

Under the Resource Management Act 1991 (**RMA**)
In the matter of The Otago Regional Council Proposed Otago Regional Policy Statement 2021 (excluding parts determined to be a freshwater planning instrument)

Submission by Dunedin City Council

Hearing Statement of Keith Frenz for Dunedin City Council
24 January 2023

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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 Frentz 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. My qualifications and experience are as set out in my primary brief of evidence dated 23 November 2022.

2. CODE OF CONDUCT

- 2.1 I confirm that I have read the Environment Court's Code of Conduct for Expert Witnesses (2014), and I agree to comply with it. I confirm that the issues addressed in this summary statement 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. SCOPE OF STATEMENT

- 3.1 In relation to today's Hearing session on Mana Whenua (MW) and Resource Management Issues of significance to Iwi Authorities in the region (RMIA) I stated in my evidence, at paragraph 4.1(3)(d), that I would address submissions on the MW section and, by inference, the RMIA section.
- 3.2 In completing my evidence I found that I had little to add to the matters discussed, and recommendations, in the S42A Reports and Supplementary evidence and I generally remain neutral on the outcome in relation to these matters.
- 3.3 There are three areas in my evidence where it may be considered that I touch on mana whenua values. These are:
- (a) In the architecture of the PORPS (Paragraph 5.14)
 - (b) Proposed Policy AIR-P4 (Paragraphs 6.4 – 6.8), and
 - (c) Proposed Policy IM-P8 (9.18 – 9.20)

4. THE ARCHITECTURE OF THE PORPS

- 4.1 With regard to MW and RMIA in my opinion there is opportunity within the pORPS to provide a helpful roadmap similar to that I have provided in my section 5. If this was done the concern I have about the integrated use of the ORPS would be resolved as there would be cross-referencing provided that would integrate the MW and RMIA matters with the other objectives and policies in the pORPS.

5. PROPOSED POLICY AIR-P4

- 5.1 In my paragraph 6.8 I state that it is my opinion that AIR-P4 should be deleted as it may potentially conflict with the provisions of the NES-AQ.
- 5.2 The kaitiaki values of mana whenua are maintained through the other proposed AIR policies and deleting this Proposed Policy would not, in my view, adversely affect mana whenua.
- 5.3 Whereas, having the proposed policy duplicates the requirements of the National Environmental Standard, with the inherent risk of conflict and confusion.

6. PROPOSED POLICY IM-P8

- 6.1 DCC submission 139.033 requested that IM-P8 is amended to recognise and provide for climate change processes and risks by identifying and considering climate change impacts in Otago.
- 6.2 The s42A report accepts the submission in part and provides an amended version of the policy in response to this and other submissions.
- 6.3 I confirm my paragraph 9.20 that I acknowledge and support the proposed changes as they achieve the intent of the submission.



Keith Frentz

24 January 2023