Investment Plan

Special Forestry Test

Application for consent to acquire Sensitive land, or Sensitive land & Significant business assets

Use this template for applications for a one-off consent under the special test relating to forestry activities (special forestry test).

It is important that you provide us with accurate and complete information. It is an offence to make a false or misleading statement or material omission in any information or document provided to Land Information New Zealand (**LINZ**).

LINZ may use relevant legislation to share details of this application with other agencies to the extent permitted by law and as required to complete the application process.

Instructions:

* Please do not remove the instruction text from this template.
* Use the latest version of this template. Download this template from our website before each use.
* Follow the guidance in each section. Provide all required information.
* Be concise and use plain English. Use headings and tables (if relevant) and explain industry terminology.
* This is a living document and must be updated during the assessment process if further information is provided. Updated versions of this document must be recorded in the table below and with [tracked changes](https://support.office.com/en-us/article/Track-changes-in-Word-197ba630-0f5f-4a8e-9a77-3712475e806a#ID0EAABAAA=2016,_2013) so LINZ can easily identify those updates.
* **You must upload the completed investment plan to your online application for consent before you submit the application.**

Electronic Filing Requirements

Your investment plan and supporting information must be submitted electronically using our [Application Submission Webform](https://oio.linz.govt.nz/forestry-submission). The Webform is a secure upload site and provides details of our electronic filing requirements.

Please do not provide hard copy versions of your documents.

|  |  |  |  |
| --- | --- | --- | --- |
| Checklist | | | |
| 1. | Electronic copy of your signed application (without attachments) |  |
| 2. | Electronic copy of each attachment to your application (number and describe each appendix – i.e. ‘Attachment 01 – X’) |  |
| 3. | All PDF documents are:   * ‘Printed to PDF’, or scanned and OCR’d (i.e. all text in the document can be copied) * Free from security restrictions * In colour (if the document contains colour) * If scanned, at 300 dpi (where possible) |  |

Version control

Record the details of each version of the investment plan below.

|  |  |  |
| --- | --- | --- |
| Applicant Name | | Click or tap here to enter text. |
| Version | Date | Description |
| 1.0 | [Add] | Click or tap here to enter text |
| 2.0 | [Add] | Click or tap here to enter text |

Applicant signature – Version 1.0

Only version 1.0 and the final version of the investment plan must be signed

Sign version 1.0 of the investment plan below.

|  |  |  |
| --- | --- | --- |
| Version 1.0 | | |
| [Sign here] | | Date [e.g. 01/01/20] |
| [Name] | [Position] | [Date] |

Applicant signature – Final version

Do not sign the final version of the investment plan below until LINZ requests you to.

|  |  |  |
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|  | | |
| [Sign here] | | Date [e.g. 01/01/20] |
| [Name] | [Position] | [Date] |

Section 1: Investment plan

Use this section to describe the sensitive assets you wish to acquire, what you plan to do with them and why – this is the story of your investment. You can refer to this information later when addressing the relevant criteria (avoid duplicating information).

We require this information to understand your investment, to assess the risk profile of your application, and for statistical purposes.

Required content

Provide the following:

* An explanation of why you consider the land is currently used for forestry activities.
* Your plans to continue to use the property for forestry activities.
* A breakdown of the current and proposed use of the land (use the table provided or similar) - be clear about the extent to which you will use the land for forestry vs non-forestry activities.
* Information about the existing crop(s) of trees on the land including species type and timeframes for harvest.
* Confirm whether you will register the land in the New Zealand Emissions Trading Scheme.

1. Response

|  |  |  |
| --- | --- | --- |
| [Property address and name – e.g. 42 Forest Hill Road, Sodor (Henry’s Forest)] | | |
| Land use | Current (ha) | Proposed (ha) |
| Forestry (total) | [25 ha] | [150 ha] |
| Unplanted (*other than farm land*) (total) | [25 ha] | [35 ha] |
| Farm land (total) | [150 ha] | [0 ha] |
| Land to be divested/subdivided and sold (total) | [N/A] | [15 ha] |
| **Total land use** | [200 ha] | [200 ha] |
|  |  |  |
| Forestry (total ha) | [25 ha] | [150 ha] |
| Existing plantation | [25 ha] | [25 ha] |
| New planting / afforestation – *at X stems per ha* | [ *N/A* ] | [125 ha] |
|  |  |  |
| Unplanted (total ha) | [25ha] | [35 ha] |
| Native bush (including scrub) | [10 ha] | [10 ha] |
| Unplantable – ridges, gullies, steep land | [10 ha] | [10 ha] |
| Infrastructure – roads, tracks | [0 ha] | [5 ha] |
| Buffer land, set-backs, riparian planting | [5 ha] | [10 ha] |
|  |  |  |
| Farm land (total ha) |  |  |
| Pasture | [150 ha] and [stock numbers\*] | [N/A] |
|  |  |  |
| Land to be divested / subdivided and sold (total ha) | [N/A] | [15 ha] |
| Farm land | [N/A] | [15 ha] |
| Forestry | [N/A] | [0 ha] |
| Other | [N/A] | [0 ha] |

\* *stock number defined as total number and type of stock on the relevant land.*

Replanting

When a crop of trees is harvested on the relevant land, will a new crop be, or likely be, established to replace the crop that is harvested?

* If applicable, explain why an area cannot be replanted after harvest (e.g. changes in regional or district plan rules prevent replanting).
* If relevant, submissions in support of any request that the replanting requirement not apply to the land, or part of the land, because you do not have sufficient ownership or control (direct or indirect) of rights to comply with this requirement. Contact LINZ if you wish to discuss your request prior to submitting an application.

1. Response

Forestry activities

Will the relevant land be, or likely be, used exclusively, or nearly exclusively, for forestry activities?

Where relevant:

* Describe any buildings (e.g. dwellings) that are on the land, their existing purpose, and what you plan to do with them. If any dwellings are to be divested, state the expected timeframe for doing so.
* Describe any non-forestry activities that will be undertaken on the land (including activities carried out by third parties) and the extent to which they will occur.
* If any land is to be divested post-acquisition, state the expected timeframe for doing so.

1. Response

Will the land be used, or held for future use, for any residential purposes? [[1]](#footnote-1)

You can draw on the information provided above to answer this question.

1. Response

If yes, who will occupy the land and is this a person permitted to occupy the land under the non-occupation outcome?

1. Response

Section 2: Existing arrangements / obligations

Use this section to identify and describe existing arrangements, obligations and consent conditions that relate to the relevant land and address the requirement that these must be continued.

Existing arrangements

An existing arrangement is a written arrangement that is in place prior to the overseas investment transaction being entered into (or before this application is made if the transaction is yet to be entered into) for any of the following purposes:

* protecting areas of indigenous vegetation or habitats of indigenous fauna:
* protecting areas of habitats of trout, salmon, wildlife:
* protecting any historic place or historic area that is entered on the New Zealand Heritage List/Rārangi Kōrero:
* protecting any wāhi tapu or wāhi tapu area:
* protecting any land that is set apart as Māori reservation and that is wāhi tapu under Te Ture Whenua Maori Act 1993: or
* providing access to land for members of the public or any section of the public.

What steps have been taken to identify any relevant arrangements (e.g. discussed matters with the vendor or engaged specialist advisor)?

1. Response

Provide an explanation of any existing arrangements identified, if any, and how you will maintain or implement these.

If relevant, include any submissions in support of any request that the decision-maker not apply or modify the requirement to implement and maintain (as relevant) an existing arrangement because you do not have sufficient ownership or control (direct or indirect) of rights to do so.

1. Response

Existing consent conditions

Are there any existing overseas investment consent conditions that require anything to be done, or prohibit anything from being done, on the relevant land?

Required content

If relevant provide the following:

* The case number for the existing consent.
* The details of the relevant conditions.
* Confirm you will meet the requirements of the relevant conditions and how you plan to do so.
* If relevant, submissions in support of any request that the Minister not apply or modify the requirement to do, or not do things, as required under the existing conditions because you do not have sufficient ownership or control (direct or indirect) of rights to do so.

1. Response

Existing log supply obligations

Are there any contractual obligations in place under which logs from trees harvested on the relevant land must be supplied to a person who intends to have the logs processed in New Zealand?

Required content

If relevant provide the following:

* Details of the relevant log supply obligation (if any), including parties to the contract and key terms.
* Confirm you will supply logs as required the existing supply obligation (so long as the obligation remains in place).

1. Response

1. Note – using land for residential purposes is a non-forestry activity and is only permitted where this does not prevent the land being used exclusively or nearly exclusively for forestry activities, and where the relevant overseas person (and persons described in the non-occupation outcome in clause 17(3) to (5) of Schedule 2 of the Act) will not occupy the land for residential purposes. [↑](#footnote-ref-1)