

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

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

AND

IN THE MATTER of hearing submissions on Plan Change 5 to the Hamilton
City District Plan

BETWEEN **THE ADARE COMPANY LIMITED**
Submitter #53

AND **HAMILTON CITY COUNCIL**
Local authority

**EVIDENCE IN CHIEF OF DAVID EGERTON PEACOCKE
FOR THE ADARE COMPANY LIMITED**

CORPORATE

16 SEPTEMBER 2022

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SUMMARY OF EVIDENCE

1. My name is David Egerton Peacocke and I am a director of The Adare Company Limited (**Adare**), which is a family-owned company held by the Peacocke family. I am also a director of Weston Lea Limited (**Weston Lea**), which is a subsidiary of Adare. I am providing corporate evidence on the matters raised in the submission and further submissions by Adare.
2. I summarise my evidence, according to the key headings in this statement, as follows:

The Peacocke family's history and background (Page 4)

- (a) The Peacocke family have had a connection to the land in Peacocke since the 1880s and want to see it developed in a way that enhances Hamilton as a place to live.

Our decision to develop the land (Page 5)

- (b) The Peacocke family have been involved in discussions about how the land in Peacocke should be zoned since it was first included within the Hamilton City boundaries in the late 1880s. The Peacocke family have been instrumental in taking steps to develop the Peacocke Structure Plan to accommodate the anticipated growth within Hamilton.

Amberfield development (Page 7)

- (c) Adare holds resource consent to develop approximately 105 ha of its land into 862 dwellings as part of the residential development known as Amberfield. Obtaining the requisite consents was a costly and time-consuming process which could have been avoided if the plan provisions for Peacocke better resolved the interface between urban development and the natural environment.

Adare's interest in PC5 (Page 8)

- (d) Adare's participation in PC5 reflects Adare's interest in ensuring that the PC5 provisions provide a workable framework for the urbanisation of Peacocke.

INTRODUCTION

3. My name is David Egerton Peacocke.
4. I am a director of The Adare Company Limited (**Adare**), which is a family-owned company held by the Peacocke family. I am also a director of Weston Lea Limited (**Weston Lea**), which is a subsidiary of Adare.
5. I am part of the Peacocke family who have had ties to land in Peacocke, Hamilton since the 1880s. The land is very special to our family having provided a source of production and a home for our wider family over several generations.
6. Through Adare and other companies, the Peacocke family retains significant landholdings in the Peacocke Structure Plan area which are subject to Plan Change 5 – Peacocke Structure Plan (**PC5**).
7. I am providing this statement to inform the Commissioners of Adare's history and background in Peacocke and the Peacocke family's aspirations for its land.
8. By way of my background, I hold a Bachelor of Commerce from Lincoln University and have been involved in both the rural business and property sectors throughout my professional life. I have been a director of a number of agri-business and property companies, including Ballance Agri-Nutrients Ltd.
9. More recently I have taken a lead role in predominately residential developments in the Waikato Region, including Amberfield (Hamilton), Ohinewai, Rangitahi Peninsula (Raglan), Wainui Landing (Raglan), and Te Ahiawa (Raglan).
10. I have a passion for farming sustainably and respecting the environment. Our farming business was the recipient of the Ballance Farm Environment award for the Waikato Region in 2004.

SCOPE OF EVIDENCE

11. I have been authorised by Adare to provide corporate evidence on PC5.
12. This evidence is structured as follows:

- (a) the Peacocke family's history and background;
- (b) the Peacocke family's decision to develop the land;
- (c) the Amberfield development;
- (d) Adare's interest in PC5.

THE PEACOCKE FAMILY'S HISTORY AND BACKGROUND

13. Adare's land in Peacocke is incredibly 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 my generation of the Peacocke family, it is where our father, grandfather, great grandfather and great great grandfather were all born and raised.
14. The original landholding 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.
15. In the 1880s, John Fitzroy Beresford Peacocke purchased the land from Colonel de Quincy, the step-father of his wife, Florence Henrietta.
16. 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 to allow for the construction of the homestead.
17. 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 in the area 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.
18. During that 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.

19. 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.
20. 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. Eleven 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.
21. Our history with this land means that we are not just out to make a quick profit. Our family have been the custodians of this land for over 140 years. We want to see it developed in a way that enhances Hamilton as a place to live.
22. Attached as **Appendix 1** is an annotated plan showing Adare's land holdings in Peacocke. They include:
 - (a) Amberfield, an area subject to a resource consent to develop more than 850 dwellings (addressed in further detail below);
 - (b) the "Estate Block", which has recently been acquired from Adare for roading, sports parks and a primary school;
 - (c) the "Homestead Block";
 - (d) the "Western Block"; and
 - (e) the "Southern Block".

OUR DECISION TO DEVELOP THE LAND

23. 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 the Hamilton City boundaries with the intention that it would be used for future housing development.
24. The Peacocke family were not the initiators of this change. My grandfather initially resisted the idea that the land might be developed. 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 accepted that the land's close proximity to the city meant that it would be required to accommodate the city's growth sooner or later.

25. In 2007 we began working with neighbours and the Council to develop a comprehensive set of rules and plans for how this area would be developed. 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 places and did not work with the natural character of the land. We decided to become involved to ensure that any residential development of the area would be something that our family could be proud of.
26. We appealed the Council's decision on the Peacocke Structure Plan provisions under the District Plan to the Environment Court. Following Environment Court mediation with the Council and other parties in 2011, our appeal was settled in the Environment Court in May 2012.
27. 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 as a result of development to the north and the downturn that took place after the global financial crisis.
28. Our family 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, we were encouraged to explore ways to develop the area. This included designing the development to face towards the Waikato River, rather than have it turn its back on the River, as has historically occurred in Hamilton. Despite this encouragement, we were informed that the Council did not have money to invest in the infrastructure required to facilitate development. Essentially, the message we got from the Council was that, if we wanted to develop the area, we would need to finance any infrastructure upgrades ourselves.
29. We engaged the engineering firm Jacobs to conduct an appraisal of the infrastructure issues and how development on our land might be

undertaken. Jacobs identified areas where city infrastructure could be provided through the development, and that capacity existed in other places, and advised that there was merit in progressing. Accordingly, we progressed our plans and engaged a range of consultants to help us with the development of the land.

30. 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.
31. When the then Prime Minister, Bill English, came to Hamilton to announce the HIF funding, our family was able to speak with him. Mr English said that if we had not been as advanced in the planning of our development, the Council would have been less likely to have received the funding. The Peacocke family is genuinely pleased that our plans for developing our land have helped move the Council forward in terms of securing infrastructure that will benefit all of Hamilton. It gives us real joy to know that we have been able to instigate something the city of Hamilton will benefit from forever.

AMBERFIELD DEVELOPMENT

32. In 2018, Adare (through Weston Lea Limited), applied for resource consent to subdivide and develop approximately 105 ha of its land for a comprehensively planned residential development known as Amberfield. The application sought consent for 862 dwellings, super lots for future commercial centre development, and provided for significant environmental enhancement, including substantial reserves (over 33 ha), significant riverside and gully planting, and the construction of cycleways and walkways.
33. The Council granted resource consent for Amberfield in 2019. Appeals were filed with the Environment Court relating to the conditions of consent, with a key issue being the ecological conditions relating to the protection of Hamilton's long-tailed bat population. The Environment Court heard comprehensive evidence from bat ecologists on the potential adverse effects of urbanisation on the long-tailed bat.

34. The appeals were heard in 2020 with an interim decision released the same year, followed by a final decision in 2021. While we expected some disagreement, we did not anticipate that the Amberfield consent would take three years and significant resources to be finally approved. Part of the reason for the cost and delay was that the plan provisions for Peacocke did not address how urban development would interface with the natural environment, resulting in uncertainty.
35. The Court made a range of findings on how urban development could be integrated with the protection and enhancement of long-tailed bat habitat, including enabling shared use of habitat areas with compatible activities. In its decisions, the Court recognised that the outcomes for Amberfield would have precedent value for the wider Peacocke area as well as PC5 (which had been signalled by the Council during the course of the hearing).
36. Following the Amberfield decision, Adare has been working closely with the Council on the delivery of Amberfield, including on integration of Amberfield with the infrastructure being provided for Peacocke out of the HIF fund.

ADARE'S INTEREST IN PC5

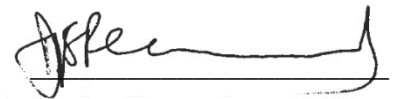
37. In late 2021 and early 2022 Adare made a submission and further submissions on PC5. Adare's focus on PC5 is to ensure that the plan provisions enable Adare's vision of Peacocke as a suburb that enhances Hamilton as a place to live.
38. Adare was also eager to ensure that PC5 would not cut across the outcomes anticipated by the Amberfield consent, and that PC5 would enable appropriate development of Adare's other landholdings in Peacocke.
39. Adare has invested heavily in PC5, working closely with a team of expert consultants. Adare and its consultants have worked collaboratively with the Council and other submitters to attempt to narrow and resolve issues. As a result, I understand that many of Adare's submission points have been resolved through direct engagement or expert conferencing.

40. For the points that remain outstanding, Adare is pursuing them as we genuinely believe that amendments are required to ensure a superior and enduring outcome for Peacocke that we can be proud of.

CONCLUSION

41. Adare asks that the Panel makes amendments to PC5, as sought in the evidence of Adare's expert witnesses.

Dated this 16th day of September 2022

A handwritten signature in black ink, appearing to read 'D. Egerton Peacocke', written over a horizontal line.

David Egerton Peacocke

Appendix 1 – Adare Landholdings

