

IN THE MATTER OF the Resource Management Act 1991

AND

IN THE MATTER OF 13 publicly notified resource consent applications by Te Tūāpapa Kura Kāinga – the Ministry of Housing and Urban Development (**MHUD**) to the Rotorua Lakes Council

STATEMENT OF EVIDENCE OF MARIE DONNA WALSH

Introduction

1. My full name is Marie Donna Walsh. My husband, Christopher Corney and I have resided at our current address in Rotorua for over 14 years.
2. I am the owner of Willow Fashion Boutique (**the Store**), a boutique women's fashion store. I opened the Store for trading in October 2008 at 289 Fenton Street, Glenholme, Rotorua, in the same premises as the dual café and restaurant, Urbano Bistro Limited trading as **Urbano Bistro**. Richard and Julie Sewell who own and operate Urbano Bistro are my landlords for my store's lease. I currently employ one other staff member. A true copy of aerial and street view photographs of my store are annexed and marked as Appendix 1.
3. A true copy of a map showing my business, Willow Fashion Boutique relative to the proposed sites for the emergency housing is annexed and marked by a red dot on Appendix 2.

4. The commute from my home to my business is about 5 minutes by car and approximately 3.5 kilometres in distance. I commute in from the southern part of Rotorua, passing the Rotorua Golf Club and then head up Fenton Street to my business premises.
5. I submit this statement of evidence as an update to my brief of evidence dated 13 December 2021. This statement of evidence is from my perspective as a business owner based on the 'golden mile' Fenton Street. My evidence covers the adverse changes I have seen and experienced along Fenton Street as a result of the existing concentrated motel-style emergency housing in Central Rotorua. Specifically the increase in violence and crime on Fenton Street during my store's trading hours in broad daylight. I also speak to specific incidents that have affected my store, my staff and my personal property.
6. The existing transitional and emergency housing motels will have a compounding effect with the Ministry of Housing and Urban Development (**MHUD**)'s 13 resource consent applications for motels. I understand that these sites are currently being used as transitional and emergency housing while the owners await the outcome of these applications. This will mean that the disruption that I am now facing to my business on Fenton Street will become permanent and more intense.
7. Trevor Newbrook, Chair of Restore Rotorua Incorporated (**Restore Rotorua**), has shared a list of confirmed emergency housing accommodation locations with me that was provided by the Ministry of Social Development. This list confirms my knowledge of the widespread use of emergency housing accommodation in central Rotorua.
8. My evidence speaks to how the 13 pending applications are likely to affect my business.

9. I submit this brief of evidence on behalf of myself, in support of Restore Rotorua, to assist the independent Panel who I am informed will decide on the question of whether all of the MHUD's resource consent applications before the Council to convert motels in central Rotorua into emergency housing should be granted.
10. I am familiar with the matters set out in this statement of evidence, and they are true to the best of my knowledge and belief. As a member of Restore Rotorua, I am prepared if required to answer any questions concerning this brief of evidence from the Panel.
11. Prior to finalising this brief of evidence, I was provided with a copy of the statement of evidence of Richard Sewell to read, which I understand is also to be submitted to the Independent Hearing Panel in support of Restore Rotorua submissions at the hearing before the independent commissioners. My understanding of the matters discussed in that statement of evidence is consistent with Mr Sewell's recollection.

Operation of Willow Fashion Boutique

12. I have been in the fashion business in Rotorua since October 2008, with the opening of my business. My store is a specialty destination store, which attracts locals, out of towners and international customers.
13. After first opening in October 2008, customers found out about my business via word of mouth. Customers now also find me through social media.
14. Initially, I chose the location for my business on Fenton Street due to it being one of the main entrances into Rotorua with heavy road traffic. I have remained there since as the location has been ideal.

15. My store also benefitted from its close proximity to motel patrons, who would come past my store, as well as locals who would come down Fenton Street for a walk. In its heyday, being positioned on Fenton Street was great for the business.
16. As the reputation of my business grew, my business has not only acquired local repeat customers, but repeat customers coming from Auckland, Tauranga, Hamilton and Hawkes Bay, who make a whole trip to Rotorua for a specific garment from my store, many of which then make a day trip out of it in Rotorua enjoying the food and the local attractions.
17. Until the outbreak of the Covid-19 pandemic, I also had many Australian and European customers who make a whole trip to Rotorua to visit my store.
18. From October 2008 to winter of 2019, my customer base grew steadily and there is a loyal following to the Store.

Observations near Willow Fashion Boutique since Winter 2019

19. Over the 11 years of operation of the Store from October 2008 to the winter of 2019 and under my oversight of the business, there have been no incidents to my knowledge that required the attention of the Rotorua Police or incidents that caused me to fear for the safety of myself or my staff. During this period neither I nor my staff would ever think twice about keeping the front door wide open during trading hours.
20. Problems started to arise for my business after the first Covid-19 lockdown in March/April 2020 when it became noticeable to myself and my staff of the increased presence of people requiring emergency housing in the centre of Rotorua and within close proximity to my business. The individuals my staff and I would see outside and around my store appeared to change every six weeks or so. There was a brief period of respite over the summer of 2020/2021

when my staff and I noticed a bit less of it but not long into the months of 2021 after summer finished did it become obvious that the homeless made their way back to the centre of Rotorua.

21. Since the winter of 2020, I am particularly conscious of the following motels within 100 metres from my store:

- (a) Aaryn Court, at 281 Fenton Street (emergency housing);
- (b) La Mirage, at 283 Fenton Street (mixed emergency housing);
- (c) Midway, at 293 Fenton Street (contracted emergency housing);
- (d) Geneve Motor Lodge (contracted emergency housing); and
- (e) Brylin Motel (emergency housing).

22. I have observed the following incidents near my store, involving individuals who I see residing at the above three motels, that have either required the response of Rotorua Police or caused me to fear for the personal safety of my staff and myself:

- (a) During trading hours since winter 2020 my staff and I would visibly see groups of individuals, with visible gang patches, loitering outside. Similarly my staff and I would see the odd person who would come into the store who appeared to be drunk or high on drugs and ask the customers, my staff or myself for money.

From time to time I have seen a certain individual who would be so drunk, that he would sit outside the door of my store to rest and obstruct access into and out of the front entrance of my store. This would have deterred potential customers entering the store due to safety concerns.

This was the first time after 11 years of trading at my business premises that I felt concerned for the safety of my staff and myself. It was at this

point in time my staff and myself started to lock the door during trading hours and only open for potential customers when they come to the front door and signal their intention to enter.

- (b) On 3 March 2021, I was robbed in broad daylight during trading hours by teenage offenders. I chased the offenders up Fenton Street whilst taking photos of them with my mobile phone. Not long after the chase, I was then challenged by the offenders who snatched my phone and smashed it on the ground.

The next few weeks after the incident I was harassed by continual intimidating gestures, threats and verbal confrontations from these same young offenders outside my store. The police asked me if I wanted to lay charges, but I opted not to given the age of these offenders. The police advised me that one young offender was visiting people from Ashleigh Court Motel, 400 meters up the road. I understand that Ashleigh Court Motel is emergency housing. The police further advised me that the mother of the offender did not live on Fenton Street and it appeared that the young offender wanted to be involved with the gangs in the area even though he was not from the area. A true copy of the email I sent to Constable Tony O'Keeffe regarding the incident is annexed and marked Appendix 3.

- (c) On 11 November 2020, in broad daylight, I saw a vehicle passing by the store and one of its passengers picking up a huge machete. The vehicle proceeded to follow people walking down Fenton Street, past my store. I rang the police. The police that were located at the Rydges Hotel MIQ facility on 272 Fenton Street arrived promptly on the scene at which point the passenger with the machete got out of the car and started running. A true copy of my call log to the police reporting the incident is annexed and marked Appendix 4.

- (d) On 24 February 2021 on my cycle commute home from work I witnessed a man beating up his partner at a bus shelter on Fenton Street and close to my store. I informed the police who rang me and asked me to go to the police station to assist. I went down to the police station. However the officer in charge of the investigation was not there and never got back to me. A true copy of my call log to the police reporting the incident is annexed and marked Appendix 4.
- (e) On 20 August 2022 at 5pm I was working late and I noticed a car pull up in a carpark outside of the shop. The passenger side window was down and there was a woman in the driver's seat. A male (who appeared to know the driver) was on foot and walked straight over to the open passenger window and started punching the woman so hard that I could hear the hits from inside of the store. I ran and locked the store door and dialled 111. The police arrived quickly and the assailant ran off. I think the police caught him.
23. As a standard work precaution, and as a genuine health and safety measure, I instructed, Karilyn Cook, my other staff member who covers the store while I am away, to keep the door locked when managing the store alone, unless there are customers. Karilyn had one incident where she saw youths outside the store flicking knives at each other, which would also have scared away any potential customers. In our staff briefings, she has also had a few encounters with individuals who appeared to be drunk and/or high while she was managing the store, but thankfully stayed to themselves.
24. I am starting to receive telephone calls from former repeat customers who live outside Rotorua telling me they will no longer be planning trips to my store as they do not feel safe visiting Rotorua. My customers (who mostly live out of town) talk negatively about the state of Rotorua.

25. In October 2021 I had a regular couple who would come into Rotorua once a month. They came once more into Rotorua after the last lockdown in August/September 2021 and since advised me that they will not be coming back given that on their last stay the motel they stayed at mixed them with transitional housing tenants.
26. On the first week of November 2021, I received calls from former customers in Wellington telling me that the state of affairs in Rotorua no longer make it ideal for them to travel over to buy goods from my store. When I receive these calls I try my best to down play what is going on in Rotorua. I fear I cannot keep doing this for long.
27. Locals who used to walk their dogs past my store during trading hours and pop in to browse no longer do so.
28. Since November 2020 the surrounding area around my store has become marked with considerable graffiti. Prior to this, neither graffiti nor vandalism near my store were ever issues in this neighbourhood. I do not have photos of the graffiti on my store as I removed it as soon I noticed.
29. In May 2021, due to safety and security concerns that I outlined earlier in this brief, Richard installed two additional security cameras outside the building premises for my store.
30. On or around May 2021, I invested in a personal alarm which I carry on my person, I am able to press the alarm to make a loud noise if I am ever in danger. I consider the personal alarm a daily necessity. As of now I still lock the doors of my store after 3pm and lock it all day on Monday's. This is because Urbano Bistro Café and Bar closes after 3pm and is closed on Monday's. I also lock the door when I feel unsafe by those walking past.

31. On one occasion mongrel mob members were walking past my store barking. It was frightening and that is one of the examples of why I lock the door when I feel unsafe.
32. The frontage of many motels near my store has significantly dilapidated since the winter of 2019. Moteliers housing transitional tenants over traditional tourists do not appear to take responsibility any more in the upkeep of the aesthetics of their motels frontage to attract and entice tourists or other guests traditionally associated to motel accommodation. The end effect is that it makes the Fenton Street entrance into central Rotorua look terrible, which has a tangible impact on surrounding businesses like my own.

Conclusion

33. The emergency housing situation started the winter before COVID and nothing appears to have changed since then. I see people walk past my store with electronic monitoring bracelets on and I fear for how families are living amongst these people. I believe people have a right to a home, but motels are not a suitable place for families and children to live and grow.
34. The sooner we try and get a better solution to emergency housing, the sooner tourism and Rotorua can improve.

Marie Walsh

12 October 2022



Willow Fashion Boutique (289 Fenton Street)

DATA SETS

Accuracy of property boundaries +/- 0.2m - 0.3m in urban areas and up to +/- 30m in rural areas. Property boundaries, titles, legal descriptions and legal areas sourced from LINZ.

Geyserview represents Council's most up to date compiled and published data. Council does not warrant the accuracy of the information represented by this map. LINZ Licenses. CROWN COPYRIGHT RESERVED.

Printed Date: 29-Nov-2021

Aerial Imagery

1:1000 data set flown 2016, XY accuracy +/- 0.5m.
1:2000 data set flown 2016, XY accuracy +/- 0.5m.

0 20.00 40.0 Meters



Rotorua Lakes Council



Google

Image capture: Jun 2020 © 2021 Google









Rotorua, Bay of Plenty
Google
Street View - Jun 2020

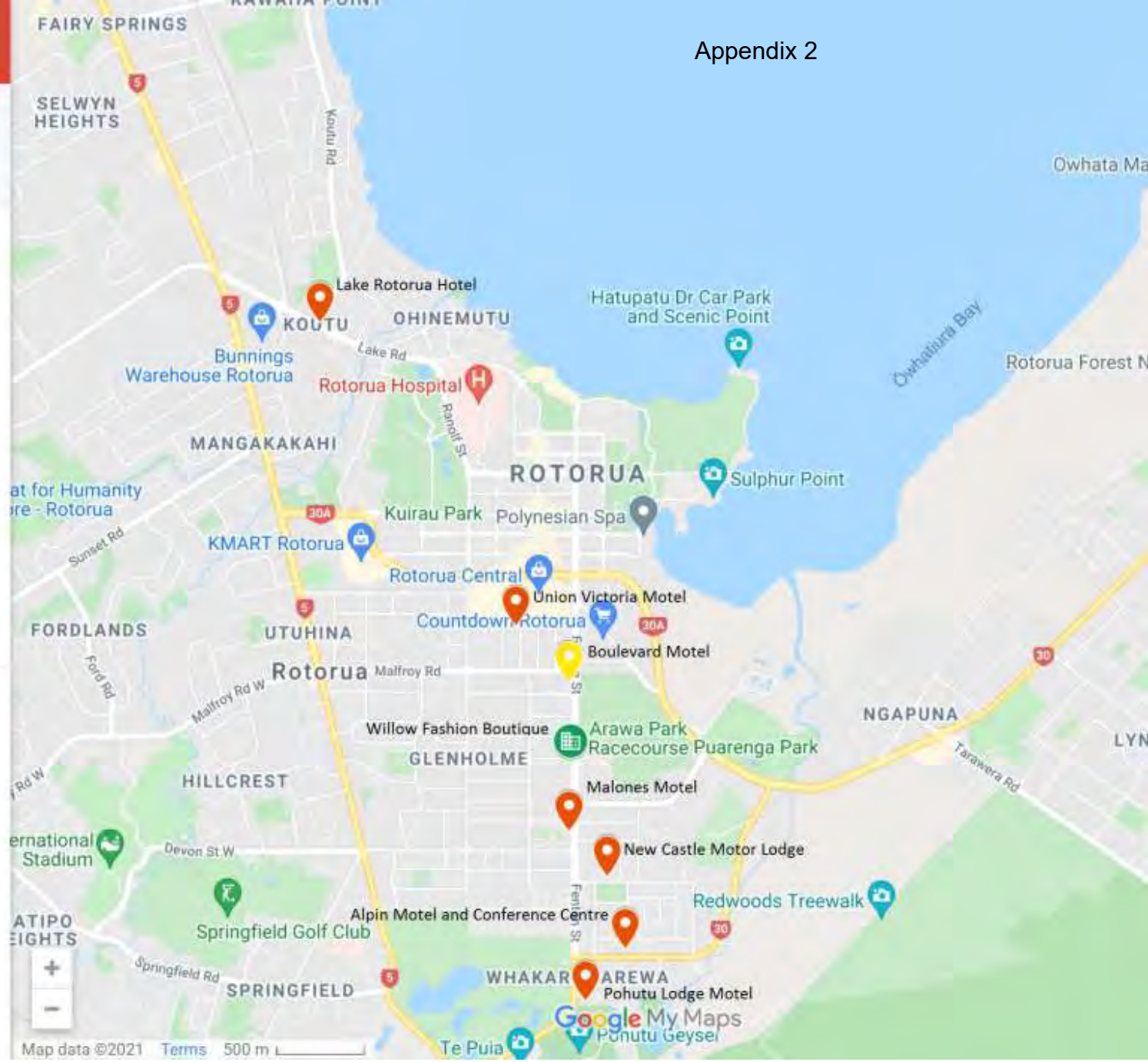


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Motels at risk of conversion into emergenc...

-  Lake Rotorua Hotel
-  Union Victoria Motel
-  Malones Motel
-  New Castle Motor Lodge
-  Alpin Motel & Conference Centre
-  Pohutu Lodge Motel
-  Boulevard Motel & Restaurant
-  Willow Fashion Boutique



Made with Google My Maps

Map data ©2021 Terms 500 m

Jonathan Sathiendrakumar

From: Willow Boutique <willowboutique@xtra.co.nz>
Sent: Monday, 6 December 2021 1:46 PM
To: Jonathan Sathiendrakumar
Subject: FW: WILLOW BOUTIQUE

Willow Fashion Boutique
Rotorua NZ

From:
Sent: Tuesday, 30 March 2021 12:46 PM
To: aoy027@police.govtnz
Subject: WILLOW BOUTIQUE

Hi Tony ,

Further to our conversation re youth who has been causing trouble at my store. After a weeks of him passing by the store and giving cheek and swearing at me and my staff, on the 3rd of March around 4pm he entered the store and came up to the desk where I was, intially he was thinking of taking the courier parcel I had on the desk , I was able to get it away from him, as he went to walk away he grab a handfull of Earrings that was sitting on the table in the middle of the store and ran out. I ran after him across Grey Street when I was about to catch him he threw some on the grass, but not all. I said to him I will phone the police, as quick as he grabbed my phone and ran, with me chasing, again I was about to catch him so he threw the phone out onto Fenton street. I did try to phone you but no answer.

Regards Donna
Willow Fashion Boutique
Rotorua NZ



Virus-free. www.avg.com

Spark Ref 1-196025696050

Outward Call Trace for 021461598 filtered to 111 from 00:00 1/11/20 to 23:59 31/08/21

Date	Start Time	Service	Effective	Duration hh:mm:ss	Originating Number	Dialled Number
11-Nov-20	17:28:40	XT Voice - Mobile Originated	Y	00:00:59	21461598	111
24-Feb-21	19:28:02	XT Voice - Mobile Originated	Y	00:06:14	21461598	111