

14 June 2021

Our job no. 716161

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

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

Dear Sir / Madam

Application for Resource Consent – 265 Fenton Street, Rotorua

Please find enclosed a resource consent application on behalf of Kāinga Ora to use the existing site and motel buildings for transitional housing at 265 Fenton Street (Lots 50-51 DP 2865, Lot 52 DP 2865, Lot 45 DP 2865, Lot 41 DP 2865, Lot 44 DP 2865 and Lot 40 DP 2865) (the site).

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 \$850 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

s7(2)(a) LGOIMA

Senior Planner

s7(2)(a) LGOIMA

Form 9

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

To:	Rotorua Lakes Council
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Applicant:	Kāinga Ora – Homes and Communities (Kāinga Ora)
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Agent:	§7(2)(a) Senior Planner The Property Group Limited (TPG) §7(2)(a) §7(2)(a) LGOIMA
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Address for service:	The Property Group Limited PO Box 2874 Wellington 6140 Attention: §7(2)(a)
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Invoice details:	Kāinga Ora c/- The Property Group Limited PO Box 2874 Wellington 6140 Attention: §7(2)(a)
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Site address:	265 Fenton Street, Rotorua
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Legal description:	Lots 50 – 51 DP 2865 Lot 52 DP 2865 Lot 45 DP 2865 Lot 41 DP 2865 Lot 44 DP 2865 Lot 40 DP 2865
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Owner of site:	John Graham Bradshaw, Kerry Shaun Hart and Marie Helen Hart
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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 transitional housing.
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Enclosed:	Application and AEE
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Appendix 1 – Record of Title

Appendix 2 – Site Plan

Appendix 3 – Draft Site Management Plan

Appendix 4 – Transitional Housing Factsheet

Signed:

s7(2)(a) LGOIMA

Senior Planner

Date:

14 June 2021

App

Transitional Housing

265 Fenton Street, Rotorua

Kāinga Ora – Homes and Communities

June 2021

Quality control

Title:	Resource consent for transitional housing at 265 Fenton Street, Rotorua
Client:	Kāinga Ora – Homes and Communities
Job number:	716161
Prepared by:	s7(2)(a)
Signature:	s7(2)(a) LGOIMA
Reviewed by:	s7(2)(a) LGOIMA
Signature:	s7(2)(a) LGOIMA

1. Introduction

Kāinga Ora – Homes and Communities (Kāinga Ora) hereby applies for resource consent from Rotorua Lakes Council (Council) to use the existing site and buildings at 265 Fenton Street, Rotorua, for transitional housing. The site has land in both the Commercial 4 Zone and the Residential 2 Zone of the Rotorua District Plan (District Plan) and requires resource consent for the reasons outlined in section 4 of this report. In short, the proposal requires resource consent as intended scale of the transitional housing activity does not meet a defined activity provided for within the District Plan. Plans for the proposal are included in Appendix 2.

2. Site description

2.1 Location and description

The 6596m² subject site occupies the north-western corner of the intersection of Fenton Street and Seddon Street (see *Figure 1* below). The site also has frontage to Malfroy Road at its northern end. The site is currently occupied by the Boulevard Motel and has vehicle access from all three of its road frontages.



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

The existing buildings within the site are dedicated to the existing motel operation, which has been in operation since the 1960s. The site currently has a total of 34 units. The configuration of these units it outlined in Table 1 below and in the Site Plan in Appendix 2. The overall occupancy levels are based on the number of beds typically accommodated within each unit. For

example, a double bed can sleep two people, a single bed one person. The occupancy rate is therefore based off the nature of the unit and the beds within (noting in some units, additional beds are located in living areas, as is typical of this style of accommodation. Occupancy levels will be reduced as part of the proposal).

Table 1: Configuration of existing units at 265 Fenton Street (Boulevard Motel)

Type of unit	No. of units (Existing)	Max No. of occupants (Existing)
Studio unit	11	30
One bedroom unit	14	48
Two bedroom unit	7	33
Three bedroom unit	1	9
Five bedroom (house)	1	12
Total	34	132

The site also includes a restaurant, thermally heated swimming pool, four geothermal hot pools, a games room, laundries and changing rooms.

The buildings within the site are single storey, with the exception of the 10-unit two storied building in the south-eastern corner of the site, the 5-bedroom two storied house in the north-western corner of the site and the three units located above the existing games room and laundry located centrally within the site.

There are a minimum of 38 carparks within the site. Additional parking is also available to the east and north of the main reception area within the site.

2.2 Previous resource consents

A search of the Rotorua District Council has highlighted three resource and a town planning certificate previously granted for the subject site (see *Table 2* below). It is noted that our search revealed no resource consents that restrict the way the motel is operated, including no limit on the number of occupants or their length of stay.

Table 2: Previous resource consents for the subject site.

Date granted	Resource consent No. / reference	Description
15/10/1979	Permit No. 2638	Sign permit for neon "Boulevard Motel" sign
19/12/1991	Unknown	Encroachment into the angle of height control for re-siting a dwelling (large 5 bedroom dwelling within Lot 40 DP 2865).
18/11/1992	Unknown	Resource consent to erect 2.8 metre block wall on Seddon Street for the construction of toilet facilities associated with the existing restaurant.
26/03/1997	Unknown	Resource consent for Boulevard Motel restaurant to: <ul style="list-style-type: none"> • Serve liquor to motel guests in their room; • Use outside tables to serve liquor and meals; and • Operate the restaurant from 7 a.m. to 1 a.m., 7 days a week.

3. Proposal

The proposal is to use the existing buildings and facilities on the subject site for transitional housing accommodation. The eastern half of the site is intended to be used for singles or couples and the western half of the site will generally be used by families. The existing restaurant will be closed to the public, but the facilities may still be used to cook meals for onsite residents and staff.

The proposal involves some minor, but important site works to ensure the property is safe and able to be used for its intended purpose, such as installing fencing and removing the existing swimming pool. Outdoor spas and mineral spas will be decommissioned and will not be available for use. No physical works are proposed to increase the footprint of buildings or make visible exterior alterations. The proposed conversion of motel units to transitional residential accommodation will result in a net reduction of self-contained units within the site, and removal of beds from some units, thereby reducing the overall occupancy levels. These are reflected in the occupancy numbers shown in Table 3 below. These numbers do not account for infants in cots.

Table 3: Maximum number of transitional housing occupants (excluding staff) at 265 Fenton Street

Type of unit	No. of units (Proposed)	Max No. of occupants (Proposed)
Studio unit	5	10
One bedroom unit	17	34
Two bedroom unit	7	28
Three bedroom unit	1	6
Five bedroom (house)	1	10
Total	31	88

3.1 Transitional Housing

Transitional housing is accommodation provided to community members with a high housing need, whilst more permanent residential accommodation is sourced. The average length of stay for each respective tenant would be approximately 3 months (on occasion this may be increased or decreased) and will generally be transitional in nature. [Appendix 4](#) includes additional information about the transitional housing programme. Transitional housing includes onsite supervision and management, which is provided by the contracted Housing Service Provider. Onsite support services are also provided by the Housing Service Provider. Site management details and general information around onsite support services are further described below.

3.2 Site Management

The site will have on-site management by a contracted service provider ('Housing Service Provider') who is responsible for maintaining the property and looking after the individuals and families living on the site. The Housing Service Provider will help tenants access support they need, such as budgeting advice or social services and will also assist occupants to find a longer term housing solution.

A draft Site Management Plan (SMP) has been provided to provide an indication and overview of the responsibilities and functions of the Housing Service Provider insofar as

site management that is relevant to this resource consent process. It is anticipated that the draft SMP attached at [Appendix 3](#) will require some operational amendments once a contract is in place with a service provider, but it is expected that the majority of the provisions will be adopted by the Housing Service Provider and incorporated into the final Site Management Plan. A final SMP is offered as a condition of consent. The draft SMP outlines how transitional housing on the site will operate through:

- The Occupation Agreement
- On-site support services (including hours of operation, staff numbers and services offered)
- Overall site management (including maximum number of occupants, staffing and security, site maintenance, use of meeting / training space, visiting hours and conditions and use of communal laundry)
- Noise management
- Traffic management (one carpark per unit and 6 staff / service provider carparks)
- Accommodation site rules

On-site support services

On-site support services will be provided to tenants of the subject site. Further detail about the support services is included in the draft SMP in [Appendix 3](#). These services support tenants to find more permanent housing, as well as to enable them to access health and other social service agencies where a need has been identified through the Housing Service Provider.

The Housing Service Provider will meet with tenants within three working days of them moving to the site to:

- a) Discuss and plan social support that will be provided or coordinated; and
- b) Discuss all long-term housing options that will be considered.

Where training or support services of groups of tenants is provided on-site the proposal is to utilise the existing site facilities such as the games room and restaurant. Training / support service spaces will be used for:

- An office space for staff;
- A common area for households with internet access;
- A training / group work room for household members.

Training and group work is intended to provide education and guidance to household members in topics related to finding, securing and maintaining long term housing and wellbeing. This may include short courses such as:

- Budgeting / financial literacy;
- CV and interview skills;
- “Ready to rent” skills;

- Household management;
- Homework Club and other groups for children;
- Other topics will be developed as need and interest arises.

The meeting / training areas will be operated between hours set out in the Site Management Plan and will only be accessible via staff members. The meeting / training room when in use will always be supervised by either the site manager, a staff member or course facilitator. The on-site support services are only provided to support existing residents – i.e. persons who do not reside at the site will not attend or have access to these on-site services.

3.3 Physical works

There is little difference between providing transitional housing on the site and the operation of a motel, and as such, only very minor physical works are proposed. Physical works include:

- Installation of pool-style fencing to the Fenton Street frontages of the site (adjacent to the road boundary).
- Installation of pool-style fencing to separate the majority of the one bedroom and studio units (on the eastern half of the property) from the larger units on the western half of the site. This is to provide a more defined “family area” within the wider site.
- Filling-in of the existing swimming pool, to be converted to either carparking or shared open space.
- Decommission the existing outside spa and surrounding structure.
- Demolish existing internal/partition walls between existing Units 15 & 16, 31 & 32 and 33 & 34 to make these units more liveable (remaining 1 bedroom) and reduce the overall number of units on the site from 34 units to 31 units. This will have the effect of reducing both the number of units and occupants able to stay within the site.
- Installation of cook-tops secured (where one does not already exist in the unit).
- The Mineral Pools (to the north of Unit 28) will be closed (locked) and will not be accessible.

The proposal also includes maintenance and health and safety improvements such as the installation of a ‘Type 5’ fire detection alarm system for the entire complex and the replacement of electrical wiring where required.

No changes are proposed to the existing vehicle entrances to the site. A copy of the site plan is attached in [Appendix 2](#).

4. Statutory framework

4.1 National Environmental Standard for Assessing and Managing Contaminants in Soil to Project Human Health Regulations 2011 (NESCS)

The NESCS 2011 applies to land that currently has, or historically had, an activity or industry undertaken on it that is included in the Hazardous Activities and Industries List (HAIL). There is no known history of an activity on the HAIL list occurring on the subject site and the site is not

identified on the Greater Wellington Regional Council Selected Land Use Register (SLUR). In addition, there is nothing to suggest that previous activities and use of the site would result in the land being potentially contaminated, nor is there any new activity or use proposed by this application which could lead to potential contamination. The proposal therefore does not require consideration under the NESCS 2011.

4.2 Rotorua District Plan

The subject site is located in both the Commercial 4 Zone – (City Entranceway Accommodation) and the Residential 2 Zone (Medium Density Living) in the District Plan (see Figure 2 below). The site is also within an area of Very Low Landslide Potential, Zone D of the Areas of Soft Ground Potential and in the Urban Use Geothermal Systems of Rotorua District.

Fenton Street is an Urban Primary Arterial Road and a City Entranceway, Malfroy Road is an Urban Secondary Arterial Road.

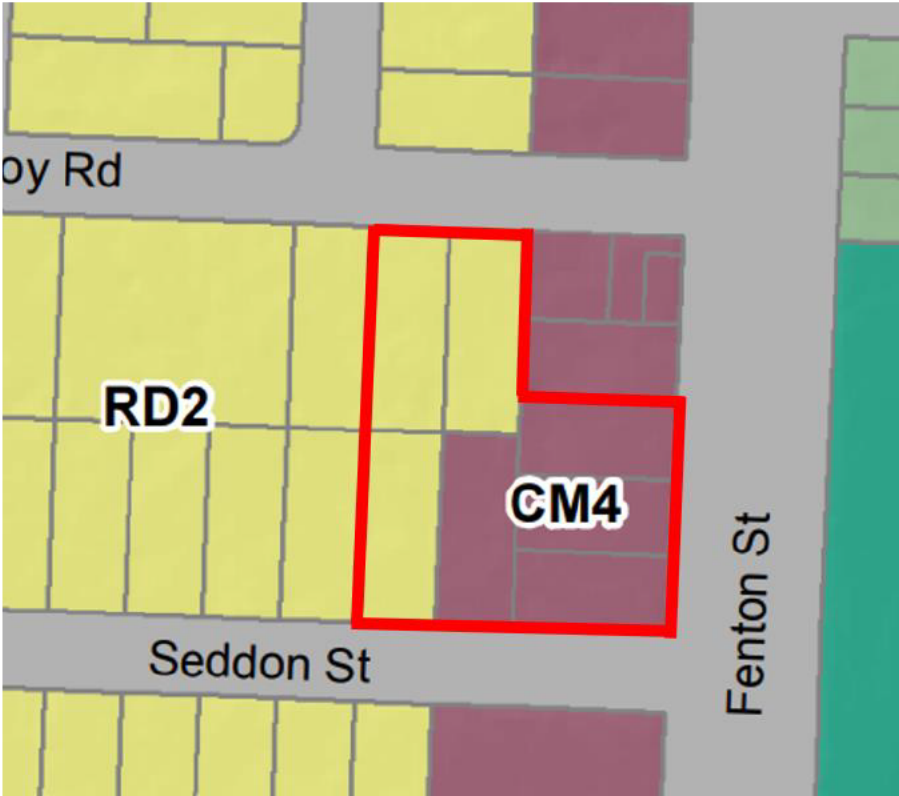


Figure 2: District Plan excerpt showing the subject site (outlined in red)

4.3 Permitted activity standards

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

Residential 2 Zone Performance Standards (Part 4.6 of the District Plan)			
Rule	Description	Comment	Compliance

1. Maximum height and daylight envelope	Maximum height = 7.5 metres, daylight envelope of 3 metre / 45° daylight envelope.	No changes are proposed to the bulk and location of the existing buildings.	No change proposed.
2. 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.
3. Site coverage	b) There is no maximum site coverage. c) Impermeable surfaces – 100% of the site d) Minimum of 10% of the net site area shall be provided as outdoor recreation and amenity space, divided between each dwelling (not required yards or parking / turning areas).		Not applicable. Complies. No change proposed.
4. Household unit density	Minimum net site area for one household unit is 350m ² without a comprehensive residential development plan.	Residential 2 Zoned land makes up 3,156m ² of the site providing for 9 household units.	Does not comply. <i>Proposal will result in 10 household units on the Residential 2 Zoned land. No changes are proposed to the layout or configuration of the existing household units within the Residential 2 Zoned land.</i>
5. Parking, access and turning (Appendix 4)	a) 1 carpark per household unit.	The site includes a minimum of 38 carparks.	Complies.

- | | | |
|--|---|----------------------------|
| b) Parking and on-site turning separate from those areas provided for outdoor recreation and amenity. | With the exception of the demolition of the existing swimming pool, no changes are proposed to the outdoor recreation and amenity spaces. | Complies. |
| c) Any garage to be located such that there is a practicable parking space in front of the garage clear of the road. | There is a garage adjoining the existing games room. This garage is within the subject site and clear of the road. | Complies. |
| d) Shared access driveways of 5-8 households require an overall width of 6.5 metres, formed width of 5 metres. | The existing shared access drives within the site do not all meet this minimum width requirement. | No change proposed. |
| e) Vehicle crossings must meet the standards of the Rotorua. | No new vehicle crossings are proposed. | No change proposed. |
| Table A4.2 requires 2 carparks for disabled persons. | Can comply. | Can comply. |

6. Noise

Commercial 4 Noise performance standards apply to the northern boundary of Lot 50 DP 2865 (land adjoining the Gateway International motel).	The Site Management Plan includes strict noise rules as part of a condition of staying within the facility, noise will be managed within the site to ensure compliance with the Noise requirements of the District Plan.	Can comply.
Residential 2 Noise performance standards apply to all other boundaries.		

7. Glare and light	No more than 10 lux on any residential site boundary.	No changes are proposed to the existing lighting on the site.	No change.
8. Earthworks (Appendix 10)	<ul style="list-style-type: none"> • Volume of 100m³ in any 12 month period • Fill not exceeding 450mm in depth • Cut of no more than 1.5m. 	The proposal involves filling the existing swimming pool which has a depth of greater than 450mm.	Does not comply
Commercial 4 Zone Performance Standards (Part 6.6 of the District Plan)			
Performance Standard	Description	Comments	Compliance
1. Maximum height and daylight envelope	No building or structure shall exceed 12 metres and buildings within 10 metres of a residential zone shall not transgress the daylight envelope.	The proposal does not involve changes to the bulk of the existing buildings.	No change proposed.
2. Yard requirements	Side, rear and rear site yards of 2.5 metres are required.	The proposal does not extend the footprint of the existing building.	No change proposed.
3. Site coverage	The maximum site coverage is 40% of the site.	Proposal involves the demolition of the existing spa and as such site coverage will reduce.	Site coverage will be reduced by the demolition of the existing spa.
4. Household density	One household unit per 450m ² for the Commercial 4 land (3,440m ²) or 7.6 household units.	The proposal will reduce the number of units on the Commercial 4 zoned land by 2 units. But will still be greater than the density provided for in the Zone.	Does not comply. <i>Proposal will result in 22 units on the Commercial 4 zoned land.</i>

5. Parking, Access and Turning (Appendix 4, Parking Standard A4.1.1)	1 carpark per household unit.	The site includes a minimum of 38 carparks.	Complies.
	Table A4.2 requires 2 accessible carparks.	No new vehicle crossings are proposed.	Can comply.
6. Noise	Commercial 4 Noise performance standards apply to the northern boundary of Lot 50 DP 2865 (land adjoining the Gateway International Motel). Residential 2 Noise performance standards apply to all other site boundaries.	The Site Management Plan includes strict noise rules as part of a condition of staying within the facility, noise will be managed within the site to ensure compliance with the Noise requirements of the District Plan.	Can comply.
7. Glare and light	No more than 10 lux on any residential site boundary.	No changes are proposed to the existing lighting on the site.	No change.
8. Earthworks (Appendix 10)	<ul style="list-style-type: none"> • Volume of 100m³ in any 12 month period • Fill not exceeding 450mm in depth • Cut of no more than 1.5 metres 	The proposal involves filling the existing swimming pool which has a depth of greater than 450mm.	Does not comply
13. Landscaping	1.8m fence / two metre planting strip where site adjoins residential zone.	The Commercial 4 / Residential 2 Zone interface is internal to the subject site.	Not applicable
	No more than 20% of required landscaping may be used for carparking.	No landscaping is required as the zone interface is internal to the subject site.	Not applicable

Pallets, containers, raw materials, machinery or goods of any kind shall, if stored outside, be screened from public places and residential zones and shall not be stored on any landscaping, parking or turning areas.

It is anticipated that no storage of goods etc will be required. In the case storage is required, goods etc will be located so as not to be visible from a public place or appropriately screened.

Complies.

14. Acoustic treatment for residential accommodation and noise sensitive activities

New noise sensitive activities in the Commercial 4 Zone must be designed to meet the following noise requirements:

- Bedrooms 10 p.m. to 7 a.m. on any day:
 - 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:
 - 40 dB LAeq(1h)
 - 50 dB Leq at 63 Hz
 - 45 dB Leq at 125 Hz

No changes are proposed to the existing noise insulation within the existing units. This standard applies to both noise sensitive activities and residential activities. The proposal is not introducing a *new* noise sensitive activity to the site. Existing use rights apply.

No change.

Relevant District Plan definitions:

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

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

The proposal is for a maximum of 88 people (excluding staff and support service workers) and as such does not meet this District Plan definition of ‘Community Housing’.

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 Table 4.5 (Residential 2 Zone) and Table 6.5 (Commercial 4 Zone) of the District Plan.

4.5 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 transitional housing, including the associated support services and minor physical works on the site.

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' (up to eight residents) as a permitted activity in both the Commercial 4 Zone and Residential 2 Zone of the District Plan. As the site is currently made up of six separate Records of Title, a relevant permitted baseline would be Community Housing for 56 people (including resident staff) on the subject site. The Community Housing would be required to have some element of support (like the support proposed in the subject application).

In addition to this, in relation to the Commercial 4 Zoned area of the site, 'tourist accommodation' is also a permitted activity, as are restaurants within tourist accommodation, such as the existing restaurant facilities on the subject site. 'Tourist accommodation' is defined in the District Plan as:

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

In undertaking the effects assessment below, reference has been made and actual and potential effects of a permitted 'community housing' facility for 24 residents on the Residential 2 zoned land and the operation of a 'tourist accommodation' with an associated restaurant on the Commercial 4 zoned land. As the District Plan permits such a proposal, effects from an activity as described above can be disregarded.

5.2 Character and amenity effects

The site has three road frontages. Fenton Street is an entranceway to Rotorua and is lined with motel developments similar to that on the subject site, while Seddon Street and Malfroy Road are commercial in nature at their eastern end (near the subject site), but have more of a residential character, particularly travelling west, away from the subject site. Across the road to the east is Arawa Park Racecourse, a large, flat, open grassed area.

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

5.2.1 Internal amenity effects

Tenants of transitional housing generally have similar needs to motel guests and as such the conversion of the site from a motel activity to a transitional housing activity is a relatively straightforward exercise. The key difference between motel guests and transitional housing tenants is that transitional housing tenants will be on site approximately 12 weeks, whereas a motel guest would rarely stay that long.

As outlined in '3. Proposal' above, the intention is to use the larger units on the western half of the site for families with children and the eastern half of the site for couples or singles.

The majority of the internal shared open space areas are located within the western half of the site where they can be used by families. There are two main lawn areas that provide large open space areas for families to enjoy as well as the lawn separating western block (Units 5 – 7) from the western boundary of the subject site. In addition to this, tenants of the existing five-bedroom house can enjoy a large fenced section that is essentially separate from the rest of the transitional housing facility and operates more like a standalone dwelling.

For tenants located in the eastern half of the site, these residents are likely to be either singles or couples, given the units in this location are all either studios or one-bedroom dwellings. No dedicated outdoor open space is provided for tenants of these units; however, the site is tidily landscaped and the lawn area near the main reception area provides some visual relief from the hard surfaces within the site. There is also the opportunity for these tenants to use the outdoor seating area currently enjoyed by restaurant patrons. While dedicated open space is not specifically available to tenants in the eastern portion of the site, this limitation is unlikely to cause adverse effects to the amenity of the user as the transitional housing programme is a short-term programme primarily focused on transitioning occupants into their own permanent housing. Furthermore, this area provides a pleasant and open outlook to the east of the subject site, out toward the tree-lined Fenton Street and Arawa Park Racecourse, which includes vast open space, trees and fields.

The proposal involves the removal of the swimming pool, spa and the closing of the mineral pools. The removal of these existing motel chattels is important from a site management and health and safety perspective. The outdoor pool will be filled, and it is likely this space will be informally repurposed by tenants as a general shared open space.

The proposal is to adapt the existing motel to meet the slightly different needs of transitional housing tenants (when compared to motel guests) by providing on-site support and services (as outlined in the Site Management Plan in [Appendix 3](#)). Importantly, the provision of these services does not require physical changes to the existing site or built structures. In addition to this, effective site management will ensure amenity for tenants is maximised during their stay.

The proposal includes the installation of pool fencing separating the eastern single bedroom / studio units from the larger family units. The purpose of this fencing is to allow for good site management and foster positive environments for on-site residents. The proposed fencing will help create spatial delineation between the space to accommodate families from the space to accommodate single/couples. Gates will provide controlled access through the fencing. It is noted that this fencing could be constructed as a permitted activity.

The existing configuration of the site in terms of access to open space is not proposed to change under the subject application. As noted above in relation to the permitted baseline, a motel can operate on the Commercial 4 Zoned land as permitted activity. Furthermore, the existing motel could continue to operate across the entire site.

Effects in relation to internal amenity are less than minor.

5.2.2 External amenity effects

Gateway International Motel (*property to the north-east of the subject site*)

The property to the north-east of the subject site, at 263 Fenton Street, is the Gateway International Motel. This adjoining motel has its main entrance on Malfroy Road, directed away from the subject site. All the outdoor areas and balconies for 263 Fenton Street are also oriented to the north, away from the subject site. The main adjoining motel building is three storied and provides a strong boundary between the subject site and the adjoining motel.

Potential amenity effects on the adjoining property to the north, including such things such as privacy and noise, are considered to be comparable to a permitted activity, and no different to potential effects from the existing motel operation on the subject site.

Effects of the proposal on 263 Fenton Street are less than minor.

Properties to the west of the subject site (*including the existing flats at 14 Malfroy Street and 7 Seddon Street*)

Properties to the west of the subject site are residential in character and are generally single storied. No changes are proposed to the existing buildings along the western boundary of the site, with the exception of the demolition of the existing spa. Internal areas within the units along the common boundary with these properties are primarily related to service areas. There are no elevated living areas looking out and over these adjacent residential sites.

Transitional housing residents will generally spend their time inside their respective units, utilising the communal outdoor areas, or working with support staff within internal spaces. As with any residential activity, general noise may be associated with this activity, however this will be dispersed throughout the site and will be domestic in nature. Overall, it is expected that any noise that is generated from the proposed use of the site will not exceed the permitted noise levels for this environment, nor is it expected to be any greater than the noise generated from the current use of the motel.

To provide additional assurance around the management of potential noise nuisance etc associated with the proposed activity, the implementation of the Site Management Plan attached as [Appendix 3](#) will effectively ensure noise and outdoor activities within the site are adequately managed. The implementation of a site management plan 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. In addition, it is noted that the existing restaurant on the subject site is currently open to the public, rather than to motel guests only. Repurposing this space for the benefit of on-site residents only will reduce the comings and goings of general restaurant patrons and associated noise. In addition, there will be defined and limited hours for utilising shared spaces within the site during the evening, including any outdoor areas and training spaces. Implementation of the proposed draft site management plan will adequately mitigate effects in this regard.

There are 10 units currently located on Residential 2 zoned land and these are the units that are closest to the residential properties to the west of the subject site. The density provisions of the District Plan provide for 9 units to be located on the Residential 2 zoned area of the subject site (3,156m²). The level of intensity in the subject application is very similar to that which is provided for in the District Plan. It is also noted that the conversion of the existing motel ('tourist accommodation') to household units is a Controlled Activity in the District Plan.

Overall, effects on adjoining neighbours to the west will be the same or similar to a permitted activity, and the same or similar to the existing motel operation, which forms the existing environment.

Effects on properties to the west are 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 transitional housing accommodation, which in reality requires very little modification to the existing subject site. 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.

5.3 Design, scale, appearance and layout

The design, scale, appearance and layout of the existing buildings within the subject site will not change. The proposal includes the installation of pool fencing to the Fenton Street frontage and between the eastern and western half of the site. The scale of the existing buildings will not change and only the internal layout of existing Units 31-34 will change to reduce the number of units through the demolition of an internal wall. This proposed change is shown in the site plan at [Appendix 2](#) and will improve the overall site layout and living environment for occupants.

Effects in relation to design, scale, appearance and layout are considered to be less than minor.

5.4 Streetscape / neighbourhood character / visual effects

The proposal is to retain the existing buildings and landscaped areas on the site and as such effects from a streetscape / neighbourhood character and visual point of view are similar to the continued operation of the existing motel. The only noticeable change from a streetscape point of view will be the installation of pool-style fencing along the Fenton Street frontage and the removal of all existing signage associated with the Boulevard Motel.

The purpose of the proposed fencing is for safety and security and to help with site management, rather than to screen the subject site from the street. The proposed fencing can be installed without the need for resource consent.

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

The nature of transitional housing of the scale on the subject site is that it will present in a very similar way to the operation of the site as a motel. Fenton Street is a known gateway to Rotorua and tourist accommodation lines the street. Very few physical changes to the subject site are proposed and the proposal will not detract from the streetscape or neighbourhood character of the area.

Effects in relation to streetscape, neighbourhood character and visual effects are less than minor.

5.5 Access and parking effects

The subject site is well catered for from a vehicle access and parking point of view. There are four existing vehicle entrances to the site, with two on Fenton Street, one on Malfroy Road and one Seddon Street. There is a minimum of 38 carparks within the site, with additional unmarked parking areas adjacent to the Fenton Street frontage, near the existing main reception.

The layout of existing vehicle access and parking is such that all vehicles can turn on-site and exit the site in a forward-facing direction.

The proposal includes the allocation of one carpark per household unit, which aligns with the existing parking requirements for motels and household units. There are an additional seven carparks for staff and support workers. Similar to how a motel would operate, no specific visitor parking is provided but visitors are able to park in the carpark allocated to the household unit they are visiting if this is unutilised by the unit occupier(s).

It is noted that the National Policy Statement on Urban Development (discussed in more detail below in section 8.4) requires all Council's to remove minimum carparking requirements from their District Plans by 18 February 2022.

It is noted that the proposal does not include dedicated accessible carparking spaces, however, there is ample parking throughout the site, including a large area around the reception building where there is additional space for parking. Furthermore, the layout of the site is such that all carparking is easily accessible and parking can be allocated so that it is adjacent to the unit that it serves.

A key strength of the on-site Housing Service Provider is that they are able to adapt and change to the needs of the transitional housing tenant. As such, where a tenant has a particular parking or access need, this can be managed on case-by-case basis, including the allocation of a carpark with good accessibility.

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 removal of the existing swimming pool provides an opportunity to provide additional car parking if required. Any new carparks will be designed to meet the District Plan requirements.

Access and parking effects are less than minor.

5.6 Intensity of Use Effects

The existing levels of accommodation (i.e. number of units and associated beds etc) will be utilised at a similar, *but reduced*, occupancy rates as the current motel. No changes are proposed to the onsite 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; therefore any potential adverse effects arising from this proposal will be negligible.

5.7 Earthworks effects

The proposal involves small scale earthworks to fill the existing swimming pool. Having an operational pool within the site presents a health and safety risk to tenants and as such it is important that it is removed prior to the transitional housing activity operating from the site. The existing swimming pool is relatively small in scale, being approximately 28m² in area, and as such the proposed is not anticipated to result in any dust, erosion or other adverse effects associated with filling in the swimming pool.

Any earthworks effects will be temporary in nature, and less than minor.

5.8 Positive effects

The purpose of this application is to provide those local community members, who have an urgent need for housing, access to transitional residential accommodation. The existing motel and its facilities, such as laundries and the existing office area, are well suited to accommodate transitional housing.

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

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

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

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.

5.9 Conclusion

The proposed use of the site and existing buildings for transitional accommodation, is consistent with the existing use and will have little to no external impact. For the reasons discussed above, the overall effects of the proposal are less than minor with no persons being adversely affected.

6. Objectives and policies

6.1 Objectives and policies

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

Residential 2 – Medium Density Living	
Activities in a residential zone	
Objective 4.3.1	<p>A level of amenity that provides residents with:</p> <ul style="list-style-type: none"> ● A northerly outlook ● Side and rear yards that provide aural and visual amenity ● Residential levels of noise ● Safe parking and turning areas where required ● Street surveillance ● Orientation to maximise energy efficiency
Policy 4.3.1.1	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.
Policy 4.3.1.2	Manage the siting of household units on adjoining land to protect the privacy, outlook and amenity of residents.
Policy 4.3.1.3	Require on-site outdoor space for each household unit.
Policy 4.3.1.4	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.
Policy 4.3.1.5	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.

Policy 4.3.1.6	Require noise mitigation measures for household units that adjoin strategic roads to avoid reverse sensitivity effects.
Policy 4.3.1.7	Encourage implementation of principles of sustainable building practice through provision of advice and information.
Comment:	<p><i>The proposal does not involve the construction of any buildings or structures (except pool-style fencing). As discussed in the effects assessment above the units located in the Residential 2 Zone do not have any private open space, but they do have access to two main shared open spaces. The five-bedroom dwelling has exclusive access to its own outdoor space. These open areas have good northern aspect and hours for access to open space will be outlined in the Site Management Plan.</i></p> <p><i>Strict site management rules will be in place to manage potential noise effects and to ensure high levels of amenity for both tenants and neighbouring properties.</i></p> <p><i>Existing carparking and manoeuvring areas provide ample on-site parking and good opportunity to safely turn within the site and exit the site in a forward-facing direction.</i></p>
Objective 4.3.2	The character and amenity values of the residential zones are maintained and enhanced.
Policy 4.3.2.2	<p>Maintain the following qualities and characteristics of the Residential 2 zone:</p> <ul style="list-style-type: none"> • 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:	<i>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.</i>
Objective 4.3.3	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.

Policy 4.3.3.1	Manage the location and design of buildings for non-residential activities to ensure that the activity is in keeping with the appearance and character of the residential zone sought in Objective 4.3.2 and Policies 4.3.2.1 to 5.
Policy 4.3.3.2	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
Policy 4.3.3.3	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.
Policy 4.3.3.4	Ensure the location of community activities avoids, remedies, or mitigates adverse effects on the quality of residential amenity in the residential zones.
Policy 4.3.3.5	<p>Avoid, remedy or mitigate the potential adverse effects of non-residential activities, including community activities, through the provision of:</p> <ul style="list-style-type: none"> • Sufficient on-site parking, loading and turning • Landscaping to maintain and enhance the quality of residential amenity, primarily the streetscape • Noise mitigation measures.
Comment:	<p><i>The District Plan does not provide for transitional housing, but it gets very close by providing for ‘community housing’. However, due to the potential number of people living on the site, the proposal does not fit within the 8-person limit provided for in the definition of ‘community housing’.</i></p> <p><i>There is no definition of residential activity (or non-residential activity) in the District Plan, however, the National Planning Standards define a residential activity as “the use of land and buildings for people’s living accommodation”. In our view, the proposal falls somewhere between a residential activity, with support services attached and a community activity. As such it is entirely appropriate for transitional housing to be located in the Residential 2 Zone of the District Plan.</i></p> <p><i>Housing Service Providers are 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 transitional housing facility are unlikely and will quickly be dealt with. The draft Site Management Plan in Appendix 3 is expected to be largely adopted by a Housing Service Provider. A condition requiring a final site management plan to be certified by the Council prior to tenants living within the transitional housing facility forms part of this application.</i></p>

In terms of parking and landscaping, little change to the existing situation is proposed. Parking will remain as currently exists on the site, which provides for a minimum of one carpark per unit and 6 staff carparks.

Maintenance of the property, including landscaping, will fall within the responsibilities of the Housing Service Provider.

The design, layout and appearance of residential sites

Objective 4.3.6 **Residential site design and development in a sustainable manner that promotes and maintains the character of the zone, residential amenity and community safety.**

Policy 4.3.6.1 Encourage and promote buildings on residential sites that:

- 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.

Policy 4.3.6.2 Encourage site and building design that provides:

- Passive surveillance of public space
- Front yards that are free of buildings and not screened by high fencing

Policy 4.3.6.3 Control signage to ensure that it does not adversely affect traffic safety, residential amenity, or matters of significant cultural, historical, or landscape value as listed in Appendices 1 and 2, Cultural Historic Heritage Inventory and Natural Heritage Inventory respectively.

Policy 4.3.6.4 Provide for residential development to occur in a manner that:

- Does not detract from the surrounding residential amenity
- Provides for a range of residential opportunities
- Provides for access by a range of modes of transport
- Provides recreation and amenity areas

Comment: *The site layout is largely dictated by the existing buildings on the site. Residential amenity has been discussed in detail above in the (section 5. Assessment of environmental effects).*

The existing buildings on the site are generally consistent with Objective 4.3.6 and the corresponding policies. Importantly, the existing motel signage

will be removed. The applicant offers as part of this application that a condition be imposed requiring motel signage to be removed.

Commercial 4 Zone – City Entranceway Accommodation

Commercial centres

Objective 6.3.1 **A hierarchy of vibrant compact commercial and tourism centres that efficiently service and support the needs of the surrounding community and nationally significant tourism sector.**

Policy 6.3.1.4 Entranceway Accommodation and Tourism Provide for the development of tourism enterprises and Māori cultural experiences that maintains or enhances the amenity and vibrancy along the northern and southern city entranceways to the inner city, as shown on Planning Map 206.

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

The proposal retains the existing buildings on the site and will present in the same way as apartment buildings or a motel. The proposal clearly supports the community by providing housing for those where there is an urgent housing need.

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

The proposal will retain the existing buildings and layout of the site and as such will retain the motel-style layout of the site. The proposal is consistent with the above objective and policy.

Design and appearance of buildings

Objective 6.3.2 **Commercial activities that do not adversely affect the character, safety and efficiency of commercial areas.**

Policy 6.3.2.1 Manage the design of activities within commercial centres to maintain or enhance the character, public safety and efficient functioning of the transport network.

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

safe entry and exit to the site. As discussed in the assessment of environmental effects (above) the proposal will not detract from the character of the area.

An accredited Housing Service Provider will provide effective management of the site, ensuring the safety of those within the site and the wider community.

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

Objective 6.3.3 **Commercial buildings and activities designed and operated in a manner that avoids adverse effects on the amenity of residential zones.**

Policy 6.3.3.1 Manage the effects and design of activities to ensure that the amenity of adjoining residential properties is not adversely affected.

Comment: *The layout of the site is such that there is a much greater intensity of buildings on the Commercial Zoned land than there is on the Residential Zoned land. The existing layout of the site is designed to ensure the amenity of nearby residents is maintained.*

In addition, the on-site management and operation of the site by a Housing Service Provider ensures the use of the site for transitional housing will not adversely affect the amenity of adjoining residents.

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

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

Commercial activities located within non-commercial zones

Objective 6.3.4 **Efficient use and development of commercial centres by the establishment of activities consistent with the intended purpose of each zone.**

Policy 6.3.4.1 Restrict the location of retail and commercial activities in other zones of the district to maintain and enhance the vibrancy and amenity of the commercial zones.

Policy 6.3.4.2 Provide diverse commercial centres that offer services and convenient retail activities that complement rather than compete with the city centre.

Comment: *The proposal is consistent with the purpose of the Commercial 4 Zone, 'community housing' which the proposal most closely aligns to is permitted in the Zone, as is 'tourist accommodation'. Furthermore, the conversion of 'tourist accommodation' to a permanent residence within an existing building is a Controlled Activity.*

As previously discussed, the proposal does not fit neatly into any of the definitions of the District Plan. The proposal is a Non-Complying Activity because it does not neatly fit the definitions in the District Plan, rather than because it is challenging the integrity of the District Plan.

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

Management of signs to maintain and/or improve amenity and protect a safe and efficient transport network.

Objective 6.3.5 **Signs are designed and located to maintain and/or improve the amenity and character of the zone and district and to ensure traffic safety is not compromised.**

Policy 6.3.5.1 The size and scale, type, colour, number and location of signs is consistent with the amenity value and character of the zone, and illuminated, flashing and multi-media signs are restricted to appropriate locations.

Policy 6.3.5.2 Enable site-related signs to support and promote the activity on the site, including identification of location, whilst minimising the visual impact.

Policy 6.3.5.3 Reduce the cumulative effects of signs, particularly along the city entranceways, strategic and collector roads by: a. Avoiding the establishment of non-site related signs that detract from the purpose of the zone and amenity and character of the district. b. Mitigating visual clutter through integration of multiple signs into multi sign signboards.

Policy 6.3.5.4 Ensure that the scale, design and location of signs are consistent with the safe and efficient functioning of the transport network, especially near roundabouts and intersections, as well as providing for clear identification of access to sites.

Comment *No signage is proposed as part of the subject application. As the existing signage does not relate to the proposed use of the site as transitional housing it will be removed. This will improve the streetscape and reduce visual clutter. The proposal is consistent with the above objective and policies.*

Noise

Appropriate noise environment

Objective A11.3.1 **A noise environment consistent with the character and amenity expected for the zone.**

Policy 11.3.1.1	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.
Policy 11.3.1.3	Control the potential adverse effects of noise generated in one zone and received in another zone.
Policy 11.3.1.4	Minimise, where practicable, noise at its source or on the site from which it is generated to mitigate adverse effects on adjacent sites.
Policy 11.3.1.5	Exempt from the maximum permitted noise level requirements those activities which are an integral part of accepted management practices of activities associated with production land in rural areas (well drilling, audible bird scaring devices, frost fans) as well as other activities (in any zone) clearly of a temporary nature (e.g., Construction works, emergency back-up generators).
Comment:	<p><i>The proposed use of the site for transitional housing is entirely consistent with the character and amenity expected for the Commercial 4 and Residential 2 zones. The design of the site is such that there is an anticipated residential density on the residentially zoned land and an anticipated 'tourist accommodation' density on the commercially zoned land. This also provides a buffer between the higher density units at the western end of the site and the adjoining residential properties to the east.</i></p> <p><i>A draft Site Management Plan is attached at Appendix 3, which demonstrates many measures that will be imposed to ensure potential noise effects are avoided. This includes restricted visitor hours, hours for outside use of equipment and consequences for not conforming to the site rules.</i></p>
Reverse Sensitivity	
Objective A11.3.2	Existing and permitted activities in the central city, rural and industrial zones are protected from noise reverse sensitivity
Policy 11.3.2.1	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.
Policy 11.3.2.2	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.
Policy 11.3.2.3	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.

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

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

Overall, the proposed is consistent with the above objective and policies of the District Plan.

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. In October 2017, Section 95A was amended to have a four-step process to determine whether to publicly notify an application.

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.

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, I have determined that 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 I have determined that 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 by granting the consent.

8.2 Section 104 of the RMA

Section 104

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.*

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.

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 of the Wellington Regional Policy Statement.

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.

Objective 1 of the NPSUD is of particular relevance to the subject application:

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.

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 transitional housing model supports families and individuals in urgent housing need with a short-term place to live, and support to find and maintain stable and permanent housing. In relation to access and parking, the NPSUD requires that District Plans do not set minimum car parking rates. While the proposal includes over 38 carparks, and easily meets the 1 carpark per household unit ratio in the District Plan carparking requirements will soon be removed from the Rotorua District Plan.

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

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

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 relating to on-site management and removal of signage. The applicant is also willing to accept a review condition so as to provide additional assurance to the Council as to the effective operation of the site for transitional housing.

On-site management

1. *A final Site Management Plan shall be submitted to the Manager Resource Consents and Monitoring for certification prior to the occupation of the units for transitional housing. The site management plan must include, but not be limited to:*
 - i. *Details of on-site manager responsible for implementation of the Site Management Plan and responsible for the management of any complaints.*

- ii. *Details of the on-site support services to be provided, including the number of staff, location for training and office work within the site and hours of operation.*
 - iii. *Site management details including:*
 - a. *Intensity of use (i.e. number of residents)*
 - b. *Staffing and security*
 - c. *Site maintenance*
 - d. *Carparking allocation*
 - e. *Meeting / training operation (including hours of use)*
 - f. *Visitors (including visiting hours)*
 - g. *Use of communal areas and facilities*
 - iv. *Effective noise management measures to avoid, remedy, or mitigate potential noise nuisance.*
2. *Onsite waste and recycling storage areas must be screened from view from the ground floor level of any adjoining properties and from the road.*

Removal of signage

- 3. *All existing signage relating to “The Boulevard Motel” must be removed from site within one month of the occupation of site by tenants for transitional housing.*

Review Condition

- 4. *Council may, within 36 months of this consent being given effect to, initiate a review of the conditions of the consent under section 128 of the RMA 1991 to:*
 - *Assess the adequacy of, and if necessary, changes to the conditions controlling activities on the site; and*
 - *Deal with any significant adverse effects on the environment that may arise from the exercise of the consent (limited to noise, the use of common/shared areas, and/or parking), and*
 - *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 considering resource consent applications. The Rotorua District Plan is a valid planning document. It has complete coverage over the proposed activities and anticipated effects. In achieving the purpose of the Act (Section 5) all persons exercising functions under it, shall recognise and provide for matters of national importance including the protection of historic heritage (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. Having weighed these matters, I consider that the proposal is consistent with the sustainable management purpose of the Act and Section 5 more generally.

9. Conclusion

This application is being made by Kāinga Ora for resource consent from Rotorua District Council for transitional housing at 265 Fenton Street, Rotorua.

Section 5 details an assessment of effects and Section 7 outlines the key planning considerations for this assessment. These assessments conclude that there are less than minor effects and no persons will be adversely affected. The 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.

As part of the application (Appendix 5), 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.

We would also request that this application be processed with expediency, where possible, as our client is eager to settle the purchase of the property as soon as possible.

Appendix 1 – Record of Title



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




R.W. Muir
Registrar-General
of Land

Identifier SA1A/1105
Land Registration District South Auckland
Date Issued 23 May 1962

Prior References
SA1042/275 SA660/109

Estate Fee Simple
Area 809 square metres more or less
Legal Description Lot 52 Deposited Plan 2865

Registered Owners

John Graham Bradshaw as to a 1/2 share
John Graham Bradshaw, Kerry Shaun Hart and Marie Helen Hart as to a 1/2 share

Interests

Subject to Section 8 Coal Mines Amendment Act 1950
Subject to Section 15 Rotorua Town Lands Act 1920

TRIC AREA IS 807 m²

200.00	0.00/
52	
32 P.	
200.00	0.00/



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




R.W. Muir
Registrar-General
of Land

Identifier SA14B/786
Land Registration District South Auckland
Date Issued 29 June 1972

Prior References
SA660/103

Estate Fee Simple
Area 1012 square metres more or less
Legal Description Lot 45 Deposited Plan 2865

Registered Owners

John Graham Bradshaw as to a 1/2 share
John Graham Bradshaw, Kerry Shaun Hart and Marie Helen Hart as to a 1/2 share

Interests

Subject to Section 15 of the Rotorua Town Lands Act 1920
Subject to Section 8 Coal Mines Amendment Act 1950

100-0	250-0	0.100	250-0	100-0
45				

Seddon Street



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




R.W. Muir
Registrar-General
of Land

Identifier SA821/52
Land Registration District South Auckland
Date Issued 17 July 1944

Prior References
SAPR190/272 WA 4536

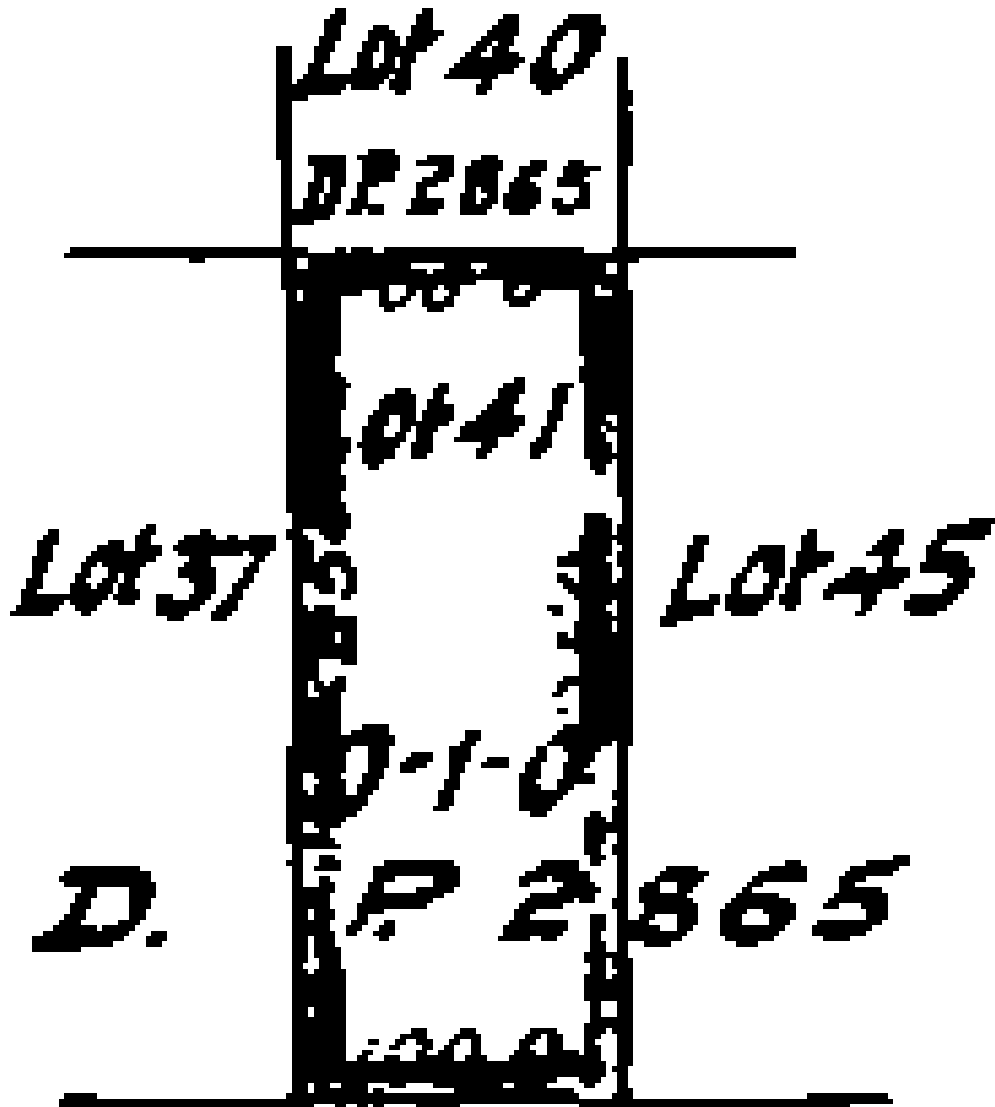
Estate Fee Simple
Area 1012 square metres more or less
Legal Description Lot 41 Deposited Plan 2865

Registered Owners

John Graham Bradshaw as to a 1/2 share
John Graham Bradshaw, Kerry Shaun Hart and Marie Helen Hart as to a 1/2 share

Interests

Subject to Section 15 of the Rotorua Town Lands Act 1920



Seddon ST



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




R.W. Muir
Registrar-General
of Land

Identifier SA821/85
Land Registration District South Auckland
Date Issued 19 October 1944

Prior References
SAPR190/242 WA 4555

Estate Fee Simple
Area 1072 square metres more or less
Legal Description Lot 44 Deposited Plan 2865

Registered Owners

John Graham Bradshaw as to a 1/2 share
John Graham Bradshaw, Kerry Shaun Hart and Marie Helen Hart as to a 1/2 share

Interests

Subject to Section 15 Rotorua Town Lands Act 1920

Malfroy Rd.

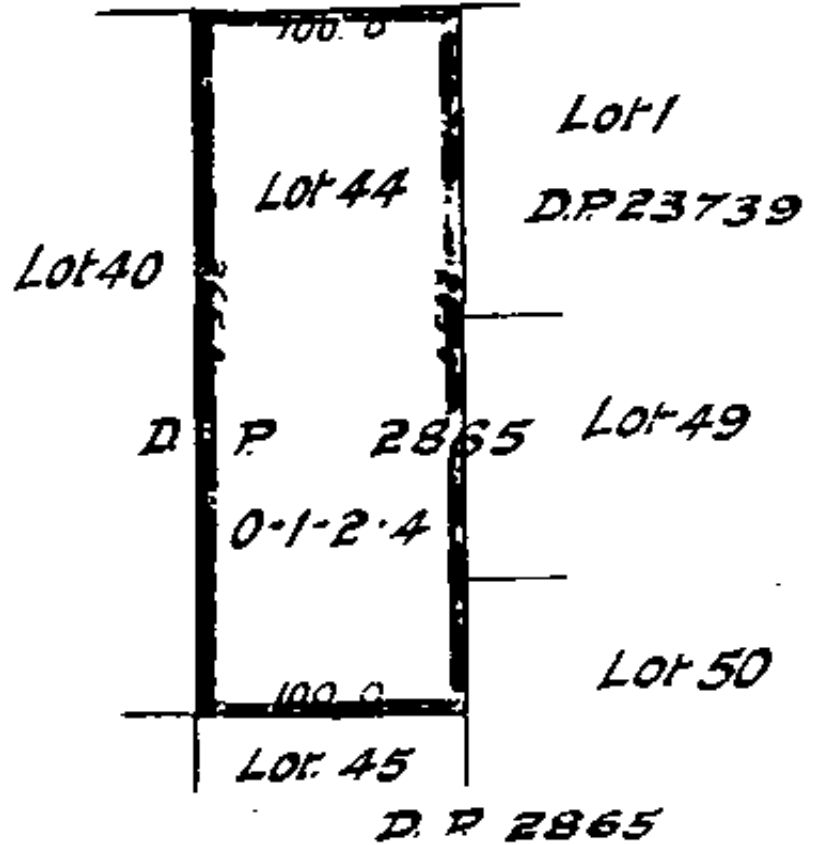


Image Quality due to Condition of Original

D.P. 2865



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




R.W. Muir
Registrar-General
of Land

Identifier SA857/140
Land Registration District South Auckland
Date Issued 12 September 1946

Prior References
SAPR192/3 WA 4685

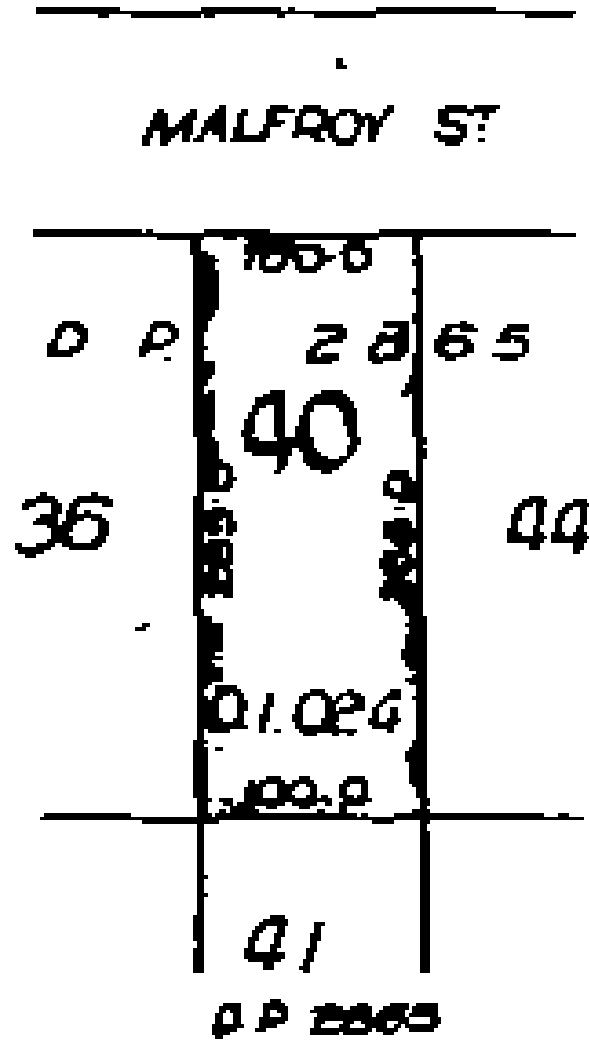
Estate Fee Simple
Area 1072 square metres more or less
Legal Description Lot 40 Deposited Plan 2865

Registered Owners

John Graham Bradshaw as to a 1/2 share
John Graham Bradshaw, Kerry Shaun Hart and Marie Helen Hart as to a 1/2 share

Interests

Subject to Section 15 Rotorua Town Lands Act 1920





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




R.W. Muir
Registrar-General
of Land

Identifier SA857/224
Land Registration District South Auckland
Date Issued 20 November 1946

Prior References
SAPR192/96 WA 4715

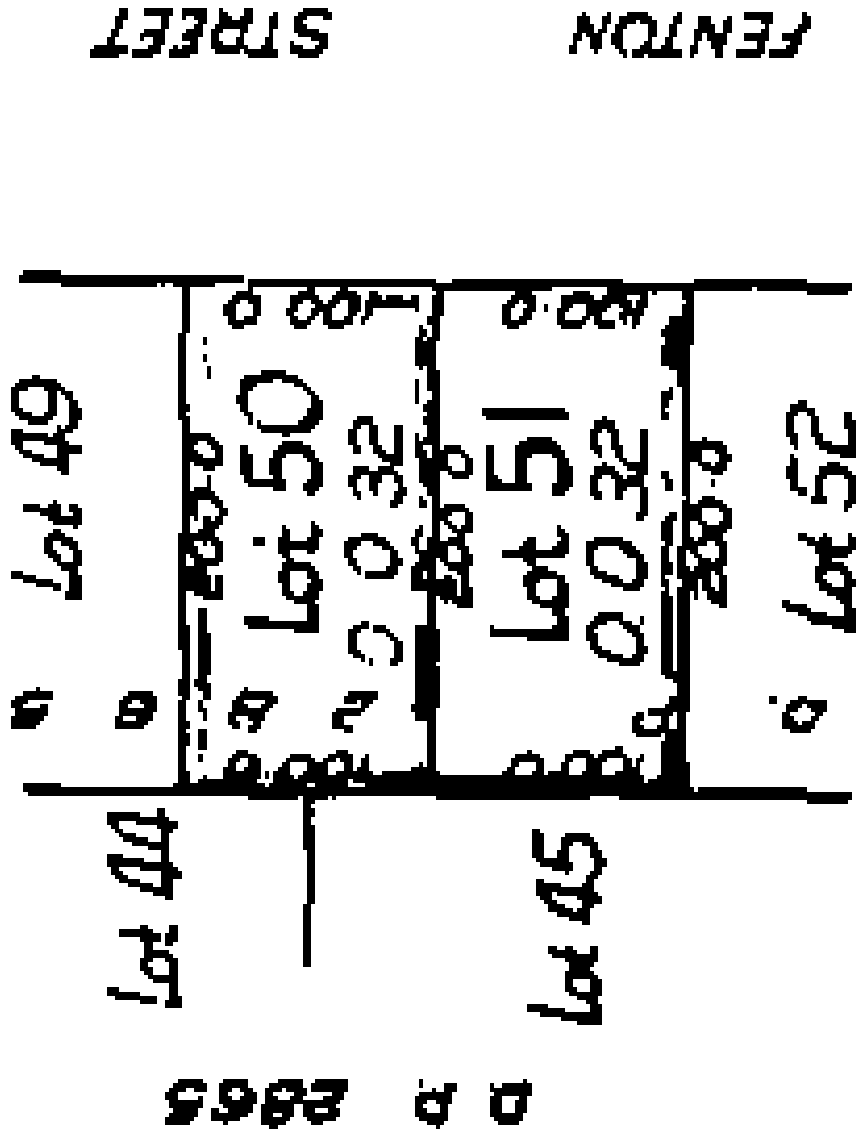
Estate Fee Simple
Area 1619 square metres more or less
Legal Description Lot 50-51 Deposited Plan 2865

Registered Owners

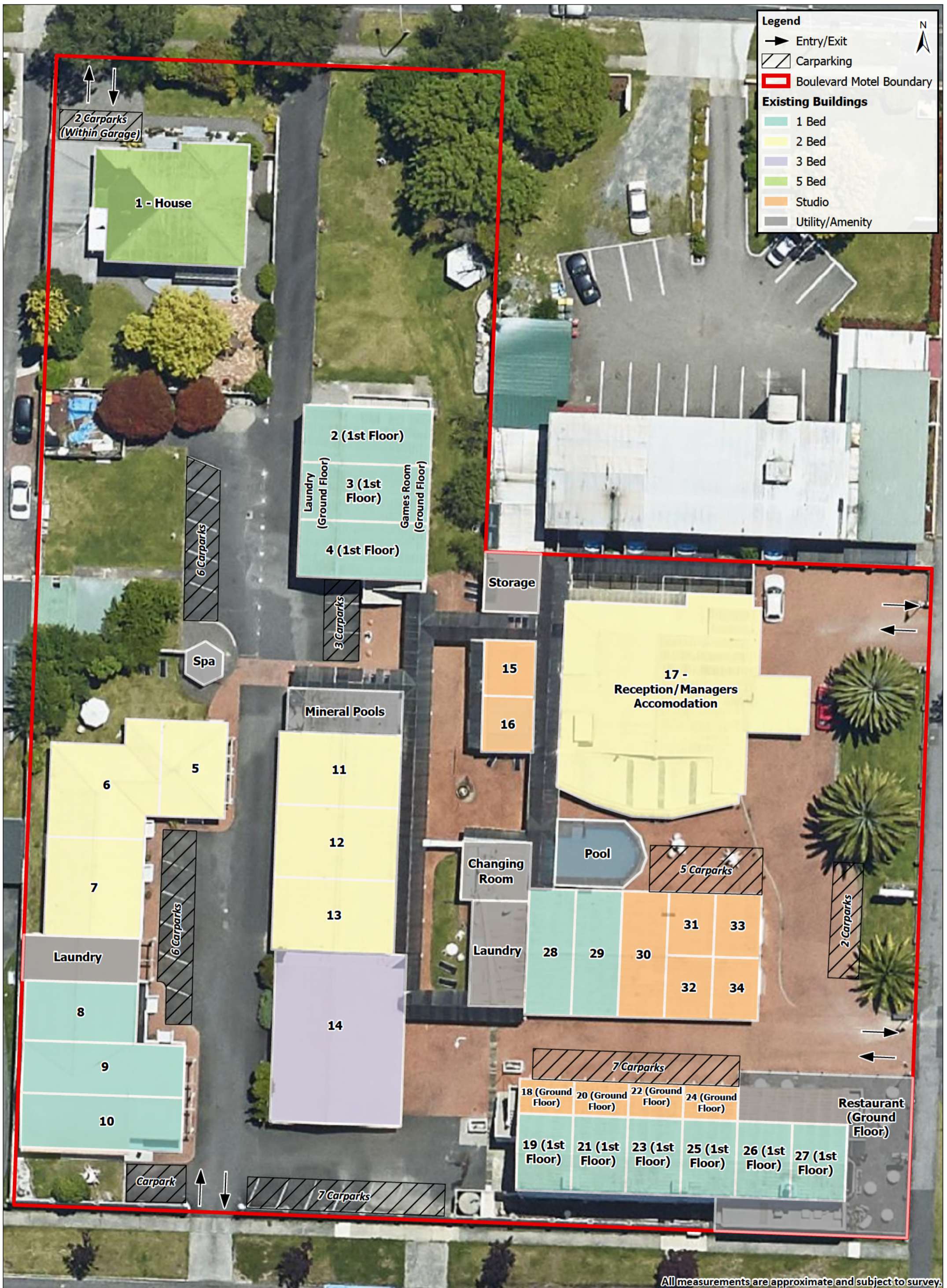
John Graham Bradshaw as to a 1/2 share
John Graham Bradshaw, Kerry Shaun Hart and Marie Helen Hart as to a 1/2 share

Interests

Fencing agreement in Lease 14166
Fencing agreement in Lease 14167
Subject to Section 15 Rotorua Town Lands Act 1920



Appendix 2 – Site Plan



Legend

- Entry/Exit
- ▨ Carparking
- ▭ Boulevard Motel Boundary

Existing Buildings

- 1 Bed
- 2 Bed
- 3 Bed
- 5 Bed
- Studio
- Utility/Amenity

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).

Boulevard Motel
 Existing Site Layout

PREPARED BY: Conor McIntosh DATE: 11/06/2021 SHEET: 1 OF 2 TPG REF: 716161 A3 Scale 1:300 0 9 Metres



Legend

- Entry/Exit
- ▨ Carparking
- ▨ To Remove
- ▭ Boulevard Motel Boundary

Proposed Buildings

- 1 Bed
- 2 Bed
- 3 Bed
- 5 Bed
- Studio
- Utility/Amenity

All measurements are approximate and subject to survey.

Appendix 3 – Draft Site Management Plan

**Transitional Housing 265 Fenton Street,
Rotorua**

Draft Site Management Plan

June 2021

Contents

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4.3 Housing Service Provider Delivery..... 6

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5.2 Ingoing property condition report and information **Error! Bookmark not defined.**

5.3 Information Kit **Error! Bookmark not defined.**

1. Introduction

Transitional housing is temporary accommodation and support for individuals or families who are in urgent need of housing. It provides warm, dry, short term housing for people and families who have an urgent need for a place to stay. The transitional housing model provides short term accommodation along with support services that are designed to assist households to transition to long term sustainable housing.

This site management plan supports the resource consent application to use the existing site and buildings at 265 Fenton Street, Rotorua for transitional housing.

2. Site Management

2.1 Intensity of use

The maximum number of occupants of the accommodation site is *[To be completed by HSP]* persons. This does not include employed staff and their family, support staff or relief staff.

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

2.2 Staffing and security

The Housing Service Provider will provide an onsite staffing presence. This will be provided in the first instance by the Residential Manager who resides on site.

In the absence of the live- in staff member, a relief staff member will stay at the site overnight.

In addition, the following staff will be based at the site:

Role	FTE
Housing Navigator	<i>[to be completed by the HSP]</i>
Tenancy Manager	<i>[to be completed by the HSP]</i>

Relief management will be provided for the hours when the residential Manager is not on duty and will be provided by an employee of the Housing Service Provider or by a security service company.

Households and visitors must only use the main entrance to enter the site.

2.3 Emergency response plan

An emergency response plan will be prepared prior to occupation of the site for transitional housing.

2.4 Site Maintenance

The roles and responsibilities for maintenance of the site for both Housing Service Provider and Kāinga Ora - Homes and Communities (Kāinga Ora) are outlined in the lease agreement. In summary, the

routine maintenance of the units and site are the responsibility of the Housing Service Provider. This includes:

- a regular maintenance programme to ensure the upkeep of the site, including gardening/landscaping, well presented and safe carpark, common areas, meeting rooms, and units.
- reactive repairs where households are liable;
- inspection of individual units on turnover of households;
- timely requests to Kāinga Ora for maintenance and repairs that fall under their responsibility.

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

Some specialist repairs and maintenance may be contracted to tradespeople by the Housing Service Provider as required.

2.5 Meeting / training

The meeting/training room will be used for:

- Office space for staff;
- A common area for households with internet access for purposeful use only i.e. searching for permanent housing, employment, meetings with staff/support agencies as appropriate;
- A training/group work room for household members.

Training and group work is intended to provide education and guidance to household members in topics related to finding, securing and maintaining long term housing and wellbeing. This may include short courses such as:

- Budgeting / financial literacy;
- CV and interview skills;
- “Ready to rent” skills;
- Household management;
- Homework Club and other groups for children;
- Other topics will be developed as need and interest arises.

The meeting/training room will only be operated between *[To be completed by HSP]*. The meeting/training room when in use will always be supervised by either the site manager, a staff member or course facilitator.

2.6 Intended visitors

Visitors will be permitted to visit any tenant on-site however subject to following restrictions:

- Visitors to the site must be invited by a household or by Housing Service Provider staff
- Visitors are only permitted between *[to be completed by HSP]*
- Visitors are not permitted to stay overnight
- Visitors must only access the site by the *[to be completed by HSP]* entrance
- 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 utilising this space, then the visitor must park on street;
- Behaviour or actions of visitors that result in a breach to *[site rules - to be completed by HSP]* will be the full responsibility of the household who invited them.
- Uninvited visitors will be asked by staff to leave the site. Security services or emergency services may be required to facilitate this if necessary.

2.7 Laundry

The Communal Laundry areas are available for household use between the hours of *[to be confirmed by HSP]*. Households provide their own laundry detergent.

Households are responsible for all of their own laundry.

3. Noise Management

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

- No recreational equipment will be placed within *[XXm to be completed by HSP]* of the neighbouring residential boundary fences.
- Visitors to the site are restricted to *[to be completed by HSP]* hours.
- Use of any playground equipment is restricted to *[to be completed by HSP]* hours.
- Consumption of alcohol in common areas is prohibited.
- Any illegal activities are prohibited in all areas of the site.
- Responsibility of not causing disturbance to quiet and peaceful enjoyment of premises for other households and neighbours are outlined in *[refer HSP Agreement with occupier]*.
- Breaches to the Residential Agreement or Rules as outlined in the *[refer HSP Site Rules]*.

4. Support Services

4.1 Support Services Provided

A dedicated Housing Service Provider will provide extensive support services to each placed individual / household.

The support services include:

- a) Developing with the individual / household an individualised Housing Transition Plan to help the placed individual / household achieve financial stability and work towards more permanent housing solutions.
- b) Working with each placed household to identify and manage issues that arise during their stay in the transitional property (eg damage or rent arrears)
- c) Supporting whanau to:
 - i. Access appropriate support for identified health and social issues by referring to other health and social service agencies.
 - ii. Carry out actions identified in their Housing Transition Plan (including making and attending appointments with relevant health and social service agencies).
- d) Assisting each placed individual / household to identify and secure sustainable long-term housing that meets their needs and to assist them to move into that housing.
- e) Where appropriate, ensure that placed individuals / households are registered with the MSD Social Housing Register.
- f) Meet regularly with each household for a period of 12 weeks following the date the household vacates the transitional housing to ensure that any issues that may threaten the sustainability of the new housing solution are identified and addressed early.

4.2 Transitional Housing Service Agreement

Placed households are required to read, understand and sign an agreement with the HSP.

[details of the agreement to be outlined by the HSP but will outline the responsibilities of both the placed household and Housing Service Provider].

4.3 Housing Service Provider Delivery

- Housing Service Provider staff will meet with each placed household within *[XX to be completed by HSP]* working days of them moving into transitional housing to:
 - a) discuss and plan social support that will be provided or coordinated; and
 - b) discuss all long-term housing options that will be considered.

The discussions and plans are recorded in the activities of the client's notes and in their Housing Transition Plan.

Housing Service Provider Staff will:

- assess what support is required for the whanau
- refer whanau to social support and health organisations as appropriate
- work intensively with whanau for the duration of their stay (meeting at least weekly or more frequently as appropriate)
- support the placed household to explore longer term housing options, including support to make applications for housing
- explore options and then undertake a brokerage role, as required, with the private sector, community housing providers and Kāinga Ora – Homes and Communities
- support whanau to access all necessary resources, including financial support through appropriate agencies
- meet regularly with households once they have transitioned to long term accommodation, for a further 12 weeks

The Tenancy Manager will:

- meet with the whanau on site to sign an accommodation agreement and property condition report
- discuss the rules of stay
- carry out regular inspections and meth testing.

5. Occupation Agreement

Before moving into a transitional housing unit, the placed individual / household must read, review and sign an Occupation Agreement.

Appendix 4 – Transitional Housing Factsheet

Transitional Housing Information



Transitional housing provides families and individuals in urgent need of housing with a short-term place to live, and support to find and maintain stable and permanent housing.

Families and individuals can stay in transitional housing, while they are helped to find more permanent housing.

People living in transitional housing pay rent of up to 25% of their income, which is in line with income-related rents for public housing. The balance is subsidised to providers by the Ministry of Housing and Urban Development.

It is managed by contracted providers who are responsible for making sure the homes are warm, dry and safe, and ensuring the properties are well-maintained.

Why is transitional housing important?

"I'll never forget the support from the staff in my difficult days. Those days of support have changed my life forever." – former Monte Cecilia transitional housing client

Generally, transitional housing can be brought on faster than public housing, and is a practical solution while the supply of long term public housing is increased over time.

A key aspect/component/element of transitional housing is the support services that tenants receive. Transitional housing provides them with the skills and knowledge needed to sustain a long-term tenancy.

As we increase the supply of public housing, there will be less reliance on transitional housing. However, there will always be a need to have some available transitional housing places for those who need extra support to find more permanent housing.

Without transitional housing, there would be an increased reliance on Emergency Housing Special Needs Grants to house people. These have a greater cost to the Government, and crucial support services are not provided as part of the grants.

“The reality of our [transitional housing] families is that they come with issues and challenges. But it’s being able to work with them to be able to work it out themselves, to get them to a place where they feel strong enough to maintain long-term housing.”

– Naomi Kaleta, Strive Community Trust

What is the role of the transitional housing provider?

Contracted providers who are responsible for ensuring the properties are well-maintained.

They also look after the individuals and families living there, help them access any support they need, such as budgeting advice or social services, and help them find longer-term housing.

All transitional housing providers are accredited social service providers through the Ministry of Social Development.

“We turn lives around. We offer all our whānau personalised support and aroha, so they will know that they matter, that they’re worthy of love, that people respect them, and that it IS possible to move towards a future in which they CAN achieve their potential and contribute to society. That’s what we do.” – Danielle Bergin, Manager of Island Child Charitable Trust

More information on transitional housing is available on our website: www.hud.govt.nz; or you can email us at Info@hud.govt.nz.

Transitional Housing at a glance (as at 31 December 2018):

2,669 transitional housing places

10,000 households that can be supported each year

\$585 million in funding from 2016 to 2022

51 contracted providers nationwide