

Our Ref DOIA 24-240

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12 April 2024

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Dear [REDACTED]

Thank you for your official information request received on 15 March 2024 for the Overseas Investment Assessment reports the full overseas investment for cases 201900078, 201810093 and 201720119 pertaining to OneFortyOne New Zealand Ltd., One-Forty-One Investments Ltd., OneFortyOne NZ Holdings Ltd., and any associated companies.

Further to our response letter of 27 March 2024, this response letter concerns the release of the assessment reports for overseas investment cases 201810093 and 201900078.

We are of the opinion that good reason for the withholding of the information exists under the following sections of the Official Information Act 1982 (the **Act**):

- 9(2)(a) to protect the privacy of natural persons; and
- 9(2)(b)(ii) where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.

We are of the view the withholding of the information is not outweighed by the public interest to make that information available.

Please note that after consent for overseas investment case 201810093 was granted, some of the conditions were amended in a subsequent variation application. The conditions, from page 33 to page 37 of the report, have been replaced with following:

Consent condition included in report 201810093	Consent condition amendment
Special condition 3: Conservation Conditions	
Clauses 7 and 8 Required date: <i>"As soon as possible and no later than 30 November 2020"</i>	Clauses 7 and 8 Required date: <i>"By 30 November 2022 or within 12 months of DOC's formal agreement to begin work on the draft SNA plan as provided by Nelson Forests Limited (on behalf of the Consent Holders) to DOC on 1 December 2020, whichever is later"</i>

Special condition 3: Conservation Conditions	
<p>"13. You must remove all wildings of the same species as the trees planted on the land from within 1000 metres of the boundary of the land."</p>	<p>"13. You must undertake an expenditure programme over a five year period ending on 30 June 2024. You must spend approximately [withheld under section 9(2)(b)(ii) of the Act] per annum from 30 June 2021 to 30 June 2024, and an aggregate amount of approximately [withheld under section 9(2)(b)(ii) of the Act] during the five-year period ending on 30 June 2024.</p> <p>The expenditure programme may be either:</p> <p>(a) by way of financial contribution to support the Department of Conservation's work on wilding conifer eradication in the Mount Richmond Forest Park; or</p> <p>(b) through direct engagement of contractors to remove wildings of the same species as the trees planted on the land from within 1,000 metres of the boundary of the land.</p> <p>If subparagraph (b) applies, this does not require the removal of wildings from areas which are already home to a non-wilding exotic tree crop (such as neighbouring pine forest land) or wildings which are older than the conifers planted for commercial purposes on the land.</p> <p>This is subject to receiving the permission of the adjoining land owner"</p>
<p>"14. You must make available at your own cost 1 contractor for up to 3 weeks each year for 5 years (equivalent to at least 120 person hours per year) to work on wilding conifer control"</p> <p>Required date: "By June 2019 and annually thereafter for a 5 year period"</p>	<p>"14. You must make available at your own cost contractors to work at least [withheld under section 9(2)(b)(ii) of the Act] in aggregate (at any time over a five year period ending on 30 June 2024)"</p> <p>Required date: "By June 2024"</p>
Special condition 4: Cobb Cottage	
<p>"3. If Cobb Cottage is added to the Heritage New Zealand list, you must provide use of the cottage (without charge) to fishing and hiking groups (provided that you may temporarily close such access and stop such use where you believe it is necessary due to forestry operations or for safety reasons (including fire risk and weather conditions), or to protect the environment or the cottage from damage)."</p>	<p>"3. If Cobb Cottage is added to the New Zealand Heritage list, you must provide use of the cottage (without charge) to fishing and hiking groups, (provided that:</p> <p>(a) you may temporarily close such access and stop such use where you believe it is necessary due to forestry operations or for safety reasons (including fire risk and weather conditions), or to protect the environment or the cottage from damage); and/or</p>

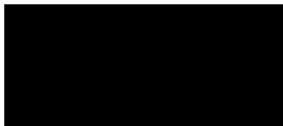
	<i>(b) you may permanently close such access and stop such use where you believe on reasonable grounds that the cottage is earthquake prone."</i>
Special condition 5: Access Conditions	
Clauses 1, 2, 3, 4, 5 and 6	Clauses 1, 2, 3, 4, 5 and 6
Required date: "As soon as possible and no later than 30 November 2020"	Required date: "By 30 November 2021"

If you wish to discuss this decision with us, please feel free to contact oio@linz.govt.nz.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please note, this response letter outlining our decision on your request, **with your personal details withheld** and any attached documentation will be published on the Toitū Te Whenua Land Information New Zealand website. This is likely to be published by 31 May 2024

Kind Regards



Kirsty Hulena
Principal Customer Regulatory Specialist - Overseas Investment Assessment