

22 September 2021

Please Quote: 6221199
Your Ref: 717539
Doc No: RDC-1185930

Enquiries to: Bethany Bennie / Craig Batchelar

THE PROPERTY GROUP LIMITED (WELLINGTON)
C/O ALICE BLACKWELL
PO BOX 2874
WELLINGTON 6140

Attn: Alice Blackwell

Dear Alice,

REQUEST FOR FURTHER INFORMATION FOR RESOURCE CONSENT APPLICATION

Consent no:	RC17662
Type of application:	LAND USE CONSENT - NON COMPLYING
Applicant:	MINISTRY OF HOUSING & URBAN DEVELOPMENT
Proposal:	USE EXISTING SITE AND MOTEL BUILDINGS FOR CONTRACTED EMERGENCY HOUSING.
Site address:	321 FENTON STREET
Legal description:	LOT 2 DPS1591 LOT 1 DP33670 LOT 121 DP3178

The above application was lodged with Council on 13 August 2021. At the date of this letter the application has been with Council for 6 working days.

The following further information is requested pursuant to Section 92(1) of the Resource Management Act 1991 (RMA).

Existing Occupancy of Tourist Accommodation Facilities

1. Each of the applications identifies the configuration of units (number of units and maximum number of occupants) and this information is used to define the existing environment baseline for comparative assessment of the intensity of the proposed Emergency Housing.

Please provide information on the typical occupancy and length of stay of the tourist accommodation facilities prior to use as emergency housing.

Current Contracted Emergency Housing Occupancy and Operations

2. We are aware that each of the tourist accommodation facilities has already been operating as Emergency Housing.

Please provide information on:

- The date from which the tourist accommodation facility has been used as Emergency Housing;
- The level of occupancy as Emergency Housing (typical and maximum number of occupants and length of stay);
- A record of any complaints received by the motel operator, service provider, MHUD, or police (both from tenants and external parties) and any responses.

Proposed Emergency Housing Occupancy and Operations

3. The Contracted Emergency Housing Factsheet and other sections of the application state that the Contracted Emergency Housing (CEH) is for *“families and whanau with children, young people and people with disabilities”*. However, it is noted that the Introduction to the SMP also refers to *‘vulnerable individuals ...*

Please confirm that the facilities will be limited to accommodation for *families and whanau with children, young people and people with disabilities*.

4. The occupancy stated in the applications is the maximum sleeping capacity provided under the current tourist accommodation use. The levels of occupancy appear to be very high and do not appear to reflect likely occupancy.

Please provide information on the applicant’s criteria for assessing suitable occupancy levels for families living in emergency housing having regard to sleeping space and living space.

5. The short length of stay is given as a reason for accepting a lower standard of on-site amenity to that required for long term residential activities. (i.e. private space, privacy). We previously sought information from you to better understand the maximum length of stay in CEH. Your response was that length of stay is highly variable.

Please provide information on the average length of stay and the range of length stay to enable consideration of the merits of allowing a lower standard of on-site amenity.

6. The application acknowledges the limited amount of private and communal open space provided on site. The proximity to “local amenities and urban amenities” is given as a reason for accepting a lower standard of onsite amenity.

Please provide information on “local and urban amenities” within the immediate vicinity of the site to enable consideration of the merits of allowing a lower standard of on-site amenity.

7. You have provided an argument for Council to exercise its discretion and apply a particular permitted baseline. Can you please describe in more detail, the adverse effects that you consider may be disregarded in our consideration of the permitted baseline.
8. Community housing provisions are referred to in the application to establish the permitted baseline for the application. The definition of Community Housing in the District Plan excludes “...*facilities where the movement of residents is legally restricted*”.

Please advise what measures will be used to avoid residents being placed in CEH who are the subject of legal restrictions on movement. The District Plan does not set out the nature of restrictions. We consider that this includes people currently subject to:

- Bail
- Home detention;
- Probation;
- Supervision;
- Restraining orders;
- Protection orders;
- Compulsory treatment orders.

Unless this issue can be satisfied, the emergency housing activity is unlikely to fit within the terms of the District Plan definition of “community housing”, regardless of whether the number of persons on site at any one time otherwise satisfies the definition.

If the Emergency Housing includes people who are the subject of legal restrictions on movement, further assessment of the effects of the activity, including social effects, will be needed to support the application, together with an analysis of the extent to which District Plan definitions apply to the proposal.

9. Emergency Housing activities require provision of compliant accessible parking under the Building Code. Please show this on the site plan.
10. Emergency Housing activities provide for on-site Social and Support workers, and a programme facilitator. Please describe/indicate where this service will be provided on the site. Where this service operates out of a motel unit, this restricts its use as a unit used for CEH. Please, accordingly, update the number of units and maximum occupants on-site.
11. Emergency Housing activities provide for on site space for children to participate in individual and team activities (Afterschool and Holiday programmes). Please

describe/indicate where this service will be provided on the site and whether this impacts on the number of units and maximum occupants on-site.

12. Please provide records of any consultation undertaken with the owners and occupiers of sites in the vicinity of the application site.
13. Please provide an outline of processes for dealing with complaints received by the motel operator, service provider, MHUD, or police (both from tenants and external parties) and responses.

Notification

14. Council has received more than 100 written complaints from members of the public on the topic of emergency and transitional housing, prompted by recent community awareness of the Wylie Court Transitional Housing application.

For reasons of privacy, we are unable to provide the actual complaints to you. However, we have prepared a summary report on the complaints, which is attached.

Almost all of these complaints request that applications for emergency and transitional housing should be publicly notified. This is for range of reasons, including claims that the activities are:

- not appropriate on sites with services and amenities designed for tourists, not families and children;
- causing increased anti-social behaviour and crime in the locality;
- detracting from Rotorua's reputation, attractiveness and capacity as a tourist destination;
- attracting homeless people into the City from other places, and placing greater pressure on social infrastructure.

The complaints constitute anecdotal evidence of adverse effects at site, neighbourhood and city levels that we need to respond to directly in the notification assessment. To assist this, please provide any further responses to the above matters. This might include empirical evidence on these issues if available.

It would also be helpful if this included information regarding actual and potential cumulative effects, including the locations of all existing and planned transitional and emergency housing in the city, including that provided as part of the Government's COVID response. We have a general understanding of this, but reliable information from an informed source is needed.

In accordance with section 92A(1) RMA, within 15 working days from the date of this request you must either:

1. Provide the information requested; or
2. Advise Council in writing that you agree to submit the further information and let Council know of your intended timeframe for providing the information; or
3. Advise Council in writing that you refuse to provide the information.

A response is due from you no later than: 14 OCTOBER 2021

Please be advised that the processing of this application has been placed on hold until either the matters above have been addressed or 15 working days has passed. Once the set (or agreed timeframe) has passed the application will become active again and must be processed through to a decision.

Please also note that under section 92A(3) RMA, Council may decline an application if the information is not provided and Council considers that it has insufficient information to enable it to determine the application.

Should you have any queries in relation to this letter, please do not hesitate to contact Bethany Bennie directly on 07 927 5748 or Bethany.bennie@boffamiskell.co.nz or the Duty Planner.

Yours faithfully



Lorelle Barry
Team Lead Planning, Consenting