, O6-O8, Policies P7, P8, P11, P14, P15, and P16).
12. **Issue 3** – Recreational values and public access (submission on Objectives O9-O10, Policy P9).
13. **Issue 4** – Regionally significant infrastructure (submission on Objective O12-O13, Policies P12-14).

4. Key recommendations in my s42A report

14. In my s42A report I have made the following recommendations:
15. In Policy P7 (l) to include recognition of ‘hard-rock quarries’.
16. In Policy P8 (d) to include reference to ‘animal pests’, Policy P8 (f) the ‘management’ of riparian margins, and in Policy P8 (h) the ‘upgrade’ of structures in the coastal marine area, natural wetlands, and the beds of lakes and rivers.
17. In Policy P9 to ‘maintain and enhance’ the extent or quality of public access to and along the coastal marine area and beds of lakes and rivers, and remove the requirement in Policy P9 to offset temporary restrictions in public access.

5. Outstanding issues identified in submitter’s evidence

18. After preparing my s42A report, I have read the planning evidence of the submitters. Some of the key matters that are still in contention are:

- **The Plan framework** – how beneficial use and development provisions will work with other provisions of the proposed Plan, in particular provisions for the assessment of adverse effects.
- **Definition of regionally significant infrastructure** – this definition is assessed in Issue 4.1 of my report. The definition is the subject of submitter’s evidence where they seek additions or modifications to the definition for regionally significant infrastructure.
- **Policy P7 (Uses of land and water)** – this provision is assessed in Issue 2.3 of my s42A report. Submitters’ evidence supports the submissions that requested further additions and modification of the list of activities that are recognised by the proposed Plan.

6. Recommendations I would reconsider

19. After reviewing the submitter’s pre-circulated planning evidence, I do not consider there is adequate justification to amend my recommendations.