



# OIO Status Report – Whenuapai Business Park Extension

9 December 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 Enslaw 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 2022 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.

## OIA Status

**73 Trig Road** was purchased under an agreement dated 29 March 2022 and settled 27 May 2022. The purchase was made under Standing Consent 201900072.

**155-157 Brigham Creek Road** on which proposed Lots 200 and 300 are located (The Matthews Land) was purchased under OIA Consent 201900410 under an agreement dated 4 March 2019 and settled 30 October 2020.

A small part of the land being the proposed access strip into Lot 200 is situated on part of "the Ridley land" also approved for purchase under Consent 201900410.

Copies of the OIA consents are attached along with the Sensitive Land Certificate for 73 Trig Road dated 13 December 2021, which identifies that parcel as Residential Land that is not otherwise sensitive.

## Proposed Variation to OIA Consent

It should be noted that Special Condition 2: Increased Housing in Consent 201900410 requires The Matthews land to be developed for 36 residential lots if that land is rezoned "Residential Single House" and 80 Lots if rezoned "Residential Mixed Housing Urban".

Now that Auckland Council has withdrawn Proposed Plan Change 5 under which such zoning was anticipated, there is no immediate pathway for development of the Matthews land for residential purposes. Regardless, the residential development of this piece of land is not desirable from an urban design, or commercial perspective given its location between an arterial road and a proposed business park. Given the location, proximity to the State Highway network, and high demand for Business land in this location, we consider that it is best suited to Business – Light Industry Use.

An application is being submitted to the Overseas Investment Office for a variation to the consent to enable the land to be used of business purposes and incorporated into the Whenuapai Business Park. In our experience, a variation to the OIO is not unusual. We expect that the variation will be approved in a timely manner and will not inhibit the proposed development taking place on this site.

Prepared by  
Trevor Canty  
Senior Development Manager  
The Neil Group Limited



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. We<sup>1</sup> 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

A handwritten signature in blue ink, appearing to read 'Phillip Anderson'.

**Phillip Anderson**

Senior Advisor

Overseas Investment Office

§ 9(2)(a)

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<sup>1</sup> 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.



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

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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.

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### Consent

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Decision date: **15 February 2022**

The following people have been given the following **Standing Consent**:

<b>Case</b>	<b>202100597</b>
<b>Consent type</b>	Standing Consent under s23A (increased housing test, non-residential use test).
<b>Consent</b>	The Consent Holder may acquire residential (but not otherwise sensitive) land ( <b>Land</b> ) through up to 15 transactions by the Use-by date.
<b>Consent Holder/s</b>	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. ( <b>You or the Consent Holder</b> )
<b>Use-by Date</b>	<b>31 January 2025</b>

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### Conditions

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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**.

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### Special conditions

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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
<b>Special condition 1: Nature of Land to be acquired</b>	
<b>Number of transactions</b>	
You may give effect to up to 15 transactions that give effect to overseas investments in Land.	Before the Use-by date
<b>Land size</b>	
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
<b>Geographic area</b>	
There are no territorial or geographic area limitations.	
<b>Disposal</b>	
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.	
<b>Special condition 2: Increased housing / non-residential use outcomes</b>	
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.	
<b>Special condition 3: On-sale outcome</b>	
<p>(a) You must sell any dwelling unless it is being used as a show home or agreed otherwise with the OIO.</p> <p>(b) You must on-sell all interests in the Land acquired under the Standing Consent.</p> <p>If you do not, standard condition 5 will apply and we may require you to dispose of Land acquired under the Standing Consent.</p>	<p>(a) Within 18 months of the dwelling being completed.</p> <p>(b) Within 10 years of the date of acquisition.</p>
<b>Special condition 4: Non-occupation outcome</b>	
<p>Prior to you disposing of the Land, none of the following people may occupy the Land acquired under the Standing Consent:</p> <p>(a) You.</p> <p>(b) Any overseas person with a 25% or more ownership or control interest in any of the people in (a).</p> <p>(c) Any overseas person who occupies the Land other than on arm's length terms<sup>2</sup>.</p> <p>(d) Any overseas person who has a beneficial interest in, or beneficial entitlement to, the relevant interest in the Land.</p> <p>(e) If (a) is a trust, any beneficiary (direct or indirect) who may benefit under the trust at the trustees' discretion.</p> <p>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.</p>	While you, or any of the people outlined in paragraphs (b) to (e), has any relevant interest in the Land
<b>Special condition 5: Notice of individual acquisitions</b>	
<p>You must notify us of each transaction settled under this Standing Consent (<b>Notice</b>).</p> <p>Each Notice must include:</p> <p>a) the date you acquired the Land (Settlement);</p> <p>b) consideration paid (plus GST if any);</p> <p>c) the structure by which the acquisition was made and who acquired the Land;</p>	As soon as you can, and no later than two months after Settlement

<sup>2</sup> '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.

<p>d) copies of any transfer documents and Settlement statements;</p> <p>e) a copy of the relevant Agreement for Sale and Purchase;</p> <p>f) confirmation that the transaction was not entered into prior to the granting of this standing consent;</p> <p>g) a current and historical copy of the record of title for each parcel of Land acquired;</p> <p>h) 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);</p> <p>i) confirmation that the non-occupation outcome in special condition 4 has been complied with;</p> <p>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</p> <p>k) identify the development the Land relates to.</p> <p>Each Notice must also include (unless the OIO agrees otherwise) a development plan for the Land which includes information identifying:</p> <p>a) the stages of the development; and</p> <p>b) the areas which are to be used for increased housing and non-residential use.</p> <p>If you do not, standard condition 5 will apply and we may require you to dispose of Land acquired under the Standing Consent.</p>	
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### 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 overseas people who are given consent to acquire sensitive New Zealand land, including you:

Details	Required date
<b>Standard condition 1: acquire the land under this Standing Consent</b>	
<p>You must acquire any land under this Standing Consent:</p> <ol style="list-style-type: none"> <li>by the Use-By date stated in the Standing Consent.</li> </ol> <p>If you do not, your Standing Consent will lapse or become invalid and you must not acquire any land in reliance upon it, and</p> <ol style="list-style-type: none"> <li>using the acquisition, ownership and control structure you described in your application.</li> </ol> <p>Note, only you – the named Consent Holder - may acquire the land.</p>	As stated in the Consent
<b>Standard condition 2: allow us to inspect any land acquired under this Standing Consent</b>	
<p>Sometimes it will be helpful for us to visit the land so we can monitor your compliance with the Conditions.</p> <p>We will give you at least two weeks' written notice if we want to do this.</p> <p>You must then:</p> <ol style="list-style-type: none"> <li>Allow a person we appoint (<b>Inspector</b>) to: <ol style="list-style-type: none"> <li>enter onto the land, including any building on it, other than a dwelling, for the purpose of monitoring your compliance with the Conditions (<b>Inspection</b>),</li> <li>remain there as long as is reasonably required to conduct the Inspection,</li> <li>gather information,</li> </ol> </li> </ol>	At all times

<ul style="list-style-type: none"> <li>(d) conduct surveys, inquiries, tests and measurements,</li> <li>(e) take photographs and video records, and</li> <li>(f) do all other things reasonably necessary to carry out the Inspection.</li> </ul> <p>2. Take all reasonable steps to facilitate an Inspection including:</p> <ul style="list-style-type: none"> <li>(a) directing your employees, agents, tenants or other occupiers to permit an Inspector to conduct an Inspection,</li> <li>(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.</li> </ul> <p>During an Inspection:</p> <ul style="list-style-type: none"> <li>(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,</li> <li>(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.</li> </ul>	
<b>Standard condition 3: remain not unsuitable to invest in New Zealand</b>	
<p>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.</p> <p>The <b>Individuals Who Control You</b> are individuals who:</p> <ul style="list-style-type: none"> <li>(a) are members of your governing body,</li> <li>(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</li> <li>(c) are members of the governing body of the people referred to in paragraph (b) above.</li> </ul>	<p>At all times</p>
<b>Standard condition 4: tell us about changes that affect you, the people who control you, or people you control</b>	
<p>You must tell us in writing if any of the following events happens to any of the Consent Holders:</p>	<p>Within 20 working days after the change</p>

<ol style="list-style-type: none"> <li>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.</li> <li>2. You cease to be an overseas person or dispose of all or any part of the Land.</li> <li>3. Your New Zealand Service Address changes. This is the address you provided us in your application as the address which we will send any legal document we need to serve on you.</li> </ol>	
<b>Standard condition 5: dispose of land if you do not comply with key special conditions</b>	
<p>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.</p> <p>If all or part of this standard condition 6 applies to a special condition, we have said so in that condition.</p> <p>We will give you written notice if we require you to dispose of the Land. After we have given you notice, you must:</p>	
<b>Value the Land:</b> obtain and send us a copy of a market valuation of the Land from a New Zealand registered valuer.	Within six weeks of the date of our notice.
<b>Market the Land:</b> instruct a licensed real estate agent to actively market the Land for sale on the open market.	Within six weeks of the date of our notice.
<b>Dispose of the Land:</b> dispose of the Land to a third party who is not your associate.	Within six months of our notice.
<b>Offer without reserve:</b> if you have not disposed of the Land within six months of our notice, offer the Land for sale by auction or tender without a reserve price or minimum bid and dispose of the Land.	Within nine months of our notice.
<b>Report to us about marketing:</b> tell us in writing about marketing activities undertaken and offers received for the land.	By the last day of every March, June, September and December after our notice or at any other time we require.
<b>Report disposal to us:</b> send us, in writing, evidence: <ol style="list-style-type: none"> <li>(a) that you have disposed of the land,</li> </ol>	Within one month after the land has been disposed of.



<p>(b) of disposal (including copies of sale and purchase agreements, settlement statements and titles showing the purchaser as registered proprietor),</p> <p>(c) the purchaser is not your associate.</p>	
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### Reporting conditions

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

1. 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.

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

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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.

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**Consent**

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Decision date: 6 September 2019

The following people have been given the following **Standing Consent**:

<b>Case</b>	201900072
<b>Consent type</b>	Standing Consent under s23A (increased housing test, non-residential use test).
<b>Consent</b>	The Consent Holder may acquire residential (but not otherwise sensitive) land ( <b>Land</b> ) through up to 10 transactions by the Use-By date.
<b>Consent Holder/s</b>	The Consent Holder is: (a) The Neil Group Limited (company number 72156); and (b) Any 100% owned subsidiary of The Neil Group Limited. ( <b>You</b> or the <b>Consent Holder</b> )
<b>Use-by Date</b>	<b>1 September 2022</b> (being approximately three years from the grant of this Standing Consent)

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**Conditions**

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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**.

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**Special conditions**

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

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## Definitions

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**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
<b>Special condition 1: Nature of Land to be acquired</b>	
<b>Number of transactions</b>	
You may give effect to up to 10 transactions that give effect to overseas investments in Land.	Before the Use-By date
<b>Land size</b>	
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
<b>Geographic area</b>	
There are no territorial or geographic area limitations.	
<b>Disposal</b>	
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.  For the avoidance of doubt, we will not require you to enter a security deed as described in standard condition 5 prior to acquisition of any Land.	
<b>Special condition 2: Increased housing / non-residential use outcomes</b>	
You must use any Land acquired under this Standing Consent:	At all times



<p>(a) to increase the number of residential dwellings constructed on the Land or for development works to support such construction; or</p> <p>(b) for non-residential purposes in the ordinary course of business.</p> <p>If you do not, standard condition 5 will apply and we may require you to dispose of Land acquired under the Standing Consent.</p>	
<b>Special condition 3: On-sale outcome</b>	
<p>You must sell any dwelling unless it is being used as a show home or agreed otherwise with the OIO.</p> <p>You must on-sell all interests in the Land acquired under the Standing Consent.</p> <p>If you do not, standard condition 5 will apply and we may require you to dispose of Land acquired under the Standing Consent.</p>	<p>Within 18 months of the dwelling being completed.</p> <p>Within 10 years of the date of acquisition.</p>
<b>Special condition 4: Non-occupation outcome</b>	
<p>Prior to you disposing of the Land, none of the following people may occupy the Land acquired under the Standing Consent:</p> <p>(a) You.</p> <p>(b) Any overseas person with a 25% or more ownership or control interest in any of the people in (a).</p> <p>(c) Any overseas person who occupies the Land other than on arm's length terms<sup>1</sup>.</p> <p>(d) Any overseas person who has a beneficial interest in, or beneficial entitlement to, the relevant interest in the Land.</p> <p>(e) If (a) is a trust, any beneficiary (direct or indirect) who may benefit under the trust at the trustees' discretion.</p> <p>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.</p>	<p>While you, or any of the people outlined in paragraphs (b) to (e), has any relevant interest in the Land</p>
<b>Special condition 5: Notice of individual acquisitions</b>	

<sup>1</sup> '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.

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),
- c) the structure by which the acquisition was made and who acquired the Land,
- d) copies of any transfer documents and Settlement statements,
- e) a current and historical copy of the record of title for each parcel of Land acquired,
- f) a land status certificate including a map of the location, cadastral map, and aerial photo identifying the Land,
- g) details of all previous Land acquired under this Standing Consent and the total amount of area acquired to date, and
- h) 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 non-residential use.

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

As soon as you can, and no later than one month after Settlement

### Special condition 6: Milestones

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

Milestone condition	Date for completion
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Complete first dwellings.	18 months from the date building consent is obtained or titles issued (whichever is the later).
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<p>You must acquire any land under this Standing Consent:</p> <ol style="list-style-type: none"><li>by the Use-By date stated in the Standing Consent. If you do not, your Standing Consent will lapse or become invalid and you must not acquire any land in reliance upon it, and</li><li>using the acquisition, ownership and control structure you described in your application. Note, only you – the named Consent Holder - may acquire the land, not your subsidiary, trust or other entity.</li></ol>	As stated in the Consent
<b>Standard condition 2: allow us to inspect any land acquired under this Standing Consent</b>	
<p>Sometimes it will be helpful for us to visit the land so we can monitor your compliance with the Conditions.</p> <p>We will give you at least two weeks' written notice if we want to do this.</p> <p>You must then:</p> <ol style="list-style-type: none"><li>Allow a person we appoint (<b>Inspector</b>) to:<ol style="list-style-type: none"><li>enter onto the land, including any building on it, other than a dwelling, for the purpose of monitoring your compliance with the Conditions (<b>Inspection</b>),</li><li>remain there as long as is reasonably required to conduct the Inspection,</li><li>gather information,</li></ol></li></ol>	At all times



<ul style="list-style-type: none"> <li>(d) conduct surveys, inquiries, tests and measurements,</li> <li>(e) take photographs and video records, and</li> <li>(f) do all other things reasonably necessary to carry out the Inspection.</li> </ul> <p>2. Take all reasonable steps to facilitate an Inspection including:</p> <ul style="list-style-type: none"> <li>(a) directing your employees, agents, tenants or other occupiers to permit an Inspector to conduct an Inspection,</li> <li>(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.</li> </ul> <p>During an Inspection:</p> <ul style="list-style-type: none"> <li>(a) 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,</li> <li>(b) 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.</li> </ul>	
<b>Standard condition 3: remain of good character</b>	
<p>You and the Individuals Who Control You:</p> <ul style="list-style-type: none"> <li>1. must continue to be of good character, and</li> <li>2. must not become an individual of the kind referred to in section 15 or section 16 of the Immigration Act 2009.</li> </ul> <p>In summary, these sections describe convicted or deported people who are not eligible for visa or entry permission to enter or be in New Zealand and people who are considered likely to commit an offence or to be a threat or risk to security, public order or the public interest.</p> <p>The <b>Individuals Who Control You</b> are individuals who:</p> <ul style="list-style-type: none"> <li>(a) are members of your governing body,</li> <li>(b) directly or indirectly, own or control 25% or more of you or of a person who itself owns or controls 25% or more of you, and</li> <li>(c) are members of the governing body of the people referred to in paragraph (b) above.</li> </ul>	<p>At all times</p>

**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, any Individual Who Controls You, or any person in which you or any individual who controls you hold (or at the time of the offence held) a 25% or more ownership or control interest commits an offence or contravenes the law anywhere in the world. This applies whether or not you or they were convicted of the offence. In particular, please tell us about any offences or contraventions that you are charged with or sued over and any investigation by enforcement or regulatory agencies or professional standard bodies.
2. An Individual Who Controls You ceases to be of good character; commits an offence or contravenes the law (whether they were convicted or not); becomes aware of any other matter that reflects adversely on their fitness to have the land; or becomes an individual of the kind referred to in section 15 or 16 of the Immigration Act 2009 (see Standard condition 3).
3. You cease to be an overseas person or dispose of all or any part of the land.
4. You, any Individual Who Controls You, or any person in which you or any Individual Who Controls You hold (or at the time of the event held) a 25% or more ownership or control interest:
  - (a) becomes bankrupt or insolvent;
  - (b) has an administrator, receiver, liquidator, statutory manager, mortgagee's or chargee's agent appointed; or
  - (c) becomes subject to any form of external administration.
5. The beneficial ownership of Callander Group Limited changes from that set out below:
  - (a) Tiong Hiew King (32.5%)
  - (b) Tiong Thai King (13.5%)
  - (c) Tiong Kiong King (13.5%)
  - (d) Tiong Ik King (13.5%)
  - (e) Estate Tiong Kiu King (13.5%)
  - (f) Estate Tiong Yung King (13.5%)
6. Callander Group Limited issues any additional registered and/or bearer shares including the number of shares and the holders of any such shares.

**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.

We may also require you to execute a security deed before you may acquire land. The security deed:

1. must be in the form we require,
2. must be executed and delivered to us before you acquire land,
3. gives us power to appoint a receiver to dispose of land if you do not do that as required by this Standard condition 5,
4. will provide, among other things, that if we appoint a receiver, the receiver may dispose of land, deduct his or her costs from the proceeds of sale, and pay the remainder to you.

If all or part of this standard condition 5 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 land. After we have given you notice, you must:

**Value the land:** obtain and send us a copy of a market valuation of the land from a New Zealand registered valuer.

Within six weeks of the date of our notice.

**Market the land:** instruct a licensed real estate agent to actively market the land for sale on the open market.

Within six weeks of the date of our notice.

**Dispose of the land:** dispose of the land to a third party who is not your associate.

Within 18 months of our notice.

**Offer without reserve:** offer the land for sale by auction or tender without a reserve price or minimum bid and dispose of the land.

Within 18 months of our notice.

**Report to us about marketing:** tell us in writing about marketing activities undertaken and offers received for the land.

By the last day of every March, June, September and December after our notice or at any other time we require.

<p><b>Report disposal to us:</b> send us, in writing, evidence:</p> <ul style="list-style-type: none"> <li>(a) that you have disposed of the land,</li> <li>(b) of disposal (including copies of sale and purchase agreements, settlement statements and titles showing the purchaser as registered proprietor),</li> <li>(c) the purchaser is not your associate.</li> </ul>	<p>Within one month after the land has been disposed of.</p>
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## Reporting conditions

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We need information from you so we can monitor your progress against the Conditions. The reports must be sent to [oiomonitoring@linz.govt.nz](mailto:oiomonitoring@linz.govt.nz). You must:

1. 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 one month 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 Standing Consent.



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

<b>Residential Subdivisions and Developments</b>			
<b>Subdivision Name</b>	<b>Subdivision Type</b>	<b>Year Purchased</b>	<b>OIO Required</b>
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
<b>Commercial and Industrial Subdivisions and Developments</b>			
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

Our Ref: 201900410

23 January 2020

TO: Neil Construction Limited

BY EMAIL

CC BY EMAIL: Deirdre Norris

Overseas Investment Office  
Radio New Zealand House  
155 The Terrace  
PO Box 5501  
Wellington 6145  
New Zealand  
+64 4 460 0110  
[www.linz.govt.nz](http://www.linz.govt.nz)

## CONSENT FOR YOU TO ACQUIRE 15.69 HECTARES OF LAND AT BRIGHAM CREEK ROAD AND TRIG ROAD, WHENUAPAI

1. We<sup>1</sup> have now considered, and approved, your application for consent to acquire approximately 15.69 hectares of land at 149-151 and 155-157 Brigham Creek Road and 69 Trig Road, Whenuapai, Auckland.
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, the land. 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.
8. We look forward to hearing about the progress of your investment.

Yours sincerely



Clare Needham  
Principal Advisor Applications  
Overseas Investment Office

s 9(2)(a)

s 9(2)(a)

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<sup>1</sup> Your consent has been granted either by the Associate Minister of Finance and the Minister of Land Information, or by a manager at the Overseas Investment Office, acting under delegated authority from the Chief Executive of Land Information New Zealand.

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## Consent for Overseas Person to Acquire Sensitive New Zealand Land

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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.

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### Consent

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**Decision date:** 22 January 2020

The following people have been given the following consent:

<b>Case</b>	201900410
<b>Consent</b>	Neil Construction Limited may acquire the Land subject to the Conditions set out below.
<b>Consent holder/s</b>	Neil Construction Limited We will also refer to each Consent holder and the Consent holders together as <b>you</b> .
<b>Land</b>	A freehold interest in approximately 15.69 hectares of sensitive land at Whenuapai, Auckland comprising: <ul style="list-style-type: none"><li>• 5.94 hectares of land at 69 Trig Road (NA55D/1228 (North Auckland)) (the <b>Trig Road land</b>); and</li><li>• 3.62 hectares of land at 155-157 Brigham Creek Road (RT 143112 (North Auckland)) (the <b>Matthews land</b>); and</li><li>• 6.13 hectares of land at 149-151 Brigham Creek Road (NA55D/1229 (North Auckland)) (the <b>Ridley land</b>).</li></ul> (together the <b>Land</b> )
<b>Timeframe</b>	You have until <b>31 January 2021</b> to acquire the Land.

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## Conditions

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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.

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## Definitions

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**Business Park** – the industrial development to be carried out on the Ridley and Trig Road land to create new serviced freehold industrial lots.

**Development** – the combined residential and industrial development of the Land, including earthworks and civil engineering to create legal roads and connections to bulk waste water services, water supply, communications services and power reticulation, resulting in the Residential Development and the Business Park.

**Residential Development** – the residential development to be carried out on the Matthews land.

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## Special conditions

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You must comply with the following **special conditions**. These apply specifically to this Consent and were considerations that particularly influenced us to give consent:

Details	Required date
<b>Special condition 1: Development of the Land</b>	
<p>You must:</p> <ul style="list-style-type: none"><li>(a) obtain all necessary consents to commence construction of the Development;</li><li>(b) start construction of the Development; and</li><li>(c) complete construction of the Development.</li></ul> <p>If you do not, Standard Condition 6 will apply and we may require you to dispose of the Land.</p>	<ul style="list-style-type: none"><li>(a) by 30 September 2021</li><li>(b) by 31 October 2021</li><li>(c) by 30 June 2023</li></ul>
<b>Special condition 2: Increased housing</b>	
<p>You must use the Matthews land to increase the number of residential dwellings constructed or for development works to support such construction resulting in:</p> <ul style="list-style-type: none"><li>(a) If the Matthews land is re-zoned “Residential Single House” at least 36 new freehold serviced residential lots; or</li></ul>	<ul style="list-style-type: none"><li>(a) or (b) by 30 June 2023</li></ul>



<p>(b) If the Matthews land is re-zoned “Residential Mixed Housing Urban” new freehold serviced residential lots to support construction of at least 80 new residential dwellings.</p> <p>If you do not, Standard Condition 6 will apply and we may require you to dispose of the Land.</p>	
<b>Special condition 3: Non-residential use outcomes</b>	
<p>You must use the Ridley and Trig Road land as the Business Park:</p> <p>(a) for non-residential purposes in the ordinary course of business.</p> <p>If you do not, Standard Condition 6 will apply and we may require you to dispose of the Land.</p>	<p>(a) by 30 June 2025</p>
<b>Special condition 4: On-sale outcome</b>	
<p>You must:</p> <p>(a) sell all fee simple residential lots in the residential development; and</p> <p>(b) sell all residential units or dwellings in the residential development; and</p> <p>(c) sell all fee simple industrial lots in the Business Park</p> <p>If you do not, Standard condition 6 will apply and we may require you to dispose of Land.</p>	<p>(a) by 30 June 2024</p> <p>(b) by 30 June 2026</p> <p>(c) by 30 June 2025</p>
<b>Special condition 5: Non-occupation outcome</b>	
<p>Prior to you disposing of the Land, none of the following people may occupy the Land for residential purposes:</p> <p>(a) You.</p> <p>(b) Any overseas person with a 25% or more ownership or control interest in any of the people in (a).</p> <p>(c) Any overseas person who occupies the Land other than on arm's length terms<sup>2</sup>.</p> <p>(d) Any overseas person who has a beneficial interest in, or beneficial entitlement to, the relevant interest in the land.</p> <p>(e) If (a) is a trust, any beneficiary (direct or indirect) who may benefit under the trust at the trustees' discretion.</p>	<p>While you, or any of the people outlined in paragraphs (b) to (e), has any relevant interest in the Land</p>

<sup>2</sup> '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.

<p>If any such persons do occupy Land for residential purposes, Standard condition 6 will apply and we may require you to dispose of the Land.</p>	
<p><b>Special condition 6: Additional Investment</b></p>	
<p>You must:</p> <p>(a) invest a minimum of <b>§ 9(2)(b)(ii)</b> capital for the land subdivision and development works for the Development. For the avoidance of doubt, that is to be in addition to the <b>§ 9(2)(b)(ii)</b> purchase price for the Land.</p> <p>If you do not, standard condition 6 will apply and we may require you to dispose of the Land.</p>	<p>(a) by 30 June 2025</p>
<p><b>Special condition 7: Walking Access</b></p>	
<p>You must:</p> <p>(a) raise the recommendations of the Walking Access Commission (<b>WAC</b>) in its email dated 13 September 2019 to the Overseas Investment Office with the Auckland Council during your resource consent negotiations for the Land and advise the Council of WAC's request to be included in those negotiations; and</p> <p>(b) if Auckland Council agrees to involve WAC in the resource consent negotiations, you must agree to do so; and</p> <p>(c) if Auckland Council wishes to adopt any of WAC's recommendations, you must do so; and</p> <p>(d) enter into good faith negotiations with the owners of Lot 2 DP 101583, who are the tenants in common of an access strip from Trig Road to the Trig Road land, with a view to entering into a covenant to allow for public access to the Auckland Council land at Section 1 SO516731, that covenant to lapse when the new road proposed under the Whenuapai Structure Plan vests in Auckland Council.</p>	<p>(a) (b) and (c) by 30 September 2021</p> <p>(d) By 30 June 2025</p>

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## Standard conditions

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You must also comply with the **standard conditions** set out below. These apply to all overseas people who are given consent to acquire sensitive New Zealand land, including you:

Details	Required date
<b>Standard condition 1: acquire the Land</b>	
<p>You must acquire the Land:</p> <ol style="list-style-type: none"><li>by the date stated in the Consent. If you do not, your Consent will lapse or become invalid and you must not acquire the Land, and</li><li>using the acquisition, ownership and control structure you described in your application.</li></ol> <p>Note, only you – the named Consent holder - may acquire the Land, not your subsidiary, trust or other entity.</p>	As stated in the Consent
<b>Standard condition 2: tell us when you acquire the Land</b>	
<p>You must tell us in writing when you have acquired the Land.</p> <p>Include details of:</p> <ol style="list-style-type: none"><li>the date you acquired the Land (<b>Settlement</b>),</li><li>consideration paid (plus GST if any),</li><li>the structure by which the acquisition was made and who acquired the Land, and</li><li>copies of any transfer documents and Settlement statements.</li></ol>	As soon as you can, and no later than two months after Settlement
<b>Standard condition 3: allow us to inspect the Land</b>	
<p>Sometimes it will be helpful for us to visit the Land so we can monitor your compliance with the Conditions.</p> <p>We will give you at least two weeks' written notice if we want to do this.</p> <p>You must then:</p> <ol style="list-style-type: none"><li>Allow a person we appoint (<b>Inspector</b>) to:</li></ol>	At all times

<ul style="list-style-type: none"> <li>• enter onto the Land, including any building on it, other than a dwelling, for the purpose of monitoring your compliance with the Conditions (<b>Inspection</b>),</li> <li>• remain there as long as is reasonably required to conduct the inspection,</li> <li>• gather information,</li> <li>• conduct surveys, inquiries, tests and measurements,</li> <li>• take photographs and video records, and</li> <li>• do all other things reasonably necessary to carry out the Inspection.</li> </ul> <p>2. Take all reasonable steps to facilitate an Inspection including:</p> <ul style="list-style-type: none"> <li>• directing your employees, agents, tenants or other occupiers to permit an Inspector to conduct an Inspection,</li> <li>• 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.</li> </ul> <p>3. During an Inspection:</p> <ul style="list-style-type: none"> <li>• 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,</li> <li>• 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.</li> </ul>	
<b>Standard condition 4: remain of good character</b>	
<p>You and the Individuals Who Control You:</p> <p>1. must continue to be of good character, and</p>	At all times



<p>2. must not become an individual of the kind referred to in <a href="#">section 15</a> or <a href="#">section 16</a> of the Immigration Act 2009.</p> <p>In summary, these sections describe convicted or deported people who are not eligible for visa or entry permission to enter or be in New Zealand and people who are considered likely to commit an offence or to be a threat or risk to security, public order or the public interest.</p> <p>The <b>Individuals Who Control You</b> are individuals who:</p> <ul style="list-style-type: none"> <li>• are members of your governing body,</li> <li>• directly or indirectly, own or control 25% or more of you or of a person who itself owns or controls 25% or more of you, and</li> <li>• are members of the governing body of the people referred to in paragraph (b) above.</li> </ul>	
<p><b>Standard condition 5: tell us about changes that affect you, the people who control you, or people you control</b></p>	
<p>You must tell us in writing if any of the following events happens to any of the Consent holders:</p> <ol style="list-style-type: none"> <li>1. You, any Individual Who Controls You, or any person in which you or any individual who controls you hold (or at the time of the offence held) a 25% or more ownership or control interest commits an offence or contravenes the law anywhere in the world. This applies whether or not you or they were convicted of the offence. In particular, please tell us about any offences or contraventions that you are charged with or sued over and any investigation by enforcement or regulatory agencies or professional standard bodies.</li> <li>2. An Individual Who Controls You ceases to be of good character; commits an offence or contravenes the law (whether they were convicted or not); becomes aware of any other matter that reflects adversely on their fitness to have the Land; or becomes an individual of the kind referred to in <a href="#">section 15</a> or <a href="#">16</a> of the Immigration Act 2009 (see standard condition 4).</li> <li>3. You cease to be an overseas person or dispose of all or any part of the Land.</li> <li>4. You, any Individual Who Controls You, or any person in which you or any Individual Who Controls You hold (or at the time of the event held) a 25% or more ownership or control interest:</li> </ol>	<p>Within 20 working days after the change</p>

<ul style="list-style-type: none"> <li>• becomes bankrupt or insolvent</li> <li>• has an administrator, receiver, liquidator, statutory manager, mortgagee's or chargee's agent appointed, or</li> <li>• becomes subject to any form of external administration.</li> </ul>	
<b>Standard condition 6: dispose of the Land if you do not comply with key special conditions</b>	
<p>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.</p> <p>We may also require you to execute a security deed before you may acquire the Land. The security deed:</p> <ol style="list-style-type: none"> <li>1. must be in the form we require,</li> <li>2. must be executed and delivered to us before you acquire the Land,</li> <li>3. gives us power to appoint a receiver to dispose of the Land if you do not do that as required by this standard condition 6,</li> <li>4. will provide, among other things, that if we appoint a receiver, the receiver may dispose of the Land, deduct his or her costs from the proceeds of sale, and pay the remainder to you.</li> </ol> <p>If all or part of this standard condition 6 applies to a special condition, we have said so in that condition.</p> <p>We will give you written notice if we require you to dispose of the Land. After we have given you notice, you must:</p>	
<b>Value the Land:</b> obtain and send us a copy of a market valuation of the Land from a New Zealand registered valuer.	Within six weeks of the date of our notice.
<b>Market the Land:</b> instruct a licensed real estate agent to actively market the Land for sale on the open market.	Within six weeks of the date of our notice.
<b>Dispose of the Land:</b> dispose of the Land to a third party who is not your associate.	Within six months of our notice.

<p><b>Offer without reserve:</b> if you have not disposed of the Land within six months of our notice, offer the Land for sale by auction or tender without a reserve price or minimum bid and dispose of the Land.</p>	<p>Within nine months of our notice.</p>
<p><b>Report to us about marketing:</b> tell us in writing about marketing activities undertaken and offers received for the Land.</p>	<p>By the last day of every March, June, September and December after our notice or at any other time we require.</p>
<p><b>Report disposal to us:</b> send us, in writing, evidence:</p> <ul style="list-style-type: none"> <li>• that you have disposed of the Land,</li> <li>• of disposal (including copies of sale and purchase agreements, settlement statements and titles showing the purchaser as registered proprietor),</li> <li>• the purchaser is not your associate.</li> </ul>	<p>Within one month after the Land has been disposed of.</p>

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## Reporting conditions

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We need information from you about how your Investment Plan is tracking so we can monitor your progress against the Conditions and so we can measure the benefits you have brought to New Zealand through your investment.

Every year, you must lodge an **annual report**. It must:

1. be sent to **oiomonitoring@linz.govt.nz** by these dates:
  - year one: 30 November 2020;
  - year two: 30 November 2021;
  - year four: 30 January 2023;
  - year five: 31 July 2024; and
  - year six: 31 July 2025; and
  - year seven: 31 July 2026.
2. Contain information about your progress in implementing the relevant special conditions, including:
  - details of progress with proposed Plan Change 5 and the re-zoning of the Land, including confirmation of the new zones for each of the Matthews land, Trig Road land and Ridley land;
  - after the re-zoning has been confirmed, confirmation of the number of freehold serviced residential lots that will be developed on the Matthews land;
  - details of FTEs employed directly and indirectly in relation to the Development including details of the roles and evidence of employment for direct roles;
  - numbers of residential and industrial lots completed and / or sold including evidence of subdivision and sale; and
  - details of progress with special condition 7 (i.e. the Walking Access Commission's recommendations for access over the Land).
3. follow the format of the template annual report published on our website at: <https://www.linz.govt.nz/file/18086/download?token=19u75m6Z>
4. If requested in writing by the OIO, the Consent Holder(s) must provide a written report within 20 working days (or such other timeframe as specified) on any matter relating to its compliance with:
  - 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 content was granted; or
  - the conditions of this consent.



# SCHWARZ CONSULTANCY LTD

PO Box 276 049, Manukau City 2241

Level 4, Westfield Shopping Centre

8 Leyton Way

Manukau City

Phone: (09) 263 5285

Fax: (09) 263 5280

13 December 2021

Glaister Ennor  
PO Box 63  
Shortland Street  
Auckland 1140

Attention: Deirdre Norris

Dear Deirdre

**Re: Overseas Investment Act Certificate:  
73 Trig Road, Whenuapai, Auckland**

Thank you for your instruction to prepare an Overseas Investment Act Certificate for the property situated at 73 Trig 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 NA66D/174, 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

## 73 Trig Road, Whenuapai, Auckland.

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

### PART A

1. The land<sup>1</sup> the subject of this certificate is (**Land**):

REF	RT Number	Legal Description	Land District	Non-Urban Land?	District Plan Zoning	Area
(a)	NA66D/174	Lot 1 DP 117365	North Auckland	No	Future Urban Zone on Auckland Unitary Plan Operative in part (15 November 2016). Business - Light Industry Zone in PPC5 Proposed Whenuapai Plan Change dated 30 April 2018.	2.6085 ha
TOTAL LAND AREA						2.6085 ha

<sup>1</sup> 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 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 Schedule 1 and new Schedule 1A as a result of the Overseas Investment Amendment (No 3) Act 2021.

## 2. Associated Land

	RT Number	Legal Description	Land District	Non-Urban Land?	District Plan Zoning	Area
(a)	NA66D/175  <u>71 Trig Road</u>	Lot 2 DP 10158, Lot 2 DP 117365 and Lot 5 DP 101583 (½ share)	North Auckland	No	As above	6.9775 ha plus 0.4485 ha
(b)	NA55D/1228  <u>69 Trig Road</u>	Lot 3 DP 101583 and Lot 5 DP 101583 (½ share)	North Auckland	No	As above	5.7170 ha plus 0.4485 ha
(c)	NA55D/1229  <u>149-151 Brigham Creek Road</u>	Lot 4 DP 101583	North Auckland	No	As above	6.1270 ha
(d)	143112  <u>155-157 Brigham Creek Road</u>	Lot 2 DP 334953	North Auckland	No	Future Urban Zone on Auckland Unitary Plan Operative in part (15 November 2016). Residential - Single House Zone in PPC5 Proposed Whenuapai Plan Change Version dated 30 April 2018.	3.6224 ha
TOTAL ASSOCIATED LAND AREA						22.8924 ha

TOTAL AREA OF SUBJECT AND ASSOCIATED LAND	25.5009 ha
---	------------

## PART B

	YES	NO	REF 2
<b>Table 1 of Schedule 1</b>			
3. The Land is or includes <sup>3</sup> :			
(a) residential land	<input checked="" type="checkbox"/>	<input type="checkbox"/>	A
(b) non-urban land larger than 5 hectares	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) land greater than 0.4 hectares on islands specified in Part 2 of Schedule 1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(d) land on other islands (other than North or South Island, but including the islands adjacent to the North or South Island)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(e) marine and coastal area	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(f) land larger than 0.4 hectares being the bed of a lake	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(g) land larger than 0.4 hectares held for conservation purposes under the Conservation Act 1987	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

<sup>2</sup> REF – include reference to the Record of Title and Legal Description shown in Part A.

<sup>3</sup> 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	NO	REF 2
(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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>Table 2 of Schedule 1</b>			
4. The Land is greater than 0.2 hectares and adjoins:		<input checked="" type="checkbox"/>	
(a) marine and coastal area	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
5. The Land is greater than 0.4 hectares and adjoins:		<input checked="" type="checkbox"/>	
(a) bed of a lake	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) land held for conservation purposes under the Conservation Act 1987 (if that conservation land exceeds 0.4 hectares in area)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(e) any national park held under the National Parks Act 1980	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(g) land over 0.4 hectares that includes a wāhi tapu or wāhi tapu area that is entered on the New Zealand Heritage List/Rārangī Kōrero or for which there is an application that is notified under section 68(4) of the Heritage New Zealand Pouhere Taonga Act 2014	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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,-	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

	YES	NO	REF
(i) is owned by the governance entity of a collective group of Māori such as an iwi or a hapū; and			
(ii) 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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(k) Te Urewera land (as defined in section 7 of the Te Urewera Act 2014)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(l) Whanganui River (as defined in section 7 of the Te Awa Tupua (Whanganui River Claims Settlement) Act 2017)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(m) Maungatautari Mountain Scenic Reserve (as defined in section 71(1) of the Ngāti Koroki Kahukura Claims Settlement Act 2014)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

## PART C

1. The items marked 'yes' above are:

		Relevant Land	Adjoining Land (if relevant)
4A	Record of Title and Legal Description:	NA66D/174 - Lot 1 DP 117365	
	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.

---

<sup>4</sup> Include reference shown in Part A and B.



## PART D – Fresh or seawater areas

	YES	NO	REF <sup>5</sup>
1. The land the subject of this certificate is or includes:			
(a) marine and coastal area	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) bed of a river (ad medium filum aquae <sup>6</sup> )	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) bed of a river (interior <sup>7</sup> )	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(d) bed of a lake (ad medium filum aquae)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(e) bed of a lake (interior)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

2. To assist consideration of fresh or seawater area(s) identified above, please provide, to the best of your knowledge, the following information<sup>8</sup>:

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

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

<sup>6</sup> ad 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.

<sup>7</sup> 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.

<sup>8</sup> Please complete separate tables for each waterbody that is a fresh or seawater area

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

Record of title(s) and legal description of the parcel of land that adjoin the waterbody <sup>10</sup> :	
Is the parcel of land subject to current or historic Treaty claim <sup>11</sup> ? If yes, please specify:	
Does the parcel of land contain marine and coastal area over which customary marine title is held <sup>12</sup> ? 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?	

<sup>10</sup> Fill in this section for AMF or if the marine or coastal area is adjoining the parcel of land.

<sup>11</sup> As defined in section 2 of the Treaty of Waitangi Act 1975.

<sup>12</sup> 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 <sup>13</sup> ? If yes, please specify:	
What degree did human intervention play in the formation of this waterbody <sup>14</sup> ?	
Which iwi/ hapū/whānau within whose takiwā does the waterbody fall under? Directory of iwi and Māori organisations <a href="#">here</a> .	
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?	

---

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

<sup>14</sup> 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 <sup>15</sup> ? If yes, please specify:	
Please provide additional comments, if any <sup>16</sup> :	

3. To your best endeavours, provide information on the below in relation to each waterbody<sup>17</sup>:

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

<sup>15</sup> 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

<sup>16</sup> 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.

<sup>17</sup> Please complete separate tables for each waterbody that is a fresh or seawater area

Maps to include:

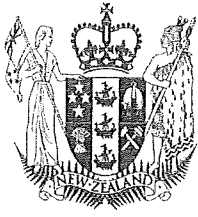
Attach maps that include:

- 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 13<sup>th</sup> day of December 2021



Steven Schwarz, LINZ Accredited Supplier



**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
FREEHOLD  
Search Copy**



**Identifier** NA66D/174  
**Land Registration District** North Auckland  
**Date Issued** 05 August 1987

**Prior References**  
NA55D/1226

---

**Estate** Fee Simple  
**Area** 2.6085 hectares more or less  
**Legal Description** Lot 1 Deposited Plan 117365

**Registered Owners**  
Jian Zhong as to a 1/3 share  
Lihua Chen as to a 1/3 share  
Yanqing Tang as to a 1/3 share

---

**Interests**

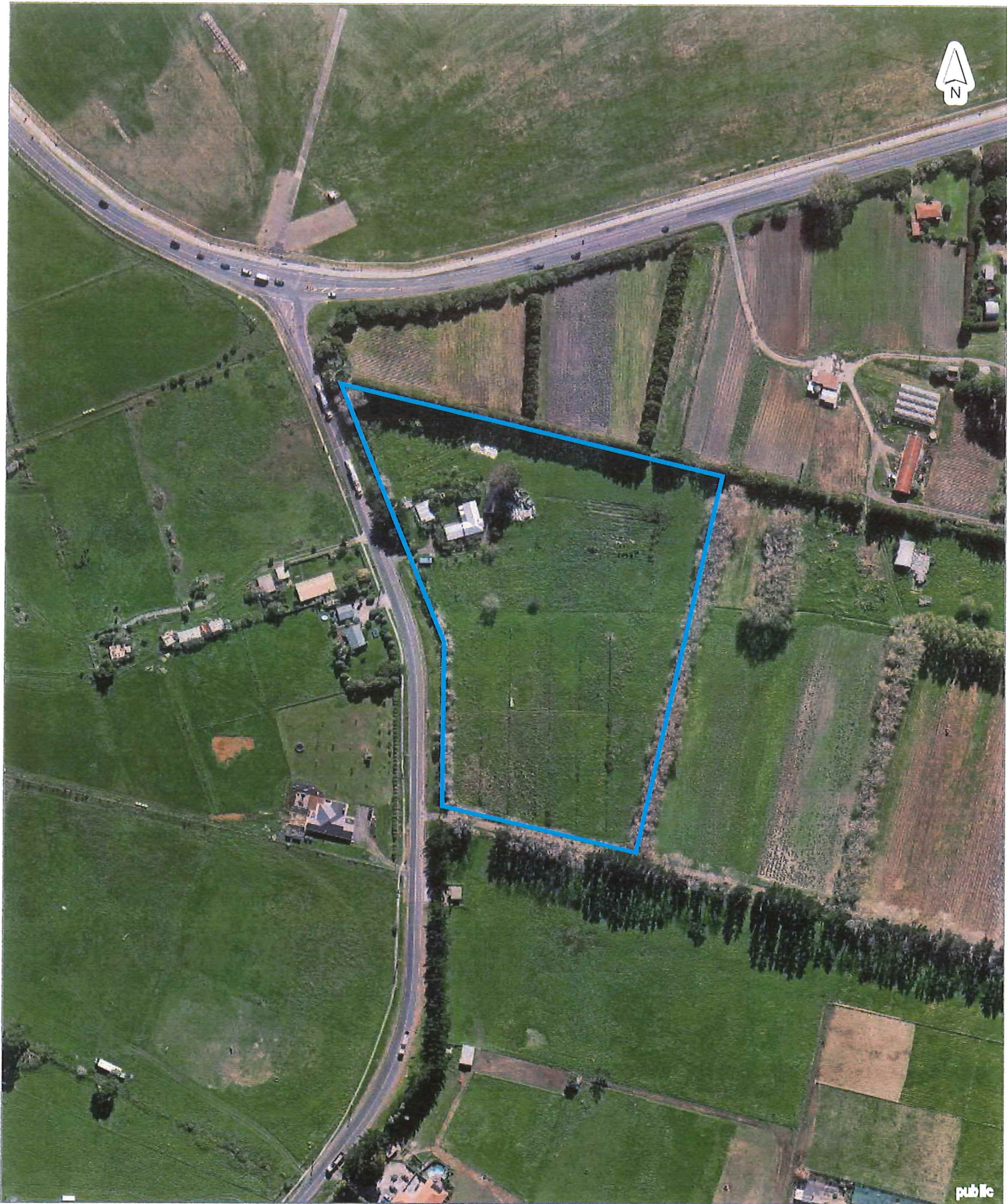
Subject to Section 59 Land Act 1948  
Subject to Section 8 Coal Mines Amendment Act 1950  
6700899.3 Mortgage to ASB Bank Limited - 21.12.2005 at 9:00 am



Search Copy Dated 13/12/21 11:42 am, Page 2 of 2  
Register Only







public

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## 73 Trig Road

0 10 20 30  
Meters

Scale @ A4  
= 1:2,500

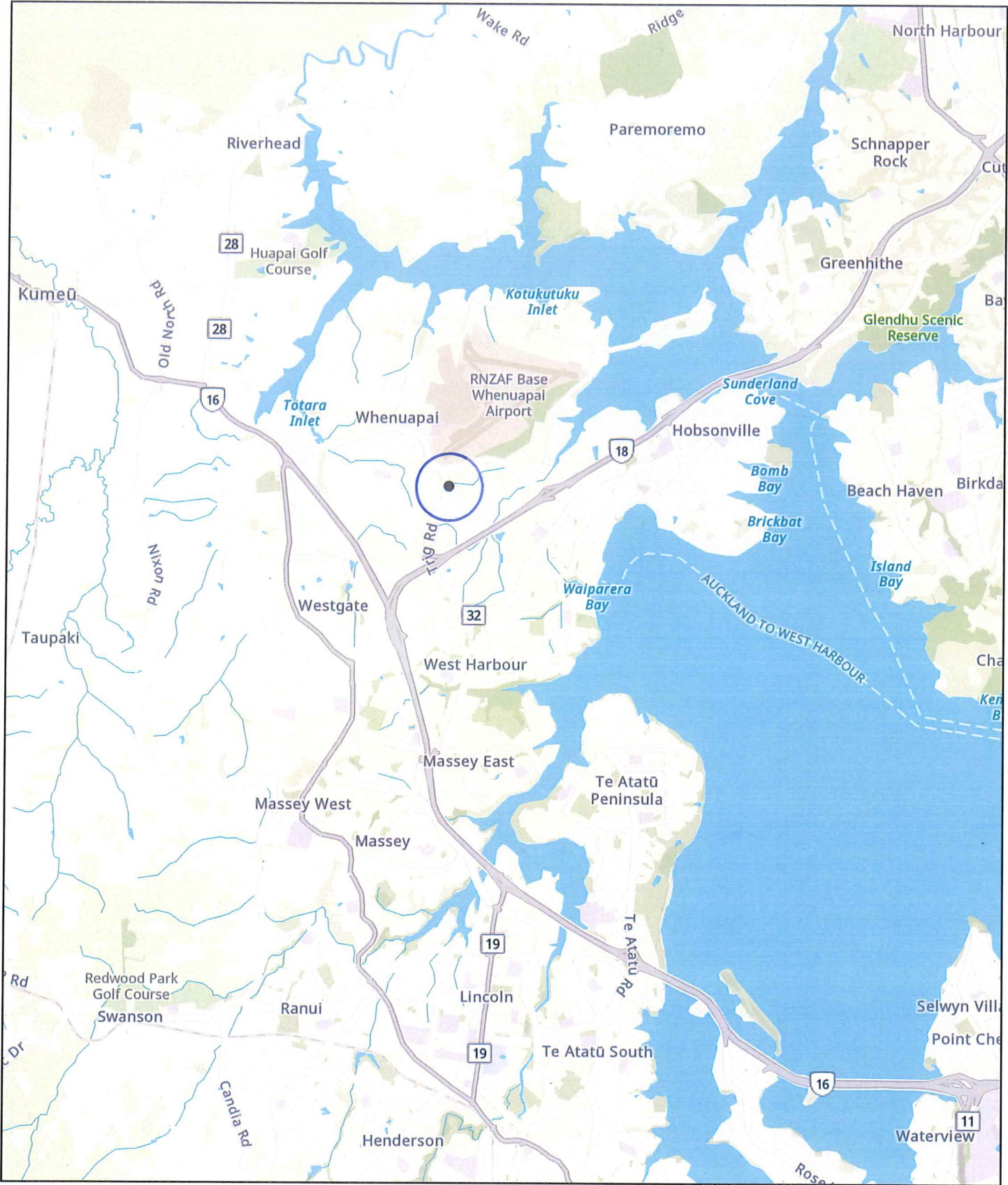
Date Printed:  
13/12/2021



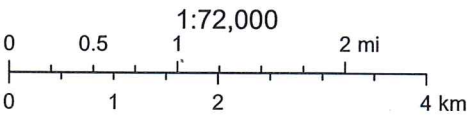
**Auckland Council**  
Te Kaunihera o Tāmaki Makaurau



# 73 Trig Road



December 13, 2021



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

### Address

73 Trig Road Whenuapai

### Legal Description

LOT 1 DP 117365

### Appeals

### Modifications

Plan Changes, Plan Change 5 Whenuapai, Zone, [View PDF](#), Proposed, 21/09/2017

### Zones

Future Urban Zone

### Precinct

### Controls

Controls: Macroinvertebrate Community Index - Rural

### Overlays

Infrastructure: Aircraft Noise Overlay - Whenuapai Airbase - noise control area (55dBA)

Infrastructure: Aircraft Noise Overlay - Whenuapai Airbase- noise control area (65dBA)

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



## Overlays

### Natural Resources

	Terrestrial [rp/dp]	Significant Ecological Areas Overlay
	Marine 1 [rcp]	
	Marine 2 [rcp]	
	Water Supply Management Areas Overlay [rp]	
	Natural Stream Management Areas Overlay [rp]	
	High-Use Stream Management Areas Overlay [rp]	
	Natural	
	Urban	
	High-Use Aquifer Management Areas Overlay [rp]	
	Quality-Sensitive Aquifer Management Areas Overlay [rp]	
	Wetland Management Areas Overlay [rp]	

### Infrastructure

	Airport Approach Surface Overlay	
	Aircraft Noise Overlay	
	City Centre Port Noise Overlay [rcp / dp]	
	Quarry Buffer Area Overlay	
	National Grid Subdivision Corridor	National Grid Corridor Overlay
	National Grid Substation Corridor	
	National Grid Yard Compromised	
	National Grid Yard Uncompromised	

### Mana Whenua

	Sites & Places of Significance to Mana Whenua Overlay [rcp/dp]
--	--

### Built Environment

	Identified Growth Corridor Overlay
--	------------------------------------

### Natural Heritage

	Verified position of tree	Notable Trees Overlay
	Unverified position of tree	
	Group of Trees	
	Outstanding Natural Features Overlay [rcp/dp]	
	Outstanding Natural Landscapes Overlay [rcp/dp]	
	Outstanding Natural Character Overlay [rcp/dp]	
	High Natural Character Overlay [rcp/dp]	
	Viewshafts	Regionally Significant Volcanic Viewshafts & Height Sensitive Areas Overlay [rcp/dp]
	Height Sensitive Areas	
	Regionally Significant Volcanic Viewshafts Overlay Contours [i]	
	Locally Significant Volcanic Viewshafts Overlay [rcp/dp]	
	Locally Significant Volcanic Viewshafts Overlay Contours [i]	
	Modified	Ridgeline Protection Overlay
	Natural	
	Local Public Views Overlay [rcp/dp]	
	Extent of Overlay	Waitakere Ranges Heritage Area Overlay
	Subdivision Schedule	

### Historic Heritage & Special Character

	Historic Heritage Overlay Place [rcp/dp]
	Historic Heritage Overlay Extent of Place [rcp/dp]
	Special Character Areas Overlay Residential and Business
	Auckland War Memorial Museum Viewshaft Overlay [rcp/dp]
	Auckland War Memorial Museum Viewshaft Overlay Contours [i]
	Stockade Hill Viewshaft Overlay – 8m height area
	Stockade Hill Viewshaft [i]

## Controls


	Key Retail Frontage	Building Frontage Control
	General Commercial Frontage	
	Adjacent to Level Crossings	Vehicle Access Restriction Control
	General	
	Motorway Interchange Control	
	Centre Fringe Office Control	
	Height Variation Control	
	Parking Variation Control	
	Level Crossings With Sightlines Control	
	Arterial Roads	
	Business Park Zone Office Control	
	Hazardous Facilities Infrastructure	Emergency Management Area Control
	Macroinvertebrate Community Index	
	Flow 1 [rp]	Stormwater Management Area Control
	Flow 2 [rp]	
	Subdivision Variation Control	
	Indigenous Vegetation 749.7 ha	Kawau Island Rural Subdivision SEAs Control
	Freshwater Wetland 14.6 ha	
	Surf Breaks [rcp]	
	Cable Protection Areas Control [rcp]	
	Coastal Inundation 1 per cent AEP Plus 1m Control	

## Designations





## 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



Precincts

--- Rural Urban Boundary

--- Indicative Coastline [i]





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Zones and Rural Urban Boundary

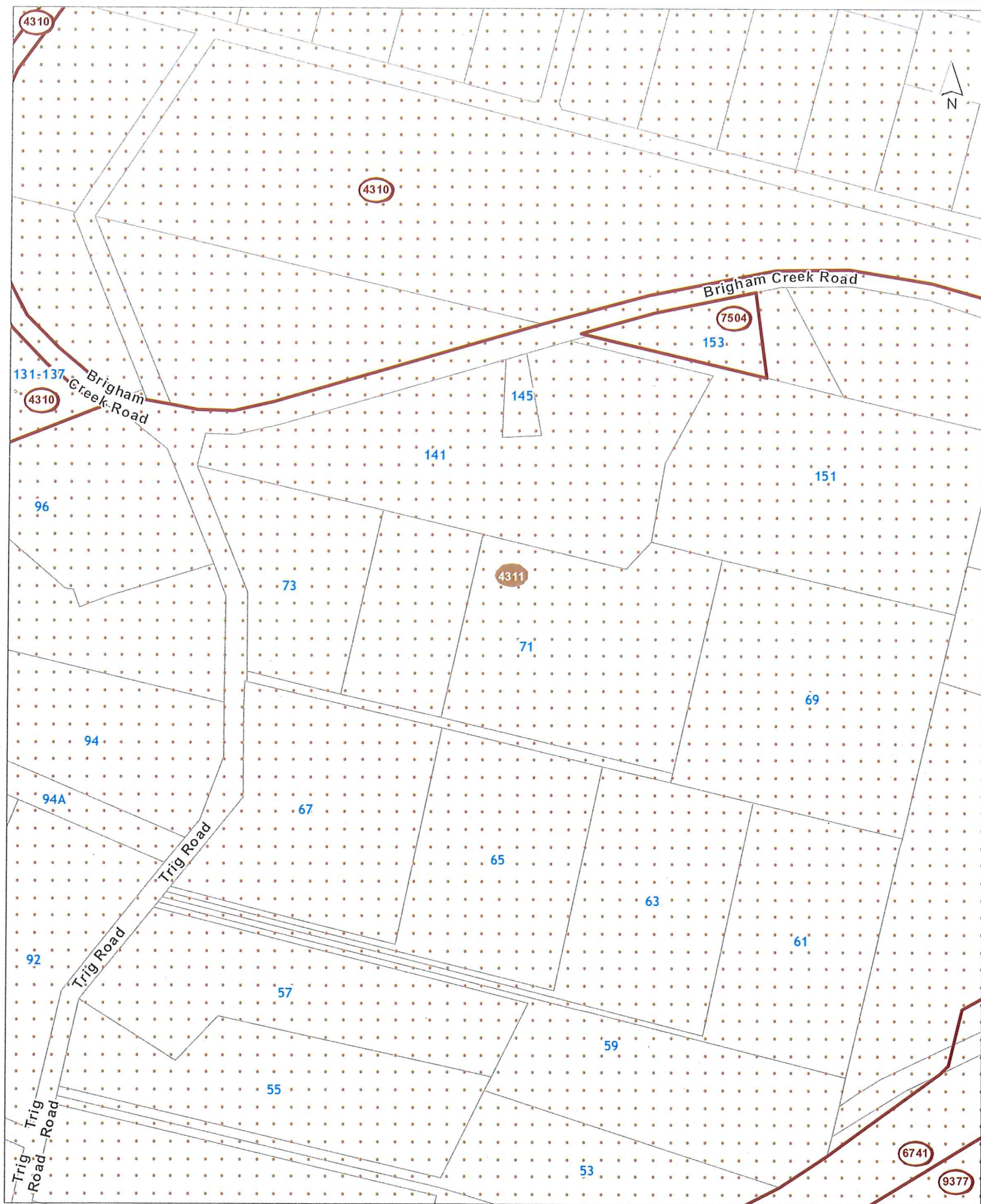
73 Trig Road

0 25 50 75  
Meters

Scale @ A4  
= 1:5,000

Date Printed:  
13/12/2021





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## Designations

73 Trig Road

0 25 50 75  
MetresScale @ A4  
= 1:5,000Date Printed:  
13/12/2021

**Auckland Council**  
Te Kaitiaki o Tāmaki Makaurau



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Historic Heritage and Special Character

**73 Trig Road**

0 25 50 75  
Meters

Scale @ A4  
= 1:5,000

Date Printed:  
13/12/2021





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Natural Heritage

73 Trig Road

0 25 50 75  
Meters

Scale @ A4  
= 1:5,000

Date Printed:  
13/12/2021



**Auckland Council**  
Te Kaunihera o Tāmaki Makaurau



**PPC5: Proposed Whenuapai Plan Change**  
Date 30 April 2019

**Zoning Map - Addendum Report**  
**Recommendations Version**

**Land Parcels**

Whenuapai Zone change boundary

**Indicative Coastline**

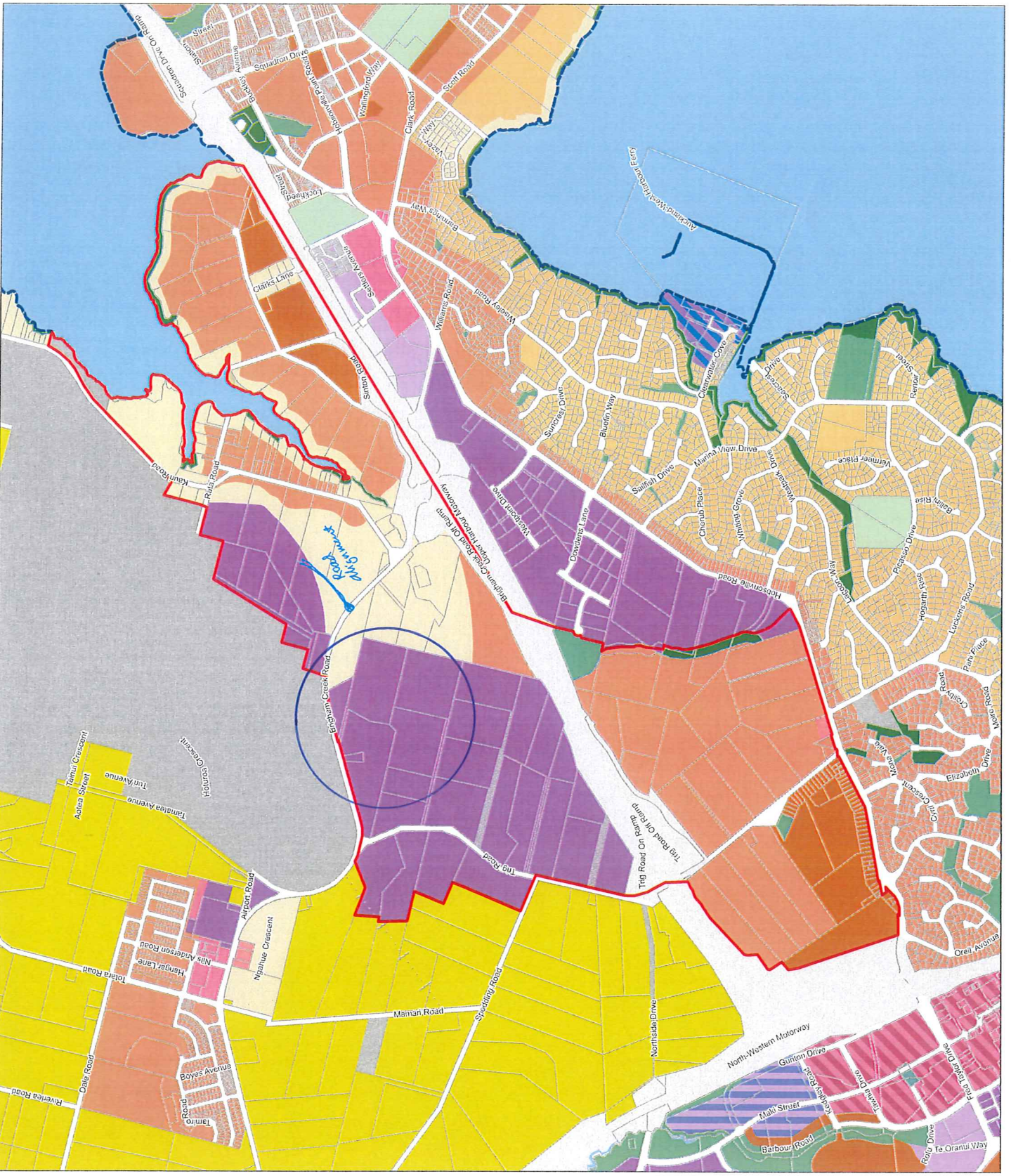
**Unitary Plan Zones**

- 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
- 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
- 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
- Future Urban Zone
- Green Infrastructure Corridor (Operative in some SHAs)
- 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
- Strategic Transport Corridor Zone
- Special Purpose Zone
- Coastal - General Coastal Marine Zone
- Coastal - Marina Zone
- Coastal - Mooring Zone
- Coastal - Minor Port Zone
- Coastal - Ferry Terminal Zone
- Coastal - Defence Zone
- Coastal - Coastal Transition Zone

N

0 150 300 600 metres

Whenuapai is a coastal town in the Auckland Region, New Zealand. It is situated on the northern shore of the Hauraki Gulf, approximately 15 km from the city of Auckland. The town is primarily residential, with a mix of housing types including single houses, townhouses, and apartments. It is bordered by the Hauraki Gulf to the north and the Auckland Harbour Bridge to the south. The town is part of the Whenuapai Local Board area.





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Property results for

## 73 Trig Road, Whenuapai

Rating values as at 01 July 2017

Capital value

\$4,720,000

Improvement value

\$180,000

Land value

\$4,540,000

Valuation reference

32700/60001

Last Market Sale on 20 Jul 2005 for \$1,150,000



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136m<sup>2</sup>



2.6085 ha



1980-89

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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
Steel/G-Iron	Good
Wall construction	Wall condition
Weatherboard	Good
Garage car spaces under main roof	Free-standing garage car spaces
-	-
Number of carparks	Other significant improvements
-	No

Location

Council	Zone
Waitakere City	9U Future Urban Zone

Legal description

LOT 1 DP 117365