

Under the Resource Management Act 1991 (**RMA**)
In the matter of The Otago Regional Council Proposed Otago Regional Policy
Statement 2021

Submission by Dunedin City Council

Evidence of Keith Frentz for Dunedin City Council

23 November 2022

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PEPEHA

Tēnā koutou whanau

Nga mihi ki te iwi o Kai Tahu

I a koutou, tēnei te mihi maioha i a koutou

E hore ahau i te Māori

Engari

No Tenemāka te Tipuna

Ko Whakamārama o Toi Moana te Kāinga

Ko Te Rangituanehu te Maunga

Ko Te Puna te awa

Kei te mahurangi te Maunga mē te Awa hoki ahau

Ko European tōku iwi

Ko Frenzt tōku whanau

Ko Keith tōku ignoa

No reira

Tēnā koutou Tēnā koutou Tēnā koutou katoa

1. QUALIFICATIONS AND EXPERIENCE

- 1.1 My full name is Keith Frentz. I am a Technical Director in Planning with Beca Limited (Beca), based in Tauranga. I have been in this role since 2008. My role includes, amongst other things, reviewing, preparing and presenting evidence to council hearings and the Environment Court in relation to district and regional plans and policy documents.
- 1.2 My qualifications include:
- a) Bachelor of Science in Land Surveying from Otago University;
and
 - b) Master of Social Science (Honours) in Resource and Environmental Planning from Waikato University.
 - c) I am a full member of the New Zealand Planning Institute.
- 1.3 I have over 40 years professional experience including working on a number of large infrastructure and land development projects in New Zealand and the Pacific as well as new town projects in Africa and the Middle East. I have also been involved in the preparation and review of a number of district and city plans.
- 1.4 My relevant experience includes the preparation of:
- a) the preparation of the Waikato Regional Coastal Plan;
 - b) district plans for offshore islands (Tuhua and Motiti in the Bay of Plenty) for the Minister of Local Government as the territorial authority;
 - c) district plan changes and sections within district plan reviews for Tauranga City, Western Bay of Plenty District, Rotorua District, Whakatane District, Hauraki District, South Waikato District, Taupo District and Wairoa District;
 - d) an assessment of effects and application for consent for a discharge to air from fumigation activities at the Port of Tauranga, as a region-wide consent in the Bay of Plenty and at the Port of Nelson;

- e) an assessment of effects and application for resource consent for a water take for a water bottling plant in the Eastern Bay of Plenty;
- f) an assessment of effects on the environment and presentation of planning evidence in the application to the Bay of Plenty Regional Council to leave the remains of the MV Rena on Otaiti (Astrolabe Reef);
- g) a comprehensive stormwater discharge consent to the Bay of Plenty Regional Council for over 1,000 outlets in the Tauranga City area; and
- h) re consenting documentation for the Ohau Channel Diversion Wall in Lake Rotoiti and documentation for re consenting the discharge of aluminium sulphate to the Puarenga and Utuhina Streams, Lake Rotorua, Lake Rotoehu and Lake Okaro.

1.5 I provide this evidence on behalf of the Dunedin City Council (DCC) in relation to its submission and further submission on the proposed Otago Regional Policy Statement (pORPS).

2. CODE OF CONDUCT

2.1 I have read the Environment Court's Code of Conduct for Expert Witnesses (2014), and I agree to comply with it. My qualifications as an expert are set out above. I confirm that the issues addressed in this brief of evidence are within my areas of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

3. BACKGROUND

3.1 The DCC provided a comprehensive submission on the pORPS and further submissions on key aspects that had been submitted on.

3.2 It is disappointing to me that many of the submissions and further submissions made have not been acknowledged or referenced in the section 42A (s42A) reports or the revised pORPS that have been notified in response to the submissions made.

- 3.3 While I acknowledge that there have been a number of changes made that reflect those submissions it would be easier to follow the intent of the recommendations if there was a connection between those changes and the submission or further submission made by DCC.
- 3.4 For example, there is no reference to any of the further submissions made by DCC that I can identify in the s42A reports and no reference is made to the whole of the pORPS submissions that were clearly set out at the start of the submission document.

4. SCOPE OF EVIDENCE

- 4.1 In terms of DCC's evidence to this hearing we provide 3 separate briefs of evidence:
- a) James Taylor will address submissions related to the Air, Coastal Environment, Land and Soil, Energy, Infrastructure and Contaminated Land topics;
 - b) Emily McEwan will address matters in relation to Urban Form and Development; and
 - c) I will address the following matters:
 - (i) The overall "architecture" of the pORPS including matters such as structure, cross-referencing and compliance with the National Policy Statement on Urban Development (NPS-UD) (as raised on pages 3 and 6 of the submission).
 - (ii) Language and the use of the term "avoid" (page 4)
 - (iii) Part 1 cross-boundary and Interpretation matters (pages 9 and 10)
 - (iv) Submissions on the mana whenua section and
 - (v) Submissions on the Significant Resource Management Issues for the Region.
 - (vi) Integrated Management (pages 3, 14-20)

5. THE ARCHITECTURE OF THE PORPS

NPS-UD

- 5.1 Within the Otago Regional Council (ORC) area the NPS-UD defines Dunedin City and Queenstown as Tier 2 urban environments.
- 5.2 Objective 3 of the NPS-UD requires that regional policy statements are enabling so that more people can live in and more businesses and community services are located in areas of the urban environment where there are many employment opportunities, and/or the area is well-serviced by existing or planned public transport and/or there is high demand for housing or business land.
- 5.3 Regional policy statements are required to apply, in particular, policies 5 and 7 to Tier 2 local authorities. Policy 7 requires that “housing bottom lines” are set in regional policy statements as well as district plans. Section 3.6 of the NPS-UD requires that housing bottom lines are provided as soon as practicable after a Housing and Business Development Capacity Assessment (HBA) is made publicly available.
- 5.4 The pORPS provides for housing bottom lines in UFD-P2, UFD-M1 and Appendix 10. Appendix 10 is a table that contains no data and is accompanied by the following note

“This schedule will be amended or reamended in accordance with the National Policy Statement for Urban Development 2020, without using RMA Schedule 1, as soon as practicable following the publication of any relevant Housing and Business Development Capacity Assessment, the first of which is due to be completed by 31 July 2021.”
- 5.5 In my experience other regional and local authorities around the country are treating this requirement with a degree of urgency that is not evident in the pORPS. A delay of at least 18 months from the anticipated due date and the hearing for the pORPS does not indicate to me that the work is being undertaken with any sense of urgency and that the “due date” for practicability has long passed.
- 5.6 This matters because a district plan is a “lower order” planning document that must give effect to the “higher order” regional planning documents. The District is in effect hamstrung if the pORPS, and other

regional plans, are not able to provide the guidance required of them by the national planning documents.

- 5.7 Emily McEwan will consider the Urban Form and Development (UFD) section of the pORPS in greater detail but despite the limited changes to the document made in response to submissions there remains, in the words of the submission; *“a strong emphasis on protection of the environment and in many circumstances seeks to require the total avoidance of certain adverse effects on the environment”*, at the expense of providing for new housing or infrastructure to meet growth demands.
- 5.8 In my opinion, the result is that the pORPS does not give effect to the NPS-UD as it is required to.

The “architecture” of the pORPS

- 5.9 By “architecture” I mean literally how does the pORPS look, is it easy to use and is it “fit for purpose”. In my opinion, and as indicated in DCC’s submission, it is ok but with some relatively minor changes it could be much better.
- 5.10 DCC’s submission at page 5 seeks a streamlining approach so that the pORPS doesn’t repeat detail in the national “higher order” planning documents. For example, is it necessary to repeat the effects management hierarchy in the National Policy Statement for Freshwater Management in policy LF-FW-P13A?
- 5.11 I note also that as a consequence of the recent implementation of the National Policy Statement for Highly Productive Land (NPS-HPL) there may be other policies that may need amendment, or are redundant, such as LF-LS-P19 which sets out criteria for the identification of highly productive land which are different from the criteria set out in section 3.4 of the NPS-HPL. In my opinion this policy could now be deleted and there may be other consequential amendments. However, I acknowledge that this was not a subject of DCC’s submission.
- 5.12 Ms McEwan addresses issues regarding the UFD Chapter in relation to the NPS-HPL noting, in particular, that the wording of UFD-O4(2), UFD-P4(6) and UFD-P8(4) does not give effect to the NPS in relation to

exceptions when rezoning land for development to enable the implementation of the NPS-UD.

- 5.13 The pORPS is set out in five parts. Part 1: Introduction and General Provisions, Part 2: Resource Management Overview, Part 3: Domains and Topics, Part 4: Evaluation and Monitoring and Part 5: Appendices and Maps. In my experience this is not an unusual way to set out a regional policy statement and could be reasonably easy to use with the aid of a “road map” providing guidance to the linkages between different Domains and Topics and the objectives and policies that relate to them (DCC submission page 3, paragraph 5, no submission no.).
- 5.14 For example, building or maintaining infrastructure in the coastal environment could potentially traverse objectives and policies related to all of the listed topics in Part 3 as well as Mana Whenua in Part 1 and Integrated Management in Part 2.
- 5.15 In my experience other regional policy statements address this issue through a comprehensive user guide such as that I have provided below from the Bay of Plenty Regional Policy Statement.
- 5.16 The example shown provides firstly an overview of where to find the different parts of the pORPS and what the contents of those parts are, and the second diagram shows in tabular form the detail of the contents by reference to objective and policy.
- 5.17 Then for each objective there is a further table that shows the linkages to policies (with a page reference), methods (with a page reference) and implementation responsibilities.

Cross-referencing throughout the pORPS

- 5.18 Referencing of other parts of the pORPS throughout the document is also relevant to DCC’s broad submission seeking clearer guidance on how to reconcile tensions between chapters in the pORPS (See DCC’s submission, pg. 4. This was not allocated a submission point).

User guide



Content

Setting the scene	<p>Part one</p> <p>Promoting sustainable management in the Bay of Plenty region</p>	<p>An overview of the broader context within which the Proposed Bay of Plenty Regional Policy Statement fits, the region's characteristics, and the integrated management of natural and physical resources.</p>
Managing the region's environment	<p>Part two</p> <p>Issues and objectives</p> <p>The regionally significant resource management issues (including those identified by the region's iwi authorities) and the objectives for this policy statement</p>	<p>Contains an outline of the significant resource management issues to be addressed. Tables 1 to 10b present the objectives and a summary of all policies and methods to achieve each of these objectives.</p>
	<p>Part three</p> <div style="text-align: center;"> <p>3.1 Policies</p> <p>3.2 Methods</p> </div>	<div style="display: flex; flex-direction: column; gap: 5px;"> <div style="border: 1px solid black; padding: 2px;">Broad directive policies – to be given effect to by district and regional plans</div> <div style="border: 1px solid black; padding: 2px;">Specific directive policies – matters to be given effect by regional and district plans, and that consent authorities must have regard to when considering applications for resource consent, and requirements for designations, or heritage orders.</div> <div style="border: 1px solid black; padding: 2px;">Allocation of responsibility for the control of the use of land for indigenous biodiversity and hazardous substances</div> <div style="border: 1px solid black; padding: 2px;">Guiding policies – in support of objectives</div> <div style="border: 1px solid black; padding: 2px;">Section 3.2.1 Directive methods – when policies in section 3.1 are to be implemented</div> <div style="border: 1px solid black; padding: 2px;">Section 3.2.2 Guiding methods – information and guidance (methods 24-78)</div> </div> <div style="margin-top: 10px; display: flex; flex-direction: column; gap: 5px;"> <div style="border: 1px solid black; padding: 2px;">District plan implementation (methods 1 and 1A)</div> <div style="border: 1px solid black; padding: 2px;">Regional Plan Implementation (methods 2 and 2A)</div> <div style="border: 1px solid black; padding: 2px;">Resource consent and plan considerations (method 3)</div> <div style="border: 1px solid black; padding: 2px;">Other directive methods (methods 4-23T)</div> </div>
Monitoring and review	<p>Part four</p> <p>Monitoring and Anticipated Environmental Results</p>	
Principal reasons	<p>Part five</p> <p>Reasons for objectives, policies and methods</p>	

Part 2 – RESOURCE MANAGEMENT ISSUES AND OBJECTIVES			Part 3 – POLICIES			Part 3 – METHODS		
Themes	Key words	Objectives	Broad directive policies for regional and district plans	Specific directive policies for plans, consents, heritage orders and designations	Allocation of responsibilities	Guiding policies	Directive methods	Guidance methods
Where to find in document								
Air quality	Agriculture, air pollution, air quality, ammonia, amenity values, chemical emissions, objectionable odours, odour, people's health, gases, reverse sensitivity, particulates, discharges, contaminants	1 (Table 1)	AQ 1A, AQ 2A, AQ 3A				2, 3, 6	24, 38, 53, 54
Biodiversity	Animals, Appendix F Set 3, biodiversity values, biosecurity, buffers, coastal vegetation, ecological corridors, ecological restoration programmes, ecosystems, environmental education programmes, fauna, flora, habitats, indigenous biological diversity, indigenous fauna, indigenous plants, indigenous species, inter-agency, intrinsic values, key sites, natural communities, rehabilitation, pest species, reserves, significant habitats, significant indigenous biodiversity	2 (Table 2); 6 (Table 3); 8 (Table 4); 11 (Table 5); 19, 20 (Table 7); 33, 32 (Table 10a)	GR 1A	CE 6B, CE 7B, E1 5B, GR 9B, MN 1B, MN 2B, MN 3B, MN 4B, MN 6B, MN 7B, MN 8B, NR 2B, NR 3B	HR 8C	IR 9D	2, 3	23, 25, 26, 29, 39, 40, 55, 61, 63, 64, 65, 70, 71
Climate change	Adaptation, global climate change, natural hazards, sea level rise, salt water intrusion	2 (Table 2); 11 (Table 5); 30 (Table 10)	CE 4A	E1 1B, IR 2B, NH 11B, WQ 8B			1, 2, 3	
Coastal	Aquaculture, coastal ecosystems, coastal environment, coastal hazard, coastal margin, coastal marine area, dunes, ecological functioning, ecosystems, habitat, litter, mangroves, mean high water springs, natural character, public access, public space, salt marshes, shore, tidal, water quality	2, 3, 4 (Table 2); 35, 17 (Table 6); 18, 19, 20, 22 (Table 7)	CE 1A, CE 2A, CE 3A, CE 4A, CE 5A	CE 6B, CE 7B, CE 8B, CE 9B, CE 10B, CE 11B, CE 12B, CE 13B, CE 14B, CE 15B, IR 2B, WJ 2B, MN 1B, MN 3B, MN 5B, MN 6B, MN 7B, MN 8B, NH 11B			1, 2, 3, 6, 8, 11	26, 33, 34, 35, 37, 55, 56, 59, 60, 61, 62, 63, 64, 65, 68, 69, 71
Energy	Electricity generation, electricity lines, energy conservation, energy efficiency, fossil fuels, geothermal heat, greenhouse gas emissions, infrastructure, non-renewable, renewable energy, security of supply, small scale	5, 6 (Table 3)		E1 1B, E1 2B, E1 3B, E1 4B, E1 5B, E1 6B, E1 7B			3, 4, 10, 12, 18	51
Geothermal	Appendix F Set 7, ecological restoration, ecosystems, environmental education, discharges, discharge strategy, geothermal features, geothermal field, geothermal hazard risk, geothermal sites, geothermal surface features, geothermal systems, hot ground, integrated management, management group, non-geothermal water, pressure, research system, reservoir, significant geothermal features (SGF), system management, lakes, Taupō Volcanic Zone	8, 9 (Table 4); 15, 17 (Table 6); 20 (Table 7)	GR 1A, GR 2A, GR 3A, GR 4A	GR 5B, GR 6B, GR 7B, GR 8B, GR 9B, GR 10B, GR 11B, GR 12B, MN 1B, MN 2B, MN 3B, MN 4B, MN 7B, MN 8B			1, 2, 3, 10, 11, 22	25, 26, 49, 64
Hazardous substances	Disposal, hazardous substances, responsibilities, storage, transportation	10, 11 (Table 5); 14 (Table 6)			IR 7C		3	
Historic heritage	Appendix F Sets 4 and 5, archaeology, culture, heritage, kaitiaki, key sites, iwi and hapū resource management plans, inter-agency approach, pūkenga, safeguarding the mauri, sites of cultural significance, significance or special value to Māori, significant spiritual or cultural, statutory acknowledgement area, taonga, view shaft, waaitapu	18, 21 (Table 7)		E1 5B, IW 2B, IW 3B, MN 1B, MN 3B, MN 7B, MN 8B		IW 8D	1, 2, 3, 8, 11, 12	41, 42, 46, 48, 57, 70
Infrastructure	Appendix E, adaptation, economic benefits, business land, designated, dwelling yields, infrastructure corridors, intensification, investment, nationally significant infrastructure, network infrastructure, network utilities, network utility operators, planned, ports, programmed, regionally significant infrastructure, roads, sea level rise, services, servicing social benefits, social infrastructure, stimulates supply distribution, transportation, urban growth, urban limits, utility operators, water supply	5, 6 (Table 3); 25 (Table 8)	UG 4A, UG 6A, UG 7A	CE 5A, CE 10B, CE 11B, CE 12B, CE 13B, E1 3B, E1 4B, E1 5B, E1 7B, IR 3B, NH 11B, UG 8B, UG 9B, UG 10B, UG 11B, UG 14B, UG 17B, UG 18B, UG 20B, UG 23B			1, 3, 4, 10, 17, 18, 19	50, 51, 52, 67
Integrated resource management	Adaptive management, allocating responsibilities, biosecurity, boundaries, climate change, co-ordinating, cross boundary, cumulative, hierarchy, integrated, interconnected, iwi, jurisdictional boundaries, precautionary approach, precedent, statutory acknowledgement areas, system management, travel demand management, Waikato Regional Council	8 (Table 4); 10, 11, 12 (Table 5); 24, 25 (Table 8); 30 (Table 10)	GR 2A, UG 2A, UG 3A, UG 6A	GR 7B, IR 1B, IR 2B, IR 3B, IR 4B, IR 5B, IR 6B, IR 9B, UG 13B, UG 18B, WQ 3B, WQ 4B, WQ 5B, WQ 6B	IR 7C, IR 8C	IW 7D	1, 2, 3, 9, 10, 11, 16, 18	25, 26, 30, 31, 32, 35, 40, 41, 42, 43, 44, 45, 47, 48, 50, 52, 67, 70
Iwi resource management	Appendix F Set 4, cultivating, cultural effects, cultural effects, cultural well-being, economic, hearing committees, historic heritage, iwi, iwi and hapū resource management plans, Māori housing, Māori land, mauri, multiple-owned, papakāinga, pūkenga, social, significance to Māori, statutory acknowledgement areas, tangata whenua, tikanga, traditions, Treaty, values	12 (Table 5); 13, 14, 15, 16, 17, (Table 6); 18, 21 (Table 7)		E1 5B, IW 1B, IW 2B, IW 3B, IW 5B, IW 6B, IR 4B, MN 1B, MN 3B, MN 7B, MN 8B, UG 22B		IW 7D, IW 8D	1, 2, 3, 8, 11, 12	26, 27, 39, 41, 42, 43, 44, 46, 47, 48, 49, 55, 57, 64, 65, 66, 70
Natural character	Appendix F Set 1, Appendix I, Appendix J, attributes, coastal marine area, criteria, fauna, high natural character, intrinsic values, lakes, land cover, landform, natural systems expressed, New Zealand Coastal Policy Statement, open coastal water, rivers, waterscape, wetlands, inappropriate development	2, 4 (Table 2); 10, 11 (Table 5); 19 (Table 7)		CE 2B, CE 7B, CE 8B, CE 11B, CE 12B, IR 5B, MN 1B, MN 2B, MN 3B, MN 7B, MN 8B			1, 2, 3, 7, 8, 10, 11, 23	26, 27, 34, 35, 56, 60, 65, 69, 70, 71
Natural features and landscapes	Appendix I Set 2, aesthetic values, guidelines, expressiveness, key sites, landscape protection, naturalness, outstanding natural features, outstanding natural landscapes, natural science factors, representativeness, transient values, vividness	8 (Table 4); 18 (Table 7)		E1 5B, GR 1A, GR 4A, IW 2B, IW 5B, MN 1B, MN 3B, MN 7B, MN 8B			1, 2, 3, 11, 12	64, 70
Natural hazards	Hazard mitigation, low risk, medium risk, high risk, assess, sea level rise, climate change	10, 11 (Table 5); 31 (Table 10a)	CE 4A, NH 7A, NH 8A, NH 12A	CE 12B, IR 2B, IR 5B, NH 1B, NH 2B, NH 3B, NH 4B, NH 5B, NH 6B, NH 9B, NH 10B, NH 11B	NH 13C, NH 14C		1, 1A, 2, 2A, 3, 10, 18, 23A, 23B, 23C	73, 74
Public access	Appendix F Set 6, accessible, coastal marine area, connectivity lakes, practicality, public, public enjoyment, rivers, safety, security	2, 4 (Table 2); 22 (Table 7)		CE 8B, CE 12B, E1 5B, IW 2B, IW 5B, MN 1B, MN 3B, MN 5B, MN 6B, MN 7B, MN 8B			1, 2, 3, 11, 12	60, 70
Rotorua Te Arawa lakes	allocating, catchments at risk, contaminant, dairy farms, discharge, groundwater, nitrogen, nutrient, phosphorus, tonnes, trophic level index, water quality target	26 (Table 8); 27, 28, 29 (Table 9)		UG 19B, WJ 1B, WJ 2B, WJ 3B, WJ 4B, WJ 5B, WJ 6B, WJ 8B			1, 2, 3, 11, 21	28, 52
Soil health and productivity	agriculture, ecological function, fragmentation, horticulture, pastoral farming, reverse sensitivity, rural development, rural industries, rural lifestyle, rural production activities, rural structure plans, soil, subdivision, versatile land	26 (Table 8); 29 (Table 9)		UG 17B, UG 18B, UG 19B, UG 23B, UG 24B, WJ 7B, WJ 8B			1, 3, 18, 20	36, 52, 67
Treaty Co-Governance	Rangitāki River Document, Rangitāki River Catchment, allocation, limits, freshwater, tuna, land use change, water quality, mauri, flow variability, cultural wellbeing, spiritual wellbeing, amenity values, enhancement, restoration, habitat, migration, indigenous species, indigenous ecosystems, ecological restoration, kaitiakitanga, relationships, public access, significance to Māori, tributaries, matauranga Māori	32, 33, 34, 35, 36, 37, 38, 39 (Table 10b)		IW 2B, IW 5B, IW 6B, MN 2B, MN 4B, MN 5B, MN 6B, NR 1B, NR 2B, NR 3B, NR 4B, WQ 2A, WQ 3B	RR 6C	RR 8D	2, 3, 23D, 23E, 23F, 23G, 23H, 23I, 23J, 23K, 23L, 23M, 23N, 23O, 23P, 23Q, 23R, 23S, 23T	26, 27, 30, 32, 39, 49, 55, 63, 64, 75, 76, 77, 78
Urban and rural growth management	business land, expansion, infrastructure, intensification, papakāinga, population growth, residential development, road hierarchy, rural production activities, sequencing, strategic transport network, structure plans, sub-region, urban activities, urban design, urban limit, versatile land, yield	23, 24, 25, 26 (Table 8)	UG 1A, UG 2A, UG 3A, UG 4A, UG 5A, UG 6A, UG 7A	UG 8B, UG 9B, UG 10B, UG 11B, UG 12B, UG 13B, UG 14B, UG 15B, UG 16B, UG 17B, UG 18B, UG 19B, UG 20B, UG 21B, UG 22B, UG 23B, UG 24B, UG 25B			1, 3, 4, 13, 14, 16, 17, 18, 19, 20	50, 51, 52, 58, 67
Water quality	allocation, assimilative, catchment, catchments at risk, contaminant, dairy farm, degraded, discharge, downstream, habitats, groundwater, lakes, land use change, mauri, nitrogen, nutrient discharges, pastoral farming, phosphorus, quality, Rotorua Te Arawa lakes, water body, swimmability, tonnes trophic level index	26 (Table 8); 27, 28 (Table 9)		UG 18B, WJ 1B, WJ 2B, WJ 3B, WJ 4B, WJ 5B, WJ 6B, WJ 7B, WJ 8B			1, 2, 3, 11, 18, 21	28, 36, 52, 67
Water quantity	abstraction, allocation, alternative water sources, aquifer, climate change, common review, consent term, drought, harvesting, infiltration flow, non-consumptive, saltwater intrusion, water availability, water collection, water conservation, water demand, water quality, water recycling, water reuse, water takes, water users	30 (Table 10)	WQ 1A, WQ 2A	WQ 3B, WQ 4B, WQ 5B, WQ 6B, WQ 7B, WQ 8B			2, 3	30, 31, 32, 41, 43, 44, 45

E01-0320

Table 1 Air quality objectives and titles of policies and methods to achieve the objectives.

Objectives	Policy titles	Page	Method titles	Implementation	Page
Objective 1 The adverse effects of odours, chemical emissions and particulates are avoided, remedied or mitigated so as to protect people and the environment.	Policy AQ 1A: Discouraging reverse sensitivity associated with odours, chemicals and particulates	119	Method 3: Resource consents, notices of requirement and when changing, varying, reviewing or replacing plans	City and district councils	173
			Method 6: Agrichemical users to apply best practice	Regional council	174
			Method 24: Provide information about reducing air pollution	Regional council	182
	Policy AQ 2A: Managing adverse effects from the discharge of odours, chemicals, and particulates	119	Method 2: Regional plan implementation	Regional council	173
			Method 6: Agrichemical users to apply best practice	Regional council	174
			Method 24: Provide information about reducing air pollution	Regional council	182
			Method 53: Research and monitor the effects of discharges	Regional council	186
			Method 54: Research and monitor agrichemical spraydrift effects on human health	Regional council	186
	Policy AQ 3A: Managing adverse effects of fine particulate contamination	120	Method 2: Regional plan implementation	Regional council	173
			Method 5: Bylaws to manage unacceptable levels of fine particulate contamination	Regional council, city and district councils	174
			Method 24: Provide information about reducing air pollution	Regional council, city and district councils	182
			Method 38: Integrate management of airsheds	Regional council, city and district councils	184

- 5.19 Ms McEwan has addressed this matter in her evidence in relation to the Urban Form and Development (UFD) chapter. Her evidence is relevant to the broader architecture of the pORPS given ORC's intention that the pORPS be read as a whole, with IM-P1 relied on to codify the approach.
- 5.20 The risk of providing for cross-referencing is that it requires an "all or nothing" approach because, if it is incomplete, users might infer that the referenced provisions are more important than those that are not, or that the referenced provisions comprise a complete list of other considerations. This would not support the approach of reading the pORPS as a whole.
- 5.21 Ms McEwan has addressed this with specific reference to the UFD chapter in the drafting in Annexure A to her evidence and I would recommend that the pORPS as a whole is reviewed to remove all references in each chapter to matters addressed in other parts of the pORPS. Instead of cross-referencing a more complete "user guide" as described above would then assist the navigation of the pORPS that cross-referencing is intended to provide for.

6. LANGUAGE AND THE USE OF THE TERM "AVOID"

- 6.1 Language in a policy statement or plan is important and where practical the plain english version of a word or phrase is preferred. Therefore, I endorse the proposed changes to the definitions in relation to "limits" which cross-reference to the relevant national policy statement definitions and otherwise use the dictionary definition of the word.
- 6.2 DCC have submitted on the use of the word "avoid" and the language used in objectives and policies to ensure that the pORPS is enabling, clear and easily understood (pages 4 and 5). The word "avoid", since the Supreme Court's King Salmon decision, has taken on a very directive meaning to the effect that unless there is a qualifier, for example, "except" or "unless", then the effect referenced must be avoided. This places some significant constraints on the "lower order" planning documents where there may be unintended consequences resulting from the need to avoid an outcome or effect.
- 6.3 The two examples specifically identified in DCC's submission (page 4) of Air-P4, EIT-EN-P5 have not been addressed (there is no submission no.

as far as I can see) in the s42A reports or in the supplementary evidence provided, although changes are recommended in response to other submissions.

6.4 The proposed policy AIR-P4 reads:

AIR-P4 – Avoiding certain discharges

Generally avoid discharges to air that cause noxious or dangerous effects and avoid, as the first priority, discharges to air that cause offensive, or objectionable, noxious or dangerous effects.

6.5 The National Environment Standard for Air Quality (NES-AQ) is the “higher order” document that manages air quality. It identifies where discharges are prohibited and when resource consents are required. In my opinion, it is therefore not necessary to provide a policy in the pORPS that effectively repeats these standards.

6.6 The other AIR policies are appropriate and necessary to give effect to the NES-AQ by maintaining ambient air quality, improving degraded ambient air quality, providing for discharges to air, managing certain discharges and assessing the impacts on mana whenua values.

6.7 “Generally avoiding” discharges that cause noxious or dangerous effects is set in the context of the NES-AQ which provides for these discharges within limits. Those limits are managed through the implementation of the other AIR policies.

6.8 In my opinion AIR-P4 should be deleted as it may potentially conflict with the provisions of the NES-AQ.

6.9 The proposed policy EIT-EN-P5 reads:

EIT-EN-P5 – Non-renewable energy generation

Avoid the development of non-renewable energy generation activities in Otago and facilitate the replacement of non-renewable energy sources, including the use of fossil fuels, in energy generation.

6.10 This policy has not been recommended to be changed and it is not apparent to me that the DCC submission on the use of the word “avoid” has been addressed in relation to this policy.

- 6.11 The use of the word “avoid” without a qualifier leaves the user with no doubt that it would be difficult for an application for a non-renewable energy generation facility to be granted consent.
- 6.12 This is problematic where organisations that are required to ensure that they have continuity of energy supply such as hospitals, corrections facilities, etc come to consent their back-up energy generator which is likely to be powered by diesel. These are not necessarily large generation facilities but may require consent for a discharge to air, for example.
- 6.13 I would suggest that policy EIT-EN-P5 is amended as follows to take the unintended consequences into account:

EIT-EN-P5 – Non-renewable energy generation

~~Avoid the development of~~ Only allow non-renewable energy generation activities in Otago where:

(a) the function of the proposed non-renewable energy activity is to provide back-up energy generation to support the resilience of land use activities

(b) it is not practicable to use renewable energy generation activities that provide the same function

(c) the system is designed to minimise the discharge of greenhouse gases and other contaminants or odour to the air.

- 6.14 Further specific submissions on the use of "avoid" have been responded to in the s42A reports. They are EIT-TRAN-P21 (submission no. 139.183) and NFL-P5 (submission no. 139.245). These submissions are accepted in part and rejected respectively in the s42A report. I address these points below.
- 6.15 EIT-TRAN-P21 has been amended in part in response to submission 139.183 but the submission has largely been rejected. I accept the change to clause (1) as this achieves the outcome sought by DCC and provides for the enabling direction of the pORPS.
- 6.16 Clauses (2) and (3) continue to specify the term “avoiding” without qualification. This could lead to some unintended consequences that would be difficult to overcome. For example, clause (2) requires

“avoiding the impacts of incompatible activities including those that may result in reverse sensitivity effects” on the operation of the transport system. Such an incompatible activity could conceivably include the use of the system for private transport where, for example, an increase in use results in gridlock or frustrates the use of the system by public transport. As with most policies where avoidance is called for it is appropriate that it is qualified to describe how the impacts may be deemed to be avoided.

6.17 Clause (3), without such qualification, would require a subjective assessment that could result in no development or sub-standard development where, for example, land is deemed necessary for future road widening without the evidence-base, or road widening designation, to justify such a decision. I address my suggested changes to the policy following my assessment of clauses (4), (5) and (6) which present a different language concern.

6.18 Clauses(4), (5) and (6) read as follows:

(4) promoting the development and use of transport hubs that enable an efficient transfer of goods for transport and distribution across different freight and people transport modes,

(5) promoting methods that provide more efficient use of, or reduce reliance on, private motor vehicles, including ridesharing, park and ride facilities, bus hubs, bicycle facilities, 1154 demand management and alternative transport modes, and

(6) encouraging a shift to using renewable energy sources.

6.19 DCC’s submission is that “promoting” is not appropriate language for a policy that is intended to provide for an action that gives effect to the associated objective. The submission seeks to amend the Policy to a more active sense such as “to provide for” or “to enable” both phrases being more focussed on achieving an outcome rather than the less active sense of promoting an outcome without necessarily achieving it.

6.20 I would suggest that the following amendments would better achieve the intent of the policy:

EIT-TRAN-P21 – Operation of the transport system

The efficient and effective operation of the transport system is maintained by:

- (1) *avoiding or mitigating adverse effects of activities on the functioning of the transport system,*
- (2) *avoiding or mitigating the effects/impacts of incompatible activities on the operation of the transport system, including those that may result in reverse sensitivity effects,*
- (3) *~~avoiding~~ managing the potential adverse effects of development that may foreclose an opportunities to adapt, upgrade or develop the transport system to meet future transport demand to enable that demand to be met,*
- (4) *~~promoting~~ providing for the development and use of transport hubs that enable an efficient transfer of goods for transport and distribution across different freight and people transport modes by enabling the establishment of land use activities that support the establishment of such hubs,*
- (5) *~~promoting~~ providing for methods that ~~provide~~ achieve more efficient and effective use of, or reduce reliance on, ~~private~~ motor vehicles, including ridesharing, car-sharing, park and ride facilities, bus hubs, bicycle facilities, demand management and alternative transport modes, and*
- (6) *~~encouraging~~ enabling a shift to using renewable energy sources by facilitating the establishment of services and activities that enhance access to these energy sources.*

6.21 I have also suggested deleting the word “private” and including “car-sharing” in clause (5) as there is an increasing use of “public” car-sharing services such as Mevo in Wellington, Hamilton and Auckland.

7. PART 1 CROSS-BOUNDARY AND INTERPRETATION MATTERS

7.1 I acknowledge the acceptance of DCC’s submission points 139.003 and 139.004.

7.2 DCC’s submission 139.005a requested that a definitions for the terms “waterways” and “reticulated systems” be provided or that alternative consistent terminology is used.

7.3 With regard to “waterways” the s42A report acknowledges that there are a number of terms describing features or a combination of features relating to water in the pORPS. For the reasons given in paragraph 157 of the report the submission is rejected.

- 7.4 I would, however, reiterate the submission and request that an alternative defined term such as “water body(ies)” is used. In doing this there is greater consistency in the pORPS and the potential for uncertainty or confusion is reduced.
- 7.5 I note that the s42A report states that the term “waterways” has been used in *“the Freshwater reforms of 2020, where waterways was a general term used to describe the context of the reforms.”* It may have been used in the background documentation but I have word-searched the National Policy Statement for Freshwater and it is not used at all.
- 7.6 For consistency with this “higher order” document I would request that “waterway(s)” is replaced by the defined term “water body(ies)”
- 7.7 With regard to “reticulated systems” it is not apparent to me that this submission has been addressed at all. However, in my opinion the plain english use of the term is apparent in its use in the pORPS and it would not need to be defined.
- 7.8 DCC’s submission 139.007 requested that the definition of Regionally Significant Infrastructure be amended to:
- (a) Clause (1): Replace the reference to “One Network Road Classification” with “One Network Framework”;
 - (b) Clauses 9 – 11: Improve clarity of “community drinking water supply; and
 - (c) Clause (13): Add “landfills” to the list.
- 7.9 I acknowledge and accept the recommendations of the s42A report for items (a) and (b) above. However, I find it incongruous that “landfills” are not included as regionally significant infrastructure for the disposal of Municipal Solid Waste (MSW) when, for example, Municipal liquid waste (sewage) is provided for along with community drinking water infrastructure and community stormwater infrastructure. I consider that the Smooth Hill landfill recently granted by the ORC (subject to appeal) is a good example of what is regionally significant infrastructure.
- 7.10 Regional landfills remain the most effective and efficient means of managing MSW for the foreseeable future. A well-managed landfill is subject to consent conditions that control its operation and provide for

the collection and treatment of leachate and air discharges. The alternative, potentially, is fly-tipping and illegal dumping.

- 7.11 In my opinion regional landfills are regionally significant infrastructure and belong to the definition in the pORPS as follows:

(14) lawfully established landfills for the disposal of Municipal Solid Waste

- 7.12 A consequential change may be that MSW should be defined. Therefore, I suggest the following definition:

Municipal Solid Waste (MSW) is waste collected by a Territorial Authority or disposed of at a Waste Transfer Centre or Resource Recovery Centre authorised by a Territorial Authority.

8. SIGNIFICANT RESOURCE MANAGEMENT ISSUES FOR THE REGION

- 8.1 DCC submission 139.017 requests that the Social Impact Snapshot for Significant Resource Management Issues for the Region (SRMR) Issue 4 is amended to better reflect the potential for adverse social impacts from urban and residential growth by broadening the impact on the transport network from “road fatalities on rural highways” to include the potential for deaths and serious injuries on the transport network as a whole.
- 8.2 The submission is rejected as alternative wording has not been provided in the submission.
- 8.3 I provide alternative wording below. The reason I believe that the change is necessary is that there is a “Drive to zero” programme currently being implemented by Waka Kotahi to reduce deaths and serious injuries on our roads. This is not limited to rural highways and in the context of the issue, which is about the potential effects of urban and residential growth pressures, it is about ensuring that the whole of the transport network provides a safe environment for the users in all modes of transport.
- 8.4 In my opinion it is appropriate that the Social Impact Snapshot reflects these potential adverse effects and that the pORPS enables the benefits to the community that come from good urban design.

- 8.5 The suggested amendment to the wording of the Social Impact Snapshot (I4, third paragraph) is:

Transportation of goods and people between and within urban areas can also generate impacts on humans. For example, increased traffic congestion and lack of safe and attractive alternatives within urban areas impacts people and businesses living near to high volume traffic routes, resulting in lost time for family and other activities for those who use them, and ~~road fatalities on rural highways~~ deaths and serious injuries on the transport network.

- 8.6 DCC's submission 139.019 seeks to clarify SRMR I10 by being more specific to water abstraction, wastewater and stormwater discharges.
- 8.7 The s42A report has rejected the submission and also similar submissions seeking clarification from Port Otago, COES and Lynne Stewart.
- 8.8 My concern with the Issue and Issue Statement is that to me there is a disconnect between the two. It is difficult to reconcile the general nature of the Issue with the specificity of the Issue Statement. The Context and Impact Snapshot clarify the intent of the Issue but, in my opinion, they are also not reflected in the way the Issue is framed from the outset. I provide alternative wording for the Issue and the Issue Statement below that may be applied more broadly across the region as a whole without singling out specific activities or industries:

SRMR-I10 – The use of natural resources in Otago can adversely affect the natural and physical environment, as well as social, cultural and amenity values, and recreation if not well managed.

Statement

Otago is a region rich in natural resources that are utilised in primary and extractive industries as well as in urban and regional development. Within the region there are also many significant and sensitive environments that are adjacent to, or form the backdrop to, everyday activities that provide the values that are enjoyed by residents and visitors throughout the region. The activities that interface with these resources and environments must be well managed to ensure that the values that are enjoyed today remain available to future generations.

9. INTEGRATED MANAGEMENT

- 9.1 DCC submission 139.022 supports the intent of proposed IM-O1 and suggests that the objective could be clarified by providing more emphasis on outcomes to be achieved in terms of the well-being of people, so that there are clear environmental and human bottom-lines, for example, providing a focus on the ability to have access to housing and employment.
- 9.2 The s42A report, in the absence of specific amendments to implement the relief sought, rejects the submission. However, notwithstanding that recommendation, amendments are proposed so that IM-O1 – long term vision is now proposed to read:

The management of natural and physical resources by and for the people of Otago, in partnership with Kāi Tahu, achieves a healthy and resilient natural environment, including the ecosystem services it provides, and supports the well-being of present and future generations, (mō tātou, ā, mō kā uri ā muri ake nei).

- 9.3 I agree that the proposed amendments clarify the objective but would suggest that, given the broad definition of environment in the Resource Management Act 1991 (RMA), the inclusion of ecosystem services is redundant and would suggest the following:

The management of natural and physical resources by and for the people of Otago, in partnership with Kāi Tahu, achieves a healthy and resilient natural environment, ~~including the ecosystem services it provides,~~ and supports the well-being of present and future generations, (mō tātou, ā, mō kā uri ā muri ake nei).

- 9.4 DCC submission 139.025 requests that IM-O4 acknowledges that individual territorial authorities may pursue a more ambitious goal than that provided by national or regional guidance. To this end DCC seeks to include wording that enables it to continue with its adopted 'Zero Carbon 2030' target, which is 20 years more ambitious than the government's target on all long-lived gases.
- 9.5 In my opinion this is a target to be encouraged and one that should be reflected in the wording of IM-O4. I provide suggested wording below:

IM-O4 – Climate change

9.6 Otago's communities, including Kāi Tahu, understand what climate change means for their future, and responses to climate change responses in the region, (including climate change adaptation and climate change mitigation actions),):

(1) are aligned with national level climate change responses,

(2) assist with achieving the national target for emissions reduction, and

(3) are recognised as integral to achieving the outcomes sought by this RPS, notwithstanding that individual territorial authorities may pursue more ambitious targets.

9.7 DCC submission 139.026 requests that IM-P1 is clarified to provide clear guidance within the policy wording on how conflicts between RPS requirements should be managed.

9.8 The s42A report recommends accepting the submission in part to the following effect:

IM-P1 – Integrated approach to decision-making

Giving effect to the integrated package of objectives and policies in this RPS requires decision-makers to consider all provisions relevant to an issue or decision and apply them according to the terms in which they are expressed, and if there is a conflict between provisions that cannot be resolved by the application of higher order documents, prioritise:

(1) the life-supporting capacity and mauri of the natural environment and the health, safety and basic needs of people including shelter, safe drinking water and protection from natural hazards, and then

(2) the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

The objectives and policies in this RPS form an integrated package, in which:

~~(1) all activities are carried out within the environmental constraints of this RPS,~~

~~(2) all provisions relevant to an issue or decision must be considered,~~

~~(3) if multiple provisions are relevant, they must be considered together and applied according to the terms in which they are expressed, and~~

~~(4) notwithstanding the above, all provisions must be interpreted and applied to achieve the integrated management objectives IM-O1 to IM-O4.~~

- 9.9 I acknowledge the acceptance (in part) of the submission and support the proposed changes with the inclusion of the matters identified in red text, underlined, as priority aspects of health needs of people.
- 9.10 DCC submission 139.027 seeks clarification of IM-P2 through either an amendment or a new policy that reflects Part 2 of the RMA.
- 9.11 The s42A report, following a comprehensive analysis, recommends deleting IM-P2 and incorporating relevant aspects of it into the new IM-P1.
- 9.12 I acknowledge and support the proposed changes as they achieve the intent of the submission.
- 9.13 DCC submission 139.029 requests that IM-P4 is amended to recognise a partnership approach and provide further amendments to clarify the meaning of the policy.
- 9.14 The s42A report rejects the DCC submission but does make changes to IM-P4 in response to other submissions as follows:

IM-P4 – Setting a strategic approach to ecosystem health

Healthy and resilient ecosystems and ecosystem services are achieved by developing regional and district plans through a planning framework that:

- (1) ~~protects having~~ have particular regard to the intrinsic values of ecosystems,*
 - (2) ~~takes taking~~ take a long-term strategic approach that recognises ~~changing environments and~~ ongoing environmental change, including the impacts of climate change,⁵⁶⁶*
 - (3) ~~recognises recognising~~ recognise and ~~provides providing~~ provide for ecosystem complexity and interconnections, and*
 - (4) ~~anticipates anticipating~~ anticipate, or ~~responds responding~~ respond swiftly to, changes in activities, pressures, and trends.*
- 9.15 I acknowledge and support the proposed changes as they achieve the intent of the submission.

- 9.16 DCC submission 139.031 requests that IM-P6 is amended to recognise the need to balance the advantages of more rapid decisions, which may rely on incomplete information, with any benefits that may be derived from having a more complete information set.
- 9.17 The s42A report does not directly address the DCC submission but does make changes to IM-P6 in response to other submissions as follows:

IM-P6 – Acting on best available information

Avoid unreasonable delays and manage uncertainties in decision-making processes by using the best information available at the time, including ~~but not limited to~~ complete and scientifically robust data, mātauraka Māori, local knowledge, and reliable partial data. and:

(1) in the absence of complete and scientifically robust data, using information obtained from modelling, reliable partial data, and local knowledge, but in doing so:

(a) prefer sources of information that provide the greatest level of certainty, and

(b) take all practicable steps to reduce uncertainty, and

(2) adopt a precautionary approach towards activities whose effects are uncertain, unknown, or little understood, but potentially significantly adverse.

- 9.18 In my opinion, these changes provide clarification around decision-making in the absence of a comprehensive data-set but they do not address the substance of the submission that is effectively: what is unreasonable and how can it be determined? To this end I propose the following further amendment:

IM-P6 – Acting on best available information

Avoid unreasonable delays and manage uncertainties in decision-making processes by:

(1) balancing the advantages of more rapid decisions, which may rely on incomplete information, with any benefits that may be derived from having a more complete information set

(2) using the best information available at the time, including ~~but not limited to complete and scientifically robust data, mātauraka Māori, local knowledge, and reliable partial data.~~ and:

(3) in the absence of complete and scientifically robust data, using information obtained from modelling, reliable partial data, and local knowledge, but in doing so:

(a) prefer sources of information that provide the greatest level of certainty, and

(b) take all practicable steps to reduce uncertainty, and

(4) adopt a precautionary approach towards activities whose effects are uncertain, unknown, or little understood, but potentially significantly adverse.

9.19 DCC submission 139.033 requests that IM-P8 is amended to recognise and provide for climate change processes and risks by identifying and considering climate change impacts in Otago.

9.20 The s42A report accepts the submission in part and provides an amended version of the policy in response to this and other submissions as follows:

IM-P8 – Effects of climate change impacts

Recognise and provide for the effects of climate change ~~processes and risks~~ by:

(1) identifying the effects of climate change impacts in Otago, including impacts from a te ao Māori the perspectives of Kāi Tahu as mana whenua,

(2) assessing how the ~~impacts~~ effects are likely to change over time, and

(3) ~~anticipating~~ taking into account those changes in resource management processes and decisions.

9.21 I acknowledge and support the proposed changes as they achieve the intent of the submission.

9.22 DCC supports the retention of IM-P9 as it is the only Integrated Management Policy that calls for the reduction of greenhouse gases which will be necessary to achieve net zero carbon emissions, whether by the national target of 2050 or the ambitious Dunedin City target of 2030.

- 9.23 The s42A report does not refer to this submission.
- 9.24 Without IM-P9 (in some form) in the pORPS the policy focus in this section is on climate change adaptation and mitigation, which appears to me to be an “ambulance at the bottom of the cliff” approach. As part of a comprehensive and holistic approach to climate change it is my opinion that the avoidance, reduction or mitigation of greenhouse gas emissions is an essential element of climate change adaptation and climate change mitigation.
- 9.25 I suggest below as part of an amended IM-P10 the inclusion of reduced greenhouse gas emissions as a necessary part of climate change adaptation and climate change mitigation.

IM-P10 – Climate change adaptation and climate change mitigation

(5) reduce the emission of greenhouse gases to a level that enables Otago’s communities to achieve net – zero carbon emissions in line with prevailing government policy and international agreements

- 9.26 DCC submission 139.035 requests that IM-P10 is amended, amongst other things, to include relocation as a mitigation measure.
- 9.27 The s42A report recommends accepting the DCC submission in part and incorporates IM-P11 into IM-P10 as part of this relief, thereby allowing IM-P11 to be deleted. In addition, the report recommends other changes as follows:

IM-P10 – Climate change adaptation and climate change mitigation

Identify and implement climate change adaptation and climate change mitigation methods for Otago that:

- (1) minimise the effects of climate change ~~processes or risks to existing activities~~ on the environment, and on existing activities (including in accordance with HAZ-NH-P4),*
- (2) ~~prioritise~~ avoiding the establishment of new activities in areas subject to significant risk from the effects of climate change, unless those activities reduce, or are resilient to, those significant risks, and*
- (3) provide Otago’s communities, including Kāi Tahu, with the best chance to thrive, even under the most extreme climate change scenarios., and*

(4) enhance environmental, social, economic, and cultural resilience to the adverse effects of climate change, including by facilitating activities that reduce negative human impacts on the environment.

- 9.28 However, the recommendation does not incorporate relocation as a mitigation measure, which, in my opinion, will become increasingly important in the immediate future.
- 9.29 HAZ-NH-P4 specifically provides for relocation as a means of climate change mitigation for existing activities and rather than repeat policies in different parts of the pORPS I suggest that it could be easily amended to include the relocation of activities (other than the listed lifeline utilities and other activities) from areas that are at risk from climate change events.
- 9.30 Clause (5) of HAZ-NH-P4 is listed below with suggested amendments in red text.

(5) relocating lifeline utilities, facilities for essential and emergency services and other lawfully established activities, away from areas of significant risk (in relation to natural hazards), where appropriate and practicable, and ...

10. CONCLUSION

- 10.1 My evidence has addressed the specific responses to the DCC submissions addressed in the s42A reports and recommendations as well as some areas where the submissions may have been overlooked.
- 10.2 As it was indicated in the s42A reports that there was, in some cases, insufficient detail on which to base any change, I have provided suggested changes that would, in my opinion, provide greater clarity and direction appropriate in a regional policy statement.
- 10.3 I would be available to discuss these changes further in expert conferencing if that was directed.



Keith Frentz

23 November 2022