

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 – 249-251 Fenton Street/14-16 Toko Street and 8A, 8B and 10B 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 249-251 Fenton Street/14-16 Toko Street (Lot 1 DP South Auckland 28301, Lot 7 DP 2851, and Pt Lot 17 and Lot 18 DP 2851) and 8A, 8B and 10B Toko Street (Lot 15 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:	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:	Main motel buildings: 249-251 Fenton Street/14-16 Toko Street, Rotorua Dwellings to the north x3: 8A, 8B & 10B Toko Street, Rotorua
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Legal description:	Main motel buildings: Lot 1 DP South Auckland 28301, Lot 7 DP 2851 Pt Lot 17 and Lot 18 DP 2851 Dwellings to the north x3: Lot 15 DP 2851 (Area 1, 2 & 3)
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Owner of site:	Main motel site: G & L Trustee 2013 Limited and Hampson Family Trustee Limited Dwellings to the north x3: Natalee Joy Hampson and James Bryce Smart
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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 emergency housing.
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Enclosed: Application and AEE
Appendix 1 – Record of Title
Appendix 2 – Site Plan
Appendix 3 – Emergency Housing Factsheet
Appendix 4 – Site Management Plan

Signed:

AJ Blackwell

Alice Blackwell
Senior Planner

Date: 20 December 2021

Application for Resource Consent



Emergency Housing

**249-251 Fenton Street / 14-16 Toko Street,
and 8A, 8B and 10B Toko Street, Rotorua**

**Ministry of Housing and Urban
Development**

December 2021

Quality control

Title:	Resource consent for Contracted Emergency Housing at 249-251 Fenton Street / 14-16 Toko Street and 8A, 8B and 10B Toko Street, Rotorua
Client:	Ministry of Housing and Urban Development
Job number:	717539
Prepared by:	Alice Blackwell
Signature:	
Reviewed by:	Karen Williams
Signature:	

1. Introduction

On behalf of the motel operator, Te Tūāpapa Kura Kāinga – The Ministry of Housing and Urban Development (HUD) applies for resource consent from Rotorua Lakes Council (Council) to use the existing site and buildings at 249-251 Fenton Street/14-16 Toko Street, and 8A, 8B and 10B 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 the emergency housing activity 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 (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 subject site is currently occupied by an existing motel, which contains a number of accommodation blocks across two locations. To the north of the subject site is the Ascot on Fenton Motel, which is also used for Contracted Emergency Housing.

The first is a 3,235m² site at 249-251 Fenton Street / 14-16 Toko Street, which has frontage to Fenton Street along its eastern boundary and Toko Street along its western

boundary. The main entrance and manager’s unit are located in the site’s eastern edge. The existing buildings within the site are dedicated to the existing motel operation and the site has been utilised for motel purposes for many decades, with the motel operation being incrementally expanded over the years.

Two vehicle access crossings are located on the Fenton Street frontage, one servicing the Manager’s garage, and the other serving the primary site. A vehicle access is located on the Toko Street frontage, servicing the large accommodation block located on Toko Street. Access from this crossing does not carry through the site, with a wooden fence and gate structure preventing vehicle through-access.

There are three separate accommodation blocks on the site. A two-storey block of six ground floor units and six second floor units are attached to the managers accommodation on the north-eastern side of the site (located in COMZ4). A second two-storey block of five ground floor units and four second floor units are located on the south-eastern side of the site (located in COMZ4). A third two-storey block is located on the south-western side of the site, which includes two units across both floors (located in RESZ2). There are a minimum of 26 carpark spaces within the site.



Figure 1: Aerial photograph of the site at 249-251 Fenton Street/14-16 Toko Street (Source: TPG Property Viewer)

The motel also rents motel units in a second location, at 8A, 8B and 10B Toko Street. The units are on a 809m² cross lease site and comprise a two thirds share of the total site. A fourth unit, being 10C Toko Street, is an independently owned private residence on a one third share of the site. Unit 8A and Unit 8B are located on the western boundary and share a common internal wall. Unit 10B is directly behind units 8A and 8B, sharing a common wall with the private residence located at the eastern end of the site. Each of these units have carparking provided directly outside the units.



Figure 2: Aerial photograph of the site at 8A, 8B, 10B and 10C Toko Street (Source: TPG Property Viewer)

The combined subject site has a mixture of studio, one bedroom, two bedroom and three-bedroom units across both sites and provides for a maximum of 108 guests (see Table 1 below). The main motel site at 249-251 Fenton Street/14-16 Toko Street also contains a guest laundry, sheltered BBQ area, pool and games room available for guest use.

The configuration of the motel units is outlined in Table 1 below and shown on the Site Plan in [Appendix 2](#). The maximum 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). Maximum 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 249-251 Fenton Street/14-16 Toko Street and 8A, 8B and 10B Toko Street

Type of unit	No. of units	Max No. of occupants
Studio	11	28
One bedroom unit	7	32
Two bedroom unit	3	18
Two bedroom house (including 3x2 bedroom houses at 8A, 8B and 10B Toko Street)	4	17
Three bedroom house	1	13
Total	26	108

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 revealed no resource consents that restrict the operation of a motel at the site at 249-251 Fenton Street/14-16 Toko Street. Resource consent was obtained for 8A, 8B and 10B Toko Street (along with 6 and 10C Toko Street which are outside the scope of this application) to allow the site to operate as tourist accommodation in June 2009. It is noted that no consents 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
247-251 Fenton Street		
20/12/1974	N/A	Three additional household units being an extension of the existing motel
15/06/1976	N/A	'Keep Clear' signage
19/12/1979	N/A	Approval for spa pool, sauna, plunge pool, games room and manager's garage
19/2/1980	N/A	Amalgamation of Lot 6 and Pt Lot 17 DP 2851
4/7/1994	RC1145-P01654	Signage application
14/03/2011	N/A	Change in Signage – existing use rights confirmation
Toko Street		
6/10/1987	RC668754	Dispensation/waiver – new home units exceeding height restrictions
8/6/2009	RC13158	Tourist accommodation for 25 people with associated signage (at 6, 8A, 8B, 10B and 10C Toko Street)
14/03/2021	RC14879	Subdivision consent, 8-10 Toko St

As noted in the site description, the site has accommodated motel activities (and associated short-term accommodation) for many decades.

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. It is intended that the proposed use of the site and buildings for emergency housing purposes will be for a period of up to five years; 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 permanent residence.

The reception area of the motel is used by security services and the social service team uses the office space behind the reception area to provide support services to Emergency Housing occupants.

It is noted that one other dwelling, also on Toko Street, is also contracted by HUD as part of the main motel's suite of motel properties. WERA Aotearoa is also the Housing Service Provider for this site. As this is a single dwelling with less than 8 people, it falls within the permitted activity limit of no more than

8 people living on-site (“community housing”) and as such, is not included in this resource consent application.

3.2 Contracted Emergency Housing

Emergency Housing Special Needs Grants (EH-SNGs) were introduced in 2016, to provide temporary accommodation (7 days at a time) to meet an immediate housing need for vulnerable individuals and families. 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 (up to approximately 90 days). Emergency housing is most often provided through motels and 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 has been 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.

In terms of occupancy levels and placing whānau in Contracted Emergency Housing, Te Pokapū (The Rotorua Emergency Housing Hub) will assess the needs of each whānau and refer to a Housing Service Provider that can match accommodation suited to the household make up, to ensure there is only “one person per bed” (couples excluded). Motels have submitted a room and bed configuration table (e.g. Studio unit – 1 Queen bed and 1 Single bed etc.) to allow accurate matching. Maximum occupancy is based on the bed configuration provided by each motel. HUD has prohibited the use of temporary beds (e.g. Sofa or roll away).

Appendix 3 includes additional information about the emergency housing programme (in the Emergency Housing Factsheet). Emergency housing includes onsite supervision and management, which is provided by the Housing Service Provider (WERA Aotearoa). Site management details and general information around onsite support services are further described below.

3.3 Housing Service Provider and Site Management

Supervision and management roles are summarised in Table 2 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.

All families placed in the 3 off-site units (at 8A, 8B and 10B Toko Street) will have low support needs, however regular engagement will happen with support staff. Additionally, they will be made aware of the contact details of the security guards contact details for their support if required. These properties will also continue to be monitored by security staff.

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 whānau.
- 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 whānau 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 emergency housing activity will continue to use 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 5 years, after which time it is intended that the long-standing motel activity (tourist accommodation) will resume (if it hasn’t already occurred 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 National Environmental Standard for Assessing and Managing Contaminants in Soil to Project Human Health Regulations 2011 (NESCS)

The NESCS 2011 applies to land that currently has, or historically had, an activity or industry undertaken on it that is included in the Hazardous Activities and Industries List (HAIL). The site is in a well-established residential/commercial environment and has been used for accommodation purposes since the 1960s. There is no known history of an activity on the HAIL list occurring on the subject site and the site is not registered as a HAIL site by BOP Regional Council. No change to the use of the site will result from this proposal. The proposal therefore does not require consideration under the NESCS 2011.

4.2 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 and Toko Street is a local road.

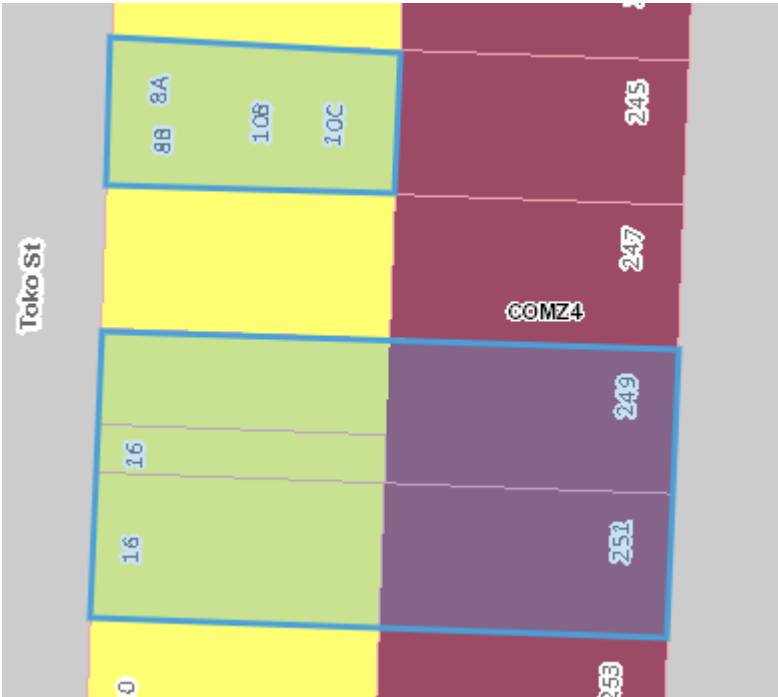


Figure 3: District Plan excerpt showing the subject site (outlined in blue)

4.3 Zone character and purpose

As shown in Figure 2 above, the site at 249-251 Fenton Street/14-16 Toko Street straddles the Residential 2 Zone and the Commercial 4 Zone in generally equal proportions. The site at 8A, 8B and 10B Toko Street is entirely in the Residential 2 Zone. 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.

4.3.1 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.*

4.3.2 Commercial 4 - City Entranceway Accommodation

The policy direction of the Commercial 4 Zone is to “provide for development of tourism enterprises and Maori 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 temporarily remove a tourism enterprise from Fenton Street and Toko Street and replace it with an interim emergency accommodation residential activity for a period of a maximum of five years. 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.

4.3.3 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 zones anticipate a more intensive style of built form and living environment, 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.

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 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.

4.4 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 14-16 Toko St and 8A, 8B and 10B 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.	<i>No change proposed.</i>
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.	<i>No change proposed.</i>
RESZ – S3 Site coverage	b) There is no maximum site coverage. c) Impermeable surfaces – 100% of the site d) Minimum of 10% of the net site area shall be provided as		<i>Not applicable.</i> <i>Complies.</i> <i>No change proposed.</i>

outdoor recreation and amenity space, divided between each dwelling (not required yards or parking / turning areas).

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 approximately 1,620m ² of the site at 14-16 Toko Street across three parcels and accommodates two motel units. Residential 2 Zoned land makes up the entire site at 8A, 8B and 10B Toko Street, and all three units are held on cross lease sites. No changes are proposed to the layout or configuration of the existing units within the site.	<i>No change proposed.</i>
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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>The land in the Residential 2 Zone includes at least 15 carparks. The onsite parking 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><i>No change proposed.</i></p> <p><i>Complies.</i></p>
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|--|---|-----------------------------------|
| c. Any garage to be located such that there is a practicable parking space in front of the garage clear of the road. | Not applicable. | <i>Not applicable.</i> |
| d. Shared access driveways of 5-8 households require an overall width of 6.5 metres, formed width of 5 metres. | The existing shared access drive within the site does not meet this requirement. | <i>No change proposed.</i> |
| e. Shared access driveways shall not serve more than eight households | The existing Fenton Street access drive serves all 23 units at the Fenton Street/Toko Street site. No changes is proposed.

A single access drive serves the properties at 8B and 10B Toko Street, with the private residence. This complies with the standard. | <i>No change proposed.</i> |
| f. Vehicle crossings must meet the standards of RLC. | No new vehicle crossings are proposed. | <i>No change proposed.</i> |
| Table A4.2 requires 2 carparks for disabled persons. | Can comply. | <i>Can comply.</i> |

Commercial 4 Zone Performance Standards – applies to 247-251 Fenton St

Performance Standard	Description	Comments	Compliance
COMZ – S1 Maximum height and daylight envelope	No building or structure shall exceed 12 metres and	The proposal does not involve changes to the	<i>No change proposed.</i>

	buildings within 10 metres of a residential zone shall not transgress the daylight envelope.	bulk of the existing buildings.	
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 approximately 1,616m ² of the site at 249-251 Fenton Street across two land parcels and accommodate 21 motel units. No changes are proposed to the layout or configuration of the existing units within the site.	No change proposed.
COMZ – S6 Parking, Access and Turning (Appendix 4, Parking Standard A4.1.1)	On-site parking and on-site turning of vehicles shall be provided for all activities in accordance with the provisions of Appendix APP1 – Parking, Access and Turning Standards.	The land in the Commercial 4 Zone includes at least 15 carparks. The onsite parking is well-established and no changes are proposed. No new vehicle crossings are proposed.	Complies.

	All vehicle crossings into local roads shall be provided and constructed to the standard of Rotorua District Council.	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 Commercial 4 area of the site does not adjoin a residential zone. Existing fencing is to be retained.	Complies
	No more than 20% of required landscaping may be used for carparking.	Landscaping is not utilised for carparking.	Complies
	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 screened appropriately.	Complies

General District Wide Matters			
Performance Standard	Description	Comments	Compliance
LIGHT S1	No more than 10 lux on any residential site boundary.	No changes are proposed to the existing lighting on the site. Can comply.	No change proposed.
NOISE S1 Residential Zones	Residential noise standards apply.	The Site Management Plan includes measures to ensure noise will be managed within the site to achieve compliance with the noise requirements of	Can comply
NOISE S1 Commercial 4 Zone	Commercial 4 noise standards apply.		

		the District Plan. Can comply.	
NOISE S2 Noise received within a difference zone	Noise levels from any activity shall not exceed the noise limits specified for the adjoining zone when measured at any point within the receiving site, or at any point within the notional boundary of any dwelling in the Rural zones	The Site Management Plan includes measures to ensure noise will be managed within the site to achieve compliance with the noise requirements of the District Plan. Can comply.	Can comply.
NOISE R5 Acoustic treatment for residential accommodation and noise sensitive activities	New noise sensitive activities in the Commercial 4 Zone must be designed to meet the noise requirements of NOISE-S6	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 new noise sensitive activity to the site. Existing use rights apply.	No change proposed.

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 108 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.

4.5 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.

4.6 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.

4.7 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.

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 Section 4.5 of 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.

The Council may consider 8A, 8B and 10B Toko Street to be on separate sites (as they are on separate Records of Title) and therefore, that Contracted Emergency Housing on these sites falls within the definition of “Community Housing” (as there will be less than 8 people living in each dwelling). In this instance we accept that the Council may determine that Contracted Emergency Housing at 8A, 8B and 10B Toko Street, is a permitted activity and does not require resource consent.

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 three Records of Title for the main motel site and one record of title for the site at 8A, 8B and 10B Toko Street, a relevant permitted baseline would be for Community Housing for 24 people on the main motel site, and 8 people on the secondary site.

Depending on how the Council applies the rules in relation to properties held in a cross lease ownership structure, it is noted that the proposal at 8A, 8B and 10B Toko Street may actually be considered a permitted activity and comply meet the definition of Community Housing under the District Plan.

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

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

In addition to the above two 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 nett 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.

5.1.1 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 that of the effects associated with the proposed activity for Contracted Emergency Housing.

The most directly comparable permitted baseline in our view 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. As the main motel site is held within three separate records of title, tourist accommodation could operate from Lot 1 DPS 28301 and Lot 7 DP 2851. We note that only the pool and laundry facilities are within the residentially zoned area of Lot 1 DPS 28301, and this could be re-purposed to residential accommodation. Part Lot 17 and Lot 18 DP 2851 could operate as community housing.

For 8A, 8B and 10B Toko Street the relevant permitted baseline is either for community housing for up to eight people across the three dwellings or (given that each dwelling has its own separate Record of Title) for three community housing facilities to operate from the subject site providing for up to 24 people including staff. Arguably, the operation of Contracted Emergency Housing from 8A, 8B and 10B Toko Street as proposed is in itself a permitted activity and resource consent for this aspect of the proposal is not required.

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 (or more) of the eight residents is a support worker, staying on-site 24/7. Effects that could be disregarded from a community housing 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. The support worker could live on-site and the community housing activity could be 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 also 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 future occupants as well external amenity effects on neighbouring properties. These potential effects are discussed in more detail below.

5.2.1 Internal amenity effects

Tenants 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 kitchens, shared facilities and open space areas.

Private open space is limited on the subject site but residents within the main motel area have good access to shared open space areas. A sheltered BBQ area with playground equipment is available for tenant use, as well as a games room and pool. Private open space is also available to some of the units in the south-eastern block of 249-251 Fenton Street/14-16 Toko Street. At the units at 8A, 8B and 10B Toko street present more like typical residential dwellings and have good access to private open space. I note that the built development across the site is such that the majority of the more typical motel style buildings are in the Commercial 4 zone while the buildings in the Residential 2 zone are more residential in density and character.

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. For the residential area of approximately 1,620m² at 14-16 Toko Street, this would equate to approximately 162m² of the site technically needing to be provided as an outdoor recreation area. Approximately 375m² of land is available in the BBQ area for the shared use of tenants. For the residential area of approximately 540m² at 8A, 8B and 10B Toko street, this would equate to approximately 54m² of the site technically needing to be provided as an outdoor recreation area. Approximately 20m² of land is available to each unit as private open space.

The Commercial Zone objectives and policies do not include 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 is considered to outweigh the qualitative requirements of the District Plan for onsite amenity. A further mitigating factor to the limited provision of onsite open space is the site's proximity to expansive public recreation areas along Te Ngae Road – being approximately 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, it is acknowledged that the provision of emergency housing through motels is not an ideal situation, however it 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.

Emergency housing residents will generally spend their time inside their respective units. As with any residential activity, general noise may be associated with this activity, 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 additional 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.

247 Fenton Street/12 Toko Street (property to the north of 249-251 Fenton Street/14-16 Toko Street and south of 8A and 10B Toko Street)

The property between the main motel on the subject site and the dwellings at 8A, 8B and 10B Toko Street, accommodates another motel. This motel is also used for Contracted Emergency Housing and is managed by the same Housing Service Provider (WERA Aotearoa) as the subject site. This adjoining motel has its main entrance on Fenton Street as well as an exit to Toko Street. A large block wall separates 247 Fenton Street/12 Toko Street from the subject site to the south, which reduces potential overlooking and privacy effects. No changes are proposed to the existing buildings.



Figure 4: Streetscape view of subject site (249-251 Fenton Street) and adjacent property at 247 Fenton Street/12 Toko Street

Turning to 8B and 10B Toko Street, driveway areas both within the subject site (at 8A, 8B and 10B Toko Street) and adjacent motel site (247 Fenton Street / 12 Toko Street) to the south provide buffers between the units on each property. A block wall separates the two sites and assists with mitigating any sense of overlooking from the subject site into the adjoining motel site to the south. This will remain in place and there will be no change to the layout or built form interfacing with 247 Fenton Street.



Figure 5: Streetscape view of subject site (8B and 10B Toko Street) and adjacent property at 247 Fenton Street/12 Toko Street

Overall, effects on the adjoining motel site at 247 Fenton Street/ 12 Toko Street 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 this property are less than minor.

253-255 Fenton Street & 20 Toko Street (properties to the south of the subject site)

The properties to the south of the subject site are the Golden Glow Motel at 253-255 Fenton Street, and a residential property at 20 Toko Street. This Golden Glow adjoining motel has its entrance and exit to Fenton Street, with a row of units to each the north and south of the site. A block wall 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 6: Streetscape view of subject site (249-251 Fenton Street) and adjacent property at 253-255 Fenton Street

The residential property at 20 Toko Street is situated in the centre of the site, with established vegetation and a high wooden fence separating the property from the subject site. There will be no change to the layout of built form interfacing with this site. Further, the layout of the subject site is such that the BBQ area is adjacent to this boundary, rather than accommodation units.



Figure 7: Streetscape view of subject site (14-16 Toko Street) and adjacent property at 20 Toko Street

Potential amenity effects on the adjoining properties to the south, including such things such as privacy and noise, are considered to be comparable to the existing activity, and no different to potential effects from the existing motel operation on the subject site. Effects of the proposal on 253-255 Fenton Street will be less than minor.

6A and 6B Toko Street (property to the north of 8A and 10B Toko Street)

The property to the north of 8A and 10B Toko Street is a private residence with a single bed and breakfast accommodation unit on the second floor, called East West Studio. The dwelling is situated on the rear of the site, with a large open space on its Toko Street frontage. It is separated from the subject site by a wooden fence 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 8: Streetscape view of subject site (8A & 10B Toko Street) and adjacent property at 6A and 6B 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 the existing activity, and no different to potential effects from the existing motel operation on the subject site. Effects of the proposal on 6A and 6B Toko Street will be less than minor.

10C Toko Street (to the west of 10B Toko Street)

The property at 10C Toko Street is to the west of 10B Toko Street, on a third share of the cross-lease site. The layout of property is such that the main entrance and garage are to the south of the dwelling, with a private outdoor area located to the north and east. The dwelling shares a common wall with the subject site.

The use of 10B Toko Street as tourist accommodation has been long-established as per the land use consent noted in section 2.2. The property has most recently been used by an existing motel for the purposes of tourist accommodation, and the arrangement has not raised any known concerns from the occupier/owner of 10C Toko Street.

Potential effects on the adjoining property at 10C Toko Street, including privacy and noise, are considered to be comparable to the existing activity, and no different to the potential effects from the existing motel operation on the subject site. Effects of the proposal on 10C Toko Street are considered to be less than minor.

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 changes are proposed that will impact the surrounding streetscape.

The nature of emergency housing of the scale on the subject site is that it will present in a very similar way to the operation of the site as a motel. Fenton Street is a known gateway to Rotorua and tourist accommodation lines 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 Toko Street and replace it with an interim emergency accommodation residential activity. The Commercial 4 Zone and Residential 2 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. The main entrance/exit is off Fenton Street with 26 carparks and space to allow all vehicles to safely manoeuvre and exit the site in a forward-facing direction. A second entrance to the main site is located at 14-16 Toko Street, with two carparking spaces. It is noted that these entrances do not connect, and a wooden fence prevents vehicle access between the two. The unit at 8A Toko Street has its own vehicle entrance, while 8B and 10B Toko Street share an entrance.

The proposal includes the allocation of at least one carpark per household unit, which aligns with the existing parking requirements for motels and household units. 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).

It is noted that the National Policy Statement on Urban Development (discussed in more detail below in section 9.2.2) requires all councils to remove minimum carparking requirements from their District Plans by 18 February 2022.

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, 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 will be managed by the Housing Service Provider and as outlined in the Site Management Plan (see [Appendix 4](#)).

Traffic generation effects are assessed as less than minor, having regard to the existing environment and no parties are will be adversely affected.

5.6 Waste management

On-site waste management will be addressed by the accommodation provider. 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. While it is intended that this matter will be covered in the SMP, the accommodation provider's obligations under this bylaw will be addressed and dealt with separately from the resource consent. Effects in this regard 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 27 units (including one unit that is not part of this application) and all 27 units are available to be used for accommodation as the Housing Service Provider is able to use the reception area for support services.

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. 27 rooms). However, the total number of people staying on the site was 77 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
249 Fenton Street	27	27	108 ¹	77

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.

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 accommodate 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 occupancy 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

¹ This maximum capacity of 108 people does not include capacity from “unit 27” – an offsite unit that is considered to meet the definition of ‘community housing’ and is therefore a permitted activity.



existing site and facilities and effects will be consistent with the existing motel operation, retaining 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 its proposed use, provides the accommodation providers with a source of steady income in a period when international tourism is significantly constrained 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 1970s.

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.

For the reasons discussed above, the overall effects of the proposal are less than minor with no persons being adversely affected.

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.
NOISE-P5	Exempt from the maximum permitted noise level requirements those activities which are an integral part of accepted management practices of activities associated with production land in rural areas (well drilling, audible bird scaring devices, frost fans) as well as other activities (in any zone) clearly of a temporary nature (e.g., Construction works, emergency back-up generators).
Comment:	<p><i>The proposed use of the site for emergency housing is consistent with the character and amenity expected for the Commercial 4 and Residential 2 zones.</i></p> <p><i>A Site Management Plan forms part of the application with strict controls that will effectively manage any noise effects from the operation of Contracted Emergency Housing on the site. There will be 24/7 supervision and strict consequences when occupants breach site rules. The controls in relation to noise are stricter than exist as the current motel operates, including in relation to visitors and visiting hours and use of outside areas.</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 new 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. The proposal is consistent with this Objective and Policies*

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

Activities in a residential zone

REZ-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 levels
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.
RESZ-P6	Require noise mitigation measures for household units that adjoin strategic roads to avoid reverse sensitivity effects.
RESZ-P7	Encourage implementation of principles of sustainable building practice through provision of advice and information.

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 RESZ2 – with hard surfacing prevailing and limited onsite landscaping and open space provided. As discussed in the effects assessment above, while the units generally do not have access to private open space the site is very well located for offsite amenity.*

Site management will manage potential noise effects and help maintain amenity for both tenants 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.

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 Objective 4.3.2 and Policies 4.3.2.1 to 5.

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 occupants 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.</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 4 Zone – City Entranceway Accommodation	
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 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.”

The proposal will retain the existing buildings and layout of the site and as such will retain the motel-style layout of the site. To ensure Fenton Street retains its existing character and appearance no fences or other security structures are proposed on the Fenton Street frontage.

Contracted Emergency Housing is proposed for the site for a maximum of five years. After this time (if not before) 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.

Contracted Emergency Housing motel operators have indicated that due to the secure and consistent income they are receiving from Contracted Emergency Housing, they will be in a stronger position to invest in the existing buildings and structures on the site, which in the long term will improve the entranceway accommodation options on Fenton Street.

In addition to the above, in a context where travel and demand for tourism accommodation is generally reduced due to the COVID-19 global pandemic, the temporary use of the site for the intended purpose provides the motel operator with a steady source of income ensuring the business remains viable during this time. It is anticipated that the motel will revert to its

Tourist Accommodation purpose within the 5 year period in which consent is being sought.

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 service provider (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 through the provision of on-site carparks, maintenance of the existing accesses and the ability of vehicles to enter and exit the site in a forward-facing direction. 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 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 does not fit neatly into any of the definitions of the District Plan. 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 the Zone, 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 provided urgently needed housing for those most in need.

The proposal is consistent with this objective and policy.

6.2 Overall objectives and policies conclusion

For those reasons outlined above, it 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.

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.*

9.2.1. 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.

9.2.2 (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 NPS-UD 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 Emergency housing model supports families and individuals in urgent housing need with a short-term place to live, and support to find and maintain stable and permanent housing. In relation to access and parking, the NPSUD requires that District Plans do not set minimum car parking rates. While the proposal easily meets the 1 carpark per household unit ratio in the District Plan carparking requirements will soon be removed from the Rotorua District Plan.

The proposal has been assessed against the relevant policies of the NPSUD and is 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 objective and policies of the District Plan.

9.2.3 (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 Strategy). The Rotorua Housing Strategy was publicly consulted on in June – August 2020 and was adopted by Council in October 2020. 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 8 below). The proposal in 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 occupants.



Figure 9: 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 so as 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 108 residents (excluding children under 18 months of age) shall be permitted to reside within the 26 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 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 by HUD for resource consent from Rotorua District Council for emergency housing at 249-251 Fenton Street/14-16 Toko Street and 8A, 8B and 10B Toko 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 generally 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 SA26A/547
Land Registration District South Auckland
Date Issued 10 June 1980

Prior References
SA1001/67 SA2D/373

Estate Fee Simple
Area 1348 square metres more or less
Legal Description Lot 1 Deposited Plan South Auckland
28301

Registered Owners
Hampson Family Trustee Limited and G & L Trustee 2013 Limited

Interests
Subject to Section 15 Rotorua Town Lands Act 1920
9747408.7 Mortgage to Bank of New Zealand - 22.12.2015 at 5:07 pm



RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy




R.W. Muir
Registrar-General
of Land

Identifier SA857/212
Land Registration District South Auckland
Date Issued 05 November 1946

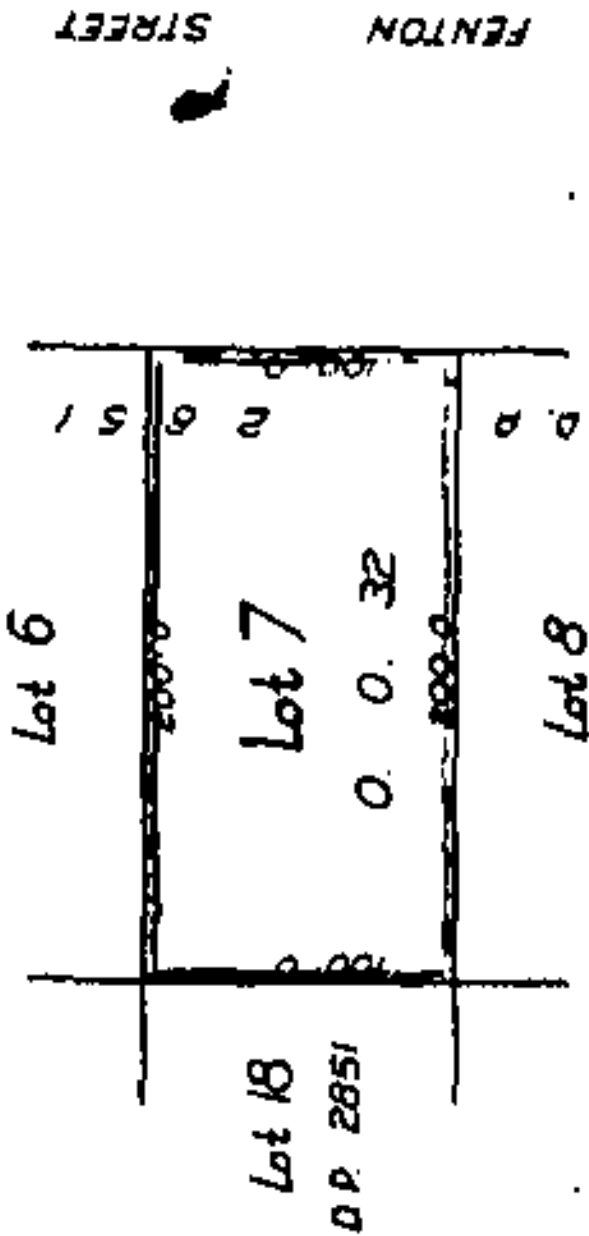
Prior References

SAPR192/29 WA 4708

Estate Fee Simple
Area 809 square metres more or less
Legal Description Lot 7 Deposited Plan 2851
Registered Owners
Hampson Family Trustee Limited and G & L Trustee 2013 Limited

Interests

Subject to Section 15 of the Rotorua Town Lands Act 1920.
9747408.7 Mortgage to Bank of New Zealand - 22.12.2015 at 5:07 pm



**Image Quality due
to Condition
of Original**



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
CROSS LEASE
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R.W. Muir
Registrar-General
of Land

Identifier **645480**
Land Registration District **South Auckland**
Date Issued 26 May 2014

Prior References

SA36D/475 SA36D/476 SA42B/139
SA42B/140

Estate Fee Simple - 1/6 share
Area 809 square metres more or less
Legal Description Lot 15 Deposited Plan 2851

Registered Owners

James Bryce Smart and Natalee Joy Hampson

Estate	Leasehold	Instrument	L 9713934.7
		Term	999 years from 1st May 2014

Legal Description Area 2 Deposited Plan 472769

Registered Owners

James Bryce Smart and Natalee Joy Hampson

Interests

Subject to Section 15 Rotorua Town Lands Act 1920 (Affects Fee Simple)

Subject to Section 8 Coal Mines Amendment Act 1950 (Affects Fee Simple)

9713934.6 Lease of Area 1 Deposited Plan 472769 Term 999 years from 1st May 2014 Composite CT 645479 issued - 26.5.2014 at 11:58 am (affects fee simple)

9713934.7 Lease of Area 2 Deposited Plan 472769 Term 999 years from 1st May 2014 Composite CT 645480 issued - 26.5.2014 at 11:58 am (affects fee simple)

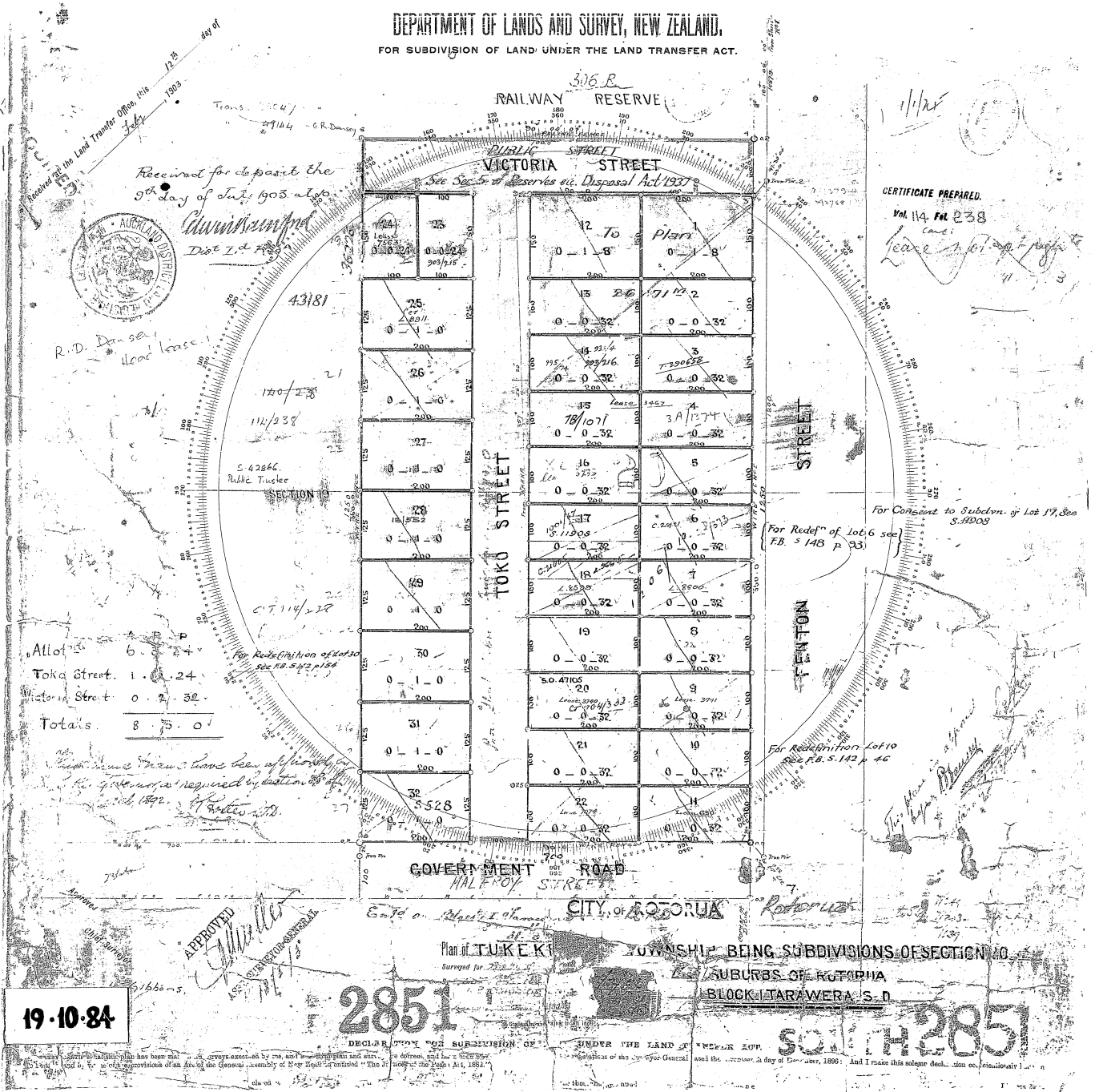
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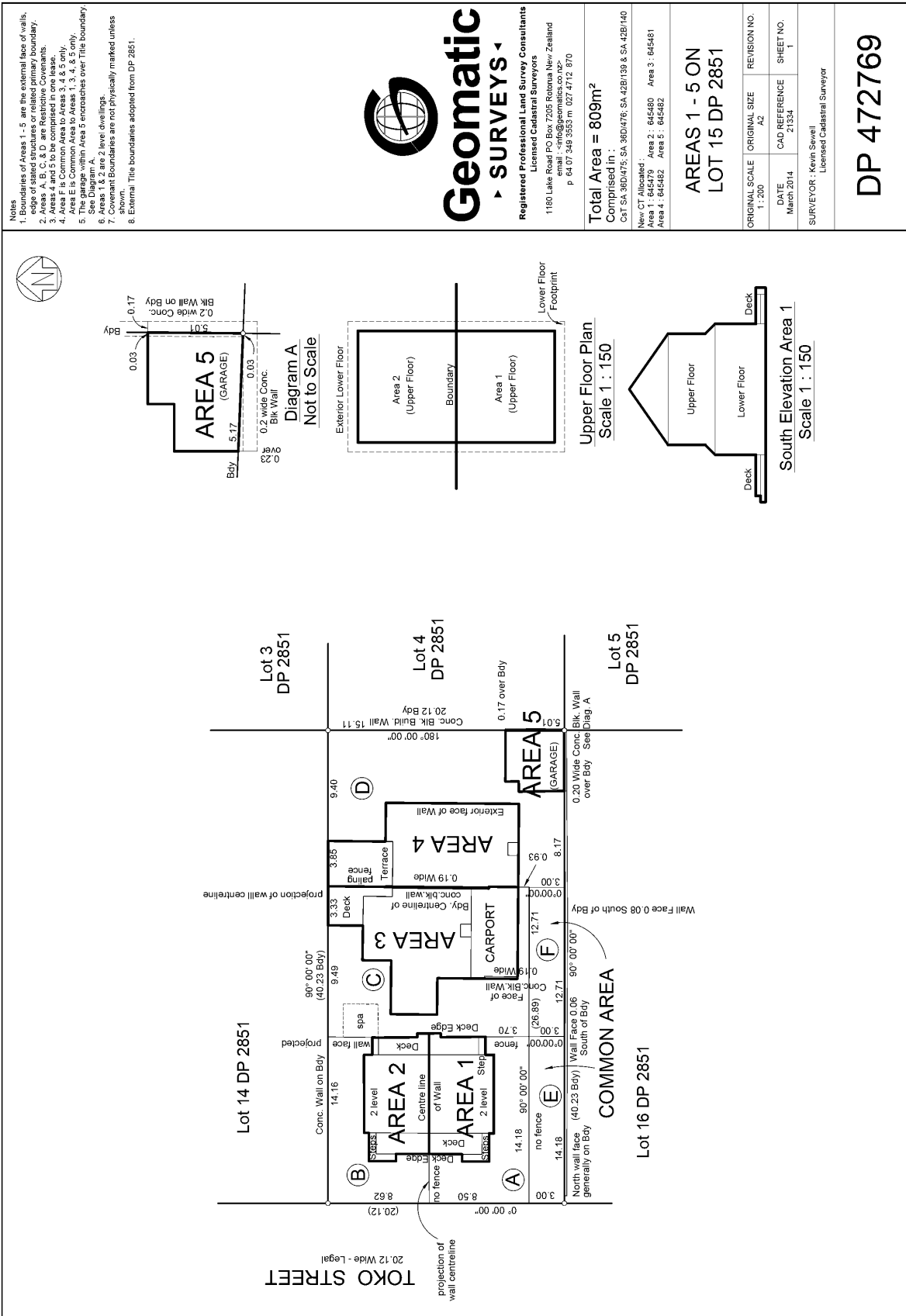
9713934.9 Lease of Area 4-5 Deposited Plan 472769 Term 999 years from 1st May 2014 Composite CT 645482 issued - 26.5.2014 at 11:58 am (affects fee simple)

10157291.1 Variation of Lease 9713934.6 - 24.8.2015 at 3:05 pm

10157291.2 Variation of Lease 9713934.7 - 24.8.2015 at 3:05 pm

DEPARTMENT OF LANDS AND SURVEY, NEW ZEALAND.
FOR SUBDIVISION OF LAND UNDER THE LAND TRANSFER ACT.







**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
CROSS LEASE
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R.W. Muir
Registrar-General
of Land

Identifier **645481**
Land Registration District **South Auckland**
Date Issued 26 May 2014

Prior References

SA36D/475 SA36D/476 SA42B/139
SA42B/140

Estate Fee Simple - 1/3 share
Area 809 square metres more or less
Legal Description Lot 15 Deposited Plan 2851

Registered Owners

James Bryce Smart and Natalee Joy Hampson

Estate	Leasehold	Instrument	L 9713934.8
		Term	999 years from 1st May 2014

Legal Description Area 3 Deposited Plan 472769

Registered Owners

James Bryce Smart and Natalee Joy Hampson

Interests

Subject to Section 15 Rotorua Town Lands Act 1920 (Affects Fee Simple)

Subject to Section 8 Coal Mines Amendment Act 1950 (Affects Fee Simple)

9713934.6 Lease of Area 1 Deposited Plan 472769 Term 999 years from 1st May 2014 Composite CT 645479 issued - 26.5.2014 at 11:58 am (affects fee simple)

9713934.7 Lease of Area 2 Deposited Plan 472769 Term 999 years from 1st May 2014 Composite CT 645480 issued - 26.5.2014 at 11:58 am (affects fee simple)

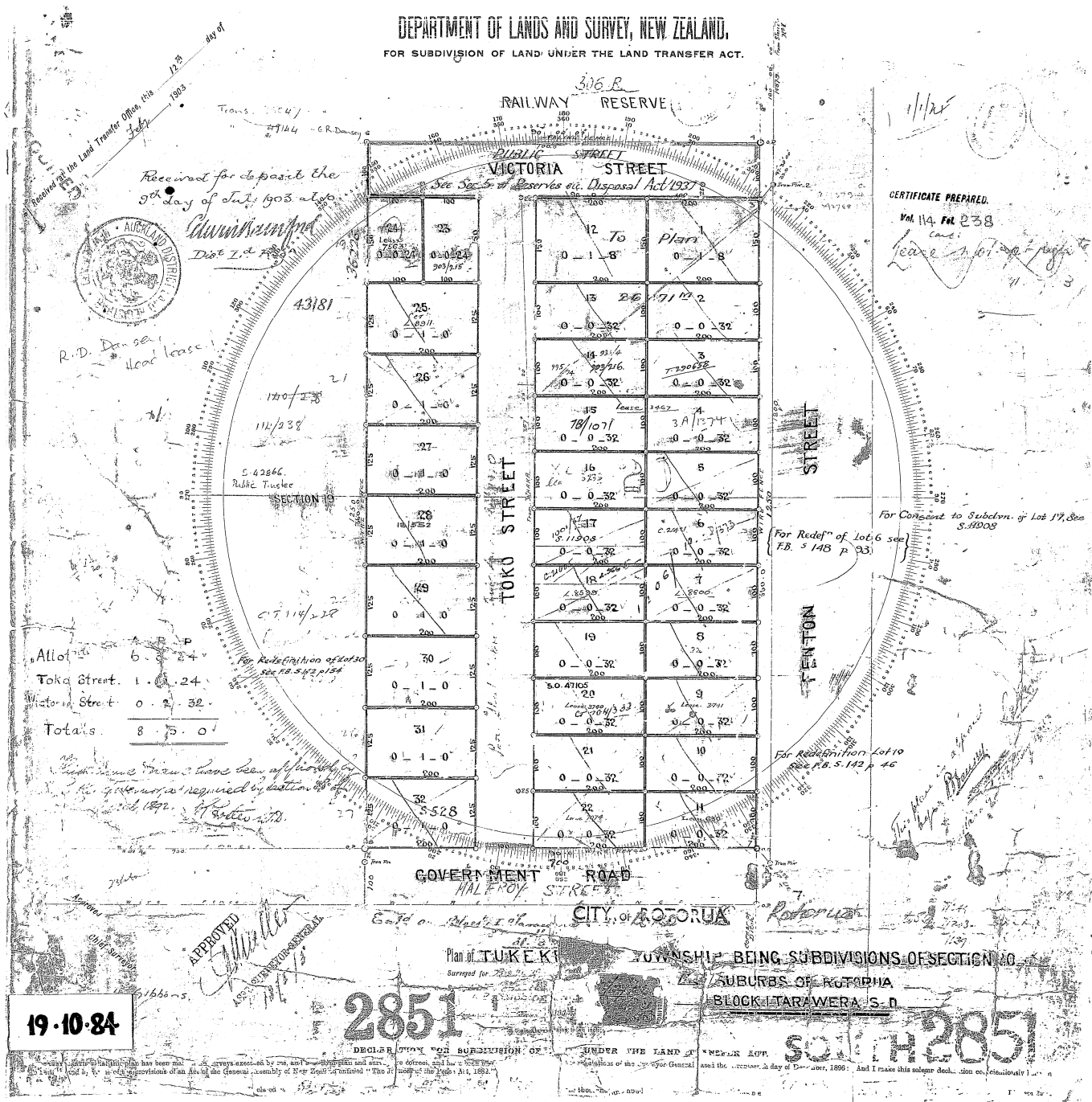
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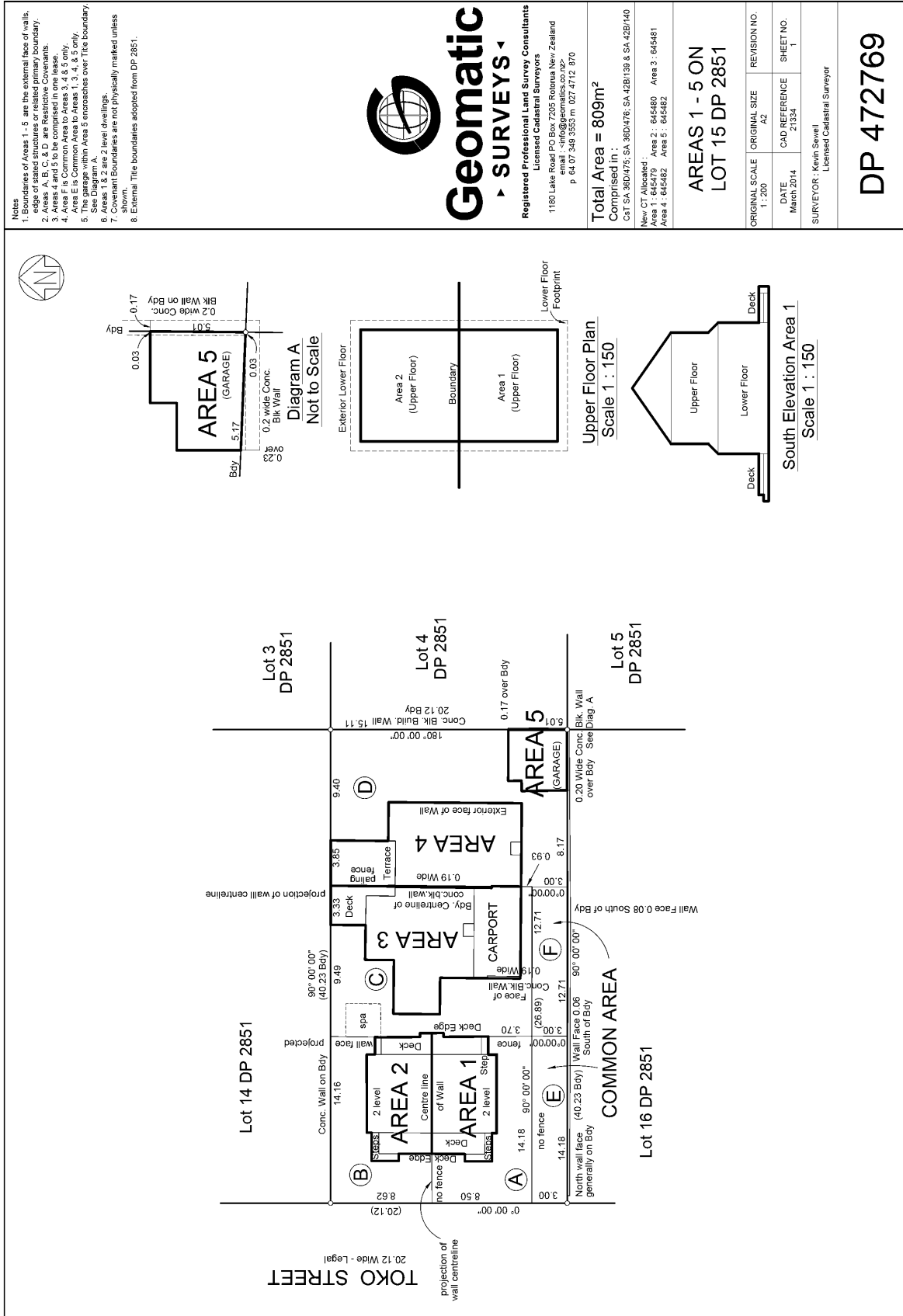
9713934.9 Lease of Area 4-5 Deposited Plan 472769 Term 999 years from 1st May 2014 Composite CT 645482 issued - 26.5.2014 at 11:58 am (affects fee simple)

10157291.1 Variation of Lease 9713934.6 - 24.8.2015 at 3:05 pm

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DEPARTMENT OF LANDS AND SURVEY, NEW ZEALAND.
FOR SUBDIVISION OF LAND UNDER THE LAND TRANSFER ACT.







**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
CROSS LEASE**

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R.W. Muir
Registrar-General
of Land

Identifier **645479**
Land Registration District **South Auckland**
Date Issued 26 May 2014

Prior References

SA36D/475 SA36D/476 SA42B/139
SA42B/140

Estate Fee Simple - 1/6 share
Area 809 square metres more or less
Legal Description Lot 15 Deposited Plan 2851

Registered Owners

James Bryce Smart and Natalee Joy Hampson

Estate	Leasehold	Instrument	L 9713934.6
		Term	999 years from 1st May 2014

Legal Description Area 1 Deposited Plan 472769

Registered Owners

James Bryce Smart and Natalee Joy Hampson

Interests

Subject to Section 15 Rotorua Town Lands Act 1920 (Affects Fee Simple)

Subject to Section 8 Coal Mines Amendment Act 1950 (Affects Fee Simple)

9713934.6 Lease of Area 1 Deposited Plan 472769 Term 999 years from 1st May 2014 Composite CT 645479 issued - 26.5.2014 at 11:58 am (affects fee simple)

9713934.7 Lease of Area 2 Deposited Plan 472769 Term 999 years from 1st May 2014 Composite CT 645480 issued - 26.5.2014 at 11:58 am (affects fee simple)

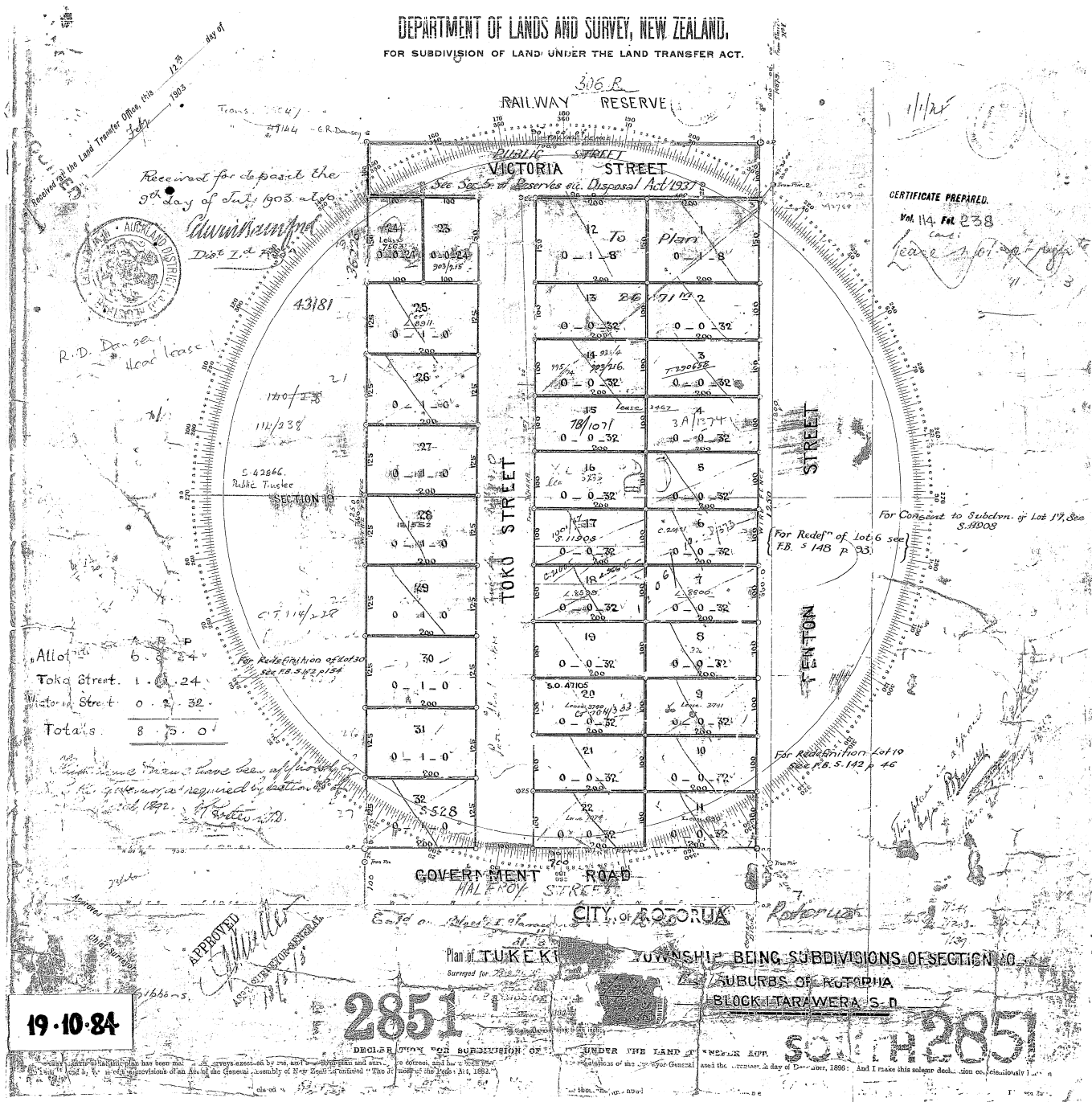
9713934.8 Lease of Area 3 Deposited Plan 472769 Term 999 years from 1st May 2014 Composite CT 645481 issued - 26.5.2014 at 11:58 am (affects fee simple)

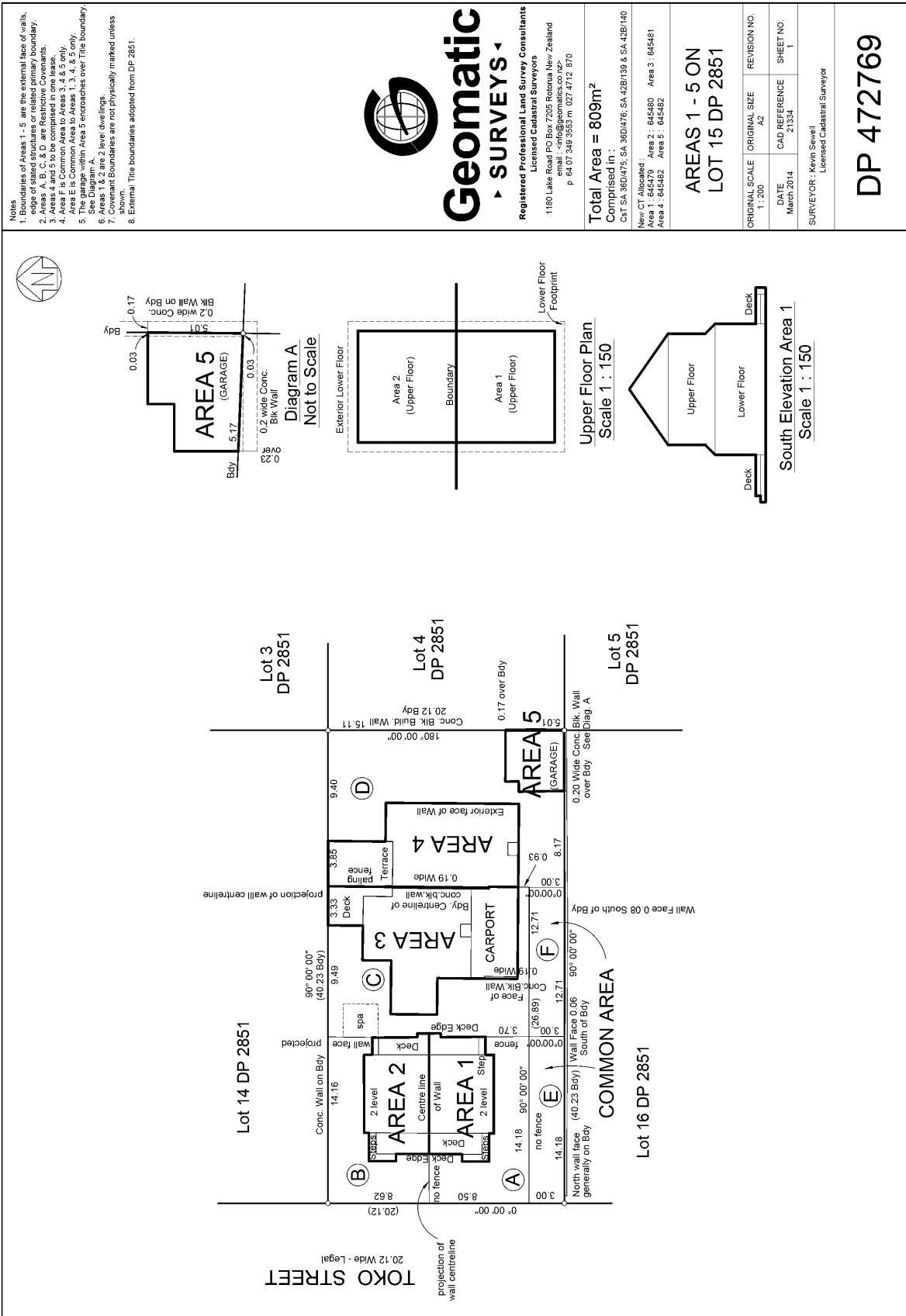
9713934.9 Lease of Area 4-5 Deposited Plan 472769 Term 999 years from 1st May 2014 Composite CT 645482 issued - 26.5.2014 at 11:58 am (affects fee simple)

10157291.1 Variation of Lease 9713934.6 - 24.8.2015 at 3:05 pm

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DEPARTMENT OF LANDS AND SURVEY, NEW ZEALAND.
FOR SUBDIVISION OF LAND UNDER THE LAND TRANSFER ACT.





- Notes
- Boundaries of Areas 1 - 5 are the external face of walls, edge of slated structures or related primary boundary.
 - Areas A, B, C & D are Restrictive Covenants.
 - Areas 4 and 5 to be comprised in one lease.
 - Areas 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.
 - External Title boundaries adopted from DP 2851.

Geomatic SURVEYS

Registered Professional Land Survey Consultants
 Licensed Cadastral Surveyors
 1180 Lake Road PO Box 7205 Rotorua New Zealand
 email: info@geomatics.co.nz
 p 04 07 349 3555 f 07 4712 870

Total Area = 809m²
 Comprised in:
 C&T SA 36D/475; SA 36D/476; SA 42B/139 & SA 42B/140
 New CT Allocated: Area 1: 645479 Area 2: 645480 Area 3: 645481
 Area 4: 645482 Area 5: 645482

AREAS 1 - 5 ON
 LOT 15 DP 2851

ORIGINAL SCALE	ORIGINAL SIZE	REVISION NO.
1:200	A2	
DATE	CAD REFERENCE	SHEET NO.
March 2014	21534	1
SURVEYOR: Kevin Sewell Licensed Cadastral Surveyor		

DP 472769



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




R.W. Muir
Registrar-General
of Land

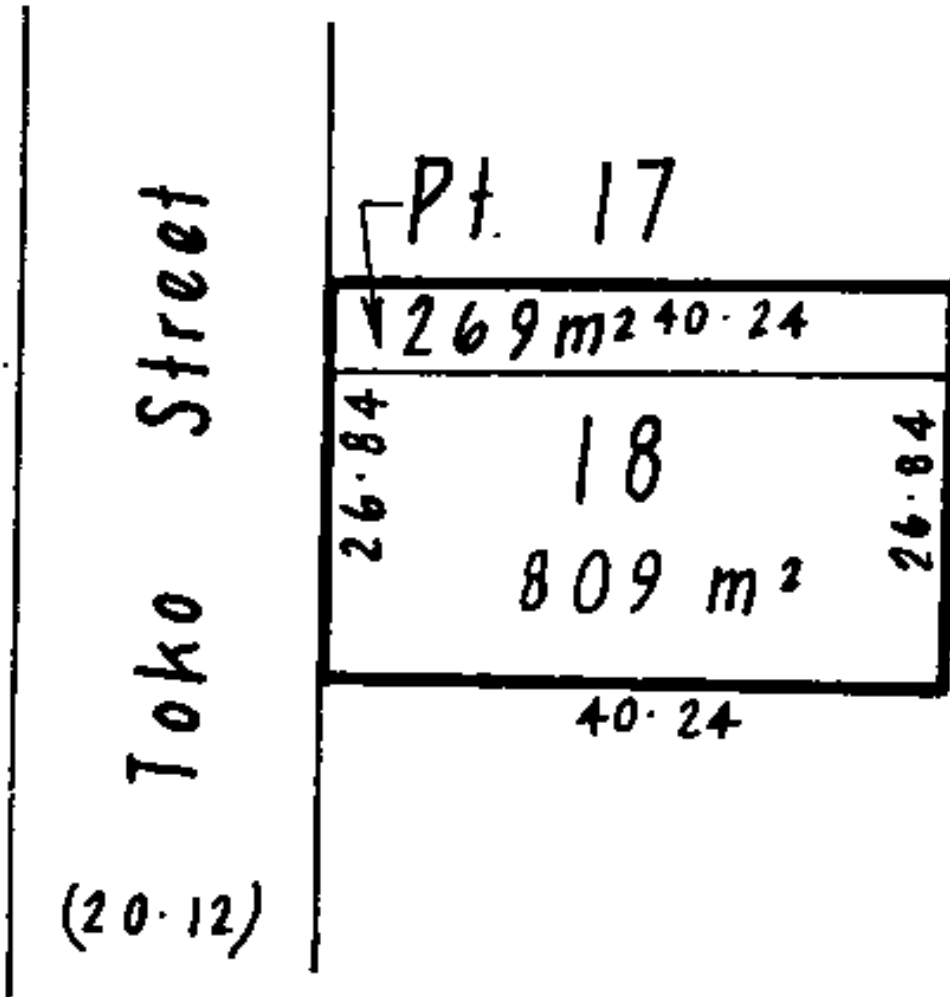
Identifier SA26D/59
Land Registration District South Auckland
Date Issued 03 March 1981

Prior References
SA1206/10

Estate Fee Simple
Area 1078 square metres more or less
Legal Description Part Lot 17 and Lot 18 Deposited Plan
2851

Registered Owners
Hampson Family Trustee Limited and G & L Trustee 2013 Limited

Interests
Subject to Section 15 Rotorua Town Lands Act 1920



Total Area 1078 m²

1018

Appendix 2 – Site Plan



Legend

- 8A, 8B and 10B Toko Street
- Units
- Carparks
- Utility/Building
- Private open space
- Private residence

All measurements are approximate and subject to survey.



Imagery sourced from: LINZ Data Services
 Property boundaries sourced from Land Information NZ. Crown Copyright reserved. Property boundaries accuracy: +/-1m in urban areas, +/-30m in rural areas.
 Coordinate System: NZGD 2000 New Zealand Transverse Mercator
 Datum: NZGD 2000 // This map was produced with ArcGIS Pro (Esri).

8A, 8B and 10B Toko Street
 Emergency Accommodation

DATE
14/12/2021

SHEET
1 OF 1

PREPARED BY
JK Bellamkonda

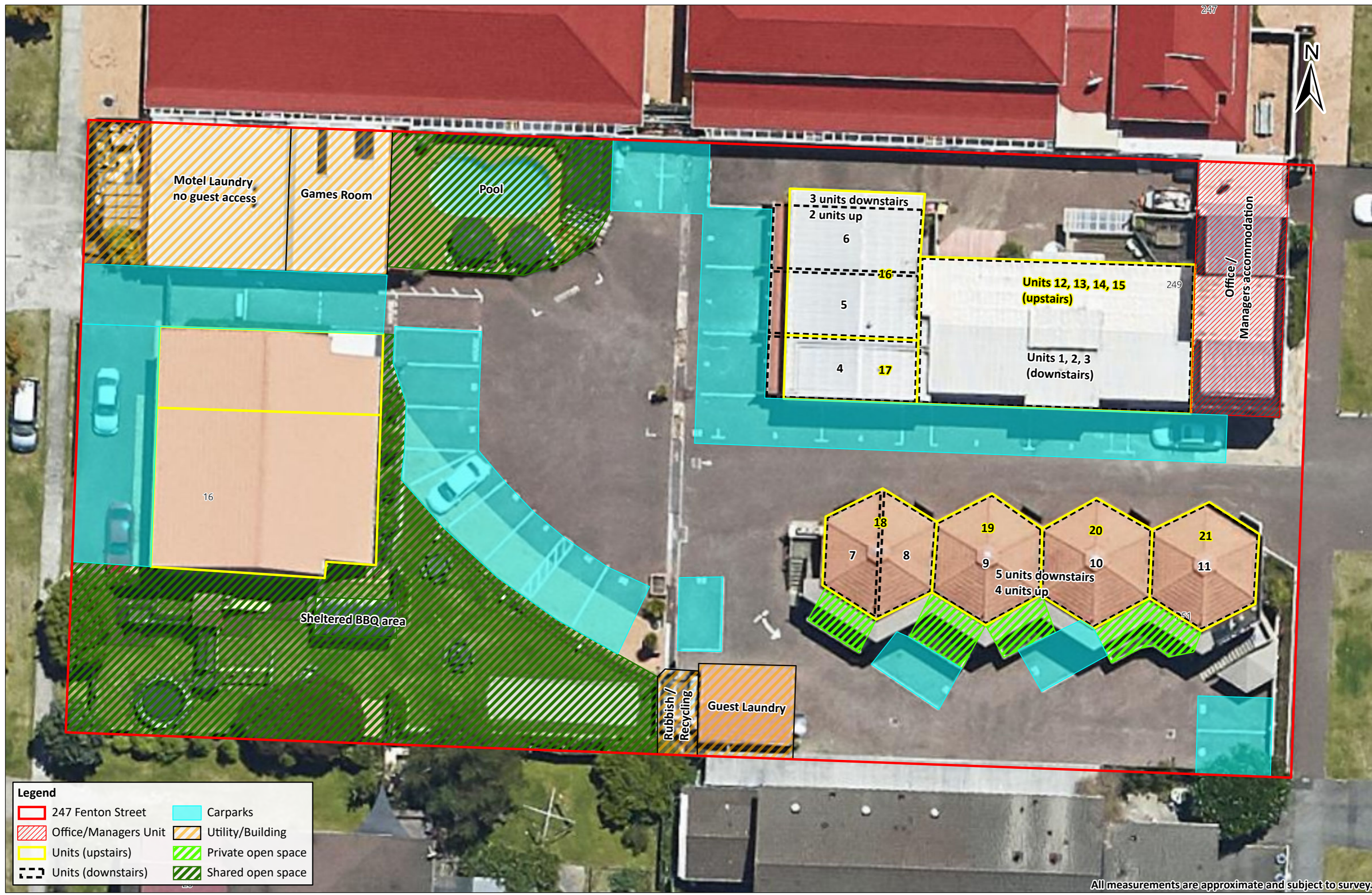
TPG REF.
717539

A3 Scale 1:110

0 3.5 Metres



Te Tūāpapa Kura Kāinga
 Ministry of Housing and Urban Development



Legend

247 Fenton Street	Carparks
Office/Managers Unit	Utility/Building
Units (upstairs)	Private open space
Units (downstairs)	Shared open space

All measurements are approximate and subject to survey.

Appendix 3 – 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

ROTOVEGAS MOTEL
249 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 Rotovegas Motel , 249 Fenton Street, Rotorua for Contracted Emergency housing.

2. SITE MANAGEMENT

2.1 OCCUPANCY CAPACITY

Rotovegas Motel has 23 units in total, 21 of which are used for emergency housing, two units will be used by staff who work at the accommodation. The 21 motel units are spread over two stories. On site there is also a separate building which has shared facilities. This will be used for one large family. In the same building there is also a separate 2-bedroom unit. Off site, the Ministry of Housing and Urban development have also contracted a further 3 units (3x 2 bedrooms). Each of these units can accommodate up to 4 people.

The maximum number of occupants on site is **96** (this includes the motel units and other large property on the premises). The maximum number of occupants in the 3 offsite properties is **12** 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 249 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.

All families placed the 3 offsite units will have low support needs, however regular engagement will happen with support staff. Additionally, they will be made aware of our Security Guards contact details for their support where required. These properties will also continue to be monitored by Security Staff.

2.3 VISITORS

- Visitors will be not permitted on site.
- Persons visiting the 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

- Security will be housed at the front reception area.
- The facility has 9 cameras operating which will be made available to Security.
- 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.
- A no visitor, no alcohol, and no drugs policy will be imposed 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 experiences 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 needs 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.
- reactive 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 LAmax

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 either in hard copy or electronic format for staff to use. 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 and
- check the condition of the unit and if necessary, complete a report
- discuss the rules of stay to ensure they are understood and agreed
- 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
Bryce Smart	Owner/Motel Operator	021 0296-2896 07 348-5586	info@rotovegasmotel.co.nz