Farm land offer exemption

Read this exemption carefully - you must comply with all the conditions.

Decision date	16 June 2026
Case	202600103
Exemption	Every person is exempt from the farm land offer criterion in section 16(1)(g) of the Act in respect of any application for consent under the Act for a Qualifying Transaction decided on or before 16 June 2027 (subject to the Conditions set out below).
Land	Approximately 1,250 hectares of land (as described in **Appendix 1**)
Qualifying Transaction	Means the acquisition of a leasehold interest in the Land from New Zealand Transport Agency (**NZTA**) for the purpose of construction of a state highway on the Land, and subsequent operation and maintenance.
LINZ	Toitū te Whenua Land Information New Zealand

Conditions

Your Exemption is subject to the conditions set out below. You must comply with them. The Overseas Investment Act 2005 (**Act**) provides for civil and criminal sanctions for breaching the Act, failing to comply with conditions of exemption and failing to provide information required by LINZ. LINZ has an obligation to investigate and act upon alleged and suspected breaches of the Act.

If requested in writing by LINZ, the Exemption 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 for the Exemption; or

(b) the conditions of the Exemption

Reasons for exemption

The purpose of the requirement to advertise farm land is to give New Zealanders an opportunity to acquire farm land on the open market.

An exemption from this requirement may be granted if the decision maker considers that the overseas investment need not meet this requirement by reason of the circumstances relating to the particular overseas investment or section 12 interest or the nature of the land to which the section 12 interest relates.

An exemption may only be granted if there are circumstances that mean that it is necessary, appropriate, or desirable to provide an exemption, and the extent of the exemption is not broader than is reasonably necessary to address those circumstances.

The Land is required for constructing part of the Northland Corridor state highway and will be used for the purpose of moving people and freight between major centres more safely and efficiently.

In this case, an exemption is appropriate and desirable as:

- the Land has been acquired by the Crown (on behalf of NZTA) under the Public Works Act 1981 for roading purposes, so it is not genuinely available for lease for any other purpose;
- there is a limited pool of potential lessees with the appropriate skills and means to acquire the lease and complete the road development. LINZ consider that advertising in accordance with the regulations would not be appropriate to the nature and scale of the investment, and accept that NZTA will identify and approach the appropriate lessees for the development; and
- the interest in the Land is a leasehold interest and does not alter the ownership of the underlying freehold Land which will remain with the Crown (on behalf of NZTA).

LINZ considers that the extent of the Exemption is not broader than is reasonably necessary, as it is limited to interests acquired for the purpose of roading (which will likely be of high benefit to New Zealand given the high importance the Government places on Roads of National Significance). The exemption is also limited to a period of 12 months.

APPENDIX 1: LIST OF PROPERTIES COMPRISING THE LAND

Withheld under section 9(2)(b)(ii) of the Official Information Act 1982

[redacted]

Withheld under section 9(2)(b)(ii) of the Official Information Act 1982
[redacted]

Withheld under section 9(2)(b)(ii) of the Official Information Act 1982

[redacted]