

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 – 293 Fenton 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 293 Fenton Street (Lot 55 DP 15716 and Lot 56 DP 15716) (the site) for Contracted Emergency Hosuing. HUD is making this application on behalf of the motel operator, who will be the consent holder.

This application includes a Form 9, a detailed description of the proposal, along with an assessment of environmental effects and supporting appendices.

A lodgement deposit of \$1500 will be paid by electronic transfer upon receipt of an invoice.

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

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

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

Yours sincerely



Alice Blackwell

Senior Planner

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

Form 9

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

To:	Rotorua Lakes Council
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Applicant:	Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development
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Agent:	Alice Blackwell Senior Planner The Property Group Limited (TPG) 0274 625 769 ablackwell@propertygroup.co.nz
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Address for service:	The Property Group Limited PO Box 2874 Wellington 6140 Attention: Alice Blackwell
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Invoice details:	Ministry of Housing and Urban Development c/- The Property Group Limited PO Box 2874 Wellington 6140 Attention: Alice Blackwell
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Site address:	293 Fenton Street, Glenholme, Rotorua
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Legal description:	Lot 55 DP 15716 & Lot 56 DP 15716
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Owner of site:	KGL Limited
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Consent for:	Land Use Resource Consent (Non-Complying Activity) No other resource consents are required for this proposal
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Description:	Resource consent to use the existing site and motel buildings for Contracted Emergency Housing.
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Enclosed:	Application and AEE Appendix 1 – Record of Title(s) Appendix 2 – Site Plan Appendix 3 – Contracted Emergency Housing Factsheet
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Appendix 4 – Site Management Plan

Signed:

AJ Blackwell

Alice Blackwell

Senior Planner

Date:

20 December 2021

Application for Resource Consent

Contracted Emergency Housing

293 Fenton Street, Rotorua

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

December 2021

Quality control

Title:	Resource consent for Contracted Emergency Housing at 293 Fenton Street, Rotorua
Client:	Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development
Job number:	717539
Prepared by:	Anna Muller – Planner
Signature:	
Reviewed by:	Alice Blackwell – Senior Planner
Signature:	

1. Introduction

On behalf of the motel operator, Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development (HUD) hereby applies for resource consent from Rotorua Lakes Council (Council) to use the existing site and buildings at 293 Fenton 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 is in the Commercial 4 Zone (City Entranceway Accommodation) 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 Contracted Emergency Housing model does not meet a defined activity provided for within the District Plan.

1.1 Background

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

A Rotorua Housing Taskforce was established in March 2021 (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 2,018m² corner site has frontage to Fenton Street along its eastern boundary and Robertson Street along its southern boundary (see *Figure 1* below). The site is comprised of two parcels.



Figure 1: Aerial photograph of the site (Source: Rotorua Council Geyserview)

The site is currently occupied by an existing motel, with the main entrance off Fenton Street and a second entrance off Robertson Street (which will be closed for the purposes of site management). The manager’s unit is located in the south-eastern corner. A building accommodating six units is located along the site’s northern boundary, and a row of nine units is located close to the site’s western boundary. There is a play area and utility/amenity area in the north-western corner between these buildings. All accommodation buildings on the site are two storeys and the utility building in the northwest corner of the site (accommodating a kitchen area, heat exchange utilities, laundry, and games area) is single storey.

The site is surrounded by commercial accommodation to the north, east and south, with residential properties to the west/south-west.

The existing buildings within the site are dedicated to the motel operation, which has been in operation since the 1980s. The configuration of the units is outlined in Table 1 below and shown on the Site Plan in [Appendix 2](#). The overall occupancy levels are based on the number of beds typically accommodated within each unit. For example, a double bed can sleep two people, a single bed one person. The occupancy rate is therefore based off the nature of the unit and the beds within. It is noted that the Manager’s unit is not included in the table below, nor are infants aged less than 18 months.

Table 1: Configuration of units at 293 Fenton Street excluding manager’s accommodation

Type of unit	No. of units	Max No. of occupants
Family apartments	15	90
Total	15	90

There are adequate carpark located within the property for each unit to have a parking space. There is a shared laundry facility, play area and games room on site, which can be used by the site occupants.

2.2 Previous resource consents

A search of the Rotorua District Council property files has highlighted previous planning approvals in relation to the establishment of the motel. It is noted that our search revealed no resource consents that restrict the way that 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
27/1/1983	RC3211	Signage
6/4/1983	RC3225	Signage

It is noted by the consents above the establishment of the motel activity itself was a Permitted Activity, but resource consent was required for motel signage.

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

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.

With the exception of a new gate on the Robertson Street frontage, the proposal does not include any physical alterations to the existing motel complex.

While 15 units have been contracted by HUD, only 14 units will be occupied by Contracted Emergency Housing occupants. The 15th unit will be used by the Housing Service Provider and security are able to use the main reception area to manage access.

Emerge Aotearoa is the current contracted Housing Service Provider for the subject site, however, it is possible that one of the other Housing Service Providers could take over the management of the site in the future. Any future Housing Service Provider would operate the site in the same way as described in this application.

It is intended that the proposed use of the site and buildings for emergency housing purposes will be for an initial one year period. Resource consent is sought for a maximum duration of five years. HUD will review the ongoing need for this site at a minimum on an annually basis. The traditional motel operations, providing for tourist accommodation, will resume as the demand for emergency housing subsides. Therefore, the use of the site and facilities is for a temporary period and the proposal does not represent the permanent conversion of tourist accommodation to a permanent residence.

3.2 Contracted Emergency Housing

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

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

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

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

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

3.3 Service Provider and Site Management

3.3.1 Site Management

Emerge Aotearoa is the current Housing Service Provider for 293 Fenton Street. Emerge Aotearoa has prepared a Site Management Plan (SMP) attached at Appendix 4. The SMP outlines the following in terms of site management:

- Maximum occupancy of **90** people (not including infants under the age of 18 months, employed staff and their family, support staff or relief staff).
- 24/7 onsite security presence 7 days a week. security on-site and an on-call Senior Security Officer.
- A motel operator who will be responsible for maintenance and cleaning services in the motel, including:
 - Regular maintenance checks of all motel units
 - Maintenance of the gardens and outdoor areas

- Repairs to motel units, shared areas, reception, equipment, chattels, and fire system.
 - Routine inspections of all units and full cleaning after exit
 - Organising trades and contractors to fix repairs
- The process and hours for authorised personnel and visitors to the site.
 - The process for new occupants, including making a whanau profile that identifies any additional support required.
 - Noise management (including visiting hours, use of outside facilities being limited to 6.00 am to 10.00 pm and a general responsibility for residents to not cause disturbance to the quiet and peaceful enjoyment of the premises).

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

3.3.2 Support Services

The Housing Service Provider is responsible for organising the support services that are available to emergency housing occupants and will provide all onsite staff (community connectors) to deliver appropriate support services to whanau staying at the motel.

Support staff will generally be on site Monday to Friday from 8am to 5pm and occasionally outside these hours if required. A roaming Kaitiaki will also be on site for at least 4 hours per day, 7 days per week. Support staff work with whanau to manage any behavioural issues and assist with the monitoring of visitors.

Emerge Aotearoa will provide support services to each placed household, based on a unique tailor-made strategic plan and operating model known as “Te Hau ki te Kāinga”. This has been created by local iwi and organisations to provide guidance to support whanau to meet both housing and social needs.

The Emerge Aotearoa’s team works will work one-on-one with each household to identify and work through any of their concerns, issues, or barriers in their lives (such as budgeting, social isolation, and mental health issues) that are affecting their ability to gain and maintain a long-term housing solution. Emerge Aotearoa will help them to connect with suitable services or organisations that can support them, while continuing to work with them to find a permanent home.

3.4 Physical works

This application seeks authorisation only in relation to the proposed change in activity. No physical works are proposed to the buildings however a gate will be constructed at the Robertson Street entrance for the purpose of site management. The Contracted Emergency Housing activity will continue to use all existing site features of the motel operation. The site features and layout are shown on the Site Plan at [Appendix 2](#).

3.5 Reversion to Motel activity once emergency housing activity ceases.

As noted above, the intended duration of emergency housing operating from the site is for a period of up to five years, after which time it is intended that the long-standing motel activity (tourist accommodation) will resume (if this hasn’t occurred already within this

window). All necessary approvals are sought to enable the activity on the site to transition back to motel use, and this forms part of the proposal.

4. Statutory framework

4.1 Rotorua District Plan

The subject site is located in the Commercial 4 Zone – (City Entranceway Accommodation) of the District Plan (see Figure 2 below).

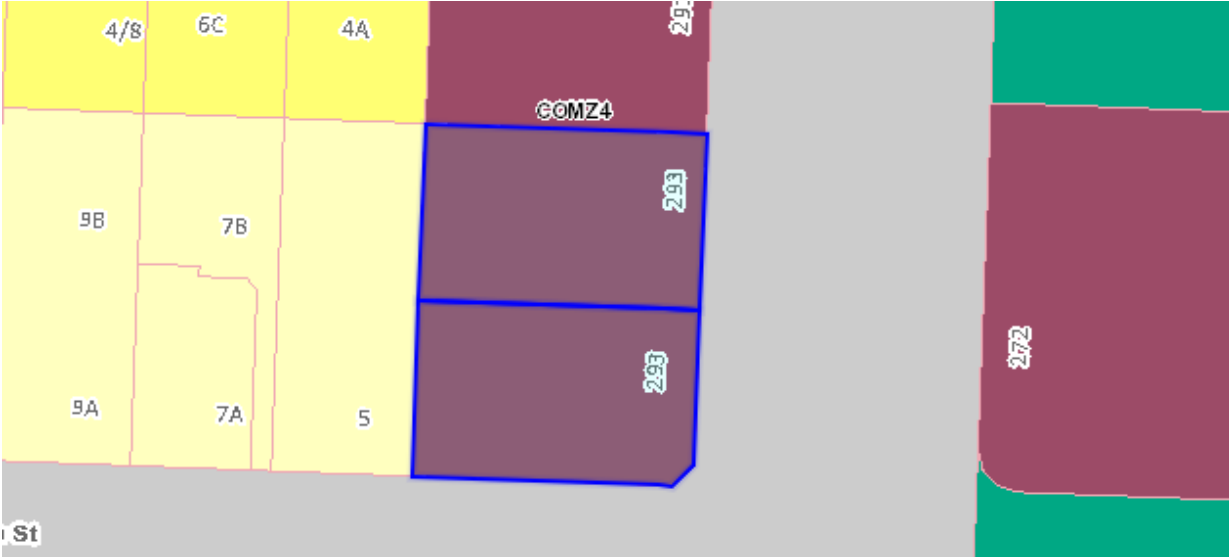


Figure 2: Excerpt showing site in Commercial 4 zone of the District Plan (outlined in blue)

4.2 Zone character and purpose

As shown in Figure 2 above, the site is located entirely within the Commercial 4 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 the COMZ4 zone and provides an assessment as to whether the intended use of the site aligns with the land use strategy of the District Plan.

4.2.1 Commercial 4 - City Entranceway Accommodation

The Commercial 4 Zone is described in the District Plan as:

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

The proposed activity will remove a tourism enterprise for a temporary period of a up to a maximum of five years. During this period, the proposal will replace the existing tourist accommodation with Contracted Emergency Housing accommodation. The Commercial 4 Zone rule framework provides for the conversion of tourist accommodation to residential units as a

controlled activity and it is noted that the matters of control do not extend to the effects of loss of tourism enterprises. Therefore, the District Plan anticipates the use of existing tourism infrastructure being repurposed for residential purposes. Notwithstanding this, long term it is anticipated that the motel will revert back to standard style tourist accommodation.

4.2.2 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 zone. Firstly, the proposed activity will be fundamentally similar to the existing and long-standing motel operation – whereby temporary accommodation will continue to be provided (albeit for people without permanent accommodation). The motel activity (providing short-stay accommodation) is 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.

Secondly, the zone anticipates a more intensive style of built form and living environment, than in other zones in the city, thus recognising that there will be less onsite amenity available for occupants than might otherwise be required and acceptable in a traditional residential context. It is therefore anticipated that whanau will live in closer proximity to one another in a denser living environment.

Thirdly, this application is for a temporary period while there is an ongoing demand for emergency housing. At the end of this period the site will revert to providing tourist accommodation.

The proposed activity and existing built environment accords well with the overall character and purpose of the Commercial 4 zone. The site is therefore assessed as being appropriate for the proposed activity having regard to the overall land use strategy in District Plan.

4.3 Permitted activity standards

The following table is an assessment of the proposal against the relevant permitted activity standards in the Commercial 4 Zone. We note that the bulk and location standards are not relevant as no physical changes to the existing buildings are proposed.

Commercial 4 Zone Performance Standards			
Performance Standard	Description	Comments	Compliance
COMZ – S1 Maximum height and daylight envelope	No building or structure shall exceed 12 metres and buildings within 10 metres of a residential zone shall not transgress the daylight envelope.	The proposal does not involve changes to the bulk of the existing buildings.	No change proposed.

COMZ – S2 Yard requirements	Side, rear and rear site yards of 2.5 metres are required.	The proposal does not extend the footprint of the existing buildings.	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 .	The proposal will retain all 15 motel units (plus the manager's accommodation). 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)		All carparks are existing. No new vehicle crossings are proposed. A gate will be constructed at the Robertson Street exit for site management purposes.	No change proposed.
	Table A4.2 requires 2 accessible carparks.	Can comply.	Can comply.
COMZ – S9 Landscaping	<p>a. i. The boundary adjoining a residential zone shall be fenced with a 1.8 metre close-boarded fence; or</p> <p>ii. A two metre planting strip</p> <p>b. No more than 20% of required landscaping may be used for carparking</p>	<p>The existing boundary treatment will remain.</p> <p>Landscaped land is not utilised for carparking.</p> <p>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</p>	<p>No change proposed.</p> <p>No change.</p> <p>Complies.</p>

c. Pallets, contains etc shall be screened from public places and residential areas place or appropriately screened.

General District Wide Matters – Part 2

LIGHT S1 No more than 10 lux on any residential site boundary. No changes are proposed to the existing lighting on the site. **No change.**

NOISE S1 (Commercial Zone) and S2 (Residential Zone) Noise standards are measured from the boundary within the receiving site. Commercial 4 Noise performance standards apply to the commercial boundaries of the site. Residential 1 Noise performance standards apply to the western boundary of the site. The Site Management Plan includes measures to ensure noise will be managed within the site. The activity will continue to achieve compliance with the noise requirements of the District Plan. **Complies.**

NOISE S5 Noise sensitive activities within 40 metres of State Highway 30 are permitted (Noise R4). Fenton Street has a 50km/hr speed limit. No new residential units are being constructed and therefore this standard does not apply. **N/A**

NOISE R-5 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:

- Bedrooms 10 p.m. to 7 a.m. on any day:

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 **No change.**

-
- 35 dB LAeq(1h) introducing a *new*
 - 45 dB Leq at 63 Hz noise sensitive activity
 - 40 dB Leq at 125 Hz to the site. Existing use
 - All other habitable rooms rights apply.
 - (all times) and in bedrooms
 - 7 a.m. to 10 p.m. on any
 - day:
 - 40 dB LAeq(1h)
 - 50 dB Leq at 63 Hz
 - 45 dB Leq at 125 Hz
-

Relevant District Plan definitions:

‘Community housing’ is provided for in the Commercial 4 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 90 people (excluding staff and support service workers) and as such does not meet this District Plan definition of ‘Community Housing’.

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

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

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

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

4.4 Activity status

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

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

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

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

- *Tourist Accommodation* in the COMZ4 Zone as a permitted activity;
- *“Change in use from tourist accommodation to a permanent residence within an existing building”* in the COMZ4 Zone 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 “household units” in the Commercial 4 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. The scenario of the residential use of the land and buildings is provided for in the District Plan as a Restricted Discretionary Activity pursuant to Rule COMZ-R33.

The support activities that will be provided as an accessory use to the Contracted Emergency Housing i.e. on site management and bespoke support services for residents, are technically non-complying activities as in the Commercial 4 Zone there is no provision support services at this scale.

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

Therefore, regardless of whether the proposed use is considered as “community housing” or “household units with accessory support services” the application remains a non-complying activity.

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

4.6 Scope of application

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

If Council is of the view that resource consent is required for alternative or additional matters to those identified in Section 4.3 of 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 4.4 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.

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' as a permitted activity in the Commercial 4 Zone. As the site is currently made up of two Record of Titles, a relevant permitted baseline would be Community Housing for up to 16 people (including resident staff) across the two land parcels. We note that 'community housing' requires some element of support such as the support services proposed in the subject application.

'Tourist accommodation' is also a permitted activity in the Commercial 4 zone of the District Plan.

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 permitted activities outlined above, the following are also permitted in the Commercial 4 zone:

- Household units on and above the ground floor
- One household unit per 450m² net site area
- Bed and Breakfast for a maximum of 8 guests including the owner or manager who is a resident onsite.

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. We note that the definition of 'tourist accommodation' (which is permitted in the Commercial 4 zone) does not require occupants to be *tourists*, just that guests are paying and the accommodation is not their normal place or residence.

The most directly comparable permitted baseline in our view is for the subject site to operate as tourist accommodation, which we note could, and until recently has, operated from the entire site as a permitted activity.

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.

We note that a community housing facility of up to 16 residents could also occupy the subject site (across two Records of Title).

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 within Commercial 4 zone and is surrounded by similar land uses (motel sites) and to the west the character transitions to residential in nature. The site has two road frontages, Fenton Street and Robertson Street. The adjoining properties to the north and south provide tourist accommodation and the adjoining properties to the west are residential style properties. The site is well located to amenities, including being within 800 metres of the nearby school, public open space, supermarket, butcher and services stations.

The design, scale, appearance, and layout of the existing buildings within the subject site will not change with the exception of a gate to be constructed at the Robertson Street exit. There will be no change to the physical features of the site more generally. The site layout is shown in the site plan at [Appendix 2](#).

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

5.2.1 Internal amenity effects

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

Each unit has access to a private courtyard / outdoor space accessed from the rear of the unit. Additionally, there is a shared amenity space and games room, and shared play area (approximately 75m²) that occupants can utilise within the site. There is adequate room throughout the site for each unit to have a parking space; noting that parking allocation will ultimately be a matter for the contracted site management to direct and control.

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

Ultimately, potential internal amenity effects are mitigated by the intended short duration of stay. In this regard emergency housing provides short-term accommodation to individuals and whānau with a high housing need, while more permanent accommodation is sought. The need of tenants for accommodation far outweighs the qualitative requirements of the District Plan for onsite amenity. Furthermore, there are many local amenities within close proximity of the subject site, including public reserves, schools, supermarkets, and the retail centre approximately 1 kilometre north of the site.

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

Ultimately, the provision of Contracted Emergency Housing through motels provides a necessary option for vulnerable individuals and families who urgently require accommodation. While there will be some limitations with regard to on-site 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

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

To provide assurance around the management of potential noise etc associated with the proposed activity, the implementation of the SMP 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.

272 Fenton Street (across the road to the east)



Figure 3: 272 Fenton Street – Rydges Hotel (source: Google Street View)

The Rydges Hotel at 272 Fenton Street is located to the east of the site (across the road) with its primary entrance located on Fenton Street and a secondary pedestrian entrance located on Park Street to the south. It is noted that 272 Fenton Street is on the opposite side of the street from the subject site, with Fenton Street being a four lane Urban Primary Arterial Road approximately 25 metres wide with a large, grassed centre median.

We note that the site at 272 Fenton Street is located within the Commercial 4 zone, where ‘tourist accommodation’ is a permitted activity.

Effects on the property across the road at 272 Fenton Street are comparable to a permitted tourist accommodation activity operating from the subject site and are considered to be less than minor.

291 Fenton Street – adjacent site to the north



Figure 4: Image of the subject site (left) and the adjoining property to the north at 291 Fenton Street (Source: Google Street View).

Thermal Oak Motel adjoins the subject site to the north at 291 Fenton Street. The layout of the site is such that the office and driveway is located on the southern boundary, with the motel units located in a rectangular building to the northern side of the site.

There are no outdoor areas or open spaces other than the driveway close to the southern boundary of 291 Fenton Street, and a wooden fence with high vegetation separates the property from the subject site. The site at 291 Fenton Street is located within the Commercial 4 zone, where 'tourist accommodation' is a permitted activity.

Effects on the adjacent site at 291 Fenton Street are comparable to a permitted tourist accommodation activity operating from the subject site and are considered to be less than minor.

5 Robertson Street – located to the west



Figure 5: Image of the subject site (right) and the adjoining property to the north at 5 Robertson Street (Source: Google Street View).

The adjoining site to the west at 5 Robertson Street is a single residential dwelling located in the Residential 1 zone. The outdoor areas/open spaces closest to the boundary with 5 Robertson Street are limited to the outdoor areas of units 1 to 9. A tall wooden boundary fence, which will remain in place, separates the activities within the subject site (including open space areas) from the adjacent residential property at 5 Robertson Street. A driveway is located within 5 Robertson Street along the common boundary, which provides a further buffer from onsite activities. The utility building at the northwest corner of the subject site will remain in place and is not an area with high occupation/use/activity. When combined, these physical parameters will mean effects on 5 Robertson Street will be less than minor.

Overall, potential amenity effects on the adjoining parties to the west, including such things such as privacy and noise, are considered to be comparable to a permitted activity, and no different to potential effects from the existing motel operation on the subject site. The site will be subject to supervision and management, as per the site management plan, which will mitigate potential noise and nuisance related effects upon adjacent parties. Effects of the proposal on 5 Robertson Street are considered to be less than minor.

299 Fenton Street & 4 Robertson Street – located to the south



Figure 6: 299 Fenton Street, Geneva Motel, and 4 Robertson Street - looking south from the subject site (Source: google Street View).

The sites to the south of the subject site (across Robertson Street) are the Geneva Motel at 299 Fenton Street and a residential property at 4 Robertson Street. Both of these sites are located in the Commercial 4 zone.

The layout of the site at 299 Fenton Street is such that a secondary entrance and manager's unit is located directly opposite the subject site, with the accommodation units located towards the southern boundary.

The site at 4 Robertson Street has a small lawn and driveway at the front of the section, with a private lawn area behind the dwelling at the back of the section.

The design of the buildings on the subject site are such that the manager's unit and a single accommodation unit are on the Robertson Street frontage. Furthermore, a gate will be constructed at the Robertson Road exit of the subject site to stop access from Robertson Road.

Overall, potential amenity effects on the adjoining parties to the south, including such things such as privacy and noise, are considered to be comparable to a permitted activity, and no different to potential effects from the existing motel operation on the subject site. The site will be subject to supervision and management, as per the site management plan, which will mitigate potential noise and nuisance related effects upon adjacent parties. Effects of the proposal on 299 Fenton Street and 4 Robertson 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 use of the site for emergency housing. 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 similar to the continued operation of the existing motel. The street frontage of the subject site is a low, white wooden fence with landscape planting with the boundaries of the subject site. 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.

A new gate is proposed on the Robertson Street frontage to assist with the management of the site. Final details of design of the proposed gate can be finalised through conditions of consent.



Figure 7: 293 Fenton Street streetscape from Fenton Street (source: Google Street View)

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

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

5.4 Access and parking effects

The subject site has its main vehicle entrance onto Fenton Street where there is good visibility to the north and south. A gate will be constructed on the Robertson Street exit for the purposes of site management, however the existing carparking arrangement within the site will remain and there is sufficient carparking to provide on carpark per household unit on the site. Similar to how a motel would operate, no specific visitor parking is provided.

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

The proposal is not expected to generate strong demand for on-street carparking (although it is noted Robertson Street has plentiful capacity), 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 walking distance of local amenities.

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

5.5 Traffic generation

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

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

5.6 Waste management

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

We note there are dedicated areas for storage of rubbish and management of these areas is the responsibility of the motel operator.

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

5.7 Intensity of use effects

The existing capacity for accommodation (i.e. number of units and associated beds etc) will continue to be available at a broadly similar level to the previous motel operation. HUD has prohibited the use of temporary beds, such as sofas or roll away beds, and as such the capacity (i.e. people per unit) may have actually decreased since the motel has been used for Contracted Emergency Housing. The site has 15 accommodation units, but only 14 of these have are being used for accommodation, as the 15th unit is being used by the Housing Service Provider to provide onsite support services.

While the existing capacity to provide accommodation is similar to the previous motel operation (albeit with one less unit), 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 3* below, for the week beginning 13 December 2021, all of the available rooms were occupied (i.e. 14 rooms. However, the total number of people staying on the site was 51 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 3: 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
293 Fenton Street	15	14	90	51

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 provide for emergency housing. The proposed on-site social wrap-around services will assist with the daily functioning of the site and will help provide a pathway for tenants to obtain more permanent housing elsewhere.

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

The site is extremely well located to wider amenities such as public open space, public transport, and neighbourhood service amenities.

The use of the site for Contracted Emergency Housing, provides the motel operators with a source of steady income in a period when international tourism is significantly



reduced as a result of the COVID-19 pandemic. Once the need for emergency accommodation dissipates, the site and buildings will revert to provision of tourism accommodation – consistent with the onsite activities since the 1990s.

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.

Table 4: Assessment against District Plan objectives and policies

Part 2: District Wide Matters – Noise	
Appropriate noise environment	
NOISE-O1	A noise environment consistent with the character and amenity expected for the zone.
NOISE-P1	Control the potential adverse effects of noise on noise sensitive activities including by setting appropriate standards that reflect the function of the zones and permitted activities within them.
NOISE-P3	Control the potential adverse effects of noise generated in one zone and received in another zone.
NOISE-P4	Minimise, where practicable, noise at its source or on the site from which it is generated to mitigate adverse effects on adjacent sites.
Comment:	<i>The proposed use of the site for emergency housing is entirely consistent with the character and amenity expected for the Commercial 4 zone. Use of the site for ‘tourist accommodation’ is provided for in the District Plan as a</i>

permitted activity and any noise generated from the site is akin to the type of noise generated from a tourist accommodation activity.

Furthermore, there is far more active supervision of the site though the service provider than would exist if the site was being operated as a motel. Effective implementation of the SMP (which includes restrictions on visitors, hours for being in shared open spaces and specific rules related to noise) provides further assurance that any noise issues will be dealt with promptly.

The proposal is consistent with the above objective and policies.

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.

Comment: *The proposal is not anticipated to result in any reverse sensitivity effects. The zoning of the site provides for very similar activities (tourist accommodation) and the proposed use of the site is compatible with surrounding uses.*

The proposal is consistent with the above objective and policies.

Part 3: Area Specific Matters – Commercial Zones (COMZ)

Commercial centres

COMZ-O1 A hierarchy of vibrant compact commercial and tourism centres that efficiently service and support the needs of the surrounding community and nationally significant tourism sector.

COMZ-P4 Entranceway Accommodation and Tourism Provide for the development of tourism enterprises and Māori cultural experiences that maintains or enhances the amenity and vibrancy along the northern and southern city entranceways to the inner city, as shown on Planning Map 206.

Comment:

Operating 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. The only proposed gate is on the Robertson 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.*

As discussed in the assessment of environmental effects (above) the proposal will not detract from the character of the area, nor will it adversely affect the safe and efficient functioning of the transport network.

The service provider (Emerge Aotearoa) will provide effective management of the site, ensuring the safety of those within the site and the wider community.

The proposal is consistent with the above objective and policy.

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 with the exception of the gate installed at the Robertson Street exit. The implementation of the SMP will ensure the use of the site for Contracted Emergency Housing purposes will not adversely affect the amenity of adjoining residents.*

Furthermore, 'community housing', and 'tourist accommodation' are permitted activities in the Commercial 4 zone. These are activities that both closely align to the proposed use of the site for emergency housing. The proposal is consistent with the above objective and policy.

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:	<p><i>As previously discussed, the proposal is a Non-Complying Activity because it does not neatly fit the definitions in the District Plan, rather than because it is challenging the integrity of the District Plan. The proposal is generally consistent with 'community housing' which is permitted in 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.</i></p> <p><i>The proposal does not compete with the City Centre and complements the City as a whole, by providing urgently needed housing for those most in need.</i></p> <p><i>The proposal is consistent with this objective and these policies.</i></p>

6.2 Overall objectives and policies conclusion

For those reasons outlined above, it is considered that the proposal is consistent with all relevant objectives and policies of the operative Rotorua District Plan.

7. Notification assessment

7.1 Public notification – section 95A

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

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

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

Step 2 – Preclusion to Public Notification:

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

Step 3 - Public Notification – Rule/Adverse Effects:

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

Step 4 – Special circumstances:

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

It is recognised that transitional and emergency housing is a controversial issue in Rotorua and other parts of New Zealand, with concerns about crime and violence, and risks to public safety. The RMA and District Plan do not provide scope to manage households based on people’s circumstances, behaviour or socio-economic status. These issues are managed under other legislation and through agencies other than the council such as the Police and other government service providers. Public notification based on these circumstances will likely serve to confuse the issues that are relevant to resource consent decision making.

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

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

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

In addition, it should be noted that while resource consent is being sought for this activity in 13 locations within Rotorua, the number of premises being utilised for this purpose, or the number of people being housed across the 13 sites in this temporary manner, is not unusual in terms of a broader response to the nationwide housing crisis. Emergency/Transitional Housing is a necessary interim housing option provided throughout the country. The number of sites being contracted by HUD for this purpose and requiring resource consent in Rotorua (13) should not in and of itself be a determining factor for special circumstances, noting that many other city centres throughout New Zealand have sites operating for similar purposes in excess of these numbers. The contracted nature of this accommodation by HUD in

Rotorua is an agreed outcome from the Rotorua Housing Taskforce, which was established in 2021 to develop options for providing better support and outcomes for people living in emergency housing motels in Rotorua. In this regard, the Contracted Emergency Housing model is a positive one in which resulting effects on the community, and welfare of the occupants residing in these premises, is greatly enhanced.

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

7.2 Limited notification – section 95B

Section 95B relates to limited notification of consent applications and (in summary) directs that, where notification of an application for resource consent is not required under Section 95A, the consent authority must give limited notification of the application to any affected person. Section 95B is also a four-step process to determine whether to limited notify an application.

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

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

Step 2 - Preclusions to Limited Notification:

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

Step 3 – Limited Notification – Affected Persons:

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

Step 4 – Special circumstances:

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

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

7.3 Notification conclusion

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

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

8. Statutory assessment

8.1 Section 104D Assessment – Gateway Test

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

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

The objectives and policies of the District Plan that are relevant to the proposal have also been assessed above 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 section 104 of the Act by granting the consent.

8.2 Section 104 of the RMA

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

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

8.2.1 104(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.

8.2.2 104(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 NPSUD Objectives and Policies are set out below.

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

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

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

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

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

- (a) the planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement*
- (b) that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes:*

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

Policy 11: *In relation to car parking:*

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

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

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

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

8.2.3 104(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.

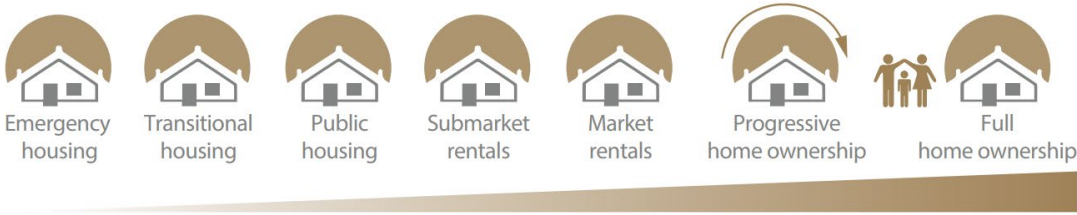


Figure 8: Housing Continuum (excerpt from the Rotorua Housing Strategy 2020, page 20).

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

8.3 Section 108 of the RMA

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

to accept a review condition to provide additional assurance to the Council as to the effective operation of the site for emergency housing.

The applicant is also willing to accept a condition in relation to final landscaping details (including fencing / gates).

Scale and Intensity

- 1) A maximum of 90 residents (excluding children under 18 months of age and staff) shall be permitted to reside within the 15 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 the 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 on-site staffing presence shall be maintained on the site for the duration of the consent.
- 5) The Contracted Emergency Housing accommodation must operate in accordance with the Site Management Plan submitted with the resource consent application.

Review Condition

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

8.4 Resource Management Act 1991 – Part 2 Assessment

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

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

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

Part 2 of the Act sets out the purpose and principles of the legislation, which as stated in section 5, is “to promote the sustainable management of natural and physical resources”. Section 5 goes on to state that sustainable management should enable “people and communities to provide for their social, economic and cultural wellbeing and for their health and safety while (amongst other things) avoiding, remedying or mitigating any adverse effects of activities on the environment”.

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

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

9. Conclusion

This application is being made on behalf of the motel operator by Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development for resource consent from Rotorua District Council for Contracted Emergency Housing at 293 Fenton Street, Rotorua.

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




R.W. Muir
Registrar-General
of Land

Identifier 112455
Land Registration District South Auckland
Date Registered 05 September 2003 09:00 am

Prior References
SA1247/70 SA429/267

Estate	Leasehold	Instrument	L 5718706.1
Area	2019 square metres more or less	Term	21 years commencing on 1.4.2002 and terminating on 31.3.2023 and renewed or extended to 16.8.2028 and extended to 16.8.2042

Legal Description Lot 55 and Lot 56 Deposited Plan 15716

Registered Owners
Little New Zealand Limited

Interests

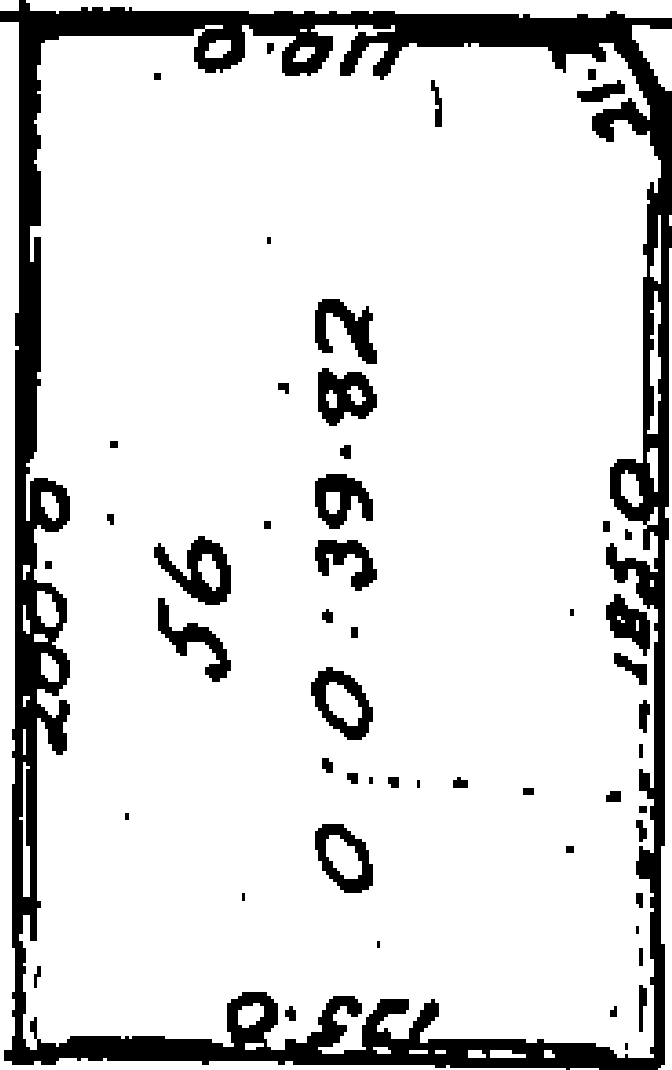
H415487 CERTIFICATE PURSUANT TO SECTION 643 (2) LOCAL GOVERNMENT ACT 1974 BY ROTORUA DISTRICT COUNCIL - 23.6.1982 AT 11.18 AM

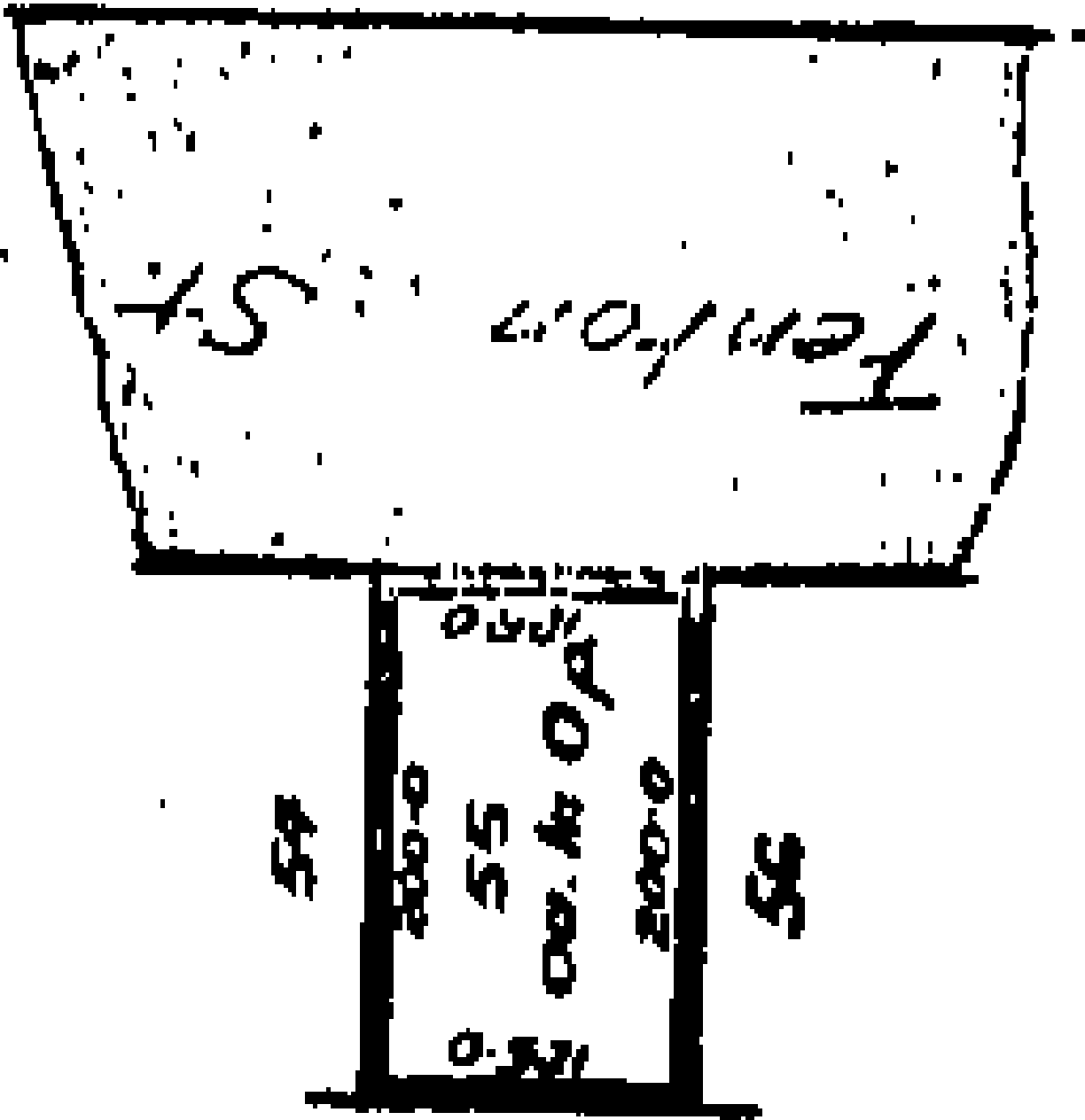
6570239.1 Variation of the within lease renewing or extending the term to 16.8.2028 - 13.9.2005 at 9:00 am

10252872.1 Variation of the within lease extending the term to 16.8.2042 - 24.3.2016 at 12:29 pm

Street

Fertton







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




R.W. Muir
Registrar-General
of Land

Identifier SA429/267
Land Registration District South Auckland
Date Issued 08 March 1926

Prior References
SA399/65

Estate Fee Simple
Area 1012 square metres more or less
Legal Description Lot 55 Deposited Plan 15716
Registered Owners
KGL Limited

Interests

Subject to Section 15 of The Rotorua Town Lands Act 1920

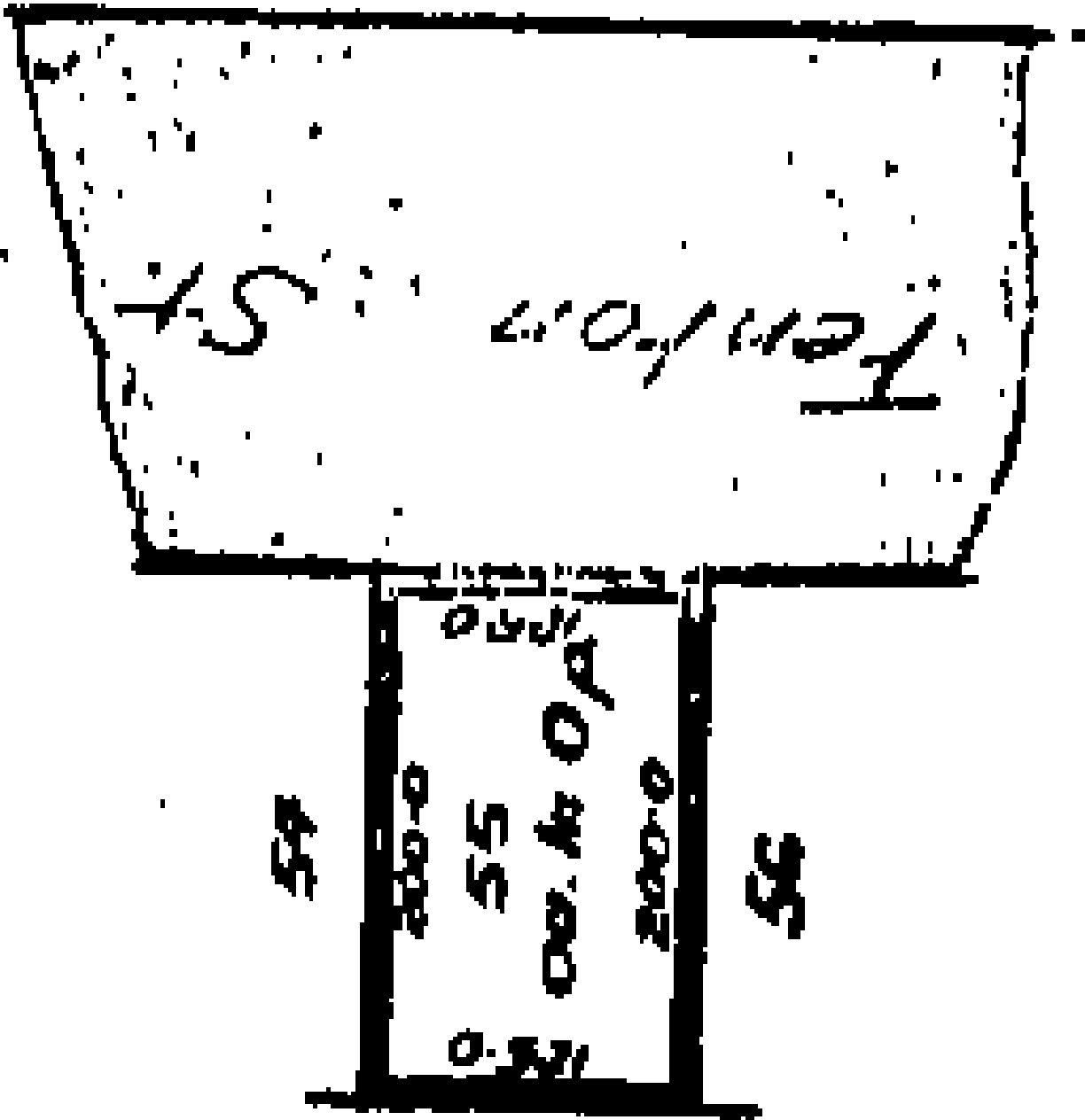
H415487 CERTIFICATE PURSUANT TO SECTION 643(2) LOCAL GOVERNMENT ACT 1974 BY ROTORUA DISTRICT COUNCIL - 23.6.1982 AT 11.18 AM

5718706.1 Lease Term 21 years commencing on 1.4.2002 and terminating on 31.3.2023 CT 112455 issued - 5.9.2003 at 9:00 am

6570239.1 Variation of Lease 5718706.1 renewing or extending the term to 16.8.2028 - 13.9.2005 at 9:00 am

8295841.3 Mortgage to ANZ National Bank Limited - 30.9.2009 at 2:30 pm

10252872.1 Variation of Lease 5718706.1 extending the term to 16.8.2042 - 24.3.2016 at 12:29 pm





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




R.W. Muir
Registrar-General
of Land

Identifier SA1247/70
Land Registration District South Auckland
Date Issued 19 April 1956

Prior References
SA838/227

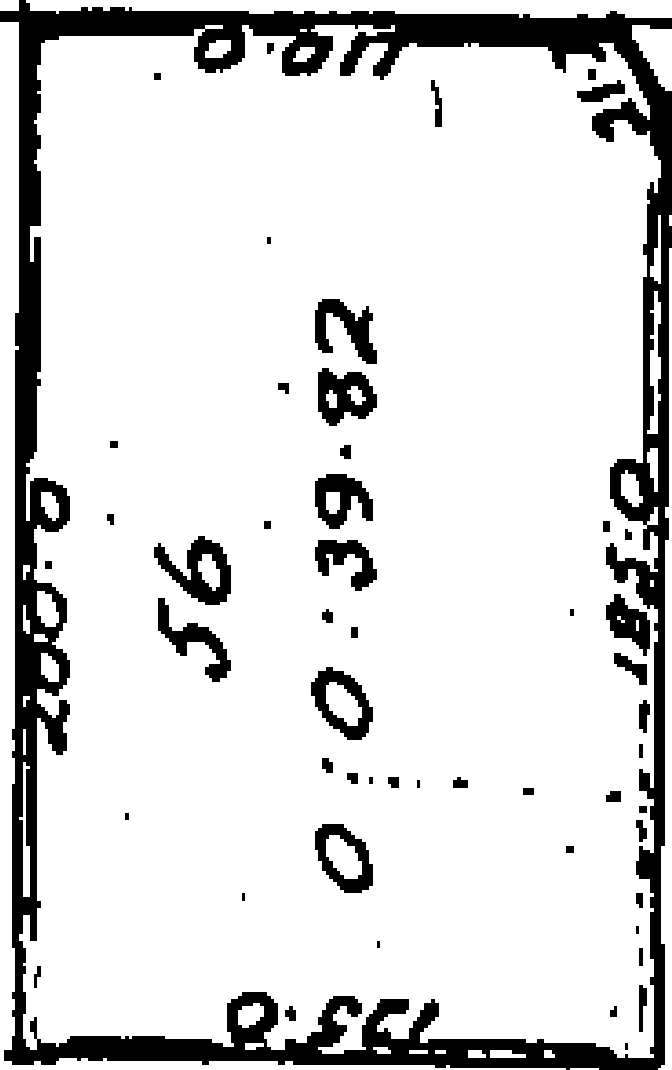
Estate Fee Simple
Area 1007 square metres more or less
Legal Description Lot 56 Deposited Plan 15716
Registered Owners
KGL Limited

Interests

Subject to Section 15 Rotorua Town Lands Act 1920
H415487 CERTIFICATE PURSUANT TO SECTION 643 (2) LOCAL GOVERNMENT ACT 1974 BY ROTORUA DISTRICT COUNCIL - 23.6.1982 AT 11.18 AM
5718706.1 Lease Term 21 years commencing on 1.4.2002 and terminating on 31.3.2023 CT 112455 issued - 5.9.2003 at 9:00 am
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10252872.1 Variation of Lease 5718706.1 extending the term to 16.8.2042 - 24.3.2016 at 12:29 pm

Street

Ferton



Appendix 2 – Site Plan



Legend	
-▶ Entry/Exit	Managers Unit
293 Fenton Street	Units
<Null>	Green space
Carparks	Play area
Utility/Amenity	Private open space

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).

293 Fenton Street
 Emergency Accommodation

TPG REF 717539 A3 Scale 1:160

0 4.5 Metres



Appendix 3 – Contracted Emergency Housing Factsheet

Contracted Emergency Housing Factsheet

What is Contracted Emergency Housing?

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

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

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

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

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

Who is Contracted Emergency Housing for?

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

How do you get placed into Contracted Emergency Housing?

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

What does wraparound support involve?

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

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

How were motels were selected?

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

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

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

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

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

Appendix 4 – Site Management Plan

Ministry of Housing and Urban Development
Contracted Motels for Emergency Housing

Midway Motel
293 Fenton Street, Glenholme, Rotorua

Site Management Plan

September 2021

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- Appendix One – Rules of Stay Agreement **Error! Bookmark not defined.**

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 **Midway Motel, 293 Fenton Street, Glenholme Rotorua**, for Contracted Emergency Housing.

2. Site Management

2.1 Intensity of use

The maximum number of occupants accommodated within the site is **90** people (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 updated on entry and exit of each unit and whenever the Motelier is notified of a change in occupancy levels. 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

Motel staff

The property will be managed by the motel operator who will run the day-to-day operations, for example, regular cleaning, landscaping, and general maintenance services on site. The motel operator will be on site during business hours.

Support Service Provider staff

The Support Service Provider, Emerge Aotearoa, will provide all onsite staff (community connectors) to deliver appropriate support services to whanau staying at the motel. Support staff will generally be on site Monday to Friday from 8am to 5pm and occasionally outside these hours if required.

A roaming Kaitiaki will also be on site for at least 4 hours per day, 7 days per week.

Support staff work with whanau to manage any behavioural issues and assist with the monitoring of visitors.

Security service staff

The Support Service Provider will also be responsible for the provision of an onsite security presence 24 hours per day, 7 days per week. All security guards as a minimum will hold a valid Certificate of Approval (COA) that has been issued by the Ministry of Justice.

Senior security and management personnel will also visit the motel from time to time to check in and if required, additional security support from motels within close proximity (2 minutes away) can be called to assist.

2.3 Site Security

Site access

The main access to the Motel will be monitored 24/7 by security cameras. Security personnel will be placed in Unit 15 as this unit has clear site of the main entrance. All incoming and outgoing visitors/tenants will be recorded in a register. Security will also perform hourly facility checks to ensure that no unauthorised personnel are onsite and that there are no visible issues or concerns.

Managing conflicts

Support staff and security guards are trained in de-escalation techniques and know when to call for assistance from other security personnel or the police. Their priority is to keep everyone, especially children, safe and to isolate any hazards.

Illegal substances are not permitted onsite and alcohol consumption will be closely monitored to manage any incidents that may escalate.

Many of the security staff have experience of dealing with people with acute mental health and drug and alcohol dependency issues. This enables them to recognise triggers to mitigate or eliminate negative behaviour, safety, or security issues e.g. talking with the person, advising them to take a walk, getting support for the person or calling the police.

All staff (Motel operator, support staff and security personnel) will meet monthly as a team to identify best practise, any concerns, and areas for improvement.

All staff (Motel operator, support staff and security personnel) will assist to monitor and manage unacceptable behaviour by tenants or visitors.

At each handover of security staff, any issues or potential conflicts will be identified, discussed and plan to deal with any escalation will be put in place.

Regular meetings will be held with Security Manager, Motel Operation and Support Service Provider.

2.4 Health and Safety

All staff adhere to a "Safety First" policy, that is, safety for self, children, tenants, colleagues, and the public. If any doubt, emergency services will be called.

Staff will be trained in first aid, fire and emergency procedures and de-escalation techniques to manage aggressive behaviour.

The on-site security is responsible for monitoring the surveillance system and regular patrols of the site to pro-actively manage any arising health and safety issues, e.g. property left lying around that may cause accidents, unauthorised personnel, behavioural issues.

The following registers are currently being developed:

- Hazard's register
- Risk Management register
- Incident register

It is intended that these registers will be reviewed daily by the residential manager and discussed with the Motel Operator and the Support Service Provider management team to identify improvements and mitigate any health and safety concerns.

Processes are also being developed to provide staff with guidance to manage minor and more serious incidents. During business hours, the Team Leader, support services team and onsite residential manager will be available to manage incidents. Outside business hours, the onsite security will manage incidents.

Security staff will complete hourly facility checks to ensure that no unauthorised personnel are onsite and that there are no visible issues or concerns. If required, additional security staff from nearby motels (within 2 minutes away) can be called to assist with any incident.

2.5 Emergency response plan

An emergency response plan is being developed by the Motel Operator and Support Service Provider and will be shared with the appropriate parties.

The emergency response plan will identify known risks and hazards relevant to the Motel and its occupants and how they will manage these. Known risks and hazards may include:

- Natural hazards, for example, fire, earthquake, flood, or extreme weather
- Health & Safety emergencies, for example, workplace incidents, medical emergencies, public health events (e.g. Covid-19), violent incidents
- Utility failures, for example, electricity outages, water supply issues.

Occupants are advised of the evacuation process when the first check in to the Motel.

Motel operator, provider support staff (e.g. Kaitiaki) and onsite security will assist to evacuate tenants in the event of an emergency.

2.6 Site maintenance

The maintenance of the site and units are the responsibility of the Motel Operator. This includes:

- Regular maintenance to ensure the upkeep of the site, including gardening/landscaping, well-lit carpark, common areas such as BBQ areas are well presented, tidy, safe and fit for purpose.
- Reactive repairs to property and chattels when damaged by occupants
- Inspection of individual units on turnover of households, with support from the Housing Support Provider.

- Repairs and maintenance that require an urgent response due to Health and Safety risks to staff or occupants, are reported to the Motel Operator/Residential Manager for immediate remediation.
- Repairs and maintenance that don't require an urgent response are reported to the Motel Operator/Residential manager to be prioritised and included into the maintenance plan of scheduled work.
- Specialist services (e.g. plumbers, electricians) arranged by the Motel Operator when required.
- Motel Operator will check that repairs and maintenance have been completed to a high standard and will remedy any repairs and maintenance that do not meet an acceptable standard.
- Motel Operator will monitor the site via surveillance system, patrolling area, conversing with staff and occupants to identify any issues or concerns that may need further investigation and management.

2.7 Occupants

All occupants must only use the main entrance to enter and exit the site

New occupants will be greeted by the Motel operator or Support Services Provider and will check in at the motel office. The whanau will be asked for their permission to create a profile, that will include the full name of all occupants, number of occupants and vehicle registration. The profile will also identify if any additional support is required in the event of an emergency evacuation.

Whanau will be asked to read, review, and sign the Rules of Stay Agreement before being placed into a motel unit.

Occupants must notify the Motel Operator and Support Service Provider of any changes to their whanau profile, for example, increase or decrease in the number of occupants.

Occupants must also advise the Motel Operator and Support Services Provider of any special conditions during their stay, for example, protection or non-contact orders. The Support Service Provider will support whanau to comply with any special conditions.

The Motelier and Support Service Provider will outline the expectations of the whanau for staying at the Motel. The roles and expectations of the Motel and Support Service Provider will also be outlined for the whanau. Occupants will also be advised of the evacuation process and assembly points.

Information will be giving to occupants to let them know who they should contact if they have any concerns about their safety, issue with the motel unit or if there is an emergency.

Pets are not permitted unless they are an accredited assistance dog for whanau.

Onsite staff will address any behavioural concerns or issues by the occupants and re-enforce the rules of stay. A copy of the Rules of stay will be available to all occupants.

2.8 Visitors

Visitors will be permitted to visit occupants on-site subject to following restrictions:

- Visitors are only permitted between 9.00am and 6.00pm, unless prior approval is arranged with the residential manager
- Visitors must be invited by the occupants or the Support Services Provider
- All visitors must only use the Fenton Street entrance to enter and exit the site
- Visitors must report to the Motel office when they enter and exit the site (sign in and out)
- Permission will be obtained to create a visitor profile which will include full name, vehicle registration, name of occupant they are visiting and identify any support required in the event of an emergency evacuation
- Visitors will be advised of the evacuation process and assembly points
- Visitors are not permitted to stay overnight
- Visitors may only park in the carpark space allocated to the unit they are visiting if it is unoccupied. If the household has their own vehicle and are utilising this space, then the visitor must find suitable alternative parking
- Behaviour or actions by visitors that do not comply with the rules of stay will be the full responsibility of the occupants who invited them
- Uninvited visitors will be asked to leave by onsite staff. Security services or the Police will be called to assist if required

2.9 Laundry

A communal laundry is available for occupants to use. Occupants must supply their own laundry detergent and are responsible for all of their personal belongings.

Access hours to the laundry are displayed on the entrance doorway and are not available after hours. Regular maintenance will be carried out to ensure the facilities are maintained. Any faults should be reported to the Motel Operator.

2.10 Playground

The playground is available for occupants to use during specified times as stated in the rules of stay (6am to 8pm each day). Occupants are responsible for keeping these areas tidy, free of rubbish after use and all of their personal belongings.

Occupants and visitors will be made aware that this is a shared space therefore loud noise and unruly behaviour is not appropriate. Onsite staff will monitor this area and will request occupants and their visitors to leave this space if they are not behaving appropriately.

3. Noise Management

The following measures will be in place to manage noise within the site and to limit noise effects for neighbours:

- Recreational equipment cannot be used within 5 meters away from neighbouring residential boundary fences.
- Visitors to the site are restricted to the hours of 9.00am to 6.00pm and must sign in and out at the entrance point.
- Use of any playground equipment is restricted to the hours stated in the rules of stay (6am to 10pm each day).
- Large gatherings and parties are prohibited.
- Consumption of alcohol in common areas is prohibited.
- Illegal substances are prohibited in all areas of the site
- All 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 Rules of Stay could result in removal from the accommodation

4. Support Services

4.1 Support Services Provider

An experienced local Support Service Provider has been contracted by the Ministry of Housing and Urban Development to provide wrap around extensive support services for whanau placed in Contracted Motels for emergency housing. The Support Service Provider will also be responsible for the provision of 24/7 Security Services for the Contracted Motel.

Emerge Aotearoa Limited will provide support services to each placed household, based on a unique tailor-made strategic plan and operating model known as “Te Hau ki te Kainga”. This has been created by local iwi and organisations to provide guidance to support whanau to meet both housing and social needs.

The Emerge Aotearoa’s team works will work one-on-one with each household to identify and work through any of their concerns, issues, or barriers in their lives (such as budgeting, social isolation, and mental health issues) that are affecting their ability to gain and maintain a long-term housing solution. Emerge Aotearoa will help them to connect with suitable services or organisations that can support them, while continuing to work with them to find a permanent home.

Support Services staff include one Community Connectors who will generally be on site Mon-Fri 8am to 5pm and outside these hours if required. A roaming Kaitiaki who will be onsite at least 4 hours per day, 7 days per week to ensure that whanau are receiving the support they need and that the support service maintains a high standard.

4.2 Support Services

The support services will (but are not limited to):

- Meet regularly with new whanau to ensure that any issues that may threaten the sustainability of their stay at the motel are identified and addressed early
- Assess what support needs are required with the whanau

- Developing an Individualised Plan to help the whanau work towards and achieve becoming a self-sufficient interdependent, vibrant whanau
- Working with whanau to identify and manage issues or barriers that are impeding their ability to becoming a self-sufficient interdependent, vibrant whanau
- Working with whanau to identify and manage any issues that arise during their stay in the Motel, for example, safety concerns, complaints, behavioural issues, property damage etc
- 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 whanau 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 community resources, including financial support through appropriate agencies
- Whanau are engaged in activities to enhance their wellbeing, promote interdependence, self-determination for their desired goals / plans.
- Ensure whanau's views and opinions are considered by way of Mana enhancing.
- Ensure whanau understand the content of the Rules of Stay and discuss the rules to ensure they are understood and agreed upon
- Carry out regular inspections of the room to check the condition of the unit and if necessary, complete a report informing management
- Assist with the facilitation of meth testing of units if required
- Aid whanau wherever possible in the event of an emergency or unforeseen circumstance, ensuring Te Korowai (wrap-around) is applied
- Remove any unauthorised visitors.

5. Rules of Stay Agreement

Whanau must read, review, and sign the Rules of Stay Agreement to be accepted into the Motel. If they do not agree and sign the Rules of Stay Agreement, they will not be able to stay at this Motel

The Rules of Stay Agreement is attached as Appendix One.

Appendix One – Rules of Stay Agreement



RESPONSIBILITIES / RULES OF STAY

- Keep your unit clean and tidy, remove household rubbish daily
- **No Smoking inside the unit.**
- Emerge will not tolerate any anti-social behaviour, abuse, or violence
- No gang apparel to be worn onsite of Emerge Aotearoa
- **Visitor hours are from 9am till 6pm** – daily, anything outside of these hours **must** be pre-approved by Emerge management.
- Visitors' behaviour is your responsibility and must sign in upon arrival, they must be respectful of other whanau on site. Visitors are not allowed to access shared facilities.
- Parking is allocated and no visitor parking permitted on-site
- Rooms will be checked monthly by Emerge, notice will be given in advance
- Use of illegal substances is not permitted, meth testing of units will be undertaken once a month with written notice in advance.
- Room servicing by motel staff will be conducted weekly, you are required to report any concerns / damages immediately.
- Any damages will incur a cost you will be informed after repairs are sorted. Inventory of unit items is available upon request; any loss of items will also incur a cost.
- Children under the age of 14 must be supervised at all times. Emerge will follow child protection policy / procedure in the event of an incident.
- Shared facilities will be available from 8am till 8pm, services are only available to guests
- Advise Emerge Aotearoa **immediately** if you intend to leave or if there is a change in your circumstances.
- No excessive noise, no parties, or large gatherings.
- All units have smoke alarms installed, do not tamper, or remove. A cost will be incurred if tampered with.
- No pets, unless they are approved disability support dogs or Emerge management has pre-approved.
- Any concerns onsite or escalation of breaches will be addressed with **Emerge management in the first instance.**

Statement of agreeance:

By signing the rules of stay I agree that during my stay with Emerge Aotearoa, I will comply with the above-mentioned statements. In the event the above is breached and I have been advised accordingly, I am aware my stay may be jeopardised or ended.

Guest

Signed: _____ Name: _____ Date: _____

Emerge Representation

Signed: _____ Name: _____ Date: _____