



Teal Park OIO Status Report

17 November 2022

Information in respect of The Neil Group Limited and subsidiary companies' status under the Overseas Investment Act 2005 (OIA) in relation to the Project.

The Neil Group Limited is a 100% owned subsidiary of the Oregon Group Limited which in turn is owned by the Tiong family of Malaysia. The Neil Group Limited was acquired by Oregon Group Limited in 1993 and as the ultimate ownership is offshore it is defined as an Overseas Person for the purposes of the Overseas Investment Act 2005.

Oregon Group Limited is the holding company for several trading subsidiaries including Ernslaw One Limited, WPI Limited, Innova Products Limited, NZ King Salmon Investments Limited and The Neil Group Limited. Total assets of the Oregon Group are approximately \$2 billion based upon current asset valuations, which include major forest holdings, development property and manufacturing plants.

Neil Construction Limited ("NCL" is a wholly owned subsidiary of The Neil Group Limited. It is primarily involved in land subdivision and has about 1,000 residential lots, or the equivalent in industrial land, continuously under development. In addition, the Company holds raw land equalling between 1,500 and 2,000 residential lots in its future development pipeline which is being readied for development through planning, consenting and design work. As well as buying land for its own developments, the Company engages with other organisations in Joint Venture land subdivision developments.

The Neil Group Limited holds Standing Consent Case No: 202100597 ("Standing Consent") issued by the Overseas Investment Office (OIO) issued in 2022 to acquire, for the development of new housing and business, land parcels that are not "otherwise sensitive" under the Act. The Standing Consent allows for up to fifteen transactions within its three-year life and to date none of those transactions has been used. This is the second standing consent that The Neil Group has held, with all ten transactions under the previous standing consent now having been used. The Standing Consent which the Company allows for an interest to be acquired in development land for either increased housing or other activities in the normal course of our development business. A copy of the Standing Consent is attached.

Since the introduction of the OIO Act in 2005 The Neil Group Limited has had all its applications for land acquisitions that required approval, approved by the OIO. The approval process requires the Neil Group to obtain from an accredited agent, certification of the OIO status for any land parcel in which the Company seeks to acquire an interest (either by direct acquisition or through a Joint Venture arrangement). The certification determines whether the land is sensitive and therefore whether an application is required under the Act.

A summary of the land purchases made by the Company in chronological order is attached for information and highlights both the introduction of the legislation and the changes that have been made to it by way of the approval process (if any) which the Company has had to meet.

The Kauri Road project is proposed on land of which is approximately two-thirds is owned by NCL and one-third by Maraetai Land Development Limited ("MLDL").

The bulk of the NCL land was acquired in 2015 in circumstances that did not require OIO approval. A small associated property at 11 Kauri Road was purchase in 2021 under the prior standing consent.

MLDL is not an Overseas Person under the Act as the shareholding is owned by a New Zealand resident and is therefore not subject to the Act. If this land use and subdivision consent is granted, the landowners will enter into a joint venture agreement for development of the land. If entering this joint venture is deemed to create an "interest" by NCL in the MLDL land then The Neil Group will require OIO approval to do so, either by relying on its Standing Consent or by applying for a specific consent if the MLDL land is deemed to be otherwise sensitive.

An OIA Certificate dated 27 June 2022 for the MLDL Kauri Road property identifies it as Residential Land that is not otherwise sensitive.

As a result, it is likely that NCL will be required to use one its Standing Consent to take an interest in that property resulting from the proposed Joint Venture agreement with MLDL.

Decision Summary Case: 202100597

Decision Standing Consent (Increased Housing and Non-Residential Use tests)

granted

Sections 12(a) and 23A Overseas Investment Act 2005

Decision Maker Overseas Investment Office

Decision Date 15 February 2022

Pathway(s) Residential land development - Increased housing and non-residential use

Applicant The Neil Group Limited/Neil Construction Limited

Malaysia (91%) Singapore (9%)

Vendors Not yet determined.

Background This standing consent has been granted in accordance with the Increased

Housing and Non-Residential Use tests in Schedule 2 of the Act and is the

second standing consent granted to Neil Group.

Neil Group is a well-established national property developer. Neil Group acquires residential land to develop into completed lots in residential

subdivisions, and for the construction of residential dwellings.

This Standing Consent (for a maximum of 15 transactions by 31 January 2025) will permit Neil Group to acquire up to a total of 400 hectares (with a maximum of 40 hectares per transaction) of residential (but not otherwise sensitive) land in New Zealand. Neil Group must divest itself of any land acquired under the Standing Consent within 10 years of the date of

acquisition.

We are satisfied Neil Group has demonstrated that residential land acquired under this standing consent is likely to be used in the carrying out of development works to support an increase in the number of residential

dwellings to be constructed.

More information Deirdre Norris

Glaister Ennor PO Box 63 AUCKLAND

OVERSEAS INVESTMENT OFFICE



Our Ref: 202100597

16 February 2022

TO: The Neil Group Limited

CC BY EMAIL: Deirdre Norris

CONSENT FOR SECOND RESIDENTIAL LAND STANDING CONSENT - NEIL GROUP

- 1. We¹ have now considered, and approved, your application for a residential land standing consent (**Standing Consent**).
- 2. We enclose a copy of the decision. You will see it contains some important details of the consent you have been given, and of the conditions you must meet.
- 3. These include standard conditions that apply to all overseas people who are given consent to acquire sensitive New Zealand land. They also include special conditions that apply only to you and were important considerations that particularly influenced our decision to give consent.
- 4. The conditions are about the things you must do in order to be allowed to acquire, and keep, any land acquired under the Standing Consent. They also require you to provide information to us either regularly or when particular events occur.
- 5. Please read the conditions carefully and make sure you put processes in place so you can meet them. This is important because if you do not meet the conditions, you may be required to dispose of the land and/or be subject to fines or other penalties.
- 6. You can find information about these penalties and how we monitor and enforce them on our website at: http://www.linz.govt.nz/regulatory/overseas-investment/enforcement.
- 7. Your legal advisers can advise you about the conditions and about the consequences of failing to comply with them, but only you are responsible for complying with them.

We look forward to hearing about the progress of your investment.

Yours sincerely

Phillip Anderson

Senior Advisor

Overseas Investment Office

s 9(2)(a)

¹ Your consent has been granted by a manager at the Overseas Investment Office, acting under delegated authority from the Chief Executive of Land Information New Zealand.

Standing Consent for Overseas Person to Acquire Residential (but not otherwise sensitive) New Zealand Land

Read this consent carefully - you must comply with all the conditions. If you do not, you may be required to dispose of the Land and/or be subject to fines or other penalties.

Consent

Decision date: 15 February 2022

The following people have been given the following Standing Consent:

Case	202100597
Consent type	Standing Consent under s23A (increased housing test, non-residential use test).
Consent	The Consent Holder may acquire residential (but not otherwise sensitive) land (Land) through up to 15 transactions by the Use-by date.
Consent Holder/s	The Consent Holder is: (a) The Neil Group Limited (company number 72156); and (b) Any 100% owned subsidiary of The Neil Group Limited which has been incorporated at the Decision date of this standing consent. (You or the Consent Holder)
Use-by Date	31 January 2025

Conditions

Your Consent is subject to the special conditions, standard conditions and reporting conditions (**Conditions**) set out below. You must comply with them all. Be aware that if you do not comply with the Conditions you may be subject to fines or other penalties, and you may also be required to dispose of the Land.

In the Consent and the Conditions, we refer to the Overseas Investment Office as **OIO**, **us or we**.

Special conditions

You must comply with the following special conditions. These apply specifically to this Consent and include conditions that we must impose under the Act.

Definitions

Act means Overseas Investment Act 2005

Regulations means Overseas Investment Regulations 2005

Any term or expression that is defined in the Act or Regulations and used, but not defined, in this consent has the same meaning as in the Act or Regulations.

Details	Required date
Special condition 1: Nature of Land to be acquired	
Number of transactions	
You may give effect to up to 15 transactions that give effect to overseas investments in Land.	Before the Use- by date
Land size	
You may obtain interests in Land up to a total of: (a) 400 hectares (in total); and (b) 40 hectares per transaction.	Before the Use- by Date
Geographic area	
There are no territorial or geographic area limitations.	
Disposal	
If you do not comply with this special condition, standard condition 5 will apply and we may require you to dispose of Land acquired in breach of this condition.	
Special condition 2: Increased housing / non-residential use outcomes	
You must use any Land acquired under this Standing Consent: (a) to increase the number of residential dwellings constructed on the Land or for development works to support such construction; or (b) for non-residential purposes in the ordinary course of business.	At all times

If you do not, standard condition 5 will apply and we may require you to dispose of Land acquired under the Standing Consent.

Special condition 3: On-sale outcome

- (a) You must sell any dwelling unless it is being used as a show home or agreed otherwise with the OIO.
- (b) You must on-sell all interests in the Land acquired under the Standing Consent.

If you do not, standard condition 5 will apply and we may require you to dispose of Land acquired under the Standing Consent.

- (a) Within 18 months of the dwelling being completed.
- (b) Within 10 years of the date of acquisition.

Special condition 4: Non-occupation outcome

Prior to you disposing of the Land, none of the following people may occupy the Land acquired under the Standing Consent:

- (a) You.
- (b) Any overseas person with a 25% or more ownership or control interest in any of the people in (a).
- (c) Any overseas person who occupies the Land other than on arm's length terms².
- (d) Any overseas person who has a beneficial interest in, or beneficial entitlement to, the relevant interest in the Land.
- (e) If (a) is a trust, any beneficiary (direct or indirect) who may benefit under the trust at the trustees' discretion.

If any such persons do occupy Land acquired under the Standing Consent for residential purposes, standard condition 5 will apply and we may require you to dispose of that Land.

While you, or any of the people outlined in paragraphs (b) to (e), has any relevant interest in the Land

Special condition 5: Notice of individual acquisitions

You must notify us of each transaction settled under this Standing Consent (**Notice**).

Each Notice must include:

- a) the date you acquired the Land (Settlement);
- b) consideration paid (plus GST if any);
- the structure by which the acquisition was made and who acquired the Land;

As soon as you can, and no later than two months after Settlement

² 'At arms length terms' has the meaning in clause 17, Part 5, Schedule 2 of the Overseas Act 2005. In summary it means terms, for example under a lease (or other contract), that are on a reasonable commercial basis.

- d) copies of any transfer documents and Settlement statements;
- e) a copy of the relevant Agreement for Sale and Purchase;
- f) confirmation that the transaction was not entered into prior to the granting of this standing consent;
- g) a current and historical copy of the record of title for each parcel of Land acquired;
- a sensitive land certificate including a map of the location, cadastral map, and aerial photo identifying the Land confirming that the Land is residential (but not otherwise sensitive) land (and in particular is not over 5 hectares of non-urban land);
- confirmation that the non-occupation outcome in special condition 4 has been complied with;
- j) a table setting out details of all previous Land acquired under this Standing Consent and the total amount of area acquired to date; and
- k) identify the development the Land relates to.

Each Notice must also include (unless the OIO agrees otherwise) a development plan for the Land which includes information identifying:

- a) the stages of the development; and
- b) the areas which are to be used for increased housing and nonresidential use.

If you do not, standard condition 5 will apply and we may require you to dispose of Land acquired under the Standing Consent.

Special condition 6: Milestones

You must **complete** the following milestones with regard to each development:

Milestone condition	Date for completion
Submission of resource consent for subdivision development if required.	18 months from date of acquisition of the last land required for a development.
Commencement of construction of earthworks on the first stage of the land/other development work if required.	12 months from date of obtaining resource consent.
Separate titles issued for first stage of development.	36 months from date of obtaining resource consent.
First sections marketed for sale or first building consents lodged for housing construction for the first dwellings.	6 months following titles being issued.

Complete first dwellings.	18 months from the date building consent is obtained or titles issued (whichever is the later).
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If you do not, standard condition 5 will apply and we may require you to dispose of the Land.

Standard conditions

You must also comply with the standard conditions set out below. These apply to all

Det	etails Required date		Required date
Sta	ndard	condition 1: acquire the land under this Standing	Consent
Υοι	must a	acquire any land under this Standing Consent:	As stated in the Consent
1.	by th	e Use-By date stated in the Standing Consent.	
	beco	u do not, your Standing Consent will lapse or me invalid and you must not acquire any land in nce upon it, and	
2.		the acquisition, ownership and control structure described in your application.	
		, only you – the named Consent Holder - may ire the land.	
	aoqu	ino mo idira.	
		condition 2: allow us to inspect any land acquire	d under this Standing
Co Sor	ndard nsent		d under this Standing At all times
Sor mor We	ndard nsent netimes	condition 2: allow us to inspect any land acquire s it will be helpful for us to visit the land so we can	
Sor mor We to d	ndard nsent netimes nitor yo will giv	condition 2: allow us to inspect any land acquire s it will be helpful for us to visit the land so we can ur compliance with the Conditions. e you at least two weeks' written notice if we want	
Sor mor We to d	ndard nsent netimes nitor yo will giv o this.	condition 2: allow us to inspect any land acquire s it will be helpful for us to visit the land so we can ur compliance with the Conditions. e you at least two weeks' written notice if we want	
Sor mor We to d	ndard nsent netimes nitor yo will giv o this.	condition 2: allow us to inspect any land acquire s it will be helpful for us to visit the land so we can ur compliance with the Conditions. The you at least two weeks' written notice if we want then:	
Sor mor We to d	ndard nsent netimes nitor yo will giv o this. must t	condition 2: allow us to inspect any land acquire s it will be helpful for us to visit the land so we can ur compliance with the Conditions. The you at least two weeks' written notice if we want then: It a person we appoint (Inspector) to: I enter onto the land, including any building on it, I other than a dwelling, for the purpose of monitoring your compliance with the Conditions	

- (d) conduct surveys, inquiries, tests and measurements.
- (e) take photographs and video records, and
- (f) do all other things reasonably necessary to carry out the Inspection.
- 2. Take all reasonable steps to facilitate an Inspection including:
 - (a) directing your employees, agents, tenants or other occupiers to permit an Inspector to conduct an Inspection,
 - (b) being available, or requiring your employees, agents, tenants or other occupiers to be available, at all reasonable times during an Inspection to facilitate access onto and across the land. This includes providing transport across the land if reasonably required.

During an Inspection:

- (c) we will not compel you and your employees, agents, tenants or other occupiers to answer our questions or to let us look at, copy or take away documents.
- (d) our Inspector will comply with any reasonable instruction and co-operate with any reasonable health and safety policy or procedure you notify to us before the Inspection.

Standard condition 3: remain not unsuitable to invest in New Zealand

You, and to the extent that you are not an individual, the Individuals Who Control You must remain not unsuitable to own or control the Assets in accordance with section 18A(1) of the Act.

At all times

The Individuals Who Control You are individuals who:

- (a) are members of your governing body,
- (b) directly or indirectly, own or control more than 25% of you or of a person who itself owns or controls more than 25% of you, and
- (c) are members of the governing body of the people referred to in paragraph (b) above.

Standard condition 4: tell us about changes that affect you, the people who control you, or people you control

You must tell us in writing if any of the following events happens to any of the Consent Holders:

Within 20 working days after the change

1. You become aware that you and/or any Individual Who Controls you establishes any of the investor test factors listed in section 18A(4) of the Act. 2. You cease to be an overseas person or dispose of all or any part of the Land. Your New Zealand Service Address changes. This is 3. the address you provided us in your application as the address which we will send any legal document we need to serve on you. Standard condition 5: dispose of land if you do not comply with key special conditions Some of the special conditions were key to the decision to give consent. If we consider you have failed to comply with one of those Special conditions in a material way we may require you to dispose of the Land. If all or part of this standard condition 6 applies to a special condition, we have said so in that condition. We will give you written notice if we require you to dispose of the Land. After we have given you notice, you must: Within six weeks of the Value the Land: obtain and send us a copy of a market valuation of the Land from a New Zealand registered valuer. date of our notice. Market the Land: instruct a licensed real estate agent to Within six weeks of the actively market the Land for sale on the open market. date of our notice. Within six months of our **Dispose of the Land**: dispose of the Land to a third party who is not your associate. notice Within nine months of our Offer without reserve: if you have not disposed of the Land within six months of our notice, offer the Land for sale by notice. auction or tender without a reserve price or minimum bid and dispose of the Land. Report to us about marketing: tell us in writing about By the last day of every marketing activities undertaken and offers received for the March, June, September land. and December after our notice or at any other time we require.

Report disposal to us: send us, in writing, evidence:

(a)

that you have disposed of the land,

Within one month after

the land has been

disposed of.

- (b) of disposal (including copies of sale and purchase agreements, settlement statements and titles showing the purchaser as registered proprietor),
- (c) the purchaser is not your associate.

Reporting conditions

We need information from you so we can monitor your progress against the Conditions. You must:

- notify us of each transaction settled under this Standing Consent as set out in special condition 5 as soon as you can, and no later than two months after Settlement; and
- 2. Report to us annually (by 31 August each year) about your progress on implementing the milestones set out in special condition 6 for each development.
- 3. If requested in writing by the OIO, the Consent Holder must provide a written report within 20 working days (or such other timeframe as specified) on any matter relating to its compliance with:
 - (a) the representations and plans made or submitted in support of the application and notified by the regulator as having been taken into account when the consent was granted; or
 - (b) the conditions of this consent.

Schedule of Land Purchases – The Neil Group Limited As at September 2022

Residential Subdivisions and Developments

	Nesiaciniai sasaivisions ana	zevelopinents	
Subdivision Name	Subdivision Type	Year Purchased	OIO Required
Woodridge Park, Auckland	85 lot residential subdivision	1992	Prior to Overseas Investment Regulations 1996
Unsworth Views, Auckland	180 Lot residential subdivision	1994	Prior to Overseas Investment Regulations 1996
Schnapper Rock Estate, Auckland	192 Lot residential subdivision	1994	Prior to Overseas Investment Regulations 1996
Schnapper Rock Rd Shearwater, Auckland	43 Lot residential subdivision	1994	Prior to Overseas Investment Regulations 1996
Tuscany Estates, Auckland	200 lifestyle lots and 70 Lot residential subdivision	1995	Prior to Overseas Investment Regulations 1996
Golf Park (Botany Road), Auckland	300 lot residential subdivision	1995	Prior to Overseas Investment Regulations 1996
Eastern Beach Oakwood Grove, Auckland	35 lot residential subdivision	1996	Subject to Overseas Investment Commission Approval
Oliver Road, Eastern Beach, Auckland	52 lot residential subdivision	1996	Subject to Overseas Investment Commission Approval
Star of the Sea, Auckland	18 Lot residential subdivision	1996	n/a under 5 hectares and not sensitive
Lincoln Park, Auckland	128 Lot residential subdivision	1997	Subject to Overseas Investment Commission Approval
Halswell - Christchurch	350 Lot residential subdivision	1999	Subject to Overseas Investment Commission Approval
Swanson Downs, Penihana, Auckland	350 lot residential subdivision	1999	Subject to Overseas Investment Commission Approval

Lake Panorama, Auckland	365 lot residential development	2000	Subject to Overseas Investment Commission Approval
Pigeon Mountain Block, Pakuranga	49 lot residential subdivision	2000	Subject to Overseas Investment Commission Approval
Metcalf Road, Henderson, Auckland	131 Lot residential subdivision	2002	Subject to Overseas Investment Commission Approval
Albany Springvale Park, Auckland	127 Lot residential subdivision	2003	Subject to Overseas Investment Commission Approval
Plateau Heights Tauranga	302 Lot residential subdivision	2003	Subject to Overseas Investment Commission Approval
Ellington Park, Hills Road, Christchurch	103 Lot residential subdivision	2005	OIO consent granted # 200520104
Annandale Park Tauranga	157 Lot residential subdivision	2005	n/a not sensitive land
Major Hornbrook Road, Mt Pleasant Christchurch	24 Lot residential subdivision	2005	OIO consent granted # 200520099
7 Babich Road, Henderson, Auckland	18 Lot residential subdivision	2005	OIO consent granted # 200520085
Omokoroa, Bay of Plenty	300 Lot residential subdivision	2006	OIO consent granted # 200620049
108 Simpson Road, Auckland	29 lot residential subdivision	2006	OIO consent granted # 200620048
Robinia Place, Snells Beach	48 Lot residential subdivision	2006	OIO consent granted # 200620040
O'Neills Road Henderson	35 Lot residential subdivision	2007	n/a not sensitive land
Lauriston Park Retirement Village	149 residential dwellings plus community facilities	2007	OIO consent granted # 200710032
Tubbs Estate, Lifestyle development, Kerikeri	200 Lot lifestyle subdivision	2007	OIO consent granted # 200720063
249 Ormiston Road, East Tamaki	84 Lot residential subdivision	2008	n/a not sensitive land
Taylor Block, Snells Beach	65 Lot residential subdivision	2008	OIO consent granted # 200810002

Burford Place / Mellons Bay/ Bleakhouse Rd	7 Lot residential subdivision	2012	n/a not sensitive land
Point View Drive	8 Lot residential subdivision	2013	n/a not sensitive land
Wright Block Maraetai	111 Lot residential subdivision	2014	n/a not sensitive land
Matua Road, Huapai	48 Lot residential subdivision	2014	n/a not sensitive land
5A Scott Road Hobsonville	100 lot residential subdivision including 50 medium density residential dwellings	2014	n/a not sensitive land
Brighams Creek Road & Kauri Road, Auckland	200 lot residential subdivision	2014	n/a not sensitive land
Huka Falls Road Taupo	62 Lot residential subdivision	2016	n/a not sensitive land
Calvert Block, Swanson, Auckland	210 Lot residential subdivision including 30 mixed density residential dwellings	2016	n/a not sensitive land
21 Pyes Pa Road Tauranga	51 lot residential subdivision	2016	n/a not sensitive land
187 Flat Bush School Road, Auckland	30 lot residential subdivision	2016	n/a not sensitive land
Hood Block, Totara Road Whenuapai	50 lot residential subdivision	2017	n/a not sensitive land
Green Block ,68 Totara Road, Whenuapai	50 Lot residential subdivision	2017	n/a not sensitive land
51 McQuoids Road, Flat Bush, Auckland	40 lot residential subdivision	2017	n/a not sensitive land
61 McQuoids Road, Flat Bush, Auckland	62 lot residential subdivision	2017	n/a not sensitive land
Maraetai School Road, Maraetai	JV development with MLDL for 69 lot residential subdivision	2018	n/a not sensitive land
51A McQuoids Road, Flat Bush, Auckland	28 lot residential subdivision	2018	n/a not sensitive land
Tauhara Ridge, Taupo	90 lot residential subdivision	2018	n/a not sensitive land
Kauri Road, Whenuapai, Auckland	JV development with MLDL for 80 lot residential subdivision	2018	n/a not sensitive land
109 Beachlands Road, Beachlands	241 lot residential subdivision	2019	Standing consent

455 Whangaparao Road, Whangaparaoa	29 lot residential subdivision	2019	OIO consent granted
47 McQuoids Road, Flat Bush, Auckland	36 Lot residential subdivision	2020	OIO consent granted
Tauhara Ridge, Taupo	Additional land	2020	OIO Standing consent
49 McQuoids Road, Flat Bush, Auckland	20 lot residential subdivision	2021	OIO Standing consent
118 Prole Road, Omokoroa, Bay of Plenty	20 lot residential subdivision	2021	OIO Standing consent
62 Prole Road, Omokoroa, Bay of Plenty	94 lot residential subdivision	2021	OIO Standing consent
423 Omokoroa Road, Omokoroa, Bay of Plenty	48 lot residential subdivision	2021	OIO Standing consent
11 Kauri Road, Whenuapai, Auckland	Single house lot for subdivision purposes	2021	OIO Standing consent
Comn	nercial and Industrial Subdivision	s and Developr	ments
The Albany Centre	130-hectare subdivision of the regional centre at Albany including retail, commercial, office and residential development	1993	n/a
North Harbour Industrial Estate	35 Hectare industrial subdivision in addition to industrial building development work	1993	n/a
Unsworth Commercial Centre	Retail centre development	1994	n/a
Apollo Park	12-hectare industrial subdivision	1999	Subject to Overseas Investment Commission Approval
Albany Heights Business Park	Completed industrial subdivision	2001	n/a not sensitive land
Puhinui Drive	Retail centre development	2005	n/a not sensitive land
Aviemore Drive	Retail centre development	2005	n/a not sensitive land
Antares Place	Retail centre development	2005	n/a not sensitive land
Whangarei Town Basin	9,000 m2 commercial development site	2006	n/a not sensitive land

8 Nugent Street	Mixed use development comprising 9,000 m2 of A Grade office space, convenience retail, 600 car parking station and 148 residential apartments	2006	n/a not sensitive land
Hobsonville Workspace	19 Hectare industrial subdivision	2014	n/a not sensitive land
Northside Drive Westgate	9-hectare industrial subdivision	2014	n/a not sensitive land
69 Trig Road, Whenuapai, Auckland	6-hectare industrial subdivision	2019	OIO consent granted
155-157 Brigham Creek Road, Whenuapai, Auckland	3.6-hectare industrial subdivision	2019	OIO consent granted
149-151 Brigham Creek Road, Whenuapai, Auckland	6-hectare industrial subdivision	2109	OIO consent granted
71 Trig Road, Whenuapai, Auckland	7-hectare industrial subdivision	2021	OIO Standing consent
94 Trig Road, Whenuapai, Auckland	3.5 hectare industrial subdivision	2021	OIO Standing consent
73 Trig Road, Whenuapai, Auckland	2.6 hectare industrial subdivision	2022	OIO Standing consent



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27 June 2022

Glaister Ennor PO Box 63 Shortland Street Auckland 1140

Attention: Deirdre Norris

Dear Deirdre

Re: Overseas Investment Act Certificate: 12-18 Kauri Road, Whenuapai, Auckland

Thank you for your instruction to prepare an Overseas Investment Act Certificate for the property situated at 12-18 Kauri Road, Whenuapai.

Please find attached a signed Certificate which addresses each element of Tables 1 and 2 in Schedule 1 of the Overseas Investment Act 2005. The Certificate records that subject property is sensitive land as it is identified as Lifestyle on the District Valuation Roll and therefore "residential land" as defined in section 4 of the Overseas Investment Amendment Act 2018.

Also, I confirm that the subject property does not include land deemed "fresh or seawater areas", being foreshore, seabed, riverbed or lakebed as defined in section 6(1) of the Overseas Investment Act 2005.

Enclosed are copies of Record of Title NA21D/875, Landonline Spatial Map, aerial photograph, locality map, Auckland Unitary Plan Operative in part (15 November 2016), PPC5 Proposed Whenuapai Plan Change Version dated 30 April 2018 and relevant documentation for your records.

Yours Sincerely

Steven Schwarz

LINZ Accredited Supplier

CERTIFICATE FOR THE PURPOSES OF SCHEDULE ONE OF THE OVERSEAS INVESTMENT ACT 2005

12-18 Kauri Road, Whenuapai, Auckland.

I, Steven Schwarz, LINZ Accredited Crown Property Supplier, certify that:

PART A

1. The land the subject of this certificate is (Land):

Area	4.0476 ha
District Plan Zoning	Future Urban Zone on Auckland 4.0476 ha Unitary Plan Operative in part (15 November 2016). Part Residential–Single House Zone, part Residential–Mixed Housing Urban Zone and part Business - Light Industry Zone in PPC5 Proposed Whenuapai
Non-Urban Land?	ON O
Land District	North Auckland
Legal Description	Lot 4 DP 64526
RT Number	NA21D/875 Lot 4 DP 64526
REF	(a)

defined in the Overseas Investment Act 2005). This sensitive land certificate applies to the most recent version of the Overseas Investment Act 2005, including amendments to The term "land" in this certificate includes any associated land, if any. The Overseas Investment Office does not require this certificate to address land unless it is relevant land (as Schedule 1 and new Schedule 1A as a result of the Overseas Investment Amendment (No 3) Act 2021.

2018.
Plan Change dated 30 April

2. Associated Land

				1 0 N		
RT Number Legal Description Land E		Land [Land District	Land?	District Plan Zoning	Area
NA66D/175 Lot 6 DP 64526 North Auckland	1	North Au	ckland	o Z	Future Urban Zone on Auckland Unitary Plan Operative in part (15 November 2016).	4.2366 ha
150 Brigham <u>Creek Road</u>					Part Residential–Single House Zone and part Business - Light Industry Zone in PPC5 Proposed Whenuapai Plan Change dated 30 April 2018.	
NA55D/1228 Lot 5 DP 64526 North Auckland		North Au	ıckland	O _N	Future Urban Zone on Auckland Unitary Plan Operative in part (15 November 2016).	6.0667 ha
2-10 Kauri <u>Road</u>	·				Part Residential–Single House Zone and part Residential– Mixed Housing Urban Zone in PPC5 Proposed Whenuapai Plan Change dated 30 April 2018.	
NA1168/84 Allotment 481 Parish North Auckland of Waipareia		North Au	ıckland	O _N	Future Urban Zone on Auckland Unitary Plan Operative in part (15 November 2016).	0.1434 ha
2-10 Kauri Road					Residential–Single House Zone in PPC5 Proposed Whenuapai Plan Change dated 30 April 2018.	

(p)	NA1334/9	Allotment 525 Parish	North Auckland	٥Z	As above.	0.0556 ha
	2-10 Kauri	of Waipareia				
-	Road					
					TOTAL ASSOCIATED LAND AREA 10.5023 ha	10.5023 ha

14.5499 ha
TOTAL AREA OF SUBJECT AND ASSOCIATED LAND 14

PART B

	YES	NO	REF 2
Table 1 of Schedule 1			
3. The Land is or includes ³ :			
(a) residential land	\triangleright		A
(b) non-urban land larger than 5 hectares		Σ	000000000000000000000000000000000000000
(c) land greater than 0.4 hectares on islands specified in Part 2 of Schedule 1		Σ	
(d)land on other islands (other than North or South Island, but including the islands adjacent to the North or South Island)		Σ	
(e) marine and coastal area		Σ	
(f) land larger than 0.4 hectares being the bed of a lake		D	

² REF – include reference to the Record of Title and Legal Description shown in Part A.
³ The terms "bed", "marine and coastal area" lake", "non-urban area", "residential land", and "river" are defined in, or by legislation referred to in, the Overseas Investment Act 2005.

	YES	ON	REF 2
(g) land larger than 0.4 hectares held for conservation purposes under the Conservation Act 1987		D	
(h) land larger than 0.4 hectares that a district plan or proposed district plan under the Resource Management Act 1991 provides is to be used as a reserve, as a public park, for recreation purposes, or as open space		D	
(i) land larger than 0.4 hectares subject to a heritage order, or a requirement for a heritage order, under the Resource Management Act 1991 or by Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014		\triangleright	
(j) a historic place, historic area, wāhi tapu, or wāhi tapu area larger than 0.4 hectares that is registered or for which there is an application or proposal for registration that is notified under section 67(4) or 68(4) of the Heritage New Zealand Pouhere Taonga Act 2014		\triangleright	
(k) land larger than 0.4 hectares that is set apart as Māori reservation and that is wāhi tapu under section 338 of Te Ture Whenua Māori Act 1993		D	
of Schedule 1			
The Land is greater than 0.2 hectares and adjoins:		Σ	
(a) marine and coastal area		\triangleright	
The Land is greater than 0.4 hectares and adjoins:		>	
(a) bed of a lake		>	
(b) land held for conservation purposes under the Conservation Act 1987 (if that conservation land exceeds 0.4 hectares in area)		D	
(c) any reserve under the Reserves Act 1977 that is administered by the Department of Conservation (if that reserve land exceeds 0.4 hectares in area)		D	
(d) any regional park or part of a regional park that is subject to a declaration under section 139 of the Local Government Act 2002 (if that park or part of the park exceeds 80 hectares)		\triangleright	00000000000000000000000000000000000000
(e) any national park held under the National Parks Act 1980		Σ	
(f) land that adjoins the marine and coastal area or a lake and is a Māori reservation to which section 340 of Te Ture Whenua Māori Act 1993 applies (if that land/reservation exceeds 0.4 hectares in area)		D	

						,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		·
REF 2	The state of the s							
NO	\triangleright	\triangleright	Σ		$ar{D}$	Σ	Σ	区
YES							***************************************	
	(g)land over 0.4 hectares that includes a wāhi tapu or wāhi tapu area that is entered on the New Zealand Heritage List/Rārangi Kōrero or for which there is an application that is notified under section 68(4) of the Heritage New Zealand Pouhere Taonga Act 2014	(h)land over 0.4 hectares that is set apart as Māori reservation and that is wāhi tapu under section 338 of Te Ture Whenua Māori Act 1993	(i) land (if that land exceeds 0.4 hectares in area), that pursuant to an enactment specified in Schedule 3 of the Treaty of Waitangi Act 1975 or in regulations,-	 is owned by the governance entity of a collective group of Māori such as an iwi or a hapū; and is managed in accordance with the Conservation Act 1987 or an enactment referred to in Schedule 1 of that Act 	(j) any reserve under the Reserves Act 1977 (if that reserve exceeds 0.4 hectares in area) that, pursuant to an enactment specified in Schedule 3 of the Treaty of Waitangi Act 1975 or in regulations, is managed wholly or jointly by the governance entity of a collective group of Māori such as an iwi or a hapū	(k) Te Urewera land (as defined in section 7 of the Te Urewera Act 2014)	(I) Whanganui River (as defined in section 7 of the Te Awa Tupua (Whanganui River Claims Settlement) Act 2017)	(m) Maungatautari Mountain Scenic Reserve (as defined in section 71(1) of the Ngāti Koroki Kahukura Claims Settlement Act 2014)

PART C

1. The items marked 'yes' above are:

		Relevant Land	Adicinity Lacy (4 pages)
		ויכוכאמון דמומ	Adjoining taild (il leievailt)
Re	Record of Title and Legal Description:	NA21D/875 - Lot 4 DP 64526	
	Comments:	The Relevant Land is identified as Lifestyle on the District Valuation Roll and is "residential land" as defined in section 4 of the Overseas Investment Amendment Act 2018.	

Comments should include:

the size of the relevant land,

the name of any relevant island, lake, or river,

the name of any parks,

the detail of heritage orders,

• the nature of any historic or wāhi tapu site, etc. and

other investigations undertaken.

If the relevant land includes 'fresh or seawater areas' continue to Part D.

⁴ Include reference shown in Part A and B.

/

PART D – Fresh or seawater areas

		YES	ON N	REF ⁵
<u> </u>	The land the subject of this certificate is or includes:			
	(a) marine and coastal area		区	
	(b) bed of a river (ad medium filum aquae ⁶)		Σ	
	(c) bed of a river (interior ⁷)		Ŋ	
	(d) bed of a lake (ad medium filum aquae)		D	
	(e) bed of a lake (interior)		Σ	

To assist consideration of fresh or seawater area(s) identified above, please provide, to the best of your knowledge, the following information8: \sim i

Name/description of waterbody:	
Type of waterbody:	
Record of title(s) and legal description of the parcel of land that contain the waterbody 9 .	

⁵ Include reference to Record of Title and Legal Description shown in Part A, B and C.

ead medium filum aquae being the legal presumption that the owner of relevant land with a moveable boundary that bounds a non-tidal waterway is deemed to own out to the middle line of the waterway bed.

⁷ for these purposes, interior describes a river (or lake) that does not create a moveable boundary of a title or lot because when it is interior to the relevant land all of its width (or extent) is within the relevant land or the lots within the relevant land.

⁸ Please complete separate tables for each waterbody that is a fresh or seawater area

⁹ Fill in this section for Interior or if the marine of coastal area is within the parcel of land.

Record of title(s) and legal description of the parcel of land that adjoin the waterbody ¹⁰ :	
Is the parcel of land subject to current or historic Treaty claim ¹¹ ? If yes, please specify:	
Does the parcel of land contain marine and coastal area over which customary marine title is held ¹² ? If yes, please specify:	
Does the parcel of land contain a historic place, historic area, wāhi tapu, or wāhi tapu area that is registered, or for which there is an application or proposal for registration that is notified under section 67(4) or 68(4) of the Heritage New Zealand Pouhere Taonga Act 2014? If yes, please specify:	
Is the parcel of land subject to a heritage order, or a requirement for a heritage order, under the Resource Management Act 1991 or the Heritage New Zealand Pouhere Taonga Act 2014? If yes, please specify:	
Does the parcel of land contain area that is set apart as Māori reservation and is wāhi tapu under section 338 of Te Ture Whenua Māori Act 1993? If yes, please specify:	
Does the parcel of land include any scientific, scenic, historic, or nature reserve under the Reserves Act 1977 that is administered by the Department of Conservation? If yes, please specify:	
Is the parcel of land held for conservation purposes under the Conservation Act 1987?	

 ¹⁰ Fill in this section for AMF or if the marine or coastal area is adjoining the parcel of land.
 11 As defined in section 2 of the Treaty of Waitangi Act 1975.
 12 Common marine and coastal over which a customary marine title exists as defined in the Marine and Coastal Area (Takutai Moana) Act 2011

Does the parcel of land contain area or areas that is or are contaminated land, as defined in section 2(1) of the Resource Management Act 1991? If yes, please specify:	
Does the parcel of land contain an area or areas that is or are, or is or are likely to be, subject to one or more natural hazards (as defined in section 71(3) of the Building Act 2004)? If yes, please specify:	
Are there any biosecurity threats on the parcel of land ¹³ ? If yes, please specify:	
What degree did human intervention play in the formation of this waterbody ¹⁴ ?	
Which iwi/ hapū/whānau within whose takiwā does the waterbody fall under? Directory of iwi and Māori organisations <u>here.</u>	
Are there any existing structures on bed of the waterbody, including third-party interests in those structures?	
Are there existing easements/encumbrances/use rights over the bed of the waterbody?	
To access the waterbody, would the public need to firstly enter/travel through private land? Please provide details of any other barriers (legal, physical) to public accessibility:	
Is it a navigable waterbody?	

¹³ For example, pests that are specified in a relevant regional pest management plan in force under the Biosecurity Act 1993.

¹⁴ E.g., is it a waterway or irrigation ditch dug by humans? Has there been some other substantial human intervention, like damming, rerouting etc, which has produced the fresh or seawater area?

Is it a tidal waterbody?	
Is there a significant interrelationship to surrounding land / marine and coastal area / waterbodies ¹⁵ ? If yes, please specify:	
Please provide additional comments, if any 16.	

To your best endeavours, provide information on the below in relation to each waterbody¹⁷:

Name/description of waterbody:

Geographic location Transaction history of parcel Size of total parcel Name and width of lake / river Course of river, including direction it flows in
--

¹⁵ For these purposes, a fresh or seawater area has a significant interrelationship if it connects or neighbours land / a fresh or seawater area to which any question from 2(a) through to question 2(n) apply

¹⁶ Comments should include advice if access is required over the fresh or seawater area, advice about why any other specific waterbodies included in the relevant land are not a fresh

or seawater area, and why, and other investigations taken. ¹⁷ Please complete separate tables for each waterbody that is a fresh or seawater area

Maps to include:

Attach maps that include:

- Aerial photos showing the relevant land and indicating where the fresh or seawater area is located, and where any other waterbodies that are not a fresh or seawater area are located.
- Landonline spatial search diagram showing legal descriptions of the relevant land.
- Landonline spatial search diagram showing owners of immediately neighbouring land to the fresh or seawater area.
- Any SO, ML, DP, or Deeds Plan showing legal description of relevant land and areas of fresh or seawater area.
- Any other maps of interest.

Dated at Auckland this 274 day of June 2022

Steven Schwarz, LINZ Accredited Supplier



RECORD OF TITLE UNDER LAND TRANSFER ACT 2017 FREEHOLD

Search Copy



Identifier

Land Registration District Date Issued North Auckland 26 November 1971

NA21D/875

26 November 1971

Prior References

NA1117/24

Estate

Fee Simple

Area

4.0476 hectares more or less

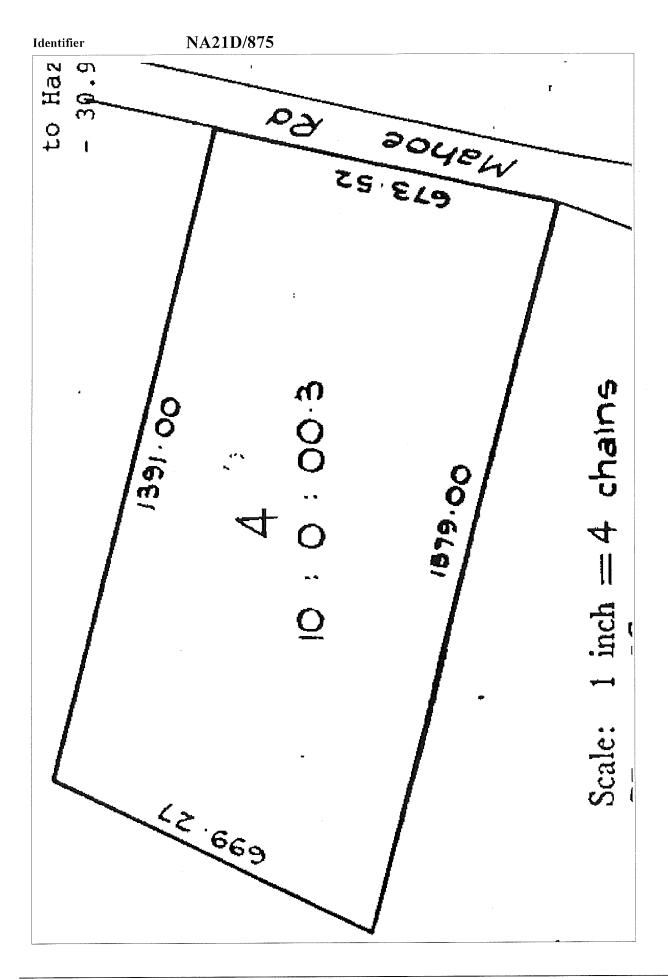
Legal Description Lot 4 Deposited Plan 64526

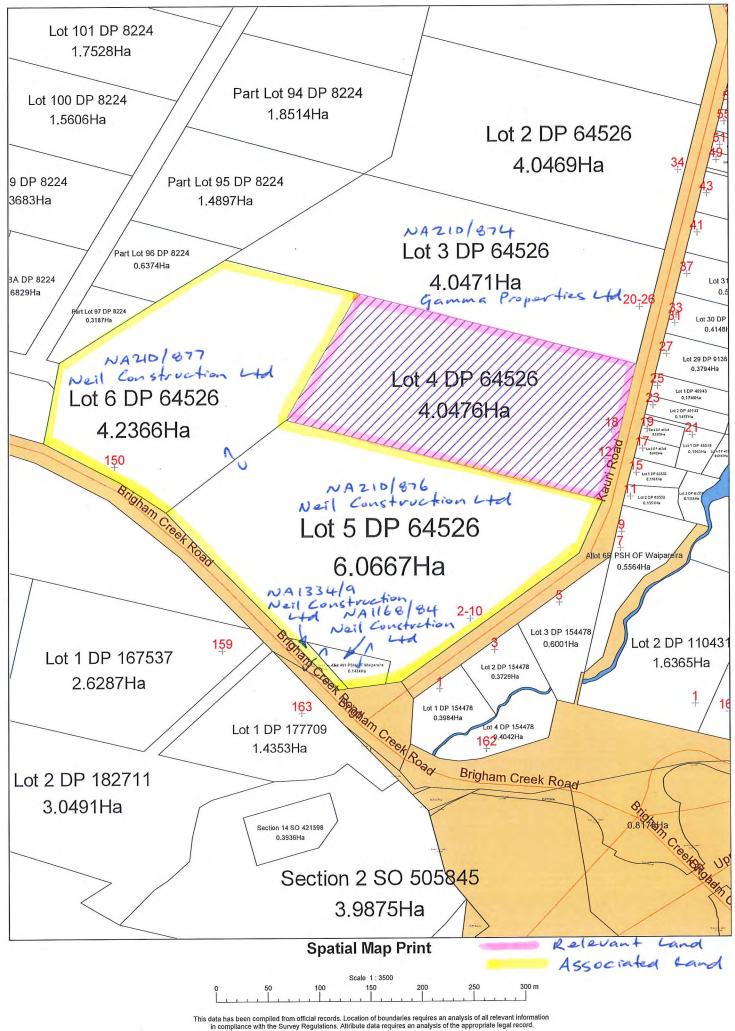
Registered Owners

Maraetai Land Development Limited

Interests

9954384.3 Mortgage to Bank of New Zealand - 13.2.2015 at 3:30 pm 10583097.3 Variation of Mortgage 9954384.3 - 7.10.2016 at 5:00 pm 11621719.4 Variation of Mortgage 9954384.3 - 28.11.2019 at 3:14 pm





Мар



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12-18 Kauri Road

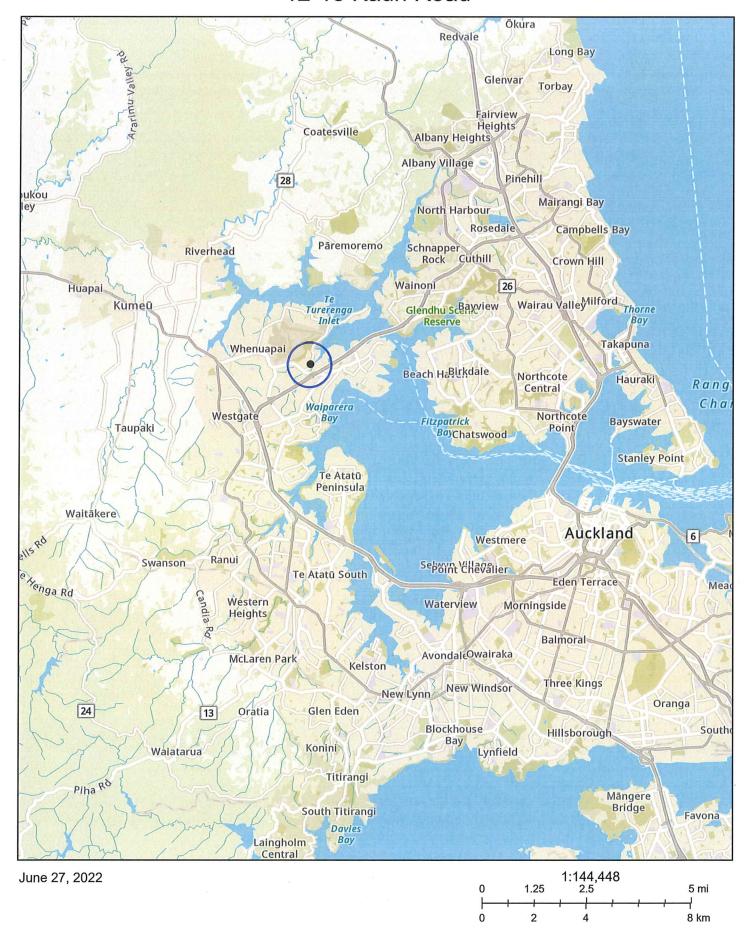


Scale @ A4 = 1:2,500

Date Printed: 27/06/2022



12-18 Kauri Road



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Private bag 92300, Victoria Street Auckland 1142 09 301 0101 www.aucklandcouncil.govt.nz



Auckland Unitary Plan Operative in part (15th November 2016) Property Summary Report

Address

12-18 Kauri Road Whenuapai

Legal Description

LOT 4 DP 64526

Appeals

Modifications

Zones

Future Urban Zone

Precinct

Controls

Controls: Macroinvertebrate Community Index - Exotic

Controls: Macroinvertebrate Community Index - Rural

Overlays

Natural Resources: High-Use Aquifer Management Areas Overlay [rp] - Kumeu Waitemata Aquifer

Designations

Designations: Airspace Restriction Designations - ID 4311, Defence purposes - protection of approach and departure paths (Whenuapai Air Base), Minister of Defence

Auckland Unitary Plan Operative in part 15th November 2016 - LEGEND



Date: 23/06/2021

NOTATIONS

Appeals to the Proposed Plan

Appeals seeking changes to zones or management layers

Proposed Plan Modifications to Operative in part Plan

Notice of Requirements

Proposed Plan Changes

Tagging of Provisions:

[i] = Information only

[rp] = Regional Plan

[rcp] = Regional Coastal Plan

[rps] = Regional Policy Statement

[dp] = District Plan (only noted when dual provisions apply)

ZONING

Residential

Residential - Large Lot Zone

Residential - Rural and Coastal Settlement Zone

Residential - Single House Zone

Residential - Mixed Housing Suburban Zone

Residential - Mixed Housing Urban Zone

Residential - Terrace Housing and Apartment Buildings Zone

Business

Business - City Centre Zone

Business - Metropolitan Centre Zone

Business - Town Centre Zone

Business - Local Centre Zone

Business - Neighbourhood Centre Zone

Business - Mixed Use Zone

Business - General Business Zone

Business - Business Park Zone

Business - Heavy Industry Zone

Business - Light Industry Zone

Open space

Open Space - Conservation Zone

Open Space - Informal Recreation Zone

Open Space - Sport and Active Recreation Zone

Open Space - Civic Spaces Zone

Open Space - Community Zone

Water [i]

Rural

Rural - Rural Production Zone

Rural - Mixed Rural Zone

Rural - Rural Coastal Zone

Rural - Rural Conservation Zone

Rural - Countryside Living Zone

Rural - Waitakere Foothills Zone

Rural - Waitakere Ranges Zone

Future Urban

Future Urban Zone

Green Infrastructure Corridor (Operative in some Special Housing Areas)

Infrastructure

Special Purpose Zone - Airports & Airfields

Cemetery Quarry

Healthcare Facility & Hospital

Tertiary Education Māori Purpose

Major Recreation Facility

School

Strategic Transport Corridor Zone

Coastal

Coastal - General Coastal Marine Zone [rcp]

Coastal - Marina Zone [rcp/dp]

Coastal - Mooring Zone [rcp]

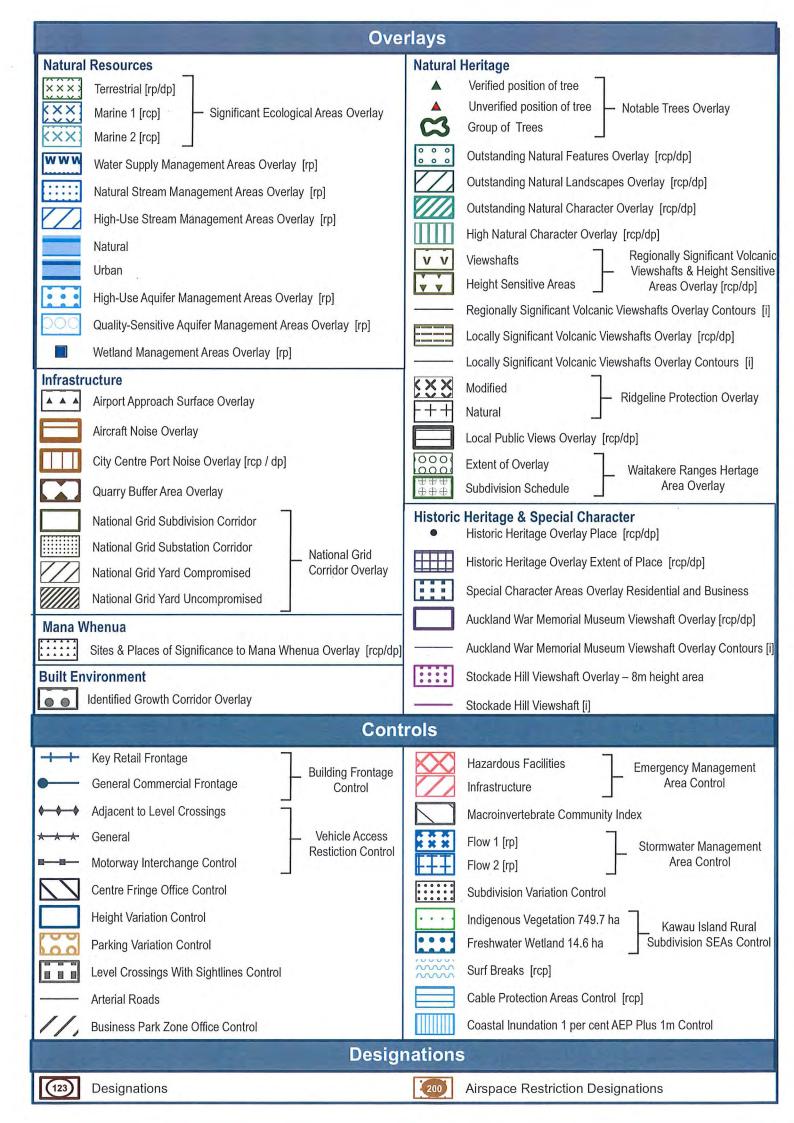
Coastal - Minor Port Zone [rcp/dp]

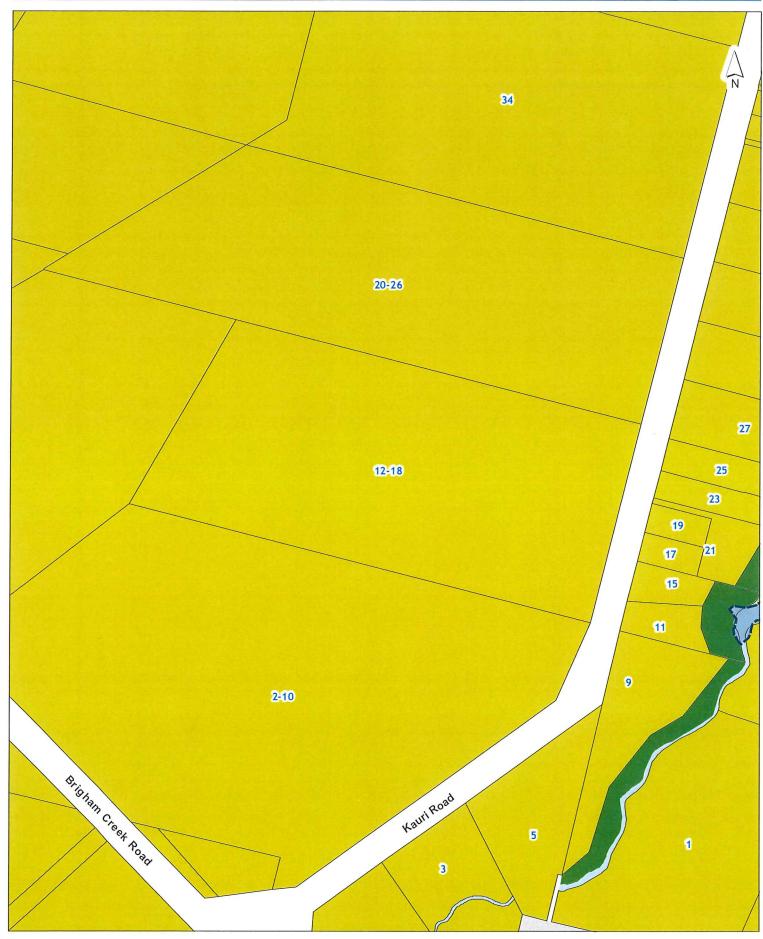
Coastal - Ferry Terminal Zone [rcp/dp]

Coastal - Defence Zone [rcp]

Coastal - Coastal Transition Zone





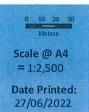


DISCLAIMER:

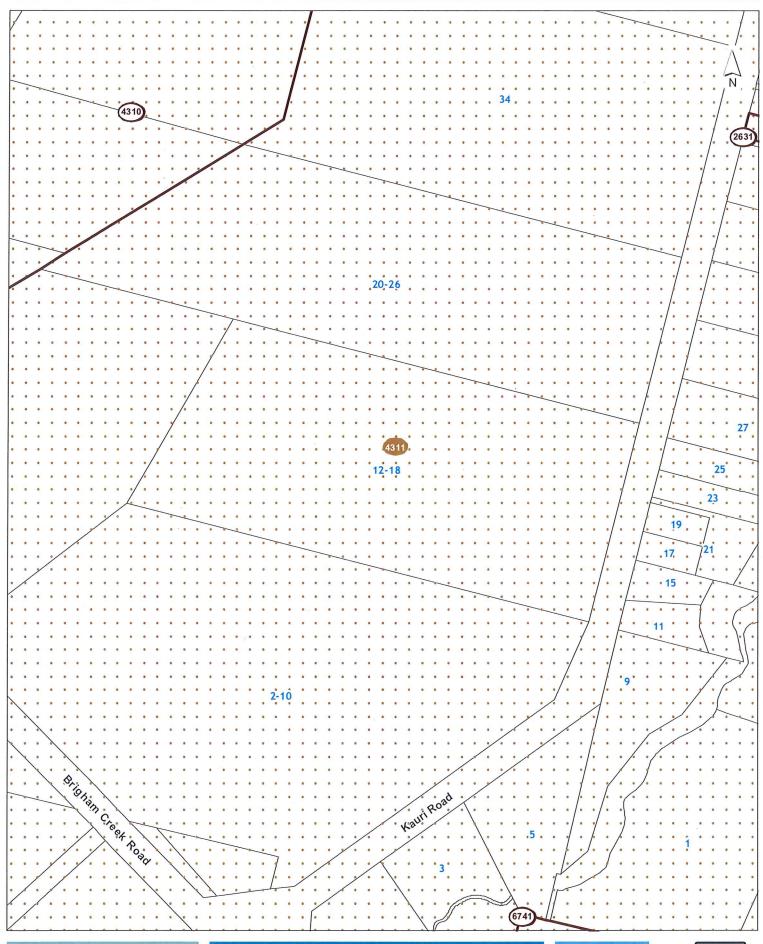
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Zones and Rural Urban Boundary

12-18 Kauri Road







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Designations

12-18 Kauri Road

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Scale @ A4
= 1:2,500

Date Printed:

27/06/2022





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Historic Heritage and Special Character

12-18 Kauri Road







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Natural Heritage

12-18 Kauri Road





Green Infrastructure Corridor (Operative in some SHAs) Land Parcels

Whenuapai Zone change boundary Open Space - Conservation Zone Strategic Transport Corridor Zone Open Space - Community Zone Business - Heavy Industry Zone Rural - Rural Conservation Zone Rural - Waitakere Foothills Zone Rural - Waitakere Ranges Zone Rural - Countryside Living Zone Rural - Rural Production Zone Residential - Large Lot Zone Business - City Centre Zone Business - Mixed Use Zone Rural - Rural Coastal Zone Coastal - Minor Port Zone Rural - Mixed Rural Zone Coastal - Defence Zone Coastal - Mooring Zone Coastal - Marina Zone Special Purpose Zone Future Urban Zone Indicative Coastline Unitary Plan Zones rig Road On Ramp Appendix 4

PPC5: Proposed Whenuapai Plan Change

Addendum Report Zoning Map -

Residential - Rural and Coastal Settlement Zone

Residential - Mixed Housing Suburban Zone

Residential -Terrace Housing and Apartment Buildings Residential - Mixed Housing Urban Zone

Open Space - Sport and Active Recreation Zone Open Space - Informal Recreation Zone

Open Space - Civic Spaces Zone

Business - Metropolitan Centre Zone

Business - Town Centre Zone

Business - Neighbourhood Centre Zone Business - Local Centre Zone

Business - General Business Zone Business - Business Park Zone

Business - Light Industry Zone

Coastal - General Coastal Marine Zone

Coastal - Ferry Terminal Zone

Coastal - Coastal Transition Zone



Log In Property Search





18/12 Kauri Road, Whenuapai

Rating values as at 01 June 2021

Capital value

Land value

\$12,500,000

\$12,000,000

Improvement value

Valuation reference

\$500,000

32700/33705

Last Market Sale on 11 Aug 2014 for \$4,038,000















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6

340m²

4.0476 ha

Mixed / Remod

Address Search

Valuation Reference

Advanced Search

Start typing an address...

Go





Log In Propert





Photos Map

View on Google Maps ☐

Valuation Details

Update Property Details

Category code

Category description

LB

Lifestyle - Bare land with subdivision

potential

Units of use

Land use

1

Single Unit - Lifestyle

Roof construction

Roof condition

Tile Profile

Average

Wall construction

Wall condition

Mix.Material

Average

Garage car spaces under main roof

Free-standing garage car spaces

_

2

Number of carparks

Other significant improvements

6

No

Location

Council

Zone

Waitakere City

1369

Legal description

LOT 4 DP 64526

Property contour

Position of property

Level

Inside

View from property

Deck