

## Christina Lefever

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**From:** Phil Anderson <panderson@linz.govt.nz>  
**Sent:** Wednesday, 19 April 2023 3:08 pm  
**To:** Christina Lefever  
**Cc:** Overseas Investment Office  
**Subject:** RE: Forestry Standing Consent - query re advertising exemption

Hi Christina,

I have now been advised that we are not aware of any change to the position set out in our original email below.

Please lodge your Exemption Application as soon as possible.

Kind regards

### Phillip Anderson

Senior Advisor  
Overseas Investment Office

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**From:** Christina Lefever <christina@lefeverlaw.co.nz>  
**Sent:** Wednesday, 19 April 2023 9:27 a.m.  
**To:** Phil Anderson <panderson@linz.govt.nz>  
**Cc:** Overseas Investment Office <oio@linz.govt.nz>  
**Subject:** RE: Forestry Standing Consent - query re advertising exemption

Hi Phil

Do you have a response on the below? Time is becoming an issue now, and we had hoped to have the Exemption Application lodged by now

Ngā mihi

Christina

 **Christina Lefever**  
Principal  
Phone 021 878 942  
Web [www.lefeverlaw.co.nz](http://www.lefeverlaw.co.nz)

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**From:** Phil Anderson <panderson@linz.govt.nz>  
**Sent:** Friday, March 31, 2023 2:25 PM  
**To:** Christina Lefever <christina@lefeverlaw.co.nz>  
**Cc:** Overseas Investment Office <oio@linz.govt.nz>  
**Subject:** RE: Forestry Standing Consent - query re advertising exemption

Hi Christina,

Your query below has been set down for discussion with senior colleagues early next week (I will be seeking confirmation that no change to the previously advised position).

I will be in touch as soon as the discussion is completed.

Kind regards

**Phillip Anderson**

Senior Advisor

Overseas Investment Office

[panderson@linz.govt.nz](mailto:panderson@linz.govt.nz) | DDI +64 4 471 6653 | MOB

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**From:** Christina Lefever <[christina@lefeverlaw.co.nz](mailto:christina@lefeverlaw.co.nz)>

**Sent:** Thursday, 30 March 2023 3:49 p.m.

**To:** Overseas Investment Office <[oio@linz.govt.nz](mailto:oio@linz.govt.nz)>

**Subject:** RE: Forestry Standing Consent - query re advertising exemption

**Importance:** High

Kia ora

Further to the correspondence below, we are just wanting to confirm that there has been no change in the OIO's position about the potential for a farmland advertising exemption where part of the land being acquired is to be held by the overseas person "on trust" to be transferred back to the vendor following completion of a subdivision.

Karuri Forestry has an Application ready to be submitted (as per the attached draft) but in accordance with the OIO's website commentary, we are referring it to the OIO before submission.

Ngā mihi

Christina



**Christina Lefever**

Principal

Phone 021 878 942

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**From:** Phil Anderson <[panderson@linz.govt.nz](mailto:panderson@linz.govt.nz)>

**Sent:** Tuesday, March 1, 2022 7:50 AM

**To:** Christina Lefever <[christina@lefeverlaw.co.nz](mailto:christina@lefeverlaw.co.nz)>

**Cc:** Michael Appleyard <[mappleyard@linz.govt.nz](mailto:mappleyard@linz.govt.nz)>

**Subject:** RE: Forestry Standing Consent - query re advertising exemption

Hi Christina,

Your query has now been considered at a senior level.

Due to the relative newness of the current farmland advertising requirements, whether a particular situation will qualify for an exemption is likely to come down to its individual facts and the quality of the evidence the applicant can provide to support those facts.

Given the circumstances outlined in your email, we consider at this time that this may well be a situation which could be considered for an exemption but this will only be able to be finally determined upon receipt of an exemption application.

In terms of how long it might take to get a decision on a farm land advertising exemption in these circumstances (noting the general 30 working day target timeframe), we will endeavour to process this as quickly as possible - however it is not possible to state with any certainty how long this is likely to take at this time.

Kind regards

**Phillip Anderson**

Senior Advisor

Overseas Investment Office

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**From:** Christina Lefever <[christina@lefeverlaw.co.nz](mailto:christina@lefeverlaw.co.nz)>  
**Sent:** Monday, 28 February 2022 11:02 a.m.  
**To:** Overseas Investment Office <[oi@linz.govt.nz](mailto:oi@linz.govt.nz)>  
**Subject:** RE: Forestry Standing Consent - query re advertising exemption

Morena

I note we are still awaiting a response to the below query

This also potentially impacts the settlement process for one of the properties subject to a current OIO application, where the processing has been placed "on hold" until we can confirm the arrangements.

As such we would appreciate if we could get a response early this week.

Ngā mihi

Christina



**Christina Lefever**

Principal

Phone 021 878 942

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**From:** Overseas Investment Office <[oi@linz.govt.nz](mailto:oi@linz.govt.nz)>  
**Sent:** Friday, 18 February 2022 8:10 am  
**To:** Christina Lefever <[christina@lefeverlaw.co.nz](mailto:christina@lefeverlaw.co.nz)>  
**Subject:** RE: Forestry Standing Consent - query re advertising exemption

Kia ora Christina

Thank you for your email. I have escalated to a senior solicitor to respond in due course.

Ngā mihi nui,  
Paula

**Paula Merwood** she/her  
Operations Advisor  
Overseas Investment Office

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**From:** Christina Lefever <[christina@lefeverlaw.co.nz](mailto:christina@lefeverlaw.co.nz)>  
**Sent:** Thursday, 17 February 2022 2:38 p.m.  
**To:** Overseas Investment Office <[oi@linz.govt.nz](mailto:oi@linz.govt.nz)>  
**Subject:** Forestry Standing Consent - query re advertising exemption

Good afternoon

Kauri Forestry LP holds a standing consent and has entered an agreement to purchase approximately [REDACTED] hectares of land under that Standing Consent. The land being acquired is being subdivided (by the vendor) off a larger [REDACTED] hectare title.

Settlement is (currently) subject to completion of the subdivision. In order to facilitate a quicker settlement, for the benefit of both the vendor and the purchaser, Kauri Forestry LP is considering offering to settle early by acquiring the whole [REDACTED] title, whereby the area to be subdivided and retained by the vendor will be held by Kauri Forestry LP on trust until the subdivision is completed, and then transferred to the vendor. The vendor would have legally enforceable rights in respect of the subdivision area until it obtains legal title.

However, only the [REDACTED] hectare area was advertised (reflecting the vendors intention to retain the subdivided area).

Without committing the OIO to any outcome/decision, we would appreciate the OIO's initial view as to whether this situation might qualify for an exemption from the farm land advertising regime, and how long it might take to get a decision on a farm land advertising exemption in these circumstances (noting the general 30 working day target

timeframe). This will allow both Kauri Forestry LP and the vendor to determine whether it is worthwhile applying for this exemption, or whether they continue to wait until the subdivision has been completed.

Ngā mihi

Christina

  
Lefever Law

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