

Our Ref DOIA 22-031

20 August 2021

[s 9(2)(a)]
[s 9(2)(a)]@nzme.co.nz

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Dear [s 9(2)(a)]

Response to your official information request

We refer to your email dated 30 July 2021 seeking further information about the Xindongyue Group NZ Limited disposal of a vineyard in Clarks Beach.

You asked for the following information:

- a copy of the letter referred to from Xindongyue Group NZ Limited dated February 28, 2020.
- a copy of the letter referred to from Xindongyue Group NZ Limited dated September 25, 2019.
- a copy of the letter referred to from Xindongyue Group NZ Limited dated September 23, 2019.
- a copy of the independent registered valuation the company was required to provide OIO by July 14.

Copies of these documents are **attached** to this letter. We have made minor redactions to protect the names of individuals who are not directly connected to the transaction, for example employees of the vineyard. We have also redacted the terms of an employment agreement that was appended to one of the letters.

The information has been redacted to protect the privacy of natural persons in accordance with s9(2)(a) of the Official Information Act. It is not considered that the withholding of this information is outweighed by other considerations which render it desirable, in the public interest to make that information available.

In addition, you asked to see information on the appointment of real estate agents and evidence of the property being marketed online.

We have provided a quarterly report on the disposal process, which documents the appointment of the real estate agents and details of the marketing of the property. We have again made some minor redactions to protect the privacy of individuals who are not directly connected to the transaction – for example the

names of people who enquired about the property while it was being marketed. This information has been redacted under s9(2)(a). We consider the public interest in the matter can be served without disclosure of the names of these individuals being disclosed.

You also asked for copies of the sale and purchase agreement, settlement statements and titles showing the transfer of the property to the purchaser. We have enclosed the final report from Xindongyue's solicitor dated 2 June 2021 which attaches those documents, and a statutory declaration that the purchaser is not associated with Xindongyue.

Finally you asked the OIO to confirm that the buyer, NZ Cook Commerce Ltd, and its trustee company Angel Chen Trustee Ltd are New Zealand entities and individuals which are not subject to OIO consenting rules. We note that we have seen no information to suggest that either entity is an overseas person.

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.

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

Yours sincerely

[s 9(2)(a)]

Simon Pope
Manager, Enforcement