

**Before Independent Hearings Commissioner  
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.**

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**Applicant Planning Right of Reply by  
Angela Jones**

**29 November 2024**

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# Applicant Planning Right of Reply

## 1 Executive Summary

- 1.1 I provide this Right of Reply on behalf of Te Tūāpapa Kura Kāinga - Ministry of Housing and Urban Development (HUD) in response to submitter and Rotorua Lakes Council (RLC) staff presentations at the resource consent hearing held on 5, 6 and 7 November 2024 in Rotorua pertaining to seven applications for resource consent for contracted emergency housing (CEH).
- 1.2 This Right of Reply more specifically is in response to the updated set of recommended conditions prepared by RLC emailed on 20 November 2024.
- 1.3 I agree with the majority of the recommended conditions and am of the opinion that the changes made from the original consent conditions will further mitigate the potential effects of the CEH activity, particularly with regard to the Community Liaison Group and the engagement with surrounding residents.
- 1.4 Notwithstanding my agreement with the majority of the conditions, I do recommend further amendments. These relate to the exit dates and condition wording for the ceasing to accept further residents for Apollo Hotel, Alpin Motel and Pohutu Lodge Motel, the children's play space and barrier arms at the Apollo Motel, the requirement for an 0800 number for the overall CEH activity, and a CLG requirement.
- 1.5 An amended version of the conditions has been appended to this Right of Reply with tracked changes showing my recommended amendments.
- 1.6 For ease of reference, I have outlined my amendments to the recommended conditions for each motel below.

## 2 Introduction and Code of Conduct

- 2.1 Please refer to my evidence in chief for details of my qualifications and expertise.
- 2.2 In preparing this Right of Reply I continue to comply with the Expert Witness Code of Conduct set out in the Environment Court's Practice Note 2023. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this evidence.

### **3 Apollo Hotel (7 Tryon Street)**

- 3.1 I support the recommended conditions prepared by RLC with the exception of the following matters detailed below.
- 3.2 Condition 4(a) regarding the resource consent expiry date. The Applicant has heard submitters and Council officers, and in response recommends an expiry date of 31 March 2025. It is however important to note that this exit date can only be achieved if consent is granted for the other six motels with the expiry dates through to 15 December 2025. This expiry date can be achieved because of the anticipated social housing stock that will become available before this date. There may also be the need to relocate a small number of existing whanau to other CEH motels should there be a delay in the delivery of some of the anticipated social housing stock. This will allow Apollo Hotel to be exited earlier than Council's recommended expiry date of 30 June 2025.
- 3.3 Condition 6 relating to providing an exit strategy three months prior to the expiry of the consent. This condition is not required should the Commissioner grant consent with an exit date of 31 March 2025. I recommend that this condition is deleted.
- 3.4 Conditions 9 and 10 regarding the requirement to provide RLC records required under condition 8 at three monthly intervals, and a compliance report six months after the commencement of the consent. These conditions are not required should the Commissioner grant consent with an exit date of 31 March 2025. I recommend that these conditions are deleted.
- 3.5 Condition 14 regarding the installation of barrier arms or gates across the two vehicle crossings on the site is not supported. There was no evidence presented at the hearing of pedestrian or traffic safety effects that would warrant the installation of barrier arms. It is noted that some other CEH sites have gates or barrier arms as a security measure to manage access onto the site, particularly where there would then be direct access to the motel units. The configuration of Apollo is such that there is no direct access from the parking area to the motel units. Access is appropriately regulated at this site through the site layout and the position of on-site security. I recommend that condition 14 is deleted. This is consistent with the RLC's final recommendation that the barrier gates are not required if consent is granted for a period of less than 12 months.

- 3.6 Condition 16 regarding the installation of a play area within the southern carpark is not supported. A play area in this location is not appropriate and would result in safety issues where children and vehicles could conflict. It is also noted that any additional play areas on the site will be of little benefit given the recommended expiry date of this consent being 31 March 2025. I recommend that condition 16 is deleted. This is consistent with the RLC's final recommendation that the play space is not required if consent is granted for a period of less than 12 months.
- 3.7 Condition 27(i) and (k) which refers to a 24/7 0800 number for the community and onsite occupants to communicate or make complaints is not supported. This 0800 number has been operating since consent was granted in 2022 and the call logs demonstrate that the number is not being used for the purpose intended. The total number of calls to this number is low and the majority of the calls are members of the public enquiring about emergency housing. I recommend that these conditions are deleted.
- 3.8 Condition 30(i) regarding the CLG group being able to request and receive reports and presentations from agencies. The intent of the condition is not clear. The purpose of the CLG group is clear in the condition, so this unambiguous inclusion is not necessary. I recommend that condition 30(i) is deleted.

#### **4 Alpin Motel and Conference Centre (16 Sala Street)**

- 4.1 I support the recommended conditions prepared by RLC for Alpin Motel and Conference Centre with the exception of the following matters detailed below.
- 4.2 Condition 4(a) regarding the resource consent expiry date is not supported. I recommend that the expiry date remains 15 December 2025 as originally proposed. As noted above, the recommended expiry date for the Apollo Motel resource consent is brought forward to the 31 March 2025. The anticipated social housing that becomes available will be prioritised for residents of Apollo Motel. An expiry date for the Alpin Motel of 15 December 2025 will help ensure sufficient social housing, or alternative housing options, are available for residents of Alpin Motel prior to the motel being exited. Whilst HUD are committed to exiting Alpin and Pohutu Motels as a priority after the exit of Apollo, flexibility is still required in the expiry date to ensure the transition out of these motels can be managed appropriately.

- 4.3 Condition 5 regarding the ceasing of further residents in CEH from the grant of consent. I recommend that this condition is amended to ensure it only refers to new referrals into CEH. To manage the exit out of the Apollo Hotel it may be necessary for a small number of Whanau to be relocated to other CEH motels, including the Alpin Motel.
- 4.4 Condition 6 regarding the timeframe to submit an exit strategy. I recommend this condition is amended to require an exit strategy no later than 6 months prior to the expiry of consent. This is a consequential change resulting from amending the expiry date of the consent.
- 4.5 Condition 25(i) and (k) which refer to a 24/7 0800 number for the community and onsite occupants to communicate or make complaints is not supported. This 0800 number has been operating since consent was granted in 2022 and the call logs demonstrate that the number is not being used for the purpose intended. The total number of calls to this number is low and the majority of the calls are members of the public enquiring about emergency housing. I recommend that these conditions are deleted.
- 4.6 Condition 28(i) regarding the CLG group being able to request and receive reports and presentations from agencies. The intent of the condition is not clear. The purpose of the CLG group is clear in the condition, so this ambiguous inclusion is not necessary. I recommend that condition 28(i) is deleted.

## **5 Pohutu Lodge Motel (3 Meade Street)**

- 5.1 I support the draft conditions prepared by RLC with the exception of the following matters detailed below.
- 5.2 Condition 4(a) regarding the resource consent expiry date. I recommend that the expiry date remains 15 December 2025 as originally proposed. As noted above, the recommended expiry date for the Apollo Motel resource consent is brought forward to the 31 March 2025. The anticipated social housing that becomes available will be prioritised for residents of Apollo Motel. An expiry date for Pohutu Motel of 15 December 2025 will help ensure sufficient social housing, or alternative housing options, are available for residents of Pohutu Motel prior to the motel being exited. Whilst HUD are committed to exiting Alpin and Pohutu Motels as a priority

after the exit of Apollo, flexibility is still required in the expiry date of ensure the transition out of these motels can be managed appropriately.

- 5.3 Condition 5 regarding the ceasing of further residents in CEH from the grant of consent. It is recommended that this condition is amended to ensure it only refers to new referrals into CEH. To manage the exit out of the Apollo Hotel it may be necessary for a small number of Whanau to be relocated to other CEH motels, including the Pohutu Motel.
- 5.4 Condition 6 regarding the timeframe to submit an exit strategy. I recommend this condition is amended to require an exit strategy no later than 6 months prior to the expiry of consent. This is a consequential change resulting from amending the expiry date of the consent.
- 5.5 I do not support condition 26(i) and (k) which refer to a 24/7 0800 number for the community and onsite occupants to communicate or make complaints is not supported. This 0800 number has been operating since consent was granted in 2022 and the call logs demonstrate that the number is not being used for the purpose intended. The total number of calls to this number is low and the majority of the calls are members of the public enquiring about emergency housing. I recommend that these conditions are deleted.
- 5.6 Condition 28(i) regarding the CLG group being able to request and receive reports and presentations from agencies. The intent of the condition is not clear. The purpose of the CLG group is clear in the condition, so this unambiguous inclusion is not necessary. I recommend that condition 28(i) is deleted.

## **6 Ascot on Fenton (247 Fenton Street)**

- 6.1 I support the draft conditions prepared by RLC with the exception of the following matters detailed below.
- 6.2 Condition 24(i) and (k) which refer to a 24/7 0800 number for the community and onsite occupants to communicate or make complaints. This 0800 number has been operating since consent was granted in 2022 and the call logs demonstrate that the number is not being used for the purpose intended. The total number of calls to this number is low and the majority of the calls are members of the public enquiring about emergency housing. I recommend that these conditions are deleted.

- 6.3 Condition 26(i) regarding the CLG group being able to request and receive reports and presentations from agencies. The intent of the condition is not clear. The purpose of the CLG group is clear in the condition, so this unambiguous inclusion is not necessary. I recommend that condition 28(i) is deleted.

## **7 Geneva Motor Lodge (299 Fenton Street)**

- 7.1 I support the draft conditions prepared by RLC with the exception of the following matters detailed below.
- 7.2 I do not support condition 23(i) and (k) which refer to a 24/7 0800 number for the community and onsite occupants to communicate or make complaints. This 0800 number has been operating since consent was granted in 2022 and the call logs demonstrate that the number is not being used for the purpose intended. The total number of calls to this number is low and the majority of the calls are members of the public enquiring about emergency housing. I recommend that these conditions are deleted.
- 7.3 Condition 26(i) regarding the CLG group being able to request and receive reports and presentations from agencies. The intent of the condition is not clear. The purpose of the CLG group is clear in the condition, so this unambiguous inclusion is not necessary. I recommend that condition 28(i) is deleted.

## **8 Lake Rotorua Hotel (131 Lake Road)**

- 8.1 I support the draft conditions prepared by RLC with the exception of the following matters detailed below.
- 8.2 I do not support condition 24(i) and (k) which refer to a 24/7 0800 number for the community and onsite occupants to communicate or make complaints. This 0800 number has been operating since consent was granted in 2022 and the call logs demonstrate that the number is not being used for the purpose intended. The total number of calls to this number is low and the majority of the calls are members of the public enquiring about emergency housing. I recommend that these conditions are deleted.
- 8.3 Condition 26(i) regarding the CLG group being able to request and receive reports and presentations from agencies. The intent of the condition is not clear. The purpose of the CLG group is clear in the condition, so this

unambiguous inclusion is not necessary. I recommend that condition 28(i) is deleted.

## **9 RotoVegas Motel (249 Fenton Street)**

- 9.1 I support the draft conditions prepared by RLC with the exception of the following matters detailed below.
- 9.2 I do not support condition 23(i) and (k) which refer to a 24/7 0800 number for the community and onsite occupants to communicate or make complaints. This 0800 number has been operating since consent was granted in 2022 and the call logs demonstrate that the number is not being used for the purpose intended. The total number of calls to this number is low and the majority of the calls are members of the public enquiring about emergency housing. I recommend that these conditions are deleted.
- 9.3 Condition 25(i) regarding the CLG group being able to request and receive reports and presentations from agencies. The intent of the condition is not clear. The purpose of the CLG group is clear in the condition, so this unambiguous inclusion is not necessary. I recommend that condition 28(i) is deleted.

## **10 Conclusion**

- 10.1 In conclusion, I agree with the Council's officers recommended conditions of consent, except where I have outlined above. My recommended amendments to the conditions are to ensure HUD is able to prioritise the exit from Apollo Hotel by 31 March 2025. The amendment to the exit date for Alpin and Pohutu also ensure the transition out of these motels can be managed appropriately. Notwithstanding, HUD are still committing to making the exit out of Alpin and Pohutu Motels as a priority after the exit of Apollo.

Date: 29 November 2024



Angela Jones