

**BEFORE THE HEARING COMMISSIONER**

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

**AND**

**IN THE MATTER** of subdivision to create 242 residential lots within the C2 Growth Cell, and associated lots for public assets by 3Ms OF CAMBRIDGE GP LIMITED (SP/0179/20)

---

**STATEMENT OF EVIDENCE OF MATTHEW CRAIG SMITH**

**Dated: 11 May 2021**

---

---

**LACHLAN MULDOWNY**

BARRISTER

**P** +64 7 834 4336 **M** +64 21 471 490

**Office** Panama Square, 14 Garden Place, Hamilton

**Postal** PO Box 9169, Waikato Mail Centre, Hamilton 3240

**[www.lachlanmuldorney.co.nz](http://www.lachlanmuldorney.co.nz)**

## **INTRODUCTION**

1. My full name is Matthew Craig Smith. I am a director and shareholder in 3Ms of Cambridge GP Limited (**3Ms**) which is the applicant in this resource consent process. My co-directors in 3Ms are Michael Smith, and Mitch Plaw, both of whom are also shareholders. 3Ms is a land development company which owns the land which is the subject of this application. 3Ms was established to deliver on our vision for the land, which is to create an aspirational living environment that caters for the needs of all parts of the Cambridge community, and which represents the very best that living in Cambridge can offer.
2. I am responsible for the operational management of this project and have worked closely with Waipa District Council (**Council**) to deliver the project. I am authorised to give evidence on behalf of 3Ms.

## **SCOPE OF EVIDENCE**

3. My evidence will address the following:
  - a) Our track record
  - b) The 3Ms vision for the land
  - c) Dealings between 3Ms and Council on land acquisition
  - d) Comments on the s42A report

## **SUMMARY OF EVIDENCE**

4. The individuals behind 3Ms are committed to making Cambridge the best it can be. As will be demonstrated we are proven developers with a track record of outstanding developments within Waipa District. This 3Ms

development will add to the outstanding reputation Cambridge already enjoys.

5. There is a desperate need for more residential land supply and quality housing in Cambridge. This development will meet this need and it can be achieved in a manner that enables Council to efficiently address the substantial public infrastructure costs associated with growth. The project delivers on the objectives of the Waipa 2050 Growth Strategy and assists Council in meeting its obligations under the National Policy Statement on Urban Development (**NPS-UD**).
6. The development is consistent with the objectives of the C2 Structure Plan (**Structure Plan**) and delivers on Council's aspirations within this critical land resource in Cambridge. Any differences in the detail of the layout of the subdivision compared to the indicative layout in the Structure Plan are fully addressed in the technical evidence, and 3Ms will demonstrate that no unacceptable effects arise from the proposed subdivision.
7. 3MS recognises that the urbanisation of the C2 growth cell will bring significant change, which can be challenging for all involved. 3MS is willing to collaborate with its neighbouring land owners to assist in the transition towards urbanisation, and the ultimate development of their land. We recognise that the key to everyone's success is for 3MS, the submitters, and Council, to work in a co-ordinated way.

#### **OUR TRACK RECORD**

8. I hold a Bachelor of Management Studies majoring in finance and economics and I have been in property development for approximately 20 years. In partnership with my father, Michael Smith, I have been fully involved in the creation of two notable Cambridge subdivisions being the Saffron Estate and St Kilda, Cambridge.

9. In 2015, the Property Council New Zealand awarded the St Kilda Cambridge development “Excellence and Best in Category” for Urban Design. We were the only private developer to be win a national award from the Property Council New Zealand at the 2015 awards evening. We remain very proud of St Kilda, and it is often referenced by Council in its showcasing of the District. We would urge the commissioners to undertake a site visit at St Kilda to see the quality of development for yourselves.
10. My co-director Mitch Plaw together with his wife Kate aren’t new to property development. Over the last 10 years Mitch and Kate have purchased 240 hectares of land at Hora Hora and have redeveloped much of the property. They have retired all the land that is adjacent to the Waikato River and created approximately 40ha of planted and mown landscaped reserve. They have planted over 500,000 trees and plants, many of which are native and provide a significant source of food to our native birds. The visual appeal and the seamless nature in which the property now relates to the river a testament to their commitment to quality development.
11. Mitch is also involved as a 50% shareholder in a Whangarei subdivision called Totara Park. They have developed over 200 sections and have almost completed the development. The focus as always is to produce a quality subdivision and lift the standard for others to follow.
12. Within the last two years I managed the acquisition of land and development of the new APL Ltd headquarters in Hautapu. Mitch is a major shareholder in APL. This is a ‘hero’ site in Cambridge, easily seen from the Waikato Expressway. It is a world class industrial complex which has huge amenity and design attributes, and tells the world something about the standards of design and development that can set Cambridge apart. It’s another example of how we don’t go for the cheapest, easiest option, but take a long term enduring approach. We live in this community and want to make a positive difference.

### THE 3Ms VISION FOR THE LAND

13. 3Ms owns forty hectares of land within the C2 growth cell at 1863-1881 Cambridge Road (**site**). The site comprises a number of titles but is the largest land holding in single ownership within the C2 growth cell.
14. The directors of 3Ms all share the same high standards. Our development philosophy is simple; we want to create an aspirational subdivision that provides a variety of living options that reflect a diversity of lifestyles.
15. The vision is to be the first subdivision in Cambridge that creates an opportunity through diversity of housing typologies where people can invest with the long term goal of re-investing within the same estate into a housing typology that matches their needs at that time. We have termed this inspiration “living opportunity”. Today could simply be a 3-bedroom townhouse; tomorrow could be a 3 bedroom duplex and as the family grows a standalone home on a bigger section. The diversity of housing will also cater for all, regardless of their stage of life, making the development entirely inclusive.
16. Housing needs have evolved and there are more future homeowners requiring quality combined with a “lock and leave” mentality. 3Ms also plans to use CCTV networks to monitor public spaces and main road junctions to provide our residents additional security and surveillance. Our public spaces will be designed to encourage activity and a sense of community with a significant emphasis on walking and cycling. 3Ms will be the first to master plan the entire estate ensuring our goals are fulfilled. These include creating an estate:
  - a) that looks to maximise each home’s northerly living opportunities;
  - b) that will manage separation between living spaces to ensure privacy;

- c) that engages with the street frontages;
  - d) that provides sufficient garage setbacks to ensure that guest parking does not encroach on the estate's footpaths and cycle ways;
  - e) that provides for avenues of trees framing each street.
17. In addition to these residential elements, the subdivision will make provision for a new school facility which will provide for the educational needs of approximately 300 pupils. 3Ms has entered into a binding agreement with the Ministry of Education for the acquisition of the necessary land within the subdivision. The Ministry has committed resources and is ready, willing and able to invest significantly in Cambridge, contingent only on 3Ms securing this subdivision consent and establishing the necessary infrastructure connections.
18. The subdivision also contains a super lot which will accommodate a retirement village facility, and also makes provision for a destination playground and other public amenities which will nurture a healthy community within flexible and interactive open spaces.
19. Within the duplex/townhouse and apartment living options we recognize the growing worldwide trend of co-living. With an aging population and affordability issues facing many young families we believe that we need to design living spaces that can be shared while at the same time providing a high level of independence. Our planned apartments will have two, three and four-bedroom options across a single level floor where a family could co-locate next to their parents. The family can collectively look after each other and share living space.
20. 3Ms will create a high standard of amenity through landscaped streetscapes that align with the Cambridge character and landscaped reserves that will encourage recreation. 3Ms will plant a collection of mature trees that will help form our vision and commitment. We believe

that creating a sense of community early will foster livability and a sense of ownership. Our planted landscape will be enduring and resilient and will parallel well with the Cambridge character.

21. 3Ms will provide a good connectivity network to ensure strong linkages between our town's key landmarks. 3Ms' footpath and roading networks will be designed and will give priority to both walking and cycling. Ensuring safe passage between our local schools and the town centre will encourage physical activity and social interaction. We believe that with the right commitment between Council and the development community we can develop Cambridge into New Zealand's most walkable town.
22. 3Ms will place a high emphasis on safety and neighborhood surveillance using street and recreational reserve mounted cameras. We will ensure that many of the connecting pathways will be illuminated providing safe passage at all times of the day and night. People need to feel safe and secure.

#### **DEALINGS BETWEEN 3Ms AND COUNCIL ON LAND ACQUISITION MATTERS**

23. 3Ms had been working collaboratively with the Council to deliver the public assets that the Structure Plan proposes to locate on the 3Ms site. This process began with the original structure planning exercise and moved to include master planning of the site, developing detailed design, and subsequent land acquisition discussions.
24. In the development of the original structure plan within what was Plan Change 7, Council identified a need for an infrastructure corridor to accommodate stormwater and roading assets (**corridor**) within the growth cell. In particular the corridor would need to create a linkage between the C1 growth cell to the north, and the C3 growth cell to the south, ultimately discharging stormwater to the Waikato River.

25. As part of the Plan Change 7 process 3Ms signalled a willingness to try and accommodate the corridor on its land, which would give rise to administrative efficiencies given that Council would only need to deal with one landowner in terms of land acquisition. There was no other resource management reason for the location of the corridor, and provided it could make the necessary north/south linkages, the exact location within the growth cell was never important. 3Ms acceptance of the structure plan was always on the basis that the exact location of this corridor was not locked in via the usual designation process, which would require a full evaluation of alternatives, and so whether it ended up on 3Ms land would always be subject to a satisfactory commercial agreement between Council and 3Ms on land acquisition matters.
26. Eventually Council and 3Ms did enter into negotiations regarding the acquisition of land for the corridor. This process was not successful as 3Ms and Council were unable to reach agreement on the land acquisition. While I acknowledge there are always two sides to any story, 3Ms remains satisfied that it has done everything it could to facilitate the acquisition. The record of the negotiations is set out in the AEE (Appendix C), which speaks for itself. But in summary, in late 2020 3Ms formally offered to sell the necessary land to Council at a rate of \$150/m<sup>2</sup> plus GST (if any), which was ultimately supported by valuation evidence (more recent sales and valuation figures, well in excess of \$200/m<sup>2</sup> plus GST indicate this was a very good deal for Council). Nevertheless, Council obtained its own valuation and based on that advice, refused 3Ms offer.
27. Since then Council has made no offer or taken any steps to advance land acquisition discussions with 3Ms, which is fine, because we too have moved on. I also note also that Council has, despite attempts, failed to conclude land acquisitions with the Broughs, St Peters' School, Te Awa Retirement Village, Pratts, North Island Foodstuffs, Honiss and Shaws Property Holdings Ltd.



28. Council's approach to land acquisition for public infrastructure has been a source of frustration to 3Ms. I think we can all agree that having certainty over where and when Council intends to place public infrastructure is a good thing, and assists developers and landowners in making decisions about their future. However, this has not been possible in the present case, because Council has not declared its position. While Council has shown the corridor on the Structure Plan as being located on 3Ms land, the plan rules do not require its location to strictly adhere to the 'line on the plan', and Council has not secured the corridor via the usual RMA designation process. Accordingly, no party can be sure of just where Council intends to place the corridor.
29. In the meantime, Cambridge remains in critical need of residential housing, and 3Ms has moved to address this shortage by formulating a subdivision plan which can work without the corridor being established first. This means that Council can deliver on its NPS-UD obligations and achieve its desired outcomes in terms of the Waipa 2050 Growth Strategy, without having to first incur the significant infrastructure costs associated with the corridor. As Mr McCaffrey will explain, the scale and associated costs of providing the corridor will reduce as a result of 3Ms providing its own stormwater attenuation within the subdivision.
30. In addition, while the exact location of the corridor is not within 3Ms' control, it has identified a most likely alternative scenario, which is illustrated in Plans 4 and 14.
31. This shows that while the subdivision may include some differences to the layout identified in the Structure Plan, it does not frustrate the objectives and land use outcomes identified in the Structure Plan. The Corridor can be delivered, at a time, and at a scale, which meets the needs of ongoing development within the growth cell. It does however require Council to get moving and make some commitments in terms of land acquisition.

**COMMENTS ON THE S42A REPORT**

32. There are a number of matters raised in the S42A report that are of concern to 3Ms. These will be addressed in the technical and planning evidence to be presented. To the extent that there are some matters which require a non-technical response, I set out my response as follow, using the paragraph numbering of the s42A report.
33. **Para 2.15:** This paragraph contains inaccuracies. The condition of the contract referred to also required the previously engaged designer and civil engineers to be reengaged from the previous C2 Parks and Reserves Commission. This condition was then removed after 3Ms received an email from Council CEO Garry Dyet stating that the previous designers and civil engineers will be reengaged, and this work will be managed by 3Ms through a signed Infrastructure Works Agreement between 3Ms and Council. The Reserve land acquisition was also conditional on there being no staging requirements in the subdivision conditions. This staging is now recommended within the s42A Report. The staging limits 3Ms' ability to sell the reserve land as some of the land required by Council falls within Stage 2. Accordingly the staging requirement does not work.
34. **Para 3.10 xiii:** The relocation of the roundabout results in positive effects on the St Peters' land and the Te Awa land. The structure plan roundabout location required more land from St Peters' and left land outside the corridor undevelopable due to the size and contour. The realignment minimises the land required while increasing the yield within the St Peters' land. The relocation also allows Te Awa the ability to develop its planned child care centre as the relocation doesn't affect his land parcel, and allows it to maintain mature trees along its frontage. Both St Peters' and Te Awa are supportive of the new roundabout location and prefer it to the original location.
35. **Para 3.21:** Council staff have recommended a staging condition that restricts 3Ms ability to develop the land by preventing land from being

developed within Stage 2 until Council has secured alternative land for the infrastructure corridor within the C2 Growth Cell. Some of the sports field land sits within Stage two. 3Ms in good faith worked directly with Garry Dyet, Council's CEO, with regards to 3Ms selling the land required for the sports fields. Garry Dyet was proactive and directed his property team to present a Sale and Purchase Agreement to 3Ms for the sports fields. Unfortunately, Council staff and the author of the section 42A report didn't fully reflect on the implications associated with the staging condition. As this matter has not been resolved it has limited 3Ms ability to execute the Sale and Purchase Agreement with Council. For the record the Council have offered a purchase price of \$210 plus GST per square metre which is acceptable to 3Ms. However 3Ms cannot accept this proposal while there is a staging restriction on the development, which would inhibit our ability to progress the development, and delay us delivering the sport fields.

36. **Para 6.4 v:** As discussed earlier in my evidence, no land has been acquired by Council to date that gives any certainty in relation to the provision of public infrastructure as currently indicated in the Structure Plan. However, I am aware that Council is currently working with landowners within C1 growth cell actively promoting their land development opportunities ahead of securing the land required for stormwater servicing via the corridor. This approach within the C1 growth cell is contrary to the authors statements that requires all land required for public infrastructure to be secured prior to any development occurring. Council's own transport strategy requires it to gain vehicle access across the greenbelt land. Plan Change 7 and the Structure Plan became operative on the 14<sup>th</sup> March 2019. However, Council has not yet negotiated nor resolved this requirement even with the knowledge that this is required to connect the designated school within the 3Ms land parcel and Cambridge West (which is part of the school's future catchment). So I share the submitter frustrations, but do not consider it 3Ms responsibility to determine Council's infrastructure strategy.

37. **Para 7.1.2.cii:** There are a number of factors which might affect Council's ability to establish a roading network for the wider C1, C2/C3 structure plan area. All of these can be mitigated through active land acquisitions or via the enforcement of the Public Works Act. Council has the tools, it just needs to start using them.
38. **Para 7.1.2.ciii:** The risk to a decrease in development contributions is not a relevant resource management issue. However I want to note that Council would have needed to purchase over 13.4ha of land from 3Ms under the current Structure Plan, with much of this land being acquired ahead of time and to satisfy the Ministry of Education proposed timing for the school opening. This would have forced Council to overinvest within the 3Ms land. This investment wasn't matched by development contribution revenue resulting in large interest charges and debt sitting on Council's balance sheet. Under the 3Ms standalone plan Council's capital investment is more aligned with development contribution revenue arising from the balance of development in the C1, C2 and C3 growth cells.
39. **Para 7.1.2.cv:** Subject to any NZTA contributions, this work will be fully funded by Council and fully recovered for through a combination of development contributions and general rates (depending on the capital split under the cost allocations for development contributions). As indicated, Te Awa and St Peters' are supportive of the new alignment of the corridor and position of the roundabout.
40. **Para 7.3.2.iii:** 3Ms is providing reserves and recreation opportunity within the subdivision and we refute the assertion that a lack of sports fields within 3Ms land has wider community effects. Sports fields provide opportunities for the privileged few that can afford to play sports. Many of the main sports numbers are declining, questioning the need for more sports fields. Repurposing of the existing sports fields could prove to be a

smarter way of achieving more than the proposed \$15m plus investment intended. 3Ms proposes to build a destination playground and skatepark; its stormwater reserve will promote walking and cycling and will provide for the provisioning of public art space for Iwi and Hapu to promote their history. 3Ms wants to create an enduring working relationship where this art can be showcased and marketed for sale and then replaced by another piece telling another historical narrative.

41. **9.4.9:** 3Ms rejects the suggestion that it is somehow responsible for resolving uncertainty surrounding Council's provision of public infrastructure. Council alone can solve this issue through the Public Works Act.
  
42. **10.3.8:** Council has not indicated any willingness to work with 3Ms on any optimisation work and therefore the alignment of the corridor to the north of Cambridge road could not be fixed. Council do have the undertaking that St Peters' and Te Awa are happy with the new location for the corridor and roundabout therefore fixing the alignment within their properties. St Peters' have recently engaged with Council on property value and acquisition matters. 3Ms has an unconditional offer on the property north of the Brough's and has no issue working with Council fixing the alignment within this property and are willing to enter into a Sale and Purchase Agreement for this land. As is shown, 3Ms is ready to collaborate with Council to resolve the uncertainty, but Council needs to come to the party.
  
43. **10.4.4:** This statement is incorrect. 3Ms' directors have a proven track record as responsible developers. Our intentions are to provide a community centre for the wider community that will include a destination playground and skate park, safe walking and cycling opportunities within our reserves and roads. 3Ms has provided images that depict our vision with both the author of the s42A report and Council.

44. **10.5.8:** The 3Ms subdivision consent application was limited notified by Council and publicly advertised as a notable application on its website. No party has communicated with 3Ms or Council on the removal of the sports fields within the 3Ms land. The conclusion in this section of the report is not supported by the facts.
45. **10.6.9:** 3Ms' proposal allows Council to delay significant capital expenditure while at the same time enabling supply of housing. Under the current structure plan \$81m of capital expenditure is required over the next 4 to 5 years. Under the 3Ms go alone option only \$35m of capex (new debt) is required with a bulk of this investment being within the St Peter's land. Garry Dyet (CEO) has acknowledged the advantages this creates for Council.
46. **10.6.10:** The current structure plan location of the collector road had adverse effects on Te Awa and St Peters due to the location and extent of land required ( see Plan 5). Te Awa had communicated a legal challenge to its location and St Peter's also signalled a claim for fair and reasonable compensation for the land required for the stormwater and roading corridor. St Peters' also claimed compensation for the undevelopable land and for the adverse effects as a result of the cutting required and the slope stability issues resulting. It's a common theme through the s 42A report that there was a corridor already fixed and negotiated which I believe is resulting in a misleading bias against the proposal. The reality is the alignment of the corridor shown in the Structure Plan was going to face serious opposition from third parties if pursued by Council. The 3Ms Refined Structure Plan resolves the opposition and is supported by Te Awa and St Peters' collectively.
47. **10.6.13:** 3Ms cannot and will not put its fortunes in the hands of Council as suggested, particularly given Council's track record in relation to land

acquisition. This kind of condition would make the entire project unbankable.

48. **10.7.1:** 3Ms rejects this statement. 3Ms owns land to the west and therefore would not create a spite strip that limits this property's ability to be developed. 3Ms staging plan is only indicative and the final staging will be determined at the detailed design stage where 3Ms will look to maximise its capital expenditure with section return.
49. **10.8.4:** This statement about construction timing is not true. No timeframes or construction periods are fixed as they are all reliant on successful property acquisitions.
50. **10.8.12:** Council has accepted that it has until 2031 to resolve the roundabout location and build the collector road. This gives Council 10 years to resolve the issue. On that basis, this is an unreasonable condition.

## **CONSULTATION AND DEALINGS WITH NEIGHBORING PROPERTY OWNERS**

### **409 Grasslands Drive – Hawthorn**

51. 3Ms had direct consultation with Gareth Hawthorn via our project manager Aaron Ingoe. Through our engagement we worked with Mr Hawthorn so that he fully understood our proposal.
52. 3MS worked directly with Mr Hawthorn and gave advise on where to place his house to maximise his land development opportunity. We provided him with a sketch up that clearly showed where the road was proposed in relation to his house. These boundaries can be clearly seen on the plans submitted to WDC for the Landuse Consent (LU/0322/20) that was granted.

53. The Hawthorns purchased the property from the Ritchies (their neighbour to the north) on the 13<sup>th</sup> of March, 2019. WDC had approved Plan Change 7 on the 26<sup>th</sup> of February, 2019 and Plan Change 7 became Operative on the 14<sup>th</sup> of March, 2019. The Hawthorns were fully aware of the conditions and the future land use change that was pending for their new property.
54. The Hawthorns lodged their land use consent application on the 18<sup>th</sup> December, 2020. In light of the advice and information shared with Mr Hawthorn further information was lodged with Council on the 21<sup>st</sup> of January, 2021. Mr Hawthorn was originally seeking that the dwelling and water tanks be located closer to the road and internal boundaries, which was considered to be a technical non-compliance once the Deferred Residential Zone was uplifted.
55. After amending the proposal to address these possible non-compliances with the new zoning rules, Council granted the consent and stated the proposal is consistent with what is envisaged within the C2 Structure Plan Area.
56. Mr Hawthorn has made several decisions relating to his property with the privilege of the information that is contained within Plan Change 7 and the information openly shared by 3MS.
57. The C2 structure plan shows a local road in the same location that 3Ms Indicative Structure Plan shows a proposed Collector Road (see Plans 9 and 17).
58. Under the current Structure Plan alignment Mr Hawthorn would need to fund the construction of the local road and be contingent on the Richies providing him a connection to the East West Collector Rd. Under the 3Ms alignment Council will fund the collector road and will provide the necessary service connections at no cost to Mr Hawthorn. Mr Hawthorn



also has the ability to develop the rest of the land to the east of the collector road as well.

59. The reality is the Hawthorns purchased the property understanding the future land use, gained instant benefit from the pending land use change and therefore fully understand that their property is only conducive in the short term for equestrian use.

### **397 Grassland Drive - Ritchie**

60. This property always had main truck infrastructure running east west through their property (see Plan 8). This infrastructure included a collector road, open swale and reserve area. This infrastructure severed their home from the main training facility, severed their stable from their access lane and goes straight through their horse walker. In summary their property is already compromised by the infrastructure alignment as depicted by the current Structure Plan.
61. The 3Ms Refined Structure Plan attempts to minimise the initial impact of property acquisition for public infrastructure for the Ritchie's property by proposing a staged acquisition strategy (see Plans 16a and 16b).
62. This strategy will require the south eastern corner of the property to be secured by Council over the next three years to allow the construction of the roundabout initially, while the stormwater swale could follow some years later.
63. The balance of the land will need to be secured to allow the infrastructure to be built in outside a ten year timeframe. The timing of the payment for the land is a matter for Council to negotiate with the Ritchies and will align with the Indicative Staging Plan that sits within Plan Change 7.

64. The 3MS alignment minimises the impact on the Ritchie property, keeps the synergies of the main homestead, stables and horse walker intact and therefore minimising the effects of future public infrastructure within the Ritchie Property.

#### **59 Racecourse Road - Gary Alton**

65. Mr Alton's property always had land being required for public infrastructure (see Plan 7) under the current Structure Plan.
66. Mr Alton's land is severed by the proposed collector road running through the existing stable area. Under the current Structure Plan Mr Alton's property is significantly affected. The Structure Plan alignment creates a pocket of land that will be hard to develop compromising both section and profitability yield.
67. Under the 3Ms alignment the impact on Mr Alton's property is limited to a section at the southern end of his property (see Plan 15). Under this scenario it is likely that the impact on his ability to run his horse training facility is minimal compared to the alignment within the current Structure Plan.

#### **1835 Cambridge Road - Xiaofeng Jiang and Lipping Yang.**

68. I have read Jiang and Yang's submission and understand their concerns. Small land holdings in isolation are inefficient blocks as their dimensions typically don't allow for full lot yield utilisation. To create efficiency small land holdings need to be amalgamated with neighbouring small land holdings to bring lot yield efficiency and costs savings.
69. All of the small block landowners also need to be in the financial position to be able to fund their share of the costs. An agreeable profit ratio is also required to ensure fairness amongst those involved.

70. Establishing an agreement as described above is harder than one would imagine as people's agendas and lack of property development experience tends to see these well-formed plans fail. 3Ms' stormwater is being managed onsite and therefore the stormwater solution that sits within the current Structure Plan can be resized and further optimised. Liam McCaffery, 3MS civil engineer with explain is greater details within his evidence.
71. 3Ms Refined Structure Plan identifies the potential for land to be required from Jiang and Yang, as compared to the Current Structure Plan (see Plans 10 and 18). These plans show that Jiang and Yang now have an earlier development opportunity than what was provided under the Current Structure Plan.

#### **1835A Cambridge Road – Broughs**

72. 3MS had several meetings in person with the Broughs with regards to the 3Ms application. 3Ms shared property development information and plans to ensure that the Broughs were fully informed.
73. The Broughs shared their frustrations with regards to their past engagement with Council. This engagement concerned the acquisition of land required under the current Structure plan. They informed 3MS that they had rejected all the valuation information that Council had commissioned by their property acquisition team.
74. As stated above small landholdings are hard to develop. In isolation they are costly to developed and hard to gain the efficiencies required to meet the Council residential standards.

75. 3MS through the refinement process sees the possibility of more infrastructure on the Brougs property (see Plans 11 and 19). It is likely that if pursued by Council the refinement will require Council to purchase the Brougs entire property.
76. This property will give Council a construction laydown area and will allow it to divert traffic while the roundabout is being constructed. This will provide Council with a safe outcome while construction is underway minimising the nuisance factor on the wider commuting community.
77. Again the reality is that this property was always going to experience land use change as a result of Plan Change 7. Urbanisation is inevitable, whether it comes in the form of houses or public infrastructure. In the case of public infrastructure, the Public Works Act ensures the landowners will be fully compensated for all effects.

#### **695 Grasslands Drive**

78. This property is under an unconditional contract to Tania Ross. Mrs Ross occupies the property and settles the property soon. Mrs Ross is supportive of the 3MS application and supports engagement with Council with regards to property acquisition.
79. The 3Ms refined structure plan sees a reduction of the land required by Council (see Plans 12 and 20). This reduction will allow Mrs Ross to stay on the land for the purpose of grazing her equestrian horses or develop the property well ahead of the indicative staging plans within Plan Change 7.
80. The Ross property always had public infrastructure within its boundaries (see Plan 12). The current structure plan divided Mrs Ross's property on a funny angle and would have caused inefficiency and loss of developable sections as a result. The 3M's revised proposed structure plan provides this property with a positive outcome (see Plan20).

**694 Grasslands Drive**

81. 94 Grasslands Drive is currently owned by the Gusseys. 3Ms have an unconditional contract on this property and controls its future outcomes.
82. The Gussey Property under the current structure plan required WDC to purchase land for public infrastructure (see Plan 13 and 21). The plan shows that the land required segmented the property into a series of useable pieces and would have required WDC to over purchase to account for this.

**CONCLUSION**

83. In summary 3MS believes that its proposal delivers on the Structure Plan objectives and intended outcomes. Not all adjacent landowners are opposed to the alternative corridor alignment and many are willing to engage with Council to get a deal done. The reality is that Council needs to act now to create certainty.
84. Most adjacent landowners were affected by the provision of public infrastructure one way or another regardless of the 3Ms development. The 3MS proposal completes one part of the picture and allows the other parts to now make decisions on their future. 3Ms is very willing to engage with these landowners and collaborate with them to achieve their development aspirations within their preferred timeframes, and if appropriate, partner with them to achieve their goals.
85. The relocated collector road positively resolves long outstanding issues with both Te Awa Retirement Village and St Peters' regarding the location of the roundabout.

86. The 3Ms refined Structure Plan enables Council to facilitate an immediate supply of residential housing to a market which is desperate for housing. It can do this without having to meet the very substantial infrastructure costs associated with the central swale and roading corridor. Those costs can be deferred, and the timing of that spend can link to the balance of the development in the C2 growth cell.
87. I and my co-directors remain passionate about the proposal and what it can bring to Cambridge. I recognise that these issues are complex and that change and uncertainty is challenging. However there is a desperate need for houses in Cambridge and we need to get on and delivering an outcome we can all be proud of.
88. Thank you for your careful consideration of the issues.

**Matthew Craig Smith**

**11 May 2021**