

**BEFORE INDEPENDENT HEARING COMMISSIONERS
APPOINTED BY THE HAMILTON CITY COUNCIL**

IN THE MATTER of the Resource Management Act 1991 (**Act**)
AND

IN THE MATTER of an application for subdivision and land use
consent for the Amberfield development
pursuant to the Act.

APPLICANT Weston Lea Limited

CONSENT AUTHORITY Hamilton City Council

**EVIDENCE-IN-CHIEF OF MARK EDWIN PEACOCKE
FOR WESTON LEA LIMITED**

Dated: 12 April 2019

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INTRODUCTION

1. My name is Mark Edwin Peacocke.
2. I am a farmer and live in Hamilton, just south of the application site. I am also a director of Weston Lea Limited (**Weston Lea**), the applicant for this resource consent.
3. I am part of the Peacocke family who own the land that is the subject of this resource consent application. The land is very special to our family having provided a source of production and a home for our wider family for generations.
4. The decision that our land should be zoned for residential housing was first made by Hamilton City Council (**Council**) in 1989, after the area was transferred from the Waipa District into Hamilton City. Our family's decision to develop the land responded to the Council's plans for the area. We were happily farming the land but decided to engage in the planning process when the Council announced its plans to develop new rules and plans to urbanise the area. We wanted to ensure these planning provisions preserved the natural qualities of the land.
5. This resource consent application has been a culmination of over ten years of work to ensure the area is developed in a way that we can be proud of. We consider this development provides the Peacocke family with a chance to help contribute to Hamilton's future growth and leave a lasting legacy to the future of the region.
6. I am taking this opportunity to explain the Peacocke family's connection to the site, the reasons why the family has decided to develop the land, and the family's aspirations for the proposed development of Amberfield.

THE PEACOCKE FAMILY'S CONNECTION TO THE SITE

7. The Amberfield site is one that is very special to us having provided a source of production and a home for our wider family for generations. It is where our family first put down roots in New Zealand. For the current generation of the Peacocke family, it is where our father, grandfather and great grandfather were all born and raised.

8. The original land holding was acquired in 1868 by Colonel de Quincy. Colonel de Quincy built the first homestead on the site and used it as his country estate. He named the farm "Weston Lea" after his grandmother's home in England.
9. In the 1880's, John Fitzroy Beresford Peacocke purchased the land from Colonel de Quincy, the step-father of his wife, Florence Henrietta.
10. John's son, Egerton Francis (Frank) Joseph Peacocke, purchased the land from his father in 1905, as a place to settle with his newlywed, Emily Ethel. At that time, only a small part of the land had been cleared for the homestead.
11. Frank took on the challenge and tried new agricultural methods with great success. A few years later, he had developed a highly productive farm with five or six herds consisting of 600 dairy cows, including a Friesian Stud. He was one of the first farmers to use fertiliser and pioneered flood irrigation methods in the Waikato. His brother Noel, an architect, designed the new homestead which was built in 1912.
12. During this time, the farm was a supplier of milk to the Hamilton Hospital. The milk was put in cans and transported down the Waikato River to Hamilton. The milk was then delivered to the hospital by horse and cart. Eventually, the milk from the farm supplied the wider Hamilton city.
13. Frank and Emily's three sons and three daughters grew up on the farm at Weston Lea. Thirty-six grandchildren affectionately remember Frank and Emily and the many events held at Weston Lea.
14. The land continues to be farmed as a dairy farm by the family to the present day. We have continually invested in the farm and ensured that best agricultural practices are being carried out. As recently as eight years ago, we re-developed the farm by building a new dairy shed and effluent system, re-fenced the property, and implemented a new stock water system.
15. Our investment in the farm is part of our understanding that we are custodians of this land. We have seen the need to implement best practice methods to avoid any water quality issues for the Waikato River.

DECISION TO DEVELOP THE LAND

16. The decision that our land should be zoned for residential housing was first made by Hamilton City Council in 1989, after the area was transferred from the Waipa District into Hamilton City. The land was brought within Hamilton City with the intention that it would be used for future housing development.
17. The Peacocke family were not initiators of this change, we have responded to it. My father initially resisted the idea that the land might be developed residentially. He did not want to divide the farm up into 10-acre blocks as was common in the surrounding area. This is part of the reason why the land remains in single ownership to this day. However, our family are realists and eventually came to the realisation that the land's close proximity to the city meant that it would eventually be required to accommodate the city's growth.
18. In recent years, we have seen how Hamilton has developed substantially to the north of the city. I consider this makes the city unbalanced and has detrimentally affected the CBD. In my view, for the good of Hamilton City, any future growth needs to balance the development to the north and be located on the southern side of the city.
19. In 2007 we began working with neighbours and the Council to develop a comprehensive set of rules and plans on how this area would be developed.
20. We were not happy with the Council's initial plans for the Peacocke Structure Plan. The initial plans did not respond to the land's natural topography. It had roads and highways in the wrong place and did not work with the natural character of the land. We decided to become involved to ensure any residential development of the area would be something that our family could be proud of.
21. We appealed the Council's decision on the Peacocke Structure Plan provisions to the Environment Court. We engaged an urban designer, James Lundy, to help us try and improve the Structure Plan provisions. Mr Lundy helped us draft new plans that incorporated and responded to the natural character of the site. Following Environment Court mediation with the Council and other parties in 2011, our appeal was settled in the Environment Court in

May 2012. This has resulted in a well thought out Peacocke Structure Plan that forms the backbone of our present proposal.

22. Our engagement in the process to develop the Peacocke Structure Plan led to further discussions with the Council as to how the land might accommodate anticipated growth within Hamilton. It was generally agreed the development of the site would benefit Hamilton City's CBD, which had suffered greatly as a result of development to the north and the downturn that took place after the global financial crisis.
23. I met with successive mayors of Hamilton, Julie Hardaker and Andrew King, to discuss the Council's vision for the Peacocke area. On both these occasions I was encouraged to explore ways to develop the area but was informed that the Council did not have money to invest in the infrastructure required to facilitate development. Essentially, the message I got from the Council was that if we wanted to develop the area, we would need to finance any infrastructure upgrades ourselves.
24. We engaged Jacobs to do an appraisal of the infrastructure issues and how development on our land might be undertaken by internalising certain infrastructure requirements and making use of existing capacity. Jacobs identified areas where city infrastructure could be provided through the development and that capacity existed in other places. They advised that there was merit in proceeding with the residential development where infrastructure upgrades were built into the development.
25. Accordingly, we progressed our plans and engaged a range of consultants to help us with the development of the land. We entered into a Memorandum of Understanding with the Council in 2015. This Memorandum of Understanding set out strategic infrastructure concepts, modelling bases, and principles for agreement in terms of infrastructure provision for our development.
26. In 2017 the Council applied for a Government Housing Infrastructure Fund (HIF) loan to provide funding for strategic infrastructure to support private development of the Peacocke Structure Plan area land. The Council was granted \$290.4m of funding via the HIF, which included \$110.1m of NZTA subsidies for transport projects. I understand this has now been adopted as

part of the Council's 10 Year Long Term Plan and will be used to support the development within the Peacocke Area.

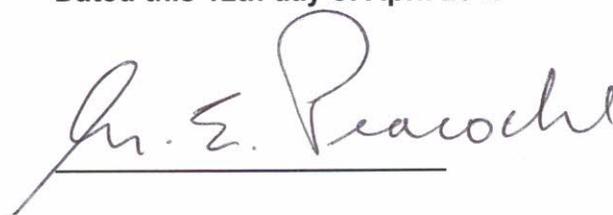
27. When the then Prime Minister Bill English came to Hamilton to announce the HIF funding, I was able to speak with him. Mr English said to me that if we had not been as advanced in the planning of our development as we were then the Council would have been less likely to have received the funding. I am genuinely pleased that our plans for developing the site have helped move the Council forward in terms of securing infrastructure that will benefit all of Hamilton. It gives me real joy to know that we have been able to instigate something the city of Hamilton will benefit from forever.

THE AMBERFIELD DEVELOPMENT

28. All of the work by the Peacocke family in the last decade to convert the farm into residential housing for the city of Hamilton has culminated in this application.
29. In developing the proposal, the family has been driven by a strong commitment to create a highly liveable community that can contribute to Hamilton's future. We consider that this is our chance to help contribute to Hamilton's future growth and leave a lasting legacy to the future of the region.
30. In my view, the site is exceptional and its natural features will make for a very special place to live. We are pleased that the masterplan that has been created embraces the Waikato River and responds well to the natural topography of the land. It was particularly important for us to open up access to the river. We wanted the river to be able to be accessed by all. We consider that the masterplan does that. People will be able to walk and cycle alongside the river and enjoy the beautiful scenery.
31. We chose the name of Amberfield for the new suburb as we consider that it reflects both the natural and historical features of the site.

32. The name Amberfield refers to the many deciduous trees located across the site. Many of these trees have been planted by generations of the Peacocke family. The name also refers to the amber qualities of the kumara and its link to the Māori cultivation of the site.
33. We first considered adopting the family's name for the farm, 'Weston Lea', but thought the name 'Amberfield' was a better fit for the natural beauty of the land. We also thought that a new name like Amberfield would be more welcoming for the future generations that come to live here. We hope they enjoy living here as much as the Peacocke family has over the last 140 years.

Dated this 12th day of April 2019

A handwritten signature in cursive script that reads "M. E. Peacocke". The signature is written in black ink and is positioned above a horizontal line.

Mark Edwin Peacocke