

**Before Independent Hearings Commissioners
Rotorua Lakes Council**

**In the matter of 7 applications for resource consent for contracted
emergency housing by Te Tūāpapa Kura Kāinga
Ministry of Housing and Urban Development.**

**Application References: LU24-010186, LU24-
010187, LU24-010188, LU24-010189, LU24-
010190, LU24-010191, LU24-010192.**

Statement of Evidence by Angela Jones

22 October 2024



Counsel

Nick Whittington
Hawkestone Chambers
PO Box 12091, Thorndon,
Wellington 6144
+64 21 861 814
nick.whittington@hawkestone.co.nz

Statement of Evidence by Angela Jones

1 Executive Summary

- 1.1 I am providing planning evidence on behalf of Te Tūāpapa Kura Kāinga - Ministry of Housing and Urban Development (HUD) in relation to the seven resource consent applications for Contracted Emergency Housing ('the Applications') at seven sites in Rotorua.
- 1.2 Contracted Emergency Housing (CEH) is emergency accommodation where an entire motel / hotel is contracted for the purpose of providing emergency housing. The Applications effectively seek a one-year extension from the expiry date of the existing resource consents for CEH at seven sites in Rotorua, with all CEH ceasing at the sites at or before 15 December 2025.
- 1.3 My overall opinion is that all seven applications should be granted, subject to conditions.
- 1.4 In my opinion all seven applications meet the requirements of s104D for a Non-Complying Activity for the following reasons:
 - (a) The proposals can pass the effects test of s104D(1)(a) of the RMA in that the adverse effects of the activity on the environment will be minor. This is also the position of the Council's consultant planners, subject to the imposition of recommended conditions of consent, as outlined in the s42A Council overview report.
 - (b) The proposals will not be contrary to the objectives and policies of the relevant plan or relevant proposed plan and therefore pass the objectives and policies threshold in s104D(1)(b). This is also the position of the Council's consultant planners, subject to the imposition of recommended conditions of consent.
- 1.5 I have included my comments on the recommended conditions of consent listed in the s42A report in Section 13 of this evidence.
- 1.6 I have relied on, and agree with, the evidence of other experts in informing my opinion as follows:

- (a) The evidence of Ms Healy, that the social impacts of CEH are no more than minor, and that these potential impacts can be managed through conditions of consent.
- (b) The evidence of Mr Eaqub, that the potential economic effects of CEH are no more than minor and acceptable. The potential economic costs for Rotorua of not granting the consents (i.e. the counterfactual of increasing homelessness, domestic harm and increased use of Emergency Housing Grants (EHGs)) would be worse in the term than approving the consents for CEH for an additional one-year duration.
- (c) The evidence of Mr Wilson from HUD that explains various aspects of the operation of CEH in Rotorua, and how the motels have operated since receiving resource consents in December 2022. Mr Wilson also describes how people are eligible to receive CEH assistance, as well as outlining the community engagement HUD has undertaken ahead of these applications being lodged with the Council.
- (d) The evidence of Will Barris from HUD that provides a summary of the drivers of the housing crisis, the context in which Emergency Housing was contracted and the actions of the Rotorua Housing Taskforce, the progress that has been made since CEH was put into place and the exit strategy of how HUD will gradually reduce the number of households in CEH.

1.7 On balance, I consider that the proposals to extend the duration of CEH in seven sites provide an acceptable interim solution for people who do not have suitable alternative housing options. I consider the proposal meets s104 requirements and is consistent with Part 2 of the RMA.

2 Introduction

2.1 My name is Angela Tracy Jones, and I am the Planning Manager - Wellington at The Property Group Limited.

2.2 I am providing planning evidence on behalf of Te Tūāpapa Kura Kāinga - Ministry of Housing and Urban Development (HUD) in relation to the seven resource consent applications for CEH at seven sites in Rotorua.

2.3 In preparing this evidence I have read the evidence of HUD, their social and economic experts, the public submissions, the Council's s42A Report,

RLC evidence and Rotorua Lakes Council's (RLC) expert economic, social and play space evidence.

3 Qualifications and Expertise

- 3.1 I hold the qualifications of a Bachelor of Planning from the University of Auckland (1995). I am a Full Member of the New Zealand Planning Institute. I have completed the Making Good Decisions Course in 2016 with reaccreditation in 2019 and 2024, and have sat as an Independent Commissioner on numerous City/District Council resource consent hearings.
- 3.2 I hold the position of Planning Manager - Wellington at The Property Group Limited. I have held this position since 2015.
- 3.3 My previous work experience includes more than 27 years professional planning and resource management experience in both the public and private sector in New Zealand and overseas. In my role at The Property Group Limited I provide advice on land use and subdivision matters, including the preparation of resource consents and strategic policy advice. I also process resource consents for Wellington City Council and Horowhenua District Council.
- 3.4 Prior to this I held the position of Senior Resource Consents Planner at the Wellington City Council (WCC) where I processed land use and subdivision consents. I continue to process complex notified and non-notified resource consents on behalf of WCC.
- 3.5 I am familiar with the current proposals, having authored the Assessment of Environmental Effects. I prepared the Compliance Reports that were submitted to the Council in July 2024 to meet the conditions of the current resource consents. I have visited all of the motel sites on 1 July 2024. The purpose of these site visits was to confirm compliance with the conditions of the resource consents required to prepare the Compliance Reports.
- 3.6 I was involved in a peer review/advisory capacity in the preparation of the previous seven resource consent applications lodged by HUD for CEH in 2022.

4 Code of Conduct

4.1 Although not necessary in respect of council hearings, I can confirm I have read the Expert Witness Code of Conduct set out in the Environment Court's Practice Note 2023. I have complied with the Code of Conduct in preparing this evidence and I agree to comply with it while giving oral evidence before the hearing committee. Except where I state that I am relying on the evidence of another person, this written evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this evidence.

5 Scope of Evidence

5.1 In preparing this statement of evidence I have considered the following documents:

- (a) The Assessment of Environmental Effects ('**AEE**') and information provided with each of the seven Applications ('**Applications**'), and responses to s92 further information requests;
- (b) The Social Impact Assessment (**SIA**);
- (c) The submissions made on the Applications;
- (d) The statements of evidence of HUD's corporate and technical experts, including the social and economic evidence;
- (e) The National Policy Statement on Urban Development 2020 (**NPS-UD**);
- (f) The Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (**EHS Act**);
- (g) The Bay of Plenty Regional Policy Statement (**BOPRPS**);
- (h) Rotorua Future Development Strategy (**FDS**);
- (i) Rotorua Lakes Council Operative District Plan – reformatted 2024 (**ODP**);
- (j) RLC's s42A Report prepared by RLC's Consultant Planner Craig Batchelar and site specific s42A reports prepared by RLC's Consultant Planner Sean Grace;

- (k) The statements of evidence of RLC's technical experts, including economic evidence (by Natalie Hampson), social impact evidence (by Rebecca Foy), play space evidence (by Mathew Peacocke) and evidence relating to the compliance of the existing consents (by Lorelle Barry).
- 5.2 I have also read the decision of the Commissioners in relation to the 13 applications for resource consent for CEH dated 15 December 2022.
- 5.3 I am familiar with the location of each site and its immediate surrounds and I have visited each site, most recently on 1 July 2024.
- 5.4 I set out my evidence under the following headings:
- (a) Project Description (the Proposals)
 - (b) Consent Requirements and Activity Status
 - (c) Existing Environment
 - (d) Assessment of Effects
 - (e) Relevant Statutory Framework
 - (f) Conditions of consent
 - (g) S104D Gateway Test
 - (h) Part 2 Analysis
- 5.5 Given the nature of the proposals and the hearing structure adopted by the Independent Hearing Panel (the Panel), I have prepared my evidence at two levels. My Primary Evidence covers broad matters that are relevant to all Applications and at Annexures 1-7 I provide evidence on matters more relevant to each individual Application.
- 5.6 Service Providers and HUD will be providing additional statements of evidence. The purpose of these statements is to provide the Panel with information on how CEH operates in practice.

6 Project Description (“the Proposals”)

- 6.1 Resource consent is sought for the continued operation of Contracted Emergency Housing (CEH) from seven existing motels / hotels in Rotorua. The Proposals have been comprehensively described in each respective Application and summarised in the s42A Officer’s Report. I generally agree with those descriptions and do not repeat them here.
- 6.2 In summary, the Proposals are for new consents to extend the duration of the existing resource consents for one-year to provide for the continued use of the existing motel / hotel accommodation for CEH and to enable the CEH programme to be appropriately wound up. The entire motel / hotel is contracted for the exclusive use of those requiring emergency housing and is not available for other guests.
- 6.3 CEH is primarily for whānau with children or rangatahi (young people) and disabled people. Each motel / hotel has on-site support services and 24/7 security provided and managed by a dedicated Service Provider. Whānau are placed in CEH after a two-step triaging process by Te Pokapū. This process is described further below in paragraph 6.11 and in the evidence of Mr Wilson.
- 6.4 The Proposals are for the one-year extension to the existing resource consents for the operation of CEH at the following sites in Rotorua:

Table 1: List of Application sites, existing resource consent numbers and current Service Provider

Address	Name	Service provider	Current Council Ref:	Resource consent number	ODP Zone
16 Sala Street, Whakarewarewa	Alpin Motel & Conference Centre	Visions ¹	LU24-010186	RC17648	COMZ 4
299 Fenton Street, Glenhome	Geneva Motor Lodge	Emerge	LU24-010189	RC17891	COMZ 4
3 Meade Street, Whakarewarewa	Pohutu Lodge Motel	Visions	LU24-010191	RC17661	COMZ 4
131 Lake Road, Koutu	Lake Rotorua Hotel	Visions	LU24-010190	RC17647	COMZ 4 and RESZ1
247 Fenton Street and 12	Ascot on Fenton	WERA ²	LU24-010188	RC17887	COMZ 4 and RESZ 2

¹ Visions of a Helping Hand Charitable Trust

² WERA Aotearoa Charitable Trust

Toko Street, Victoria					
249 Fenton Street and 8-10 Toko Street, Victoria	RotoVegas Motel	WERA	LU24- 010192	RC17889	COMZ 4 and RESZ 2
7 Tryon Street, Whakarewarew a	Apollo Hotel	WERA	LU24- 010187	RC17893	COMZ 3

- 6.5 In respect of all seven Applications, resource consent is sought for a duration of one year, with all resource consents expiring on or before 15 December 2025. This date is one year from the expiry date of all of the existing resource consents for CEH on 15 December 2024.
- 6.6 For the avoidance of doubt, all existing resource consents for sites that are not addressed in any of the seven Applications will expire on 15 December 2025. Notably, three motels that were originally consented have already been exited (New Castle Motor Lodge, Ann’s Volcanic Motel and Union Victoria Motel). A further three motels will be exited from CEH prior to their existing consents expiring on 15 December 2024 (Emerald Spa Motor Inn, Malones Motel and Midway Motel).
- 6.7 The Applications anticipate that motels / hotels will revert to their former traditional motel / hotel use from 15 December 2025 or at such time that the motels / hotels are no longer being contracted for emergency housing (whichever is sooner).
- 6.8 The seven Applications are being considered at the same time; however, these are separate resource consents and there is no requirement for the Panel to make the same decision on all seven Applications.
- 6.9 There are some efficiencies in continuing to operate the seven CEH sites together, in terms of broader choice for room allocation and support needs through the service providers, as well as shared services such as the school bus service. However, the sites themselves are operated by each motel operator independently of each other.
- 6.10 It is highlighted that since the granting of the existing resource consents for the operation of CEH at the seven sites, the sites have been operating in compliance with the conditions of the resource consent with no significant compliance issues. Additionally, as required by the conditions of those consents, the Applicant is able to demonstrate compliance through the compliance reporting process. This has been confirmed by Ms Barry who

concludes her evidence “*that there has been a high degree of compliance with the existing consent conditions across all of the CEH sites and that the conditions have been reasonably effective to implement. Regular monitoring, coupled with a high degree of consent holder engagement has also ensured ongoing compliance with conditions of consent.*”

Two-Step Triaging Process for referrals to CEH

6.11 The process, from when whānau first present to Te Pokapū as requiring emergency housing, when they are placed in a particular CEH unit, will be outlined in the operational evidence from Lyall Wilson (from HUD) and in the statements from the Service Providers. What I understand from Mr Wilson and the Service Providers is that the referral and final placement into a suitable CEH operates in the following way:

(a) **Te Pokapū role:** Those requiring emergency housing approach, or are referred to, Te Pokapū³ who assess the needs of that whānau and connect people to the appropriate support services to suit their needs. If whānau are considered best suited to CEH, Te Pokapū contacts a Service Provider to see if they can provide suitable accommodation. All whānau who are placed in CEH have to be triaged through Te Pokapū.

(b) **Service Providers’ role:** After receiving a referral from Te Pokapū, the relevant Service Provider assesses whānau and determines whether they have a suitable room. The Service Providers’ assessment considers the obvious requirements in terms of room and bed configuration, but additionally, a broader and at times more complex social needs assessment is also undertaken. The needs assessment considers matters such as:

- The history of whānau and if they have been in a motel managed by the Service Provider before and whether there have been any incidents;
- Whether the whānau have any gang affiliations or whether there is any history of any domestic violence;
- The mental and medical needs of whānau;

³ A community led housing hub based in the Rotorua CBD

- The size of and make-up of whānau. For example, an elderly person or someone with a medical condition, would be considered for a ground floor room, or whānau with a family member who requires more intense supervision might be placed closer to the security / social service office.
- Other social needs, such as work, schools, travel and social connections.
- Whether the specific onsite staff at one CEH site may suit the needs of particular whānau.

6.12 I understand that the Service Provider meets face to face with whānau and shows them the room to ensure it can meet their needs. Families are only allocated a room that can hold the capacity of the family. If no suitable room is available, the whānau will be referred back to Te Pokapū.

6.13 I understand that the three Service Providers work together and provide mutually beneficial services, such as a shared school bus service that operates across all CEH sites to pick up and drop off children to and from school each day.

6.14 The roles and responsibilities of the Service Providers are described in the Applications, the relevant Site Management Plans. The Service Providers have also provided statements that are included in the evidence of Mr Wilson.

Motel / Hotel Operators

6.15 Motel Operators also have an important role in providing CEH. Each site has an onsite motel / hotel operator, who is responsible for servicing and maintaining the motel buildings and infrastructure. Together the Motel Operator and the Service Providers are responsible for implementing the Site Management Plan.

6.16 Aside from general maintenance, some modest fencing and landscaping, and in some cases the establishment of shared spaces such as children's play areas or additional clothes washing facilities, the Proposals did not involve physical works to the existing motel buildings.

7 Consent Requirements and Activity Status

Rotorua Lakes Operative District Plan (ODP)

- 7.1 Paragraphs 64 – 92 of s42A Report prepared by Mr Batchelar provides a detailed breakdown of the relevant District Plan definitions of Community Housing, Visitor Accommodation, Residential Activity and Residential Units. I agree with Mr Batchelar’s interpretation of the proposal and how it relates to these District Plan definitions and as such do not intend to repeat them. I also agree with Mr Batchelar’s conclusion (para. 100) of the Non-Complying Activity Status, noting that the inclusion of support and security services, and not the use of motels as residential units is the reason for the overall Non-Complying Activity Status for sites located wholly, or partly, within Residential Zones.

8 Existing Environment

- 8.1 The consideration of the ‘existing environment’ was considered at length by the Independent Commissioners in the decision for the existing consented CEH activities. Whilst there were differing views at the hearing to the extent that other emergency housing options (other than CEH) should be considered part of the ‘existing environment’, the Independent Commissioners concluded that in this instance all emergency housing effects must be considered part of the environment. This includes both EHG and CEH. This approach appears to have been taken given the difficulty in being able to distinguish the wider community effects between EHG and CEH.
- 8.2 To remain consistent with the previous resource consent decision, the ‘existing environment’ includes all operating emergency housing in Rotorua, as it remains difficult to distinguish the effects of EHG and CEH. I however suggest that this is less of a consideration in any case now for this hearing given the number of motels utilised for EHG has significantly reduced from 35 to 4.
- 8.3 It was also established at the previous hearing that the ‘existing environment’ must take a ‘real world view’ and includes the existing unmet housing demand in Rotorua, as well as the social and economic consequences of the housing crisis.

- 8.4 It is also important to note that neither I, nor other experts, have considered the existing environment in the usual manner we would in the resource consent context, where we would disregard the effects of the existing environment when considering the effects of the proposal. In this case, the effects of the proposal can be considered those that already exist, albeit diminishing as the number of motels being used for CEH continues to be reduced.
- 8.5 As well as considering the effects of the existing environment, it is also important to consider the effects of the counterfactual, that being the anticipated effects if consent is not granted.

9 Assessment of Effects

- 9.1 The effects of the Applications on the environment have been assessed in the AEE of each Application, canvassed through submissions and considered in the Council's s42A planner's reports and the statements of evidence from subject matter experts for the HUD on behalf of the Applicant and the Council.
- 9.2 I have read the submissions in relation to the subject Applications. The RLC Submission Summary report provides coverage of the issues raised in submissions. Site specific submissions are discussed in Annexures 1-7 and also in the site specific s42A planner's reports prepared for the Council.
- 9.3 I acknowledge that the Proposals will have some localised effects on the environments within which they are located. In terms of section 104(1)(a) of the RMA, it is therefore a matter of assessing the scale of such effects, given that the RMA does not require there to be no adverse effects from activities. In my view, with the proposed mitigation and effective onsite management, overall effects of the seven CEH Applications, including cumulative economic and social effects will be no more than minor and are acceptable.
- 9.4 Based upon my review of the s42A reports, evidence and submissions, I consider the actual and potential effects of the CEH that are most relevant to considering these resource consent applications can be grouped into the following topics:
- (a) Positive effects;

- (b) Social effects;
- (c) Economic effects;
- (d) Character and amenity effects;
- (e) Cultural effects; and
- (f) Cumulative effects.

9.5 I provide my summary and analysis of the potential effects of CEH below. In doing so, I do not seek to repeat the evidence provided by other witnesses – but rather to consider the key conclusions and potential points of agreement / disagreement, and where possible considering these in the context of the relevant statutory planning framework.

9.6 Where the Applicants' experts have suggested changes to the draft conditions in the s42A Report, or new conditions, I provide comment in both my discussion of effects (below) and in Section 13 of my evidence where I discuss conditions. A full set of recommended track-changed conditions is provided in the site specific statements in Annexures 1-7.

9.7 I also note that the relevant effects noted above largely align with the effects considered in the s42A Report, however a noteworthy omission is the direct consideration of positive effects.

Positive Effects

9.8 It is appropriate to consider the positive effects under the RMA. The definition of 'effect' includes positive effects, and I consider that the positive effects of the Proposals are noteworthy and deserve significant weight in assessing the proposals.

9.9 All seven Applications have the same purpose, to provide those with an urgent housing need an interim housing solution, until such time that a more permanent housing solution can be found.

9.10 As an alternative to EHG, the CEH model provides stability, safety and support for those families and children in emergency housing.

9.11 Providing temporary emergency housing and support for people who are homeless to transition whānau to a more permanent housing contributes to the ability of that whānau to provide for their social and economic well-

being. This in turn contributes to the wider community's ability to provide for its social and economic wellbeing.

- 9.12 CEH (as opposed to other forms of emergency housing) connects whānau to wrap around support services to those living in CEH, which improve their quality of life and ultimately increases the likelihood that their move into secure, more permanent housing will be successful.
- 9.13 As outlined in the evidence of Mr Wilson, and the statements from the Service Providers, the support services are tailored to the needs of whānau. While Service Providers have their own individual approaches to providing support to whānau, the role and purpose of the Service Provider is the same across the seven sites and includes:
- (a) Carrying out an assessment of the immediate needs of the client or whānau and where possible arranging any necessary services to meet those needs.
 - (b) Meeting regularly and working with each client or whānau to identify and manage issues that arise in relation to their stay in CEH.
 - (c) Preparing an individualised action and transition plan in conjunction with each client or whānau to document actions proposed to address any health, social, employment and financial needs.
 - (d) Assisting in the transition to more permanent housing options when and where these become available.
- 9.14 Under the CEH model, the entire motel / hotel is contracted exclusively for emergency housing. There is no mixing of traditional hotel / motel guests with CEH occupants.
- 9.15 Under this model, the entire site can be managed holistically. The model of contracting motels enables modifications to be made to units if they are not completely suitable for the whānau needing to be accommodated (for example, installing safety gates if whānau with children are placed into a second-floor unit with stairs) and Te Hau Ki Te Kāinga⁴ work with whānau to transfer them to a more appropriate unit when one becomes available.

⁴ The collective group of support service providers

- 9.16 The Applications all have a limited duration of one year, which is based on the anticipated increase in available social and community housing in Rotorua enabling whānau to be transitioned out of CEH and the programme being wound up. The Proposals do not restrict the use of the site as a motel or another appropriate land use in the future.
- 9.17 Given the similarity of CEH to tourist accommodation, as the demand for emergency housing subsides, CEH can be transitioned back to traditional tourist accommodation within a short space of time after exit of the sites by HUD.
- 9.18 The positive effects of the continued use of the seven motels for CEH should therefore not be understated. It will allow the continued support of Rotorua whānau in a safe, secure and empowering environment as discussed in more detail in the evidence of Mr Barris.

Social Effects

- 9.19 As a general observation, I note that the submissions were heavily focused on this specific issue. It is my opinion that social effects of the operation of the seven CEH motels, individually and together, are a relevant issue that need to be appropriately considered and adequately mitigated, both for the ongoing benefit of residents of CEH, and the surrounding receiving environment. I have relied on, and agree with, the evidence of Ms Healy in informing my opinion on the scale and nature of effects in regard to the social impact of the operation of the seven CEH sites.
- 9.20 Ms Healy's evidence covers the SIA methodology, the summary of the key SIA findings, as well as comments on the s42A report and submissions. The key findings of the SIA can be summarised as being:
- Tourism is returning to Rotorua (although the return of the international market is stronger than the domestic market).
 - There is economic growth , however there are economic and cost of living issues (that are also experienced nationally).
 - Changes made following the original consents in 2022 to improve the amenity of CEH has mitigated negative impacts on tourist character, residential character and environmental amenity.

- CEH does not cause anti-social behaviour, although it does by nature of its operation increase the likelihood of exposure to these events. The presence of onsite support services also decreases these occurrences compared to an unsupported housing site.
- CEH provides positive social impacts for the members of the community it serves providing stability, shelter and support services.

9.21 Ms Healy's evidence concludes she supports the proposal.

9.22 Informed by the evidence of Ms Healy, I consider that social effects of the proposal are minor, and that proposed mitigation will effectively assist in reducing the potential adverse social effects of CEH to an acceptable level. I note Ms Foy and Mr Batchelar also consider that subject to appropriate conditions being complied with, the social effects are minor and acceptable.

Economic Effects

9.23 In my view, economic effects are a relevant consideration, particularly in relation to the potential cumulative effects of the Proposals. I note that many submitters raised concerns about the negative impact of emergency housing on the tourism sector and the reputation of Rotorua, as well as in relation to crime, property values and the negative impact on surrounding businesses.

9.24 Mr Eaquib considers the following in his evidence:

- (a) The causes of the increase in demand for emergency housing in Rotorua;
- (b) Economic implications, including for tourism; and
- (c) Whether a one-year extension for CEH is a reasonable timeframe.

9.25 Mr Eaquib concludes that:

- Acute housing need (emergency and supported housing) has been a long-standing problem in Rotorua, but was exacerbated in recent years by population growth in excess of housing supply.
- Coordinated public sector action in recent years has increased consents for new housing, which is gradually increased housing

supply, and has succeeded in reducing EHG. However, further completions of public housing is necessary to transition people away from CEH. The additional one year duration will facilitate this.

- There is no statistical evidence of any impact on tourism, via CEH's impact on capacity or reputation.
- A one year extension is reasonable in light of the pipeline of additional public housing, and the success of date of reducing EHG, with the next period focussing on reducing CEH.

9.26 Informed by the evidence of Mr Eaquad, I consider the economic effects of the proposal to be no more than minor and acceptable. I note Ms Hampson does not consider the adverse economic effects to be significant. However, and perhaps more important is that Mr Eaquad and Ms Hampson both agree that the potential economic cost for Rotorua of not granting the consents would be far worse in the short-term than approving the consents for CEH for a further one year period. This view is derived from the counterfactual of increased homelessness, the potential for domestic harm and an increased use on EHG. Mr Batchelar also concurs with this view.

Character and amenity effects

External amenity

9.27 In considering the potential external amenity effects, it is relevant to consider whether any physical changes to the buildings and structures on the subject sites is proposed. Due to the limited duration, except in relation to general maintenance, no external physical alterations to buildings are proposed within the CEH Application sites.

9.28 There is a high degree of overlap between the use of the sites for visitor accommodation and CEH when considering character and amenity effects. However, the nature of CEH is such that, depending on the site configuration, it can present differently to the street and the surrounding neighbourhood than traditional 'tourist accommodation'. Each site has a dedicated space for security and Service Provider support staff to meet with whānau. It is understood that Service Providers may physically signal they are onsite and available by displaying a flag or sign outside the unit or

meeting room they are working from. In many instances these differences can be subtle and not easily distinguishable to passersby.

- 9.29 It is understood that the Motel Operators intend to revert back to their previous use as tourist accommodation once they are no longer used for CEH. Taking into account the above onsite improvements in the time since CEH activities have commenced, the sites generally present similar to the street and the surrounding environment as when they operated as a motel / hotel, with the main physical change being the presentation of motel/hotel signage on the road frontage.
- 9.30 In my opinion, the external amenity effects of the CEH sites are considered to be no more than minor and acceptable. In forming this opinion, I note that conditions of consent will continue to manage the motel signage, landscaping, and general streetscape treatment. I agree with the placement of these conditions. I note that Ms Barry's evidence confirms the sites have complied with the existing conditions of consent relating to landscaping and streetscape treatment, and the intention for the operators to continue to do so.

Noise

- 9.31 I consider that good site management is the most effective way of ensuring potential noise effects from CEH are minimised. In my opinion, noise related effects have been successfully managed through the SMP's for each site, which are considered to be no more than minor and are acceptable.

Internal amenity / Play Space

- 9.32 Internal amenity is specific to each site and as such has been addressed in more detail in Annexures 1-7. Some of the CEH sites are better than others in terms of onsite amenity, both in relation to private open space and in relation to room configuration and layout.
- 9.33 Mitigating internal amenity effects is restricted by the physical layout and structures unique to each site. Some units have quality private outdoor open spaces, while others do not. In my compliance visits we have noted that these spaces are generally maintained, tidy and clear of rubbish.
- 9.34 The CEH sites are all relatively central and within walking distance of many local amenities, such as parks, playgrounds and Lake Rotorua itself.

- 9.35 The evidence of Mr Peacocke for the Applicant has provided a detailed assessment of the suitability of each site for children's play and finds that some CEH sites/units have an unacceptable play space provision for certain age groups of children. As a consequence Mr Peacocke has recommended that consent conditions that restrict age groups of children from staying in some CEH sites/units.
- 9.36 Whilst I do not dispute Mr Peacocke's evidence, and noting the Applicant is not presenting any evidence with respect to the suitability of the children play spaces, it is important to highlight how the CEH activity differs from permanent residential accommodation. CEH provides emergency housing with wrap around support services to whānau (many with children) who may otherwise be residing in unsafe or overcrowded houses, in their cars or on the street. It is acknowledged that motel accommodation does not provide the same level of amenity, including that of children's play space that more permanent and purpose built residential dwellings are likely to offer.
- 9.37 However, as discussed in the evidence of Mr Wilson, placing restrictions on the use of some CEH motels/units for certain age group of children also has the potential to prevent some whānau from being able to access CEH due to the age restrictions if the units Mr Peacocke considers appropriate are not available. This in turn has the potential to lead to further housing instability and possibility of displacement of whānau if a child's age changes if placed in a unit with restrictions. Notwithstanding, the age of children are considered when whānau triaged through Te Pokapū and placed in appropriate units through the Service Providers.
- 9.38 For these reasons the conditions that restrict age groups from staying in some CEH motels/units is not supported. These have been deleted from the recommended conditions for each of the sites in Annexures 1-7.
- 9.39 For the reasons discussed above, I therefore consider that the internal amenity effects, including in relation to play space are no more than minor and are acceptable.

Cultural Effects

- 9.40 With respect to cultural effects, I acknowledge that the greatest actual and potential for cultural effects relates to the three CEH sites near

Whakarewarewa Village, being Alpin Motel, Apollo Motel and Pohutu Lodge.

- 9.41 A number of submissions have made objections relating to cultural effects, including localised social effects on the Village.
- 9.42 The Applicant has made progress since the granting of the original consents in December 2022 in both addressing these effects and Iwi engagement. This includes adherence to the conditions of consent with respect to cultural awareness and regular engagement with Whakarewarewa Village and Te Puia. This has resulted in some changes, including an extra security guard stationed at the Apollo Hotel. It was also agreed that additional security would undertake a 45-minute circuit of Whakarewarewa Village every 2 hours from 6pm – 6am. This is still ongoing.
- 9.43 I consider that the potential for cultural effects can continue to be appropriately managed through the on-going compliance with the conditions of consent.
- 9.44 Mr Wilson in his evidence also outlines further details of community and Iwi engagement that HUD have continued to undertake prior the lodgement of these applications.
- 9.45 For the above mentioned reasons, I consider the potential of cultural effects are no more than minor, can be appropriately managed through the conditions of consent, and are thereby acceptable.
- 9.46 Suggest inserting a brief conclusion on effects being minor or less and acceptable.

Cumulative Effects

- 9.47 Individually, the impact of CEH on the surrounding environment may be relatively insignificant. However, seven Applications for CEH are being applied for concurrently and it is important to consider whether this will result in an unacceptable cumulative or accumulative effect.
- 9.48 The Independent Commissioners decision granting the existing consents addressed the concepts of cumulative and accumulative effects. Noting, a cumulative effect involves a direct nexus between an activity and an

adverse effect (result from a collective impact of several activities). Whereas an accumulative effect is more an additive impact of similar activities over time.

- 9.49 In the previous decision the Independent Commissioners concluded the need to consider cumulative and accumulative effects. The consideration in the context of this proposal it is more relevant to consider cumulative effects only given the proposal does not introduce new activities that exacerbate existing or adverse effects beyond what was previously considered.
- 9.50 When considering cumulative effects, it is important to consider the significant changes that have occurred since December 2022. This is outlined in detail in the evidence of Mr Barris, which I will not repeat. These changes have resulted in consent being sought for only seven CEH motels, down from the 13 originally consented, as well as a significant reduction in EHS motels from 35 to 4. This 'sinking-lid' approach, as well as the fact the sites are less geographically concentrated will ensure that any potential for cumulative effects are substantially less than in December 2022 when consent was originally granted, and will continue to reduce over the one-year duration of the consents sought.
- 9.51 Overall, cumulative effects of the CEH proposals are, in my opinion, no more than minor and acceptable.

10 Relevant Statutory Framework

- 10.1 In considering the relevant objectives and policies of the ODP it is important to acknowledge the place of these planning documents in the evolving planning and policy landscape, including under the strategic direction provided by the NPS-UD, the recent amendments to the RMA, and Plan Change 6 to the BOPRPS (currently under appeal).
- 10.2 Both the NPS-UD and amendments to the RMA direct the Council (as a Tier 2 Council with an acute housing need) to provide for more housing and for businesses to be built in places close to jobs, community services, public transport and to respond to market demand. Following the completion of the PC9 process, the ODP now gives effect to the NPD-UD and the requirements introduced through the Enabling Housing Supply and Other Matters Amendment Act 2021.

National Policy Statement on Urban Development 2020

- 10.3 The NPS-UD⁵ is relevant to decision making on the subject applications. The NPS-UD aims to remove the barriers to the supply of land and infrastructure and make room for growth. It applies to all planning decisions that affect an urban environment. All of the motel / hotel sites are within an existing 'urban environment'.
- 10.4 I consider Objective 4 of the NPS-UD is relevant to the Proposals: *'amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations'*⁶.
- 10.5 Objective 4 acknowledges that amenity values can change, particularly if the needs of the community change. In the context of housing in Rotorua, clearly there is a community need for more housing, and the Future Development Strategy prepared for RLC indicates that this will continue into the future as they seek *"a range of housing choices to meet the diverse needs of our existing and future community"*. CEH is an interim solution to provide for an immediate community need, while more permanent housing solutions can be found. Some of these future solutions (as demonstrated by the MDRS in residential zones and high density residential in the Commercial 4 zone) will likely see a different urban form of the area surrounding the CEH sites (and potentially on the CEH sites themselves).
- 10.6 Policy 1 of the NPS-UD requires planning decisions to contribute to well-functioning urban environments that at a minimum *"have or enable a variety of homes that meet the needs, in terms of type, price, and location, of different households; and enable Māori to express their cultural traditions and norms..."*.
- 10.7 Policy 2 requires, that at all times, RLC provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.
- 10.8 In my opinion, CEH helps to improve the housing situation in Rotorua, by getting those with an urgent housing need on the housing continuum. The proposed one-year duration supports the notion that CEH is not a long-term solution, but manages the situation while more permanent solutions can

⁵ See Appendix C for NPS-UD objectives and policies

⁶ NPS-UD – Objective 4

be implemented. This includes realising the provisions introduced into the ODP by PC9 which will significantly increase plan enabled housing capacity. The evidence of Mr Barris outlines how the changes in setting and government investment have enabled additional housing supply and how this has driven the reduction in the emergency housing need in Rotorua since December 2022.

- 10.9 Policy 6 of the NPS-UD acknowledges that in giving effect to the NPS-UD (such as through Plan Change 9) the planned urban built form will change. While the Proposals are not changing the buildings or structures on the CEH sites, the activity within the urban environment (emergency housing) is responding to a deficient planning framework that is at the early stages of responding to a significant housing deficiency.
- 10.10 I consider that the Proposals are part of the broader policy response to the acute housing crisis in Rotorua. In my opinion, the Proposals are consistent with the objectives and policies of the NPS-UD.

Bay of Plenty Regional Policy Statement (RPS)

- 10.11 In my view there are no policies in the RPS that are specifically relevant to the CEH applications. The RPS includes the following housing bottom lines (i.e. the amount of housing that should be enabled through the district plan) for Rotorua:
- 6,240 (short term 2020-2030)
 - 3,500 (long term 2030-2050)
 - 9,740 (30 year total 2020-2050 additional).
- 10.12 Change 6 to the RPS implemented the requirements of the NPS-UD by being more responsive to urban development proposals and providing support to intensification of urban areas. It also included policy support for greater intensification of development in urban environments. This is relevant to the wider solution for emergency housing (in terms of delivering more housing), but not to the consideration of the subject resource consent applications.

11 Operative District Plan (ODP)

11.1 The strategic objectives and policies are discussed next in my evidence. In addition, an assessment against the objectives and policies of the ODP was provided in each resource consent application. Appendix D of this evidence contains a more detailed assessment of the strategic and district wide objectives and policies, as well as the residential and commercial objectives and policies. An assessment of the objectives and policies in the context of each site is addressed in Annexures 1-7. A list of all the relevant objectives and policies is provided in Annexure 8.

11.2 My conclusions in relation to the objectives and policies of the ODP are in the context of having read and considered the s42A reports, the submissions, and the expert evidence that has been provided to date. Whilst a more detailed assessment of the relevant objectives and policies is undertaken for each site, overall I do agree with the assessment against the objectives and policies in the s42A report.

Appropriateness of the activity in the ODP zone

11.3 The majority of application sites are located in the Commercial 4 - City Entranceway Accommodation zone. The remaining sites are located in a combination of other commercial or residential zones (see Table 1 above).

11.4 As outlined in the Applications, in considering the appropriateness of the site for the proposed CEH activity, there are distinguishing factors that are applicable to all of the Applications:

(a) CEH is fundamentally similar to the existing and long-standing motel operation – whereby temporary accommodation will continue to be provided (albeit for people without permanent accommodation). The motel activity (providing short-stay accommodation) is well established on the site.

(b) CEH will occur in a supervised environment, using existing buildings and site features that require no physical modification to enable the activity to occur.

(c) The Commercial 4 zone and Residential 2 zone anticipate a more intensive style of built form and living environment, than in other zones in the city, thus recognising that there will be less onsite amenity

available for occupants than might otherwise be required and acceptable in a traditional residential context.

- (d) One CEH site is located in the Commercial 3 zone (neighbourhood centres zone), which aims to provide a level of convenience to residents within the immediate vicinity. This site is surrounded to the north, east and west by properties located in the Commercial 4 zone. Operation of CEH from the site, which has long been used for the operation of a hotel (consent was granted in 1973 for a 30 unit hotel) and the proposed operation of CEH does not compromise the intended purpose of the zone.
- (e) The Applications seek consent for a further one year duration while there is an ongoing demand for emergency housing. At the end of this period the site will revert to providing tourist accommodation.

11.5 While none of the zones provide for emergency housing (beyond eight people), this is a gap within the ODP, which was written at a time when population growth was anticipated to be low and there was not the significant shortage of housing as there is today. I have not identified any area of conflict between the operation of CEH and the intended purpose of the zones within which CEH is located.

Strategic Direction – Economic Development (SDED-O1 and SDED P1 – SDED-P5)

- 11.6 Broadly, the economic development strategic objectives aim to provide for the wellbeing and prosperity of the community. Policy SDED-P4 is relevant to the subject application given the potential effects on tourism. CEH will take tourist accommodation facilities offline, and submissions have also raised concerns with the potential for CEH and emergency housing more generally to impact on Rotorua's tourism reputation.
- 11.7 In my view, in assessing the Proposals against SDED-P4, the impact of broader social issues and wider emergency housing operations (outside of the subject applications) cannot not be lumped into the subject applications. SDED-P4 requires the environment to be 'managed', which is what is proposed in the applications through the onsite support, security and other conditions offered with the Applications and recommended in the s42A report recommended conditions. The economic evidence of both Mr Eaqub

and Ms Hampson also outline how total tourism spending has increased significantly since December 2022 (mainly driven by the turn of international tourists) and any loss of capacity to accommodate tourism demand will be minimal and temporary.

- 11.8 For the reasons discussed above, and from the evidence of both Mr Eaquad and Ms Hampson I consider the proposal achieves the intent of SDED-P4. The proposal is not contrary to SDED-O1 or SDED-P1 – SDED-P5).

Strategic Direction – Vibrant, Compact City Centre (SDVD-O1, SDVD-O2 and SDVD-P1-SDVD-P7)

- 11.9 SDVD-O1 aims to enable commercial activities within a safe and attractive environment. Broadly, measures to improve the visual appearance of sites and having an onsite Service Provider and Operator helps to ensure the visual appearance of the site is maintained. Site management practices such as removing rubbish, keeping sites tidy, and removing shopping trolleys and cones from the sites have been implemented across all sites. The visual amenity at a site by site level is considered in my evidence in Annexures 1-7. No physical buildings are being constructed and with good site management, there is nothing to suggest CEH will have adverse effects on the 'attractive environment'. The evidence of Ms Barry also confirms that the sites have complied with their current conditions of consent, which require landscaping to be maintained, and the roadside berms to be kept clean and tidy.
- 11.10 Safety is a concern raised by a number of submitters and this was assessed in the SIA. I consider that with the proposed security and site management and mitigation proposed, the proposal is not in conflict with SDVD in respect of safety.
- 11.11 I understand that one of the drivers behind establishing CEH was to provide a safer option for whānau and rangatahi who require emergency housing. In some instances, those residing in CEH are moving away from overcrowded housing or situations of domestic violence where safety was a concern. In these instances CEH is having a positive effect with respect to safety.
- 11.12 SDVC-P1 identifies that the needs of the community change over time, this is currently true in the case of housing in Rotorua.

- 11.13 In my opinion, with the proposed mitigation, CEH will not compromise the safe and attractive urban environment and is therefore not in conflict with SDVC-01 or the supporting policies.
- 11.14 In terms of SDVC-02 and Policies SDVS-P6 and SDVC-07, the Proposals will not compete with retail in the city centre. The close proximity of some of the sites to commercial areas and the city centre provides occupants of emergency housing access to many amenities within walking distance of where occupants are staying.
- 11.15 SDVC-P6 specifically aims to 'protect the amenity of residential neighbourhoods'. In the context of Objective SDVC-02 this relates to providing for a compact city centre and not having commercial activities that would be better placed in the city centre impact on residential amenity.
- 11.16 I consider that there are appropriate mitigation and management solutions proposed to mitigate potential effects of the Proposals on surrounding neighbourhoods with respect to residential amenity.
- 11.17 The Proposals do not include any retail activities. As discussed above, two of the sites are located entirely within the Residential 2 zone, but operating CEH from these existing motel sites will not compromise the Rotorua CBD to be the 'pre-eminent retail and commercial centre'.

Summary in relation to Strategic Direction Objectives and Policies

- 11.18 The provisions in the ODP provide limited guidance on when and where emergency housing may be appropriate. The only place emergency housing is referenced in the entire ODP is in relation to the definition of 'community housing'. There is no direction in the objectives and policies in relation to community housing. However, given that 'community housing' is provided for in some zones, at some level emergency housing was contemplated when the ODP provisions were drafted.
- 11.19 Even without specific direction in the ODP, the provisions are broad enough that the proposed CEH activity can be considered in the context of providing for the 'wellbeing and prosperity of the community' in Objective-SDED-O1 and enabling the 'ongoing growth of tourism and recreational activities' in Policy SDED-P4.
- 11.20 I consider that the Applications are generally consistent and not contrary to any of the objectives of policies in the ODP.

11.21 I address the commercial and residential objectives and policies in Annexures 1-7. The Proposals are not contrary to any of these objectives and policies in the ODP, and thereby aligns with the assessments of the s42A reporting planners Mr Batchelar and Mr Grace.

12 S104(1)(c) Other Matters

Future Development Strategy

- 12.1 The Rotorua Future Development Strategy (FDS) has eight strategic outcomes. The most relevant outcome is Choice/ Ngā Whiringa: “We have a range of housing choices to meet the diverse needs of our existing and future community”. The FDS acknowledges a need to increase the diversity of housing in Rotorua. The Strategy refers to the desire to remove the need for temporary and emergency housing by increasing the supply of new affordable homes and notes the need for “smaller homes at an affordable price to meet future needs”.
- 12.2 The FDS acknowledges intensification is likely to happen slowly over time. The proposed interim use of motel sites for CEH is consistent with this outcome, as it is a step towards removing the need for temporary and emergency housing by significantly reducing the overall number of motels for CEH, while providing an urgent solution while longer term housing becomes available.
- 12.3 The strategic outcome Culture /Te Ahurea: “Te Arawa reo, tikanga and values are woven into our community and influence how our communities grow” is relevant to Alpin, Apollo and Pohutu Lodge due to their close proximity to Whakarewarewa and Te Puia. The Site Management Plans established for these sites prioritises the protection of these important cultural sites through regular engagement with representatives of Whakarewarewa and Te Puia and established processes to educate CEH occupants of the significance of the sites.

13 Conditions of Consent

- 13.1 The requirements for conditions of resource consent are set out in s108AA(1) of the RMA. In summary, s108AA(1) outlines that a consent authority must not include a condition of consent unless the applicant agrees to the condition, the condition is directly related to an adverse effect

or the condition relates to administrative matters that are essential for the efficient implementation of the relevant resource consent.

- 13.2 What is relevant in terms of conditions, is, what is required to mitigate effects from the subject applications, including in relation to any administrative matters.
- 13.3 The Applications offered conditions of consent which largely reflected the conditions of consent that were imposed on the existing resource consents, with minor amendments that take account of physical works required that have been undertaken, the Site Management Plans have been completed and that a HUD representative will be identified as a 'suitable representative'. The s42A authors, Mr Batchelor and Mr Grace by and large have also adopted these conditions as their recommended conditions, subject to minor changes to give greater consistency and certainty. I agree with these minor changes which form the recommended conditions.
- 13.4 The only conditions that I do not support are the inclusion of conditions which restrict the age groups of children staying in some CEH motels/unit, and the requirement that a specific play area is established within the southern carpark of Apollo Hotel (condition 16).
- 13.5 The reasons for not agreeing with the inclusion of conditions which restrict the age groups of children staying in some CEH motels/unit has already been discussed in sections 9.40-9.43 above, and that placing restrictions on the use of some CEH motels/units for certain age groups of children has the potential to prevent some whānau from being able to access CEH. I consider that the most appropriate way to manage these issues is to leave it to the service providers in their discretion as to how they place whānau and CEH residents.
- 13.6 With respect to recommended condition 16 for the Apollo Hotel requiring a specific play area within the southern carpark. Once again, I have no reason to disagree with the evidence of Mr Peacocke that children residing at the site would benefit from an additional play area, however given the short duration of the consent sought and the intention of HUD to stagger the closure of the remaining seven sites for which consent is being sought, it is not a responsible use of resources to undertake this work, as it would likely only be utilised for a very short duration. This is further emphasised

given HUD have the intention the Apollo will ideally be one of the first of these seven motels that they would like to exit from CEH.

- 13.7 I have provided a track changed version of recommended conditions, which makes the changes to delete these conditions as part of the site specific assessments in Annexures 1-7.

14 Section 104D Gateway Test

- 14.1 As discussed above, a cautious approach has been taken with respect to the activity status of the Proposals, and the resource consents have been applied for on the basis that the activity of CEH is a Non-Complying Activity.
- 14.2 Under section 104D of the RMA, a Non-Complying Activity cannot be granted unless it is considered to pass one of the two 'threshold tests' or 'gateways'.
- 14.3 Having considered the Council's s42A Reports, expert evidence and submissions, and for the reasons outlined in this evidence, it is my opinion that the effects of the proposal are no more than minor, and that the Proposals are not contrary to the objectives and policies of the ODP.
- 14.4 I therefore agree with the s42A authors that the Proposals pass the section 104D 'gateways'.

15 Part 2 Analysis

- 15.1 I have had regard to matters under Part 2 of the RMA when preparing this evidence.
- 15.2 I understand that a consent authority is not required to consider Part 2 of the RMA beyond its expression in the relevant statutory planning documents, unless those documents have not been prepared in a manner that appropriately reflects Part 2 (including if there is invalidity, incomplete coverage or uncertainty of meaning within the statutory planning documents). Where a statutory plan has been competently prepared under the RMA, reference to Part 2 of the Act will generally not add to the evaluative exercise that is required.
- 15.3 In this instance, the ODP objectives and policies do not provide direction about where and at what scale emergency housing may be appropriate.

The Future Development Strategy provides additional guidance, but this has yet to flow through to objectives and policies in the ODP, beyond the minimum requirements introduced in PC9.

Section 5 of the RMA

- 15.4 The purpose of the RMA is to promote the sustainable management of natural and physical resources. Sustainable management is defined as:

In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—

- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

- 15.5 The seven CEH proposals provide those with high housing need an opportunity to access an interim housing solution that, in my opinion, will improve their wellbeing. Beyond the benefits of providing short term secure accommodation for whānau and rangitahi, the wrap around support services located on each site help to improve the wellbeing of whānau and can be tailored to the specific needs of the individual or group.

- 15.6 Effects of CEH on the environment have been considered above, including careful consideration of the cumulative social and economic effects. The potential effects can be mitigated through good site management and the implementation of the conditions in Annexures 1-7 of this evidence. Most of these conditions are the same or similar to those of the previously granted resource consents and the Applicant has demonstrated ongoing compliance with the conditions.

- 15.7 Service Providers are skilled and experienced with managing emergency housing and in my view are best placed to manage the onsite details, particularly in relation to room allocation.

Section 6, 7 and 8 of the RMA

- 15.8 Section 6 of the RMA contains matters of national importance that are to be recognised and provided for, while section 7 details other matters to be given particular regard. In this instance I consider s6(e), 7(a), 7(c) and 7(f) are relevant to the Proposals for CEH.
- 15.9 Section 6(e) recognises and provides for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga and Section 7(a) requires particular regard to be had to kaitiakitanga. I have discussed the cultural effects in the main body of my evidence above.
- 15.10 The Act requires particular regard to be had to the maintenance and enhancement of amenity values (Section 7(c)) and the maintenance and enhancement of the quality of the environment (Section 7(f)). Amenity values and the quality of the environment have been discussed in detail in this evidence. Conditions of consent are recommended in Annexures 1-7 to this evidence to ensure amenity values and the quality of the environment are maintained.
- 15.11 Section 8 of the RMA requires all persons exercising functions and powers under the Act to take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).
- 15.12 I understand that CEH has been developed by a Taskforce of central government officials working in partnership with Te Arawa Iwi, the Council, and other community stakeholders, building on a relationship that has formally existed between Te Arawa and central government agencies since 2019. It is focused on improving outcomes for people in emergency housing, amongst whom Māori are significantly overrepresented.
- 15.13 This initiative enables Iwi to exercise rangatiratanga; Te Taumata o Ngāti Whakaue Iho Ake Trust (a leadership organisation established by Ngāti Whakaue to achieve the aspirations of the Iwi) leads the operation of Te Pokapū - the Rotorua Housing Hub and oversees the collective of support service providers. Within Te Pokapū, a cultural framework (Ngā Pou e Rima) is used to assess whānau need and a plan for achieving whānau housing aspirations is established. This further seeks to enable Māori to exercise rangatiratanga, and to achieve equal provision of housing support.

15.14 Some submitters are of the view that consultation with Iwi lacked genuineness by some submitters. The evidence of Mr Wilson provides further details of the consultation that was undertaken, and I see no evidence of a lack of genuineness.

15.15 I agree with the s42A authors that the Applications align with Part 2 of the Act.

16 Conclusion

16.1 The Proposals pass through both limbs of the 104D gateway for Non-Complying Activities and therefore the Commissioner is able to consider whether or not to grant consent to the applications.

16.2 My conclusion in relation to the potential adverse effects on the environment are that effects will be minor and acceptable, subject to the compliance with the conditions. I will provide an updated copy of recommended conditions in Annexures 1-7.

16.3 My conclusion in relation to the objectives and policies of the ODP is that there are no identified areas of conflict with the ODP provisions.

16.4 I consider a Part 2 assessment is relevant and appropriate and that the Proposals are consistent with Part 2 of the RMA.

16.5 In my opinion, consent should be granted for all seven CEH applications, for a duration of one year.

Date: 22 October 2024

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

Angela Jones