

**BEFORE THE WAIPĀ DISTRICT COUNCIL**

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

**AND**

**IN THE MATTER** of Proposed Plan Change 20 – Airport Northern  
Precinct Extension to the Operative Waipā  
District Plan

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**STATEMENT OF EVIDENCE OF LEONARD NIGEL FRANK RICHARDS**

**(RUKUHIA PROPERTIES LIMITED – CORPORATE OVERVIEW)**

**28 February 2023**

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**Counsel instructed:**  
JR Welsh  
ChanceryGreen  
223 Ponsonby Road  
Auckland 1011



## **INTRODUCTION**

1. My full name is Leonard Nigel Frank Richards – preferred name Nigel. I am the former General Manager of McConnell Property Limited (“MPL”). MPL are assisting Rukuhia Properties Limited (“RPL”) which, jointly with Titanium Park Limited (“TPL”), made the Private Plan Change 20 (“PPC20”) request to Waipā District Council to expand the Airport Business Zone, including over the land located at 3463 Ohaupo Road (the “RPL Site”).<sup>1</sup>
2. I am also a former director of Titanium Park Development Limited (“TPDL”) which was a 50% joint venture partner with TPL that formed Titanium Park Joint Venture (“TPJV”). TPJV was the entity that applied for as Plan Change 57 in 2007 which rezoned the non-aeronautical land around Hamilton Airport from Rural to Airport Business Zone which was branded as the Titanium Park Business Park. I address that process shortly.
3. MPL has had a long association with land development and was instrumental in conceptualising and subsequently managing the master planning and design of Highbrook Business Park, Auckland between 1998 and 2004. The vision was to create one of Australasia’s premium business parks. I joined MPL in 2003 as the Senior Development Manager for this project.
4. I am authorised to present this evidence on behalf of RPL, Genetic Technologies Limited (which occupies the RPL Site) and MPL. Mr William Yates, who is a director of RPL, has also prepared a statement of evidence on behalf of RPL and addresses RPL’s plans and vision for the RPL Site.

### **Involvement with the project**

5. RPL owns the RPL Site and was incorporated as the development entity for the PC20 process. RPL and Genetics are both owned by Yates family interests. For PC20 I have been responsible for day-to-day decisions on behalf of RPL while Mr Yates has maintained a strategic overview of RPL’s interests.

## **RELEVANT PROPERTY DEVELOPMENT BACKGROUND**

6. I joined MPL in 2003 to assume the role as Senior Development Manager for Highbrook Business Park in Auckland. The role was essentially a client representative for interests associated with the then landowners being the Fisher family (of Fisher & Pykel

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<sup>1</sup> Part Allot 153 Te Rapa Parish, Part Allot 153 Te Rapa Parish, and Lots 8 & 9 DP South Auckland 13667.

prominence). I was responsible for leading the stakeholder management, master-planning and commercial assessment that supported a vision for delivering a world class business park. On achieving the related planning support, including a new interchange on the southern motorway and 40ha of public amenity, the property was subsequently sold to Goodman Property in 2004.

7. My role within MPL transitioned to become Head of Commercial and Industrial Development until I assumed the role of General Manager in 2008. During this period my team led the delivery of a number of residential and commercial projects across New Zealand including the Waikato region. MPL has a stated objective to create enduring and quality environments – great places to live and work. This ethos underpins the company’s approach to development and as such this has been recognised by numerous industry awards.
8. I resigned from MPL in late 2018 but was retained by the shareholders as a consultant and advisory board member – a role and relationship that I retain today.

#### **RELATIONSHIP WITH TITANIUM PARK LIMITED (“TPL”)**

9. Around 2007 interests associated with both Waikato Regional Airport Ltd (“WRAL”) and McConnell family signed a Joint Venture Agreement which formed TPJV supporting the intent to work together in rezoning and subsequently developing a portion of the non-aeronautical land surrounding Hamilton Airport. The Parties to the JV were TPL (wholly owned by WRAL) and TPD (wholly owned by McConnell Developments Ltd). MPL was retained by the TPJV as Development Manager and I led this position.
10. The rezoning was advanced through Plan Change 57 and covered some 117ha. Plan Change 57 became operative in 2008 with the related Structure Plan incorporated into the Waipā District Plan and became known as Titanium Business Park.
11. In recognition of its strategic airside location, TPJV acquired an adjoining circa 103ha property (formerly the Montgomerie farm) in 2007. From a master planning perspective, the property was viewed as a natural extension to the ‘precinct’ framework that underpinned the emerging Structure Plan for Titanium Business Park. Given such, the property was subsequently referred to as the Northern Precinct and leased back to the vendor for farming purposes in recognition that it was not being included in the Plan Change 57 area. The intent was that it would be rezoned to Airport Business in the future via a PDP review process and in 2012 TPJV lodged a submission in 2012 to Waipā District Council’s Proposed District Plan (PDP) seeking approximately 41ha of the airside

land of the farm be rezoned to Airport Business. The submission was accepted and this land was included in the Structure Plan and identified as the Northern Precinct of Titanium Park.

12. In 2016 the TPJV was dissolved. As part of the termination TPL took responsibility for owning, managing and developing the Central and Southern Precincts of Titanium Park, while TPDL (under MPL's management) did similar for the Western and Northern Precincts. MPL subsequently sold the Northern Precinct back to TPL and progressively sold down all of the Western Precinct over the following 4 years. TPDL was subsequently wound up in 2020.

### **RELATIONSHIP WITH YATES FAMILY AND GENETIC TECHNOLOGIES LIMITED**

13. The McConnell and Yates families have a close and inter-generational relationship. As part of seeking a rezoning of the approximately 41ha of Northern Precinct in approximately 2012, MPL as development manager for the TPJV approached Genetics as a neighbour with the intention of exploring its support for a new and mutually acceptable access point to State Highway 3. While the initiative was superseded by an alternative proposal, the discussions were very constructive and led to the existing relationship.
14. Following an approach from TPL to re-explore a new access to SH 3 for its Northern Precinct and furthermore work together on PC20, William Yates contacted MPL in 2020 to assist Genetics given its institutional knowledge. A decision was made to work constructively with TPL on fully integrating the RPL Site into PC20 and consequently MPL retained my services to assist in that regard.

### **DEVELOPMENT INTENT FOR THE RPL LAND**

15. In 2014, Genetics obtained a land use consent from Waipā District Council for its research, distribution, and office facilities. The intention was to deliver a campus style development in a staged manner replicating similar institutional styled investments in the USA. Combining a quality working research, production, warehouse and distribution facility underpinned the development intent while providing Genetics an opportunity to showcase its commitment and innovation in the industry. Mr Yates in his evidence has confirmed Genetics' intention to remain on the RPL Site.
16. When we learned of TPL's intention to expand its Airport Business Zone, RPL saw the logical extension of that zoning and related desire to enhance the business environment

offered within the existing Titanium Park. This married appropriately with the intent to retain Genetics on the RPL Site while remaining cognisant of the constraints and opportunities including the 'fluid' nature that surrounded the timing to the adjoining Southern Links (SL) roading initiative. A master planning exercise commenced which underpins the PC20 Structure Plan. Within the RPL Site, the desire has been to offer RPL flexibility in where Genetics facilities could be positioned while also preserving the potential for adjoining lots to be developed ahead of Genetics. While not an imperative, Genetics would be attracted to exploring the potential of fostering an investment by complimentary agribusiness and/or research businesses to this location.

17. As part of the Titanium Park development, I was involved in the preparation of the Design Guidelines which are attached to Mr Morgan's statement of the evidence. The intention is to apply those Design Guidelines (with any necessary updated provisions) to the RPL Site to ensure that both the public and private realm of the Northern Precinct reflect a quality business environment.

## **CONCLUSION**

18. I concur with Mr Yates's assessment that RPL and TPL have approached PC20 in a co-ordinated and mature manner aimed at providing for an integrated approach to the plan change. PC20 provides a logical extension to the Airport Business Zone in a manner that has been subject to thorough expert assessment and master planning process.

**Nigel Richards**

28 February 2023