



IN CONFIDENCE

6 December 2022

Darrell Holder  
Manager Building Services, Planning & Development Solutions  
Rotorua Lakes Council  
ROTORUA

By email: [Darrell.Holder@rotorualc.nz](mailto:Darrell.Holder@rotorualc.nz)

Dear Darrell,

**Section 121(a) Building Act 2004 advice on Four Canoes Hotel - 273 Fenton Street, Rotorua**

Rotorua Lakes Council requested an updated Fire Assessment under s121(1)(b) of the Building Act 2004. This report relates to the building at 273 Fenton Street Glenholm, Rotorua [legally described as Part Lot 55 DP 28 65] [the Building] and should be read in conjunction with my report dated 3 August 2022.

I am an employee of Fire and Emergency New Zealand, notified to territorial authorities as competent to give advice under s121(2)(a) as to whether a building is 'dangerous' in terms of s121(1)(b) of the Building Act 2004. A building is dangerous for the purposes of that provision if:

*... in the event of fire, injury or death to any persons in the building or to persons on other property is likely.*

I have prepared this report in response to the territorial authority's (Rotorua Lakes Council [RLC] request for advice under s121(2)(a) in relation to s121(1)(b).

It is relevant to note that I have not re-visited the address at 273 Fenton Street, Rotorua, since my initial visit on Tuesday, 26 July 2022. This report is based on information Rotorua Lakes Council [RLC] has provided me, coupled with the actions of the occupants at a recent fire call that occurred at the address. Fire and Emergency NZ responded to this fire call [F3609828] at 5:57 a.m. on 29 November 2022.

I requested additional information from the Ministry of Housing and Urban Development [MHUD] and Lifewise regarding the occupants currently residing at Four Canoes Motel. Because I have not been provided with that information, I can still only assess the Building has potentially undergone a change of use for the purposes of s114 and 115 of the Building Act 2004, from being a standard motel [SM or 'sleeping non-institutional use] to one providing Care or detention [SI or 'Sleeping Care' use].

In an email dated 1 December 2022, Lyall Wilson from MHUD informed RLC, "there are still 9 manaha remaining at the Four Canoes for now." They will likely remain at Four Canoes until the beginning of February 2023. The Four Canoes will then transition back to its consented use of SM.

RLC informed the following information:

1. Since my last report, the occupancy load has reduced from >40 to 9 (MHUD statement).
2. All the rooms at the Four Canoes now have Domestic 10-year Smoke Alarms fitted within them. Domestic smoke alarms have been added to their Compliance Schedule to ensure they are tested and maintained.
3. Block A – exit door two doors opening in different directions – RLC confirmed the 1st door has now been removed.
4. Smoke stop doors being wedged open- RLC confirmed that on their visit to the address on 31 August 2022, no doors were wedged open.
5. Smoke stop doors now function as designed to do under clause C4 of the Building Code.
6. Block A, one of the exit doors, had an aluminium fly screen door prior to the actual exit door- RLC confirmed that there were now no aluminium fly screen doors on any of the exits in Block A.

In an email dated 30 September 2022, Mr Raj NARUKA informed me that most of the FENZ non-compliant concerns raised in my last report were rectified. These are as follows:

1. Smoke/fire doors that were not tagged and did not close properly;
2. No smoke alarm protection to align with the apparent use of the building;
3. Smoke doors wedged, jammed open or held open by items;
4. Handheld operated firefighting equipment missing;
5. Exit signs missing from some areas;
6. The locking hardware of some exit doors appeared not to comply;
7. Gate padlocked, which may prevent people from escaping to a place of safety;
8. Evacuation procedure notices missing throughout the building.

While I have not been able to view that these concerns have been rectified, I can confirm that during the recent fire call, all staff and occupants had evacuated to a place of safety. There were no reported concerns from this evacuation.

On multiple occasions, Four Canoes have been requested to apply for a new evacuation scheme, given that it is not being used motel. The manager informed me of Four Canoes and the Building owner's representative that Lifewise was no longer using Four Canoes to house their at-risk clients with high needs. However, the information provided by MHUD and RLC conflicts with this.

I was informed by MHUD that the "Lifewise team have strategies [in place] to ensure everyone is safe in the event of an emergency." It is of concern that these "strategies" have not been discussed or provided to FENZ, as FENZ must approve any changes to their Evacuation Scheme and or Evacuation Procedure.

Although Four Canoes have yet to address non-compliance matters surrounding their Evacuation Scheme, they report they have fixed the majority of the concerns mentioned in this report, coupled with a successful recent fire that occurred where all occupant's evacuation safely. I am of the opinion that Four Canoes is no longer a Dangerous Building regarding fire only. However, we will monitor this, and the situation may change if further information arises.

The owners are obligated to ensure that all people inside the Building are kept safe in the event of a fire emergency and can safely evacuate the Building. The Building owner still needs to address this to meet the requirements of FENZ Evacuation Legislation.

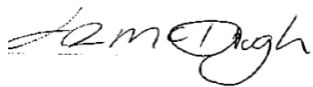
The non-compliance around their Evacuation Scheme has been referred to our Regulation & Compliance Team for their action.

## Concluding comments

The decision as to whether the Building is dangerous or not is ultimately a decision for the Rotorua Lakes Council.

If you have any questions or further information that you would like me to consider, don't hesitate to contact me using the details below.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Lynda McHugh', written in a cursive style.

Lynda McHugh  
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Cc: John Sutton, Community Risk Manager, Bay of Plenty