

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**

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**Hearing Statement of Keith Frenz for Dunedin City Council**  
9 February 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 (2023), 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 this Hearing Statement I address my primary evidence on:
- (a) Significant Resource Management Issues (section 8 of my evidence), and
  - (b) Integrated Management (section 9)

## **4. SIGNIFICANT RESOURCE MANAGEMENT ISSUES**

- 4.1 I addressed two matters under the Significant Resource Management Issues section of the pORPS that I summarise below.
- 4.2 Social Impact Snapshot (14, third paragraph) states a social issue related to the transport network. In my opinion, it is unduly limited in its scope by specifying (amongst other things) "road fatalities on rural highways. I do not deny that this is a significant issue but it is also an issue that there are deaths and serious injuries across the whole of the transport network and I have provided a suggested amendment to address this.
- 4.3 My second concern is with SRMR-I10 in that it is difficult to reconcile the general nature of the Issue with the specificity of the Issue Statement. I have suggested alternative wording for the Issue and the Issue Statement in my primary evidence that may be applied more broadly across the Region as a whole without singling out specific activities or industries.

## **5. INTEGRATED MANAGEMENT**

- 5.1 In this section of my primary evidence I address the following objectives and policies:
- (a) IM-O1

- (b) IM-O4
- (c) IM-P1
- (d) IM-P4
- (e) IM-P6
- (f) IM-P8
- (g) IM-P9
- (h) IM-P10
- (i) IM-P10/HAZ-NH-P4

5.2 I provide a summary statement for each of these below.

*IM-O1*

5.3 I agree with the recommended version of OM-O1 but would suggest that, given the broad definition of environment in the Resource Management Act, the inclusion of ecosystem services is unnecessary and suggested deleting this phrase in my primary evidence.

*IM-O4*

5.4 I agree that it is essential that there is an objective that climate change mitigation actions are implemented. However, within the national and regional level outcomes sought there is a range of opportunity and aspiration that may be more ambitious and I believe these should be recognised in the objective. I have provided some additional wording in my primary evidence.

*IM-P1*

5.5 In my primary evidence I have suggested some changes to IM-P1 that recognises that an Integrated approach to decision-making includes more than the health needs of people. Safety and basic needs such as shelter and safe drinking water are also essential and the risk of natural hazards is a matter identified in Section 6 of the RMA and should therefore also be considered in a decision-making objective.

*IM-P4*

5.6 I agree with the wording of IM-P4 as recommended in the S42A Report.

*IM-P6*

5.7 The S42A Report has recommended some changes to IM-P6 that, in my opinion, provide clarification around decision-making in the absence of a comprehensive data-set but I do not believe that they address the question of what is unreasonable and how can it be determined? In my primary evidence I proposed the addition of a clause that would help guide users of the pORPS:

**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

*IM-P8*

5.8 I agree with the wording of IM-P8 as recommended in the S42A Report.

*IM-P9*

5.9 I noted in my primary evidence that DCC’s submission in support of IM-P9 was not acknowledged and I would just like to make sure that it is not overlooked because this policy 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.

*IM-P10*

5.10 In support of IM-P9 I suggested, in my primary evidence, the inclusion of reduced greenhouse gas emissions, as an additional clause in IM-P10, 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

*IM-P10/HAZ-NH-P4*

5.11 I also noted that IM-P10 does not include relocation as a mitigation measure although relocation is included in HAZ-NH-P4 for some land use activities such as lifeline utilities and essential and emergency services.

5.12 In my opinion, this is too narrow and there should be support for the relocation of all lawfully established activities, should that be necessary, through this policy to enable the “lower order” documents to provide the appropriate framework for relocation to happen if it is necessary.

A handwritten signature in blue ink, appearing to read "K Frenz", is written over a light blue rectangular background.

**Keith Frenz**

9 February 2023