

Roxanne Davies

From: Nigel Bryce <nigelb@4sight.co.nz>
Sent: Thursday, 4 March 2021 08:40 p.m.
To: District Plan Submissions
Cc: Matt Matahaere Otakou Health Limited; Albie Laurence Otakou Health Limited
Subject: Ōtākou Health Limited - Variation 2 Submission
Attachments: Otakou Health_Submission to Variation 2_Final_V2.0_040321.pdf

Categories: To Do

Kia ora,

Please find enclosed a submission to Variation 2 lodged on behalf of Ōtākou Health Limited.

Regards,

Nigel

Nigel Bryce

Manager Dunedin

Principal Planning and Policy Consultant

Mobile: 022 047 8500



4SIGHT COVID-19 RESPONSE PLAN

Level 1, The Chamberson, 77 Stuart Street, Dunedin, 9016

[4Sight.Consulting LinkedIn](#)

NOTICE - This e-mail is only intended to be read by the named recipient. It may contain information which is confidential, proprietary or the subject of legal privilege. If you are not the intended recipient please notify the sender immediately and delete this e-mail. If you are not the intended recipient you should not copy this e-mail or use the information contained in it for any purpose nor disclose its contents to any other person. Legal privilege is not waived because you have read this e-mail. 4Sight Consulting accepts no responsibility for electronic viruses or damage caused as a result of this email or for changes made to this email or to any attachments after transmission from 4Sight Consulting. You should not distribute or publish the contents of this email or any attachment without the prior consent of 4Sight Consulting.

Ōtākou Health Limited

SUBMISSION TO VARIATION 2 – SECOND GENERATION DUNEDIN CITY DISTRICT PLAN (2GP)

TO: Submission on Variation 2 – Second
Generation Plan
Dunedin City Council
PO Box 5045
DUNEDIN 9054

BY E-MAIL: districtplansubmissions@dcc.govt.nz

SUBMISSION ON: Submission on Variation 2 – Second
Generation Dunedin City District Plan (2GP)

SUBMISSION SEEKS: Multiple submission points

NAME OF SUBMITTER: Ōtākou Health Limited

SPEAK: Wishes to speak in support

ADDRESS FOR SERVICE: Ōtākou Health Limited
C/- 4Sight Consulting Limited
123 Vogel Street, Level 1
Dunedin 9016

Attention: Nigel Bryce

PHONE: 022 047 8500

Mai i Whakahekerau ki Kawarau!

Nei rā te reo mihi ki a koutou

Koutou kā manawhenua nō Te Tai-o-Āraiteuru

Ko Kāi Te Ruahikihiki, Kāi Moki, Kāti Taoka

O Kāi Tahu, Kāti Māmoe me Waitaha hoki

E mihi atu nei

Nō reira

Tēnā koutou, tēnā koutou, tēnā tātou katoa

1.0 INTRODUCTION

Ōtākou Health Limited is a charity founded in 2015, with a vision to bring free and affordable health and social services to Dunedin.

Ōtākou Health Limited established the Community healthcare hub Te Kāika which opened in the Ōtepoti suburb of Caversham in February 2017. This facility offers affordable healthcare and free social services for low-income residents of South Dunedin. The facility employs several doctors and nurses and provides a dental clinic staffed by final year dentistry students from the University of Otago. Physiotherapy, rehabilitation and social services are offered along with a gymnasium and teaching spaces. To meet the wider social needs of whānau, Te Kāika includes integrated Ministry of Social Development social security and employment services to ensure whānau, patients and clients are supported to a state of wellbeing and maintenance of wellbeing. The facility now has over 7000 patients on its books with 72% coming from low income households. The facility is run as a charity rather than a privately owned general practice enabling use of its profits to subsidise fees and provide holistic care offerings not commonly seen within General Practice such as access to healthy lifestyle interventions, community gym and community gardens. Ōtākou Health Limited partners with Arai Te Uru Whare Hauora and the University of Otago for the lease of offices and the dental clinic within the facility. Te Kāika also houses Te Runanga o Ngāi Tahu offices within the facility.

As a commitment to wellbeing, Te Kāika continues to co-design future services and infrastructure to respond to conditions that deter wellbeing. In a recent co-design around conditions that support whānau wellbeing, housing and housing affordability were rated as key areas for social investment. Iwi social investment into healthy housing will support our engaged whānau on a journey to and the maintenance of wellbeing. As a clear strategy moving forward, Ōtākou Health Limited is committed to investing into the development of papakāika as a response to improve wellbeing for Māori and low income whānau within Ōtepoti.

Papakāika

The whānau of Ōtākou are the manawhenua in Dunedin City and they whakapapa to Kāi Te Ruahikihiki, Kāi Moki and Kāi Taoka hapū from the iwi of Kāi Tahu. Ōtākou's rohe (area) starts from Pukekura (Taiaroa Heads) to Balcutha, following the Mata-au (Clutha River) through to Fiordland, Queenstown, Wānaka, down through the Ranfurly until the start of the Waitaki river. This recognised by our legal entity Te Rūnanga o Ngāi Tahu (TRoNT).

As part of TRoNT's broader Regional Rūnanga Development Strategy, which seeks to invest in Papatipu Rūnanga (marae communities), Ōtākou Health Limited, in partnership with TRoNT, have a vision to provide for housing communities for Maori and low-income whanau within Ōtepoti. A major impediment for bringing forward new housing opportunities for Maori is that the Proposed 2GP only provides for papakāika housing on land that is contained within the original native reserves mapped areas (as identified within the Proposed 2GP). These native reserve mapped areas are specifically identified around Purakaunui and Otakou, which are more distant from the main city centre, which is where there is a greater housing demand.

Papakāika is a village, a settlement of homes occupied by Kāi Tahu whānui on land within Ōtākou's rohe. Kai Tahu are the traditional land-owners, as defined by the Ngāi Tahu deed of Settlement (1998), and therefore we view any Kāi Tahu development of homes, where Kāi Tahu whānui are dwelling, as community, as papakāika. Integral to the sustainability of papakāika, as we have seen with Covid19 and essential services, is the need for infrastructure to be put around our papakāika. This infrastructure would include a mix of commercial entities such as a café, dairy or a pharmacy/GP.

Ōtākou Health Limited, in partnership with TRoNT, wishes to ensure that Variation 2 provides for a more enabling policy and rule framework that provides for a broader application of papakāika so that this housing can be brought forward on land that is already owned by the Runanga or on Treaty Settlement land.

2.0 SUBMISSIONS

2.1 CHANGE C1 (SOCIAL HOUSING)

2.2.1 Ōtākou Health Limited, supports, in part, the approach taken under Variation 2 to introduce 'social housing' into the Proposed 2GP under Change C1. Ōtākou Health Limited understands that Variation 2 (through Change C1) creates separate provisions for 'social housing' so that it can have a more enabling framework for contravention of the density standard in the General Residential 1 and Township and Settlement Zones. Ōtākou Health Limited generally supports this approach, however notes that by focusing specifically on 'social housing', Change C1 fails to integrate broader housing objectives for entities, such as Ōtākou Health Limited, that may elect to advance housing opportunities in a manner that sit outside of those defined under the definition of 'social housing'. In particular, Ōtākou Health Limited considers that the approach under Change C1, should be broadened to recognise opportunities for Te Rūnanga o Ngāi Tahu (and its interests) to bring forward Papakāika housing outside of the native reserve mapped areas identified within the Proposed 2GP.

2.2.2 Ōtākou Health Limited is considering a range of housing options within Dunedin, which may include the provision of 'social housing' through partnerships with Kainga Ora, however other housing opportunities may also be provided. An example of this is the 'secure home programme' advanced by the Queenstown Lakes Community Housing Trust where housing is developed and purchased through an assisted ownership programme. As a consequence, Ōtākou Health Limited supports the intent of Change C1, however it is considered that it will not enable a broader range of housing investment opportunities that are being considered by Ōtākou Health Limited.

2.2.3 Rather than amend the definition of 'social housing', Ōtākou Health Limited considers that it is more effective, in a resource management sense, to amend the definition of 'papakāika' in order to deliver a more effective response for housing communities for Maori and low-income whanau within the Ōtepoti. The Proposed 2GP already provides for an alternative consenting pathway for 'papakāika' to contravene the density standards under Rule 15.5.2, which Change C1 seeks to emulate for 'social housing' via Change C1. Papakāika is already provided for as a restricted discretionary activity under this rule, where density standards are breached.

2.2.4 To this end, Ōtākou Health Limited, seeks amendments to 'papakāika' in the Proposed 2GP to broaden the application of where the hapū is able to bring forward 'papakāika' within Ōtepoti and this relief is considered directly linked to Change C1.

RELIEF SOUGHT

2.2.5 Ōtākou Health Limited seeks the following relief.

- (a) Expand the scope of **Change C1** to also include 'papakāika' housing on land owned by Te Rūnanga o Ngāi Tahu (and its interests) including land secured through the Right of First Refusal (RFR) process advanced under the Ngāi Tahu Claims Settlement Act in the residential zones.

- (b) Amend the definition of 'Papakāika' to provide for housing that is advanced by Te Rūnanga o Ngāi Tahu (and its interests) and is sited on land that is fully or partly owned by Te Rūnanga o Ngāi Tahu (and its interests) as follows:

"Papakāika

Residential activity within the boundaries of an original native reserves mapped area where:

1. *the land is fully or partly owned by one or more of the following:*
 - a) *a descendant of an original grantee of an original native reserve, or their trustee*
 - b) *management structure governed by the Te Ture Whenua Māori Act 1993 or subsequent legislation over the land concerned, for the benefit of such persons in (a)*
 - c) *a Rūnaka with authority/mana over the area in which the original native reserve is located a spouse/civil union/de facto partner of a descendant of an original grantee who has inherited the land from the descendant; and*
2. *the dwelling is primarily occupied by at least one of the following:*
 - a) *a descendant of an original grantee of the reserve*
 - b) *a spouse/civil union/de facto partner of a descendant of an original grantee who has inherited the land from the descendant; or*
 - c) *a whāngai of a descendant of an original grantee.*
3. *For the purposes of Rules 15.5.2(4)(a) (Density) this definition also extends to include residential housing advanced by Te Rūnanga o Ngāi Tahu (and its interests) on land under its ownership and includes Treaty Settlement land.*

Papakāika is a sub-activity of standard residential."

2.2.6 Any similar amendments with like effect.

2.2.7 Any consequential amendments that stem from the amendments in paragraph 2.2.5 and 2.2.6.

CHANGE ID B6– MINIMUM SITE SIZE AND DENSITY STANDARDS

- 2.2.8 Ōtākou Health Limited **supports in part** the proposed Variation 2, as this relates to amendments to the performance standard for minimum site size for subdivision, advanced under Change B6. However, Ōtākou Health Limited considers that the rules introduced by Change B6 are not clear and it is considered that a clearer rule framework could be established that replicates that achieved under the Auckland Unitary Plan.
- 2.2.9 Proposed Rule 15.7.4.1.j and Rule 15.7.4.2 provide for specific exemptions to non-compliance with the minimum site size requirements under Rule 15.7.4, however it is considered that these rules are not sufficiently clear and could be further improved for plan users. In particular, it is noted that Rule 15.7.4.1.j seeks to exempt a resultant site in any residential zone (except within a no DCC reticulated wastewater mapped area) 1. that will contain at least one lawfully established habitable residential building (that was not established as a family flat or ancillary residential unit) prior to certification of the survey plan pursuant to section 223 of the RMA) and 2. that is of a size and shape that means the residential building is able to meet all the relevant land use and development performance standards as if it was new. Use of the term 'lawfully established habitable residential building' is confusing where no definition has been supplied and the exemption also fails to provide for instances where a land use may have been authorised or where land use and subdivision are advanced concurrently. The second limb of the exemption adds further confusion when considering that it essentially describes a characteristic of the permitted activity type of 'lawfully established habitable residential building'.

- 2.2.10 Ōtākou Health Limited seeks a clearer rule framework for the subdivision of multi-unit development where the subdivision is advanced in accordance with an existing or concurrently approved land use consent or where buildings have otherwise been lawfully established. This is consistent with the provisions adopted under the Auckland Unitary Plan (including Rules E38.9.2.1 Subdivision in accordance with an approved land use resource consent) and Rule E38.9.2.3. Guidance is also provided to matters of discretion under Rule E38.10.1.1. (Subdivision in accordance with an approved land use resource consent) and Rule E38.10.1.2. (Subdivision around existing buildings and development).

RELIEF SOUGHT

- 2.2.11 Ōtākou Health Limited seeks the following relief under **Change B6**:

- (a) That minimum site size exemptions under Rule 15.7.4(2) be amended to apply to subdivision in accordance with an existing approved or concurrently approved land use resource consent, or for any lots around an existing lawfully established development;
- (b) That exemption to Rule 15.7.4(2) is provided with a note that sets out that for the purposes of determining whether a building is lawfully established development, it must be governed by existing use rights; be permitted under the proposed 2GP or be undertaken in accordance with an approved land use resource consent.

Subdivision in accordance with an approved land use resource consent

- (c) That Subdivision advanced under a) retain the restricted discretionary activity status, however include a matter of discretion that subdivision relating to an approved land use consent must comply with that resource consent, including all conditions and all approved plans).
- 2.2.12 Any similar amendments with like effect.
- 2.2.13 Any consequential amendments that stem from the amendments in paragraph 2.2.11 and 2.2.12.

3.0 CONCLUSION

- 3.1 Ōtākou Health Limited wish to be heard in support of this submission.
 - 3.2 If others make a similar submission Ōtākou Health Limited would consider presenting a joint case with them at any hearing.
 - 3.3 Ōtākou Health Limited cannot gain an advantage in trade competition through this submission.
-

Signature:



pp

Matt Matahaere,
Principal Iwi Advisor
Ōtākou Health Limited

Date: 4th of March 2021.

Address for Service: Ōtākou Health Limited

C/- 4Sight Consulting Limited
77 Stuart Street, The Chamberson, Level 1
Dunedin 9016

Attention: Nigel Bryce

Phone: 022 047 8500

E-mail: nigelb@4sight.co.nz