


20 December 2021

Our job no. 717539

Resource Consents
Rotorua Lakes Council
Private Bag 3029
Rotorua Mail Centre
Rotorua 3046



The Property Group Limited
Wellington Office
PO Box 2874 Wellington 6140
Level 11, Cornerstone House
36 Customhouse Quay
Wellington 6011

Dear Sir / Madam

Application for Resource Consent – Contracted Emergency Housing – 247 Fenton Street/12 Toko Street, Rotorua

Please find enclosed a resource consent application on behalf of Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development (HUD) to use the existing site and motel buildings at 247 Fenton Street/12 Toko Street (Lot 5 DP 2851 and Lot 16 DP 2851) (the site) for Contracted Emergency Housing. HUD is making this application on behalf of the motel operator, who will be the consent holder.

This application includes a Form 9, a detailed description of the proposal, along with an assessment of environmental effects and supporting appendices. A lodgement deposit of \$1500 will be paid by electronic transfer upon receipt of an invoice.

The Property Group Limited (TPG) is the agent for this application and should be the contact for any correspondence or telephone discussions.

I would appreciate being able to review draft conditions prior to consent being issued.

Please contact me should you have any questions regarding the application.

Yours sincerely



Alice Blackwell

Senior Planner

04 470 6105 / 027 462 5769
ablackwell@propertygroup.co.nz

Form 9

Application for Resource Consent - Section 88, Resource Management Act 1991

To:	Rotorua Lakes Council
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Applicant:	Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development
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Agent:	Alice Blackwell Senior Planner The Property Group Limited (TPG) 0274 625 769 ablackwell@propertygroup.co.nz
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Address for service:	The Property Group Limited PO Box 2874 Wellington 6140 Attention: Alice Blackwell
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Invoice details:	Ministry of Housing and Urban Development c/- The Property Group Limited PO Box 2874 Wellington 6140 Attention: Alice Blackwell
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Site address:	247 Fenton Street/12 Toko Street, Rotorua
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Legal description:	Lot 5 DP 2851 and Lot 16 DP 2851
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Owner of site:	Fang Fang Liu and Shao Ying Mo
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Consent for:	Land Use Resource Consent (Non-Complying Activity) No other resource consents are required for this proposal
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Description:	Resource consent to use the existing site and motel buildings for Contracted Emergency Housing.
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Enclosed:	Application and AEE Appendix 1 – Record of Title Appendix 2 – Site Plan Appendix 3 – Contracted Emergency Housing Factsheet
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Appendix 4 – Site Management Plan

Signed:

AJ Blackwell

Alice Blackwell

Senior Planner

Date:

20 December 2021

Application for Resource Consent

Contracted Emergency Housing

247 Fenton Street/12 Toko Street, Rotorua

**Te Tūāpapa Kura Kāinga – Ministry of
Housing and Urban Development**

December 2021

Quality control

Title:	Resource consent for Contracted Emergency Housing at 247 Fenton Street/12 Toko Street, Rotorua
Client:	Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development
Job number:	717539
Prepared by:	Karen Williams
Signature:	
Reviewed by:	Alice Blackwell
Signature:	

1. Introduction

On behalf of the motel operator, Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development (HUD) hereby applies for resource consent from Rotorua Lakes Council (Council) to use the existing site and buildings at 247 Fenton Street/12 Toko Street, Rotorua, for Contracted Emergency Housing. The motel has been contracted by HUD for an initial one-year period; the ongoing need for this site will be reviewed at least annually. Resource consent is sought for a duration of five years, noting that it may be released from this purpose before this time, as additional housing (including affordable market rental housing and public housing) is supplied in the city. The motel will revert to its traditional tourist accommodation as more suitable long-term accommodation options become available in the district.

The site has land in both the Commercial 4 Zone and the Residential 2 Zone of the Rotorua District Plan (District Plan) and requires resource consent for the reasons outlined in section 4 of this report.

In short, the proposal requires resource consent as a Non-Complying Activity as the Contracted Emergency Housing model does not meet a defined activity provided for within the District Plan.

1.1 Background

Rotorua city has experienced strong population growth over an extended period of time. The housing supply has not responded, and the number of building consents granted remains one of the lowest in New Zealand by population. This has resulted in a sharp increase over the past five years in median rents (54 percent) and house prices (84 percent) leading to increases in homelessness, including overcrowding. This has placed significant pressure on public, transitional and emergency housing. The volume of Emergency Housing Special Needs Grants (EH-SNGs) in Rotorua is now the highest in the country by population.

A Rotorua Housing Taskforce was established in March 2021 (made with members from Rotorua Lakes Council, Te Arawa Iwi, HUD, MSD, Kāinga Ora and Te Puni Kōkiri) to develop options for providing better support and outcomes for people living in emergency housing motels in Rotorua, including contracting entire motels and providing Contracted Emergency Housing (described in more detail in section 3.2 and [Appendix 3](#)).

It is expected that this combination of actions in Rotorua will result in increased quality and suitability of accommodation, increased support services, increased safety, better pathways to more-permanent housing, and streamlined assessment and placement processes for those with a housing need.

2. Site description

2.1 Location and description

The 1,618m² rectangular shaped subject site has frontage to Fenton Street along its eastern boundary and Toko Street along its western boundary. The site has its main entrance and manager's unit located in the site's eastern edge. The existing buildings on the site are all utilised for short-stay accommodation.

There is a second vehicle access onto Toko Street on the subject site's north-western corner, which enables full "drive-through" access and egress in a single direction from Fenton Street through to Toko Street.



Figure 1: Aerial photograph of the site (Source: TPG Property Viewer)

The existing buildings within the site are all related to the operation of the motel. The site has been used for motel purposes since at least the early 1960s, with the current complex having been reconstructed in the early/mid-1990s. The site currently has a mixture of one and two bedroom units and provides for a maximum of 54 motel guests (see Table 1 below). There is also a separate manager’s residence/office space, which has two bedrooms, that adjoins a communal laundry room.

The configuration of the motel units is outlined in Table 1 below and shown on the Site Plan in [Appendix 2](#). The overall occupancy levels are based on the number of beds typically accommodated within each unit. For example, a double bed can sleep two people, a single bed one person. The occupancy rate is therefore based off the nature of the unit and the beds within (noting in some units, additional beds are located in bedrooms and/or living areas, as is typical of this style of accommodation). Occupancy levels will not change as part of the proposal). It is noted that the Manager’s unit, which is located at the front of the site, is not included in the table below, nor are infants aged less than 18 months.

Table 1: Configuration of existing units at 247 Fenton Street/12 Toko Street

Type of unit	No. of units	Max No. of occupants
One bedroom unit	8	24
Two bedroom unit – sleeps max 5 people	6	30
Total	14	54

Each unit has its own carpark directly outside the unit it serves. A communal laundry space is located between the manager’s unit and Unit 1, which will be utilised by all occupants accommodated within the motel complex.

Units 1 and 2 are constructed with accessible access and are two storeys. Units 3-6 (located in the Commercial 4 Zone) are also two storied, and units 7-14 (located in the Residential 2 Zone) are single storey.

The site has been used for Contracted Emergency Housing since 1 July 2021.

2.2 Previous planning approvals

A search of the Rotorua District Council property files has highlighted previous planning approvals relating to the reconstruction of the motel complex in the 1990s. It is noted that our search revealed no resource consents that restrict the way the motel is operated, including no limit on the number of occupants or their length of stay.

Table 2: Previous planning approvals for the subject site.

Date granted	Resource consent No. / reference	Description
11/1/1994	RC1993116	Construction of a motel complex that encroaches into yard(s)
30/6/1994	Unknown	Certificate of Compliance to operate motel activity from the site

As noted in the site description, the site has accommodated motel activities (and associated short-term accommodation) since at least the 1960s.

3. Proposal

3.1 Overview

The proposal is to use the existing buildings and facilities on the subject site for Contracted Emergency Housing, which is primarily for families and whānau with children, young people and people with disabilities. In some instances, this will include other vulnerable individuals such as Kaumātua and Kuia (i.e. elderly), however, these will be the exception only, and so the vast majority of occupants will be families and whānau with children.

The proposal does not include any physical alterations to the existing motel complex.

All 14 units are available for Contracted Emergency Housing accommodation. The reception area is used by the Housing Service Provider.

WERA Aotearoa is the current contracted Housing Service Provider for the subject site, however, it is possible that one of the other Housing Service Providers could take over the management of the site in the future. Any future Housing Service Provider would operate the site in the same way as described in this application. It is intended that the proposed use of the site and buildings for emergency housing purposes will be for an initial one year period.

Resource consent is sought for a maximum duration of five years. HUD will review the ongoing need for this site will at least annually. The traditional motel operations, providing for tourist accommodation, will resume as the demand for emergency housing subsides. Therefore, the use of the site and facilities is for a temporary period and the proposal does not represent the permanent conversion of tourist accommodation to a permanent residence.



3.2 Contracted Emergency Housing

Emergency Housing Special Needs Grants (EH-SNGs) were introduced in 2016 to help vulnerable individuals and families with an immediate housing need to meet the cost of staying in short-term (7 days at a time) accommodation. While the SNG is based on a 7-day accommodation cycle, in reality the individuals may be accommodated within the same site for a longer period. Emergency housing is most often provided through motels and although not ideal, it is a preferable option to people living in cars, staying in overcrowded housing, sleeping in parks or on the street.

There has been significant growth in EH-SNG numbers over the last two years with the volume of EH-SNGs in Rotorua being the highest in the country by population. In addition, concerns have arisen that the initial/previous model of providing emergency housing via EH-SNGs without supervision or support was not consistently ensuring safe, adequate and suitable housing for those who need it.

A Rotorua Housing Taskforce was established in March 2021 (made up of Rotorua Lakes Council, Te Arawa Iwi, HUD, MSD, Kāinga Ora and Te Puni Kōkiri) to develop options for providing better support and outcomes for people living in emergency housing motels in Rotorua. HUD was tasked with contracting specific motels to provide emergency accommodation for whānau with children and working with iwi to provide wrap around support services to meet the needs of whānau and children staying in motels.

The first point of contact for those requiring emergency accommodation is the Rotorua Emergency Housing Hub, Te Pokapū who assesses the needs of whānau and refer them to a provider that can match the accommodation that suits their household makeup.

[Appendix 3](#) includes additional information about Contracted Emergency Housing. Contracted Emergency Housing includes onsite supervision and management, which is provided by the Housing Service Provider (Emerge Aotearoa). Site management details and general information around onsite support services are further described below.

3.3 Housing Service Provider and Site Management

3.3.1 Site Management

WERA Aotearoa is the Housing Service Provider for 247 Fenton Street. WERA Aotearoa has prepared a Site Management Plan (SMP) attached at [Appendix 4](#). The supervision and management roles are summarised in Table 3 below.

Table 3: Summary of supervision and management roles

Role	Description
Motel Operator	As required only
Cleaning staff	Rostered Daily
Support Service staff	Mon – Fri 9am till 5pm
Roaming Security	Roaming security will be in operation between the hours of 9am-5pm and on call as required. Security contact number is 0272328970.
Static Security	1 security guard will be onsite 24/7.

3.3.2 Support Services

WERA Aotearoa will work alongside the accommodation operator to manage referrals to the accommodation to ensure whānau accepted into the space are matched with an appropriate unit to their household make up. WERA Aotearoa will carry out a needs assessment for whānau once referred and then an individual plan will be made with the whānau. This plan could mean signing clients up to different support programmes or engaging other agencies. Support services to each placed household will be based on the principles of Te Hau ki te Kāinga. The support services include:

- Developing, with the household, an individualised ‘Housing Transition Plan’ to help the household work towards becoming a self-sufficient, vibrant whanau.
- Working with each placed household to identify and manage issues that arise during their stay in the property (e.g. damage or rent arrears).
- Supporting whanau to:
 - Access appropriate support for identified health and social issues by referring to other health and social service agencies.
 - Carry out actions identified in their Housing Transition Plan (including making and attending appointments with relevant health and social service agencies).
 - Identify and secure sustainable long-term housing that meets their needs and to assist them to move into that housing.
 - Where appropriate, ensure that placed households are registered with the MSD Social Housing Register.
 - Ensure that any issues that may threaten the sustainability of the new housing solution are identified and addressed early.

It is intended that there will be a general no visitors policy, however exemptions may be made on a case-by-case basis but only if preapproval has been given by the site’s security/support services provider.

More detail is provided in the Site Management Plan (SMP) at [Appendix 4](#). Adherence to the SMP is offered as a condition of consent.

3.4 Physical works

This application seeks authorisation only in relation to the proposed change in activity. No physical works are proposed. The Contracted Emergency Housing activity will continue to utilise all existing site features in a manner identical to the motel operation. The site features and layout are shown in the Site Plan at [Appendix 2](#).

3.5 Reversion to Motel activity once emergency housing activity ceases.

As noted above, the intended duration of emergency housing operating from the site is for a period of up to five years, after which time it is intended that the long-standing motel activity (tourist accommodation) will resume (if this hasn’t occurred already within this window). All necessary approvals are sought to enable the activity on the site to transition back to motel use, and this forms part of the proposal.

4. Statutory framework

4.1 Rotorua District Plan

The subject site is located in both the Commercial 4 Zone – (City Entranceway Accommodation) and the Residential 2 Zone (Medium Density Living) in the District Plan (see Figure 2 below). Fenton Street is an Urban Primary Arterial Road and a City Entranceway road and Toko Street is a local road.

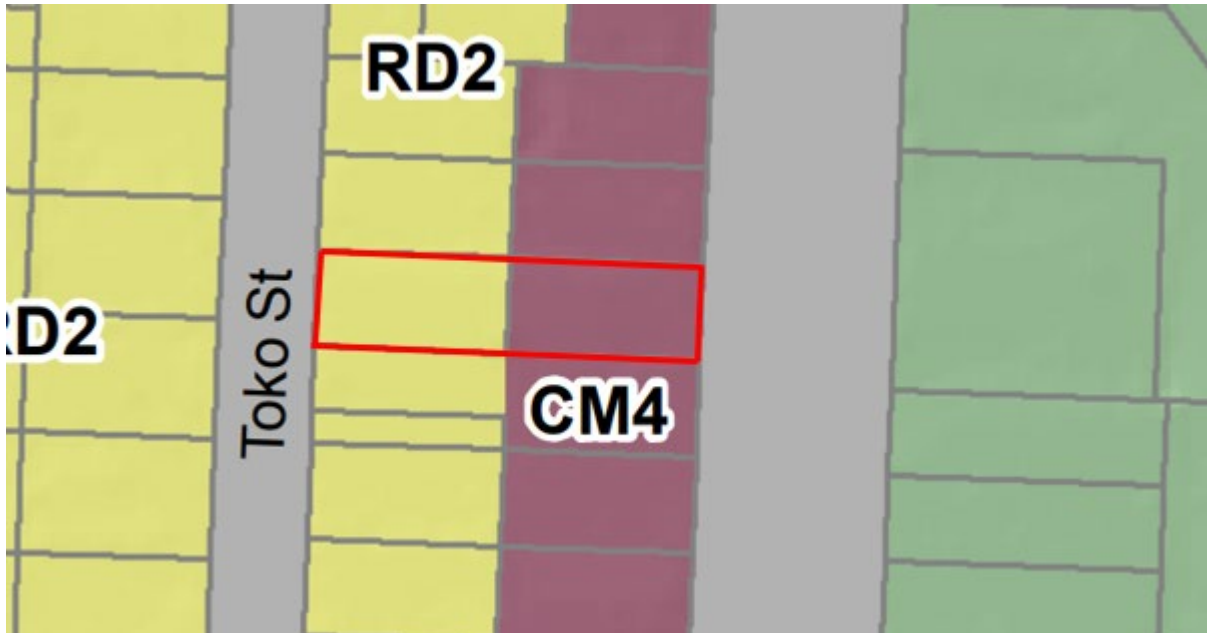


Figure 2: District Plan excerpt showing the subject site (outlined in red)

4.2 Zone character and purpose

As shown in Figure 2 above, the site straddles the Residential 2 Zone and the Commercial 4 Zone in generally equal proportions. Effects cannot be considered in a vacuum – with the District Plan providing the relevant framework under which the appropriateness of the activity and resulting degree of effects are to be considered. The discussion below takes stock of the overarching strategic direction relevant to each zone, and provides an assessment as to whether the intended use of the site aligns with the land use strategy of the District Plan.

4.2.1 Residential 2 - Medium Density Living Zone:

The purpose of the residential zone is to provide a high level of amenity for residents and an attractive residential environment where people want to live. Across Rotorua there are five different residential areas that have differing levels of expected amenity values and character. The Medium Density Zone is an area where greater urban intensification is anticipated, with a differing degree of amenity expected than sites located within a more traditional residential zone.

To illustrate this point, the District Plan notes the following with regard to the Medium Density Zone: *Medium density residential areas located close to the city centre. There is a mix of single storey and two-storey apartment style living, with limited outdoor space. The built environment is dominant and much of the space around buildings is taken up by hard surfacing for car parking and turning. There are few trees and shrubs that make an impact on the wider area and the zone is more reliant on the street trees to soften the built environment.*

4.2.2 Commercial 4 - City Entranceway Accommodation

The policy direction of the Commercial 4 Zone is to “provide for development of tourism enterprises and Māori cultural experiences that maintains or enhances the amenity and vibrancy” of Fenton Street as the southern entranceway to the City. The District Plan notes the following with regard to the Commercial 4 Zone:

“Tourism accommodation concentrated along city entranceways and arterial routes such as Fenton Street and Lake Road. Activities within the Commercial 4 zone consist of motels or large apartment style buildings commonly two storeys in height, with signage that maintains surrounding amenity. The buildings are designed to cover the majority of the land area and have minimal yards that are landscaped where they adjoin the road.”

The proposed activity will remove a tourism enterprise from Fenton Street, for a temporary period of up to a maximum of 5 years. During this period, the proposal will replace the existing tourist accommodation site with Contracted Emergency Housing accommodation. The Commercial 4 Zone rule framework provides for the conversion of tourist accommodation to residential units as a controlled activity under matters of control that do not include assessment of the effects of loss of tourism enterprises. Therefore, the District Plan anticipates the use of existing tourism infrastructure being repurposed for residential purposes. Notwithstanding this, long term it is anticipated that the motel will revert back to standard style tourist accommodation.

4.2.3 Appropriateness of site and underlying zoning for proposed activity

The proposal has a number of distinguishing factors, which are material when considering the activity against the applicable District Plan framework relevant to the underlying zones. First, the proposed activity will be fundamentally similar to the existing and long-standing motel operation – whereby short-stay accommodation will continue to be provided (albeit for people without permanent accommodation). The motel activity (providing short-stay accommodation) was established as a permitted activity and has operated from the site for decades. The proposed activity will occur in a supervised environment, utilising existing buildings and site features that require no physical modification to enable the activity to occur.

Second, the underlying zone anticipates a more intensive style of built form and living environment in this zone, recognising that there will be less onsite amenity available for occupants than might otherwise be required and acceptable in a more traditional residential zone. The District Plan explicitly acknowledges that the character of the Residential 2 Zone will be dominated by buildings and man-made features with lower levels of on-site planting. Smaller households and apartments with limited outdoor space are anticipated, with a reliance on surrounding open space (beyond the site) to soften the built environment. It is therefore anticipated that whānau will live in closer proximity to one another in a denser living environment.

Thirdly, this application is for a temporary period of up to five years while there is an ongoing demand for emergency housing. At the end of this period (if not before) the site will revert to providing tourist accommodation.

When coupled with the fact that the proposed accommodation is short in duration, the proposed activity and existing built environment accords well with the overall character and purpose of the underlying

zones. The site is therefore assessed as being appropriate for the proposed activity having regard to the overall land use strategy in District Plan for both zones.

4.3 Permitted activity standards

The following table is an assessment of the proposal against the relevant permitted activity standards in the Residential 2 Zone and Commercial 4 Zone.

While the bulk and location standards have been included for completeness, it is noted that there will be no physical changes to the existing buildings and therefore their relevance is peripheral and is not the reason for which resource consent has been sought.

Residential 2 Zone Performance Standards – applicable to 12 Toko St			
Rule	Description	Comment	Compliance
RESZ – S1 Maximum height and daylight envelope	Maximum height = 7.5m Daylight envelope of 3m / 45° daylight envelope.	No changes are proposed to the bulk and location of the existing buildings.	No change proposed.
RESZ – S2 Yard requirements	Front yard = 3 metres Side And rear yard = 2.5 metres	No changes are proposed to the bulk and location of the existing buildings. Resource consent has previously been obtained for yard non-compliance(s).	No change proposed.
RESZ – S3 Site coverage	2(a) There is no maximum site coverage. 2(b) Impermeable surfaces – 100% of the site		Not applicable. Complies.
	6(a) Minimum of 10% of the net site area shall be provided as outdoor recreation and amenity space, not divided between each dwelling (not required yards or	The site does not accommodate a minimum of 89m ² of outdoor recreation and amenity space. No change is proposed to the built environment within the site	No change proposed.

	parking / turning areas).	(including site landscaping).	
RESZ – S4 Household unit density	Minimum net site area for one household unit is 350m ² without a comprehensive residential development plan.	Residential 2 Zoned land makes up 809m ² of the site providing for 2 household units. There are 8 motel units located within the Residential 2 Zoned land. No changes are proposed to the layout or configuration of the existing units within the site.	No change proposed.
RESZ – S5 Parking, access and turning	<p>a) Parking, turning, and access shall be provided in accordance with APP1 – Parking and Turning Standards.</p> <p>b) Parking and on-site turning separate from those areas provided for outdoor recreation and amenity.</p> <p>c) Any garage to be located such that there is a practicable parking space in front of the garage clear of the road.</p> <p>d) Shared access driveways of 5-8 households require an overall width of 6.5 metres, formed width of 5 metres.</p>	<p>The onsite parking and manoeuvring is well-established and no changes are proposed.</p> <p>Parking and on-site turning areas are separate from outdoor recreation and amenity spaces. No changes are proposed to existing allocations of space.</p> <p>Not applicable.</p> <p>The existing shared access drive within the site does not meet this requirement.</p>	<p>No change proposed.</p> <p>No change proposed.</p> <p>Not Applicable.</p> <p>No change proposed.</p>

- e) Shared access driveways shall not serve more than eight households
The existing shared access drive serves 14 units + 1 manager's house. No change is proposed. **No change proposed.**
- f) Vehicle crossings must meet the standards of RLC.
No new vehicle crossings are proposed. **No change proposed.**

Commercial 4 Zone Performance Standards – applies to 247 Fenton St

Performance Standard	Description	Comments	Compliance
COMZ – S1 Maximum height and daylight envelope	No building or structure shall exceed 12 metres and buildings within 10 metres of a residential zone shall not transgress the daylight envelope.	The proposal does not involve changes to the bulk of the existing buildings.	No change proposed.
COMZ – S2 Yard requirements	Side, rear and rear site yards of 2.5 metres are required.	The proposal does not extend the footprint of the existing building. Resource consent has previously been obtained for yard non-compliance(s).	No change proposed.
COMZ – S3 Site coverage	The maximum site coverage is 40% of the site.	The proposal does not involve changes to the bulk of the existing buildings.	No change proposed.
COMZ – S4 Household unit density	One household unit per 450m ² .	Commercial 4 Zoned land makes up 809m ² of the site providing for 1 household unit. There are 6 motel units + 1 manager's residence located within the Commercial 4 Zoned land. No changes are proposed to the layout or	No change proposed.

		configuration of the existing units within the site.	
COMZ – S6	Parking, Access and Turning (Appendix 4, Parking Standard A4.1.1)	No new vehicle crossings are proposed.	No change proposed.
	Table A4.2 requires 2 accessible carparks.	Can comply.	Can comply
COMZ – S9	Landscaping	Either a 1.8m fence OR a two metre planting strip where site adjoins residential zone.	The site is a split zone. No physical changes are proposed. No change.
	No more than 20% of required landscaping may be used for carparking.	Landscaped land is not utilised for carparking.	No change.
	Pallets, containers, raw materials, machinery or goods of any kind shall, if stored outside, be screened from public places and residential zones and shall not be stored on any landscaping, parking or turning areas.	It is anticipated that no storage of goods etc will be required. In the case storage is required, goods etc will be located so as not to be visible from a public place or appropriately screened.	Complies.

General District Wide Matters – Part 2

LIGHT S1	No more than 10 lux on any residential site boundary.	No changes are proposed to the existing lighting on the site.	Complies.
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NOISE S1 (Commercial Zone) and S2 (Residential Zone)	<p>Noise standards are measured from the boundary within the receiving site.</p> <p>Commercial 4 noise standards apply to the north and south boundaries of 247 Fenton Street (land adjoining the Pineland Motor Lodge and Rotovegas Motel).</p> <p>Residential 2 Noise standards apply to north and south boundaries of 12 Toko Street (adjoining 12B and 10C Toko Street and 14 Toko Street).</p>	<p>The Site Management Plan includes measures to ensure noise will be managed within the site. The activity will continue to achieve compliance with the noise requirements of the District Plan.</p>	Complies.
NOISE S5	<p>Noise sensitive activities within 40 metres of State Highway 30 are permitted (Noise R4).</p>	<p>Fenton Street has a 50km/hr speed limit.</p>	N/A
<p>NOISE R-5</p> <p>Acoustic treatment for residential accommodation and noise sensitive activities</p>	<p>New noise sensitive activities in the Commercial 4 Zone must be designed to meet the noise requirements of NOISE-S6:</p> <ul style="list-style-type: none"> • Bedrooms 10 p.m. to 7 a.m. on any day: <ul style="list-style-type: none"> - 35 dB LAeq(1h) - 45 dB Leq at 63 Hz - 40 dB Leq at 125 Hz • All other habitable rooms (all times) and in bedrooms 7 a.m. to 10 p.m. on any day: <ul style="list-style-type: none"> - 40 dB LAeq(1h) - 50 dB Leq at 63 Hz 	<p>No changes are proposed to the existing noise insulation within the existing units. This standard applies to both noise sensitive activities and residential activities. The proposal is not introducing a <i>new</i> noise sensitive activity to the site. Existing use rights apply.</p>	No change.

Relevant District Plan definitions:

'Community housing' is provided for in both the Commercial 4 Zone and the Residential 2 Zone as a **Permitted Activity**. Community housing is defined in the District Plan as:

"a place of residence for a maximum of eight persons (i.e. all residents including resident staff) where some element of care or support is provided for residents. The definition includes emergency housing, (including temporary overnight accommodation) and rehabilitation centres, but excludes facilities where the movement of residents is legally restricted."

The proposal is for a maximum of 54 people (excluding staff and support service workers) and as such does not meet this District Plan definition of 'Community Housing'.

'Tourist accommodation' is provided for in the Commercial 4 Zone as a **Permitted Activity**. Tourist accommodation is defined in the District Plan as:

"land and buildings for use as temporary accommodation by paying guests, where the accommodation is not their normal place of residence and includes motels, hotels, boarding houses, private hotels, tourist house licensed premises, guest houses, backpacker lodges, youth hostels and similar accommodation, and includes accessory facilities such as visitor, service and recreation facilities, conference facilities and restaurants. Tourist Accommodation does not include Bed and Breakfast or Holiday Rental Accommodation."

The proposal would meet the definition of 'tourist accommodation' if were not for the reference to "normal place of residence". We note that the definition of 'tourist accommodation' does not actually require the people staying in the accommodation to be tourists.

Rule COMZ-R33 provides for a "change in use from tourist accommodation to a permanent residence within an existing building" as a Controlled Activity. The proposal is not for a permanent residence and therefore cannot be considered under Rule COMZ-R33.

4.4 Activity status

As the proposal is not otherwise provided for in the District Plan, and even though it is fundamentally similar in nature to permitted activities i.e. short term residential use, it must be considered as a **Non-Complying Activity** pursuant to Rules COMZ-R1 and RESZ-R2 which provide for activities not expressly stated in the Rules for Activities in the Commercial Zone and Residential 2 zones.

4.5 Overview of the nature of the non-complying activity and whether it is "anticipated" by the District Plan

While it is acknowledged that the activity must be considered as a non-complying activity, it is our opinion that this activity status does not reflect the extent to which the District Plan provisions enable similar activities under both of zones that apply to the site.

In addition to Community Housing, the District Plan makes specific provision for:

- "Tourist Accommodation" in RESZ2 as a discretionary activity;

- *“Tourist Accommodation”* in COMZ4 as a permitted activity;
- *“Conversion of tourist accommodation to household units”* in RESZ2 as a controlled activity.
- *“Change in use from tourist accommodation to a permanent residence within an existing building”* in COMZ4 as a controlled activity.

The proposed Contracted Emergency Housing has characteristics that align closely with the above activities, being the use of an existing motel’s units as household units; albeit on a temporary basis and with supervision and some support services.

The District Plan also makes provision for “additional household units” in the RESZ2 zone as a controlled activity and “household units” in the COMZ4 zone as a permitted activity.

If the individual motel units were strictly interpreted as being household units, for the purpose of the proposed activity, the number of units on the site would technically exceed the density standard applicable to household units for both zones. The scenario of the residential use of the land and buildings is provided for in the District Plan as a Restricted Discretionary Activity.

The support activities that will be provided as an accessory use to the emergency housing (i.e., on site management, bespoke support services for residents) are technically non-complying activities:

- In the RESZ2 Zone, an accessory activity is only permitted if it is accessory to a permitted activity. Otherwise, the activity is non-complying as it is “not expressly stated” under rule RESZ-R2.
- Similarly, in the COMZ4 Zone there is no provision at all for this “accessory” activity and it is a non-complying activity under rule COMZ-R1.

The activity status applying to the application is non-complying when assessed under these alternative provisions. However, if the support activities were not provided on site, the application could otherwise be assessed and determined as a restricted discretionary activity.

Therefore, regardless of whether the proposed use is considered as “Community Housing” or “Household Units with accessory support services” the application remains a non-complying activity.

However, as demonstrated above, despite being classified as a non-complying activity, emergency housing is not fundamentally out of step with the activities anticipated by the District Plan, with the non-compliant aspects being of minor significance and impact.

4.6 Scope of application

This application seeks resource consent under the Rotorua District Plan in order to establish all aspects of the proposal associated with using the existing site and buildings for emergency housing, including the associated support services. All necessary approvals are also sought to enable the eventual transition back to the prior motel use.

If Council is of the view that resource consent is required for alternative or additional matters to those identified in this report, it has the discretion to grant consent to those matters as well as, or in lieu of those identified in this AEE.

Additionally, if Council is of the view that the activity status of any of the matters requiring consent is different to that described in this report, Council has the ability under Section 104(5) of the Act to process the application, regardless of the type of activity that the application was expressed to be for.

5. Assessment of environmental effects

In accordance with section 88(2)(b) of the Act and Clause 1(d) of Schedule 4 to the Act, this assessment of environmental effects of the proposed activity has been prepared in such detail as corresponds with the scale and significance of the effects that it may have on the environment.

5.1 Permitted baseline

In forming the opinion for the purposes of s95 and s104(1)(a), adverse effects on the environment can be disregarded if the District Plan permits an activity with that effect.

The District Plan provides for 'Community Housing' (up to eight residents) as a permitted activity in both the Commercial 4 Zone and Residential 2 Zone of the District Plan. As the site is currently made up of two separate Records of Title, a relevant permitted baseline would be Community Housing for 16 people (including resident staff) across the subject site. Community Housing requires some element of support such as the support proposed in the subject application.

In addition to this, in relation to the Commercial 4 Zoned area of the site, 'tourist accommodation' is also a permitted activity.

In undertaking the effects assessment below, reference has been made and actual and potential effects of a permitted 'tourist accommodation' operation and/or community housing activity.

In addition to the permitted activities outlined above, the following are also permitted in the either the Residential 2 Zone or the Commercial 4 Zone:

- One dwelling per lot in the Residential 2 Zone.
- Household units on the ground floor and above the ground floor are permitted activities in the Commercial 4 Zone.
- One household unit per 450m² net site area in the Commercial 4 Zone.
- Bed and Breakfast for a maximum of 8 guests including the owner or manager who is a resident onsite.
- Short term holiday accommodation for up to 12 people at any one time is a permitted activity in the Residential 2 Zone.

Effects that can be disregarded under the permitted baseline

The purpose of the permitted baseline test is to isolate and make effects of activities on the environment that are permitted by the plan irrelevant. When applying the permitted baseline such effects cannot then be taken into account when assessing the effects of a resource consent. While applying a permitted baseline is at the discretion of the decision maker, in our view it is entirely appropriate to apply a permitted baseline to the subject application as the plan clearly provides for activities on the subject site that have very similar effects to the subject application.

The permitted activities described above have the potential to generate adverse effects associated with noise, amenity, density, and traffic generation of a type and scale similar to the effects associated with the proposed activity.

The most relevant permitted baseline to the proposed activity on the site is for the COMZ-4 (eastern end) of the site to operate as tourist accommodation and for the RESZ-2 (western end) of the site to operate as community housing for up to eight people including an on-site staff member. Potential effects from such a permitted activity include the effects associated with full occupation of the site. This includes the potential effects of people coming and going from the site at any time for the day or night, and associated noise or vehicle movements associated the operation of the site for a motel or community housing use.

A tourist accommodation activity could operate at full capacity with groups, such as families, sports teams or school groups staying within the facility.

In relation to a permitted community housing facility, it could be expected that one of the eight residents is a support worker, staying on-site 24/7. Effects that could be disregarded from a community housing activity are any effects associated with support workers visiting the site to provide 'care and support' for the residents, such as health, financial or employment support. It could also be expected that a support worker would live on-site or staffed 24/7.

As the District Plan permits tourist accommodation and community housing, effects of such activities can be disregarded.

5.2 Character and amenity effects

The subject site is located in close proximity to the commercial centre of Rotorua. The site has two road frontages, Toko Street to the west where the area has a mixed residential/motel character, and Fenton Street where the area has more of a commercial character consistent with the motel gateway zoning. The site is well located to nearby amenities, including urban services and shops, public transport, and public reserves. The predominant land use in the surrounding area reflects an intensive accommodation hub and associated character.

The design, scale, appearance and layout of the existing buildings within the subject site will not change. There will be no changes to the physical features of the site more generally. The site layout and allocation of onsite features is shown in the site plan at [Appendix 2](#).

Character and amenity effects relate to both the amenity effects internal to the site for occupants as well external amenity effects on neighbouring properties. These potential effects are discussed below.

5.2.1 Internal amenity effects

Occupants of emergency housing generally have similar needs to motel guests and, as such, the conversion of the site from a motel activity to an emergency housing activity is a relatively straightforward exercise. The key difference between motel guests and emergency housing tenants is that in some cases, emergency housing tenants will be on site for several weeks, whereas motel guest would rarely stay that long. This change in stay and occupation results in changes to the way in which occupants use the accommodation, including increased use of the kitchens, shared facilities, and open space areas.

Onsite outdoor open space is not a strong feature of the site's existing built environment, and physical changes are not proposed in this regard.

The District Plan's explanation of the Residential 2 zone acknowledges that there are reduced expectations for the level of on-site amenity given the intent to enable smaller household units at higher densities. In this regard, the District Plan acknowledges that higher density accommodation results in an onsite environment that is dominated by hard surfacing around buildings to provide for carparking and turning, and a reliance on street-trees to soften the environment, as opposed to provision of large areas of onsite open space/vegetation. Notwithstanding this, the District Plan directs that in the Residential 2 Zone 10% of the net site area should be provided as outdoor recreation and amenity space – although the performance standard does not specify where this space must be located relation to units. Based off a site area of 809m², this would equate to approximately 81m² of the site technically needing to be provided as an outdoor recreation and amenity area. Approximately 60m² of land is available at the end of unit 14 on the western edge of the site for the shared use of tenants. It is acknowledged that this area has limited amenity attributes and is better suited as a service area (for example communal waste collection).

The Commercial Zone objectives and policies do not include direction about on-site residential amenity even though the Zone provides for several forms of residential use. The rules include a specific outdoor living space requirement, but this is only for "new builds". In the Commercial 4 Zone description, there is no reference to residential amenity outcomes.

Ultimately, potential internal amenity effects are mitigated by the intended short duration of stay. In this regard emergency housing provides short-term accommodation to individuals and whānau with a high housing need, while more permanent accommodation is sought. The need of tenants for accommodation far outweighs the qualitative requirements of the District Plan for onsite amenity. Furthermore, there are many local amenities within close proximity of the subject site, such as the public recreation areas along Te Ngae Road – being no more than 200m away (equating to a walking distance of approximately 2.5 minutes). Urban amenities are also available in the immediate vicinity, noting that, among other services, a large supermarket is located opposite the site on Fenton Street.

The proposal includes targeted support services for whānau on an "as required" basis. In addition to this, effective site management will ensure amenity for tenants is maximised during their stay by managing noise and other potential nuisance factors. These measures will collectively assist in providing an improved quality of life for tenants during their stay, when compared with the alternative scenario of homelessness or overcrowding in unsuitable accommodation.

Ultimately, the provision of Contracted Emergency Housing through motels provides a necessary option for vulnerable individuals and families who urgently require accommodation. While there will be some limitations with regard to onsite amenity, the site facilities are considered to be adequate for the intended duration of stay. Effects in relation to internal amenity are less than minor on the environment, and no parties will be adversely affected.

5.2.2 External amenity effects

With regard to potential effects on surrounding sites no modifications are proposed to the site and there will be no change to the existing built environment. The fenced/walled interface with the neighbouring sites will be maintained, minimising views into the site.

As with any residential activity, general noise may be associated with emergency housing being located on the subject site, however, this will be dispersed throughout the site and will be domestic in nature. Overall, it is expected that any noise that is generated from the proposed use of the site will not exceed the permitted noise levels for this environment, nor is it expected to be any greater than the noise generated from the current use of the motel.

To provide assurance around the management of potential noise etc associated with the proposed activity, the implementation of the Site Management Plan ([Appendix 4](#)) will effectively ensure noise and outdoor activities within the site are adequately managed. The implementation of the SMP will result in a more restrictive and supervised environment (insofar as managing potential noise and nuisance effects) than would otherwise exist if the subject site were continuing to operate as a motel.

245 Fenton Street (to the north of the subject site)

The property to the north-east of the subject site, at 245 Fenton Street, accommodates the Pineland Motor Lodge. This adjoining motel has its main entrance on Fenton Street, to the north of the subject site. Driveway areas both within the subject site and adjacent site to the north provide buffers between the units on each property. A block wall (shown in Figure 3 below) separates the two sites and assists with mitigating any sense of overlooking from the subject site. This will remain in place and there will be no change to the layout or built form interfacing with this site.



Figure 3: Streetscape view of subject site and adjacent property at 245 Fenton St

Potential amenity effects on the adjoining property to the north, including such things such as privacy and noise, are considered to be comparable to a permitted activity, and no different to potential effects from the existing motel operation on the subject site. Effects of the proposal on 245 Fenton Street will be less than minor.

8A/8B and 10B/10C Toko Street (to the north of the subject site)

The properties at 8A, 8B and 10B Toko Street are used for Contracted Emergency Housing (see resource consent application for 249-251 Fenton Street and 8A, 8B and 10B Toko

Street). The property to the north at 10C Toko is privately owned and is not associated with an existing motel and is not used for Contracted Emergency Housing. 8A/8B and 10B/10C Toko Street are all located within the Residential 2 zone.

Driveway areas both within the subject site and adjacent site to the north provide buffers between the units on each property. A block wall (shown in Figure 4 below) separates the two sites and assists with mitigating any sense of overlooking from the subject site. This will remain in place and there will be no change to the layout or built form interfacing with this site.



Figure 4: Streetscape view of subject site and adjacent property at 10B and 10C Toko Street

Potential amenity effects on the adjoining property to the north, including such things such as privacy and noise, are considered to be comparable to a permitted community housing activity described above. Three of the dwellings to the north (at 8A, 8B and 10B Toko Street) are also part of a motel and are currently contracted for Contracted Emergency Housing.

The property at 10C Toko Street is located at the end of an existing driveway and is screened from the subject site by its existing garage and 5 metre high boundary block wall on its southern boundary (see Figure 5 below).



Figure 5: Driveway to 10C Toko Street showing the existing single garage at 10C Toko Street and parking area for 10B Toko Street.

In relation to the potential effects on 10C Toko Street, these are considered to be no different to potential effects from the existing motel operation on the subject site or if community housing were operating from the western end of the subject site, which could occur as a permitted activity.

Effects of the proposal on 8A, 8B, 10B and 10C Toko Street will be less than minor.

249 Fenton Street and 14-16 Toko Street – RotoVegas Motel (property to the south of the subject site)

The RotoVegas Motel adjoins the subject site to the south and is also used for Contracted Emergency Housing. A large block wall separates the two sites, which eliminates any sense of overlooking or privacy effects. No changes are proposed to the existing buildings.

Overall, effects on the adjoining motel site to the south will be the same or similar to a permitted activity, and the same or similar to the existing motel operation, which forms the existing environment. Effects on properties to the south are less than minor.

245 Fenton Street

The property to the north is the Pineland Motor Lodge. This property is separated from the subject site by a solid approximately 1.8 metre high wall. There is also a service area / parking area between two storied building on 245 Fenton Street and the subject site. There are only small high windows from 245 Fenton Street looking towards the subject site.

Effects on 245 Fenton Street are considered to be the same as a permitted tourist activity and the existing motel operation.

All other surrounding properties

No other properties directly adjoin the subject site. All other surrounding properties are sufficiently separated from the proposed emergency housing accommodation. The effects of the proposal are entirely comparable to the continued operation of the existing motel, or the permitted baseline scenario

discussed in Section 5.1 of this application above. Effects on all other surrounding properties are less than minor and no parties will be adversely affected.

5.3 Streetscape / neighbourhood character

The proposal is to retain the existing buildings and site features as such effects from a streetscape / neighbourhood character and visual point of view are identical to the continued operation of the existing motel.

No other changes are proposed that will impact the surrounding streetscape.

The nature and scale of emergency housing within the subject site will present in a similar way to the operation of the site as a motel. Fenton Street is a known gateway to Rotorua and sites with established tourist accommodation line the street. Very few physical changes to the subject site are proposed and the proposal will not detract from the streetscape or neighbourhood character of the area.

The proposed activity will temporarily remove a tourism enterprise from Fenton Street and replace it with an interim contracted emergency accommodation residential activity. The Commercial 4 Zone rule framework provides for the conversion of tourist accommodation to residential units as a controlled activity under matters of control that do not include assessment of the effects of loss of tourism enterprises.

Effects in relation to streetscape and neighbourhood character are less than minor on the environment, and no parties will be adversely affected.

5.4 Access and parking effects

The subject site is well catered for from a vehicle access and parking point of view. There are two vehicle access points servicing the site; although the main point of entry and exit will be from Fenton Street, with limited access being enabled through a security controlled gate on the Toko Street frontage. There is a minimum of 15 carparks within the site.

The proposal includes the allocation of one carpark per household unit. Similar to how a motel would operate, no specific visitor parking is provided but visitors are able to park in the carpark allocated to the household unit they are visiting if this is unutilised by the unit occupier(s).

The District Plan was recently updated as directed by the National Policy Statement on Urban Development (NPSUD) whereby the requirement for each household unit to provide a carpark was changed from requiring 1 carpark to requiring 0 carparks.

The proposal does not include dedicated accessible carparking spaces, however, there is ample parking throughout the site. Furthermore, the layout of the site is such that all carparking is easily accessible and parking can be allocated so that it is adjacent to the unit that it serves, meaning no one will need to walk long distances from the carpark to their accommodation.

The proposal is not expected to generate strong demand for on-street carparking, and any potential parking and vehicle access effects are comparable to a permitted activity occurring within the site. The site is well placed for proximity to public transport and within an easy walkable distance to local amenities (for example a large supermarket is located opposite the site on Fenton Street).

Access and parking effects are less than minor on the environment, with no parties being adversely affected.

5.5 Traffic generation

The proposed capacity of the site will be identical to the existing maximum occupancy of the existing motel. The nature of traffic generation may alter with the changed accommodation; although the effects are not considered to be any greater than what currently exists under the existing environment. Residents are more likely to stay on site during the day or go to or from the site for work purposes, compared with tourists who may travel in and out several times a day, and checking in and out at different times. Visitors to the site are managed by the on-site service provider (see Section 2.6 of the SMP in [Appendix 4](#)).

Traffic generation effects are assessed as less than minor on the environment, having regard to the existing environment, with no parties being adversely affected.

5.6 Waste management

On-site waste management will be addressed by the motel operator. The District Plan does not identify on site waste management as a resource management issue; instead, this issue is addressed under the Council's Solid Waste Bylaw 2016. The bylaw provides a means to mitigate potential adverse waste management effects including access, and minimising noise and odour and vermin. The motel operators' obligations under this bylaw will be addressed and dealt with separately from the resource consent.

Effects in relation to waste management will be less than minor on the environment, and no parties will be adversely affected.

5.7 Intensity of use effects

The existing capacity for accommodation (i.e. number of units and associated beds etc) will continue to be available at a broadly similar level to the previous motel operation. HUD has prohibited the use of temporary beds, such as sofas or roll away beds, and as such the capacity (i.e. people per unit) may have actually decreased since the motel has been used for Contracted Emergency Housing. The site has 14 accommodation units which are all able to be used for Contracted Emergency Housing accommodation.

While the existing capacity to provide accommodation is similar to the previous motel operation, the total number of people on the site is generally far less than the maximum possible capacity outlined in Table 1 above. This is because not every bed in every unit is used or fully occupied i.e. a double bed may only have one person sleeping in it.

For example, as shown in *Table 4* below, for the week beginning 13 December 2021, all of the available rooms were occupied (i.e. 14 rooms). However, the total number of people staying on the site was 33 people. This includes any children under the age of 18 months. While the number of people staying onsite depends on the needs of different whānau and can change over time, it is not expected that the site will ever operate at its total maximum capacity i.e. all beds across the entire site being occupied to their maximum capacity.

TABLE 4: Occupancy levels for the week beginning 13/12/21

Motel	Number of rooms contracted	Number of rooms in use for accommodation	Possible total number of people at maximum capacity	Actual number of people in CEH in week beginning 13/12/21
247 Fenton Street / 12 Toko Street	14	14	54	33

No changes are proposed to the onsite reticulated servicing arrangement and there is no subdivision of land or units proposed as part of this proposal. Overall, there will be no change in the intensity of use, such as 3 waters infrastructure, traffic, parking and noise. Any potential adverse effects arising from this proposal in relation to intensity of use will be negligible.

5.8 Cumulative effects

A total of 13 motels have been contracted by HUD for emergency housing in Rotorua. This reflects the immediate need for such housing within the district. Contracted Emergency Housing is considered to have very similar potential adverse effects to a motel operating for the general public. One of the key differences being that each site is supported with on-site management and supervision, and support services are provided to assist the occupiers in obtaining more sustainable housing options. This will serve to minimise any adverse effects of the proposal further.

It is noted that adjoining sites to the north and south are also contracted by HUD to supply emergency housing. The use of the adjacent sites for the same temporary activity does not result in demonstrable adverse effects, noting that all sites will retain their existing buildings and character, and onsite supervision will ensure onsite activities are well managed and residents will be well supported. There will be no adverse “spill-over” effects resulting from onsite activities or as a result of a number of sites in close proximity operating in a similar manner.

The site will be used for Contracted Emergency Housing for a limited period (a maximum of five years). The on-site use will transition back to tourism accommodation as the need for emergency housing subsides. When considered in the context of the site activities being closely managed and supervised, coupled with the somewhat temporary nature of the intended use, cumulative effects are considered to be less than minor on the environment, with no parties being adversely affected.

5.9 Positive effects

The purpose of this application is to provide community members, who have an urgent need for housing, access to emergency residential accommodation. The existing motel and its facilities are well suited to provide for emergency housing. The proposed onsite social wrap-around services will assist with the daily functioning of the site and will help provide a pathway for tenants to obtain more permanent housing elsewhere.

This proposal does not intend to alter the existing buildings on the site, rather re-purpose the existing units on an interim basis to provide a similar type of accommodation for the people who need it most. The proposed use of the existing motel facilities for emergency housing will be an efficient use of an existing site and facilities. The proposal retains the existing qualities of the surrounding environment.

The site is extremely well located to wider amenities such as public open space, public transport, and neighbourhood service amenities. The Rotorua Central shopping mall is located 120 metres to the north of the subject site, the Marist St Michaels Rugby and Sports Club is located approximately 550 metres walk (to the east) of the subject site. There are also second-hand shops and other retail outlets (petrol station and supermarkets) in close proximity to the subject site.

The use of the site for Contracted Emergency Housing, provides the motel operators with a source of steady income in a period when international tourism is significantly reduced as a result of the COVID-19 pandemic. Once the need for emergency accommodation dissipates, the site and buildings will revert to provision of tourism accommodation – consistent with the onsite activities since the 1960s. The income derived from this activity will enable the motel operators to reinvest in capital improvement works within the site, providing opportunity for improvement to the existing tourist accommodation facilities.

For these reasons, and those noted earlier within this assessment, the proposal has significant positive effects that should be taken into consideration by the Council when determining this application.

5.10 Conclusion

The proposed use of the site and buildings for Contracted Emergency Housing, is consistent with effects of the existing motel operation and will have little to no external impact. We note that the District Plan does not *require* tourist accommodation is provided on the site and the motel operator has made a conscious business decision to operate Contracted Emergency Housing on the site where there is a guaranteed income rather than providing more traditional ‘tourist accommodation’ in a post COVID environment.

6. Objectives and policies

6.1 Objectives and policies

The following objectives and policies of the Rotorua District Plan are relevant to this proposal.

Part 2: District Wide Matters – Noise	
Appropriate noise environment	
NOISE-O1	A noise environment consistent with the character and amenity expected for the zone.
NOISE-P1	Control the potential adverse effects of noise on noise sensitive activities including by setting appropriate standards that reflect the function of the zones and permitted activities within them.
NOISE-P3	Control the potential adverse effects of noise generated in one zone and received in another zone.

NOISE-P4	Minimise, where practicable, noise at its source or on the site from which it is generated to mitigate adverse effects on adjacent sites.
Comment:	<p><i>The proposed use of the site for emergency housing is consistent with the character and amenity expected for both the Residential 2 and Commercial 4 zone. Use of the site for 'tourist accommodation' is provided for in the District Plan as a permitted activity and any noise generated from the site is akin to the type of noise generated from a tourist accommodation activity.</i></p> <p><i>Furthermore, there is far more active supervision of the site though the service provider than would exist if the site was being operated as a motel. Effective implementation of the SMP (which includes restrictions on visitors and rules related to noise) provides further assurance that any noise issues will be dealt with effectively and promptly.</i></p> <p><i>The physical layout of the site is such that there are no shared open spaces and the existing motel takes up the full width of the Toko Street – Fenton Street block. Vehicle circulation areas provide a buffer between the units and the site to the north. It is noted that the site to the south, the RotoVegas Motel, is being used for Contracted Emergency Housing and is also being managed by WERA.</i></p> <p><i>The proposal is consistent with the above objective and policies.</i></p>
Reverse Sensitivity	
NOISE-O2	Existing and permitted activities in the central city, rural and industrial zones are protected from noise reverse sensitivity
NOISE-P7	Encourage activities to locate in areas where the noise generated from existing activities, or noise anticipated by the zone rules, is compatible with the proposed activity.
NOISE-P8	Avoid, remedy or mitigate adverse effects generated by central city, industrial, infrastructural and rural activities through appropriate zone buffering, landscaped buffers, building location and/or noise control boundaries to maintain the amenity of adjacent residential zones or marae and habitable buildings.
NOISE-P9	Mitigate adverse effects generated by central city and infrastructural activities through the requirement that new noise sensitive activities that locate within the Central City or close to major infrastructure are appropriately insulated.
NOISE-P10	Limit the location of new residential activities sensitive to disturbance from lawfully established urban and rural industries, recreation and

infrastructure activities and network utilities to avoid reverse sensitivity effects.

Comment: *The proposal is not anticipated to result in any reverse sensitivity effects. The zoning of the site provides for very similar activities (tourist accommodation and community housing) and the proposed use of the site is compatible with surrounding uses. Furthermore, the site has been used for motel purposes for decades and there are no obvious nearby established land uses that would be compromised due to the use of the site for Contracted Emergency Housing.*

The proposal is consistent with the above objective and policies.

Part 3: Area Specific Matters – Residential 2 – Medium Density Living

Activities in a residential zone

RESZ-O1	A level of amenity that provides residents with: <ul style="list-style-type: none">• A northerly outlook• Side and rear yards that provide aural and visual amenity• Residential levels of noise• Safe parking and turning areas where required• Street surveillance• Orientation to maximise energy efficiency
RESZ-P1	Require yards and protection of daylight planes to provide for privacy and outlook to reduce the adverse effects of noise between household units and the character of the streetscape.
RESZ-P2	Manage the siting of household units on adjoining land to protect the privacy, outlook and amenity of residents.
RESZ-P3	Require on-site outdoor space for each household unit.
RESZ-P4	Ensure the design and location of access, on-site parking and turning areas do not detract from the safe and efficient functioning of the transport network or dominate the streetscape.
RESZ-P5	When considering a resource consent application, require the landscaping to mitigate the adverse effects of activities and to enhance the character and amenity of the zone.

Comment: *The proposal does not involve the construction of any buildings or structures. As such, there are limitations around the ability for the existing site and features to accord with a framework that is more specifically targeted to new development.*

Notwithstanding this, the site is generally consistent with character and amenity standards typically anticipated in the RD2 Zone – with hard surfacing prevailing and limited onsite landscaping and open space provided. As discussed in the effects assessment above, while the units do not have access to private open space but the site is very well located for off-site amenity.

The units have a northerly orientation/outlook. Site management will manage potential noise effects and help maintain amenity for both occupants and neighbouring properties.

Existing carparking and manoeuvring areas provide ample on-site parking and good opportunity to exit the site in a forward-facing direction using the gate onto Toko Street if necessary.

While not meeting every criterion, the proposal is generally consistent with this objective and related policies.

RESZ-O2 **The character and amenity values of the residential zones are maintained and enhanced.**

RESZ-P8 Maintain the following qualities and characteristics of the Residential 2 zone:

- Medium density residential areas
- A mix of single storey and two-storey buildings
- Smaller household units and apartment style living
- Limited outdoor space
- Built elements dominate the environment
- Much of the space around buildings is taken up by hard surfacing for car parking and turning
- Reliance on street trees to soften the built environment

Comment: *The existing buildings and layout of the site aligns with Policy 4.3.2.2. Residential 2 character and amenity values associated with the subject site will be maintained.*

RESZ-O3 **Non-residential activities in residential zones that are domestic in scale and character and do not have an adverse impact on the amenity values and character of the residential zones, or the vitality and viability of the City Centre or Commercial zones.**

RESZ-P11 Manage the location and design of buildings for non-residential activities to ensure that the activity is in keeping with the appearance and character of the residential zone sought in RESZ-O2 and Policies RESZ-P7-P11.

RESZ-P13 Prevent the establishment of non-residential activities where they would be more appropriately located in a commercial, industrial or city centre

	zone and would have an adverse effect on the vitality and viability of those zones
RESZ-P14	Avoid adverse effects of noise, vibration, light, smoke, fumes, odours, or other sources of disturbance that are detrimental to the amenity of the residential zones.
RESZ-P15	Ensure the location of community activities avoids, remedies, or mitigates adverse effects on the quality of residential amenity in the residential zones.
RESZ-P16	<p>Avoid, remedy or mitigate the potential adverse effects of non-residential activities, including community activities, through the provision of:</p> <ul style="list-style-type: none"> • Sufficient on-site parking, loading and turning • Landscaping to maintain and enhance the quality of residential amenity, primarily the streetscape • Noise mitigation measures.
Comment:	<p><i>The District Plan does not specifically provide for emergency housing, but it gets very close by providing for ‘community housing’. However, due to the potential number of people living on the site, the proposal does not fit within the 8-person limit provided for in the definition of ‘community housing’.</i></p> <p><i>There is no definition of residential activity (or non-residential activity) in the District Plan, however, the National Planning Standards define a residential activity as “the use of land and buildings for people’s living accommodation”. In our view, the proposal falls somewhere between a residential activity, with support services attached and a community activity. As such it is entirely appropriate for emergency housing to be located in the Residential 2 Zone of the District Plan.</i></p> <p><i>The service provider is contractually obliged to manage the site effectively and tenants are obliged to follow the site rules, and as such the likelihood of noise issues associated with the operation of the subject site as emergency housing facility are unlikely and will quickly be dealt with.</i></p> <p><i>No change is proposed in terms of parking and landscaping. Parking will remain as currently exists on the site, which provides for a minimum of one carpark per unit.</i></p> <p><i>Maintenance of the property, including landscaping, will fall within the responsibilities of the motel operator.</i></p> <p><i>The proposal is consistent with this objective and related policies.</i></p>

The design, layout and appearance of residential sites

RESZ-O6	Residential site design and development in a sustainable manner that promotes and maintains the character of the zone, residential amenity and community safety.
RESZ-P20	Encourage and promote buildings on residential sites that: <ul style="list-style-type: none"> • Have sufficient space to provide private, useable outdoor open areas for garden and amenity space. • Do not intrude into side, rear, or front yards. • Maximise access to sunlight and daylight to north facing living rooms. • Provide car parking and turning areas that are separate from outdoor garden and amenity space and do not dominate in the streetscape.
RESZ-P21	Encourage site and building design that provides: <ul style="list-style-type: none"> • Passive surveillance of public space • Front yards that are free of buildings and not screened by high fencing
RESZ-P22	Provide for residential development to occur in a manner that: <ul style="list-style-type: none"> • Does not detract from the surrounding residential amenity • Provides for a range of residential opportunities • Provides for access by a range of modes of transport • Provides recreation and amenity areas
Comment:	<p><i>The proposal does not seek any physical changes to the existing buildings and features on the site. Residential amenity has been discussed in detail above in the (section 5. Assessment of environmental effects).</i></p> <p><i>The existing buildings on the site are generally consistent with Objective 4.3.6 and the corresponding policies. The site is excellently located for public transport and being within an easily walkable distance to nearby urban amenities, services, and public recreation opportunities.</i></p> <p><i>While not meeting every criterion, the proposal is generally consistent with this objective and related policies.</i></p>
Part 3: Area Specific Matters – Commercial Zones (COMZ)	
Commercial centres	
COMZ-O1	A hierarchy of vibrant compact commercial and tourism centres that efficiently service and support the needs of the surrounding community and nationally significant tourism sector.
COMZ-P4	Entranceway Accommodation and Tourism Provide for the development of tourism enterprises and Māori cultural experiences that maintains or

enhances the amenity and vibrancy along the northern and southern city entranceways to the inner city, as shown on Planning Map 206.

Comment:

Operating Contracted Emergency Housing on the subject site aligns generally with the hierarchy of compact commercial and tourism centres in Rotorua. The Commercial 4 zone is described in the District Plan as “motels or large apartment style buildings commonly two storeys in height, with signage that maintains surrounding amenity. The buildings are designed to cover the majority of the land area and have minimal yards that are landscaped where they adjoin the road.”

The proposal retains the existing buildings on the site and will present in the same way as apartment buildings or a motel. The proposal clearly supports the community by providing housing for those where there is an urgent housing need. Temporarily the existing motel on the site will not be available for tourist accommodation, however, it is important to note that tourist accommodation is not the only anticipated use in the District Plan. In particular, the conversion of tourist accommodation to a permanent residence is provided for in the Commercial 4 zone as a controlled activity and it is noted that the matters of control do not extend to the effects of loss of tourism enterprises.

Fenton Street is identified on Planning Map 206 as a ‘City Entranceway’. The District Plan defines city entranceways as “the principal approaches through the urban area by road to the city centre, the character and appearance of which are important in creating a positive perception of the city by visitors.”

Contracted Emergency Housing is proposed for the site for a maximum of five years. After this time the traditional motel operations that provide for tourist accommodation, will resume as the demand for emergency housing subsides. Therefore, the use of the site and facilities is for a temporary period, and the proposal does not represent the permanent conversion of tourist accommodation to permanent residence.

The proposal is generally consistent with, and not contrary to the above objective and policy.

Design and appearance of buildings

COMZ-O2 **Commercial activities that do not adversely affect the character, safety and efficiency of commercial areas.**

COMZ-P6 Manage the design of activities within commercial centres to maintain or enhance the character, public safety and efficient functioning of the transport network.

Comment: *The proposal will operate much like a motel with longer term visitors. The main entrance onto Fenton Street will be retained, with good visibility and safe entry and exit to the site.*

The proposed activity will maintain the existing character of the commercial centre in terms of using the existing buildings and maintaining the existing landscaping.

The motel operator and service providers (WERA Aotearoa) will provide effective management of the site, ensuring the safety of those within the site and the wider community.

The efficient functioning of the transport network will be maintained. In addition, the site is excellently located for access to public transport and walkable distances to urban amenities and recreation.

The proposal is consistent with the Objective 6.3.2 and Policy 6.3.2.1.

COMZ-O3 **Commercial buildings and activities designed and operated in a manner that avoids adverse effects on the amenity of residential zones.**

COMZ-P7 Manage the effects and design of activities to ensure that the amenity of adjoining residential properties is not adversely affected.

Comment: *The layout of the site and buildings will not be altered as part of the proposal. The implementation of the SMP will ensure the use of the site for Contracted Emergency Housing purposes will not adversely affect the amenity of adjoining residents.*

Furthermore, ‘community housing’, the activity in the plan the proposal most closely aligns to, is permitted for in both the Commercial 4 and Residential 2 Zones of the District Plan.

The proposal is consistent with Objective 6.3.3 and Policy 6.3.3.1 above.

Commercial activities located within non-commercial zones

COMZ-O4 **Efficient use and development of commercial centres by the establishment of activities consistent with the intended purpose of each zone.**

COMZ-P8 Restrict the location of retail and commercial activities in other zones of the district to maintain and enhance the vibrancy and amenity of the commercial zones.

COMZ-P9 Provide diverse commercial centres that offer services and convenient retail activities that complement rather than compete with the city centre.

Comment: *As previously discussed, the proposal is a Non-Complying Activity because it does not neatly fit the definitions in the District Plan, rather than because*

it is challenging the integrity of the District Plan. The proposal is generally consistent with 'community housing' which is permitted in both the Commercial 4 and Residential 2 Zones, as is 'tourist accommodation'. Furthermore, the conversion of 'tourist accommodation' to a permanent residence within an existing building is provided for within the District Plan as a Controlled Activity.

The proposal does not compete with the City Centre and complements the City as a whole, by providing urgently needed housing for those most in need.

The proposal is consistent with this Objective and these Policies.

6.2 Overall objectives and policies conclusion

For the reasons outlined above, the proposal is considered to be generally consistent with the above objectives and policies of the District Plan.

7. Notification assessment

7.1 Public notification – section 95A

The matters to be considered by the consent authority when deciding whether or not to publicly notify an application are set out in Section 95A of the RMA.

Step 1 – Mandatory Public Notification in certain circumstances (sections 95A (2) and (3):

Mandatory public notification is not required as the applicant does not request public notification [s95A(3)(a)], and the application has not been made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act [s95A(3)(c)].

Step 2 – Preclusion to Public Notification:

Public notification is not precluded because the activity is not subject to any rule in the District Plan that precludes public notification [s95A(5)(a)] and the activity is not for a controlled activity [s95A(5)(b)(i)] or a boundary activity [s95A(5)(b)(iii)].

Step 3 - Public Notification – Rule/Adverse Effects:

Public notification is not required as the application does not include an activity that is subject to any rule in the District Plan or NES that requires public notification, and in accordance with section 95D adverse effects on the environment will not be more than minor [s95A(8)(a) and (b)].

Step 4 – Special circumstances:

There are no special circumstances that warrant public notification under section 95A(9) because none of the circumstances of the application are exceptional or unusual.

It is recognised that transitional and emergency housing is a controversial issue in Rotorua and other parts of New Zealand, with concerns about crime and violence, and risks

to public safety. The RMA and District Plan do not provide scope to manage households based on people's circumstances, behaviour or socio-economic status. These issues are managed under other legislation and through agencies other than the council such as the Police and other government service providers. Public notification based on these circumstances will likely serve to confuse the issues that are relevant to resource consent decision making.

Community housing is clearly envisaged by the District Plan as a permitted activity, albeit with a scale limit. The core residential activity "fits" within the policy/rules of the District Plan (i.e. household units, or conversion of a motel to household units).

The non-compliant element of on-site management/supervision is accessory to the core housing activity and isn't a detraction as it serves to ensure that the activity and any effects are better managed and therefore have fewer effects. The on-site management is likely to improve the way in which community housing needs are met. The corollary to this is that if the support activities were not provided on site, the application would be for a restricted discretionary activity.

It is acknowledged that this proposal forms part of a wider accommodation model whereby tourist accommodation within the central city is being temporarily repurposed for short-stay accommodation by government agencies and/or contracted housing service providers. However, it must also be recognised that this reflects the national and global context of the time – i.e. a period in which residential accommodation is in short supply, coupled with a global pandemic in which demand for tourist accommodation is significantly reduced, and a point in time when facilities are being used to assist in the government's broader public health response to COVID-19. While this represents an unusual combination of parameters, if simply viewed in isolation and abandoning a sense of the wider context in which the application is being made, the actual effects resulting from the Contracted Emergency Housing activities that are the subject of this application are neither unusual or exceptional.

In addition, it should be noted that while resource consent is being sought for this activity in 13 locations within Rotorua, the number of premises being utilised for this purpose, or the number of people being housed across the 13 sites in this temporary manner, is not unusual in terms of a broader response to the nationwide housing crisis. Emergency/Transitional Housing is a necessary interim housing option provided throughout the country. The number of sites being contracted by HUD for this purpose and requiring resource consent in Rotorua (13) should not in and of itself be a determining factor for special circumstances, noting that many other city centres throughout New Zealand have sites operating for similar purposes in excess of these numbers. The contracted nature of this accommodation by HUD in Rotorua is an agreed outcome from the Rotorua Housing Taskforce, which was established in 2021 to develop options for providing better support and outcomes for people living in emergency housing motels in Rotorua. In this regard, the Contracted Emergency Housing model is a positive one in which resulting effects on the community, and welfare of the occupants residing in these premises, is greatly enhanced.

Accordingly, it is considered that this application should be processed without public notification.

7.2 Limited notification – section 95B

Section 95B relates to limited notification of consent applications and (in summary) directs that, where notification of an application for resource consent is not required under Section 95A, the consent

authority must give limited notification of the application to any affected person. Section 95B is also a four-step process to determine whether to limited notify an application.

Step 1 – Customary Rights and Marine Title Groups, and Statutory Acknowledgements:

There are no protected customary rights groups or customary marine title groups that will be affected by the proposal, and the proposal is not on, adjacent to, or likely to affect land subject to a statutory acknowledgement [s95B(2)(a) and (b) and s95B(3)].

Step 2 - Preclusions to Limited Notification:

There is no preclusion to limited notification as there is no rule in the District Plan that precludes limited notification of the application [s95B(6)(a)] and the application is not for neither a district land use consent with controlled activity status which precludes limited notification [s95B(6)(b)].

Step 3 – Limited Notification – Affected Persons:

Limited notification is not required as the effects on any person will be less than minor [s95B(8)]. Refer to the assessment of effects and conclusions in section 5 of this report.

Step 4 – Special circumstances:

There are no special circumstances that exist relating to the application that warrant limited notification to any persons who have not been excluded as affected persons by the assessment above [s95B(10)]. There are no special circumstances that warrant limited notification under section 95B(10) because none of the circumstances of the application are exceptional or unusual.

Accordingly, it is considered that this application should be processed without limited notification.

7.3 Notification conclusion

Section 95 of the Act sets out the requirements for the Council to consider when determining whether an application for resource consent should be notified.

The assessment has found at Section 5 of this AEE that any effects on specific parties and the wider environment will be less than minor. Therefore, in accordance with the steps outlined above, notification of the proposal is not required.

8. Statutory assessment

8.1 Section 104D Assessment – Gateway Test

As the proposal is for a Non-Complying Activity the gateway test of section 104D must be fulfilled, namely that either the effects of the proposal are minor, or that the proposal is not contrary to the objectives and policies of the District Plan, before the application can be considered under to section 104B of the Act.

Under the Assessment of Adverse Effects section above, the effects of the proposal have been determined to be less than minor. Taking into account the further matters relevant under section 104

of the Act, the overall adverse effects of the proposal will be less than minor.

The objectives and policies of the District Plan that are relevant to the proposal have also been assessed above and the proposal is **not contrary** to these objectives and policies. Accordingly, the proposal passes through both of the limbs of the 'gateway test'. The Council is therefore able to determine the application under s104 of the Act by granting the consent.

8.2 Section 104 of the RMA

In considering an application for land use consent, the consent authority must have regard to Part 2 (Purposes and Principles) of the RMA, and to the matters to be considered as set out in section 104(1). Section 104(1) states that, subject to the provisions of Part 2, a consent authority must have regard to:

- (a) *any actual and potential effects on the environment of allowing the activity; and*
- (b) *any relevant provisions of –*
 - (i). *a national environmental standard:*
 - (ii). *other regulations:*
 - (iii). *a national policy statement:*
 - (iv). *a New Zealand coastal policy statement:*
 - (v). *a regional policy statement or proposed regional policy statement:*
 - (vi). *a plan or proposed plan; and*
- (c) *any other matter the consent authority considers relevant and reasonably necessary to determine the application.*

8.1.1 104(1)(a) - Effects

In respect of Section 104(1)(a), an assessment of any actual or potential effects is included in Section 5 of this report. Ultimately, it is concluded that the resulting effects will be less than minor and acceptable.

8.1.2 (104)(1)(b) – Relevant Planning Provisions

I have considered the higher order planning documents specified at section 104(1)(b)(i) – (vi) of the Act. In particular, it is my opinion that there are no National Environmental Standards that are directly relevant to the consideration of this proposal. Similarly, the New Zealand Coastal Policy Statement is not relevant. The proposal is consistent with the general strategic direction and objectives and policies of the BOP Regional Policy Statement. Regard has also been given to *He Mahere Taiao mo ngā Wai o The Arawa – The Arawa Lakes Trust Environmental Management Plan (2019)*. There are no potential adverse effects directly pertaining to Lake Rotorua or its waterways as a result of this proposal.

The National Policy Statement on Urban Development 2020 (NPSUD) is relevant to this proposal. The NPSUD is about ensuring urban development recognising the national significance of urban environments and the need to enable such environments to develop and change, and to provide sufficient development capacity to meet the needs of people and communities and future generations in urban environments. The NPSUD directs decision making under the Act to ensure that planning decisions enable development through providing sufficient development capacity for housing and business.

The relevant NPSUD Objectives and Policies are set out below.

Objective 1: *New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.*

Objective 4: *New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.*

Policy 1: *Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:*

- (a) have or enable a variety of homes that:
 - (i) meet the needs, in terms of type, price, and location, of different households; and*
 - (ii) enable Māori to express their cultural traditions and norms; and**
- (b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and*
- (c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and*
- (d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and*
- (e) support reductions in greenhouse gas emissions; and*
- (f) are resilient to the likely current and future effects of climate change.*

Policy 6: *When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters:*

- (a) the planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement*
- (b) that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes:
 - (i) may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and*
 - (ii) are not, of themselves, an adverse effect**
- (c) the benefits of urban development that are consistent with well-functioning urban environments (as described in Policy 1)*
- (d) any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity*
- (e) the likely current and future effects of climate change.*

Policy 11: *In relation to car parking:*

- *the district plans of tier 1, 2, and 3 territorial authorities do not set minimum car parking rate requirements, other than for accessible car parks; and*
- *tier 1, 2, and 3 local authorities are strongly encouraged to manage effects associated with the supply and demand of car parking through comprehensive parking management plans.*

The subject application is to enable those with urgent housing needs to have safe and stable accommodation while a more permanent housing solution can be found. The Contracted Emergency Housing model supports families and individuals in urgent housing need with a short-term place to live, and provides support to find stable and permanent housing. In relation to parking, the NPSUD requires that District Plans do not set minimum car parking rates. As directed by the NPSUD the requirement to provide 1 carpark per household unit has now been removed from the District Plan.

The proposal has been assessed against the relevant policies of the NPSUD and directly contributes to achieving the outcome sought by the NPSUD. There are no other National Policy Statements relevant to the assessment of this proposal.

In respect of Section 104(1)(b), the document that provides the relevant statutory context is the Rotorua District Plan. As discussed at Section 6 above, the proposal is generally consistent with the relevant objectives and policies of the District Plan.

8.1.3 104(1)(c) – Other Matters

Waste management

The District Plan does not identify on site waste management as a resource management issue. This is addressed under the Council’s Solid Waste Bylaw 2016. The bylaw provides a means to mitigate potential adverse waste management effects including access, and minimising noise and odour and vermin. It is acknowledged that this resource consent does not obviate the consent holder’s obligations under the bylaw.

Rotorua Spatial Plan

The Rotorua Spatial Plan 2018 has seven objectives, the most relevant to this application is “Objective One: Build Homes that match needs”, this is to respond to the fact that current market trends indicate that there are not enough new homes are being built for the number of additional people living in the district. As part of Objective One the Council has identified that must be used “more efficiently and create a variety of housing types”. The Spatial Plan indicates that there will be a future plan change to “Consolidate tourism accommodation in the CBD and allowing existing accommodation to change to land for homes”. It also states in relation to Fenton Street, that “Entering Rotorua from the south there are a number of older tourist accommodation properties that could be converted or redeveloped with town houses or terrace style homes.”(page 18). The spatial plan therefore indicates a changing landscape along Fenton Street in favour of residential accommodation.

We also note that in relation to infrastructure (Objective Seven), the subject site falls within an area where there is ‘Capacity for growth’.

The proposed interim use of the motel sites for emergency housing is consistent with this Spatial Plan strategic direction and provides an urgent solution while longer term

solutions, such as plan changes to provide additional land for housing and physical construction of additional housing are undertaken.

He Papakāinga, He Hāpori Taurikura - A Strategy for Homes and Thriving Communities

The proposal will directly contribute to the objectives of “He Papakāinga, He Hāpori Taurikura - A Strategy for Homes and Thriving Communities” (‘Rotorua Housing Framework’ or ‘Framework’). The Rotorua Housing Framework was publicly consulted on in June – August 2020 and was adopted by Council in October 2020. The Framework sets out the collective community vision for homes in Rotorua district communities.

One of the objectives of the Strategy is for:

“Safe emergency housing options that meet differing needs are available for short-term use.”

The Rotorua Housing Strategy identifies that there is an “urgent priority” at the lower end of the housing continuum (see Figure 5 below). The subject application will increase the supply of emergency housing in Rotorua while the wrap around support services will help occupants and neighbours to feel safe and will deliver targeted support to help occupants move up the housing continuum.



Figure 6: Housing Continuum (excerpt from the Rotorua Housing Strategy 2020, page 20).

There are no other matters that the consent authority should consider in the determination of this application.

8.3 Section 108 of the RMA

Section 108 of the RMA provides for the Council to grant consent on any condition the Council considers appropriate. In accordance with Clause 6(1)(e) of Schedule 4 of the RMA, as part of proposed mitigation of the potential adverse effects of the proposal, this application includes the following suggested conditions. As part of the pro-offered conditions, the applicant is willing to accept a review condition to provide additional assurance to the Council as to the effective operation of the site for emergency housing.

Scale and Intensity

- 1) A maximum of 54 residents (excluding children under 18 months of age and staff) shall be permitted to reside within the 14 emergency housing units.
- 2) A record shall be maintained that states occupancy numbers at any given date within emergency housing units and this information shall be made available to council upon request.

- 3) To avoid doubt, this resource consent does not:
 - a) Restrict the length of stay for residents in the emergency housing units.
 - b) Limit the number of people residing in the Manager's Accommodation.

On-site management

- 4) An onsite staffing presence shall be maintained on the site for the duration of the consent.
- 5) The Contracted Emergency Housing accommodation must operate in accordance with the Site Management Plan submitted with the resource consent application.

Review Condition

- 6) Council may, within 36 months of this consent being given effect, initiate a review of the conditions of the consent under section 128 of the RMA 1991 to:
 - a) Assess the adequacy of, and if necessary, changes to the conditions controlling activities on the site; and
 - b) Deal with any significant adverse effects on the environment that may arise from the exercise of the consent (limited to noise, site management, the use of common/shared areas, parking and waste management)
 - c) Initiate a review of conditions that may allow for new conditions to be applied to the consent.

8.4 Resource Management Act 1991 – Part 2 Assessment

I have had regard to matters under Part 2 of the RMA when preparing this resource consent application. The Rotorua District Plan is a valid planning document. In achieving the purpose of the Act (Section 5) all persons exercising functions under it, shall recognise and provide for matters of national importance (Section 6), have particular regard to any other relevant matters (Section 7), and take into account the principles of the Treaty of Waitangi (Section 8).

The majority of the District Plan provisions relevant to the subject application were made operative in 2016 (five years ago). Since that time, the context in Rotorua, and across most of New Zealand, particularly in relation to housing and the demand for social housing has changed.

The NPSUD came into force on 20 August 2020 and seeks to ensure that new development capacity is enabled by councils of a form and in locations that meet the diverse needs of communities. The District Plan does not yet reflect the NPSUD, a key tool in increasing the supply of housing in New Zealand. As such it is even more important to consider the broader housing context within which the proposal for Contracted Emergency Housing sits (rather than just the District Plan provisions alone). The proposal is at the lower end of the housing continuum, but nevertheless provides a short term housing solution and enables vulnerable people of the Rotorua community a pathway to more secure and permanent housing.

Part 2 of the Act sets out the purpose and principles of the legislation, which as stated in section 5, is “to promote the sustainable management of natural and physical resources”.

Section 5 goes on to state that sustainable management should enable *“people and communities to provide for their social, economic and cultural wellbeing and for their health and safety while (amongst other things) avoiding, remedying or mitigating any adverse effects of activities on the environment”*.

The proposal seeks to ensure vulnerable communities have access to safe and secure housing, a fundamental human need. Clearly providing accommodation to those communities that would otherwise be homeless or living in overcrowded or unacceptable housing is fundamental to wellbeing (and therefore contributes to achieving section 5 of the Act). The proposal aligns with Part 2 of the Act.

For the reasons outlined in this report, I consider that consent should be granted when the proposal is assessed against the matters in section 104(1)(a) to 104(1)(c) of the Act.

9. Conclusion

This application is being made on behalf of the motel operator by Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development for resource consent from Rotorua District Council for Contracted Emergency Housing at 247 Fenton Street, Rotorua.

Section 5 details an assessment of effects and Section 7 outlines the key planning considerations for this assessment. These assessments conclude that there are less than minor effects and no persons will be adversely affected. The effects are accordingly considered to be acceptable. The proposal is also consistent with the objectives and policies of the District Plan.

On this basis, it is considered that consent can be granted on a non-notified basis in accordance with Sections 104 and 104B of the Act.

As part of the application the applicant has offered conditions of consent that can be taken into account when considering whether effects resulting from the proposal can be adequately avoided, remedied, or mitigated.

We request the opportunity to review the draft conditions prior to the decision being issued.

Appendix 1 – Record of Title



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**




R.W. Muir
Registrar-General
of Land

Identifier SA16B/291
Land Registration District South Auckland
Date Issued 28 September 1973

Prior References
SA807/265

Estate Fee Simple
Area 809 square metres more or less
Legal Description Lot 5 Deposited Plan 2851
Registered Owners
Fang Fang Liu and Shao Ying Mo

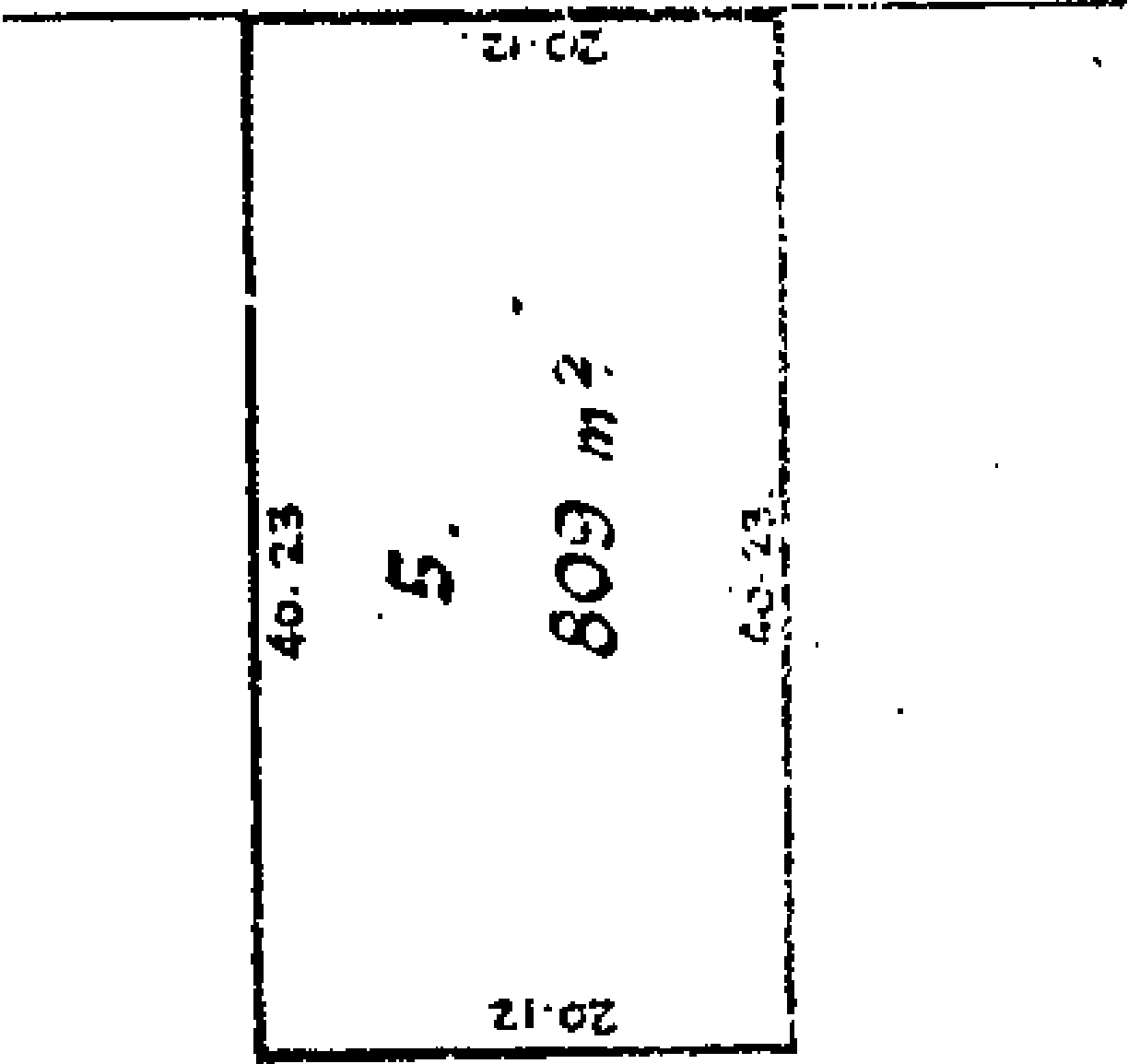
Interests

Subject to Section 15 of the Rotorua Town Lands Act 1920
B215785.2 Lease Term commencing 1.6.1994 and expiring 31.5.2014 (renewal covenant) CT 35134 issued - 14.7.1994 at 10:30 am
B683635.2 Variation of Lease B215785.2 - 26.10.2001 at 9:00 am
9371638.2 Variation of Lease B215785.2 extending the term to 31 May 2041 - 19.4.2013 at 4:01 pm
11384235.4 Mortgage to Westpac New Zealand Limited - 1.4.2019 at 4:14 pm

[40.23]

Street

Street





**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**




R.W. Muir
Registrar-General
of Land

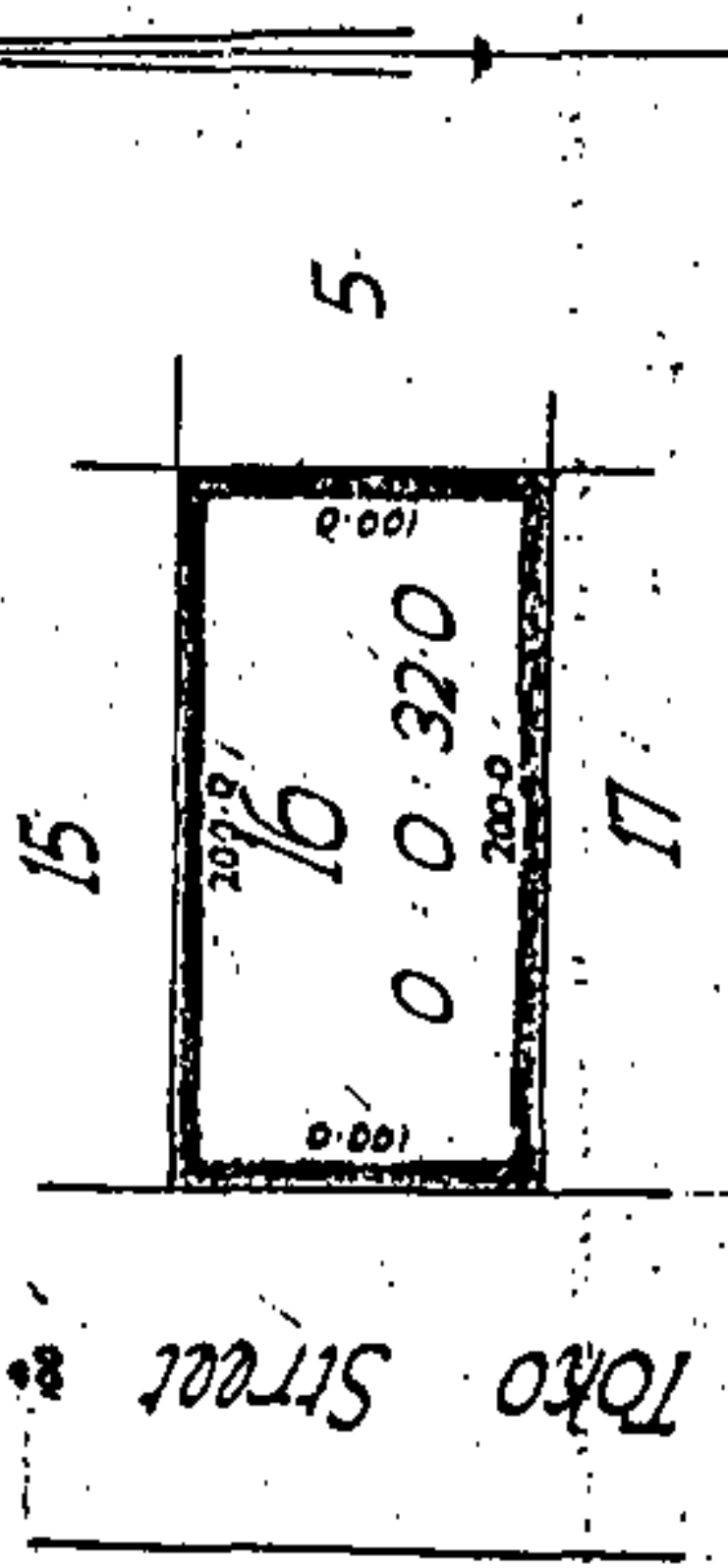
Identifier SA1790/23
Land Registration District South Auckland
Date Issued 08 August 1961

Prior References
SAPR242/20

Estate Fee Simple
Area 809 square metres more or less
Legal Description Lot 16 Deposited Plan 2851
Registered Owners
Fang Fang Liu and Shao Ying Mo

Interests

Subject to Section 8 Coal Mines Amendment Act 1950
Subject to Section 15 Rotorua Town Lands Act 1920
B215785.2 Lease Term commencing 1.6.1994 and expiring 31.5.2014 (renewal covenant) CT 35134 issued - 14.7.1994 at 10:30 am
B683635.2 Variation of Lease B215785.2 - 26.10.2001 at 9.00 am
9371638.2 Variation of Lease B215785.2 extending the term to 31 May 2041 - 19.4.2013 at 4:01 pm
11384235.4 Mortgage to Westpac New Zealand Limited - 1.4.2019 at 4:14 pm



METRIC AREA IS 909.2

Appendix 2 – Site Plan



Legend

- Ascot on Fenton Motel Boundary
- Entry/Exit
- Carparks
- Utility/Building
- Office/Managers Unit
- Units
- Private open space

All measurements are approximate and subject to survey.

Appendix 3 – Contracted Emergency Housing Factsheet

Contracted Emergency Housing Factsheet

What is Contracted Emergency Housing?

Emergency Housing Special Needs Grants (EH-SNGs) were introduced in 2016 to help vulnerable individuals and families with an immediate housing need to meet the cost of staying in short-term accommodation (predominantly motels). To date the service has largely operated with very limited (if any) support services for the clients staying in motels. Rotorua has been identified as an area that would benefit from an improved pilot version of this service, being Contracted Emergency Housing.

Rotorua city has experienced strong population growth over an extended period of time. The housing supply has not responded, and the number of building consents granted remains one of the lowest in New Zealand by population. This has resulted in a sharp increase over the past five years in median rents (54 percent) and house prices (84 percent) leading to increases in homelessness, including overcrowding. This has placed significant pressure on public, transitional and emergency housing. The volume of EH-SNGs in Rotorua is now the highest in the country by population.

The enhanced pilot model, including Contracted Emergency Housing, implements a suite of changes to improve outcomes and meet immediate housing needs. These changes include:

- Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development (HUD) contracting specific motels to provide emergency accommodation for families with children.
- providing increased support through HUD contracting additional wraparound support services to meet the needs of the clients in those contracted motels and MSD improving supports available for those remaining in current EH-SNG motel places.
- MSD, with a lead from local Iwi, implementing a Housing Hub (Te Pokapū) to strengthen assessment and placement processes for those needing emergency and other forms of housing, with a co-location of relevant services.
- This pilot approach in Rotorua also includes longer term supply solutions with Kāinga Ora - Homes and Communities scaling up work to identify new-build and acquisition opportunities.

It is expected that this combination of actions in Rotorua will result in increased quality and suitability of accommodation, increased support services, increased safety, better pathways to more-permanent housing, and streamlined assessment and placement processes for those with a housing need.

Who is Contracted Emergency Housing for?

Contracted Emergency Housing is for families and whānau with children, Rangatahi/young people, and disabled people.

How do you get placed into Contracted Emergency Housing?

Te Pokapū – the Rotorua Housing Hub will assess a whānau who present with an urgent housing need to identify the most appropriate motel and support services provider.

What does wraparound support involve?

Once the Contracted Emergency Housing Services Client or whānau has been identified, or the referral has been received, the service provider will:

- Carry out an assessment of the immediate needs of the client or whānau and arrange any necessary services to meet those needs.
- Meet regularly and work with each client or whānau to identify and manage issues that arise in relation to their stay in Contracted Emergency Housing.
- Prepare an individualised action and transition plan in conjunction with each client or whānau to document actions proposed to address any health, social, employment and financial needs.
- Assist in the transition to more permanent housing options where these are available.

How were motels were selected?

The Rotorua Taskforce, which includes iwi, local and central government agencies, identified a range of motels most suitable for whanau.

HUD was provided with a list of 41 motels to consider for contracting which included motels that directly approached HUD for consideration. A desktop review was completed to determine preferred properties which reduce the options down to 24 suitable candidates.

HUD then visited all 24 accommodation options along with MSD and support service providers who considered the following attributes:

- Number of units where living and sleeping was in the same room
- Any rooms adjoined that could be connected to make a larger unit
- Number of units that were accessible for those who have disabilities
- Natural light
- Was there appropriate cooking facilities/space for a full fridge if required
- Private bathrooms
- Was the space appropriate to enable good site management
- Privacy and noise management between units
- Shared spaces
- Laundry facilities
- Suitable access to the property – gates and fencing
- Any previous issues experienced
- Motel operators' willingness to undergo the resource consent process

A key factor in determining if a motel was successfully contracted was the openness and willingness of the motel operator and how they spoke about whānau.

Appendix 4 – Site Management Plan

SITE MANAGEMENT PLAN

August 2021

ASCOT ON FENTON
247 FENTON STREET, ROTORUA

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1. INTRODUCTION:

Emergency Housing Special Needs Grants (EH-SNGs) were introduced in 2016, to provide temporary accommodation to meet an immediate housing need for vulnerable individuals and families. Emergency housing is most often provided through motels. There has been significant growth in EH-SNG numbers over the last two years with the volume of EH-SNGs in Rotorua being the highest in the country by population.

A Rotorua Housing Taskforce was established in March 2021 (made up of Rotorua Lakes Council, Te Arawa Iwi, HUD, MSD, Kāinga Ora and Te Puni Kokiri) to develop options for providing better support and outcomes for people living in emergency housing motels in Rotorua. HUD has been tasked with contracting specific motels to provide emergency accommodation for whanau and working with iwi to provide wrap around support services to meet the needs of whanau staying in motels.

This site management plan supports the resource consent application to use the existing site and buildings at Ascot on Fenton, 247 Fenton Street, Rotorua, Rotorua for Contracted Emergency housing.

2. SITE MANAGEMENT

2.1 OCCUPANCY CAPACITY

The maximum number of occupants of the accommodation site **54** persons (not including infants under the age of 18 months). This does not include employed staff and their family, support staff or relief staff.

A register of the number of occupants in each unit, will be completed weekly. A record of the number of occupants residing at the site must be made available to the Council's Compliance Monitoring Officer upon request.

2.2 STAFFING AND SECURITY

The Motel Operator will have overall management of the property which provides cleaning and maintenance service on site, whilst the Support Service Provider will provide all onsite client support.

All Security Officers are certified at either level 1 or level 2 of the Private Security Personnel Licensing Authority's Certification. Certificate of approval (COA)

The following staff will be based at the site 247 Fenton Street, Rotorua:

Role	Description
Motel Operator	As required only
Cleaning staff	Rostered Daily
Support Service staff	Mon – Fri 9am till 5pm
Roaming Security	Roaming security will be in operation between the hours of 9am-5pm and on call as required. Security contact number is 0272328970.
Static Security	1 security guard will be onsite 24/7.

2.3 VISITORS

- Visitors will be not permitted on site.
- Persons visiting site in the capacity of supporting the client alongside the support service providers are exempt from this rule.

- Uninvited visitors will be asked to leave by onsite staff. Security services or the Police will be called to assist if required

2.4 HEALTH, SAFETY AND RESPONSIBILITIES

Consideration for access on and off the premises

- Ascot has 14 units.
- Ascot has a one-way drive through. But no thoroughfare for non-residents. There is no other access to site.
- Access to Ascot is directly off Fenton Street.
- Security will be located in the front reception area.
- Electronic equipment – Radio Transmitters, connected to the neighbouring motel and roaming security, will be in use by Security.
- Daybooks will record all incoming and outgoing authorised visitors/tenants.

The identification, management, and De-escalation of potential conflict

- All guards are trained in De-escalation techniques and meet monthly as a team to identify best practise areas for improvement. De-escalation is a core component of Security Certificates of Authority (COAs). All Supreme guards are certified at either level 1 or level 2 of the Private Security Personnel Licensing Authority's Certification.
- All guards at handover will identify any areas of potential conflict to their colleagues on handover at the end of their shift. Together they will identify methods required to manage them, including correct de-escalation techniques, and risk management protocols.
- Alcohol has been proven to escalate violence in emergency housing facilities. There will be no alcohol, visitors or drugs allowed on site.
- Ascot will impose a no visitor, no alcohol, and no drugs policy under the WERA Aotearoa contract.
- Security will be present on site and located in the front reception area.
- Security will perform hourly facility checks. Ensuring no non-authorised personnel are on site, and that all are safe.
- WERA Aotearoa staff as well as security have experience dealing with people with acute mental health, drug and alcohol dependency issues. They recognise triggers and will utilise their skills to defuse/mitigate escalations that occur.
- Security will assist management to evacuate in the event of an emergency.
- Security on site will phone police as and when required.

The identification and reporting of Health, safety, and security hazards in the environment

- Security will record all hazards and health and safety issues in the Daybook.
- More serious issues will be recorded in the incident reporting book.
- If security need assistance, other security guards are based at motels in close proximity and can be there to assist within a rapid timeframe.
- Senior guards/management of the security company will from time to time randomly check in on security at all motels secured.
- Hourly phone and Radio Transmitters welfare checks will be actioned across the Security Team on duty. At any given time, there could be up to 10 guards on duty within a 2-5 min drive up and down and just off Fenton Street.
- All staff are aware of the golden rule. **Safety First**. Safety for self, tenants, colleagues, members of the public and most especially – CHILDREN. If in doubt, staff have been authorised to dial 111.

Monitoring and reviewing incidents for quality improvement purposes

- Daybook notifications are imperative in identifying areas of risk and therefore areas for improvement.
- Regular meetings between Security management, Emergency Housing management of WERA Aotearoa and motel staff will take place on site.
- Daily reviews of incidents will be undertaken by Security, and improvements put in place immediately to either mitigate or eliminate similar incidents.
- Daily reviews of incidents will be undertaken by Security management, and improvements put in place immediately to either mitigate or eliminate similar incidents.

2.5 SITE MAINTENANCE

The roles and responsibilities for maintenance of the site is the responsibility of the motel operator. This includes:

- a regular maintenance programme to ensure the upkeep of the site, including gardening/landscaping, well presented and safe carpark, common areas, meeting rooms, and units.
- repairs.
- inspection of individual units on turnover of households, with support from the Housing Support Provider.
- Provision of communal waste collection facilities for the disposal of household waste and recycling from the emergency accommodation units.

The Motel operator will be the first point of contact for all maintenance and repairs. Requests are prioritised by health and safety considerations.

Some specialist repairs and maintenance may be contracted to tradespeople by the motel operator as required.

2.6 COMMUNAL LAUNDRY USE

The Communal Laundry areas are available for household use as directed by WERA Aotearoa. Households must provide their own laundry detergent.

Households are responsible for all of their own laundry.

2.7 NOISE MANAGEMENT

Noise levels shall not exceed the following limits when measured at any point within the boundary of a neighbouring residential site:

When	What time	Noise level
Daytime	7am to 7pm, any day except public holidays	50 dB LAeq (15 min)
Evening	7pm to 10pm any day except public holidays	45 dB LAeq (15 min)
Night-time and public holidays	At all other times	40 dB LAeq (15 min) 70 B LAm _{ax}

The following measures will be in place to manage noise perceived at the boundary limits:

- No recreational equipment to be used within five metres of the neighbouring residential boundary fences.
- Any illegal activities are prohibited in all areas of the site.

- Each person has responsibility for not causing disturbance to the quiet and peaceful enjoyment of the premises for other households and neighbours as outlined in the rules of stay.

Breaches to the Accommodation Agreement or Rules will be managed as per Tenancy Management Procedure.

2.8 EMERGENCY RESPONSE PLAN

The identification and reporting of health, safety, and security hazards in the environment

If an incident or hazard occurs onsite there is a reporting tool available for staff to use either in hard copy or electronic format. The following must be reported but is not limited to the below:

- Incident, accident, injury, illness, behaviour, vehicle incidents, complaints, threatening and harmful behaviour, harm and safety issues regarding children

All households will be treated with high respect and their information will remain confidential. Unless there is a risk to the household or others. If the police are required for further support, they will be contacted by a WERA Aotearoa staff member that is present.

After the staff member has completed the reporting tool a WERA Aotearoa manager will complete the outcome and action section of the reporting tool. If the incident is higher than a prescribed level, the report will be discussed with the CEO, General Manager, and the Board members. All safety measures and preventative actions will be put in place in a timely manner.

ALL onsite staff are trained in first aid, de-escalation and are able to complete/operate the reporting tool.

Child Protection – Vulnerable Children’s Act 2014: WERA Aotearoa holds in high regard the safety of Children and Young People. Wera Aotearoa protect children and support them to thrive and have a sense of belonging in their environment. Staff are trained to identify risk and harm including but not limited to malnutrition, miss treatment and abuse. We work alongside the household to source the most suitable supports that will enhance their family functioning and stability. WERA Aotearoa encourages and empowers whanau to develop strong and healthy relationships within the whanau and wider networks.

If abuse and neglect is identified, a WERA Aotearoa Social Worker will be contacted immediately. The social worker will meet with the whanau to establish a risk assessment plan. The social worker will make the decision whether it is appropriate to contact Oranga Tamariki. A report of concern will be reported via phone and email.

Employees – All WERA Aotearoa employees will complete a Ministry of Justice vetting form. To ensure they are safe to work with children.

Emergency Evacuation

In the event of an emergency evacuation, a site-specific alarm will be activated. Where it is safe to do so, emergency wardens will sweep the premises to ensure all households are removed from inside the building and all will be guided to the sites designated assembly point. From here, the chief warden will contact emergency services to discuss further action. This site-specific plan will be explained & available to all at intake / inductions

3. SUPPORT SERVICES

3.1 SUPPORT SERVICES PROVIDED

Wera Aotearoa will provide support services to each placed household, based on the principles of Te Hau ki te Kainga.

The support services include:

- Developing, with the household, an individualised plan to help the placed household work towards becoming a self-sufficient interdependent, vibrant whanau.
- Working with each placed household to identify and manage issues that arise during their stay in the property (e.g. damage or rent arrears).

Supporting whanau to:

- Access appropriate support for identified health and social issues by referring to other health and social service agencies.
- Carry out actions identified in their Housing Transition Plan (including making and attending appointments with relevant health and social service agencies).
- Assisting each placed household to identify and secure sustainable long-term housing that meets their needs and to assist them to move into that housing.
- Where appropriate, ensure that placed households are registered with the MSD Social Housing Register.
- Meet regularly with each household to ensure that any issues that may threaten the sustainability of the new housing solution are identified and addressed early.

Placed households are required to read, understand, and sign the Rules of Stay Agreement with the Support Service Provider WERA Aotearoa.

3.2 SUPPORT SERVICE PROVIDER DELIVERY

Support Service Provider staff will meet with each placed household to:

- Plan, mentor & evaluate progress
- discuss social support that will be provided or coordinated and
- discuss all long-term housing options that will be considered.

The discussions and plans are recorded in the activities of the client's notes and in their Housing Transition Plan. Housing Service Provider Staff will:

- assess what support is required for the whanau
- refer whanau to social support and health organisations as appropriate
- work with whanau for the duration of their stay (meeting at least weekly or more frequently as appropriate)
- support the placed household to explore longer term housing options, including support to make applications for housing
- explore options and then undertake a brokerage role, as required, with the private sector, community housing providers and Kāinga Ora – Homes and Communities
- support whanau to access all necessary resources, including financial support through appropriate agencies
- meet regularly with households.

The Support Staff will:

- meet with the whanau on site to sign a Rules of Stay agreement,
- check the condition of the unit and if necessary, complete a report,
- discuss the rules of stay to ensure they are understood and agreed, and
- carry out regular inspections and meth testing.

4. RULES OF AGREEMENT

Before moving into a Contracted Emergency housing unit, the placed individual / household must read, review and sign a Rules of Stay Agreement.

5. POINT OF CONTACT

Name	Role	Phone	Email
Frank Liu	Director/ Motel Operator	027 531 4266 or 07 348 7712	info@ascotfenton.co.nz