

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 RICHARD JOHN SEWELL

Introduction

1. My full name is Richard John Sewell. My wife, Julie Anne Sewell and I currently reside in Rotorua (our **home**). We are joint owners of Urbano Limited trading as **Urbano Bistro**.
2. My wife and I were born and raised in Rotorua. We are both currently 62 years old. Rotorua has been our home for 61 of those 62 years. We both lived in Sydney, Australia for a year in the early 1980's before getting married. We have two sons who were born and raised in Rotorua and live elsewhere
3. My wife and I are owners of Urbano Bistro, a dual cafe and restaurant serving breakfast, lunch, dinner and casual drinks. A true copy of aerial and street view photographs of Urbano Bistro are annexed and marked as Appendix 1. We opened Urbano Bistro for business on 1 August 2007 at 289 Fenton Street, Glenholme, Rotorua. Urbano Bistro has an on-licence liquor licence, the capacity to seat 100 guests and currently employs 17 staff.

4. The location of Urbano Bistro is centrally located on the golden mile - as portrayed and marked in pink on the map at Appendix 2. Many of the proposed transitional and emergency housing sites are situated on or near Fenton Street.
5. I submit this brief of evidence in support of Restore Rotorua Incorporated (**Restore Rotorua**), to assist the independent Panel who I am informed will decide on the question of whether all of the Ministry of Housing and Urban Development's (**MHUD**) resource consent applications before the Rotorua Lakes Council (**the Council**) to convert motels in the central Rotorua into emergency housing should be granted.
6. I submit this evidence from my perspective as a restaurateur based on the 'golden mile' Fenton Street. My evidence covers the adverse changes I have seen and experience 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 restaurant's trading hours. I also speak to specific incidents that have affected my restaurant, my patrons, tenant and property.
7. Based on my 14 years' experience operating Urbano Bistro at this Fenton Street site, I estimate that there are approximately 27 motels/hotels to the north and south of Urbano Bistro and within 700 metres. From my personal observations, since March 2020, it appears to be that approximately 23 of these motels are being used for transitional housing.
8. The existing transitional and emergency housing motels will have a compounding effect with MHUD's thirteen 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 as a restaurateur of Fenton Street will become permanent and intensify.

9. Trevor Newbrook, Chair of Restore Rotorua, has shared a list of confirmed emergency housing accommodation locations with me that was provided by the Ministry of Social Development in late 2021. This list confirms my knowledge of the widespread use of emergency housing accommodation in central Rotorua.
10. My evidence speaks to how the 13 pending applications are likely to affect my business. Any additional proposals to convert more motels into emergency housing will only amplify my concerns.
11. I am familiar with the matters set out in this brief of evidence, and they are true to the best of my knowledge and belief. I am prepared if required to answer any questions concerning my brief of evidence from the Panel.

Operation of Urbano Bistro in Rotorua

12. My wife and I have been in the restaurant trade in Rotorua since 1983. Our first restaurant was *Caesar's*, (formerly at 1151 Arawa Street, Rotorua), which we ran from 1983 to 1993 and was the tenth restaurant in Rotorua at that time. The next restaurant and bar my wife and I ran in Rotorua was *Herbs*, from 1993 to 2011 (formerly at 1096 Tutanekai Street, Rotorua).
13. Our first two restaurants were located on or near the Tutanekai Street precinct area in central Rotorua, and referred to colloquially as "Eat Street". My father and I encouraged Rotorua Lakes Council for many years to look into the development of Eat Street during its infancy in 2000-2003 and to take an outside-the-box approach to developing that hospitality precinct.
14. My wife and I have owned the Urbano Bistro business premises at 289 Fenton Street since 1995. Due to an active 12-year long term lease associated with the purchase of the premises we were not able to open Urbano Bistro until 2007.

The decision to set up a dual purpose cafe/restaurant away from Eat Street on Fenton Street was to develop a purpose built, high quality establishment in this area that catered to neighbouring moteliers. Given there were no competitors in this space in 2007, my wife and I saw a golden opportunity to capitalise on this market and form close relationships with the moteliers, given the first mover advantage. Currently there is no other real competition in this space as the only other eatery located in the golden mile is Oppies Fish and Chips and Chinese Takeaway (at 259 Fenton Street, Victoria, Rotorua), located 400 meters up the road from Urbano Bistro. Oppies is a takeaway and does not compete with our dine-in guest space.

15. Our peers in the industry have regularly voted us as one of the top dining establishments in Rotorua, having won the Rotorua hospitality award for Outstanding Restaurant in 2013 and 2016, being a finalist for the Outstanding Restaurant award in 2014, 2015 and 2021 and having won the Rotorua hospitality Supreme Award in recognition of the establishment's 'pioneering spirit, energy, resourcefulness and commitment to the hospitality industry'. A true copy of a photograph of Urbano Bistro's list of awards won (as displayed on the establishment's front entrance window) is attached at Appendix 3. All awards can be found at <https://hospitalityawards.co.nz/rotorua/categories/> and a true copy of the webpage showing our winning category at the hospitality awards is attached at Appendix 4.
16. From 2007 to 2020, Urbano Bistro has steadily grown year on year with the support of neighbouring moteliers, locals, business and the tourist trade. Urbano Bistro's average weekly gross revenue over the last four year period from 2016 to 2020 is \$50,000.00 approximately.
17. Since March 2020, there have been less motel takeaway delivery services. Similarly due to safety concerns customers now drive into Urbano Bistro's premise and no longer walk in. Prior to March 2020, up to 40% of Urbano

Bistro's business was generated by "walk-in" customers from within the motel district.

18. In 2021, the average weekly gross revenue had fallen by 45%. There has been an intermittent resurgence in gross revenue for Urbano Bistro every time it has opened up after Government Covid-19 restrictions. These resurgences last approximately 7 to 8 weeks. However these short term surges are not enough to offset the total loss over the period.
19. We have been talking to guests to get a better understanding of these surges. Guests have been stating that they have been choosing to stay in Tauranga and Taupo rather than Rotorua. This behaviour especially affects the restaurant part of Urbano Bistro as guests are not wanting to stay late in Rotorua and have dinner.
20. While Urbano Bistro's awards received in 2021 recognised our achievements in the restaurateur field, they did not take into account the 45% decline in our average weekly gross revenue as well as the decline of other restaurateurs in Rotorua.

Staffing

21. Since March 2020 we have struggled to hire and retain staff. Our staff levels are currently the lowest that we have ever experienced. But it is not just us who is affected, the hospitality sector in Rotorua is under immense pressure to fill employment roles.
22. Due to the issues with hiring staff, we have been actively recruiting from overseas. One of the questions we are regularly asked by potential employees is whether Rotorua is safe. This is because they have read about Rotorua's issues and the negative feedback Rotorua has received.

Observations near Urbano Bistro over the past 2 years

23. Over the 13 years of operation of Urbano Bistro from 1 August 2007 to March 2020 and under my oversight of Urbano Bistro, there have only been two incidents at the business that required the services of the Rotorua Police, the last incident being a decade ago:

- (a) A burglary in the first week of operation in August 2007; and
- (b) A theft of a staff member's motor vehicle parked outside the business premises in 2011.

24. However, since March 2020, which has coincided with the increased intake of emergency tenants living in motels in central Rotorua, my wife and I have observed the following incidents near Urbano Bistro's premise that have required the response of the Rotorua Police:

- (a) On or around 10 September 2020, a four-wheel drive vehicle mounted the footpath outside our restaurant and the female driver of the vehicle confronted an individual outside our establishment. The driver then proceeded to repeatedly drive over our outdoor furniture and sun umbrellas outside the restaurant. The incident was witnessed by eight restaurant patrons, one of which was an off-duty police officer, who took photos of the vehicle registration as the vehicle drove back and forth over the restaurant furniture. The vehicle was then chased by police cars. The damaged umbrellas were repaired at a later date. From my follow up conversations with the police officer in charge, the vehicle was found two days later parked at the Midway Motel, where the female driver was housed, only 110 metres away from our establishment. Midway Motel is one of the motels taking emergency tenants as illustrated in Appendix 2. On the third day the vehicle

disappeared again. Midway Motel is subject to the resource consent application.

- (b) On or around March 2021 our tenant, Donna Walsh, the owner of Willow Fashion Boutique (a business located in the same building premises as Urbano Bistro), was robbed in broad daylight by teenage offenders when she was alone in the shop.
- (c) In May 2021, signage boards and flags belonging to Urbano Bistro were stolen by loitering youth outside our restaurant. My wife and I chased them down Fenton Street resulting in one of our staff members being assaulted by other associates of the thieves who arrived on the scene to assist. The Rotorua Police attended the scene and officers took these individuals away.
- (d) On 6 May 2021, a customer's car (Lyll Thurston, Regional Councillor) was parked at 293 Fenton Street outside Midway Motel, located 120 meters from Urbano Bistro. While dining at Urbano Bistro, the customer's car rear window was smashed. The incident was reported to the police.
- (e) In June 2021, during trading hours a lone offender stole liquor from Urbano Bistro and assaulted one of our staff members. A true copy of an email from Constable Tony O'Keeffe advising that the individual responsible was convicted of burglary and assault is annexed and marked as Appendix 5. From my further follow up correspondence with the officer in charge, I learned that this offender was staying at the Fenton Court Motel, 200 metres from Urbano Bistro, which is providing emergency accommodation.
- (f) In July 2021 an individual, who appeared to be intoxicated and holding what appeared to be a bottle of vodka entered Urbano

Bistro's outdoor dining area and proceeded to yell and verbally abuse customers as they entered and left the establishment. My staff and I saw people who were known to this abuser from Midway Motel arrive, to try and persuade him to leave, but he refused. Due to safety concerns, my wife and I had to wait until after 10:00 pm for the individual to fall off his chair to enable us to safely transfer our outdoor furniture back inside. As we were closing up, we rang the Rotorua Police to explain that there was an unresponsive, intoxicated man lying in an unlit driveway beside our building. Next morning, we checked our security footage and the individual had lain there until 3:00am.

25. Since these security incidents, in May 2021 we installed two additional security cameras outside the building premises, which cost \$2,309.75 in total. A true copy of the invoice for the purchase of the additional security cameras is annexed and marked at Appendix 6. A true copy of a recent photo displaying the installed security cameras outside the premises is annexed and marked at Appendix 7.
26. Since March 2020 the neighbourhood surrounding Urbano Bistro has become plagued with graffiti. Prior to this, graffiti was not an issue in the area. A true copy of a photo dated 26 October 2021 displaying graffiti outside the premises is annexed and marked as Appendix 8.
27. Since the beginning of September 2022, we have noticed an upsurge in vandalism, graffiti and motor vehicle break ins, including staff and customers vehicles.
28. Due to this surge in anti-social and criminal behaviours, we have on numerous occasions had to lock our establishments doors whilst we have dining guests for their safety and ours. Locking our establishment doors is not welcoming to

potential customers and those that are dining. Hospitality establishments should not have to lock their doors during opening hours.

Support for Restore Rotorua

29. Over the 13 years of operating the Urbano Bistro, my wife and I had strong relationships with motel associations, particularly with 12 to 15 moteliers who we knew on a first name basis. A lot of those moteliers were either locals who lived in or around the area and had been in and out of Rotorua for many years. Unfortunately, we no longer have the same relationship with many of these new owners as most motels in this area in the last couple of years have been sold to buyers who live outside of Rotorua. The new absentee buyers are "investor" owners and are personally removed from experiencing the situations I see in the neighbourhood directly next to these motels that are providing emergency accommodation. The maintenance and general up-keep of the motels is no longer a priority, and as such, the overall appearance of Fenton Street has degraded.

30. My wife and I have lived in Rotorua for what has been effectively all our lives and have had family here involved in the tourism and restaurant space for as long as we can remember. To see the dilapidation of the centre of our city and the breakdown of the community, not only financially impacts us but affects us on a deep and personal level. The recent change in character of Rotorua in the last couple of years has been unlike anything my family has seen before and it undermines the hard work we have invested into growing the Rotorua community by the generation of our family before us.

Richard John Sewell

12 October 2022



Urbano Bistro (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

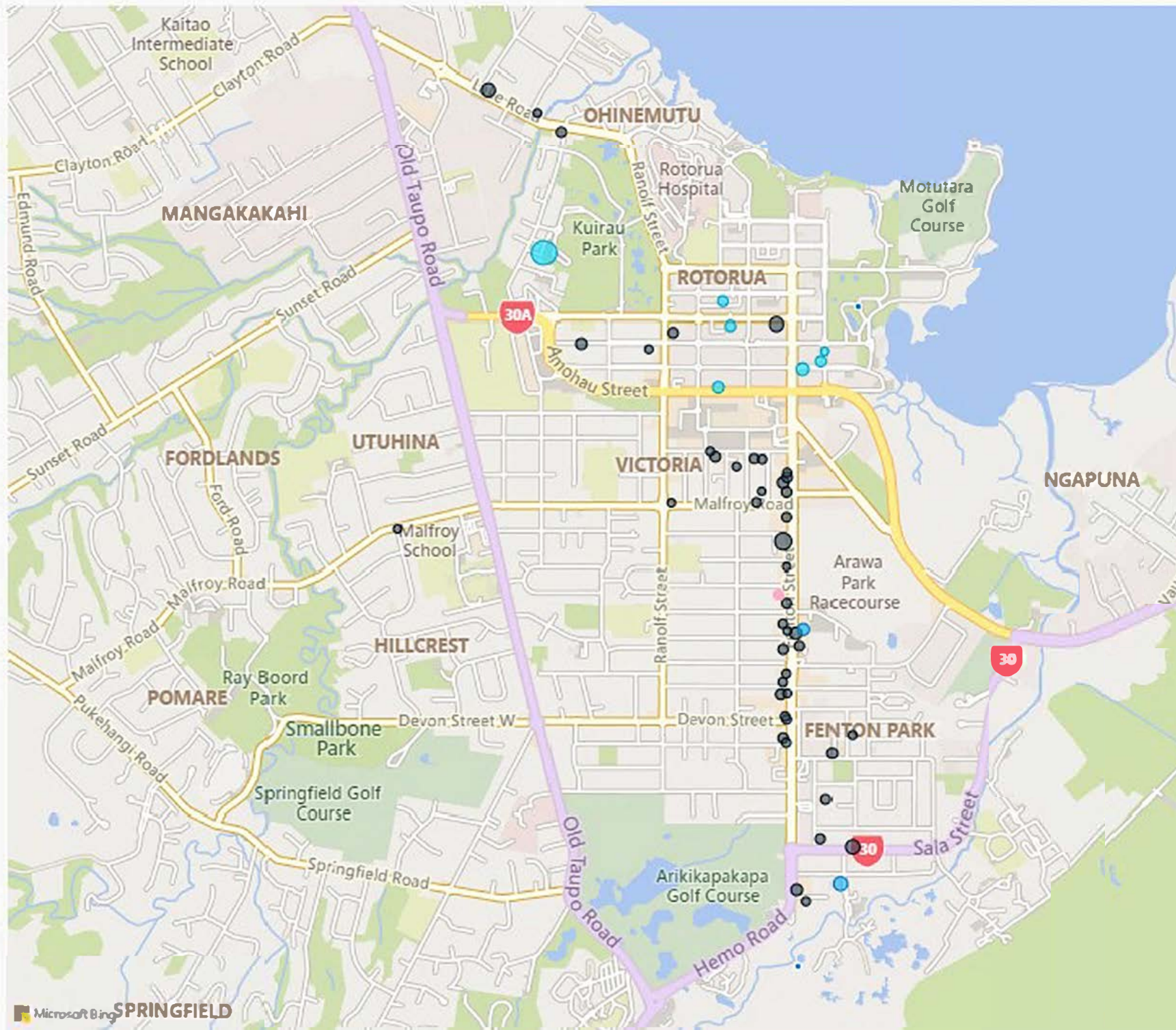


Rotorua, Bay of Plenty
Google
Street View - Jun 2020

Image capture: Jun 2020 © 2021 Google



Accommodation Type ● Bed and breakfast ● Hostel/B backpackers ● Hotel/Resort ● Motel





2013 & 2016 ROTORUA
HOSPITALITY
AWARDS

Urbano Bistro

Winner
Outstanding
Restaurant

Finalist
Outstanding
Restaurant
2014, 15, 2021

Supreme Award
2021



Appendix 4

latest news



Rotorua Hospitality Awards 2021 – winners announced

posted on 25 Jul 21

On Sunday evening, 25 July, 2021, the Rotorua hospitality industry came together to celebrate the great people and businesses that are keeping local hospo humming.

We are excited to announce the winner of the 2021 Rotorua Hospitality Awards:

Meadow Fresh Outstanding Barista

Andrew Phillips, [Revolver Coffee Roasters](#)

Pernod Ricard Outstanding Bartender

Sean Kelly, [Atticus Finch Rotorua](#)

Antipodes Water Company Outstanding Waiter/Waitress

Monica Muzzioli, [Regent of Rotorua](#)

The POS People Front of House Team

[Third Place Cafe](#)

Toi Ohomai Institute of Technology Emerging Chef

Syvelle Ann Troyer, [Peppers on the Point – Lake Rotorua](#)

Service Foods Outstanding Chef

Bruce Thomason, [Ambrosia Restaurant and Bar](#)

Rotorua Nui Outstanding Street Food/Takeout

[El Mexicano Express Takeaway Dine In Delivery](#)

Burns & Ferrall Outstanding New Establishment

[The Fainting Goat2](#)

Bidfood Rotorua Outstanding Cafe

[Scope Rotorua](#)

Asahi Beverages New Zealand Outstanding Bar

[BREW – Craft Beer Pub | Rotorua NZ](#)

Nova Energy Suburban Establishment

[Good Eastern Taphouse](#)

Menulog New Zealand Outstanding Ethnic Cuisine

Giovanni's

OneMusic New Zealand Ambience & Design

Eastwood

Eftpos New Zealand Outstanding Restaurant

Atticus Finch Rotorua

dinefind Outstanding Sales Rep

Shirley Robinson, [Service Foods](#)

Cabernet Foods LTD Outstanding Supplier

Bidfood Rotorua

Rotorua NZ Outstanding People's Choice

Indian Star Restaurant

Gilmours Wholesale Food & Beverage Supreme Award

Urbano Bistro Rotorua

Stay up to date at www.hospitalityawards.co.nz/rotorua, or on the [Awards Facebook page](#).

[back to news](#)



Appendix 5

urbanobistro@xtra.co.nz

From: Urbano <urbanobistro@xtra.co.nz>
Sent: Tuesday, 21 September 2021 6:38 PM
To: O'KEEFFE, Anthony
Subject: Re: File number: 210414/3782

Tony
Thanks for the update
Richard

Sent from my iPhone

On 21/09/2021, at 5:19 PM, O'KEEFFE, Anthony <Anthony.OKeeffe@police.govt.nz> wrote:

Hi Richard,

The male offender for the above incident was convicted of burglary and male assaults female for the assault on your staff member.

He was sentenced to 4 months imprisonment for the assault, and 1 year imprisonment for the burglary.

If you have any queries please contact me.

Regards

Tony O'KEEFFE
Constable
Rotorua Community Policing Team
Rotorua
Private Bag R03044 Rotorua New Zealand
☎ +64 (0) 7 348 0099 Mobile 0211920247
✉ anthony.o'keeffe@police.govt.nz

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TAX INVOICE

To	Urbano Bistro Cafe	From	Gigabyte Solutionz Ltd Administration PO Box 1006 TAUPO 3351 Phone (029) 343 9696 accounts@gigabyte-solutionz.co.nz
Invoice Number	INV-2921		
GST Number	86115141		
Issued	13 May 2021		
Due	20 May 2021, Due in 7 days		

Description	Quantity	Unit Price	Discount	Amount NZD
AOC 27B2H 27" Ultra Slim IPS Monitor - 1920x1080 FHD 16:9 75Hz VGA/HDMI VESA	1.00	243.48		243.48
Travel to customers and back.	1.00	35.00		35.00
Replace old monitor. Failed	1.00	120.00	100.00%	0.00
Terminate and mount two cameras. Setup NVR and move hard drive from old NVR into new NVR. Connect and configure old cameras to system.	3.50	120.00		420.00
Dahua NVR 5216-16P-4KS2E: 16CH, 16x PoE (8x ePoE),	1.00	650.00		650.00
Dahua HDW2431TP-ZS-27135-S2-BLK: 4Mp STARLIGHT WDR IR40m IP67 2.7~13.5mm Black	2.00	260.00		520.00
Dahua PFA130-E-B: IP66 Rated Black Back Box F 4122BLK	2.00	40.00		80.00
Cables and terminators	1.00	60.00		60.00
			Subtotal (includes a discount of 120.00)	2,008.48
			Total GST 15%	301.27
			Amount Due NZD	2,309.75

ENTERED

BANK DETAILS:

Gigabyte Solutionz Ltd
Westpac 03 0415 0601959 00

20/5 43050
2309.75

Late Payments will incur a 2% late penalty fee.

Debt collection is at the cost of the debtor.

<https://in.xero.com/zzTO2iB2ZLMma5L1sDPADCP0E0hOjUK8j4C9IUqQ?searchorg=1>



