


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 – 107 Malfroy Road, 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 for Contracted Emergency Housing at 107 Malfroy Road (Lot 4 DP 23106, Pt Sec 14 SBRS of Rotorua, and Lot 21 DPS 8774) (the site). 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:	107 Malfroy Road Victoria, Rotorua
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Legal description:	Lot 4 DP 23106, Pt Sec 14 SBRS of Rotorua & Lot 21 DPS 8774
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Owner of site:	Truly Escape Travel & Accommodation 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 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

107 Malfroy Road, Rotorua

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

December 2021

Quality control

Title:	Resource consent for Contracted Emergency Housing at 107 Malfroy Road, 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 107 Malfroy Road, 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 Residential 2 Zone (Medium Density Housing) 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 (made with members from Rotorua Lakes Council, Te Arawa Iwi, HUD, MSD, Kāinga Ora and Te Puni Kōkiri) to develop options for providing better support and outcomes for people living in emergency housing motels in Rotorua, including contracting entire motels and providing Contracted Emergency Housing (described in more detail in section 3.2 and [Appendix 3](#)).

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

2. Site description

2.1 Location and description

The 1,702m² mostly rectangular shaped subject site has frontage to Malfroy Road along its southern boundary (see *Figure 1* below).



Figure 1: Aerial photograph of the site (Source: TPG GIS viewer)

The site is currently occupied by Ann’s Volcanic Motel which has its entrance and exit located on Malfroy Road and manager’s unit and reception located in the southwest corner. A building of four units is located along the northern boundary, and a row of six units is located close to the eastern boundary of the subject site. All buildings are single storey. The motel operator will be landscaping the area at the back of the property to establish a safe play space for children on the site.

The site is surrounded by residential dwellings and other uses typical of a residential neighbourhood. There is a church located across Malfroy Road to the southeast of the subject site and Rotorua Intermediate School is located approximately 75 metres to the east of the subject site.

The existing buildings within the site are dedicated to the motel operation, which has been in operation since the 1990s. 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 107 Malfroy Road excluding manager’s accommodation

Type of unit	No. of units	Max No. of occupants
Studio units	4	12
One-bedroom units	4	16
Two-bedroom units	2	11
Total	10	39

There are a minimum of 10 carparks located within the property. There is a shared laundry facility 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
7/02/1997	RC101	Land use – conversion of existing rental flats to motel units
11/12/1997	RC295	Land use – construction of two additional units
26/5/1997	SP1489	Signage
11/02/1998	RC437	Land use variation – To extend the two approved household units

It is noted by the above the consent was required to convert existing flats to motel units and to construct additional units. Having reviewed the decisions, it is apparent that consent conditions relate to the construction of buildings, landscaping and signage, and not the motel activity itself.

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.

Apart from landscaping for a children's area upgrading the exiting boundary fence, the proposal does not include any alterations to the exiting motel complex.

While 10 units have been contracted by HUD, only 9 units will be occupied by Contracted Emergency Housing occupants. The 10th unit will be used by the Housing Service Provider to support their onsite support services.

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 will at least annually. The traditional motel operations, providing for tourist accommodation, will resume as the demand for emergency housing subsides. Therefore, the utilisation 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 Housing Service Provider and Site Management

3.3.1 Site Management

Emerge Aotearoa is the housing service provider for 107 Malfroy Road. 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 **39** 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

Emerge Aotearoa 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 site entrance and exit and a fence installed along Malfroy Road for the purpose of site management. The Contracted Emergency Housing activity will continue to utilise all existing site features in a

manner identical to the motel operation. The site features and layout are shown in the Site Plan at Appendix 2.

3.5 Reversion to Motel activity once emergency housing activity ceases.

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

4. Statutory framework

4.1 Rotorua District Plan

The subject site is located in the Residential 2 Zone – (Medium Density Living) of the District Plan (see Figure 2 below).

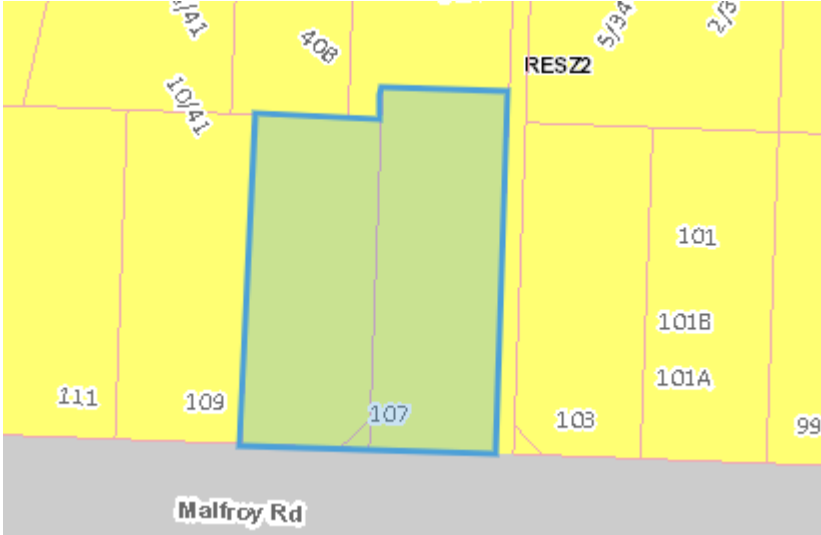


Figure 2: District Plan excerpt showing subject site in the Residential 2 zone of the District Plan (outlined in blue)

4.2 Zone character and purpose

As shown in Figure 2 above, the site is located entirely within the Residential 2 Zone. Effects cannot be considered in a vacuum – with the District Plan providing the relevant framework under which the appropriateness of the activity and resulting degree of effects are to be considered. The discussion below takes stock of the overarching strategic direction relevant to the RESZ2 zone and provides an assessment as to whether the intended use of the site aligns with the land use strategy of the District Plan.

4.2.1 Residential 2 – Medium Density Living Zone

The purpose of the residential zone is to provide a high level of amenity for residents and an attractive residential environment where people want to live. Across Rotorua there are five different residential areas that have differing levels of expected amenity values and character. The Medium Density Zone is

an area where greater urban intensification is anticipated, with a differing degree of amenity expected than sites located within a more traditional residential zone.

To illustrate this point, the District Plan notes the following with regard to the Medium Density Zone:

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

The proposed activity will remove a tourism enterprise for a temporary period of a few years. During this period, the proposal will replace the existing tourist accommodation site with Contracted Emergency Housing accommodation. 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) 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 activities to occur.

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

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

When coupled with the fact that the proposed accommodation is short in duration, the proposed activity and existing built environment accords well with the overall character and purpose of the underlying zones. The site is therefore assessed as being appropriate for the proposed activity having regard to the overall land use strategy in District Plan.

4.3 Permitted activity standards

The following table is an assessment of the proposal against the relevant permitted activity standards in the Residential 2 Zone. We note that the bulk and location standards are not relevant as no physical changes to the existing buildings are proposed.

Residential 2 Zone Performance Standards

Performance Standard	Description	Comments	Compliance
RESZ – S1 Maximum height and daylight envelope	Maximum height = 7.5m Daylight envelope of 3m / 45° daylight envelope.	No changes are proposed to the bulk and location of the existing buildings.	No change proposed.
RESZ – S2 Yard requirements	Front yard = 3 metres Side And rear yard = 2.5 metres	No changes are proposed to the bulk and location of the existing buildings.	No change proposed.
RESZ – S3 Site coverage	2(a) There is no maximum site coverage. 2(b) Impermeable surfaces – 100% of the site 6(a) Minimum of 10% of the net site area shall be provided as outdoor recreation and amenity space, divided between each dwelling (not required yards or parking / turning areas).	The site does not accommodate the minimum outdoor recreation and amenity space requirements. No change is proposed to the built environment within the site (including site landscaping).	Not applicable. Complies. No change proposed.
RESZ – S4 Household unit density	Minimum net site area for one household unit is 350m ² without a comprehensive residential development plan.	The site is 1,702m ² providing for 10 units. No changes are proposed to the layout or configuration of the existing units within the site.	No change proposed.
RESZ – S5 Parking, access and turning	Parking, turning, and access shall be provided in accordance	The onsite parking and manoeuvring is well-established and no changes are proposed.	No change proposed.

with APP1 – Parking and Turning Standards.

Parking and on-site turning separate from those areas provided for outdoor recreation and amenity.

Parking and on-site turning areas are separate from outdoor recreation and amenity spaces. No changes are proposed to existing allocations of space.

No change proposed.

Any garage to be located such that there is a practicable parking space in front of the garage clear of the road.

Not applicable.

Not Applicable.

Shared access driveways of 5-8 households require an overall width of 6.5 metres, formed width of 5 metres.

The existing shared access drive within the site does not meet this requirement.

No change proposed.

a) Shared access driveways shall not serve more than eight households

The existing shared access drive serves 10 units + 1 manager's house. No change is proposed.

No change proposed.

Vehicle crossings must meet the standards of RLC.

No new vehicle crossings are proposed.

No change proposed.

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.

The Site Management Plan includes measures to ensure noise will be managed within the site. The activity will

Complies.

	Residential 1 Noise performance standards apply to the boundaries of the site.	continue to achieve compliance with the noise requirements of the District Plan.
NOISE R-5 Acoustic treatment for residential accommodation and noise sensitive activities	<p>New noise sensitive activities in the Commercial 4 Zone must be designed to meet the noise requirements of NOISE-S6:</p> <ul style="list-style-type: none"> • Bedrooms 10 p.m. to 7 a.m. on any day: <ul style="list-style-type: none"> - 35 dB LAeq(1h) - 45 dB Leq at 63 Hz - 40 dB Leq at 125 Hz • All other habitable rooms (all times) and in bedrooms 7 a.m. to 10 p.m. on any day: <ul style="list-style-type: none"> - 40 dB LAeq(1h) - 50 dB Leq at 63 Hz - 45 dB Leq at 125 Hz 	<p>No changes are proposed to the existing noise insulation within the existing units. This standard applies to both noise sensitive activities and residential activities. The proposal is not introducing a <i>new</i> noise sensitive activity to the site. Existing use rights apply.</p> <p>No change.</p>

Relevant District Plan definitions:

‘Community housing’ is provided for in the Residential 2 Zone as a **Permitted Activity**. Community housing is defined in the District Plan as:

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

The proposal is for a maximum of 39 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 Residential 2 Zone as a **Discretionary 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.”

Rule RESZ-R8 provides for a “change in use from tourist accommodation to a household units within an existing building” as a Controlled Activity. The proposal is not for a permanent residence and therefore cannot be considered under Rule RESZ-R8.

4.4 Activity status

As the proposal is not otherwise provided for in the District Plan, it must be considered as a **Non-Complying Activity** pursuant to Rule RESZ-R2 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 RESZ2 Zone as a discretionary activity;
- *“Conversion of tourist accommodation to household units”* in the RESZ2 Zone as a controlled activity.

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

The District Plan also makes provision for “additional household units” in the Residential 2 Zone as a controlled activity.

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

The support activities that will be provided as an accessory use to the emergency housing (i.e., on site management, bespoke support services for residents) are technically non-complying activities as there is no provision for support services at this scale.

The activity as whole is also a non-complying activity when assessed under these alternative provisions. However, if the support activities were not provided on site, the application could otherwise be assessed and determined as a controlled activity (conversion of tourist accommodation to household units).

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 Residential 2 Zone. Although the site is currently made up of two Record of Titles, they are currently held together by way of a restriction imposed under the Building Act. As such the relevant permitted baseline is for Community Housing for up to 8 people (including resident staff). We note that 'community housing' requires some element of support such as the support services proposed in the subject application.

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

In addition to the permitted activities outlined above, the following are also permitted in the Residential 2 zone:

- One dwelling per lot in the Residential 2 Zone
- Bed and Breakfast for a maximum of 8 guests including the owner or manager who is a resident onsite.
- Short term holiday accommodation for up to 12 people at any one time.

5.1.1 Effects that can be disregarded under the permitted baseline

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

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

The most directly comparable permitted baseline in our view is for the subject site to operate as 'community housing' which provides for up to eight on-site residents including staff.

Potential effects from such a permitted activity include the effects associated with occupation of the site by eight people. These 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.

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

5.2 Character and amenity effects

The subject site is located within the Residential 2 zone and is surrounded associated land uses. The site has one road frontage, Malfroy Road, where the surrounding area has a residential character typical of one dwelling per lot. A church is located southeast on the opposite side of Malfroy Road and Rotorua Intermediate School is approximately 75 metres east of the subject site. The site is well located to amenities, with the Rotorua Central shopping centre approximately 1 kilometre away.

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

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

5.2.1 Internal amenity effects

Occupants of emergency housing generally have similar needs to motel guests and, as such, the conversion of the site from a motel activity to an emergency housing activity is a relatively straightforward exercise. The key difference between motel guests and emergency housing 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.

Units 1-6 have good access to provide outdoor open space (see Site Plan in [Appendix 2](#)). There is also a shared playground area proposed to the north of Unit 6. Parking areas are appropriately separate from

outdoor living spaces. In the case of units 7-10, there is no private outdoor living space, and no changes are proposed as part of this proposal to change this.

The layout of the site is such that there is a minimum of 10 carparks located within the site. It is noted that parking will ultimately be a matter for the contracted site management to direct and control.

The District Plan's explanation of the Residential 2 zone acknowledges that there are reduced expectations for the level of on-site amenity given the intent to enable smaller household units at higher densities. In this regard, the District Plan acknowledges that higher density accommodation results in an onsite environment that is dominated by hard surfacing around buildings to provide for carparking and turning, and a reliance on street-trees to soften the environment, as opposed to provision of large areas of onsite open space/vegetation. Notwithstanding this, the District Plan directs that in the Residential 2 Zone 10% of the net site area should be provided as outdoor recreation and amenity space – although the performance standard does not specify where this space must be located relation to units. Based off a site area of 1,702m², this would equate to approximately 170m² of the site technically needing to be provided as an outdoor recreation and amenity area.

We accept that as this outdoor recreation space cannot include yards or vehicle manoeuvring areas that the subject site would not meet this outdoor recreation and amenity space requirement. However, we consider that the layout of the site is such that units 1-6 have good access to outdoor amenity.

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

103 Malfroy Road (to the east)



Figure 3: 103 Malfroy Road (source: Google Street View)

Adjoining the site to the east at 103 Malfroy Road is a residential property with a primary dwelling roughly in the centre of the site and a secondary building in the northeast corner of 103 Malfroy Road. 103 Malfroy Road is separated from the subject site by a public walkway that connects Malfroy Road with Phillip Street. The walkway is fenced on both sides and has substantial vegetation which offers an additional level of privacy.

Effects to the adjacent site at 103 Malfroy Road are comparable to a the existing tourist accommodation activity operating from the subject site and are considered to be less than minor.

100 Malfroy Road (to the southeast across Malfroy Road)



Figure 4: 100 Malfroy Road (source: Google Street View)

The Baptist Church at 100 Malfroy Road is southeast of the subject site (across the road). The layout of the site at 100 Malfroy Road is such that there are two entrances on its Malfroy Road frontage with carparking along the eastern side of the site all the way to a large carpark located to the south with an additional entry from York Street. The site accommodates several connected buildings of varying ages.

The site at 100 Malfroy Road is on the opposite side of the road from the subject site, with Malfroy Road being a two lane Urban Secondary Arterial Road approximately 20 metres wide.

The effects on this property are considered to be acceptable and less than minor.

108 & 110 Malfroy Road (to the south across Malfroy Road)



Figure 5: 108 & 110 Malfroy Road to the south of the subject site (source: Google Street View)

The sites across the road from the subject site, at 108 and 110 Malfroy Road, are single storey residential dwellings. The dwellings are located set back approximately 10 metres from their Malfroy Road boundaries, which adds further separation from the subject site. The design of the subject site is such that the manager's unit and one unit are on the road frontage directly opposite the properties at 108 and 110 Malfroy Road, rather than a full row of accommodation units.

Effects to the adjacent sites at 108 and 110 Malfroy Street are comparable to a permitted tourist accommodation activity operating from the subject site and are considered to be less than minor.

109 Malfroy Road



Figure 6: 109 Malfroy Road (left) and adjacent subject site (right) (Source: google Street View).

The adjoining site to the south at 109 Malfroy Road contains a single residential dwelling in the centre of the site. A driveway is located on the western side of the site (shared with the subject site), directly adjacent to an existing wooden boundary fence.

The layout of the existing buildings on the subject site are such that they are single storey and that only the managers unit and one other unit are in close proximity to the property at 109 Malfroy Road. The remainder of the land in close proximity to 109 Malfroy Road is used for vehicle parking and manoeuvring.

Effects on the property at 109 Malfroy Road are comparable to a community housing activity operating from the subject site or from the continued operation of the tourist accommodation activity operating from the subject site.

40A, 40B, 38A & 38B Phillip Street

The sites to the north of the subject site are 40A, 40B, 38A and 38B Phillip Street. These properties are duplex residential dwellings in the Residential 2 Zone. The subject site is separated from these properties by a wooden fence, with substantial vegetation growth on the boundary.

Effects on the properties at 40A, 40B, 38A and 38B Phillip Street are comparable to the existing tourist activity operating from the subject site or a permitted community housing activity operating from the subject site and 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 motel operator intends to erect a new fence at the site's road frontage to assist with site management. The nature of emergency housing of the scale on the subject site is that it will present in a similar way to the operation of the site as a motel.

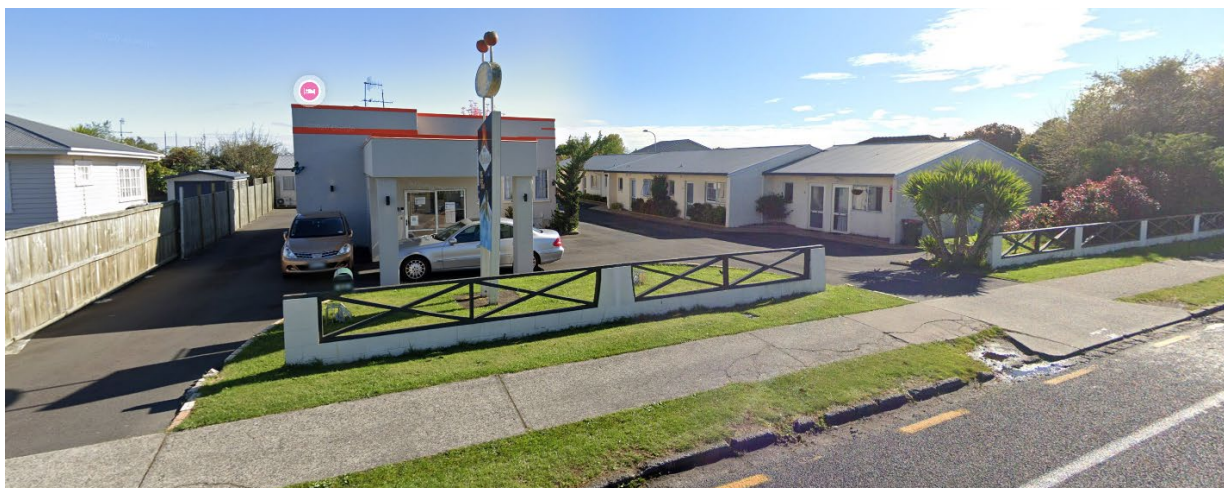


Figure 7: 107 Malfroy Road streetscape from Malfroy Road (source: Google Street View)

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 Residential 2 Zone rule framework provides for the conversion of tourist accommodation to residential units as a controlled activity under matters of control that do not include assessment of the effects of loss of tourism enterprises.

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

5.4 Access and parking effects

The subject site has its vehicle entrance and vehicle exit onto Malfroy Road where there is good visibility to the east and west. A gate is to be constructed across the entry and 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, 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 (see Section 2.6 of the SMP in [Appendix 4](#)).

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 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 10 accommodation units, but only 9 of these have are being used for accommodation, as the 10th 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. 9 rooms). However, the total number of people staying on the site was 10 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
107 Malfroy Road	10	9	39	10

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

5.8 Cumulative effects

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

It is noted that the subject site is located approximately 1km to the west of Fenton Street and is not in close proximity to other facilities providing Contracted Emergency Housing.

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. The motel operator has made a conscious business decision to operate Contracted Emergency Housing on the site where there is a guaranteed income rather than providing more traditional ‘tourist accommodation’ in a post COVID environment.

6. Objectives and policies

6.1 Objectives and policies

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

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:	<p><i>The proposed use of the site for emergency housing is entirely consistent with the character and amenity expected for the Residential 2 zone. Use of the site for ‘tourist accommodation’ is provided for in the District Plan as a discretionary activity and any noise generated from the site is akin to the type of noise generated from a tourist accommodation activity.</i></p> <p><i>Furthermore, there is far more active supervision of the site though the service provider than would exist if the site was being operated as a motel.</i></p>

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.

NOISE-P10 Limit the location of new residential activities sensitive to disturbance from lawfully established urban and rural industries, recreation and infrastructure activities and network utilities to avoid reverse sensitivity effects.

Comment: *The proposal is not anticipated to result in any reverse sensitivity effects. The zoning of the site provides for very similar activities (tourist accommodation) and 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 – Residential 2 (Medium Density Living)

Activities in a residential zone

RESZ-O1 A level of amenity that provides residents with:

- A northerly outlook
- Side and rear yards that provide aural and visual amenity
- Residential levels of noise
- Safe parking and turning areas where required
- Street surveillance

Orientation to maximise energy efficiency

RESZ-P1	Require yards and protection of daylight planes to provide for privacy and outlook to reduce the adverse effects of noise between household units and the character of the streetscape.
RESZ-P2	Manage the siting of household units on adjoining land to protect the privacy, outlook and amenity of residents.
RESZ-P3	Require on-site outdoor space for each household unit.
RESZ-P4	Ensure the design and location of access, on-site parking and turning areas do not detract from the safe and efficient functioning of the transport network or dominate the streetscape.
RESZ-P5	When considering a resource consent application, require the landscaping to mitigate the adverse effects of activities and to enhance the character and amenity of the zone.

Comment: *The proposal does not involve the construction of any buildings or structures (except the fence on Malfroy Road). As such, there are limitations around the ability for the existing site and features to accord with a framework that is more specifically targeted to new development. Notwithstanding this, the site is generally consistent with character and amenity standards typically anticipated in the RD2 Zone – with hard surfacing prevailing and limited onsite landscaping and open space provided. As discussed in the effects assessment above, while the units do not have access to private open space the site is very well located for offsite amenity.*

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

Existing carparking and manoeuvring areas provide ample on-site parking and good opportunity to exit the site in a forward-facing direction.

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

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

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

- Medium density residential areas
- A mix of single storey and two-storey buildings
- Smaller household units and apartment style living
- Limited outdoor space

- Built elements dominate the environment
- Much of the space around buildings is taken up by hard surfacing for car parking and turning

Reliance on street trees to soften the built environment

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

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

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

RESZ-P13 Prevent the establishment of non-residential activities where they would be more appropriately located in a commercial, industrial or city centre zone and would have an adverse effect on the vitality and viability of those zones

RESZ-P14 Avoid adverse effects of noise, vibration, light, smoke, fumes, odours, or other sources of disturbance that are detrimental to the amenity of the residential zones.

RESZ-P15 Ensure the location of community activities avoids, remedies, or mitigates adverse effects on the quality of residential amenity in the residential zones.

RESZ-P16 Avoid, remedy or mitigate the potential adverse effects of non-residential activities, including community activities, through the provision of:

- Sufficient on-site parking, loading and turning
- Landscaping to maintain and enhance the quality of residential amenity, primarily the streetscape

Noise mitigation measures.

Comment: *The District Plan does not specifically provide for emergency housing, but it gets very close by providing for ‘community housing’. However, due to the potential number of people living on the site, the proposal does not fit within the 8-person limit provided for in the definition of ‘community housing’.*

There is no definition of residential activity (or non-residential activity) in the District Plan, however, the National Planning Standards define a residential activity as “the use of land and buildings for people’s living accommodation”. In our view, the proposal falls somewhere between a residential activity, with support services attached and a community activity.

As such it is entirely appropriate for emergency housing to be located in the Residential 2 Zone of the District Plan.

The service provider is contractually obliged to manage the site effectively and tenants are obliged to follow the site rules, and as such the likelihood of noise issues associated with the operation of the subject site as emergency housing facility are unlikely and will quickly be dealt with.

No change is proposed in terms of parking and landscaping. Parking will remain as currently exists on the site, which provides for a minimum of one carpark per unit.

Maintenance of the property, including landscaping, will fall within the responsibilities of the motel operator.

The proposal is consistent with this objective and related policies.

The design, layout and appearance of residential sites

RESZ-O6	Residential site design and development in a sustainable manner that promotes and maintains the character of the zone, residential amenity and community safety.
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RESZ-P20	Encourage and promote buildings on residential sites that: <ul style="list-style-type: none">• Have sufficient space to provide private, useable outdoor open areas for garden and amenity space.• Do not intrude into side, rear, or front yards.• Maximise access to sunlight and daylight to north facing living rooms. Provide car parking and turning areas that are separate from outdoor garden and amenity space and do not dominate in the streetscape.
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RESZ-P21	Encourage site and building design that provides: <ul style="list-style-type: none">• Passive surveillance of public space Front yards that are free of buildings and not screened by high fencing
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RESZ-P22	Provide for residential development to occur in a manner that: <ul style="list-style-type: none">• Does not detract from the surrounding residential amenity• Provides for a range of residential opportunities• Provides for access by a range of modes of transport Provides recreation and amenity areas
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Comment:	<i>The proposal does not seek any physical changes to the existing buildings and features on the site. Residential amenity has been discussed in detail above in the (section 5. Assessment of environmental effects).</i>
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The existing buildings on the site are generally consistent with Objective 4.3.6 and the corresponding policies. The site is excellently located for public

transport and being within an easily walkable distance to nearby urban amenities, services, and public recreation opportunities.

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

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 and the proposal is **not contrary** to these objectives and policies. Accordingly, the proposal passes

through both of the limbs of the 'gateway test'. The Council is therefore able to determine the application under s104 of the Act by granting the consent.

8.2 Section 104 of the RMA

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

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

8.2.1 104(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.

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 as 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 or any gates).

Scale and Intensity

- 1) A maximum of 39 residents (excluding children under 18 months of age and staff) shall be permitted to reside within the 10 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 107 Malfroy Road, Rotorua.

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

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

As part of the application, the applicant has offered conditions of consent that can be taken into account when considering whether effects resulting from the proposal can be adequately avoided, remedied, or mitigated. We request the opportunity to review the draft conditions prior to the decision being issued.

Appendix 1 – Record of Title



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




R.W. Muir
Registrar-General
of Land

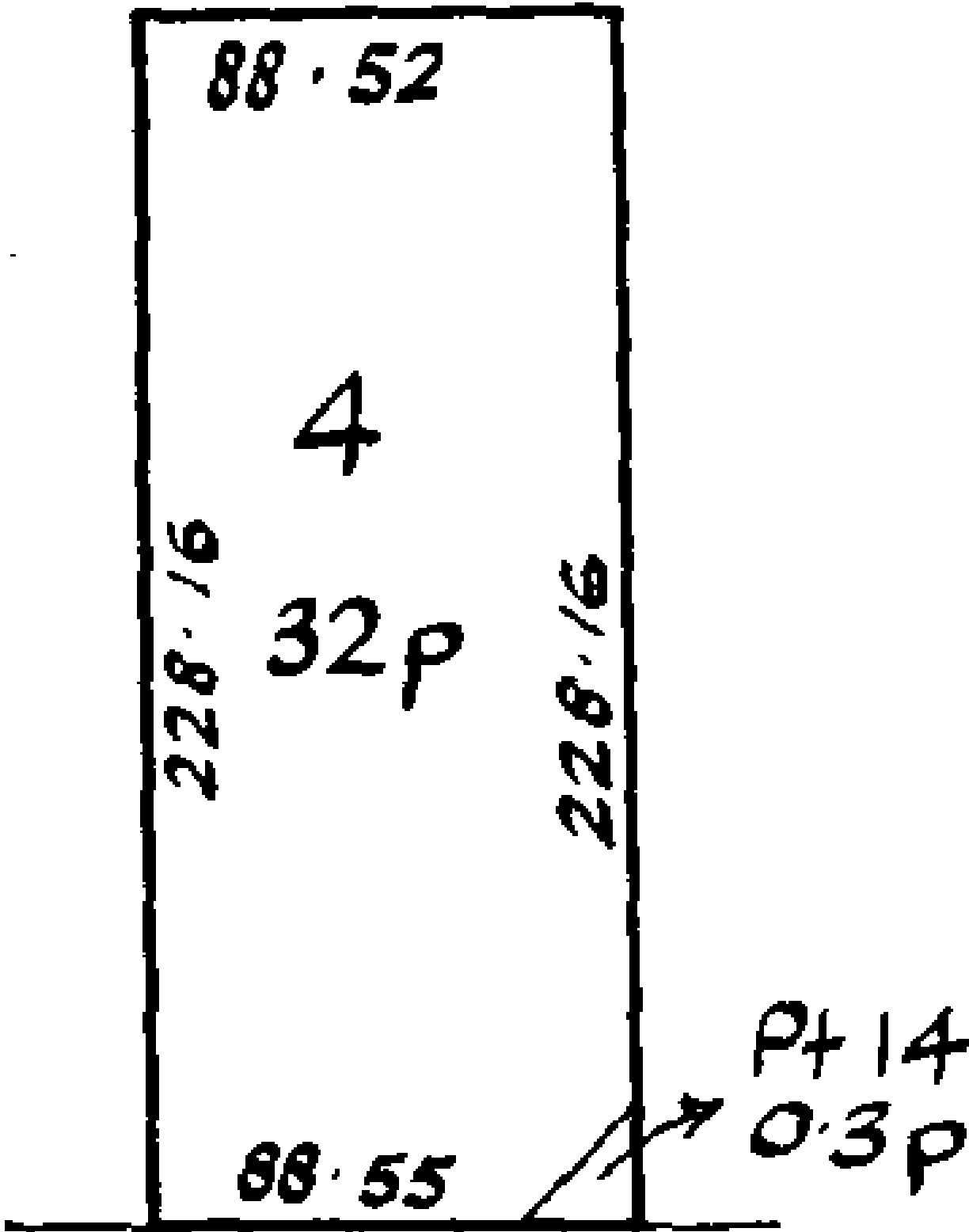
Identifier SA1B/207
Land Registration District South Auckland
Date Issued 28 June 1962

Prior References
SA1200/299 SA1281/58

Estate Fee Simple
Area 817 square metres more or less
Legal Description Lot 4 Deposited Plan 23106 and Part
Section 14 Suburbs of Rotorua

Registered Owners
Truly Escape Travel & Accommodation Limited

Interests
Subject to Section 15 Rotorua Town Lands Act 1920
Subject to Section 351D Municipal Corporations Act 1954
B475472.2 CERTIFICATE PURSUANT TO SECTION 37 BUILDING ACT 1991 (ALSO AFFECTS CT SA6B/1023) -
9.4.1998 AT 3.11 PM
10740294.3 Mortgage to ASB Bank Limited - 31.3.2017 at 4:58 pm





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




R.W. Muir
Registrar-General
of Land

Identifier SA6B/1023
Land Registration District South Auckland
Date Issued 02 August 1966

Prior References
SA1200/299

Estate Fee Simple
Area 893 square metres more or less
Legal Description Lot 21 Deposited Plan South Auckland
8774

Registered Owners
Truly Escape Travel & Accommodation Limited

Interests

Subject to a drainage right (in gross) over part coloured yellow on DPS 8774 in favour of The Rotorua City Council created by Transfer S276146

The easements created by Transfer S276146 are subject to Section 351E (1) (a) Municipal Corporations Act 1954

Subject to Section 15 Rotorua Town Lands Act 1920

B475472.2 CERTIFICATE PURSUANT TO SECTION 37 BUILDING ACT 1991 (ALSO AFFECTS CT SA1B/207) -
9.4.1998 AT 3.11 PM

10740294.3 Mortgage to ASB Bank Limited - 31.3.2017 at 4:58 pm

Rotorua City.

(75-76)
Phillip St.

METRIC AREA IS 8

87-89
21.
35.3p
87-88

251-20 (left side)
251-20 (right side)

(100) Malfroy Street

Appendix 2 – Site Plan



Legend	
-▶ Entry/Exit	Shared open space
Carparks	Private open space
Managers unit	Utilities
Units	

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).

105-107 Malfroy Road
 Emergency Accommodation



Te Tūāpapa Kura Kāinga
 Ministry of Housing and Urban Development

PREPARED BY JK Bellamkonda DATE 20/12/2021 SHEET 1 OF 1 TPG REF 717539 A3 Scale 1:150 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

107 Malfroy Road, Victoria, Rotorua

Site Management Plan

September 2021

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1. Introduction:

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

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

This site management plan supports the resource consent application to use the existing site and buildings at Ann's Volcanic Motel, 107 Malfroy Road, Rotorua, for Contracted Emergency Housing.

2. Site Management

2.1 Intensity of use

The maximum number of occupants accommodated within the site is **39** 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 and maintenance service on site. A motel manager will also be on site 24 hours per day, 7 days per week.

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) 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 (from Malfroy Road) will be monitored 24/7 by a security guard who will be placed in the reception area with clear site of the main entrance. Daybooks will record all incoming and outgoing visitors/tenants. 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

All 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.

Security staff will meet monthly as a team to identify best practise, any concerns, and areas for improvement.

Security staff will assist the Motel manager and/or support staff to monitor and manage unacceptable behaviour by tenants.

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 they first check in to the Motel.

Security staff and Kaitiaki will assist the residential manager 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 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 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 Malfroy Road 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 can not 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 7am till 10pm, 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: _____