



Address of the property:
1221 Amohau Street, Rotorua

Report completed by:
Lynda McHugh, Person deemed competent
Fire and Emergency New Zealand, Nga tai ki te Puku



Rotorua Fire Station
19 Biak Street
Mangakakahi
Rotorua 3015

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Rotorua Fire Station
19 Biak Street
Mangakakahi
Rotorua 3015

22 November 2023

Allan Hoffman
Quality and Technical Lead - Planning & Development Solutions
Rotorua Lakes Council
By email: allan.hoffman@rotorualc.nz

Darrell Holder
Manager Building Services,
Planning & Development Solutions
By email: darrell.holder@rotorualc.nz

Dear Mr Hoffman and Mr Holder,

Section 121(1)(a) Building Act 2004 advice on: 1221 Amohau Street Rotorua Central Rotorua [Spa Lodge]

This advice relates to the building at 1215-1221 Amohau Street, Rotorua, legally described as Lot 2 Of Sec 11 Blk XLIV Rotorua Town and Allot 1 Section 12 Block XLIV Tn Of Rotorua (So21722), which I visited at 12:30 p.m. on Thursday 16 November 2023.

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). This request was made on 16 November 2023 date. My advice is based on information obtained from a visit to the building on 16 November 2023 and my attendance at a fire at the building on Monday 20 November 2020.

Together with you [Allan Hoffman], I completed a walk-through of the building on 16 November 2023. I explained to the site manager that I was there to inspect the building from a fire risk perspective, to obtain information necessary for pre-incident planning, to assess compliance with the requirements under any relevant fire safety legislation, including to give advice under s121(1)(b) of the Building Act 2004. I was allowed access to the building.

I understand that Rotorua Lakes Council had concerns for the occupants' safety, given that the exit doors were deadbolted at night, locking the occupants inside the building.

Observations

Building configuration and use



Image 1: Aerial view courtesy of Google

Spa Lodge is consented as a backpackers' facility that allows long-term guests. The building was built in 1955.

There are two buildings on site referred to as Spa Lodge. One has eight bedrooms, each with three-bed spaces, that open into a common exit way, and seven bedrooms, each with three-bed spaces, that open to a courtyard.

The other building has three bedrooms, each with two-bed spaces that open into a common exitway and three bedrooms with two beds that open onto a common courtyard.

Table 2.1

Main Purpose Group	SA
Highest Fire Hazard Category	2 (FLED Range 500 - 1000 mj/m ²)
Design Value	800 mj/m ²
Escape Height	1 level
Occupancy Escape Height	zero
Occupancy Density rooms 19 to 25	three bed spaces in each = 24 People
Occupancy Density rooms 11 to 18	three bed spaces in each = 14 People
Occupancy Density rooms 1, 2 & 4	three bed spaces in each = 9 People
Occupancy Density rooms 6, 7, 8,	three bed spaces in each = 9 People
Total Occupancy Density Block 1	= 18 People
Total Occupancy Density Block 2	= 38 People

Image 2: Table from Fire Design Report dated 01.04.2010

A "Draft Fire Safety Report" that was prepared by [REDACTED] of BBCM in 2010 reported that the site can currently accommodate a total of 112 people. However, the BWOFF shows this building is consented for a maximum of ≤ 100 people. I would have significant concerns if this building had 112 people sleeping in it.

The site manager stated that they currently have approximately 20 people residing on site. This does change depending on customer requirements at the time. Children also reside at the property.



Image 2: Front entrance to Spa Lodge

Use

According to the site manager, all their current clients are from the Ministry of Social Development [MSD] to provide emergency housing. I understand that no private hotel guests are staying at the accommodation.



Image 3: View of the courtyard.

The building presented as untidy, with rubbish and clothes scattered around the property.



Image 4: Outside rooms 15, 16 and 17.

The building appeared to be run down, with windows and doors broken, holes in the walls, and damage to the external cladding.



Image 5: Side view of room 12

Occupants known behaviours

I understand some of the occupants are high-risk and may suffer from mental illness." From what I witnessed on Monday, 20 November 2023, I have reasonable doubts about the ability of some of these occupants to self-evacuate during the night in smoke or fire or even to evacuate amongst the other occupants who may be rushing and pushing, with the added confusion of a fire alarm activation.

I understand that some of the occupants residing at Spa Lodge may have previously resided at Four Canoes Motel. I am aware that some of the previous occupants at Four Canoes were high-risk individuals with complex mental health and alcohol and drug issues.

Fire at the premises on Monday, 20 November 2023

Notably, a deliberately lit fire occurred at Spa Lodge at approximately 5 a.m. on Monday, 20 November 2023.

Fire and Emergency were alerted to the fire incident [F3609828] at 9:53 a.m. and arrived at a Safe Forward Point that Police set up because an occupant had allegedly chased the manager down the road with a large knife. The operational crew was stood down and told that the fire was out by Police. When

I arrived, the Police were still present and showed me the fire. The rubbish bin set on fire had just been moved to the grass and was still on fire. I extinguished the fire.

The fire was captured on CCTV footage.

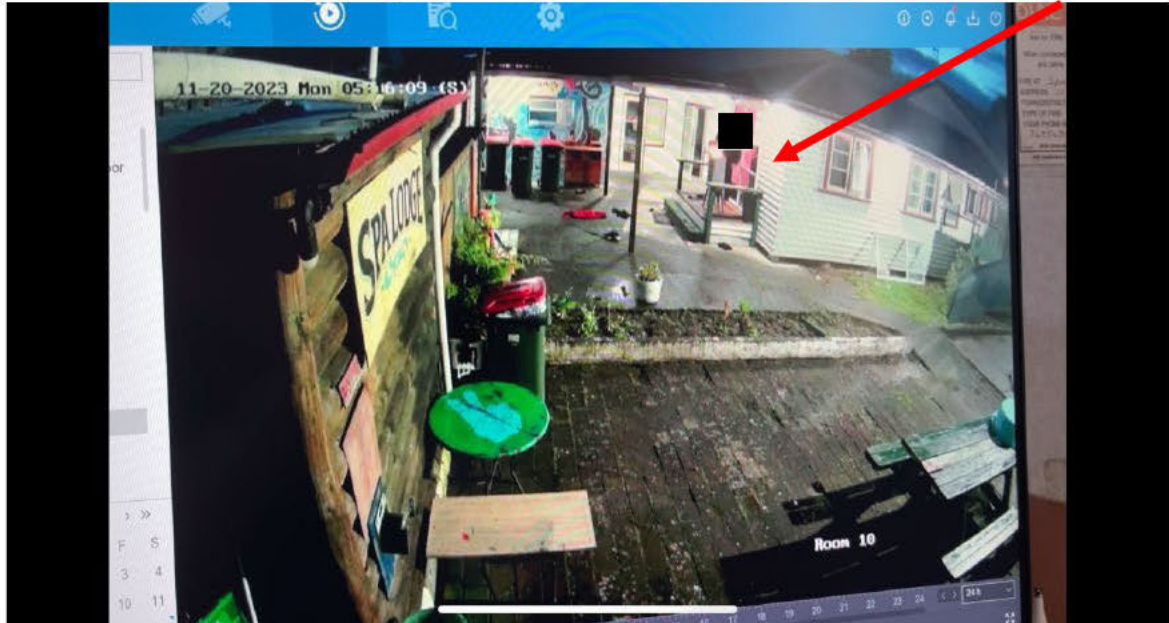


Image 6: At 5:16 a.m. an occupant on the deck of Room 12 set a rubbish bin on fire.

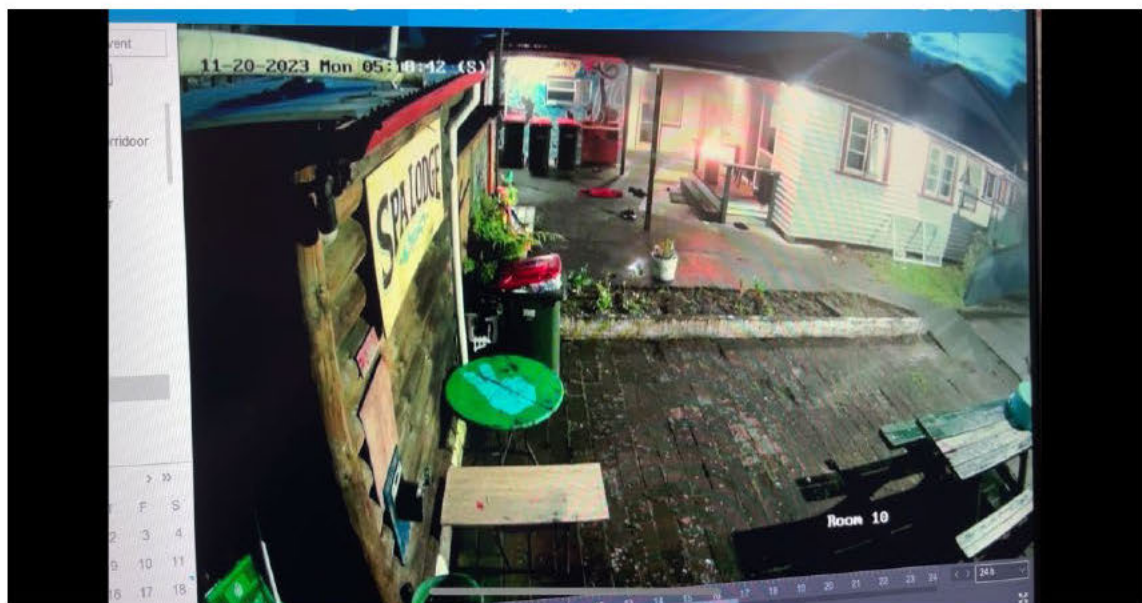


Image 7: The fire reached the roof at 5:18 a.m.

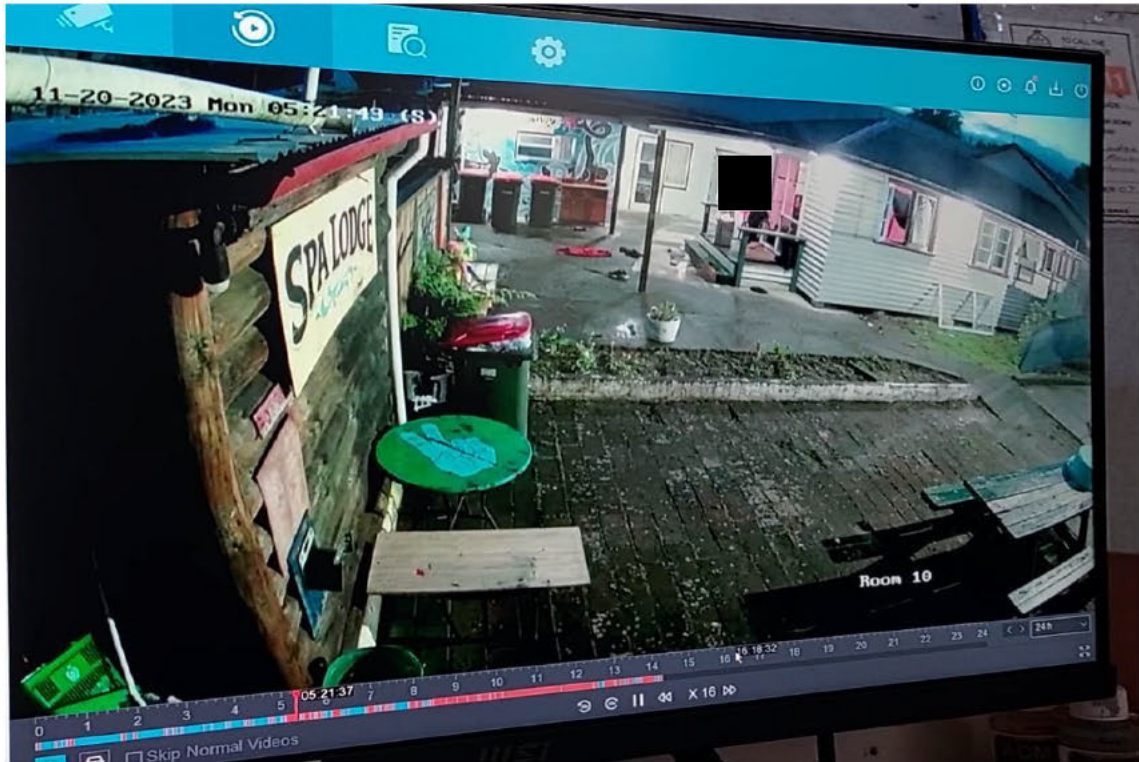


Image 8: At 5:24 a.m. an occupant at his door notices the fire and goes back inside.

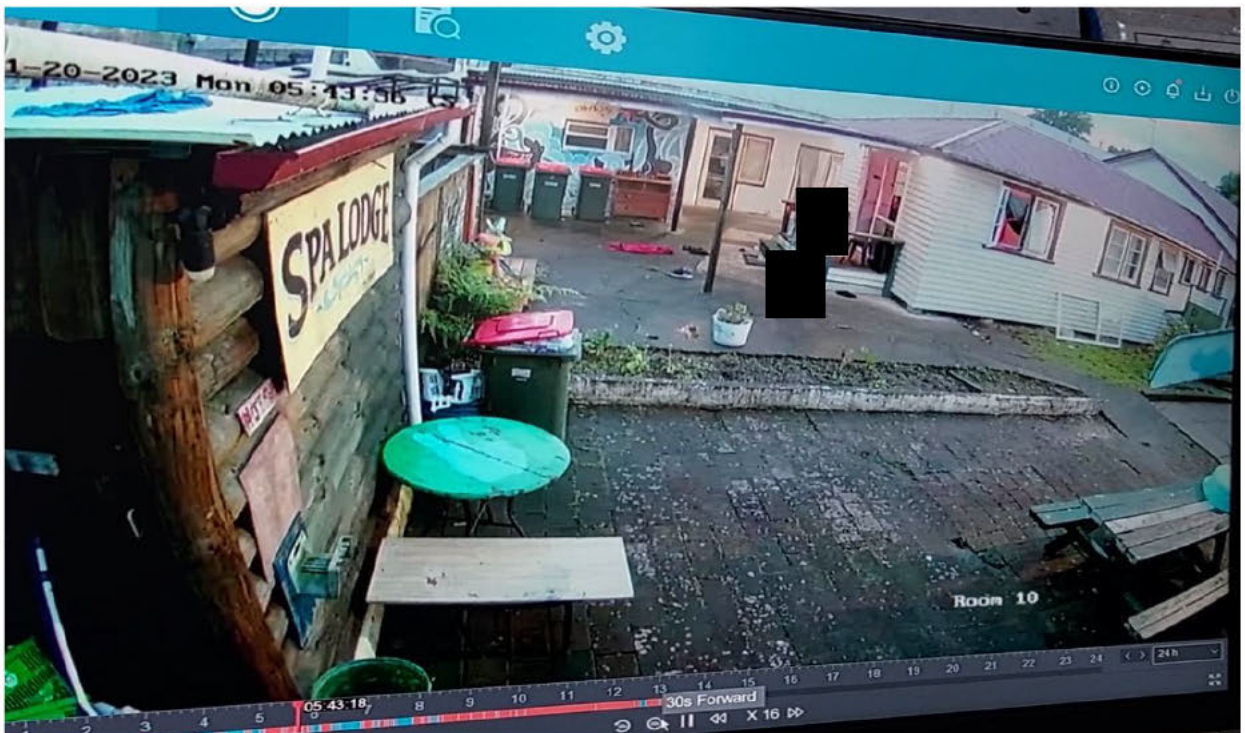


Image 9: AT 5:43 A.M. a different occupant walks by and notices the fire.



Image 10: At 5:48 a.m. another occupant walks by past the fire that has now burnt through the decking.

This behaviour of the occupants is very concerning. At one stage, this fire was left alone, burning for approximately 20 minutes.

No one activated the fire alarm system, called 111, alerted other occupants of the fire, alerted management of the fire, or extinguished the fire until approximately 7 a.m. Then, it smouldered until I fully extinguished the fire at 11 a.m.

An important aspect of fire situations is the influence of an individual's perception of risk and reaction to early warning signals influencing their decision-making. Some of the occupants I spoke to did not deem the fire to be a risk to their safety at all.

Fire alarm system

Fire and Emergency NZ does not consider that this building has adequate and reliable means of alerting high-risk, vulnerable occupants in the event of a fire.

The building's existing warning system [fire alarms] is a manual Type B system that is no longer accepted as suitable for a "Sleeping Accommodation" building.

- Type B - (Pre-1991) 6-volt Big Jim Battery connected to Manual Call Point and sounders. No battery charger. Switch it on, and it goes; switch it off, and it stops (Normally Open Circuit) (No longer allowed to be installed).

It is relevant to note that when the building was consented, this type of fire alarm system was considered acceptable; therefore, if it is in working order, it is considered compliant.

This system relies solely on one of the occupants switching on a manual call point to alert the occupants of the smoke or fire in the building.

As witnessed on CCTV footage of the fire on Monday, 20 November 2023, occupants residing at this premises cannot be relied on to activate the fire alarm system and evacuate the building. Therefore, given the clientele, I do not believe the fire alarm system is adequate for this building.

Doors on Escape Routes and Fire exit doors



Image 11: Front door to Spa Lodge

When I arrived on Thursday, November 16, 2023, the key deadlocks on the doors were highlighted to me. The site manager explained that the night manager locks both the front exit doors with a key so no one can leave or enter the premises during the night.



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Building occupants must be able to easily open the doors in the direction of travel to a protected path, safe path, or a safe place [except as permitted by the Building Code]. I identified that the locking devices on two fire exit doors may not meet C/AS2 3.15.2[a], which requires:

If the building is occupied, locking devices shall:

“Be clearly visible, located where such a device would be normally expected, and, in the event of a fire, designed to be easily operated without a key or other security device and allow the door to open in the normal manner.

Further, the Fire and Emergency New Zealand [Fire Safety, Evacuation Procedure, and Evacuations] Regulations 2018 require the following under clause 5[1][b].

- (1) *The owner and every tenant of a building must maintain the means of escape from fire for the building so as to ensure that—*
- [a] the means of escape are kept clear of obstacles at all times; and*
 - [b] exit doors are unlocked and free of barriers or blockages so that the building's occupants can leave the building in the event of a fire emergency.*

It is unacceptable practice to lock people into a building and remove the key. In the event of smoke and or fire, the occupants will become trapped and disorientated, likely resulting in smoke inhalation-related deaths or fire-related deaths.

I understand that both deadlocks have now been replaced by complying locks that can be easily opened from the inside, day or night. This occurred between my visits on 16 November 2023 and 22 November.

I understand that non-compliant locks were raised by the IQP on 12 August 2023 who advised they needed to be replaced immediately, but this had not occurred by the date of my visit on 16 November 2023.

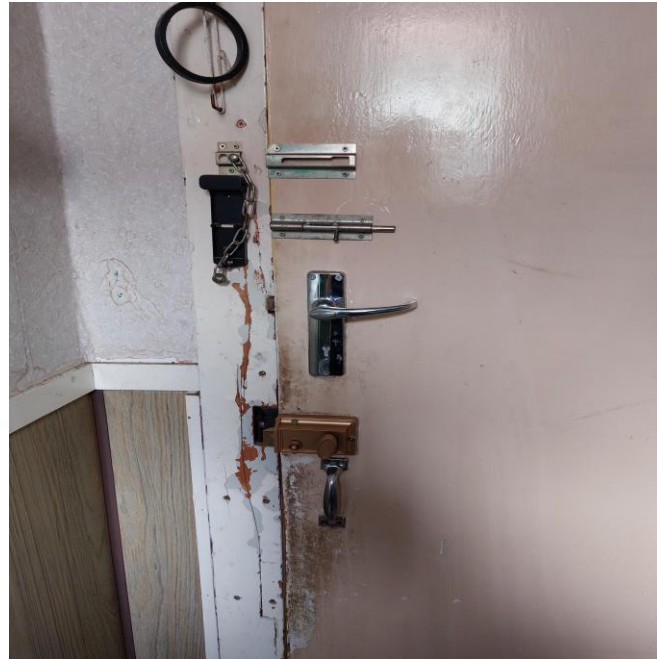


Image 12: Exit door from manager's office

As I left the manager's office on the day of the recent fire, 20 November 2023, I noticed the door had four separate locking devices installed. Again, I have concerns that in the event of smoke or fire, with limited visibility, a person would be able to find and unlock all of these locks, enabling them to escape to a place of safety.



Image 13: Notice on the outside wall of the manager's office

I noted a sign on the front door to the manager's office. It states, "Please ring this number [REDACTED] just in case of emergency [FIRE, FIGHT OR POLICE]." However, nowhere on the notice does it mention first calling 111 for police, fire, or ambulance.

Known behaviours of some occupants



Image 14: Smoke alarm plate with smoke alarm removed.

A number of the occupants smoke cigarettes, and by [REDACTED] admission, the occupants are not permitted to smoke inside their units; however, they have extreme difficulty controlling this behaviour. I observed many cigarette butts on the ground around the units. The risk of this ending in a tragic event poses a very high risk should an occupant be under the influence of drugs and alcohol or medication [prescribed or self-induced] and fall asleep with a lit cigarette. To provide all occupants in this building with the best chance of surviving a serious fire in these circumstances is to have smoke detection and sprinklers installed throughout the building. I was informed that domestic Type 1 smoke alarms are installed in every bedroom.

However, every bedroom I was provided permission to have a look in had the alarm from the ceiling removed, presumably so they could smoke cigarettes inside their bedroom without activating the smoke detector. Research states that "discarded cigarettes and smoking materials have consistently been identified as the leading cause of unintentional residential fires within the international based literature".¹

¹ (Oswald 2021; Social Engine 2019; Thompson et al. 2018; Xiong et al. 2017).

Fire safety advice to prevent fires



Image 15:

I would recommend that this toaster is not left plugged in and stored on this shelf. It is too easy for occupants to put their toast in the toast and turn it on while still on the shelf.



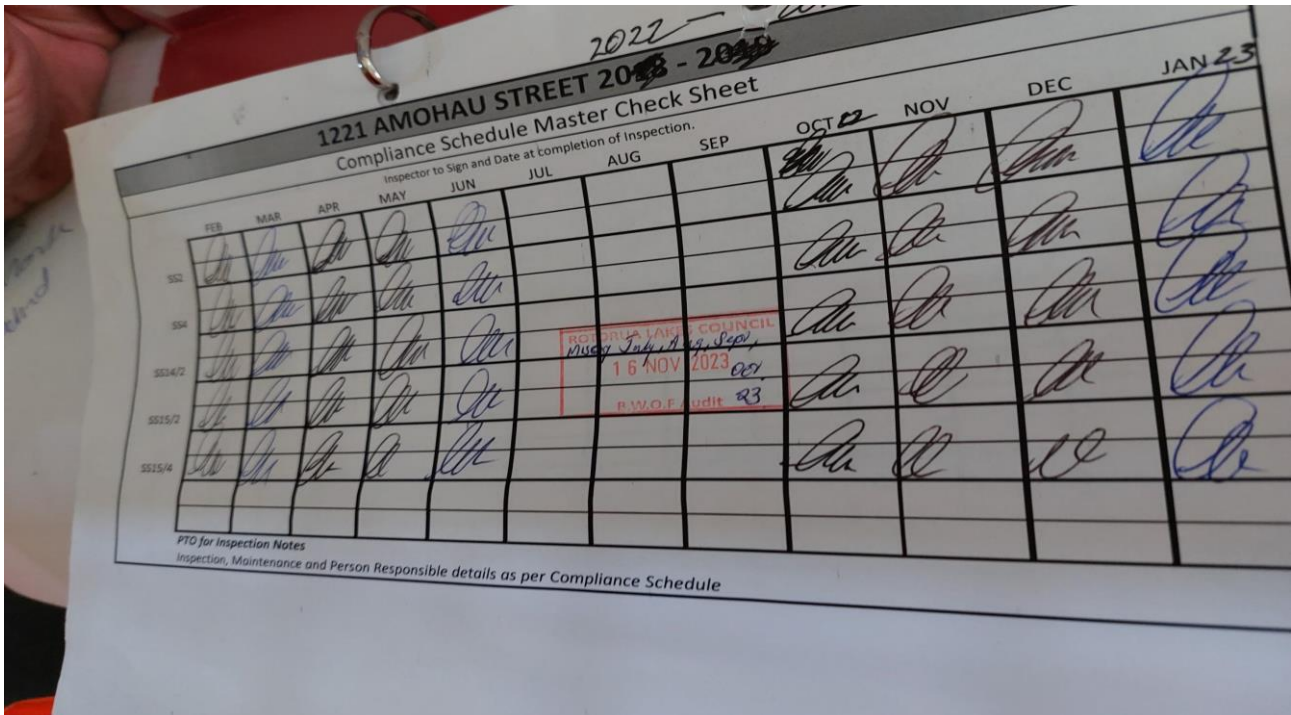
Image 16: Mini kitchen bench-top for cooking in one of the rooms.

A mini kitchen bench-top oven was seen in room 12 with food remaining.

I recommend that there be no cooking facilities in the bedroom as they are not set up to have this. It would be too easy for someone to fall asleep, leaving the oven or pot to heat up until a fire occurs.

Given that this room had the smoke alarm removed, it compounds the fire risk to the occupants in the bedrooms.

Compliance Schedule and BWOFF



2022 → 2023

1221 AMOHAU STREET 2023 - 2023

Inspector to Sign and Date at completion of Inspection.

	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN 23
952	[Signature]	[Signature]	[Signature]	[Signature]	[Signature]				[Signature]	[Signature]	[Signature]	[Signature]
954	[Signature]	[Signature]	[Signature]	[Signature]	[Signature]				[Signature]	[Signature]	[Signature]	[Signature]
954/2	[Signature]	[Signature]	[Signature]	[Signature]	[Signature]				[Signature]	[Signature]	[Signature]	[Signature]
955/2	[Signature]	[Signature]	[Signature]	[Signature]	[Signature]				[Signature]	[Signature]	[Signature]	[Signature]
955/4	[Signature]	[Signature]	[Signature]	[Signature]	[Signature]				[Signature]	[Signature]	[Signature]	[Signature]

PTO for Inspection Notes
Inspection, Maintenance and Person Responsible details as per Compliance Schedule

ROTORUA CITY COUNCIL
MISOP July, Aug, Sept
16 NOV 2023
BWOFF audit 23

Image 17: Compliance Schedule for 1221 Amohau Street Rotorua

The building has a current BWOFF that expires on 27 January 2024. However, the compliance schedule indicated that the specified system checks for a period of three months were not carried out as required by the Building Act.

Handheld Fighting Equipment

Worldwide figures suggest that as many as 80% of all fires reported are extinguished by building occupants using hand-operated firefighting equipment without requiring further Fire Brigade action. To assist in making a building fire safe, this equipment must meet the requirements of NZ Standard 4503:2005.



Image 18: Fire extinguishers on the wall in the escape route.

I observed fire extinguishers and firehoses throughout the building. Records indicated that no hand-held firefighting equipment had been tested and maintained for a long time.

Fire extinguishers must be checked to ensure they are operable and ready for use in an emergency. The on the wall in the escape route extinguisher was covered in rust, the release pin had been removed, and the yellow tag had been stuffed into the extinguisher's nozzle. I have significant doubts that this fire extinguisher will work. This extinguisher will need to be replaced with a new fire extinguisher immediately.



Image 19: Fire extinguisher near manager's office

A second fire extinguisher is located on the wall in the escape route. The yellow tag contains the testing and maintenance record, and demonstrates that this extinguisher has not been tested and maintained. There was no pin in the extinguisher, and it was nearly empty.

Fire Hoses

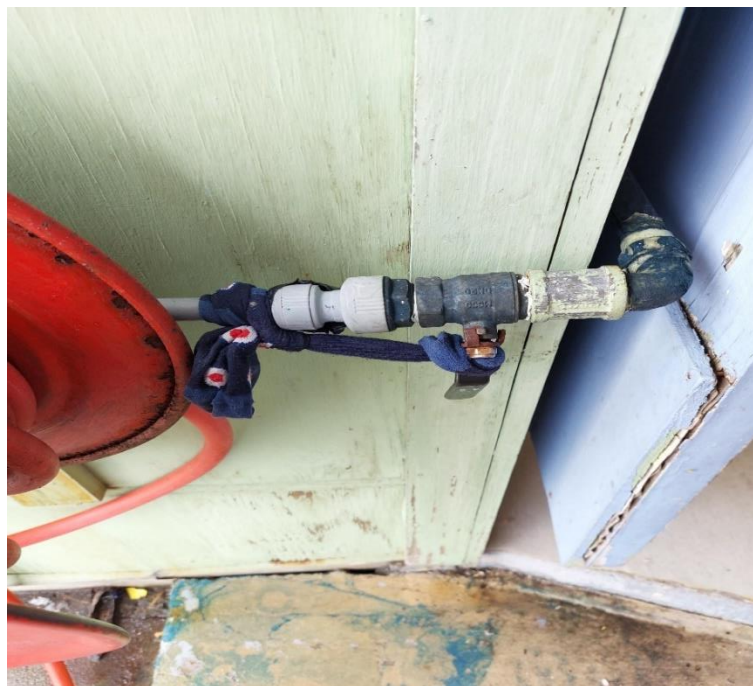


Image 20: Defect fire hose

Records on the hose indicated that this fire hose has not been tested and maintained. The metal reel showed some signs of rust, and the handle was tied closed by a sock. The hose nozzle had been removed from the end of the hose.



Image 21: Second fire hose located in the courtyard.

A hose reel showed some signs of rust to the rear of the reel; there was no nozzle on the end of the hose and no records indicating when it was last tested and maintained.

An overview of the handheld firefighting equipment in the building shows they are in a significant state of disrepair. I do not consider they would operate for their intended purpose.

Fire Action Notices and Locations

The Fire and Emergency New Zealand (Fire Safety, Evacuation Procedures, and Evacuation Schemes) Regulations 2018 require that there is evacuation procedure information (fire action notices) in various locations within the building to provide occupants with sufficient information to understand and facilitate a safe, expeditious and efficient evacuation in the event of a fire.

I identified no fire action notices around the building.



Image 22: Fire Action notice needs to be above all manual call points.

Evacuation Scheme

As a building that provides accommodation for 6 or more persons (other than in 3 or fewer household units), this building is a relevant building for the purposes of section 75 of the Fire and Emergency New Zealand Act and therefore requires an approved evacuation scheme. There is not currently an approved scheme in place. I wrote to the owner today to remind her of this requirement and advised I will conduct a further check after 13 December 2023.

Conclusion

I consider there is an extremely high fire risk to occupants in this building day or night, given the high risk/needs of the clientele, the inoperable handheld firefighting equipment, inadequate fire alarm system and the known behaviour of these occupants during a fire. I therefore consider that in the event of fire, injury, or death to any persons in the building or to persons on other property is likely. I note that the decision as to whether the building is dangerous and what if any, action to take in relation to that is ultimately a decision for the Rotorua Lakes Council.

I am concerned that a fire will grow out of control before anyone notices it, leaving occupants little time to escape. The risk is heightened given the owner and management's apparent disregard for fire safety legislation.



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The building does not have a currently approved evacuation scheme and procedure, and this will pose risks to occupants' day or night.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Lynda McHugh'.

Lynda McHugh
Senior Advisor Risk Reduction