

From: [Richard Thorp](#)
Sent: Thursday, 31 October 2019 7:40 AM
To: [Overseas Investment Office Monitoring](#)
Cc: [Chrisna Leafever](#)
Subject: Case: 201610121
Attachments: Shortlands Road year 3 report OIO (Oct 2019).pdf; BXfoods office building 03-09-2015.pdf; ACCOMODATION CONCEPT 21-08-2015.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Please find the update and annual report for Case 201610121 being the acquisition of a freehold interest in approximately 5.3806 hectares of land at 10 Shortland Road, Oamaru North

If there are any questions please make contact with myself

Regards

RICHARD THORP | BX FOODS LTD

P +64 274 359 001 | A Oamaru, New Zealand

W www.bxfoods.co.nz | E richard@bxfoods.co.nz



This e-mail message has been scanned for Viruses and Content and cleared by [MailMarshal](#)

Shortlands Road

Case: 201610121

Overseas Investment Office Annual Report 2019



Special Conditions	Summary of Section	Progress Update	Status
Resource Consents	3) Within 6 months from the date of consent, the Consent Holder must apply for resource consent (Resource Consent) to change the zoning of the Target Land to allow the development of staff accommodation and a dwelling to take place in accordance with the Business Plan.	<p>The company has made two applications for migrant workers through the AIP programme with New Zealand Immigration the most recent application has been declined from immigration New Zealand.</p> <p>At this point we have no commercial reason to change the zoning of the land if we are unable to obtain workers to place in the lodgings</p>	
Resource Consents	4) The Consent Holder must use all reasonable commercial endeavours to obtain the resource consent	Resource consent is not required	

<p>Requirement to develop staff accommodation</p>	<p>5) Within 1 year from the date that Resource Consent is granted, the Consent Holder must have begun to redevelop the dwelling on the Target Land into staff accommodation in accordance with its Business Plan</p>	<p>Plans are completed and attached to this report, we have not proceeded with the zone change due to a lack of go forward with Immigration NZL on migrant workers</p>	
<p>Requirement to develop staff accommodation</p>	<p>6) Within 4 years from the date that Resource Consent is granted, the Consent Holder must have completed the redevelopment of the dwelling on the Target Land into staff accommodation in accordance with its Business Plan</p>	<p>Due to a decline of our application from Immigration NZL at this point there is no commercial reason to develop the lodgings to the extent we have provided in the plan – there is a possibility we can develop the current building by building bedrooms into the garage. This would allow us to accommodate more people but would not require a resource consent.</p> <p>We are planning to have the garage in Shortlands Road house, remodelled to accommodate staff at a cost of \$95,000 this will be completed in April 2021.</p>	
<p>Requirement to develop office premises</p>	<p>7) Within 2 years from the date that Resource Consent is granted, the Consent Holder must have begun to develop office premises on the Target Land in accordance with its Business Plan.</p>	<p>The office is to be built as part of a major development of the main factory site and will be built on the Shortlands road site – plans are attached. Completion of the office will be April 2021 – the expected cost of the office has been quoted at \$420,000 along with land scaping and carparking for an additional sum of \$47,500</p>	<p>On Target</p>
<p>General Summary</p>	<p>Improvements of land since taking ownership.</p>	<ul style="list-style-type: none"> • On taking ownership of the land we have made a number of improvements. • All the internal fences were beyond repair and they were removed with new fences to go in along with new gates – cost to remove fences - \$2,500 • An old tree line on a boundary fence was removed at 100% cost to NZ Binxi (Oamaru) Foods Ltd 	

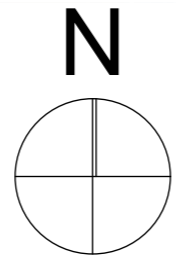
		<ul style="list-style-type: none">• New fences have been installed in 2019 - \$35,000• We have levelled a third of the farm, laying clay and top soil and will be re-planting grass seed post over the year of 2020 - \$10,000• The cattle yards have been dismantled, these yards were unsightly and had not been used for many years.	
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Richard Thorp

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

SHEET INDEX	
ID	LAYOUT NAME
201	SITE PLAN
202	FLOOR PLAN
203	ELEVATIONS
204	PERSPECTIVE IMAGES
205	CROSS SECTION



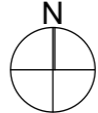
SITE LOCATION PLAN
1:20000

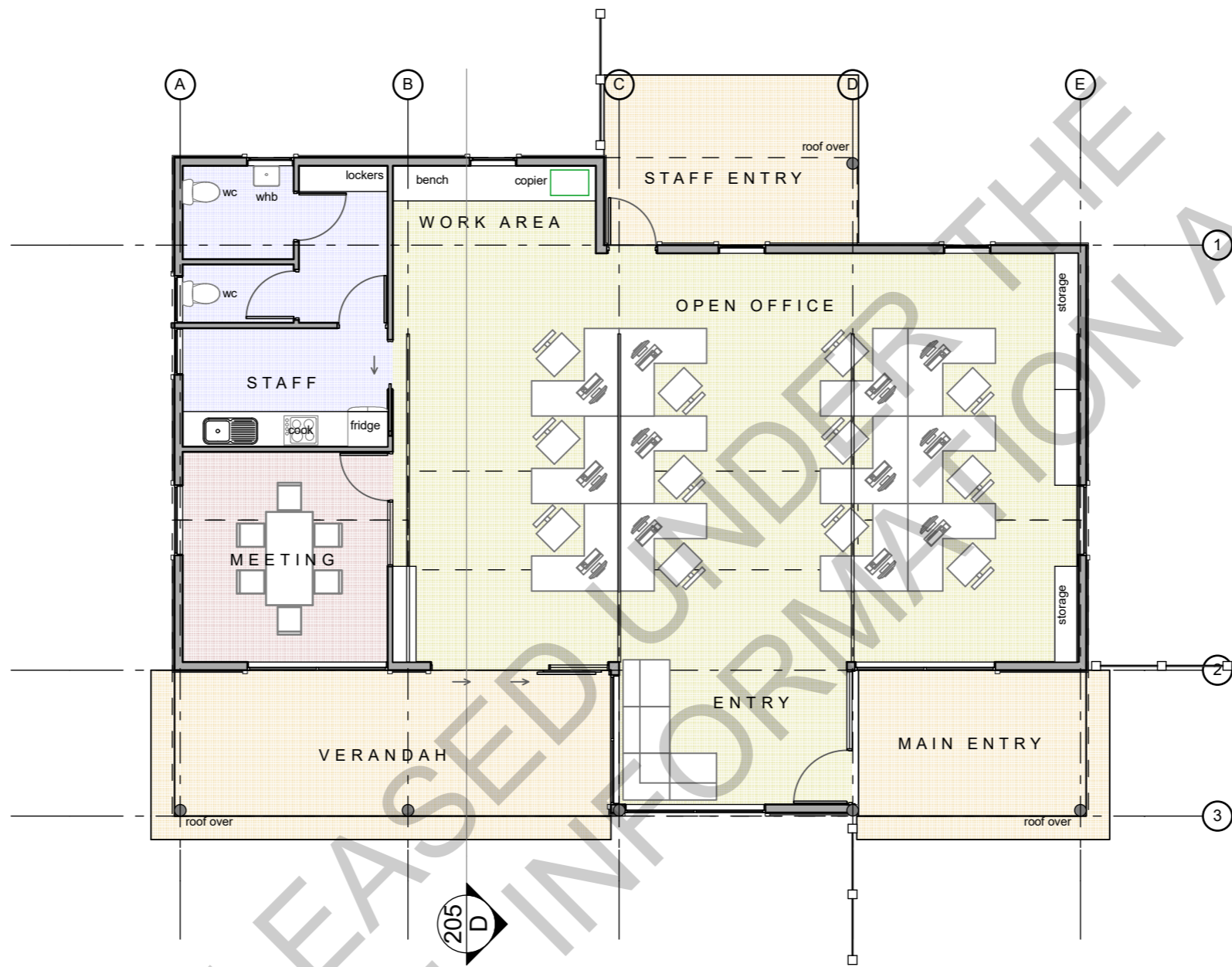


SITE PLAN
1:1000

All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.



Job Title PROPOSED OFFICE DEVELOPMENT	For BINXI FOODS NZ Ltd	At REDCASTLE ROAD OAMARU	 ALL DIMENSIONS TO BE VERIFIED ON SITE	Drawing Title SITE PLAN	
				Drawn	Drawing Number 201
				Design	Scale 1:1, 1:20000, 1:1000
				Creation Date 14/09/2009	Plot Date 3/09/2015



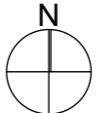
134.93 m²



1. PROPOSED FLOOR PLAN
1:100

All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.



Job Title	PROPOSED OFFICE DEVELOPMENT		Drawing Title FLOOR PLAN	
For	BINXI FOODS NZ Ltd		Drawn	
At	REDCASTLE ROAD OAMARU		Design	
			Creation Date	14/09/2009
		Plot Date	3/09/2015	Drawing Number 202
		ALL DIMENSIONS TO BE VERIFIED ON SITE		Scale 1:100

sg - Safety glass as per NZBC requirements.

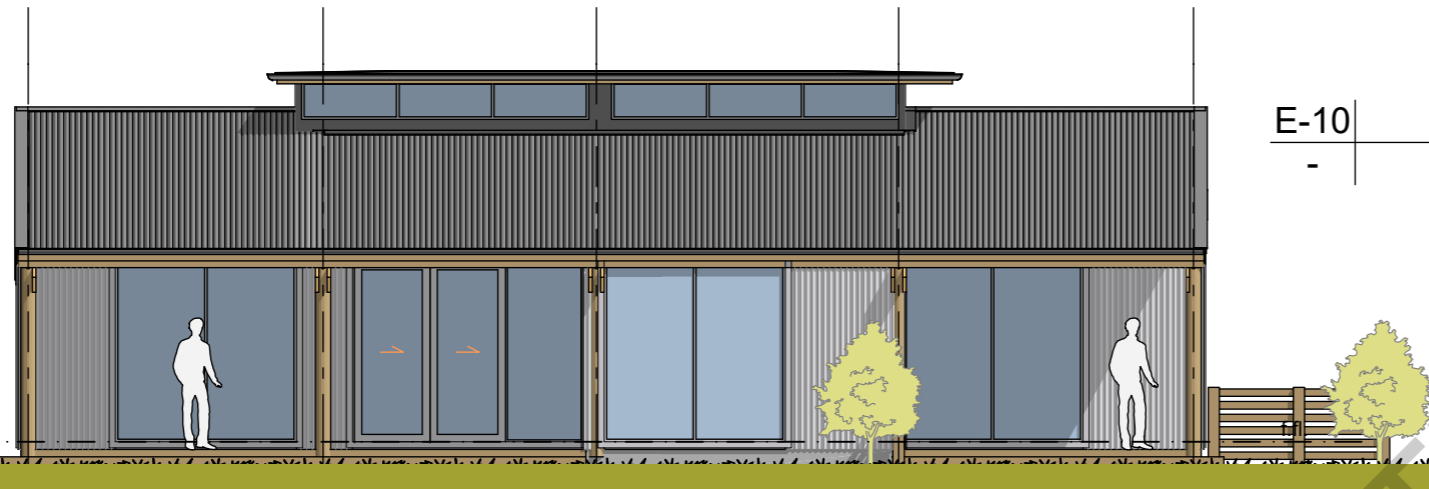
-Selected corrugate colorsteel roofing with matching fixings & flashings.

-Selected colorsteel spouting system fixed as per manufacturers specifications to colorsteel fascia board.

-Selected corrugate colorsteel vertical cladding cladding direct fixed to timber frame walls as per NZS 3604 2011.

-Selected aluminium window & door joinery flashed & sealed to exterior cladding.

-Confirm levels on site before construction.



E-10 OFFICE WEST ELEVATION

sg - Safety glass as per NZBC requirements.

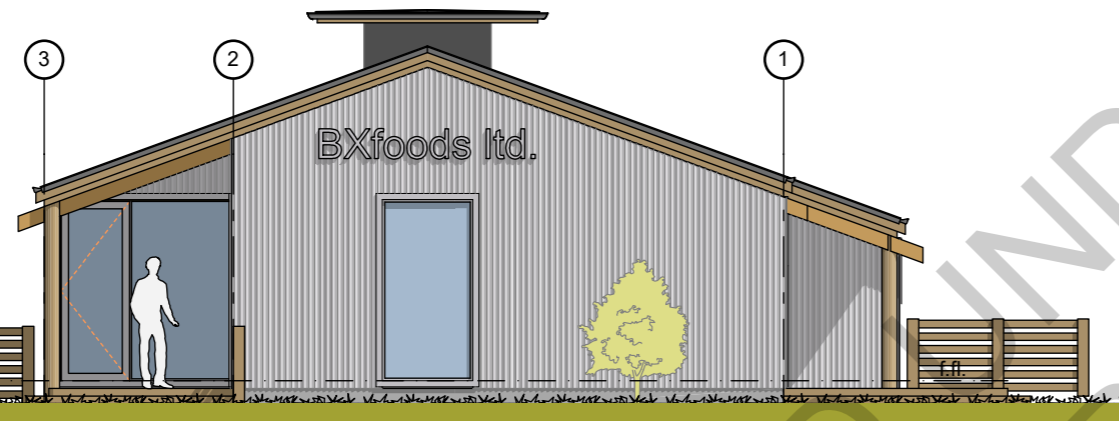
-Selected corrugate colorsteel roofing with matching fixings & flashings.

-Selected colorsteel spouting system fixed as per manufacturers specifications to colorsteel fascia board.

-Selected corrugate colorsteel vertical cladding cladding direct fixed to timber frame walls as per NZS 3604 2011.

-Selected aluminium window & door joinery flashed & sealed to exterior cladding.

-Confirm levels on site before construction.



E-12 OFFICE SOUTH ELEVATION

sg - Safety glass as per NZBC requirements.

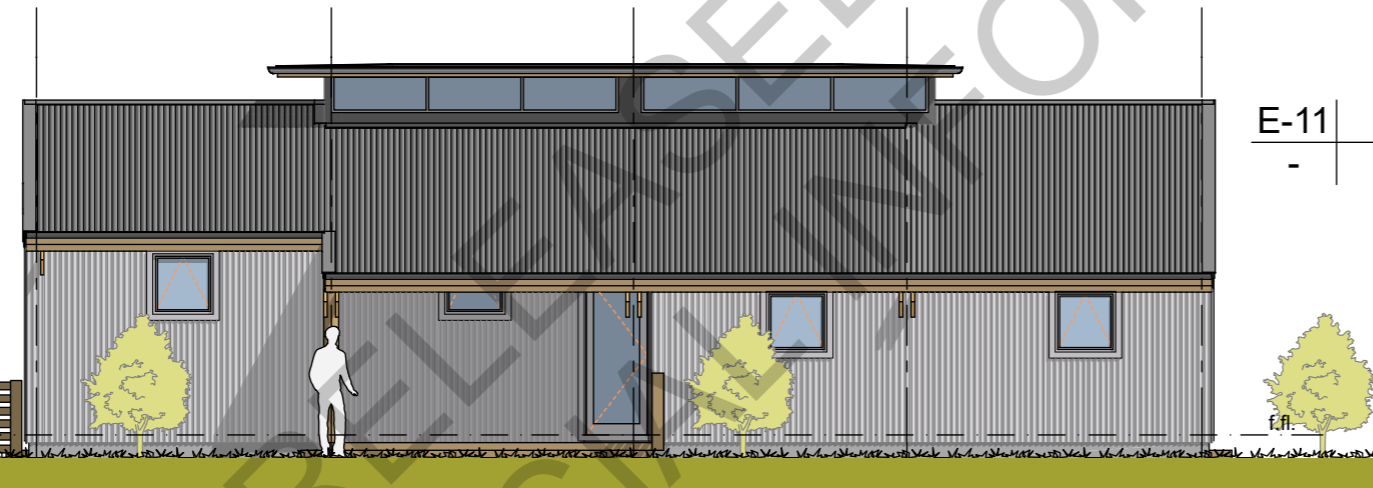
-Selected corrugate colorsteel roofing with matching fixings & flashings.

-Selected colorsteel spouting system fixed as per manufacturers specifications to colorsteel fascia board.

-Selected corrugate colorsteel vertical cladding cladding direct fixed to timber frame walls as per NZS 3604 2011.

-Selected aluminium window & door joinery flashed & sealed to exterior cladding.

-Confirm levels on site before construction.



E-11 OFFICE EAST ELEVATION

sg - Safety glass as per NZBC requirements.

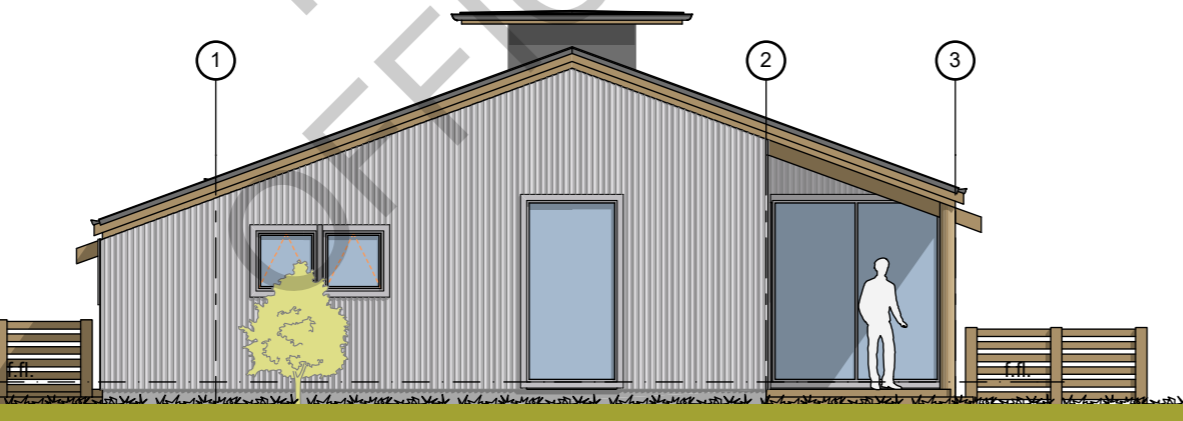
-Selected corrugate colorsteel roofing with matching fixings & flashings.

-Selected colorsteel spouting system fixed as per manufacturers specifications to colorsteel fascia board.

-Selected corrugate colorsteel vertical cladding cladding direct fixed to timber frame walls as per NZS 3604 2011.

-Selected aluminium window & door joinery flashed & sealed to exterior cladding.

-Confirm levels on site before construction.



E-09 OFFICE NORTH ELEVATION



Job Title **PROPOSED OFFICE DEVELOPMENT**

For **BINXI FOODS NZ Ltd**

At **REDCASTLE ROAD OAMARU**



Drawn	
Design	
Creation Date	00/00/2010
Plot Date	3/09/2015

Drawing Title **ELEVATIONS**

Drawing Number	Scale
203	1:100

ALL DIMENSIONS TO BE VERIFIED ON SITE

All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.



OFFICE PERSPECTIVE 1

OFFICE PERSPECTIVE VIEW 2



OFFICE PERSPECTIVE VIEW 3



de Geest
de Geest Construction Ltd
Future builders building futures

Job Title **PROPOSED OFFICE DEVELOPMENT**

For **BINXI FOODS NZ Ltd**

At **REDCASTLE ROAD OAMARU**



Drawn	
Design	
Creation Date	00/00/2010
Plot Date	3/09/2015

Drawing Title

PERSPECTIVE IMAGES

Drawing Number	Scale
204	1:132.8441, 1:170.8859, 1:148.1357

ALL DIMENSIONS TO BE VERIFIED ON SITE

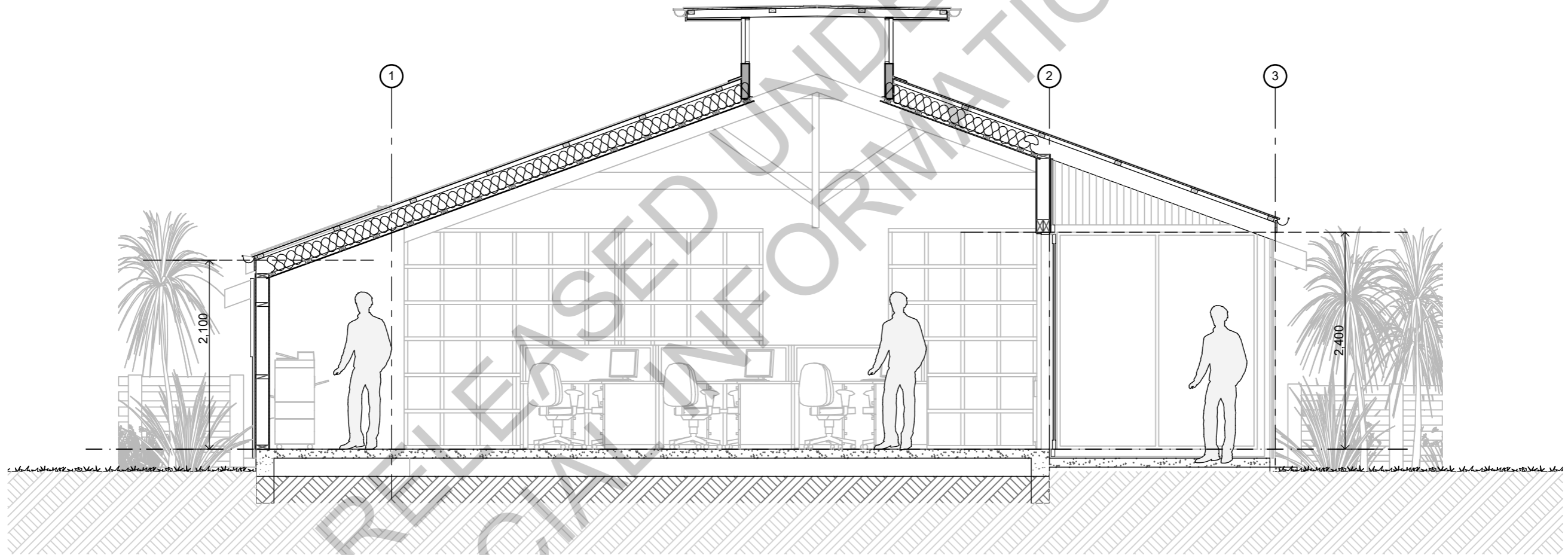
All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.



INTERIOR PERSPECTIVE 2



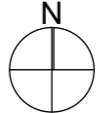
INTERIOR OFFICE PERSPECTIVE 1



D CROSS SECTION

All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.



Job Title	PROPOSED OFFICE DEVELOPMENT		Drawing Title		
For	BINXI FOODS NZ Ltd		CROSS SECTION		
At	REDCASTLE ROAD OAMARU		Drawn Design Creation Date 14/09/2009 Plot Date 3/09/2015	Drawing Number 205	Scale 1:50, 1:203.6785, 1:243.2696
ALL DIMENSIONS TO BE VERIFIED ON SITE					

EXTERIOR PERSPECTIVE 1



SHEET INDEX

ID	LAYOUT NAME
101	EXTERIOR PERSPECTIVE VIEWS
102	PROPOSED FLOOR PLAN
103	PROPOSED ELEVATION
104	CROSS SECTION
105	EXISTING FLOOR PLAN
106	EXIST. ELEVATION
201	ROOF / FOUNDATION PLAN

EXTERIOR PERSPECTIVE 2

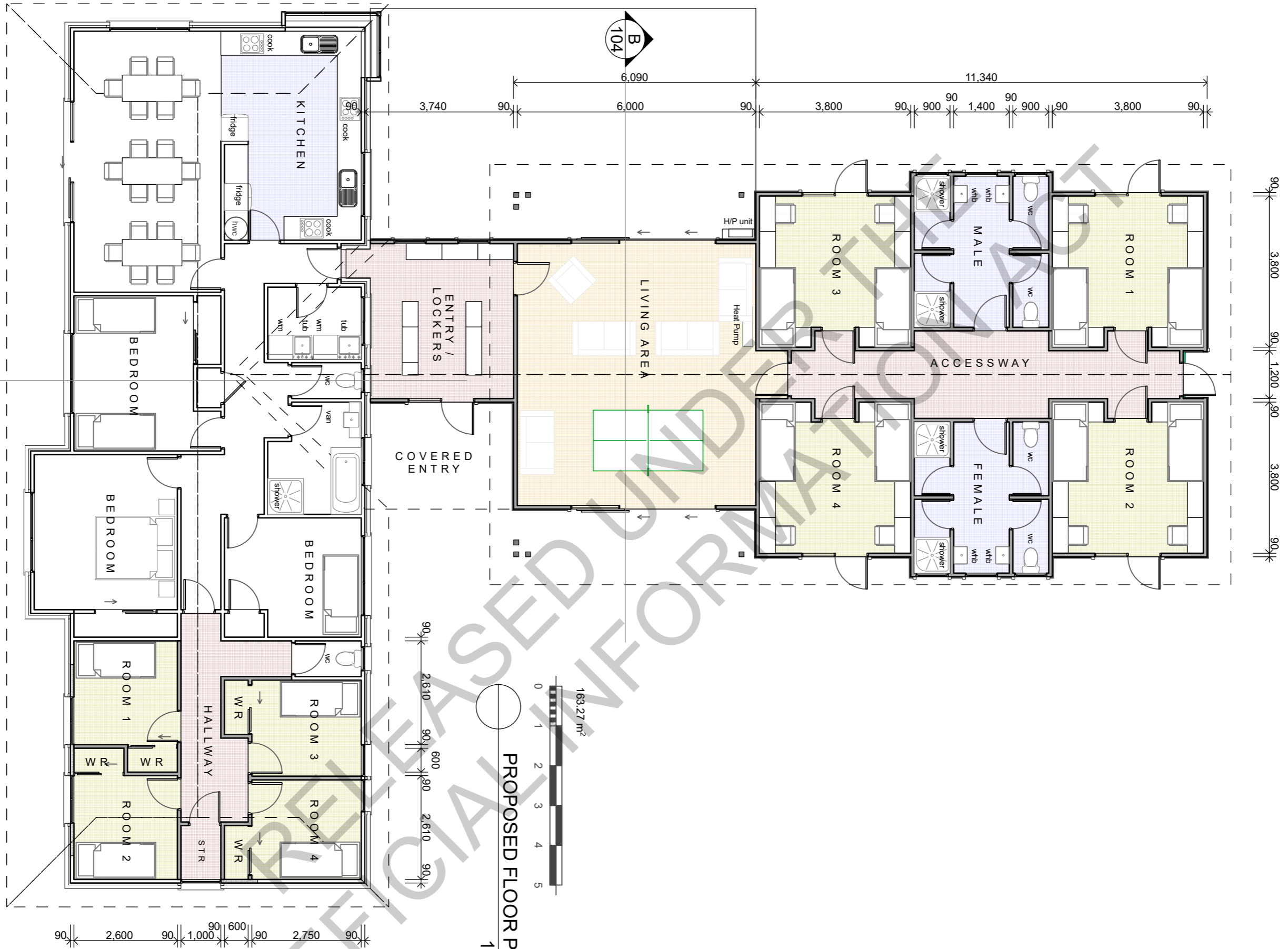


All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.



Job Title	PROPOSED ACCOMODATION DEVELOPMENT		Drawing Title	
For	BINXI FOODS NZ Ltd		EXTERIOR PERSPECTIVE VIEWS	
At	REDCASTLE ROAD OAMARU		Scale	1:200, 1:1
			Drawing Number	101
		Drawn		
		Design		
		Creation Date	14/09/2009	
		Plot Date	21/08/2015	
		ALL DIMENSIONS TO BE VERIFIED ON SITE		

#LayID
C



PROPOSED FLOOR PLAN
1:100

All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.



Job Title	PROPOSED ACCOMODATION DEVELOPMENT		Drawing Title PROPOSED FLOOR PLAN	
For	BINXI FOODS NZ Ltd		Drawing Number 102	Scale 1:100
At	REDCASTLE ROAD OAMARU		ALL DIMENSIONS TO BE VERIFIED ON SITE	
	Drawn	Design	Creation Date 14/09/2009	Plot Date 21/08/2015

sg - Safety glass as per NZBC requirements.

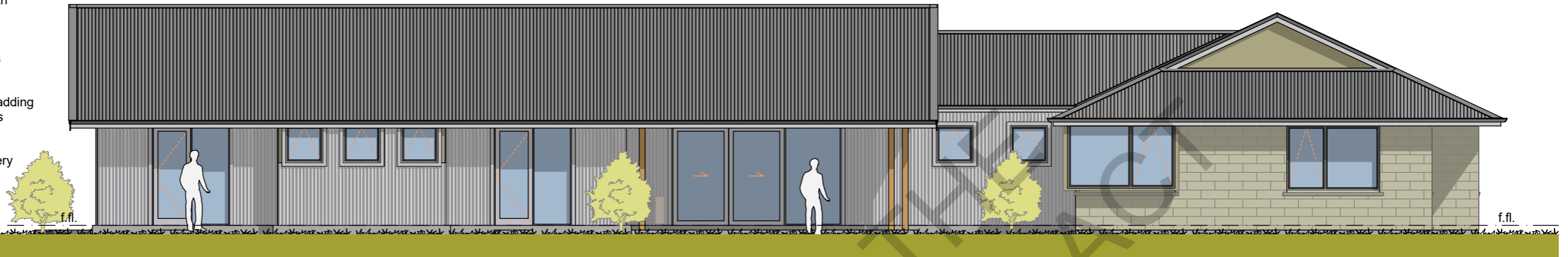
-Selected corrugate colorsteel roofing with matching fixings & flashings.

-Selected colorsteel spouting system fixed as per manufacturers specifications to colorsteel fascia board.

-Selected corrugate colorsteel vertical cladding cladding direct fixed to timber frame walls as per NZS 3604 2011.

-Selected aluminium window & door joinery flashed & sealed to exterior cladding.

-Confirm levels on site before construction.



E-05 | PROPOSED NORTH ELEVATION

sg - Safety glass as per NZBC requirements.

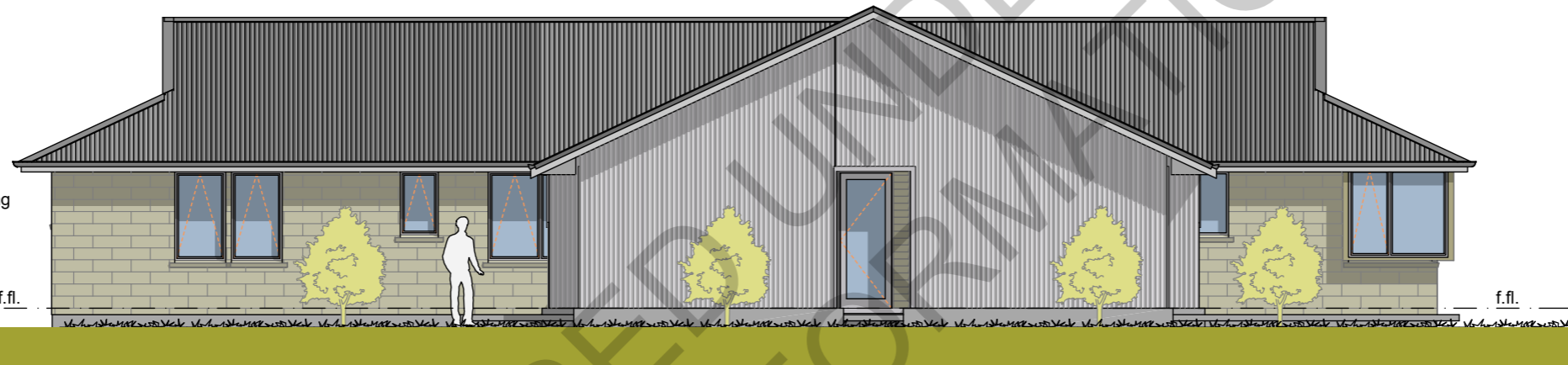
-Selected corrugate colorsteel roofing with matching fixings & flashings.

-Selected colorsteel spouting system fixed as per manufacturers specifications to colorsteel fascia board.

-Selected corrugate colorsteel vertical cladding cladding direct fixed to timber frame walls as per NZS 3604 2011.

-Selected aluminium window & door joinery flashed & sealed to exterior cladding.

-Confirm levels on site before construction.



E-07 | PROPOSED EAST ELEVATION

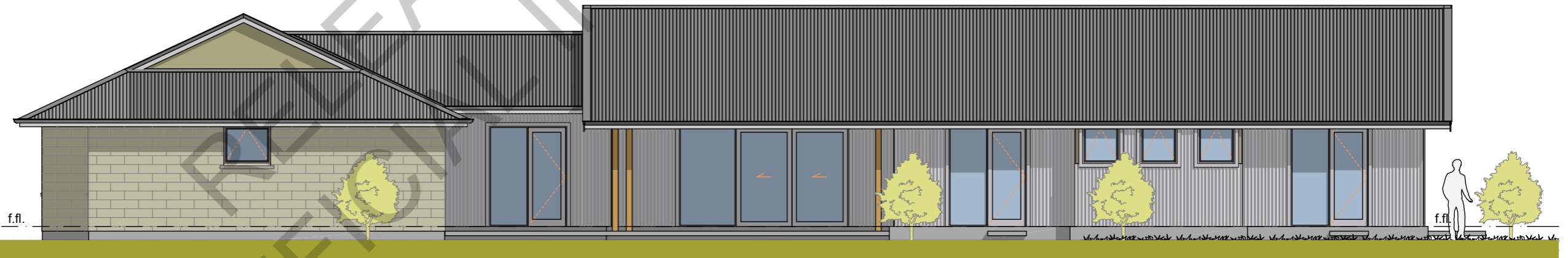
sg - Safety glass as per NZBC requirements.

-Selected corrugate colorsteel roofing with matching fixings & flashings.

-Selected colorsteel spouting system fixed as per manufacturers specifications to colorsteel fascia board.

-Selected corrugate colorsteel vertical cladding cladding direct fixed to timber frame walls as per NZS 3604 2011.

-Selected aluminium window & door joinery flashed & sealed to exterior cladding.



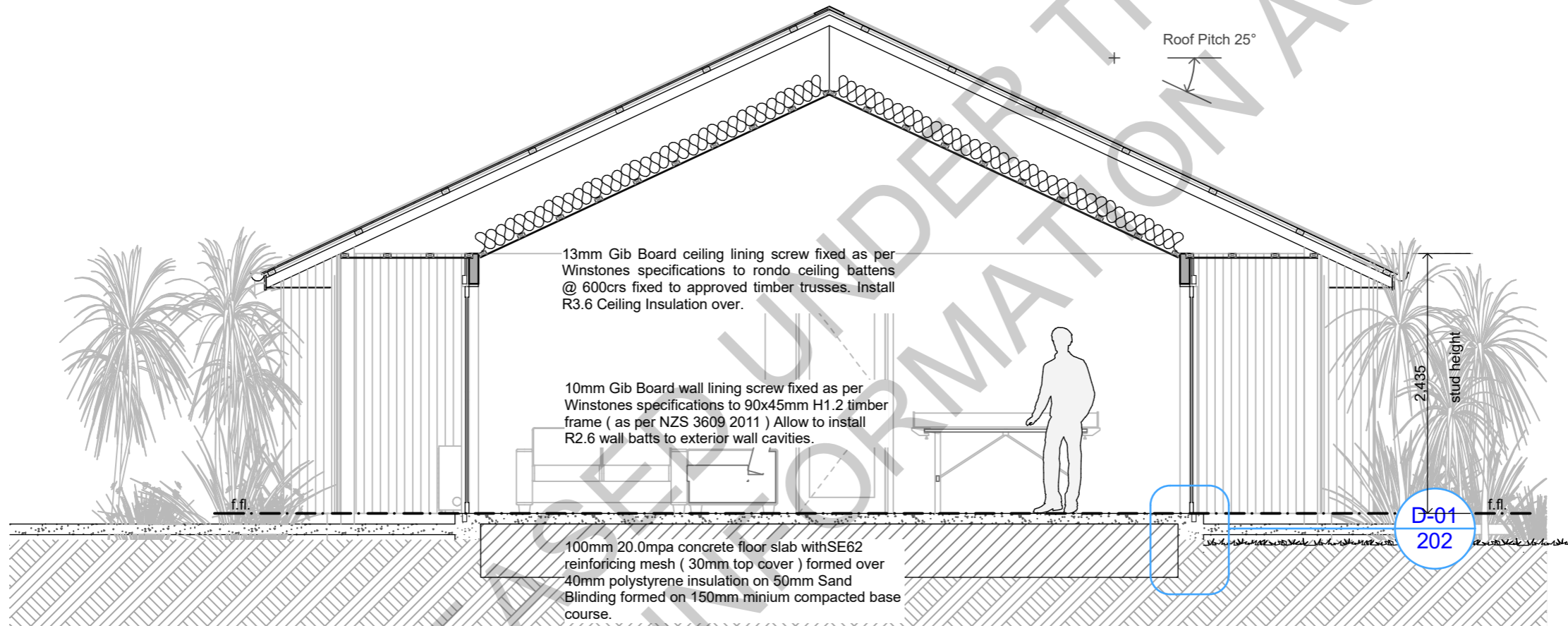
E-08 | PROPOSED SOUTH ELEVATION

All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.



Job Title	PROPOSED ACCOMODATION DEVELOPMENT	Drawing Title																
For	BINXI FOODS NZ Ltd	PROPOSED ELEVATION																
At	REDCASTLE ROAD OAMARU	<table border="1"> <tr> <td>Drawn</td> <td></td> <td>Drawing Number</td> <td>Scale</td> </tr> <tr> <td>Design</td> <td></td> <td>103</td> <td>1:100</td> </tr> <tr> <td>Creation Date</td> <td>14/09/2009</td> <td></td> <td></td> </tr> <tr> <td>Plot Date</td> <td>21/08/2015</td> <td></td> <td></td> </tr> </table>	Drawn		Drawing Number	Scale	Design		103	1:100	Creation Date	14/09/2009			Plot Date	21/08/2015		
Drawn		Drawing Number	Scale															
Design		103	1:100															
Creation Date	14/09/2009																	
Plot Date	21/08/2015																	
ALL DIMENSIONS TO BE VERIFIED ON SITE																		

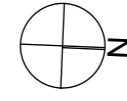
Selected Colorsteel tray section long run roofing (with matching fixings & flashing) fixed as per manufacturers specifications over self supporting build. paper to 70x45mm timber purlins @ 900crs fixed to approved trusses @ 900crs

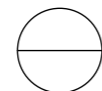
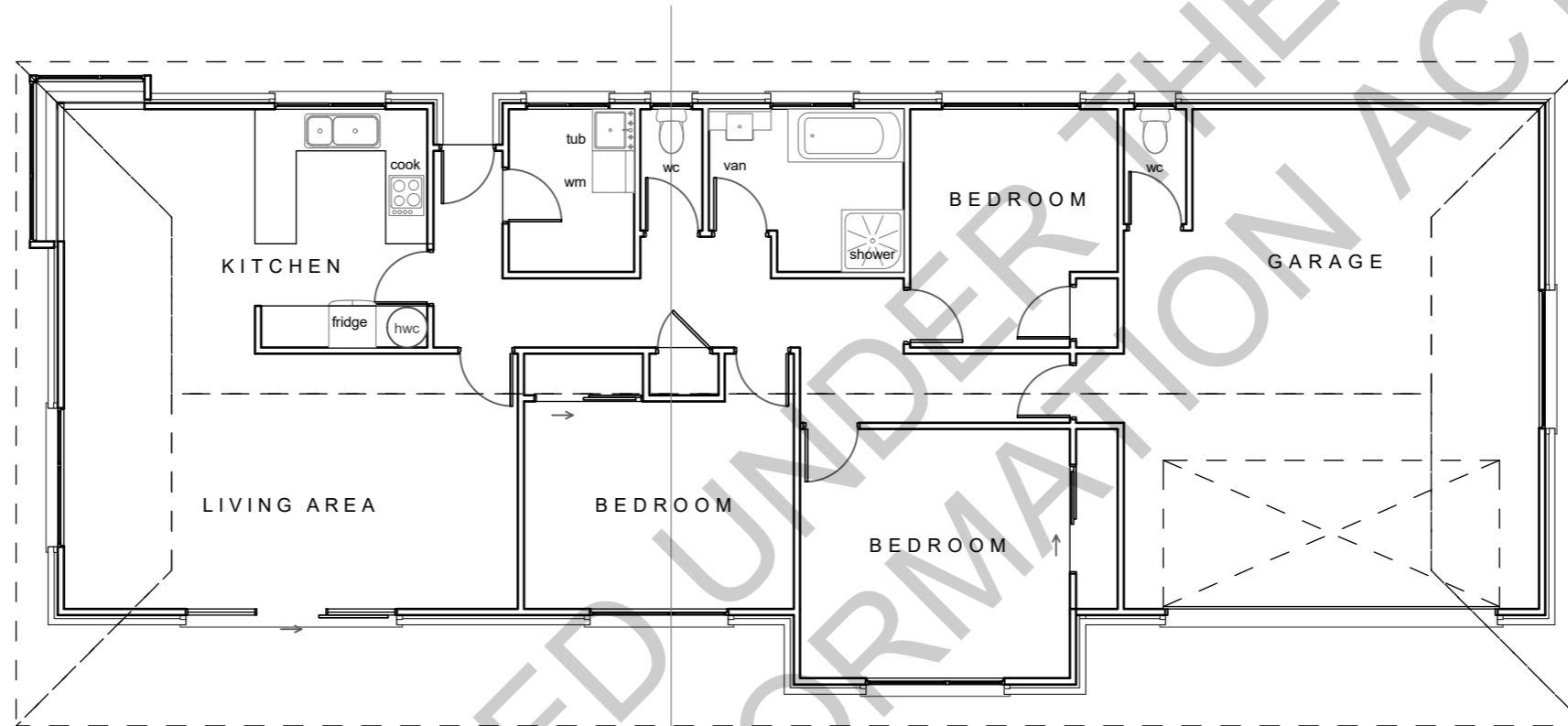


B CROSS SECTION 'B'

All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.



Job Title	PROPOSED ACCOMODATION DEVELOPMENT		Drawing Title		CROSS SECTION	
For	BINXI FOODS NZ Ltd		Drawn		Scale	1:61 7460
At	REDCASTLE ROAD OAMARU		Design		Drawing Number	104
			Creation Date	14/09/2009	Scale	1:54.9935, 1:1, 1:50
		Plot Date	21/08/2015			
ALL DIMENSIONS TO BE VERIFIED ON SITE						



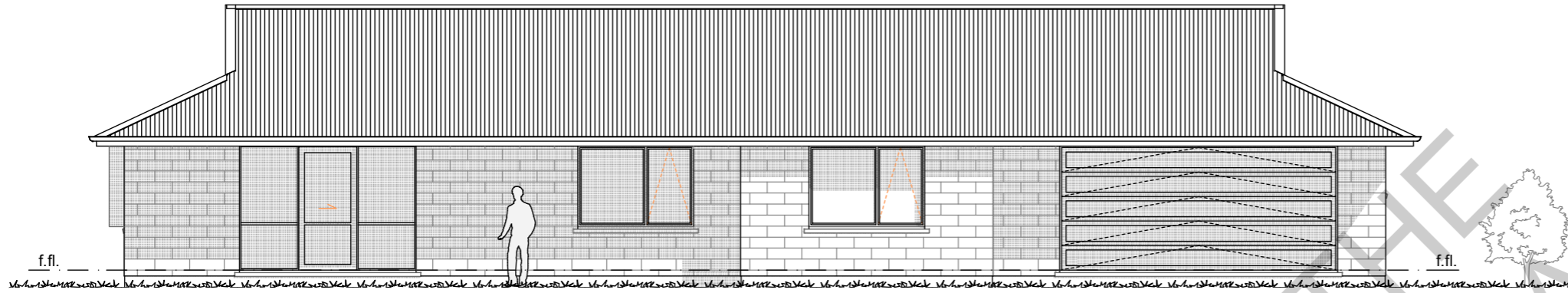
EXISTING FLOOR PLAN

1:100

All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.

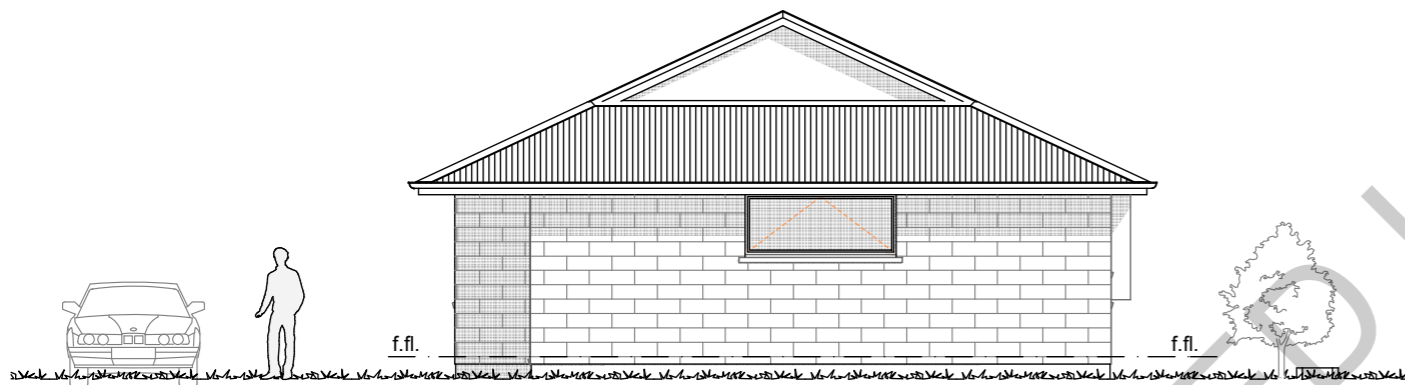


Job Title	PROPOSED ACCOMODATION DEVELOPMENT	Drawing Title		EXISTING FLOOR PLAN
For	BINXI FOODS NZ Ltd	Drawn		Drawing Number
At	REDCASTLE ROAD OAMARU	Design		105
		Creation Date	14/09/2009	Scale
		Plot Date	21/08/2015	1:100
ALL DIMENSIONS TO BE VERIFIED ON SITE				



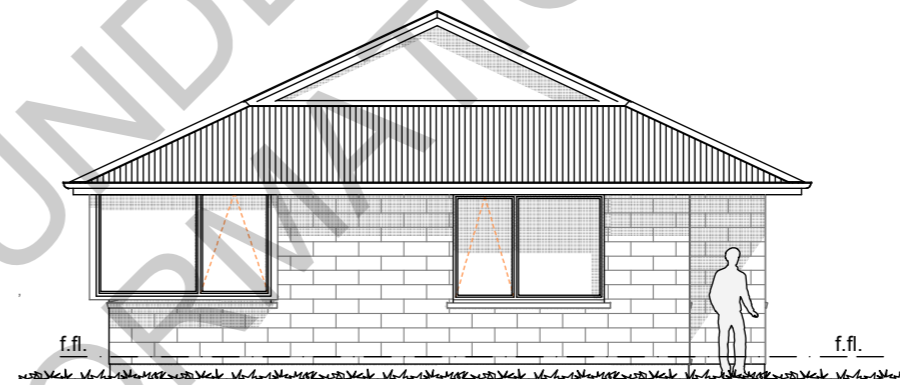
E-03
-

WEST ELEVATION
1:100



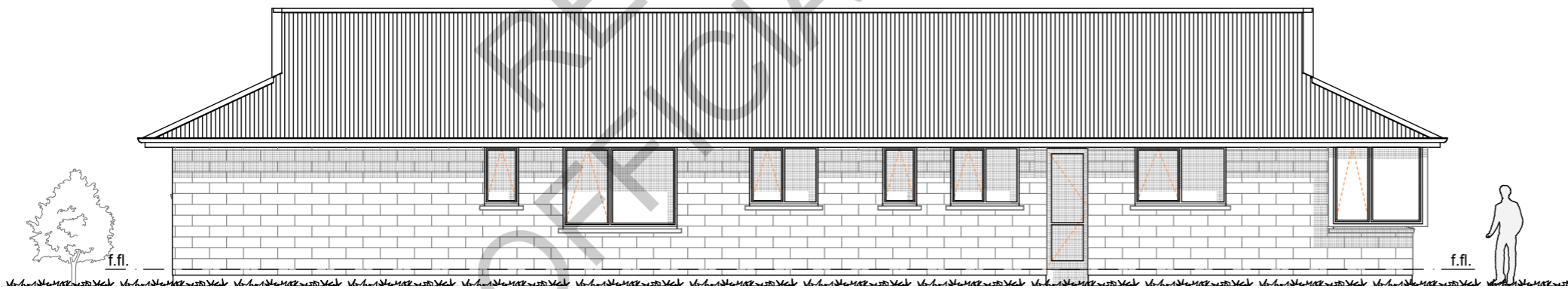
E-02
-

SOUTH ELEVATION
1:100



E-04
-

NORTH ELEVATION
1:100



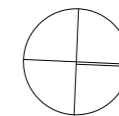
E-01
-

EAST ELEVATION
1:100

Job Title **PROPOSED ACCOMODATION DEVELOPMENT**

For **BINXI FOODS NZ Ltd**

At **REDCASTLE ROAD OAMARU**



Drawn	
Design	
Creation Date	00/00/2010
Plot Date	21/08/2015

Drawing Title

EXIST. ELEVATION

Drawing Number
106

Scale
1:100

ALL DIMENSIONS TO BE VERIFIED ON SITE

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From: [Pedro Morgan](#)
Sent: Friday, 11 August 2023 3:12 PM
To: [Overseas Investment Office Monitoring](#)
Subject: FW: Re NZ Binxi (Oamaru) Foods Limited - case number 201610121 [MC-DMS.FID3832456]
Attachments: Letter To OIO re NZ Binxi (Oamaru) Foods Limited.PDF

Hi team,

I think you guys might be best placed to look at this in the first instance.

Pedro Morgan (he/him)
Lead Advisor – Overseas Investment
Regulatory Practice and Delivery

pmorgan@linz.govt.nz | **DDI** +64 4 460 2785 | **MOB** +64 21 476 514



Wellington Office, Level 7, Radio New Zealand House, 155 The Terrace
PO Box 5501, Wellington 6145, New Zealand
www.linz.govt.nz | data.linz.govt.nz



From: Chris Ashton <Chris.Ashton@mc.co.nz>
Sent: Friday, August 11, 2023 2:53 PM
To: Pedro Morgan <pmorgan@linz.govt.nz>
Cc: Kathleen Morrison <Kathleen.Morrison@mc.co.nz>
Subject: Re NZ Binxi (Oamaru) Foods Limited - case number 201610121 [MC-DMS.FID3832456]

Dear Pedro,

We have recently commenced acting for NZ Binxi (Oamaru) Foods Limited. We have been given your details as an appropriate person to contact in relation to this matter. We're happy to be redirected to a case manager or other appropriate contact you may suggest.

Please find our letter attached.

Nāku noa, nā | Yours sincerely

I work remotely on Thursdays.

Chris Ashton

Rōia Whakarae | Associate

DDI: +64 9 336 7715

mc.co.nz

MC.

The information contained in this email is confidential and may be legally privileged. If you are not the intended recipient, please notify us immediately by telephone and return the message to us.

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Fax: +64 9 336 7629

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OFFICIAL INFORMATION ACT

11 August 2023

By Email: pmorgan@linz.govt.nz

Pedro Morgan
Lead Advisor Overseas Investment
Overseas Investment Office
Wellington

AUCKLAND

Level 7, MC Centre
8 Hardinge Street
Auckland 1010

PO Box 90750
Victoria Street West
Auckland 1142
New Zealand, DX CP24063

T: +64 9 336 7500

WELLINGTON

Level 23, AON Centre
1 Willis Street
Wellington 6011

PO Box 24546
Manners Street
Wellington 6140
New Zealand

T: +64 4 914 0530

mc.co.nz

Dear Sir

**NZ Binxi (Oamaru) Foods Limited: Change in management circumstances
Overseas Investment consent in respect of 10 Shortland Road, Oamaru
Case number 201610121**

- 1 We have recently commenced acting for NZ Binxi (Oamaru) Foods Limited (**Consent Holder**) and its majority shareholder, the China-based Heilongjiang Binxi Cattle Industry Co Limited (**HBCICL**). The Consent Holder holds a consent in relation to 10 Shortland Road, Oamaru, case number 201610121 (**Consent**) which requires, amongst other things, annual reporting and the development of offices and staff accommodation.
- 2 HBCICL has recently executed a change in the management and control of the Consent Holder by removing Richard Thorp as a director with effect from 31 July 2023. The Consent Holder, under its new management, is undertaking an audit of its business and affairs in Oamaru, and in particular is investigating the development at 10 Shortland Road. In doing so it has urgently attended the site and is making enquiries with its various consultants and contractors.
- 3 As a result of this audit, the new management personnel have only recently become aware of outstanding compliance with the Consent conditions. We are instructed that the specifics of these outstanding matters had not previously been reported to management or HBCICL by Mr Thorp. It is our understanding (though the Consent Holder is working urgently to confirm this) that the following conditions are currently outstanding:
 - (a) 2023 annual report to the OIO. A draft has been prepared but it appears to have never been finalised;
 - (b) completing development of offices and staff accommodation by the due dates specified in the Consent. We understand these are well underway, but not yet complete.
- 4 The Consent Holder and HBCICL are urgently working to confirm the current state of affairs regarding compliance with the Consent. We are heavily involved in this, and working with the Consent Holder's consultants and contractors. We anticipate we will be able to provide greater detail on compliance with the Consent, including issuing a further annual report, in the next two weeks or so. At that time, we expect to be in a position to discuss with you the OIO's expectations in relation to the Consent, and in particular whether the Consent Holder needs to apply for a variation to the conditions to extend the relevant dates.

- 5 Thank you for your patience as we work through this process and we look forward to being able to update you as to the results shortly. In the meantime please feel free to contact the writer if you have any questions or concerns, or any preliminary advice as to our approach to this matter.

Yours faithfully



Chris Ashton

Associate

DDI: +649 336 7715

Fax: +649 336 7629

Chris.Ashton@mc.co.nz

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OFFICIAL INFORMATION ACT

From: [Chrisna Lefever](#)
Sent: Monday, 31 May 2021 3:44 PM
To: [Overseas Investment Office Monitoring](#)
Cc: [Richard Thorp](#)
Subject: FW: Reminder Letter - 201610121
Attachments: 2021 05 31 OIO Annual Report 201610121.pdf; Appendix 01(a) - 2020 04 17 Letter to OIO - 201520010 and 201610121.pdf; Appendix 01(b) - 2020 06 18 EMF OIO re Covid-19 delays.pdf

Good afternoon

Please find attached the report in respect of the above OIO consent decision

Kind regards

Chrisna



Chrisna Lefever
Principal

Phone 021 878 942
Web www.lefeverlaw.co.nz

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From: Overseas Investment Office Monitoring <OIOmonitoring@linz.govt.nz>
Sent: Monday, 10 May 2021 12:04 pm
To: 'christchurch@duncancoerill.com' <christchurch@duncancoerill.com>
Cc: Richard Thorp <richard@bxfoods.co.nz>
Subject: Reminder Letter - 201610121

To whom it may concern

Please find documents attached relating to the 2021 reporting requirements for NZ Binxi (Oamaru) Foods Limited.

All compliance reporting should be forwarded to OIOmonitoring@linz.govt.nz no later than **31 May 2021**.

We are adjusting the way we work to support the Government's response to COVID-19 by keeping our people safe and continuing to deliver core services to our customers. We will continue to send reminder letters to those consent holders who are required to submit reports or provide reporting on

any special conditions stipulated in their Notice of Decision. If the present situation adversely affects your ability to submit an annual report or comply with a special condition by the required date, we ask you to contact us via OIOmonitoring@linz.govt.nz before the due date.

Kind regards,

Melanie Swiney ([she/her](#))

Coordinator

Policy and Overseas Investment

meswiney@linz.govt.nz | DDI 04 460 0182



Wellington Office, Level 7, Radio New Zealand House, 155 The Terrace

PO Box 5501, Wellington 6145, New Zealand

www.linz.govt.nz | data.linz.govt.nz



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Annual Report to the Overseas Investment Office

This Annual Report template sets out the required structure and content for reporting on your conditions of consent.

We will rely on the information in this document to review and assess your compliance with the conditions of your consent. It is an offence to make a false or misleading statement or material omission in any information or document provided to the Overseas Investment Office (OIO) ([s46](#)).

Instructions:

- **Please do not remove the instruction text from this template.**
- Download this template from our [website](#) before each use to ensure you have the latest version.
- Review the brief guidance in each section of this template to ensure you supply us with the required information.
- Be concise and write in plain English – if after reviewing your report we need more information, we will ask you for it.
- The formatting of this template has been kept as simple as possible so that you can adapt it to suit your own information and document management systems. You can customise the template e.g. with your own logo etc.
- Tables, diagrams, maps, schedules etc should be added as appendices to your Annual Report rather than being inserted within this template.
- Contact the OIO if you have any questions about this template or your consent generally (+64 4 462 4490, oio@linz.govt.nz).

Electronic Filing Requirements


Your Annual Report must be submitted electronically. Documents should be provided in PDF form unless otherwise advised. Documents should be provided by link to a secure download site (preferred) or encrypted USB or CD/DVD (note: electronic media will be securely destroyed after use). If necessary, your Annual Report may be emailed to OIOmonitoring@linz.govt.nz (maximum 10MB per email).

Please ensure your PDF report is:

- '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)

Please do not provide a hard copy version of your report.

Consent Holder's Signature

	31 May 2021
Richard Thorp Director of NZ Binxi (Oamaru) Foods Limited	Date

Summary of Key Information

Date consent granted	10 November 2016
Case number	201610121
Consent holder	NZ Binxi (Oamaru) Foods Limited
Land/Asset	The acquisition of approximately 5.3806 hectares of land at 10 Shortland Road, Oamaru north, contained in Record of Title 440536
Report due date	31 May 2021
Report prepared by	Richard Thorp
Contact details of preparer	Richard Thorp Director of NZ Binxi (Oamaru) Foods Limited 7 Redcastle Road Oamaru North Oamaru 9400 (03) 433 0078 richard@bxfoods.co.nz

Section A: Report on Conditions

Please start a new page for each condition.

Condition 3 & 4: Resource Consents

Set out condition wording as in consent.

3. Within 6 months from the date of consent, the Consent Holder must apply for resource consent (**Resource Consent**) to change the zoning of the Target Land to allow the development of staff accommodation and a dwelling to take place in accordance with the Business Plan.
4. The Consent Holder must use all reasonable commercial endeavours to obtain the resource consent.

First year reporting – October 2017

As per report to OIO dated 6 November 2017

Second year reporting – October 2018

As per report to OIO dated 18 February 2019

Third year reporting – October 2019

As per report to OIO dated 30 October 2019 and the Supplementary Report dated 19 December 2019

Fourth year reporting – 1st six-monthly report: October 2020

As per emails from Richard Thorp to the OIO dated 30 October 2020 and 7 January 2021

Fourth year reporting – 2nd 6-monthly report: May 2021

As per previous reporting and correspondence with the OIO, Resource Consent for the development is not required.

Conditions 5 & 6: Requirement to develop staff accommodation

Set out condition wording as in consent.

5. Within 1 year from the date that Resource Consent is granted, the Consent Holder must have begun to redevelop the dwelling on the Target Land into staff accommodation in accordance with its Business Plan.
6. Within 4 years from the date that Resource Consent is granted, the Consent Holder must have completed the redevelopment of the dwelling on the Target Land into staff accommodation in accordance with its Business Plan.

First year reporting – October 2017

As per report to OIO dated 6 November 2017

Second year reporting – October 2018

As per report to OIO dated 18 February 2019

Third year reporting – October 2019

As per report to OIO dated 30 October 2019 and the Supplementary Report dated 19 December 2019

Fourth year reporting – 1st six-monthly report: October 2020

As per emails from Richard Thorp to the OIO dated 30 October 2020 and 7 January 2021

Fourth year reporting – 2nd six monthly report: May 2021

In accordance with correspondence with the OIO between March 2019 and June 2019, the OIO confirmed it would not be taking any enforcement action in respect of delays in commencement of the development of the staff accommodation and office premises, provided that the developments were completed by 10 May 2021.

On 17 April 2020, Duncan Cotterill, on behalf of the Consent Holder, wrote to the OIO regarding the impact of the Covid-19 situation on the Consent Holder's ability to satisfy the timeframes in Consent Conditions 6 and 8. A copy of that letter is attached at Appendix 1. The letter advised that given various factors, the Consent Holder was anticipating that the completion of the developments could potentially be delayed by up to six months until November 2021, and requested confirmation that the OIO would not be taking enforcement action in relation to any such delays. By email of 18 June 2020, a copy of which is attached at Appendix 1, the OIO provided that confirmation.

The Consent Holder confirms that it remains on target to comply with Condition 6 by 1 November 2021. The conversion of the existing garage is expected to commence in 23 August 2021, and be completed by 15 October 2021. The further extension continues to be under review based on labour availability, particularly in light of the labour issues associated with the Covid-19 border restrictions.

Conditions 7 & 8: Requirement to develop office premises

Set out condition wording as in consent.

7. Within 2 years from the date that Resource Consent is granted, the Consent Holder must have begun to develop office premises on the Target Land in accordance with its Business Plan.
8. Within 4 years from the date that Resource Consent is granted, the Consent Holder must have completed the development of office premises in accordance with its Business Plan.

First year reporting – October 2017

As per report to OIO dated 6 November 2017

Second year reporting – October 2018

As per report to OIO dated 18 February 2019

Third year reporting – October 2019

As per report to OIO dated 30 October 2019 and the Supplementary Report dated 19 December 2019

Fourth year reporting – 1st six-monthly report: October 2020

As per emails from Richard Thorp to the OIO dated 30 October 2020 and 7 January 2021

Fourth year reporting – 2nd six-monthly report: May 2021

In the report to the OIO dated 19 December 2019, it was recorded that the Consent Holder expected to complete the office development by May 2021, as part of the major development of the main factory site (per OIO consent 201520010).

On 17 April 2020, Duncan Cotterill, on behalf of the Consent Holder, wrote to the OIO regarding the impact of the Covid-19 situation on the Consent Holder's development of the main factory site and its ability to satisfy the timeframes in Consent Conditions 6 and 8. A copy of that letter is attached at Appendix 1. The letter advised that given various factors, the Consent Holder was anticipating that the completion of the developments could potentially be delayed by up to six months, and requested confirmation that the OIO would not be taking enforcement action in relation to any such delays. By email of 18 June 2020, a copy of which is attached at Appendix 1, the OIO provided that confirmation. In respect of the office development, the OIO has confirmed it will not take any enforcement action provided that the office development is completed by 1 November 2021.

The Consent Holder confirms that it remains on target to comply with Condition 8 by 1 November 2021. The office development will be completed as part of the major development of the main factory site, which is currently underway (as per the recent reporting to the OIO on OIO consent 201520010)

Conditions 9: Requirement to create 1 FTE position

Set out condition wording as in consent.

9. Within 4 years from the date that Resource Consent is granted, the Consent Holder must have created, and filled, at least one additional full-time equivalent position on a permanent basis in connection with the operation of the staff accommodation. This position must be employed to work on the Target Land and to assist in operating the staff accommodation.

First year reporting – October 2017

As per report to OIO dated 6 November 2017

Second year reporting – October 2018

As per report to OIO dated 18 February 2019

Third year reporting – October 2019

As per report to OIO dated 30 October 2019 and the Supplementary Report dated 19 December 2019

Fourth year reporting – 1st six-monthly report: October 2020

As per emails from Richard Thorp to the OIO dated 30 October 2020 and 7 January 2021

Fourth year reporting – 2nd six-monthly report: May 2021

Th correspondence with the OIO in early 2020 (per Appendix 1) also confirmed that the OIO would not be taking enforcement action in relation to a delay in creation of the 1 FTE position associated with the staff accommodation, provided that it was created by 1 November 2021.

The Consent Holder confirms that an employment position has now been created for the operation and management of the staff accommodation, and a person has been employed to fill this position. Even once the accommodation has been completed there may be no or few employees in occupation of the accommodation, given the current labour conditions and the lack of migrant workers. Accordingly, until the staff accommodation is completed, and operating at its potential full capacity, the person employed in this role will be given other duties alongside the management and operation of the staff accommodation, such that they are engaged in a full-time capacity.

Section B: Measuring benefit to New Zealand

This section is for you to provide the information we requested to enable us to measure the benefits you have brought to New Zealand through your investment (see paragraph 2 of the 'Reporting conditions' section of your consent).

Include a brief summary of the information requested, and attach photographs, spread sheets etc if this will help us to understand your report.

Information required

Set out information requested in consent

NA

Information

Include a brief statement of the information requested, and attach photographs, spread sheets etc if this will help us to understand your report.

NA

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Section C: Other information

This section is for you to update the contact and other details you gave us when you applied for consent, to provide any other information you think will help us monitor your compliance with the conditions, and for you to make any special requests regarding confidentiality.

Updated details

Several of the standard conditions that apply to your consent require you to tell us when particular events occur. For example, to tell us:

- when you have acquired the Land or Asset and provide details including about the price and acquisition structure,
- about changes that affect you, the people who control you, or people you control. For example, when an Individual Who Controls You ceases to be of good character, commits an offence or contravenes the law anywhere in the world, or becomes bankrupt,
- if your [NZ Service Address](#) changes.

We recommend you take this opportunity to double check that you have updated us as required. If not, use this section to tell us about changes.

Other information

Include a brief summary of the other information you wish to provide, and explain its relevance to our monitoring of your compliance with conditions.

Confidentiality

The OIO is subject to the Official Information Act 1982. Any request for confidentiality must make direct reference to the provisions of the Official Information Act 1982 that you consider justify the withholding of the information. Review our [website](#) and the [practice guidelines](#) issued by the Office of the Ombudsman before making a request.

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List of Appendices

List all appendices attached to your Annual Report.

Appendix 1	Letter to the OIO dated 17 April 2020 and copy of OIO response dated 18 June 2020
Appendix 2	
Appendix 3	
Appendix 4	
Appendix 5	

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17 April 2020

Overseas Investment Office
 PO Box 5501
 Wellington 6145

By email: oiomonitoring@linz.govt.nz

NZ Binxi (Oamaru) Foods Limited (“Consent Holder”) – OIO Consents 201520010 & 201610121

1 We refer to the above OIO consents, and the associated consent conditions (which, for consent 201520010 were varied with effect from 28 June 2019).

2 Condition 4 of OIO consent 201520010 requires the Consent Holder to:

...introduce additional investment of at least \$7,050,000 into New Zealand for development purposes and use this investment to implement the developments described in section 5 of the Business Plan (and summarised below) substantially in accordance with the Business Plan by the dates in the table below:

Scheduled Year Date by which Development must occur	Development	Estimated Cost
30 December 2025	Dedicated Beef Processing Room	\$1,200,000
30 December 2020	Freezing and Load- Out Facilities	\$5,500,000 - \$6,000,000
30 December 2020	Boiler Replacement	\$350,000
Total Expenditure		\$7,050,000 - \$7,550,000

3 The Consent Holder has advised that the Boiler Replacement has been completed and fully commissioned in April 2019, per the Consent Holder’s 13 December 2019 report to the OIO.

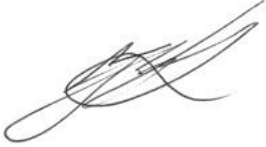
4 Conditions 6, 8 & 9 of OIO consent 201610121 require the Consent Holder to (a) complete the development of staff accommodation and office premises and (b) create 1 FTE position by May 2021. As noted in the Consent Holder’s recent reporting to the OIO (dated 19 December 2019), the Consent Holder’s expectations at that time in respect of progress towards meeting these conditions was:

Action	Timing
Lodge building consent for office	February 2020
Commence garage conversion for staff accommodation	October 2020
Commence office foundation works	October 2020
Complete staff accommodation – garage conversion (creating 1 FTE)	May 2021
Complete office development	May 2021

- 5 In relation to the Freezing and Load-Out Facilities in Condition 4 of OIO consent 20520010, and Conditions 6, 8 & 9 of OIO consent 201610121 the Consent Holder advises as follows:
- 5.1 Completion of the Freezing and Load-Out Facilities by 30 December 2020 requires initial steps to be taken (with associated capital expenditure) in the first half of the calendar year (including lodgement and assessment of the required consents, requesting and assessing tenders from building contractors);
 - 5.2 The Consent Holder's parent company is based in China and as a result there have already been some delays in progressing works on the Freezing and Load-Out Facilities, staff accommodation and office development as the parent company was monitoring and addressing issues relating to the coronavirus outbreak and associated implications on its business and cash-flows and the future capital requirements for each aspect of its business, both in China and New Zealand;
 - 5.3 The lodging of consents for the Freezing and Load-Out Facilities (originally anticipated for mid-March 2020) and office development (originally anticipated for February 2020) were delayed due to the China shareholder having difficulties in the transfer of funds. New Zealand management were reluctant to move to the next stage until there was confidence to make the bank transfer. This now is happening, but the Alert Level 4 in New Zealand creates additional issues;
 - 5.4 The Consent Holder operates an Essential Service under the current Covid-19 Alert Level 4. While the Consent Holder is continuing to operate its business, its current priority is the management of its business and the health and safety of its staff in the current circumstances;
 - 5.5 Many of the third parties that the Consent Holder would be required to engage with to complete the Freezing and Load-Out Facilities and the development of the staff accommodation and office premises are not Essential Services and may not be operating at all or at full capacity during Alert Level 4 (and possibly any subsequent Alert Level 3). In particular site visits are unlikely to be possible;
 - 5.6 On-site construction relating to the Freezing and Load-Out Facilities, staff accommodation and office may not be considered an Essential Service, and following Alert Level 4 being lifted, there could be continued restrictions and/or a backlog of construction projects, creating further delays.
- 6 Given all of the above factors, the Consent Holder is anticipating that (subject to the Level 4 Alert being raised within the next 6 weeks):
- 6.1 the completion of the Freezing and Load-Out Facilities could potentially be delayed until July 2021;
 - 6.2 the completion of the staff accommodation and office premises (and associated stages of those developments), and creation of the associated FTE position, could potentially be delayed by six months, i.e. with completion in November 2021.
- 7 On behalf of the Consent Holder, we request confirmation from the OIO that given current circumstances, the OIO will not be taking enforcement action in relation to any such delays.
- 8 We understand that the OIO acknowledges that current Covid-19 measures may create difficulties for consent holders complying with conditions due for satisfaction in the coming months and is looking at adopting a pragmatic approach to dealing with any associated delays.
- 9 However, if the OIO's view (in line with the approach being taken on equivalent scenarios for other consent holders) is that a formal Application for Variation of Consent Conditions is

required for one of both of the above OIO consents, we request that the OIO advises us of this as soon as possible.

Yours sincerely



Christina Lefever
Special Counsel

d +64 3 372 6420
m +64 21 878 942
christina.lefever@duncancotterill.com

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Christina Lefever

From: Richard Thorp <richard@bxfoods.co.nz>
Sent: Thursday, 25 March 2021 12:06 pm
To: Christina Lefever
Subject: FW: NZ Binxi email

From: Svetlana Malivuk <SMalivuk@linz.govt.nz>
Sent: Thursday, 18 June 2020 8:35 am
To: 'Christina Lefever' <christina.lefever@duncancotterill.com>
Cc: Richard Thorp <richard@bxfoods.co.nz>; Overseas Investment Office Monitoring <OIOmonitoring@linz.govt.nz>
Subject: FW: NZ Binxi email

Dear Christina

Thank you for your email of 17 April 2020 advising us that your client, NZ Binxi (Oamaru) Foods Limited (**NZ Binxi**), is anticipating that due to Covid-19 issues:

1. the completion of the Freezing and Load-Out Facilities could potentially be delayed until July 2021 (consent 201520010); and
2. the completion of the staff accommodation and office premises (and associated stages of those developments), and creation of the associated FTE position, could potentially be delayed by 6 months, i.e. with completion in November 2021 (consent 201610121).

We have now reviewed and considered the information provided in your letter in light of our Interim Enforcement Policy (see <https://www.linz.govt.nz/overseas-investment/enforcement/oio-enforcement-function-and-strategic-priorities/interim-enforcement-policy>). We advise that we are prepared to defer taking any enforcement action until those time periods have elapsed. That is, we will not take any enforcement action in respect of those conditions unless:

1. the Freezing and Load-Out Facilities are not completed by **1 July 2021** (consent 201520010); and
2. the staff accommodation and office premises (and associated stages of those developments), and creation of the associated FTE position are not completed by **1 November 2021** (201610121).

Please note that if NZ Binxi considers that it will not be able to comply with the above conditions by 1 July 2021 and 1 November 2021 respectively, NZ Binxi will need to formally apply for variation of the consent conditions before those dates.

If you have any further questions/queries regarding the above, please do not hesitate to contact me.

Please also acknowledge the receipt of this email.

Kind regards
Svetlana

Svetlana Malivuk

Senior Investigator

Overseas Investment Office

smalivuk@linz.govt.nz | DDI 04 582 6657



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From: [Chrisna Le fever](#)
Sent: Friday, 17 April 2020 3:21 PM
To: [Overseas Investment Office Monitoring](#)
Cc: [Richard Thorp](#)
Subject: NZ Binxi (Oamaru) Foods Ltd - 20152001 & 201610121 [DC-
Documents.FID2507971]
Attachments: Letter to OIO - 201520010 and 201610121 - extension request re Covid-19
measures 17.04.20 (_11385048_1).PDF

Please see our letter attached regarding the impact of Covid-19 and associated measures on our client's ability to meet its current OIO consent conditions.

Kind regards

Chrisna Le fever
Special Counsel

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[duncanco_cerill.com](#) | [View Duncan Co_cerill LinkedIn](#)

Duncan Co_cerill Plaza 148 Victoria Street
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Click [here](#) for office directions



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17 April 2020

Overseas Investment Office
PO Box 5501
Wellington 6145

By email: oiomonitoring@linz.govt.nz

NZ Binxi (Oamaru) Foods Limited (“Consent Holder”) – OIO Consents 201520010 & 201610121

1 We refer to the above OIO consents, and the associated consent conditions (which, for consent 201520010 were varied with effect from 28 June 2019).

2 Condition 4 of OIO consent 201520010 requires the Consent Holder to:

...introduce additional investment of at least \$7,050,000 into New Zealand for development purposes and use this investment to implement the developments described in section 5 of the Business Plan (and summarised below) substantially in accordance with the Business Plan by the dates in the table below:

Scheduled Year Date by which Development must occur	Development	Estimated Cost
30 December 2025	Dedicated Beef Processing Room	\$1,200,000
30 December 2020	Freezing and Load- Out Facilities	\$5,500,000 - \$6,000,000
30 December 2020	Boiler Replacement	\$350,000
Total Expenditure		\$7,050,000 - \$7,550,000

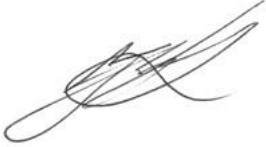
3 The Consent Holder has advised that the Boiler Replacement has been completed and fully commissioned in April 2019, per the Consent Holder’s 13 December 2019 report to the OIO.

4 Conditions 6, 8 & 9 of OIO consent 201610121 require the Consent Holder to (a) complete the development of staff accommodation and office premises and (b) create 1 FTE position by May 2021. As noted in the Consent Holder’s recent reporting to the OIO (dated 19 December 2019), the Consent Holder’s expectations at that time in respect of progress towards meeting these conditions was:

Action	Timing
Lodge building consent for office	February 2020
Commence garage conversion for staff accommodation	October 2020
Commence office foundation works	October 2020
Complete staff accommodation – garage conversion (creating 1 FTE)	May 2021
Complete office development	May 2021

required for one of both of the above OIO consents, we request that the OIO advises us of this as soon as possible.

Yours sincerely



Christina Lefever
Special Counsel

d +64 3 372 6420
m +64 21 878 942
christina.lefever@duncancotterill.com

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From: [Phoebe Mahe ws](#)
Sent: Wednesday, 21 June 2017 12:50 PM
To: [Olwyn Smith](#)
Cc: [Oliver Roberts](#)
Subject: RE: 201610121 - NZ Binxi [DC-Documents.FID1788246] [IWOV-
Documents.FID1788246]
Attachments: SC364e1727417062112330.pdf; SC364e1727417062014410.pdf

Hi Olwyn,

As requested please see attached a copy of the selection statement and updated title. The consideration paid was \$580,000.00. Please let me know if you require anything else.

Kind regards

Phoebe

Phoebe Mahe ws
Legal Advisor
(Licensed to Practice Law in England and Wales)

d +64 3 372 6549 | p +64 3 379 2430 | m +64 27 491 1653
duncancoerill.com | [View Duncan Coerill LinkedIn](#)

Duncan Coerill Plaza 148 Victoria Street
PO Box 5 Christchurch 8140 New Zealand

[Click here for office directions](#)



From: Olwyn Smith [mailto:osmith@linz.govt.nz]
Sent: Wednesday, June 21, 2017 11:47 AM
To: Phoebe Mahe ws <phoebe.mahe ws@duncancoerill.com>
Subject: RE: 201610121 - NZ Binxi [DC-Documents.FID1788246]

Hi Phoebe

Thank you for your email as below.

We require more information in order to enable us to complete our processing please. Can you supply us with a copy of the selection statement, a copy of the relevant Certificate of Title showing the new ownership, and confirmation of the consideration paid. I would appreciate this information as soon as possible.

Just for your information, Binxi is required to submit their first annual report by the **30 October 2017**. A reminder letter should be generated to you approximately 1 month prior to that due date.

We will be expecting to see evidence of full compliance (as part of that report), in particular for condition 3 of the consent being: Within 6 months from the date of consent, the Consent Holder must apply for resource consent (**Resource Consent**) to change the zoning of the Target Land to allow the development of staff accommodation and a dwelling to take place in accordance with the Business Plan.

Regards

Olwyn Smith
Legal Support Officer
Overseas Investment Office

E osmith@linz.govt.nz | DDI +64 4 460 2781

Wellington Office, Level 7, Radio New Zealand House, 155 The Terrace
PO Box 5501, Wellington 6145, New Zealand | T 04 460 0110
W www.linz.govt.nz | data.linz.govt.nz



From: Phoebe Mahe ws [mailto:phoebe.mahe_ws@duncanco_erill.com]
Sent: Tuesday, 20 June 2017 4:26 p.m.
To: Olwyn Smith
Cc: Michael Beck; Oliver Roberts
Subject: 201610121 - NZ Binxi [DC-Documents.FID1788246]

Hi Olwyn,

I can confirm that NZ Binxi (Oamaru) Foods Limited has today completed their acquisition r e applicaon 201610121. Please le t me know if you require any further informaon on this.

Kind regards

Phoebe

Phoebe Mahe ws
Legal Advisor
(Licensed to Pracse La w in England and Wales)

d +64 3 372 6549 | p +64 3 379 2430 | m +64 27 491 1653
duncanco_erill.com | [View Duncan Co_erill LinkedIn](#)

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Partners:
William Dean LLB
Benjamin Coleman BA, LLB

20 Wear St
PO Box 242
Oamaru 9444 NZ
DX: WA32523

Tel: (03) 434-5128
Fax: (03) 434-7695
office@deanlaw.co.nz
www.deanlaw.co.nz
Trust Account:
03 0937 0024124 02

NZ Binxi (Oamaru) Foods Limited
C/o Berry & Co
Solicitors
P O Box 10
OAMARU

**Second Amended
Settlement Statement**

Attention: Jan Omnet

Settlement Date: 20 June 2017
Purchase from Vendor: VP & ID Greaney Family Trust
Of Property: 10 SHORTLAND ROAD, OAMARU

	Debit	Credit
Purchase Price as Per Contract	580,000.00	
Deposit paid		58,000.00
Purchaser's proportion Waitaki District Council rates at \$2,374.97 pa from 20.6.17 to 30.6.17 (10 days)	65.07	
Purchaser's proportion Otago Regional Council rates at \$111.19 pa from 20.6.17 to 30.6.17 (10 days)	3.04	
Rental of house property at \$280.00 per week from 25 April 2017 to 23 May 2017 being 4 weeks \$1,120.00) and monthly penalty interest at 14% on \$522,572.63 (\$6,096.68)	7,216.68	
Rental of house property at \$280.00 per week from 24 May 2017 to 19 June 2017 being 4 weeks \$1,120.00) and penalty interest at 14% from 24 May 2017 to 18 June 2017 \$522,572.63 (\$5,411.88)	6,531.88	
Balance		535,816.67
	\$593,816.67	\$593,816.67
Amount required to settle on 20 June 2017	\$535,816.67	

Notes:

- 1 We confirm that we will accept the settlement proceeds in accordance with the protocol set out at clause 6 of the *Property Transactions & e-dealing Practice Guidelines*. If you do not agree to settle the transaction in this manner please immediately advise us.
- 2 We confirm that Waitaki District Council and Otago Regional Council rates have been paid 30 June 2017.
- 3 Purchaser to arrange own insurance.

E&OE

DEAN & ASSOCIATES
15 June 2017



**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952**



Search Copy


R. W. Muir
Registrar-General
of Land

Identifier 440536
Land Registration District Otago
Date Issued 08 January 2010

Prior References
OT276/100

Estate Fee Simple
Area 5.3806 hectares more or less
Legal Description Lot 1 Deposited Plan 410881

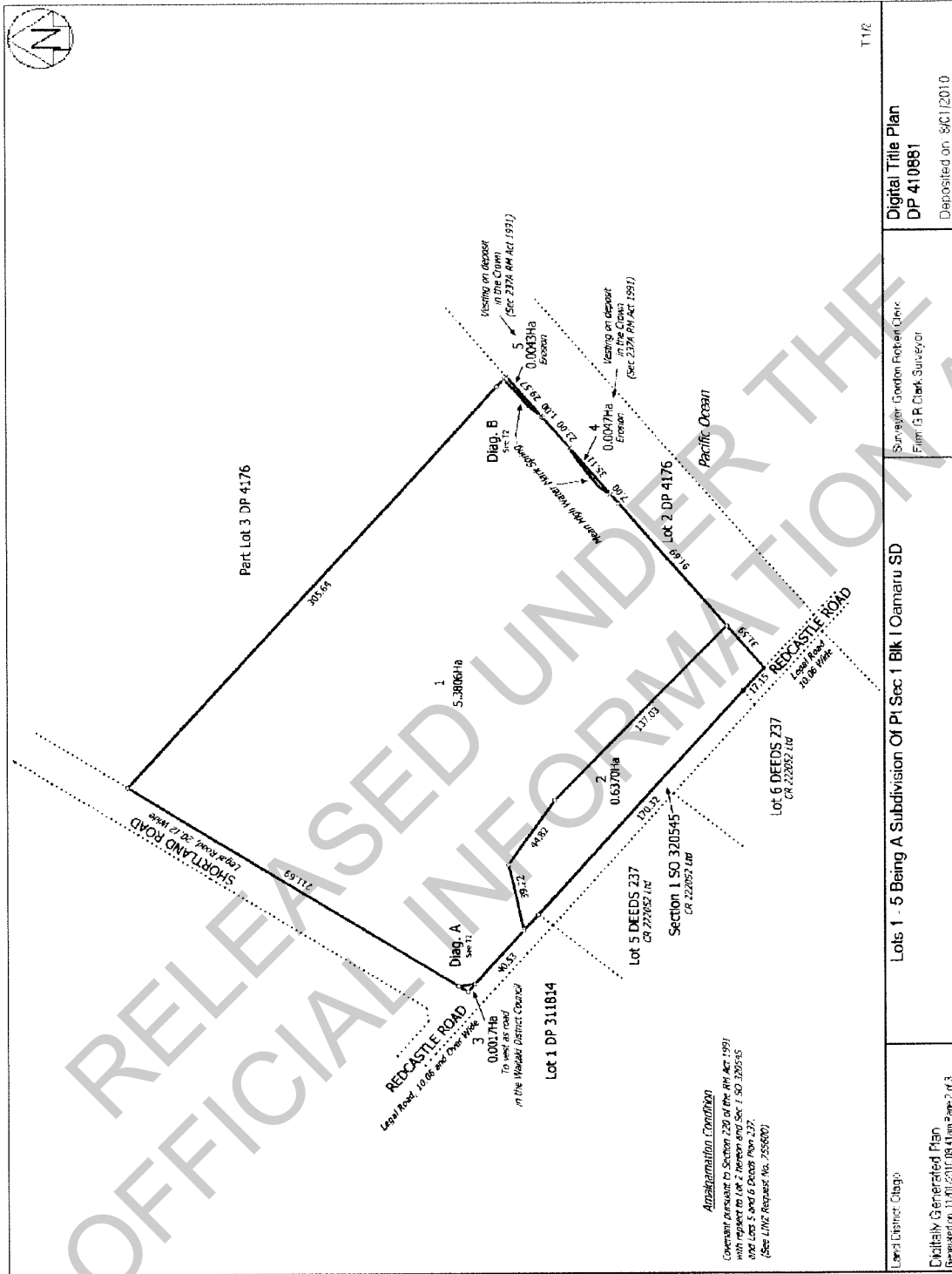
Proprietors
NZ Binxi (Oamaru) Foods Limited

Interests

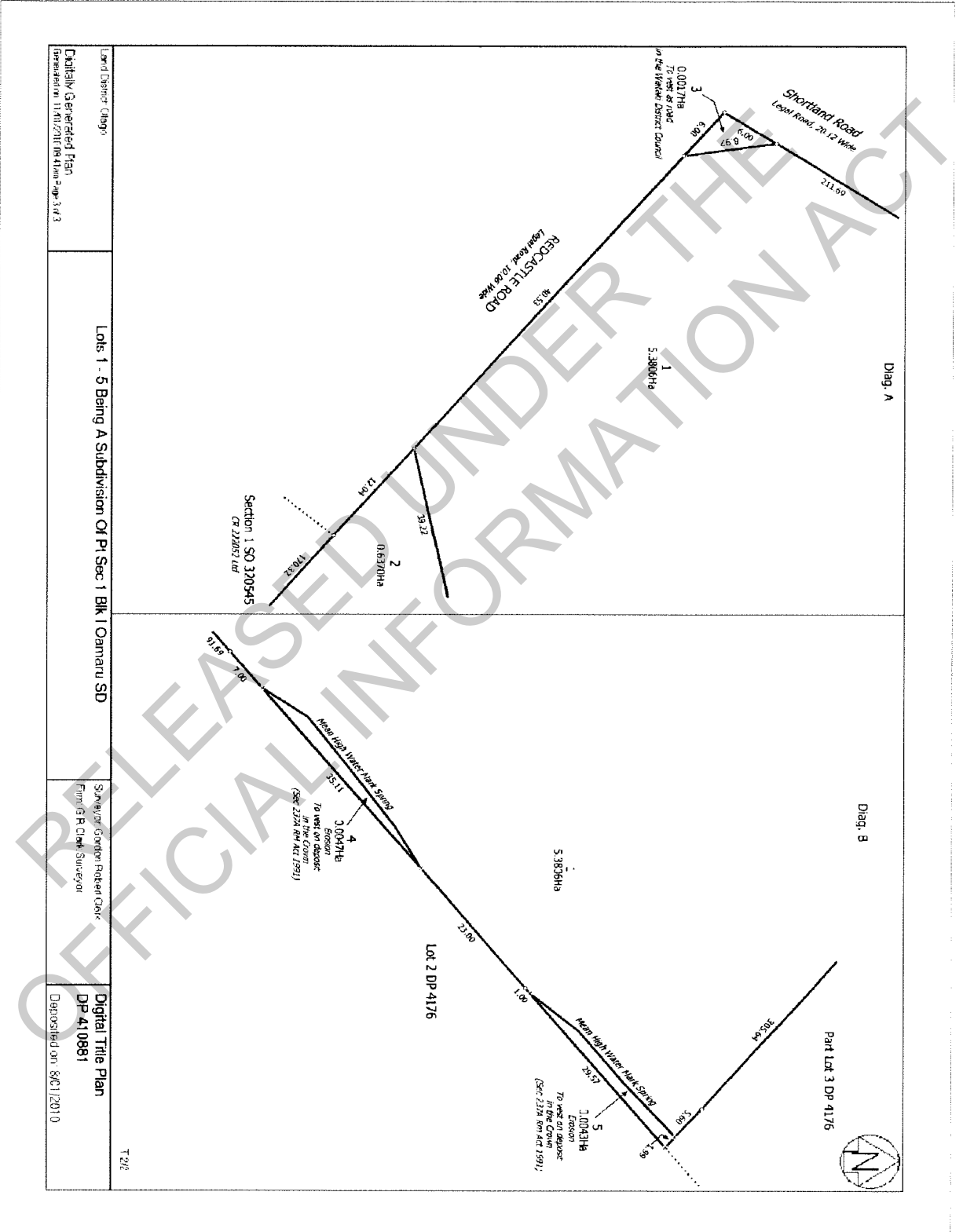
3948 Order in Council exempting Abbatoirs Road frontage from the provisions of Section 128 Public Works Act subject to a condition as to building line - 26/3/1931 at 10.00 am

Appurtenant hereto is a right of way created by Transfer 108841 - 19.3.1932 at 10:00 am

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T1/R	Digital Title Plan DP 410861 Deposited on 8/11/2010
Lots 1 - 5 Being A Subdivision Of Pt Sec 1 Blk 1 Oamaru SD	Surveyor Gordon Robert Clark Firm G R Clark Surveyor
Land District Otago Digitally Generated Plan Generated on 11/01/2010 at 11:04:11 am Page 2 of 3	Lots 1 - 5 Being A Subdivision Of Pt Sec 1 Blk 1 Oamaru SD



Land District Clays
 Digitally Generated Plan
 Generation 11/01/2010 09:41:00 Page 3 of 3

Lots 1 - 5 Being A Subdivision Of Pt Sec 1 Blk I Camaru SD

Surveyor Gordon Robert Clark
 Firm G R Clark Surveyors

Digital Title Plan
 DP 41 0881
 Deposited on 8/01/2010

T 2/2

440536

Identifier

From: [Chrisna Le fever](#)
Sent: Friday, 20 December 2019 8:26 AM
To: [Anna Sinclair](#); [Overseas Investment Office Monitoring](#)
Cc: ['Richard Thorp'](#); [Svetlana Malivuk](#)
Subject: RE: Case 201520010 & 201610121 [DC-Documents.FID1788246]
Attachments: OIO Annual Report (Supplementary) - 10 Shortland Rd 20.12.19 (_10971975_1).PDF; Appendix 1(b) - Shortlands Road year 3 report OIO (Oct 2019) (_10971998_1).PDF; Appendix 1(a) - Shortlands Road year 3 report OIO (Oct 2019) (_10971992_1).PDF; Appendix 1 - Shortlands Road year 3 report OIO (Oct 2019) (_10971990_1).PDF; Appendix 2 - LT OIO re NZ Binxi - 201610121 29.03.19 (_10971987_1).PDF; Appendix 3 - Notice of Decision 201520010 (_10971979_1).PDF

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Anna

Please find attached some further information from NZ Binxi in relation to the Shortlands Road property, in the form of a Supplementary Annual Report

Kind regards

Chrisna Le fever
Special Counsel

d +64 3 372 6420 | p +64 3 379 2430 | m +64 21 878 942
[duncanco.co.nz](#) | [View Duncan Cotterill LinkedIn](#)

Duncan Cotterill Plaza 148 Victoria Street
PO Box 5 Christchurch 8140 New Zealand

[Click here for office directions](#)



We wish all our clients a happy and safe holiday season.

All of our offices will close at **5:00pm on Monday 23 December 2019** and re-open at **8:30am on Monday 13 January 2020**.

Phone calls for all our offices will be monitored between 8:30am - 5:00pm in the week Monday 6 January to Friday 10 January.

Our partners continue to be available on mobile to assist you on urgent matters. Please [click here](#) for partner contact details.

From: Anna Sinclair <ASinclair@linz.govt.nz>

Sent: Friday, 13 December 2019 1:26 PM

To: Chrisna Le fever <chrisna.le_fever@duncanco_erill.com>; Overseas Investment Office Monitoring <OIOMonitoring@linz.govt.nz>

Cc: 'Richard Thorp' <richard@bxfoods.co.nz>; Svetlana Malivuk <SMalivuk@linz.govt.nz>

Subject: RE: Case 201520010 & 201610121 [DC-Documents.FID1611508]

Hi Chrisna

Thank you for your email.

We're prepared to give one final extension to 19 December for NZ Binxi to provide a response.

Kind regards

Anna

Anna Sinclair
Senior Solicitor
Overseas Investment Office

E asinclair@linz.govt.nz | DDI +64 4 474 1010 |

A Wellington Office, Level 7, Radio New Zealand House, 155 The Terrace
PO Box 5501, Wellington 6145, New Zealand | T 04 462 4490
W www.linz.govt.nz | data.linz.govt.nz

From: Chrisna Le fever <chrisna.le_fever@duncanco_erill.com>

Sent: Friday, 13 December 2019 1:01 PM

To: Anna Sinclair <ASinclair@linz.govt.nz>; Overseas Investment Office Monitoring <OIOMonitoring@linz.govt.nz>

Cc: 'Richard Thorp' <richard@bxfoods.co.nz>; Svetlana Malivuk <SMalivuk@linz.govt.nz>

Subject: RE: Case 201520010 & 201610121 [DC-Documents.FID1611508]

Hi Anna

We understand that the Managing Director has recently been required to deal with some pressing work-related matters requiring significant time and attention, including in relation to the company's China export licence, alongside general work and other ongoing pressures for this time of the year.

Kind regards

Chrisna Le fever
Special Counsel

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duncanco-erill.com | [View Duncan Co-erill LinkedIn](#)

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Our partners continue to be available on mobile to assist you on urgent matters. Please [click here](#) for partner contact details.

From: Anna Sinclair <ASinclair@linz.govt.nz>

Sent: Friday, 13 December 2019 10:02 AM

To: Chrisna Le fever <chrisna.le-fever@duncanco-erill.com>; Overseas Investment Office Monitoring <OIOmonitoring@linz.govt.nz>

Cc: 'Richard Thorp' <richard@bxfoods.co.nz>; Svetlana Malivuk <SMalivuk@linz.govt.nz>

Subject: RE: Case 201520010 & 201610121 [DC-Documents.FID1611508]

Hi Chrisna

Thank you for the annual report.

Can NZ Binxi please provide an explanation as to why they require a further extension to 19 December to respond to our email of 15 November 2019? We consider NZ Binxi has already had sufficient time to respond to that email (4 weeks) and so do not understand why a further extension is now required.

FYI, I am finishing up at the OIO on Friday, 20 December 2019. Going forward, please send all correspondence to Svetlana Malivuk who I've cc'd into this email.

Kind regards

Anna

Anna Sinclair
Senior Solicitor
Overseas Investment Office

E asinclair@linz.govt.nz | DDI +64 4 474 1010 |

A Wellington Office, Level 7, Radio New Zealand House, 155 The Terrace
PO Box 5501, Wellington 6145, New Zealand | T 04 462 4490
W www.linz.govt.nz | data.linz.govt.nz

From: Chrisna Le fever <chrisna.le_fever@duncanco_erill.com>
Sent: Friday, 13 December 2019 9:24 AM
To: Anna Sinclair <ASinclair@linz.govt.nz>; Overseas Investment Office Monitoring <OIOmonitoring@linz.govt.nz>
Cc: 'Richard Thorp' <richard@bxfoods.co.nz>
Subject: Case 201520010 & 201610121 [DC-Documents.FID1611508]

Hi Anna

The annual report for OIO Case Number 201520010 is attached.

In respect of the further information request regarding OIO case 201610121 our client requests a further meeting extension to next Thursday (19 December) to respond.

Kind regards

Chrisna Le fever
Special Counsel

d +64 3 372 6420 | p +64 3 379 2430 | m +64 21 878 942
duncanco_erill.com | [View Duncan Co_erill LinkedIn](#)

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PO Box 5 Christchurch 8140 New Zealand

[Click here for office directions](#)



We wish all our clients a happy and safe holiday season.

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Phone calls for all our offices will be monitored between 8:30am - 5:00pm in the week Monday 6 January to Friday 10 January.

Our partners continue to be available on mobile to assist you on urgent matters. Please [click here](#) for partner contact details.

From: Anna Sinclair <ASinclair@linz.govt.nz>
Sent: Monday, 2 December 2019 12:48 PM
To: Chrisna Le fever <chrisna.le_fever@duncanco_erill.com>; 'Richard Thorp' <richard@bxfoods.co.nz>
Cc: Overseas Investment Office Monitoring <OIOmonitoring@linz.govt.nz>
Subject: RE: Case: 201610121

Hi Chrisna

We refer to your email below and your email to OIOmonitoring@linz.govt.nz dated 29 November 2019. Those emails requested an extension until Friday 13 December 2019 for NZ Binxi to respond to the additional information sought in my email dated 15 November 2019 and to provide its annual report.

We're prepared to agree to an extension until Friday 13 December 2019. However, if the response and annual report is not received by this date, we will consider taking further enforcement action.

Kind regards

Anna

Anna Sinclair
Senior Solicitor
Overseas Investment Office

E asinclair@linz.govt.nz | DDI +64 4 474 1010 |

A Wellington Office, Level 7, Radio New Zealand House, 155 The Terrace
PO Box 5501, Wellington 6145, New Zealand | T 04 462 4490
W www.linz.govt.nz | data.linz.govt.nz

From: Chrisna Le fever <chrisna.le_fever@duncanco_erill.com>
Sent: Friday, 29 November 2019 2:19 PM
To: Anna Sinclair <ASinclair@linz.govt.nz>; 'Richard Thorp' <richard@bxfoods.co.nz>
Cc: Overseas Investment Office Monitoring <OIOmonitoring@linz.govt.nz>
Subject: RE: Case: 201610121

Hi Anna

Our client is working to compile the additional information requested – given the time of year and the other demands on our and our client's time, we request an extension of time until Friday 13 December to respond.

Kind regards

Chrisna Le fever
Special Counsel

d +64 3 372 6420 | p +64 3 379 2430 | m +64 21 878 942
duncanco.co.nz | [View Duncan Cotterill LinkedIn](#)

Duncan Cotterill Plaza 148 Victoria Street
PO Box 5 Christchurch 8140 New Zealand

[Click here for office directions](#)



From: Anna Sinclair <ASinclair@linz.govt.nz>
Sent: Friday, 15 November 2019 4:02 PM
To: 'Richard Thorp' <richard@bxfoods.co.nz>
Cc: Chrisna Le fever <chrisna.le_fever@duncanco.co.nz>; Overseas Investment Office Monitoring <OIOmonitoring@linz.govt.nz>
Subject: RE: Case: 201610121

Dear Richard

Thank you for your report dated 30 October 2019.

I refer to the attached compliance letter dated 14 June 2019. In that letter, we noted our concerns with the lack of progress towards the development to date and that the development has not occurred in accordance with the representations made at the time of NZ Binxi's application for OIO consent.

That letter also required NZ Binxi to provide 6 monthly reporting with an update on the development accompanied by photographic evidence.

On 31 October 2019, we received your report along with an aerial photo and conceptual plans created on 14 September 2019 (attached).

Your report dated 30 October 2019 and attachments is, in our view, unsatisfactory. It is difficult to see how NZ Binxi can be "on target" to develop the office premises, as you say in the report, when there is no evidence to suggest that the development of the office premises and staff accommodation has even begun.

Way forward

Can you please urgently, and no later than 30 November 2019, provide us with additional information that includes:

- The steps that NZ Binxi have taken since our compliance letter dated 14 June 2019 to progress the development;
- What steps NZ Binxi intend to take between now and the next report due on 31 May 2020 to progress the development; and
- Photographic evidence of the development.

We expect this level of information to be provided for all future reporting also.

Lastly, we remind NZ Binxi of paragraph 10 of our compliance letter. Paragraph 10 says that should it become clear to us that the development has not started, or has not progressed sufficiently, we will be considering stronger enforcement action, which could include seeking a court order for disposal of the land.

Kind regards

Anna

Anna Sinclair
Senior Solicitor
Overseas Investment Office

E asinclair@linz.govt.nz | DDI +64 4 474 1010 |

A Wellington Office, Level 7, Radio New Zealand House, 155 The Terrace
PO Box 5501, Wellington 6145, New Zealand | T 04 462 4490
W www.linz.govt.nz | data.linz.govt.nz

From: Richard Thorp <richard@bxfoods.co.nz>
Sent: Thursday, 31 October 2019 7:40 AM
To: Overseas Investment Office Monitoring <OIOmonitoring@linz.govt.nz>
Cc: Chrisna Le fever <chrisna.le_fever@duncanco_erill.com>
Subject: Case: 201610121

Please find the update and annual report for Case 201610121 being the acquisition of a freehold interest in approximately 5.3806 hectares of land at 10 Shortland Road, Oamaru North

If there are any questions please make contact with myself

Regards

RICHARD THORP | BX FOODS LTD

P +64 274 359 001 | A Oamaru, New Zealand

W www.bxfoods.co.nz | E richard@bxfoods.co.nz



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This message may contain confidential and privileged information. If you have received this e-mail in error, please advise us by return e-mail or telephone and then delete this e-mail together with all attachments. Please visit <https://www.duncancotterill.com/emaildisclaimer> for other important information concerning this message.

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Annual Report to the Overseas Investment Office

This Annual Report template sets out the required structure and content for reporting on your conditions of consent.

We will rely on the information in this document to review and assess your compliance with the conditions of your consent. It is an offence to make a false or misleading statement or material omission in any information or document provided to the Overseas Investment Office (OIO) ([s46](#)).

Instructions:

- **Please do not remove the instruction text from this template.**
- Download this template from our [website](#) before each use to ensure you have the latest version.
- Review the brief guidance in each section of this template to ensure you supply us with the required information.
- Be concise and write in plain English – if after reviewing your report we need more information, we will ask you for it.
- The formatting of this template has been kept as simple as possible so that you can adapt it to suit your own information and document management systems. You can customise the template e.g. with your own logo etc.
- Tables, diagrams, maps, schedules etc should be added as appendices to your Annual Report rather than being inserted within this template.
- Contact the OIO if you have any questions about this template or your consent generally (+64 4 462 4490, oio@linz.govt.nz).

Electronic Filing Requirements

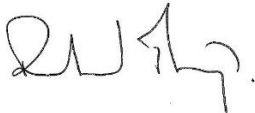
Your Annual Report must be submitted electronically. Documents should be provided in PDF form unless otherwise advised. Documents should be provided by link to a secure download site (preferred) or encrypted USB or CD/DVD (note: electronic media will be securely destroyed after use). If necessary, your Annual Report may be emailed to OIOmonitoring@linz.govt.nz (maximum 10MB per email).

Please ensure your PDF report is:

- '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)

Please do not provide a hard copy version of your report.

Consent Holder's Signature

<Sign here> 	
Richard Thorp Director of NZ Binxi (Oamaru) Foods Limited	Date – 19/12/19

Summary of Key Information

Date consent granted	10 November 2016
Case number	201610121
Consent holder	NZ Binxi (Oamaru) Foods Limited
Land/Asset	The acquisition of approximately 5.3806 hectares of land at 10 Shortland Street, Oamaru North contained in Record of Title 440536.
Report due date	30 October 2019
Report prepared by	Richard Thorp
Contact details of preparer	Richard Thorp Director of NZ Binxi (Oamaru) Foods Limited 7 Redcastle Road Oamaru North Oamaru 9400 (03) 433 0078 richard@bxfoods.co.nz

Please note that this is a supplementary report to the initial 2019 Annual Report filed on 30 October 2019 (a copy of which is attached at Appendix 1).

Section A: Report on Conditions

Please start a new page for each condition.

Condition 3 & 4: Resource Consents

3. Within 6 months from the date of consent, the Consent Holder must apply for resource consent (**Resource Consent**) to change the zoning of the Target Land to allow the development of staff accommodation and a dwelling to take place in accordance with the Business Plan.
4. The Consent Holder must use all reasonable commercial endeavours to obtain the resource consent.

First year reporting – October 2017

As per report to OIO dated 6 November 2017

Second year reporting –October 2018

As per report to OIO dated 18 February 2019

Third year reporting – October 2019

We refer to Duncan Cotterill's letter to the OIO dated 29 March 2019 (a copy of which is attached at Appendix 2) which noted that no resource consent / zoning change is in fact required for the proposed accommodation facilities on the Land, so the requirement for conditions 3 & 4 has effectively fallen away.

Condition 5 & 6: Requirement to develop staff accommodation

5. Within 1 year from the date that Resource Consent is granted, the Consent Holder must have begun to redevelop the dwelling on the Target Land into staff accommodation in accordance with its Business Plan.
6. Within 4 years from the date that Resource Consent is granted, the Consent Holder must have completed the redevelopment of the dwelling on the Target Land into staff accommodation in accordance with its Business Plan.

First year reporting – October 2017

As per report to OIO dated 6 November 2017

Second year reporting - October 2018

As per report to OIO dated 18 February 2019

Third year reporting - October 2019

Physical construction works for the staff accommodation have not yet commenced. This is due to market labour shortage issues. The Consent Holder has made two applications for migrant workers through the AIP programme with New Zealand Immigration (the most recent application having been declined). There is no commercial reason to commence construction of the staff accommodation while the Consent Holder is unable to obtain workers to house in the lodgings.

The Consent Holder accepts that the development of the staff accommodation and the associated benefits is a condition of its consent and part of the basis on which the OIO granted its consent.

As stated in Duncan Cotterill's letter of 29 March, it is submitted that the key timeframe for the realisation of the benefits claimed in the Consent Holder's application is the completion of the staff accommodation and office premises within 4 years. The purpose of Condition 5 (and 7) was to ensure that the various stages of the proposed development works were progressed within prescribed timeframes, so that the OIO could be confident that the developments were likely to be **completed** within the timeframes set out in the OIO Application and reflected in the remaining Consent conditions.

Accordingly, the Consent Holder requests a degree of flexibility as to when and how it completes the staff accommodation development (having regard to labour availability and associated accommodation requirements), provided it is completed by May 2021 (regardless of the labour position).

The proposed staff accommodation development utilises the existing house on the Land, and the full development plan involves;

1. the conversion of the existing garage into an additional four bedrooms; and
2. an extension of the house to allow expansion of the existing kitchen and living areas and add an additional four bedrooms (each sleeping two persons).

The conversion of the existing garage is expected to commence in October 2020, and be completed by April 2021 at a cost of \$95,000. The further extension is under review based on labour availability. However, the conversion of the existing garage into four additional bedrooms will result in the creation of 1 long term full time equivalent employment position associated with the operation and management of the staff accommodation.

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Condition 7 & 8: Require to develop office premises

7. Within 2 years from the date that Resource Consent is granted, the Consent Holder must have begun to develop office premises on the Target Land in accordance with its Business Plan.
8. Within 4 years from the date that Resource Consent is granted, the Consent Holder must have completed the development of office premises in accordance with its Business Plan.

First year reporting – October 2017

As per report to OIO dated 6 November 2017

Second year reporting – October 2018

As per report to OIO dated 18 February 2019

Third year reporting – October 2019

Physical construction works for the office premises have not yet commenced. The office is to be built as part of a major development of the main factory site. Per the Variation of Consent Conditions granted on 28 June 2019 for OIO consent 201520010 (see the attached Notice of Decision in Appendix 3), the development timeframe has been extended from 2017/2018 to 2020. As such, the expected timeframes in relation to the development of the office premises is:

Date	Stage
February 2020	Lodge building consent for office development
October 2020	Commence foundation works for office development
May 2021	Completion of office development

As above, it is submitted that the key timeframe for the realisation of the benefits claimed in the Consent Holder's application is the completion of the staff accommodation and office premises within 4 years. The purpose of Condition 7 was to ensure that the various stages of the proposed office development works were progressed within prescribed timeframes, so that the OIO could be confident that the developments were likely to be **completed** within the timeframes set out in the OIO Application and reflected in the remaining Consent conditions.

The expected cost of the office development has been quoted at \$420,000 along with landscaping and car-parking for an additional \$47,500.

Condition 9: Requirement to create 1 FTE position

Within 4 years from the date that Resource Consent is granted, the Consent Holder must have created, and filled, at least one additional full-time equivalent position on a permanent basis in connection with the operation of the staff accommodation. This position must be employed to work on the Target Land and to assist in operating the staff accommodation.

First year reporting – October 2017

As per report to OIO dated 6 November 2017

Second year reporting – October 2018

As per report to OIO dated 18 February 2019

Third year reporting – October 2019

The Consent Holder confirms that it remains on target to comply with this condition by May 2021. As noted above, the conversion of the existing garage is expected to commence in October 2020, and be completed by April 2021. The further extension is under review based on labour availability. However, the conversion of the existing garage into four additional bedrooms will result in the creation of 1 long term full time equivalent employment position associated with the operation and management of the staff accommodation.

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Section B: Measuring benefit to New Zealand

This section is for you to provide the information we requested to enable us to measure the benefits you have brought to New Zealand through your investment (see paragraph 2 of the 'Reporting conditions' section of your consent).

Include a brief summary of the information requested, and attach photographs, spread sheets etc if this will help us to understand your report.

Information required

Set out information requested in consent

Information

Include a brief statement of the information requested, and attach photographs, spread sheets etc if this will help us to understand your report.

N/A

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Section C: Other information

This section is for you to update the contact and other details you gave us when you applied for consent, to provide any other information you think will help us monitor your compliance with the conditions, and for you to make any special requests regarding confidentiality.

Updated details

Several of the standard conditions that apply to your consent require you to tell us when particular events occur. For example, to tell us:

- when you have acquired the Land or Asset and provide details including about the price and acquisition structure,
- about changes that affect you, the people who control you, or people you control. For example, when an Individual Who Controls You ceases to be of good character, commits an offence or contravenes the law anywhere in the world, or becomes bankrupt,
- if your [NZ Service Address](#) changes.

We recommend you take this opportunity to double check that you have updated us as required. If not, use this section to tell us about changes.

Other information

Include a brief summary of the other information you wish to provide, and explain its relevance to our monitoring of your compliance with conditions.

Confidentiality

The OIO is subject to the Official Information Act 1982. Any request for confidentiality must make direct reference to the provisions of the Official Information Act 1982 that you consider justify the withholding of the information. Review our [website](#) and the [practice guidelines](#) issued by the Office of the Ombudsman before making a request.

List of Appendices

List all appendices attached to your Annual Report.

Appendix 1	Annual Report 2019
Appendix 2	Letter to OIO dated 29 March 2019
Appendix 3	Notice of Decision – Consent to Vary Conditions (201520010)
Appendix 4	
Appendix 5	

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EXTERIOR PERSPECTIVE 1



SHEET INDEX

ID	LAYOUT NAME
101	EXTERIOR PERSPECTIVE VIEWS
102	PROPOSED FLOOR PLAN
103	PROPOSED ELEVATION
104	CROSS SECTION
105	EXISTING FLOOR PLAN
106	EXIST. ELEVATION
201	ROOF / FOUNDATION PLAN

EXTERIOR PERSPECTIVE 2

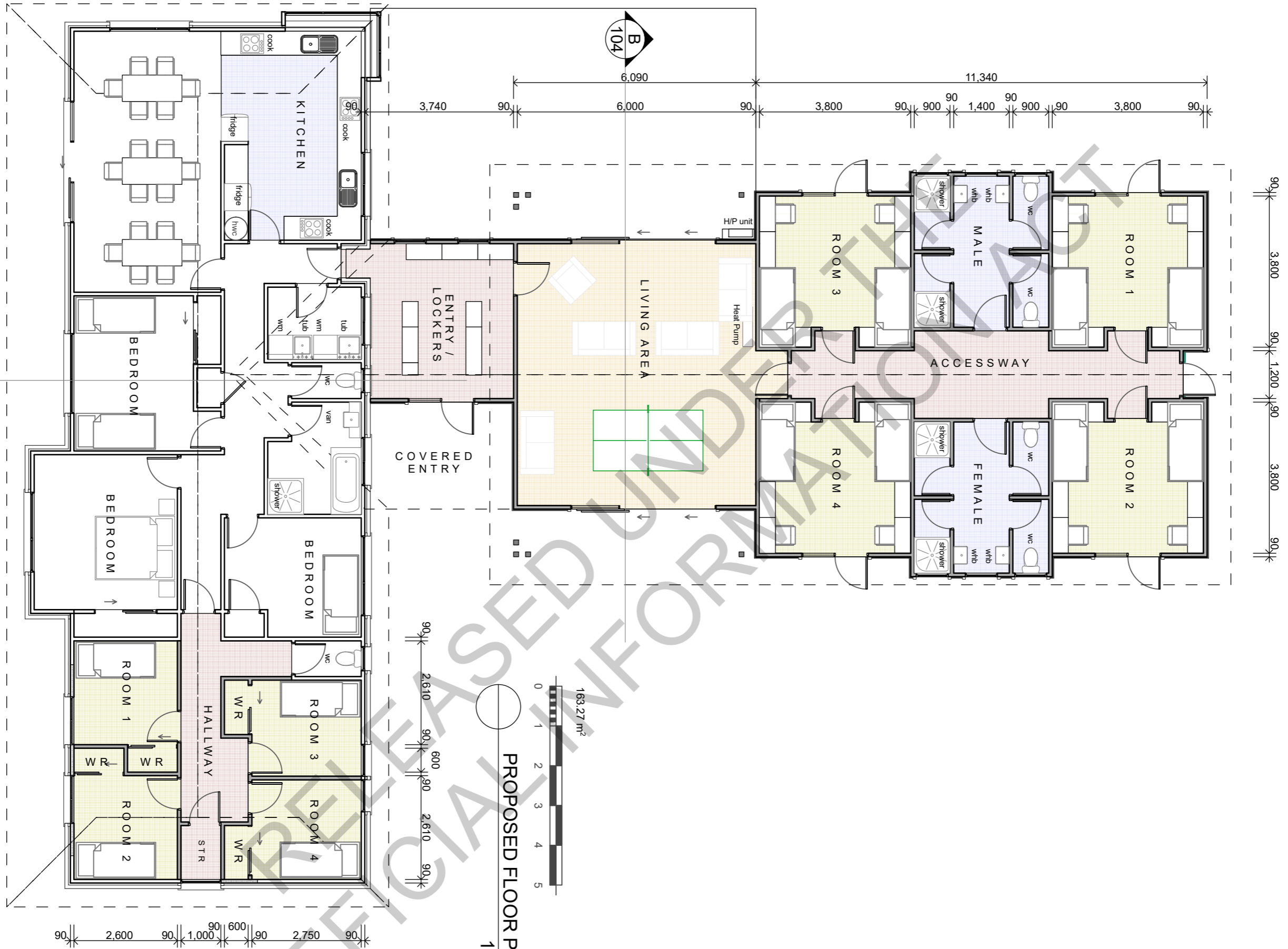


All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.



Job Title	PROPOSED ACCOMODATION DEVELOPMENT		Drawing Title	
For	BINXI FOODS NZ Ltd		EXTERIOR PERSPECTIVE VIEWS	
At	REDCASTLE ROAD OAMARU		Scale	1:200, 1:1
			Drawing Number	101
		Drawn		
		Design		
		Creation Date	14/09/2009	
		Plot Date	21/08/2015	
		ALL DIMENSIONS TO BE VERIFIED ON SITE		

#LayID
C



PROPOSED FLOOR PLAN
1:100

All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.



Job Title	PROPOSED ACCOMODATION DEVELOPMENT		Drawing Title PROPOSED FLOOR PLAN									
For	BINXI FOODS NZ Ltd		Drawing Number 102	Scale 1:100								
At	REDCASTLE ROAD OAMARU		<table border="1"> <tr> <td>Drawn</td> <td></td> </tr> <tr> <td>Design</td> <td></td> </tr> <tr> <td>Creation Date</td> <td>14/09/2009</td> </tr> <tr> <td>Plot Date</td> <td>21/08/2015</td> </tr> </table>		Drawn		Design		Creation Date	14/09/2009	Plot Date	21/08/2015
Drawn												
Design												
Creation Date	14/09/2009											
Plot Date	21/08/2015											
ALL DIMENSIONS TO BE VERIFIED ON SITE												

sg - Safety glass as per NZBC requirements.

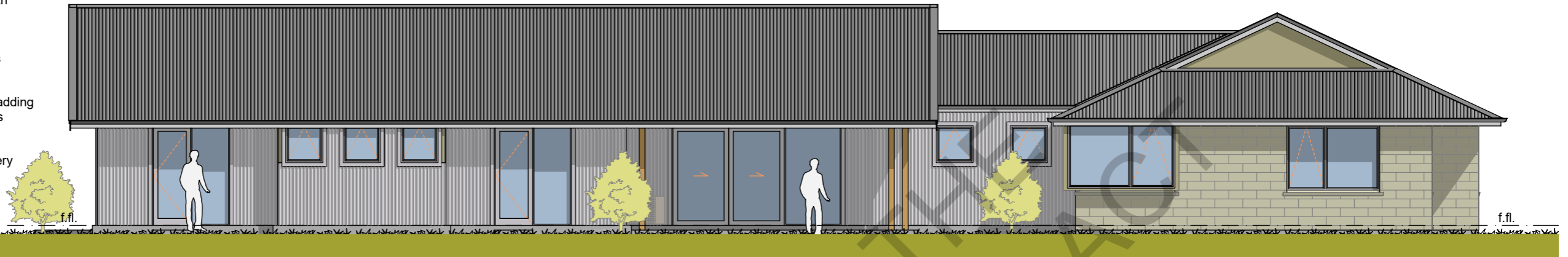
-Selected corrugate colorsteel roofing with matching fixings & flashings.

-Selected colorsteel spouting system fixed as per manufacturers specifications to colorsteel fascia board.

-Selected corrugate colorsteel vertical cladding cladding direct fixed to timber frame walls as per NZS 3604 2011.

-Selected aluminium window & door joinery flashed & sealed to exterior cladding.

-Confirm levels on site before construction.



E-05 | PROPOSED NORTH ELEVATION

sg - Safety glass as per NZBC requirements.

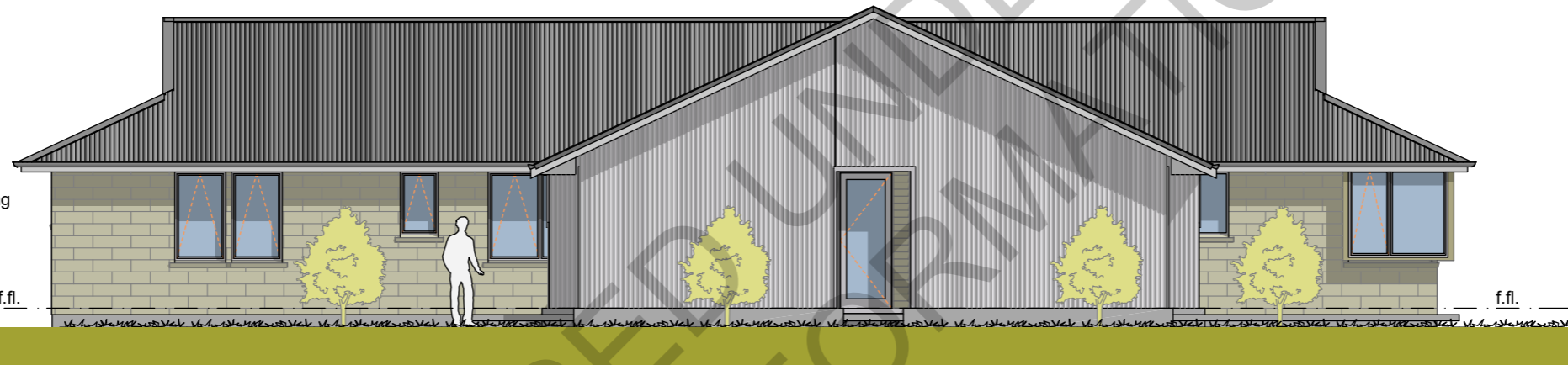
-Selected corrugate colorsteel roofing with matching fixings & flashings.

-Selected colorsteel spouting system fixed as per manufacturers specifications to colorsteel fascia board.

-Selected corrugate colorsteel vertical cladding cladding direct fixed to timber frame walls as per NZS 3604 2011.

-Selected aluminium window & door joinery flashed & sealed to exterior cladding.

-Confirm levels on site before construction.



E-07 | PROPOSED EAST ELEVATION

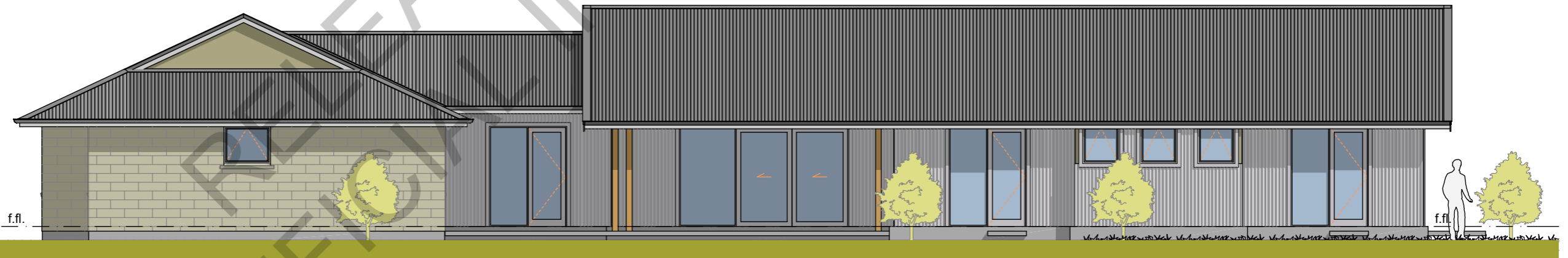
sg - Safety glass as per NZBC requirements.

-Selected corrugate colorsteel roofing with matching fixings & flashings.

-Selected colorsteel spouting system fixed as per manufacturers specifications to colorsteel fascia board.

-Selected corrugate colorsteel vertical cladding cladding direct fixed to timber frame walls as per NZS 3604 2011.

-Selected aluminium window & door joinery flashed & sealed to exterior cladding.



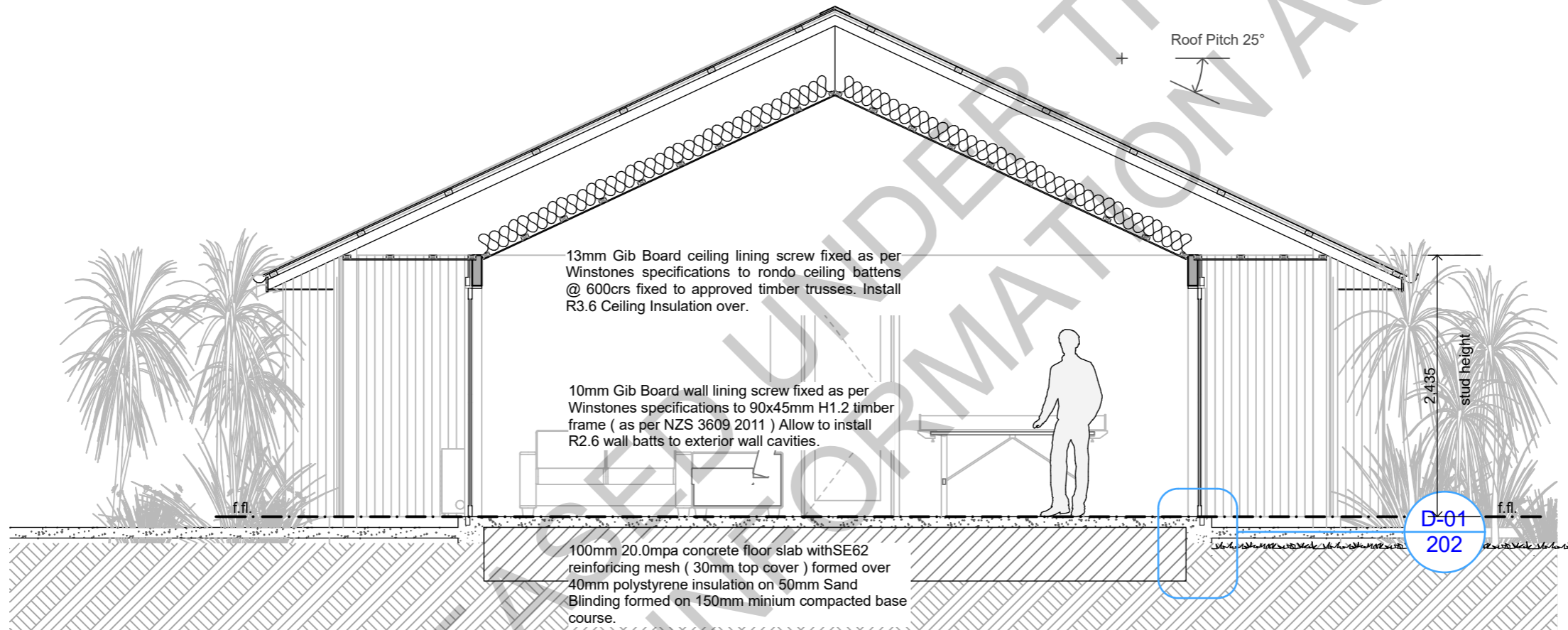
E-08 | PROPOSED SOUTH ELEVATION

All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.



Job Title	PROPOSED ACCOMODATION DEVELOPMENT	Drawing Title	
For	BINXI FOODS NZ Ltd	PROPOSED ELEVATION	
At	REDCASTLE ROAD OAMARU	Drawing Number	Scale
		103	1:100
		ALL DIMENSIONS TO BE VERIFIED ON SITE	

Selected Colorsteel tray section long run roofing (with matching fixings & flashing) fixed as per manufacturers specifications over self supporting build. paper to 70x45mm timber purlins @ 900crs fixed to approved trusses @ 900crs



13mm Gib Board ceiling lining screw fixed as per Winstones specifications to rondo ceiling battens @ 600crs fixed to approved timber trusses. Install R3.6 Ceiling Insulation over.

10mm Gib Board wall lining screw fixed as per Winstones specifications to 90x45mm H1.2 timber frame (as per NZS 3609 2011) Allow to install R2.6 wall batts to exterior wall cavities.

100mm 20.0mpa concrete floor slab with SE62 reinforcing mesh (30mm top cover) formed over 40mm polystyrene insulation on 50mm Sand Blinding formed on 150mm minium compacted base course.

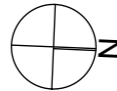


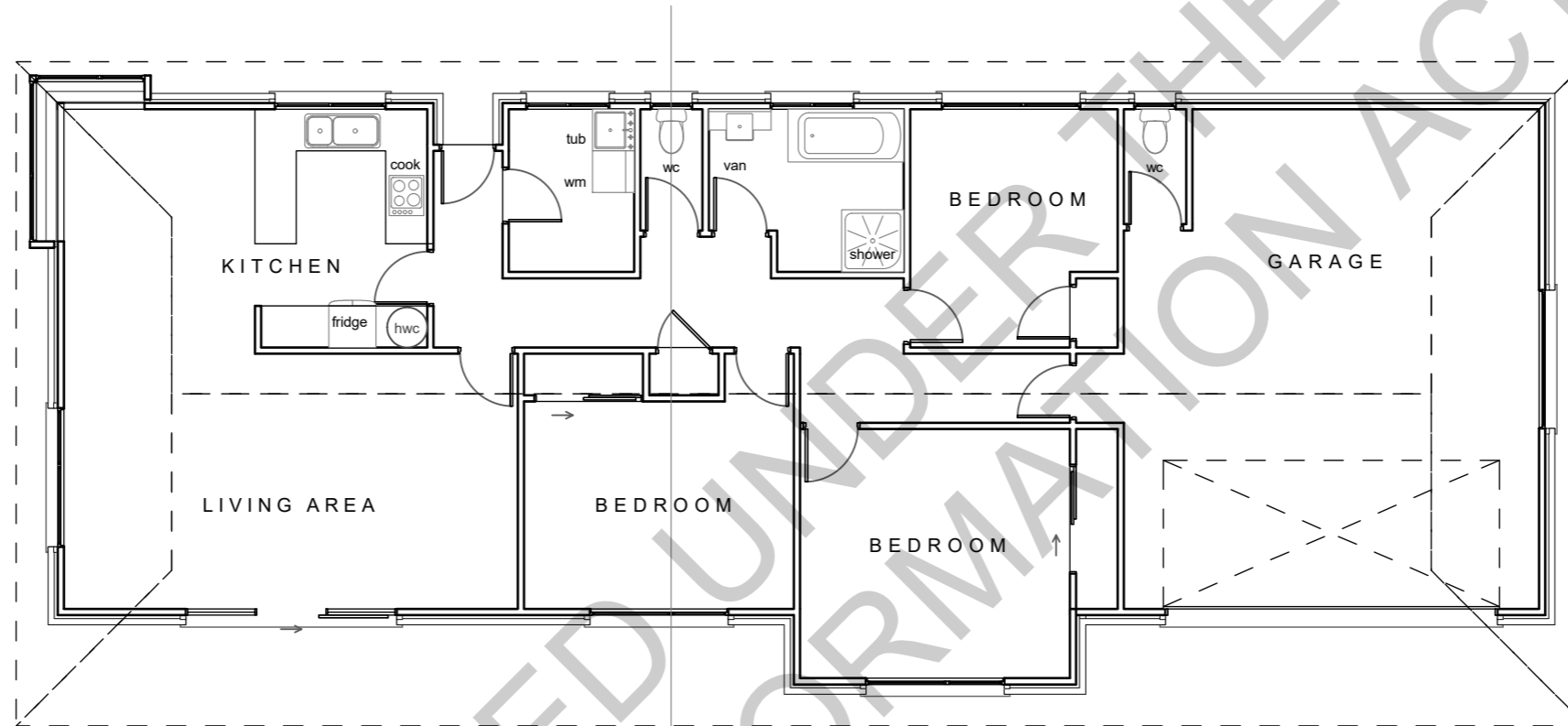
B

CROSS SECTION 'B'

All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.



Job Title	PROPOSED ACCOMODATION DEVELOPMENT		Drawing Title		CROSS SECTION	
For	BINXI FOODS NZ Ltd		Drawn		Scale	1:61 7460
At	REDCASTLE ROAD OAMARU		Design		Drawing Number	104
			Creation Date	14/09/2009	Scale	1:54.9935, 1:1, 1:50
		Plot Date	21/08/2015			
ALL DIMENSIONS TO BE VERIFIED ON SITE						



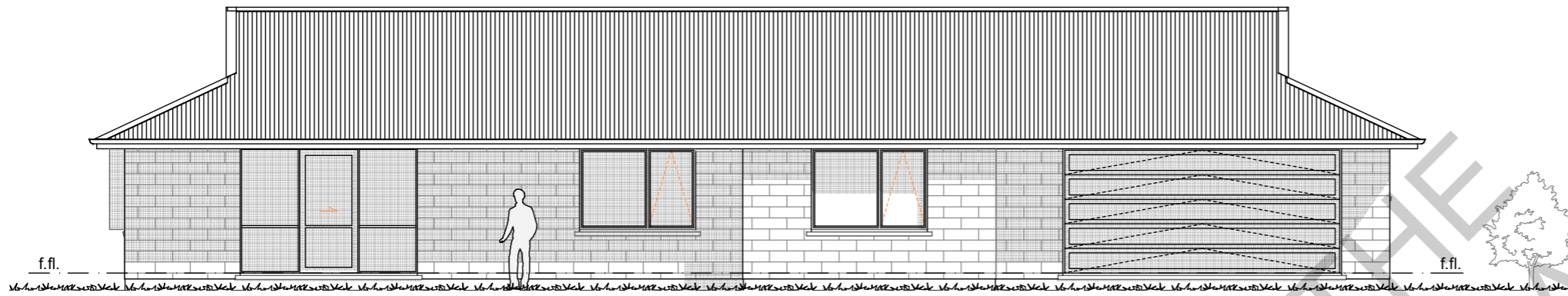
EXISTING FLOOR PLAN

1:100

All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.

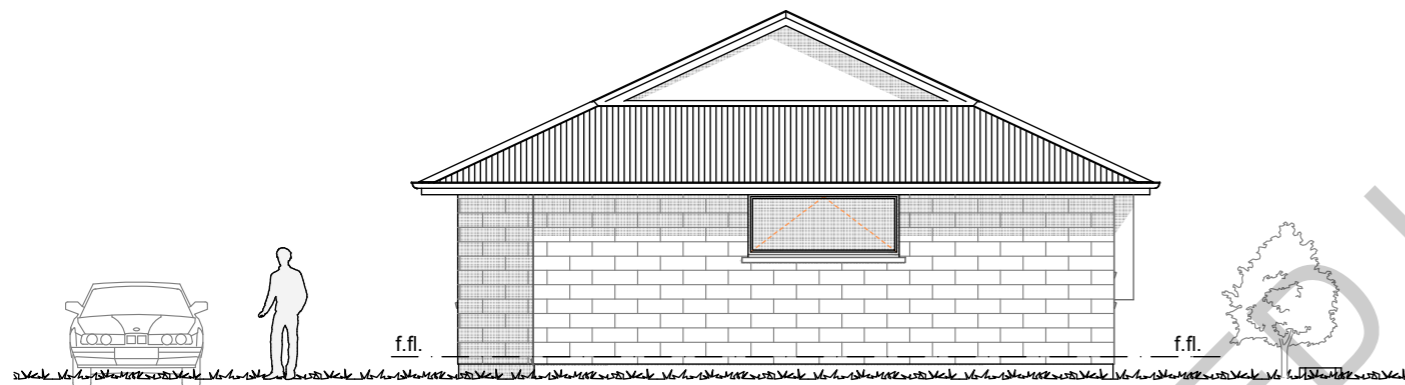


Job Title	PROPOSED ACCOMODATION DEVELOPMENT	Drawing Title		EXISTING FLOOR PLAN
For	BINXI FOODS NZ Ltd	Drawn		Drawing Number
At	REDCASTLE ROAD OAMARU	Design		105
		Creation Date	14/09/2009	Scale
		Plot Date	21/08/2015	1:100
ALL DIMENSIONS TO BE VERIFIED ON SITE				



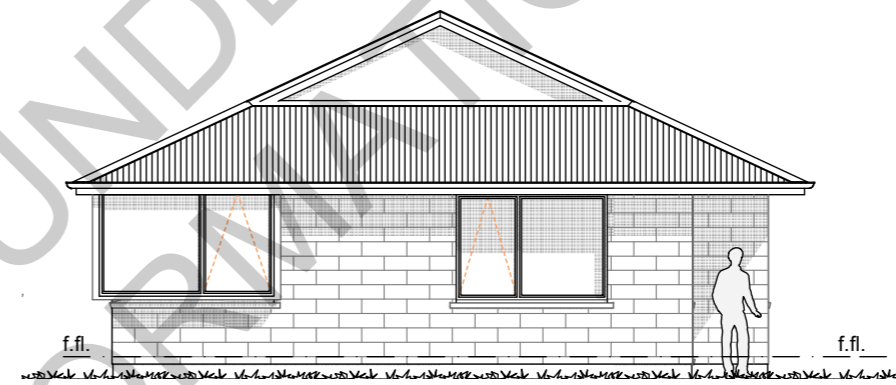
E-03
-

WEST ELEVATION
1:100



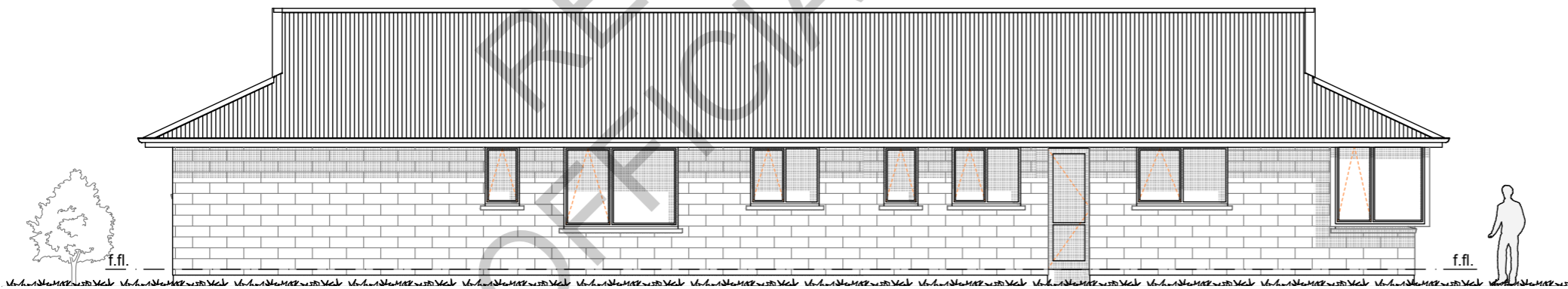
E-02
-

SOUTH ELEVATION
1:100



E-04
-

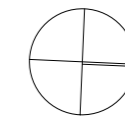
NORTH ELEVATION
1:100



E-01
-

EAST ELEVATION
1:100

Job Title **PROPOSED ACCOMODATION DEVELOPMENT**
 For **BINXI FOODS NZ Ltd**
 At **REDCASTLE ROAD OAMARU**



Drawn	
Design	
Creation Date	00/00/2010
Plot Date	21/08/2015

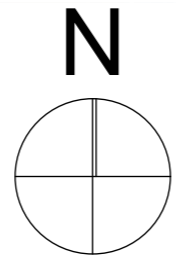
Drawing Title
EXIST. ELEVATION

Drawing Number 106	Scale 1:100
------------------------------	-----------------------

ALL DIMENSIONS TO BE VERIFIED ON SITE

All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.

SHEET INDEX	
ID	LAYOUT NAME
201	SITE PLAN
202	FLOOR PLAN
203	ELEVATIONS
204	PERSPECTIVE IMAGES
205	CROSS SECTION



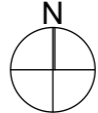
SITE LOCATION PLAN
1:20000

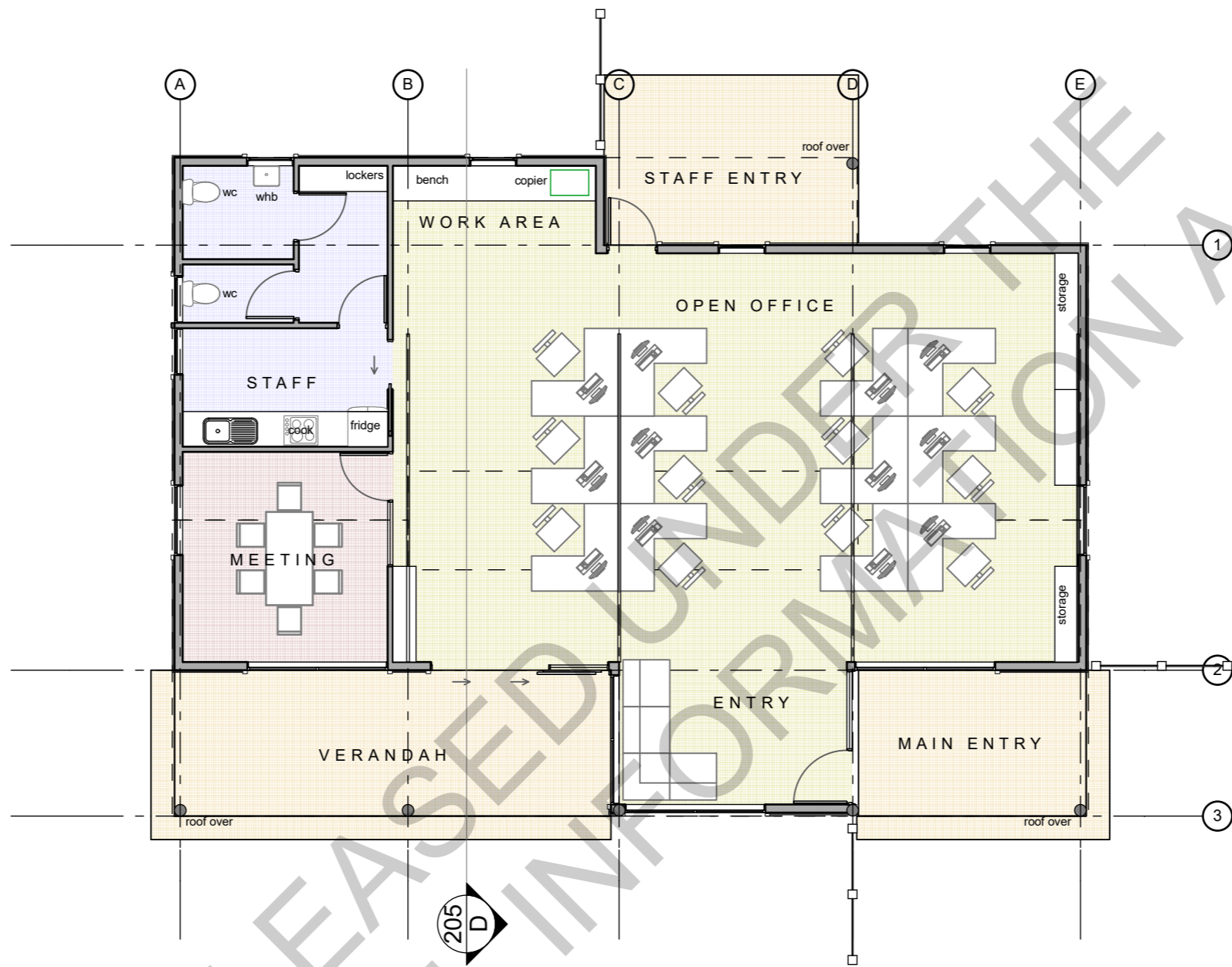


SITE PLAN
1:1000

All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.



Job Title PROPOSED OFFICE DEVELOPMENT	For BINXI FOODS NZ Ltd	At REDCASTLE ROAD OAMARU	 ALL DIMENSIONS TO BE VERIFIED ON SITE	Drawing Title SITE PLAN	
				Drawn	Drawing Number 201
				Design	Scale 1:1, 1:20000, 1:1000
				Creation Date 14/09/2009	Plot Date 3/09/2015



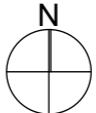
134.93 m²



1. PROPOSED FLOOR PLAN
1:100

All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.



Job Title	PROPOSED OFFICE DEVELOPMENT		Drawing Title FLOOR PLAN	
For	BINXI FOODS NZ Ltd		Drawn	
At	REDCASTLE ROAD OAMARU		Design	
			Creation Date	14/09/2009
		Plot Date	3/09/2015	Drawing Number 202
		ALL DIMENSIONS TO BE VERIFIED ON SITE		Scale 1:100

sg - Safety glass as per NZBC requirements.

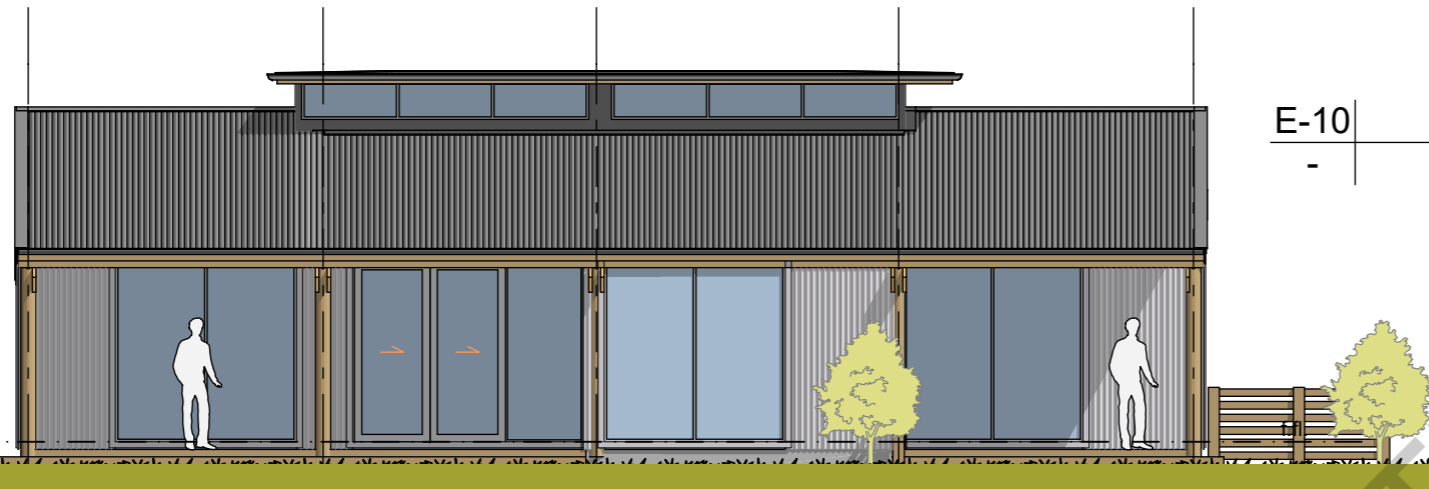
-Selected corrugate colorsteel roofing with matching fixings & flashings.

-Selected colorsteel spouting system fixed as per manufacturers specifications to colorsteel fascia board.

-Selected corrugate colorsteel vertical cladding cladding direct fixed to timber frame walls as per NZS 3604 2011.

-Selected aluminium window & door joinery flashed & sealed to exterior cladding.

-Confirm levels on site before construction.



E-10 OFFICE WEST ELEVATION

sg - Safety glass as per NZBC requirements.

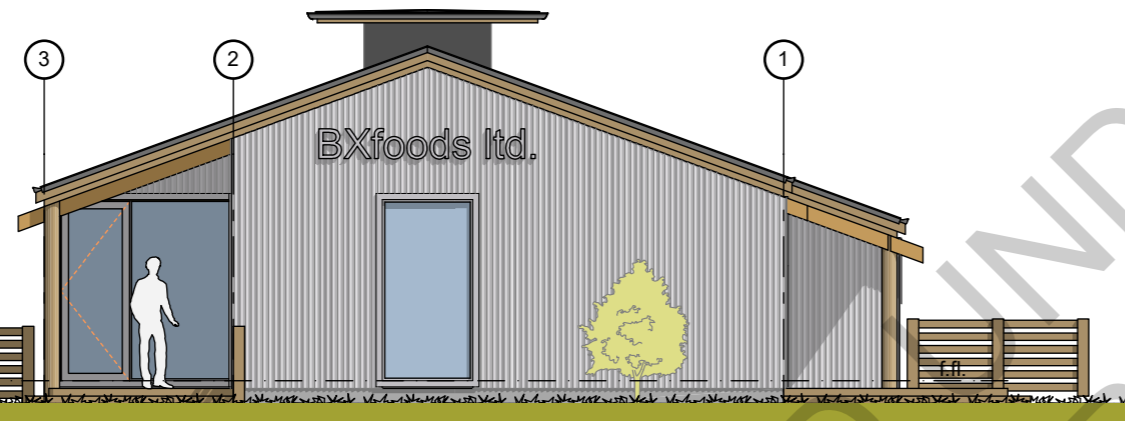
-Selected corrugate colorsteel roofing with matching fixings & flashings.

-Selected colorsteel spouting system fixed as per manufacturers specifications to colorsteel fascia board.

-Selected corrugate colorsteel vertical cladding cladding direct fixed to timber frame walls as per NZS 3604 2011.

-Selected aluminium window & door joinery flashed & sealed to exterior cladding.

-Confirm levels on site before construction.



E-12 OFFICE SOUTH ELEVATION

sg - Safety glass as per NZBC requirements.

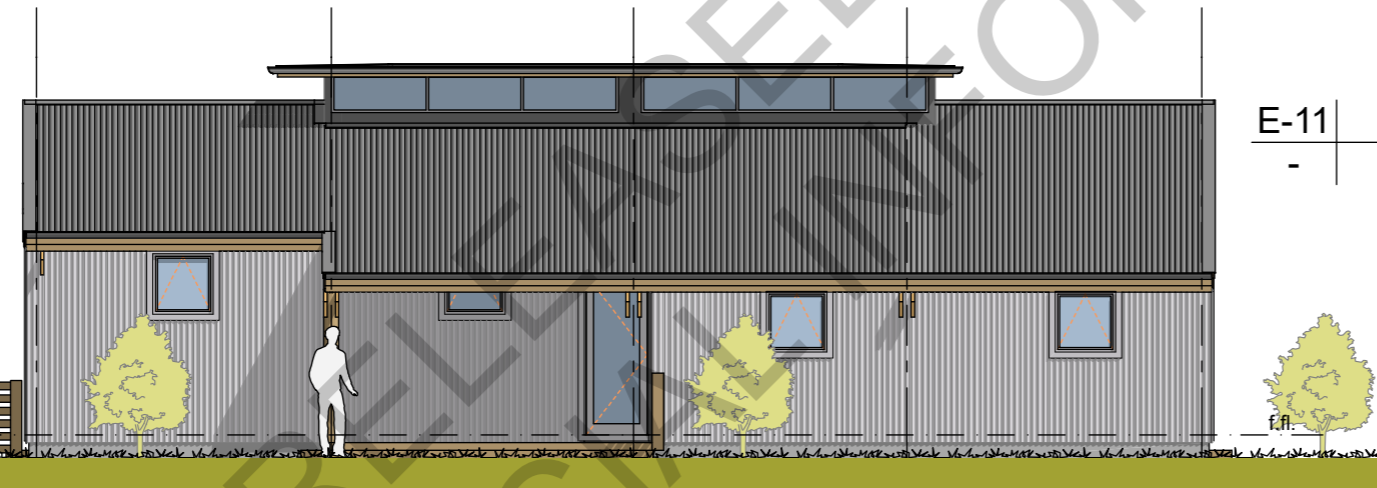
-Selected corrugate colorsteel roofing with matching fixings & flashings.

-Selected colorsteel spouting system fixed as per manufacturers specifications to colorsteel fascia board.

-Selected corrugate colorsteel vertical cladding cladding direct fixed to timber frame walls as per NZS 3604 2011.

-Selected aluminium window & door joinery flashed & sealed to exterior cladding.

-Confirm levels on site before construction.



E-11 OFFICE EAST ELEVATION

sg - Safety glass as per NZBC requirements.

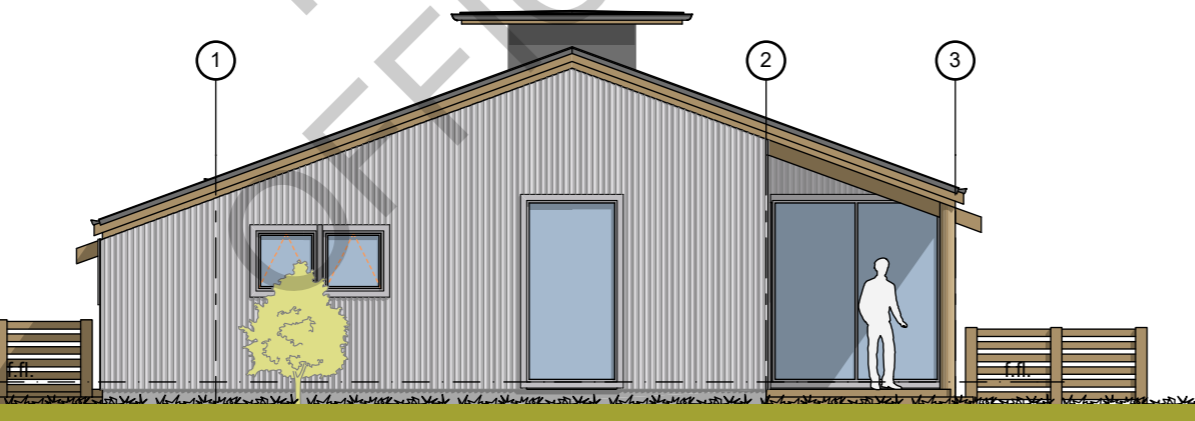
-Selected corrugate colorsteel roofing with matching fixings & flashings.

-Selected colorsteel spouting system fixed as per manufacturers specifications to colorsteel fascia board.

-Selected corrugate colorsteel vertical cladding cladding direct fixed to timber frame walls as per NZS 3604 2011.

-Selected aluminium window & door joinery flashed & sealed to exterior cladding.

-Confirm levels on site before construction.



E-09 OFFICE NORTH ELEVATION



Job Title **PROPOSED OFFICE DEVELOPMENT**

For **BINXI FOODS NZ Ltd**

At **REDCASTLE ROAD OAMARU**



Drawn	
Design	
Creation Date	00/00/2010
Plot Date	3/09/2015

Drawing Title **ELEVATIONS**

Drawing Number	Scale
203	1:100

ALL DIMENSIONS TO BE VERIFIED ON SITE

All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.



OFFICE PERSPECTIVE 1

OFFICE PERSPECTIVE VIEW 2



OFFICE PERSPECTIVE VIEW 3



de Geest
de Geest Construction Ltd
Future builders building futures

Job Title **PROPOSED OFFICE DEVELOPMENT**

For **BINXI FOODS NZ Ltd**

At **REDCASTLE ROAD OAMARU**



Drawn	
Design	
Creation Date	00/00/2010
Plot Date	3/09/2015

Drawing Title
PERSPECTIVE IMAGES

Drawing Number	Scale
204	1:132.8441, 1:170.8859, 1:148.1357

ALL DIMENSIONS TO BE VERIFIED ON SITE

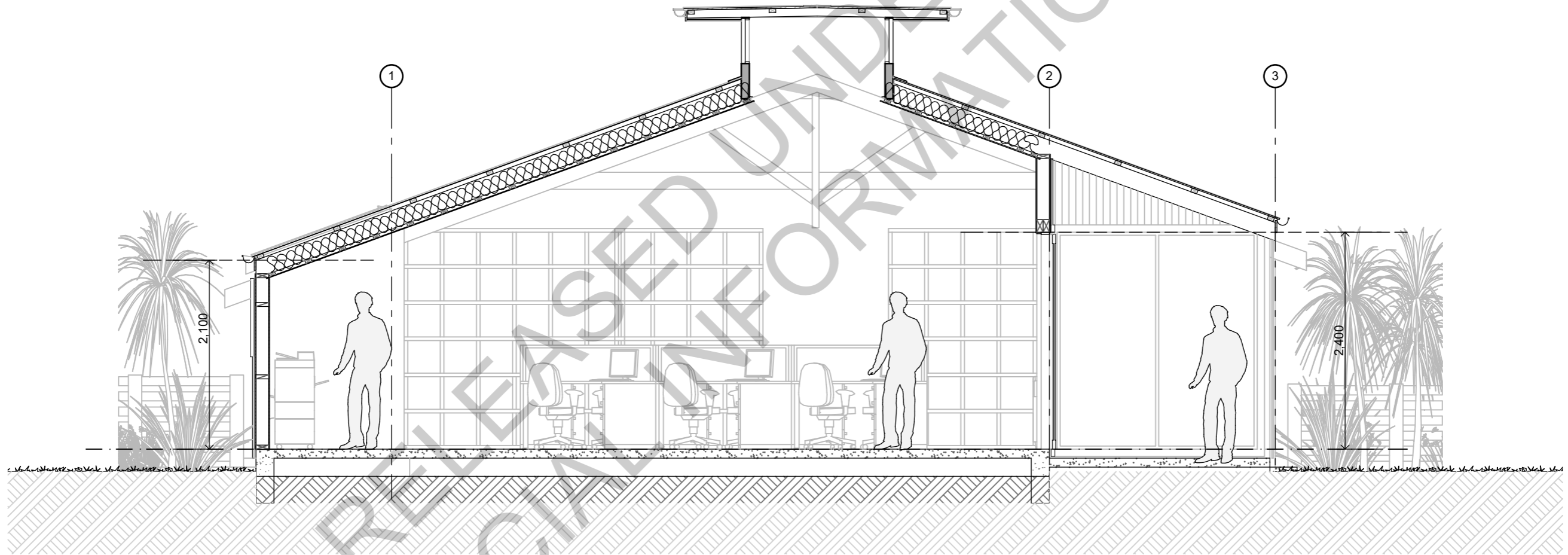
All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.



INTERIOR PERSPECTIVE 2



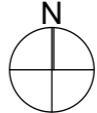
INTERIOR OFFICE PERSPECTIVE 1



CROSS SECTION

All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.



Job Title	PROPOSED OFFICE DEVELOPMENT		Drawing Title		
For	BINXI FOODS NZ Ltd		CROSS SECTION		
At	REDCASTLE ROAD OAMARU		Drawn Design Creation Date 14/09/2009 Plot Date 3/09/2015	Drawing Number 205	Scale 1:50, 1:203.6785, 1:243.2696
ALL DIMENSIONS TO BE VERIFIED ON SITE					

Shortlands Road

Case: 201610121

Overseas Investment Office Annual Report 2019



Special Conditions	Summary of Section	Progress Update	Status
Resource Consents	3) Within 6 months from the date of consent, the Consent Holder must apply for resource consent (Resource Consent) to change the zoning of the Target Land to allow the development of staff accommodation and a dwelling to take place in accordance with the Business Plan.	<p>The company has made two applications for migrant workers through the AIP programme with New Zealand Immigration the most recent application has been declined from immigration New Zealand.</p> <p>At this point we have no commercial reason to change the zoning of the land if we are unable to obtain workers to place in the lodgings</p>	
Resource Consents	4) The Consent Holder must use all reasonable commercial endeavours to obtain the resource consent	Resource consent is not required	

<p>Requirement to develop staff accommodation</p>	<p>5) Within 1 year from the date that Resource Consent is granted, the Consent Holder must have begun to redevelop the dwelling on the Target Land into staff accommodation in accordance with its Business Plan</p>	<p>Plans are completed and attached to this report, we have not proceeded with the zone change due to a lack of go forward with Immigration NZL on migrant workers</p>	
<p>Requirement to develop staff accommodation</p>	<p>6) Within 4 years from the date that Resource Consent is granted, the Consent Holder must have completed the redevelopment of the dwelling on the Target Land into staff accommodation in accordance with its Business Plan</p>	<p>Due to a decline of our application from Immigration NZL at this point there is no commercial reason to develop the lodgings to the extent we have provided in the plan – there is a possibility we can develop the current building by building bedrooms into the garage. This would allow us to accommodate more people but would not require a resource consent.</p> <p>We are planning to have the garage in Shortlands Road house, remodelled to accommodate staff at a cost of \$95,000 this will be completed in April 2021.</p>	
<p>Requirement to develop office premises</p>	<p>7) Within 2 years from the date that Resource Consent is granted, the Consent Holder must have begun to develop office premises on the Target Land in accordance with its Business Plan.</p>	<p>The office is to be built as part of a major development of the main factory site and will be built on the Shortlands road site – plans are attached. Completion of the office will be April 2021 – the expected cost of the office has been quoted at \$420,000 along with land scaping and carparking for an additional sum of \$47,500</p>	<p>On Target</p>
<p>General Summary</p>	<p>Improvements of land since taking ownership.</p>	<ul style="list-style-type: none"> • On taking ownership of the land we have made a number of improvements. • All the internal fences were beyond repair and they were removed with new fences to go in along with new gates – cost to remove fences - \$2,500 • An old tree line on a boundary fence was removed at 100% cost to NZ Binxi (Oamaru) Foods Ltd 	

Wednesday, 30 October 2019

		<ul style="list-style-type: none">• New fences have been installed in 2019 - \$35,000• We have levelled a third of the farm, laying clay and top soil and will be re-planting grass seed post over the year of 2020 - \$10,000• The cattle yards have been dismantled, these yards were unsightly and had not been used for many years.	
--	--	---	--



Richard Thorp

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

29 March 2019

Overseas Investment Office
PO Box 5501
Wellington 6145

By email: gbailey@linz.govt.nz

Attention: Gary Bailey

Dear Sir

NZ Binxi (Oamaru) Foods Limited - compliance reporting for Shortland Road - Consent 201610121

- 1 We refer to your letter to NZ Binxi (Oamaru) Foods Ltd (**NZ Binxi**) dated 6 March 2019, expressing concerns regarding NZ Binxi's compliance with Condition 3 of OIO consent 201610121.
- 2 Condition 3 requires that:

"Within 6 months from the date of consent, the Consent Holder must apply for resource consent to change the zoning of the Target Land to allow the development of staff accommodation and a dwelling to take place in accordance with the Business Plan."
- 3 Condition 3 was inserted after NZ Binxi advised the OIO of its understanding that the Resource Consent was required for the accommodation developments.
- 4 Although labour market issues have resulted in some delays in NZ Binxi commencing the process of the housing development, NZ Binxi has been in touch with the Council to clarify the position regarding the need for a Resource Consent.
- 5 On 20 March 2018, a senior planner from the Waitaki District Council confirmed by way of email that the housing redevelopment should in fact be deemed a permitted activity (no resource consent required) as it falls within the definition of "Residential Activity" and "Residential Unit" under the Waitaki District Plan. Attached to this letter are:
 - 5.1 A copy of the email from the Senior Planner at the Waitaki District Council; and
 - 5.2 A planning map confirming the "Rural General" zoning of the Land.
- 6 Accordingly, no resource consent / zoning change is in fact required for the proposed accommodation activities on the Land, so the requirement for Condition 3 has effectively fallen away.
- 7 With the requirement for a Resource Consent falling away, the key development conditions of OIO consent 201610121 are:

Requirement to develop staff accommodation

5. *Within 1 year from the date that Resource Consent is granted, the Consent Holder must have begun to redevelop the dwelling on the Target Land into staff accommodation in accordance with its Business Plan.*
6. *Within 4 years from the date that Resource Consent is granted, the Consent Holder must have completed the redevelopment of the dwelling on the Target Land into staff accommodation in accordance with its Business Plan.*

Requirement to develop office premises

7. *Within 2 years from the date that Resource Consent is granted, the Consent Holder must have begun to develop office premises on the Target Land in accordance with its Business Plan.*
8. *Within 4 years from the date that Resource Consent is granted, the Consent Holder must have completed the development of office premises on the Target Land in accordance with its Business Plan*

8 It is submitted that the key timeframe for the realisation of the benefits claimed in NZ Binxi's OIO application is the completion of the staff accommodation and office premises within 4 years. The purpose of Condition 3 (and also conditions 5 and 7) was to ensure that the various stages of the proposed development works were progressed within prescribed timeframes, so that the OIO could be confident that the developments were likely to be **completed** within the timeframes set out in the OIO Application and reflected in the remaining Consent conditions.

9 Although physical construction works for the staff accommodation have not yet commenced (due to market labour shortage issues), NZ Binxi has confirmed that it remains confident that the construction works will be completed within the original timeframes contemplated by the Consent Conditions, i.e. by mid-2021, resulting in the benefits stated in the OIO application, including:

- 9.1 The investment of additional capital for development purposes; and
- 9.2 The creation of 1 long term full time equivalent employment position associated with the operation and management of the staff accommodation; and
- 9.3 The creation of additional indirect FTE roles associated with the construction/development works.

10 NZ Binxi is now in the process of compiling some detailed information as to the timing of various stages of the two development projects (being the staff accommodation and the office), and the associated costs. We suggest that once that information has been compiled, a meeting between NZ Binxi and the OIO be arranged to discuss the development plans in detail.

Yours sincerely



Christina Lefever
Special Counsel

d +64 3 372 6420
m +64 21 878 942
christina.lefever@duncancotterill.com

Christina Lefever

From: Brian de Geest <brian@degeest.com>
Sent: Wednesday, 6 March 2019 6:22 PM
To: Richard Thorp
Subject: FW: Shotland Road Staff Accommodation Conversion - Oamaru
Attachments: image001.jpg; image004.jpg

Communication re accommodation saying no RC required

B

From: Richard Thorp <richard@bxfoods.co.nz>
Sent: Friday, 6 April 2018 9:23 AM
To: Brian de Geest <brian@degeest.com>
Subject: Re: Shotland Road Staff Accommodation Conversion - Oamaru

Thanks Mate

All forwarded to OIO

Sent from my iPhone
0274 359 001

On 6/04/2018, at 8:54 AM, Brian de Geest <brian@degeest.com> wrote:

Dear Mr Thorpe

As discussed I have met with the Senior Planner at the Waitaki District Council regarding the staff accommodation development planned for your Shortland Road site.

As per the email below he has confirmed that a Resource Consent is not necessary as it is deemed a Permitted Activity.

All that is required to proceed is an application for a Building Consent.

Kind Regards

Brian de Geest

Brian de Geest

Ph. 03 4371172

Mob. 027 2428646

Em. brian@degeest.com



www.degeest.com

From: Mike Searle <msearle@waitaki.govt.nz>
Sent: Tuesday, 20 March 2018 1:50 PM
To: De Geest Construction <brian@degeest.com>
Subject: 9 bedrooms

Hiya- discussed your plan this morning and we see no reason why it should not be deemed a permitted activity (no resource consent required) as it falls within the definitions of **Residential Activity** and **Residential Unit** under the Waitaki District Plan.

Yours.

Mike Searle
Senior Planner

Email: msearle@waitaki.govt.nz
Web: www.waitaki.govt.nz
Mobile: +64 27 267 2451
Tel: +64 3 433 0300

Waitaki District Council
20 Thames Street
Private Bag 50058
Oamaru
Waitaki District
Otago 9444
New Zealand

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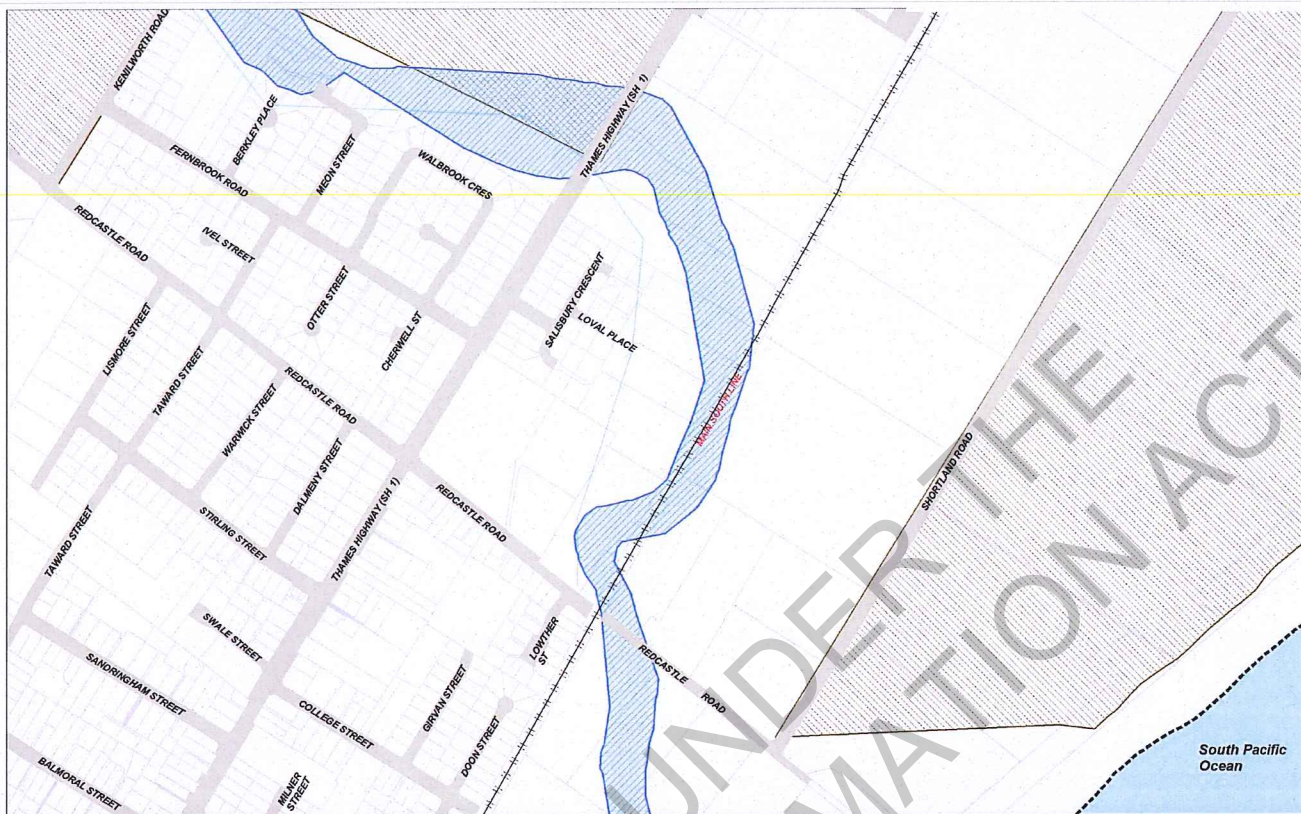
This e-mail message has been scanned for Viruses and Content and cleared by **MailMarshal**

49 23
50 51
54 55

51 FERNBROOK - Oamaru



Waitaki
DISTRICT COUNCIL
TE KAUNIHERA Ā ROHE O WAITAKI



Notation

- Heritage Item
- Archaeological Item
- Sites of Natural Significance
- Areas of Flooding Risk
- High Class Soils

This information is made available in good faith but its accuracy is not guaranteed. Waitaki District Council accepts no liability for any error. Cadastral information derived from LINZ CRS Crown Copyright 2010

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Zone

Notation & Zone Maps have been reduced in size to compile onto a single sheet. Refer to originals for the correct scale

- Outstanding Natural Feature
- Outstanding Natural Landscape
- Significant Coastal Landscape
- Significant Natural Feature
- Rural General
- Rural Scenic
- Oamaru Airfield B
- Oamaru Airfield A
- Township
- Rural Residential
- Residential 1
- Residential
- Business H
- Business 1
- Business 1A
- Business 2
- Business 3
- Business 3A
- Business 4
- Business 5
- Business 6
- Oamaru Airport
- Macraes Mining
- Cement Policy
- Designation Area or Site

The Oamaru Flight Protection Area is not shown on Maps below 1:50000

- Noise Control Boundaries
- Conical or Horizontal Surface Boundaries
- Approach & Site Surface Guidelines
- Flight Protection Area
- Railway
- High Voltage Power Line
- Waterways
- Coast
- Parcel
- WDC Boundary
- Local Authority
- Other Roads
- WDC Roads

Our Ref: 201520010

28 June 2019

TO: NZ Binxi (Oamaru) Foods Limited

BY EMAIL

CC BY EMAIL: Christina Lefever

Overseas Investment Office

Radio New Zealand House

155 The Terrace

PO Box 5501

Wellington 6145

New Zealand

+64 4 460 0110

www.linz.govt.nz

CONSENT TO VARY CONDITIONS

1. We¹ have now considered, and approved, your application for variation.
2. We enclose a copy of the amended decision. You will see it contains some important details of the consent you have been given, and of the conditions you must meet.
3. These include standard conditions that apply to all overseas people who are given consent to acquire sensitive New Zealand land. They also include special conditions that apply only to you and were important considerations that particularly influenced our decision to give consent.
4. The conditions are about the things you must do in order to be allowed to acquire, and keep, the land. They also require you to provide information to us either regularly or when particular events occur.
5. **Please read the conditions carefully and make sure you put processes in place so you can meet them. This is important because if you do not meet the conditions, you may be required to dispose of the land and/or be subject to fines or other penalties.**
6. You can find information about these penalties and how we monitor and enforce them on our website at: <http://www.linz.govt.nz/regulatory/overseas-investment/enforcement>.
7. Your legal advisers can advise you about the conditions and about the consequences of failing to comply with them, but only you are responsible for complying with them.
8. We look forward to hearing about the progress of your investment.

Yours sincerely



Llinos Morgan
Senior Solicitor
Overseas Investment Office

DDI: +64 4 460 2720

Email: lmorgan@linz.govt.nz

¹ Your consent has been granted either by the Associate Minister of Finance and the Minister of Land Information, or by a manager at the Overseas Investment Office, acting under delegated authority from the Chief Executive of Land Information New Zealand.

Decision Date

1 December 2015

Varied on

28 June 2019

Interpretation

Any term or expression that is defined in the Overseas Investment Act 2005 and used, but not defined, in this consent has the same meaning as in the Overseas Investment Act 2005.

Act means the Overseas Investment Act 2005.

Application Letter means the application letter dated 15 July 2015.

Business Plan means the business plan set out in Appendix 12 of the Application Letter, as amended by the Application to Vary Conditions of Consent dated [x].

Consent Holder means NZ Binxi (Oamaru) Foods Limited.

Facility means the meat processing facility located upon the Land.

Individuals with Control means:

- (a) the individuals who have, directly or indirectly, a 25% or more ownership or control interest in the Consent Holder or a Parent of the Consent Holder; and
- (b) the members of the governing body of the Consent Holder or a Parent of the Consent Holder; and
- (c) includes, for the avoidance of doubt, the members of the governing body of NZ Binxi (Oamaru) Foods Limited and Heilongjiang Binxi Cattle Industry Co Limited.

Investment means the Consent Holder's acquisition of rights or interests in up to 100% of the issued share capital in Lean Meats Oamaru Limited which owns or controls a freehold interest in the Land.

Land means the land contained in certificates of title 222052, 440537 and 46609 (Otago Registry).

Special Land means the qualifying foreshore and seabed located within record of title 222052.

OIO means the Overseas Investment Office.

Parent of Consent Holder means a person that has, directly or indirectly, a 25% or more ownership or control interest in the Consent Holder, and includes a person that has, directly or indirectly, a 25% or more ownership or control interest in another Parent of the Consent Holder.

Regulations means the Overseas Investment Regulations 2005.

Settlement Date means the date the acquisition of the Investment took place.

Variation means the variation to consent conditions granted on 28 June 2019 in relation to the Applicant's Application to Vary Conditions of Consent dated 17 June 2019.

Special Conditions

Consent is granted subject to the following conditions:

When the transaction must given effect

1. The consent will lapse if the Investment has not been acquired by and transferred to the Consent Holder within twelve months of the date of consent.

Good character

2. The Individuals with Control must:
 - (a) continue to be of good character; and
 - (b) not become an individual of the kind referred to in section 15 or 16 of the Immigration Act 2009.

Employment condition

3. The Consent Holder must increase the number of job opportunities at the ~~Target-on-the-Land Facility~~ by:
 - (a) 4 full time equivalent employees ~~substantially in accordance with section 6 of the Business Plan~~ by 31 December 2020; and
 - (b) by a further 30 full time equivalent employees by 31 December 2025.

Additional investment condition

4. The Consent Holder must introduce additional investment of at least ~~\$6,450,000~~ \$7,050,000 into New Zealand for development purposes and use this investment to implement the developments described in section 5 of the Business Plan (and summarised below) substantially in accordance with the Business Plan ~~by 31 December 2018~~ by the dates in the table below:

Scheduled Year Date by which Development must occur	Development	Estimated Cost
2017 30 December 2025	Dedicated Beef Processing Room	\$1,200,000
2017-2018 30 December 2020	Cold Storage, Blast Freezing and Load-Out Facilities	\$5,000,000 \$5,500,000 - \$6,000,000
2018 30 December 2020	Boiler Replacement	\$250,000 \$350,000
Total Expenditure		\$6,450,000 \$7,050,000 - \$7,550,000

Increased processing condition

5. The Consent Holder must increase the number of cattle and sheep processed at the ~~plant on the Land~~ Facility for each of the calendar years ~~2016, 2017 and 2018~~ 2019 and 2020 substantially as set out in the table below:

Year	Number of Cattle-Beef Processed	Number of Sheep (including ram, lamb and mutton) Processed
2019	8,000	250,000
2020	10,000	250,000

Increased exports condition

- ~~6. The Consent Holder must increase export receipts for New Zealand exporters as described in the Business Plan and the letter from Michael Beck to the Overseas Investment Office dated 19 August 2015 (including the attachments) substantially in accordance with the timeframes set out therein and as set out in the table below.~~

Year	Number of Cattle Exported	Number of Sheep Exported
2016	30,000	300,000
2017	40,000	330,000
2018	50,000	380,000

Special land condition

- ~~7. The Consent Holder must, upon acquiring the Investment:~~

- ~~(a) Ensure that Lean Meats Oamaru Limited continues to be bound by any offer, arrangement or agreement that it has made, reached or entered into with the Crown in relation to the special land that forms part of the Land;~~
- ~~(b) If so required by the Crown, procure Lean Meats Oamaru Limited to enter into a deed of covenant with the Crown to be so bound; and~~
- ~~(c) Procure Lean Meats Oamaru Limited to deal with the Crown in accordance with the requirements of the Act as the party making the initial offer of the special land to the Crown.~~

- 7A. The Consent Holder must, upon acquiring the Investment ensure that Lean Meats Oamaru Limited continues to be bound by any offer, arrangement or agreement that it has made, reached or entered into with the Crown in relation to the Special Land that forms part of the Land.

- 7B. The Consent Holder must procure Lean Meats Oamaru Limited, within 10 working days of being requested to do so by the Crown:

- (a) enter into a deed of covenant with the Crown to be bound;

- (b) deal with the Crown in accordance with the requirements of the Act in respect of the initial offer of the Special Land to the Crown;
 - (c) enter into negotiations in good faith to ensure the Special Land is transferred to the Crown on terms acceptable to the Crown and in accordance with Regulations; and/or
 - (d) agree to an encumbrance or covenant in gross being registered to protect the Crown's interest upon the Crown's request.
- 7C. The Crown reserves the right to caveat the Land until an encumbrance or covenant has been registered.
- 7D. The Consent Holder and Lean Meats Oamaru Limited will be responsible for all of its own costs incurred as a result of the transfer of the Special Land.

Reporting to the OIO

8. The Consent Holder must notify the OIO in writing as soon as practicable, and no later than twelve months from the date of consent, whether settlement of the acquisition of the Investment took place. If settlement of the acquisition of the Investment did take place, the notice must include:
- (a) the Settlement Date;
 - (b) final consideration paid (plus GST, if any);
 - (c) the structure by which the acquisition was made, and who acquired the Investment;
 - (d) where applicable, copies of transfer documents and settlement statements; and
 - (e) any other information that would aid the OIO in its function to monitor conditions of consent.
9. The Consent Holder must report in writing annually to the Overseas Investment Office detailing progress of its Business Plan ("**Annual Report**"), including the following:
- (a) the Consent Holder's compliance with conditions 3, 4, and 5;
 - (b) the number (in full time equivalent units) and type of any new job opportunities created in New Zealand as a result of the Investment including the value of these jobs (being the annual salary or wages paid); and
 - (c) any increased export receipts for New Zealand exporters, including the number of sheep and beef exported, the average price per animal exported and the country the animal was exported to.
- The first Annual Report is due on 30 November ~~2016~~ after the Variation and further Annual Reports are required on 28 February of each year with ~~and~~ the final report ~~is~~ due on ~~30 November 2019~~ 28 February 2026.
10. The Consent Holder must notify the OIO in writing within 20 working days if:
- (a) the Consent Holder, any Individual with Control, or any person in which the Consent Holder or any Individual with Control has, or had at the time of the offence or contravention, a 25% or more ownership or control interest, commits an offence or contravenes the law (whether convicted or not); or
 - (b) any Individual with Control:

- (i) ceases to be of good character; or
 - (ii) commits an offence or contravenes the law (whether convicted or not); or
 - (iii) becomes aware of any other matter that reflects adversely on an Individual with Control's fitness to have the Investment; or
 - (iv) becomes an individual of the kind referred to in section 15 or 16 of the Immigration Act 2009;
- (c) the Consent Holder:
- (i) ceases to be an overseas person; or
 - (ii) disposes of the Investment.
11. If requested in writing by the OIO, the Consent 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 and notified by the regulator as having been taken into account when the consent was granted; or
 - (b) the conditions of this consent.

General Condition

12. The OIO will reasonably consider a request for a variation to the Business Plan that arises due to changes in economic and/or environmental conditions outside the Applicant's control, or from any circumstances outside the Consent Holder's control that were reasonably unforeseen at the date of the Application.

Disposal Process

13. If in the opinion of the OIO condition 3, 4, or 5 is not complied with ("Non-Compliance"), the Consent Holder must dispose of the Investment as follows:
- (a) The Consent Holder must, within six weeks of receiving notice from the OIO that in its opinion there has been Non-Compliance (the "Notice Date"):
 - (i) procure from an independent New Zealand registered valuer, and provide to the OIO, a written market valuation of the Investment; and
 - (ii) appoint licensed real estate agents to actively market and appropriately advertise the Investment for sale on the open market; and
 - (b) The Consent Holder must dispose of the Investment within twelve months of the Notice Date to a third party who must not be an associate of the Consent Holder. If the Consent Holder has not disposed of the Investment at the expiry of the twelve month period, the Consent Holder must offer the Investment for sale by auction or tender within a further three months (with no reserve price or minimum bid set for the auction or tender) and dispose of the Investment.

- (c) The Consent Holder must provide a written report to the OIO quarterly (by the last day of March, June, September and December) about the marketing activities undertaken and offers received for the Investment. The Consent Holder must also report at any other time if required by the OIO.
- (d) The Consent Holder must provide a written report to the OIO within two months of the Investment being disposed of, providing evidence that:
 - (i) the Consent Holder has disposed of the Investment (including copies of any sale and purchase agreements, settlement statements and titles showing the purchaser as registered proprietor); and
 - (ii) the purchaser is not an associate of the Consent Holder.

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

From: [Chris Ashton](#)
Sent: Friday, 25 August 2023 4:47 PM
To: [Overseas Investment Office Monitoring](#)
Cc: [Kathleen Morrison](#)
Subject: RE: Re NZ Binxi (Oamaru) Foods Limited - case number 201610121 [MC-DMS.FID3832456]
Attachments: Letter To OIO re NZ Binxi (Oamaru) Foods Limited.PDF; 2023 OIO Annual Report - final version - signed.PDF; Lean Meats - S42 Decision - 10 Shortland Street.PDF; specification-294606-spec-contract-2023-08-21 - extracted plans.PDF

Kia ora

Further to our emails of 11 August, please find attached:

1. Our covering letter to the 2023 annual report;
2. 2023 annual report;
3. 2x annexures to the annual report.

Ngā mihi nui | Kind regards

I work remotely on Thursdays.

Chris Ashton
Rōia Whakarae | Associate
DDI: +64 9 336 7715
mc.co.nz

MC.

From: Overseas Investment Office Monitoring <OIOmonitoring@linz.govt.nz>
Sent: Friday, 11 August 2023 3:56 PM
To: Chris Ashton <Chris.Ashton@mc.co.nz>; Kathleen Morrison <Kathleen.Morrison@mc.co.nz>
Cc: Pedro Morgan <pmorgan@linz.govt.nz>
Subject: RE: Re NZ Binxi (Oamaru) Foods Limited - case number 201610121 [MC-DMS.FID3832456]

Kia ora Chris,

The below has been passed to our team by Pedro.

Thankyou for the letter and detailed update of events that have recently taken place. Before we are in a position to be able to address whether a variation is required we will need to review the 2023 annual report please provide this to us by **COB on the 25th August 2023.**

Can you please also confirm that Chrisna Lefever of Lefever Law is no longer acting for NZ Binxi (Oamaru) Foods Limited in respect of this consent.

Ngā mihi

Monitoring Team
Monitoring and Intelligence Unit
Overseas Investment Office
oi.monitoring@linz.govt.nz DDI 0800 665 463



Wellington Office, Level 7, Radio New Zealand House, 155 The Terrace
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From: Chris Ashton <Chris.Ashton@mc.co.nz>
Sent: Friday, August 11, 2023 2:53 PM
To: Pedro Morgan <pmorgan@linz.govt.nz>
Cc: Kathleen Morrison <Kathleen.Morrison@mc.co.nz>
Subject: Re NZ Binxi (Oamaru) Foods Limited case number 201610121 [MC-DMS.FID3832456]

Dear Pedro,

We have recently commenced acting for NZ Binxi (Oamaru) Foods Limited. We have been given your details as an appropriate person to contact in relation to this matter. We're happy to be redirected to a case manager or other appropriate contact you may suggest.

Please find our letter attached.

Nāku noa, nā | Yours sincerely

I work remotely on Thursdays.

Chris Ashton
Rōia Whakarae | Associate
DDI: +64 9 336 7715
mc.co.nz

MC.

The information contained in this email is confidential and may be legally privileged. If you are not the intended recipient, please notify us immediately by telephone and return the message to us.

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Fax: +64 9 336 7629

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Fax: +64 9 336 7629

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

25 August 2023

By Email: OIOmonitoring@linz.govt.nz

Monitoring Team
Monitoring and Intelligence Unit
Overseas Investment Office
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NZ Binxi (Oamaru) Foods Limited: Annual Report 2023
Overseas Investment consent in respect of 10 Shortland Road, Oamaru
Case number 201610121

- 1 We refer to our letter dated 11 August 2023 and your email to us of the same date.
- 2 In our earlier letter we advised on the recent changes to the management and control of the Consent Holder, resulting in the new management undertaking an internal audit of the Consent Holder's affairs. Things have progressed well, to the point where our client can now provide the 2023 annual report for the OIO. Please find this enclosed, together with the attachments described in that report.
- 3 You will see in our client's reporting on condition 12 that we have provided some brief details as to the circumstances which resulted in the urgent change in management. We wish to flag this as those details are only found towards the end of the report, but you may wish to read it first as it provides context for some of the recent delays in reporting.
- 4 Thank you once again for your patience. We would be pleased to discuss with you the OIO's expectations in relation to the Consent, and recommended next steps.
- 5 Please feel free to contact the writer if you have any questions or concerns, or require any further clarification as to the matters set out in the report.

Yours faithfully



Chris Ashton
Associate
DDI: +649 336 7715
Chris.Ashton@mc.co.nz

Annual Report to the Overseas Investment Office

This Annual Report template sets out the required structure and content for reporting on your conditions of consent.

We will rely on the information in this document to review and assess your compliance with the conditions of your consent. It is an offence to make a false or misleading statement or material omission in any information or document provided to the Overseas Investment Office (OIO) ([s46](#)).

Instructions:

- **Please do not remove the instruction text from this template.**
- Download this template from our [website](#) before each use to ensure you have the latest version.
- Review the brief guidance in each section of this template to ensure you supply us with the required information.
- Be concise and write in plain English – if after reviewing your report we need more information, we will ask you for it.
- The formatting of this template has been kept as simple as possible so that you can adapt it to suit your own information and document management systems. You can customise the template e.g. with your own logo etc.
- Tables, diagrams, maps, schedules etc should be added as appendices to your Annual Report rather than being inserted within this template
- Contact the OIO if you have any questions about this template or your consent generally (+64 4 462 4490, oio@linz.govt.nz).

Electronic Filing Requirements

Your Annual Report must be submitted electronically. Documents should be provided in PDF form unless otherwise advised. Documents should be provided by link to a secure download site (preferred) or encrypted USB or CD/DVD (note: electronic media will be securely destroyed after use). If necessary, your Annual Report may be emailed to OIOmonitoring@linz.govt.nz (maximum 10MB per email).

Please ensure your PDF report is:

- '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)

Please do not provide a hard copy version of your report.

Consent Holder's Signature

	<i>25/08/2023</i>
Haoran Wang Director of NZ Binxi (Oamaru) Foods Limited	Date

Summary of Key Information

Date consent granted	10 November 2016 – Varied 25 October 2022
Case number	201610121
Consent holder	NZ Binxi (Oamaru) Foods Limited
Land/Asset	The acquisition of approximately 5 3806 hectares of land at 10 Shortland Road, Oamaru North, contained in Record of Title 440536
Report due date	12 May 2023 – extended to 25 August 2023
Report prepared by	Haoran Wang, Director of NZ Binxi (Oamaru) Foods Limited
Contact details of preparer	<p>Haoran Wang Director of NZ Binxi (Oamaru) Foods Limited C/- Meredith Connell</p> <p>Physical address: Level 7, MC Centre 8 Hardinge Street Auckland 1010</p> <p>Postal address: PO Box 90750 Victoria Street West Auckland 1010</p> <p>Haoran Wang: haoran.wang@bxfoods.co.nz 021 123 9428</p> <p>Copy to: Chris Ashton, Associate, Meredith Connell. Chris.ashton@mc.co.nz 09 336 7715</p>

Section A: Report on Conditions

Please start a new page for each condition.

Condition 3 & 4: Resource Consents

Set out condition wording as in consent.

3. Within 6 months from the date of consent, the Consent Holder must apply for resource consent (**Resource Consent**) to change the zoning of the Target Land to allow the development of staff accommodation and a dwelling to take place in accordance with the Business Plan.
4. The Consent Holder must use all reasonable commercial endeavours to obtain the resource consent.

First year reporting – October 2017

As per report to OIO dated 6 November 2017

Second year reporting – October 2018

As per report to OIO dated 18 February 2019

Third year reporting – October 2019

As per report to OIO dated 30 October 2019 and the Supplementary Report dated 19 December 2019

Fourth year reporting – 1st six-monthly report: October 2020

As per emails from Richard Thorp to the OIO dated 30 October 2020 and 7 January 2021

Fourth year reporting – 2nd 6-monthly report: May 2021

As per previous reporting and correspondence with the OIO, Resource Consent for the development is not required.

Seventh year reporting: August 2023

Resource Consent issued

A Resource Consent (consent number 201.2023.2134, dated 20 June 2023) has now been obtained by Lean Meats Oamaru Limited (a wholly-owned subsidiary of the Consent Holder) to place the office on the Land. A copy of the Resource Consent is **enclosed** with this report. We set out further detail on the consenting process and the terms of the Resource Consent below.

Process to obtain Resource Consent

As per previous reporting and correspondence with the OIO, until approximately August 2021, it was understood by the Consent Holder that Resource Consent for the staff accommodation development described in condition 3 was not required, so the Consent Holder proceeded on that basis and kept the OIO informed through annual reporting.

Subsequent advice confirmed that a resource consent was required to have two buildings on the site. There were delays in determining exactly what was required. Initially the Consent Holder was advised that the process would be relatively straightforward, requiring non-notifiable consent from the owners of the two neighbouring properties. As at the date of the Variation Application, both neighbours had provided verbal consent, with official signed consent expected to be requested in approximately November 2022 once final plans had been approved.

Since the Variation Application was submitted to the OIO, the Consent Holder has received further conflicting advice. The Consent Holder was advised that a zoning change was required. This position then changed again, when Waitaki District Council confirmed by letter from their planning team that the siting of a second building on the Land (together with the required earthworks) was a discretionary activity under the current Rural General zoning, and accordingly a Resource Consent application was submitted under the current zoning on or around 19 May 2023. This resulted in the Resource Consent being issued on 20 June 2023.

Terms of the Resource Consent

The Resource Consent differs from the requirements of condition 3 in the following respects:

- It does not change the zoning of the land. It was confirmed that siting a second building on the land, together with the required earthworks is a discretionary activity under the current zoning and that Council was willing to grant the consent without a change in zoning, so the Resource Consent was sought on that basis;
- It explicitly permits the development, placement and operation of the office, together with associated earthworks, car parking, crossing, septic tank and disposal field, rather than the staff accommodation.

The Consent Holder is not aware of any requirement to obtain any further resource consent either in relation to the office or the staff accommodation. This comment is made subject to the acknowledgement that any changes to the Consent Holder's plans for the office or staff accommodation may, depending on the nature and scope of those changes, require either a variation to the existing Resource Consent or a new Resource Consent.

Satisfaction of conditions 3 and 4

The Consent Holder requests that, in light of the current Resource Consent allowing for the siting of two buildings on the Land, the OIO confirm it is satisfied that conditions 3 and 4 have been met by the issuance of the Resource Consent. We would welcome the opportunity to discuss matters with you further.

Conditions 5 & 6: Requirement to develop staff accommodation

Set out condition wording as in consent.

5. Within 1 year from the date that Resource Consent is granted, the Consent Holder must have begun to redevelop the dwelling on the Target Land into staff accommodation in accordance with its Business Plan.
6. By 28 November 2022, the Consent Holder must have completed the redevelopment of the dwelling on the Target Land into staff accommodation in accordance with its Business Plan.

First year reporting – October 2017

As per report to OIO dated 6 November 2017

Second year reporting – October 2018

As per report to OIO dated 18 February 2019

Third year reporting – October 2019

As per report to OIO dated 30 October 2019 and the Supplementary Report dated 19 December 2019

Fourth year reporting – 1st six-monthly report: October 2020

As per emails from Richard Thorp to the OIO dated 30 October 2020 and 7 January 2021

Fourth year reporting – 2nd six monthly report: May 2021

In accordance with correspondence with the OIO between March 2019 and June 2019, the OIO confirmed it would not be taking any enforcement action in respect of delays in commencement of the development of the staff accommodation and office premises, provided that the developments were completed by 10 May 2021.

On 17 April 2020, Dun'an Cotterill, on behalf of the Consent Holder, wrote to the OIO regarding the impact of the Covid-19 situation on the Consent Holder's ability to satisfy the timeframes in Consent Conditions 6 and 8. A copy of that letter is attached at Appendix 1. The letter advised that given various factors, the Consent Holder was anticipating that the completion of the developments could potentially be delayed by up to six months until November 2021, and requested confirmation that the OIO would not be taking enforcement action in relation to any such delays. By email of 18 June 2020, a copy of which is attached at Appendix 1, the OIO provided that confirmation.

The Consent Holder confirms that it remains on target to comply with Condition 6 by 1 November 2021. The conversion of the existing garage is expected to commence in 23 August 2021, and be completed by 15 October 2021. The further extension continues to be under review based on labour availability, particularly in light of the labour issues associated with the Covid-19 border restrictions.

Seventh year reporting August 2023

On 25 October 2022, the OIO approved a variation to the Consent, granting the Consent Holder additional time (until 28 November 2022) to comply with condition 6.

The Business Plan anticipated Stage 1 House Renovations to commence in 2017, with an estimated capital expenditure of \$90,000, and Stage 2 House Renovations to occur in 2018/2019, with an estimated capital expenditure of \$350,000. As at the date of this report, work has begun on the development of the staff accommodation, satisfying condition 5. We acknowledge that condition 6 remains outstanding.

As at the date of this report, the wall framing and wall board for an additional room has been put up. However, the new room is not consented as an additional bedroom, and accordingly is not able to be occupied.

The current directors have no knowledge why the progress for the staff accommodation was so delayed. It is not currently practically possible to speak to the former directors to understand the reasons behind this delay given the ongoing litigation (discussed in our covering letter and below in relation to condition 12). The current directors are focused on working with the OIO and progressing matters as efficiently as possible to complete the required works to the satisfaction of the OIO.

Capital expenditure requirements in the Business Plan

As mentioned above, the Business Plan anticipated an estimated capital expenditure on the staff accommodation of \$440,000 across the two stages of redevelopment. To date, approximate capital expenditure on the staff accommodation has been minimal.

Further variation

[s 9(2)(b)(ii)]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

We would welcome the opportunity to discuss matters with you further, including providing plans for the proposed improved office redevelopment.

Conditions 7 & 8: Requirement to develop office premises

Set out condition wording as in consent.

7. Within 2 years from the date that Resource Consent is granted, the Consent Holder must have begun to develop office premises on the Target Land in accordance with its Business Plan.
8. By 28 February 2023, the Consent Holder must have completed the development of office premises in accordance with its Business Plan.

First year reporting – October 2017

As per report to OIO dated 6 November 2017

Second year reporting – October 2018

As per report to OIO dated 18 February 2019

Third year reporting – October 2019

As per report to OIO dated 30 October 2019 and the Supplementary Report dated 19 December 2019

Fourth year reporting – 1st six-monthly report: October 2020

As per emails from Richard Thorp to the OIO dated 30 October 2020 and 7 January 2021

Fourth year reporting – 2nd six-monthly report: May 2021

In the report to the OIO dated 19 December 2019, it was recorded that the Consent Holder expected to complete the office development by May 2021, as part of the major development of the main factory site (per OIO consent 201520010).

On 17 April 2020, Duncan Cotterill, on behalf of the Consent Holder, wrote to the OIO regarding the impact of the Covid-19 situation on the Consent Holder's development of the main factory site and its ability to satisfy the timeframes in Consent Conditions 6 and 8. A copy of that letter is attached at Appendix 1. The letter advised that given various factors, the Consent Holder was anticipating that the completion of the developments could potentially be delayed by up to six months, and requested confirmation that the OIO would not be taking enforcement action in relation to any such delays. By email of 18 June 2020, a copy of which is attached at Appendix 1, the OIO provided that confirmation. In respect of the office development, the OIO has confirmed it will not take any enforcement action provided that the office development is completed by 1 November 2021.

The Consent Holder confirms that it remains on target to comply with Condition 8 by 1 November 2021. The office development will be completed as part of the major development of the main factory site, which is currently underway (as per the recent reporting to the OIO on OIO consent 201520010)

Seventh reporting: August 2023

On 25 October 2022, the OIO approved a variation to the Consent, granting the Consent Holder additional time (until 28 February 2023) to comply with condition 8.

The Business Plan anticipated head office construction to commence in 2019, with an estimated capital expenditure of \$400,000. As at the date of this report, work has begun on the development of the office, satisfying condition 7. We acknowledge that condition 8 remains outstanding.

The prior management acquired a relocatable building for use as an office for approximately \$68,000 and this is now in place on the Land, but is not yet functional. The required Resource Consent allowing for the placement and operation of the building, together with earthworks, car parking, crossing, septic tank and disposal field, has now been obtained (see our comments at conditions 3 and 4 above) [s 9(2)(b)(ii)]

[s 9(2)(b)(ii)]

Further variation

[s 9(2)(b)(ii)]

- | [s 9(2)(b)(ii)]
- | [s 9(2)(b)(ii)]
- | [s 9(2)(b)(ii)]

[s 9(2)(b)(ii)]

[s 9(2)(b)(ii)]

[s 9(2)(b)(ii)]

[s 9(2)(b)(ii)]

We would welcome the opportunity to discuss matters with you further, including providing plans for the proposed improved office redevelopment.

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Condition 9: Requirement to create 1 FTE position

Set out condition wording as in consent.

9. Within 4 years from the date that Resource Consent is granted, the Consent Holder must have created, and filled, at least one additional full-time equivalent position on a permanent basis in connection with the operation of the staff accommodation. This position must be employed to work on the Target Land and to assist in operating the staff accommodation.

First year reporting – October 2017

As per report to OIO dated 6 November 2017

Second year reporting – October 2018

As per report to OIO dated 18 February 2019

Third year reporting – October 2019

As per report to OIO dated 30 October 2019 and the Supplementary Report dated 19 December 2019

Fourth year reporting – 1st six-monthly report: October 2020

As per emails from Richard Thorp to the OIO dated 30 October 2020 and 7 January 2021

Fourth year reporting – 2nd six-monthly report: May 2021

The correspondence with the OIO in early 2020 (per Appendix 1) also confirmed that the OIO would not be taking enforcement action in relation to a delay in creation of the 1 FTE position associated with the staff accommodation, provided that it was created by 1 November 2021.

The Consent Holder confirms that an employment position has now been created for the operation and management of the staff accommodation, and a person has been employed to fill this position. Even once the accommodation has been completed there may be no or few employees in occupation of the accommodation, given the current labour conditions and the lack of migrant workers. Accordingly, until the staff accommodation is completed, and operating at its potential full capacity, the person employed in this role will be given other duties alongside the management and operation of the staff accommodation, such that they are engaged in a full-time capacity.

Seventh year reporting: August 2023

Under its new management, the Consent Holder has not been able to confirm that a new FTE position has been created to administer the staff accommodation. Administration of staff accommodation is currently being undertaken by staff of the Consent Holder, but it is not clear to what extent this supports a new FTE position. [s 9(2)(b)(ii)]

[REDACTED]

[s 9(2)(b)(ii)]



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Condition 12: Reporting to the OIO

Set out condition wording as in consent.

12. The Consent Holder must notify the OIO in writing within 20 working days if:

- (a) the Consent Holder, any Individual with Control, or any person in which the Consent Holder or any Individual with Control has, or had at the time of the offence or contravention, a 25% or more ownership or control interest, commits an offence or contravenes the law (whether convicted or not); or
- (b) any Individual with Control:
 - (i) ceases to be of good character; or
 - (ii) commits an offence or contravenes the law (whether convicted or not); or
 - (iii) becomes aware of any other matter that reflects adversely on an Individual with Control's fitness to have the Investment; or
 - (iv) becomes an individual of the kind referred to in section 15 or 16 of the Immigration Act 2009;
- (c) the Consent Holder:
 - (i) ceases to be an overseas person; or
 - (ii) disposes of the Investment.

No previous reports provided

Seventh year reporting: August 2023

The Consent Holder has not previously been aware of any reporting requirement in respect of condition 12.

However, the Consent Holder advises that, with effect from 31 July 2023 Richard Thorp has ceased to be a director of the Consent Holder, and two new directors have been appointed: Haoran Wang and Fenglin Zhu. Mr Thorp, as at the date of this report, remains a 1% shareholder of the Consent Holder.

Proceedings have been issued against Mr Thorp and others by the Consent Holder and related entities for breach of fiduciary duties and breach of director's duties. These matters, being very recent, are presently before the courts and no determination on the proceedings has yet been made.

The Consent Holder reports these matters for completeness. Please let us know if further detail is required in relation to this matter, noting that our ability to report further may be subject to the requirements of the court proceedings and other requirements at law.

Section B: Measuring benefit to New Zealand

This section is for you to provide the information we requested to enable us to measure the benefits you have brought to New Zealand through your investment (see paragraph 2 of the 'Reporting conditions' section of your consent).

Include a brief summary of the information requested, and attach photographs, spread sheets etc if this will help us to understand your report.

Information required

Set out information requested in consent

NA

Information

Include a brief statement of the information requested, and attach photographs, spread sheets etc if this will help us to understand your report.

NA

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Section C: Other information

This section is for you to update the contact and other details you gave us when you applied for consent, to provide any other information you think will help us monitor your compliance with the conditions, and for you to make any special requests regarding confidentiality.

Updated details

Several of the standard conditions that apply to your consent require you to tell us when particular events occur. For example, to tell us:

- when you have acquired the Land or Asset and provide details including about the price and acquisition structure,
- about changes that affect you, the people who control you, or people you control. For example, when an Individual Who Controls You ceases to be of good character, commits an offence or contravenes the law anywhere in the world, or becomes bankrupt,
- if your [NZ Service Address](#) changes.

We recommend you take this opportunity to double check that you have updated us as required. If not, use this section to tell us about changes.

Other information

Include a brief summary of the other information you wish to provide, and explain its relevance to our monitoring of your compliance with conditions.

Confidentiality

The OIO is subject to the Official Information Act 1982. Any request for confidentiality must make direct reference to the provisions of the Official Information Act 1982 that you consider justify the withholding of the information. Review our [website](#) and the [practice guidelines](#) issued by the Office of the Ombudsman before making a request.

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List of Appendices

List all appendices attached to your Annual Report.

Appendix 1	Resource Consent number 201.2023.2134, issued by Waitaki District Council dated 20 June 2023
Appendix 2	Draft specification plans for the relocatable office building, designed to be occupied by 12 regular workers. Specification-294606-spec-contract-2023-08-21 – extracted plans
Appendix 3	
Appendix 4	
Appendix 5	

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20 June 2023

Phone 03 433 0300
Web www.waitaki.govt.nz
Office 20 Thames Street
Private bag 50058
Oamaru 9444

Lean Meats Limited
10 Shortland Road Oamaru
Email dbarr@connorconsulting.co.nz

Dear Sir / Madam

Council has granted consent 201.2023.2134 pursuant to s104B of the Resource Management Act 1991.

The decision on your resource consent was made by the Planning Manager pursuant to authority delegated in accordance with Section 34A (1) of the Resource Management Act 1991.

Consent Number: 201.2023.2134

Granted to: Lean Meats Limited

Consent for: Land use to place a building on site with associated earthworks.

Date Granted: 6 June 2023

Legal Description: Lots 5-6 DP237 & SO Plan 320545

Location: 10 Short and Road, Oamaru

Activity Status: Discretionary

Zoning: Rural General

District Plan Map: 51

Commencement of Consent

Your attention is drawn to Section 116 of the Resource Management Act 1991 which provides that any resource consent which has been granted shall, unless stated otherwise, commence either, when the time for lodging appeals expires and no appeals have been lodged, or when the Environment Court determines the appeals or all appeals are withdrawn.

Lapsing of Consent

Your attention is also drawn to Section 125 of the Resource Management Act 1991 which provides that a resource consent lapses on the date specified in the consent or, if no date is specified, five years after the date granted of the consent unless before the consent lapses the consent is given effect to or an application is made to the Council to extend the period after which the consent lapses, and the Council decides to grant an extension.

Right of Objection

Please note that pursuant to Section 357A of the Resource Management Act 1991, you may, within 15 working days of being notified of this decision, object by notice in writing to the Council in respect of any aspect of this decision. The Council is required by the Act to consider any objection and to decide whether to dismiss or uphold the objection wholly or partly. (There is a right of appeal, pursuant to Section 358 of the Resource Management Act 1991, to the Environment Court against Council's decision on any such objection).

Right of Appeal

As an alternative to your right of objection pursuant to Section 357 of the Resource Management Act 1991, please note that pursuant to Section 120 of the Resource Management Act 1991, you may, within 15 working days of receiving notification of this decision, appeal to the Environmental Court against the whole or any part of Council's decision, in accordance with Section 121 of the Act, by writing to:

The Registrar, Environment Court, P O Box 2069 Christchurch.

Cost of Processing Consent

Where the costs incurred in processing the application exceed the deposit paid, an invoice will be sent to the applicant within the next few weeks. If you would like to make alternative arrangements for paying the invoice, then please contact us.

Customer Survey

To enable us to provide an efficient and friendly service to our customers we would appreciate your feedback on how we in the Planning Department handled your resource consent.

By answering a few short questions in our on-line survey we can continuously improve our service to you. The link may be found as follows:

www.surveymonkey.com/r/wdcplanningsurvey

Yours faithfully



Diane Essery

Planning Administration

Email: planningadmin@waitaki.govt.nz

DECISION OF WAITAKI DISTRICT COUNCIL ON A NON-NOTIFIED APPLICATION FOR LANDUSE

Considered under Delegated Authority Section 34 of the Resource Management Act 1991 This resource consent is Granted by the Waitaki District Council pursuant to section 104B of the Resource Management Act 1991(the Act) and is subject to the attached conditions imposed in accordance with section 108 of the Act.

The recommendation contained within the Officer's Section 42A Report has been reviewed and adopted as the reasons for decision under Section 113 of the Resource Management Act 1991.

That the Waitaki District Council hereby grants to Lean Meats Limited a Land Use Consent to place and operate an office block on rural land with associated earthworks at 10 Shortland Road, Oamaru subject to the following conditions.

1. That the activity be in general accordance (taking into account any conditions imposed) with the application and plans submitted with application 201.2023 2134 received by Council on 19 May 2023 with updated application received 2 June 2023. A copy of the approved plan is attached. This includes:
 - a) A single office block for office workers and visitor reception.
 - b) A car parking area for light vehicles.
 - c) A new crossing off Redcastle Road.
 - d) A septic tank and disposal field.
2. The external cladding and roof of the building shall be a natural colour from the dark grey/brown/green spectrum.
3. Any new crossing off Redcastle Road shall be installed in accordance with the District Plan rules. This includes the work being done by an approved contractor

Earthworks

4. Earthworks shall be done in a manner that does not track any mud or silt onto any public road.
5. Earthworks shall not give rise to a dust nuisance beyond the boundaries of the site.
6. Any surplus soil shall be disposed of in a manner that does not cause any migration of material onto another property or public road
7. Any bare areas that arise from the earthworks shall be sealed, or covered with building, or planted in vegetation as soon as practicable and no later than the next growing season.

Monitoring and Review:

8. Pursuant to Section 36 of the Resource Management Act 1991, in addition to the fees payable for the processing of this application, where further site inspections are required because of non-compliance with any of the conditions, the Council may render an account to the consent holder for additional monitoring fees based on time involved.
9. Within six months of the date of this decision; and/or upon the receipt of the information identifying non-compliance with the conditions of consent, and/or within twenty working days of each anniversary of the date of this decision, the Council may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this resource consent for any of the following purposes:
 - a) To deal with any adverse effects on the environment that may arise from the exercise of the consent which were not foreseen at the time the application was considered and which is appropriate to deal with at a later stage.

- b) To deal with any adverse effects on the environment which may arise from the exercise of the consent and which could not be properly assessed at the time the application was considered.
- c) To avoid, remedy and mitigate any adverse effects on the environment which may arise from the exercise of the consent and which have been caused by a change in circumstances or which may be more appropriately addresses as a result of a change in circumstances, such that the conditions of this resource consent are no longer appropriate in terms of the purpose of the Resource Management Act 1991.

General Advisory Notes

The consent holder shall ensure that, should any human remains or archaeological items be exposed while undertaking works to give effect to conditions of consent, works in that area will cease immediately. The Police, Heritage New Zealand, and Kaumatua representing the local Tangata Whenua shall be contacted and work shall not recommence in the affected area until any necessary statutory authorisations or consents have been obtained

Water Supply

There is an existing restricted water connection to this property. No additional allocation is being sought and therefore no Development Contributions are payable for water supply on this application.

Wastewater.

There is no accessible public sewerage system in the vicinity of this property and therefore all wastewater disposal must be undertaken privately. No Development Contributions are payable for wastewater disposal.

Stormwater.

All storm water disposal shall be undertaken in a manner approved by Council's Building Control and/or Roding units. No Development Contributions are payable for storm water disposal.

Advice Notes:

1. Roding Development Contributions will not be charged on this land use resource consent. Roding DCs may be assessed on each building consent application received in the future. If you wish to know how the Development Contributions are calculated, please visit www.waitaki.govt.nz for the criteria as per the current 2021 Development Contributions and Financial Contributions Policy. Roding Development Contributions may change depending on the applicable Development Contribution Policy. Roding Development Contributions are not related to vehicle crossings which may access the property.
2. A Corridor Access Request (CAR) is required to carry out works within the road corridor. An application is to be made to Council's Roding Unit by the applicant via Submitica and an authorised roding contractor must carry out the construction.
3. All vehicle crossings must comply with the Waitaki District Plan and Specifications for New Vehicle Entrances whether they are new or an upgrade of existing. An approved contractor must carry out the construction. The 'Application for Vehicle Crossing' form is available on the Council website. Once the application form has been completed and forwarded to Council, the roding department will assess and notify you of the requirements for construction and will enclose a list of approved contractors in an information pack.

Building

The owners must comply with building code regulations and the 'Use' of the building under the Building Act 2004. Notification of proposed Change of Use to the Waitaki District Council may be required. Building Consent will be required for buildings/building work that does not fall within the exemptions outlined in Schedule 1 of the Building Act 2004.

Reasons for Decision:

- A. Having considered the effects of the activity on the environment in accordance with Section 104(1)(a) of the Resource Management Act 1991, Council is satisfied that the actual and potential effects of the activity on the environment will be less than minor provided that the recommended conditions are complied with.
- B. The granting of the consent will not be contrary to the intent of the policies and objectives contained within the Operative Waitaki District Plan in accordance with Section 104(1)(b) of the Resource Management Act 1991.
- C. Notification was not required under Section 95A of the Resource Management Act 1991. No persons were considered to be potentially affected pursuant to Section 95B and 95E of the Resource Management Act 1991. Limited notification was not required under Section 95B of the Resource Management Act 1991.
- D. This land use proposal is located in the Rural General Zone and has been assessed as a Discretionary Activity under the Operative Waitaki District Plan for which consent may be granted under Section 104B of the Resource Management Act 1991.
- E. Pursuant to Section 104B and Section 108 of the Resource Management Act 1991 specific conditions have been imposed to mitigate any adverse effects of the activity on the environment.

Consent Granted

Date: 6 June 2023



David Campbell
Heritage & Planning Manager

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**RECOMMENDING REPORT WAITAKI DISTRICT COUNCIL ON A NON-NOTIFIED
RESOURCE CONSENT APPLICATION**

Prepared for:	David Campbell- Heritage & Planning Manager
Prepared by:	Marian Weaver
Consent Number:	201.2023.2134
Granted to:	Lean Meats Limited
Consent for:	To place a building on site for an office block with car parking and associated earthworks.
Legal Description:	Lots 5-6 DP237 & SO Plan 320545
Location:	10 Shortland Road, Oamaru
Activity Status:	Discretionary
Zoning:	Rural General
District Plan Map:	51
NES:	Not Applicable
IWI Consultation:	Not necessary
Site Visit Undertaken:	Not necessary
Planning Report Date	6 June 2023

1. INTRODUCTION

This report has been prepared under the Resource Management Act 1991 (RMA), to make a recommendation on a proposed building on Rural General zoned land. The application has been processed on a non-notified basis, pursuant to the notification provisions contained in sections 95-95G of the RMA. This report also forms the decision and reasons for that decision as is required by Section 113(4) of the RMA.

2. SITE DESCRIPTION & BACKGROUND

The adjacent site to the south is a meat processing plant, that has expanded over the years. Almost one year ago the applicant lodged a building permit for the proposed building that is the subject of this application. A Building Act notice was issued requiring a resource consent for the building as it is a commercial activity on rural land. The application for resource consent was lodged on 19 May this year. The landowner is NZ Binxi (Oamaru) Foods Ltd, that is the only shareholder of Lean Meats (Oamaru) Ltd, the latter being the applicant.

The 5.38 Ha site is located on the eastern side of Shortland Road where it joins Redcastle Road in Oamaru. The eastern part of the site is Significant Coastal Landscape in the District Plan (the Plan). To the north is Rural General land with B4 land to the west and B5 land to the south.

The relatively flat site abuts the north-eastern boundary of the NZ Binxi (Oamaru) meat processing site and is bounded by the coast to the east. Currently on the site, there is a house and until recently a shed which was located on the north-western corner adjacent to the proposed site of the new office building. The house is occupied by applicant's staff. The remainder of the site is used for grazing and storing some equipment for Binxi's operations. Binxi NZ Meats is the trading name for Lean Meats Ltd.

There is reticulated water supply to the site but no accessible sewerage.



Photo 1. Site from near corner of Redcastle and Shortland Roads. Shed to left of road has been demolished. (Source consent application).

3. DETAILS OF PROPOSAL

The proposal is to locate a single storey office building adjacent to the shed that was recently removed from the southwestern part of the site. To construct a slab foundation for this almost 150sqm building, an excavation to remove soil is likely to exceed 50 sqm allowed as a permitted activity. The commercial activity that is proposed is office space for the meat processing plant on the adjacent B5 property that the applicant owns.

Currently the office for the factory is within the factory site at 7 Redcastle Road. Office staff and visitors to the site must negotiate trucks and other vehicles that are part of the factory operation. The intention is to relocate the office and visitor area to the site across Redcastle Road, to improve reception and office facilities and improve the foot traffic from a health and safety perspective.

Factory traffic such as trucks will not be parked on the site and will continue to be on the Business Zoned land.

The building will be 19.4 m set back from Redcastle Road and 18.9 m and 19.38 m set back from the two nearest boundaries.



Figure 1. District Plan Map 51. Site outlined in red.

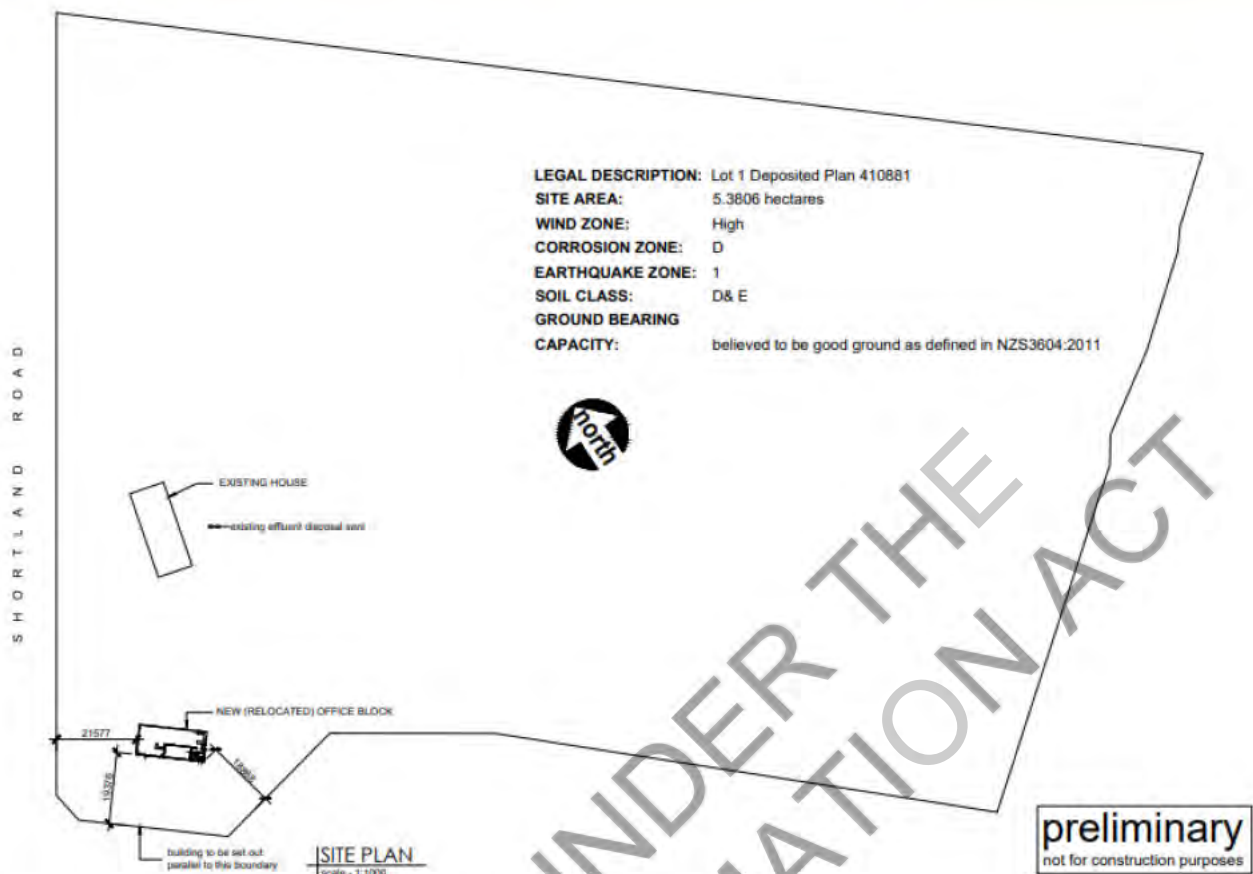
The car parking area will be alongside the building and along the Shortland Road side of the building. The access to the carpark will be a crossing off Redcastle Road. The precise location of the crossing has not been finalised, but it will be in front of the building. There is a current proposal to stop the part of Redcastle Road in front of the building and transfer the ownership of the land to the applicant.



par
Figure 2 Site layout with parking and area for crossing proposed.



Figure 3. Aerial of site showing factory to south (red marker) source application.



<p>1. Confirm location of all dimensions on site prior to commencing work.</p> <p>2. Do not scale off drawings.</p> <p>3. These drawings are to be used in conjunction with the current specifications for this system.</p> <p>4. All work to comply with the NZ Building Code.</p> <p>5. If in doubt, ask.</p> <p>6. COPYRIGHT: This drawing, contract design, and/or design is the property of Macdiarmid Architecture Ltd. It may not be reproduced or part of it without the written permission of Macdiarmid Architecture Ltd. The drawing and its content shall only be used for the purpose for which it is prepared. No liability shall be accepted by Macdiarmid Architecture Ltd for its unauthorised use.</p>	<p>Relocated & altered Administration Block Oamaru Meats, 7 Redcastle Road, Oamaru</p>	<p>Project no: 638</p> <p>date: February 2022</p>	<p>MACDIARMID Architecture Ltd</p> <p>Ph: fax (03) 4651 232 • Cell (027) 960 8940 • macarch@ira.co.nz Goodwood Road RD 1 Palmerston East Otago 9481 NZ</p>	<p>Issue: PIM#1 16/03/2023 original sheet size: A3 sheet no. A01 1 of 8</p>
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Figure 4 Site Plan

4. ACTIVITY STATUS

Rule 4.3.1 has a number of permitted activities but neither the earthworks nor the activity that will be in the building comply with permitted activity rules. Under Rule 4.3.2 (14) the commercial activity is Discretionary, and the earthworks are a Controlled Activity under Rule 4.3.2(1).

Bundling the activities, the proposal is a **Discretionary Activity**.

5. NOTIFICATION PROVISIONS

5.1 Public Notification

Section 95A of the Resource Management Act 1991 sets out a step-by-step process for determining public notification.

Step 1: Mandatory public notification in certain circumstances

- If the answer to any of the below questions is yes, then public notification is required and consideration of the other steps in Section 95A is not needed.

Question	Yes	No	N/A
Has the applicant requested public notification? (s95A(3)(a))	–	✓	–
Is public notification required under Section 95C (applicant has not provided or refuses to provide further information; or, applicant refuses to agree to commissioning of report or does not respond to report commissioning request)? (s95A(3)(b))	–	✓	–

Has the application been made jointly with an application to exchange recreation reserve land under Section 15AA of the Reserves Act 1977? (s95A(3)(c))	-	✓	-
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In this case, the answer to all the questions set out in Step 1 is no and mandatory public notification is not required under this step.

Step 2: If not required by Step 1, public notification precluded in certain circumstances

- If the answer is yes to any of the below questions, then Step 3 must be skipped and Step 4 considered.
- If the answer is no to all of these questions, then Step 3 must be considered.

Question	Yes	No	N/A
Does a rule or national environmental standard preclude public notification of each activity in the application? (s95A(5)(a))	-	✓	-
Is the application for one or more of the following, but no other, activities?			
A controlled activity? (s95A(5)(b)(i))	-	✓	-
A restricted discretionary, discretionary or non-complying 'boundary activity'? (s95A(5)(b)(iii))		✓	-

Step 3. Public notification certain circumstances

If the answer to either question below is yes, the application must be publicly notified

Question	Yes	No	N/A
The application is for a resource consent for 1 or more activities, and any of those activities is subject to a rule or national environmental standard that requires public notification		✓	-
The consent authority decides, in accordance with section 95D, that the activity will have or is likely to have adverse effects on the environment that are more than minor.	-	✓	-

5.2 Limited Notification

Section 95B of the Resource Management Act 1991 sets out a step-by-step process for determining limited notification. The Council must decide whether there is any affected person, affected protected customary rights group, or affected customary marine title group in relation to the activity.

Step 1: Certain affected groups and affected persons must be notified.

If there is any affected protected customary rights group or affected customary marine title group, or any person to whom a statutory acknowledgement has been made that is affected in a minor or more than minor way, then the application must be limited notified to these parties unless their written approval has been obtained.

Irrespective of the above, Step 2 must then be considered.

Question	Yes	No	N/A	Assessment Notes
Is the activity in a protected customary rights area? 95B 2(a)	-	✓	-	
Is the activity in a customary marine title area? (none in Waitaki District area) 95B(2)(b)	-	✓	-	
Is the activity in a statutory acknowledgement area (in WDC this is Kakanui & Shag Point & the Coastal Marine Area) S95B(3)(a)	-	✓	-	
Is Ngai Tahu an affected party because the activity is in a statutory acknowledgement area? 95B(3)(b)	-	✓	-	

Therefore, limited notification is not required under Step 1.

Step 2: If not required by Step 1, limited notification precluded in certain circumstances

- If the answer is yes to any of these questions, then Step 3 does not apply and Step 4 applies.
- If the answer is no to all of these questions, then Step 3 must be considered.

Question	Yes	No	N/A
Is the application for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes limited notification?	–	✓	–
Is the application for a controlled activity (but no other activities) that requires a resource consent under a district plan (other than a subdivision of land	–	✓	–

Step 3: If not precluded by Step 2, certain other affected persons must be notified

Question	Yes	No	N/A
In the case of a boundary activity, determine in accordance with section 95E whether an owner of an allotment with an infringed boundary is an affected person.	–	✓	–
In the case of any other activity, determine whether a person is an affected person in accordance with section 95E.	–	✓	–

Step 4. Further notification in special circumstances

Question	Yes	No	N/A
Do special circumstances exist in relation to the application that warrant notification of the application to any other persons not already determined to be eligible for limited notification under this section (excluding persons assessed under section 95E as not being affected persons),	–	✓	–

If the answer above is yes, include those persons as affected parties.

If the answer is no, no one else needs to be notified of the application.

5.2 Affected parties

There are no adversely affected parties identified for this proposal. The closest neighbour most affected by this application is the applicant.

5.3 Assessment of Environmental Effects:

To determine whether the activity will have or will be likely to have adverse effects on the environment that are more than minor, an assessment of environmental effects carried out in accordance with Section 95D of the Act. The following sections detail the exclusions to the assessment and its findings.

Permitted Baseline:

In determining whether the adverse effects are minor or more than minor, the Consent Authority may disregard an adverse effect of the activity if the Plan permits an activity with that effect (i.e. the permitted baseline principle).

It is considered appropriate in this case to apply the permitted baseline and disregard the actual and potential effects of activities where the Plan permits activities with that effect. This is relevant to this proposal.

The earthworks proposed are to cover the size of the building footprint. Up to 50m² and 100m³ of material may be removed without resource consent and this should be considered.

Also farm buildings are allowed on rural land without resource consent providing they meet site development standards. Farm buildings could be larger than the building proposed. The building proposed meets the boundary setback requirements for rural land, and will be occupied by office workers, which will have minimal effects on the site's productive use.

Effects for Consideration.

Visual Effects.

The office building was a residence built in 2007 that is being relocated to the site. It is rectangular in shape and set back from the road and boundaries in excess of what is required as a minimum in the Plan rules for a rural site.

It is presently white in colour and is to be repainted. As the building is on Rural General land with a Significant Coastal Landscape on the western part of the site a consent condition is recommended to have the roof and cladding in a natural grey/brown/green colour.

The building will be mostly visible from Redcastle Road, that is about to become part of the applicant's land. Car parking will be alongside the building and Shortland Road. The presence of vehicles parked will be consistent with the industrial activities adjacent. This part of Redcastle Road is no exit and has the processing plant land on both sides. The most eastern part of the road has been stopped and has buildings on it. It is mainly staff visitors to the factory and vehicles associated with the factory that will use the public part of the road, and the visual effects will be less than minor. The building is not in the Significant Coastal Landscape area marked on the Plan map.

The building and car park will be visible from Shortland Road. With the factory in close proximity the building and parked vehicles will be visible but will have the factory behind them. From Shortland Road the new building and vehicles will look like part of the factory operations.

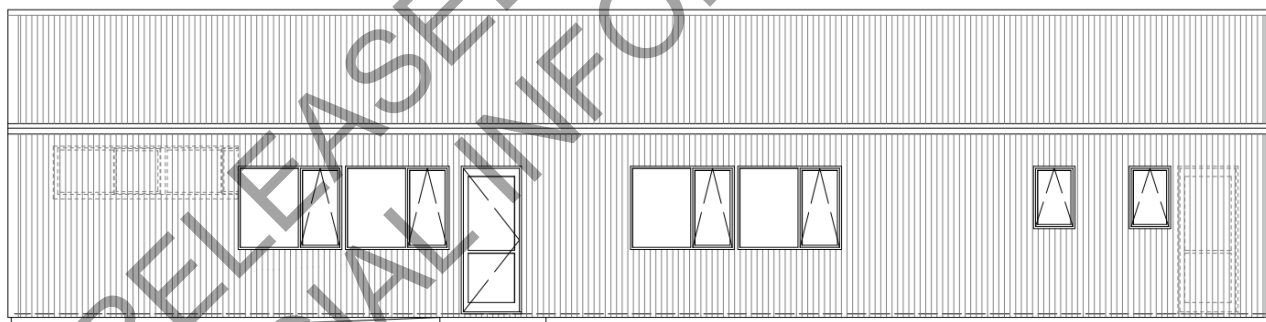


Figure 5. Elevation viewed from Redcastle Road.

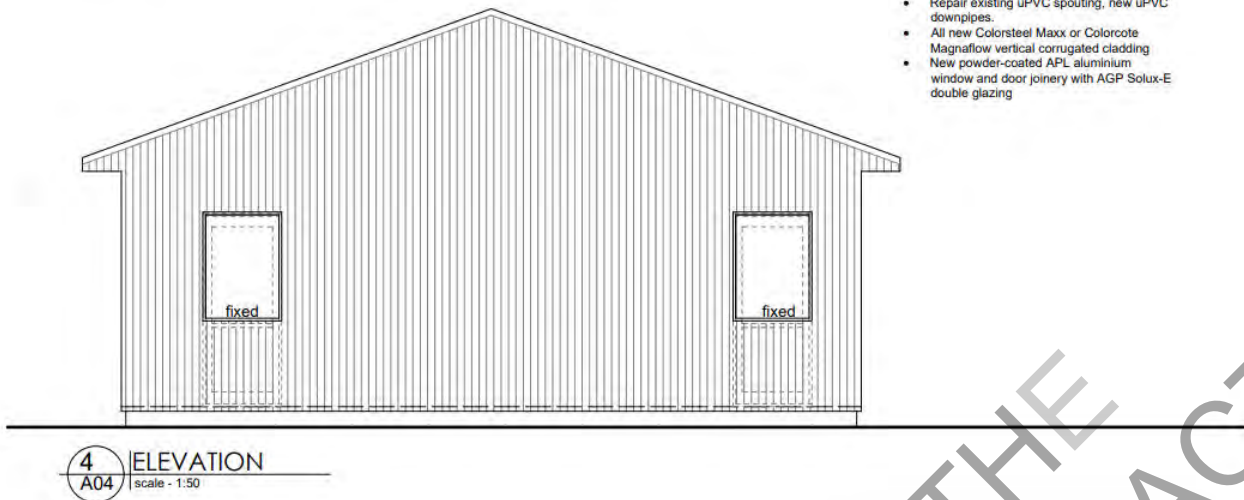


Figure 6. Elevation viewed from Shortland Road.

Access and Vehicles

Access will be a new crossing off Redcastle Road and vehicles will be parked alongside the building and along the boundary with Shortland Road. (see Figure 2). This proposal will not increase the number of vehicles to the site but will serve to separate the factory vehicles including trucks from the cars used by office staff and visitors. There will not be any increase in traffic along Shortland Road or Redcastle Road as a result of this development.

Assessment Matters, Chapter 18 District Plan xx Industrial and Service Activities - Rural G and S Zones

- a) The extent to which the activity could be practically and economically located in an appropriate business zone or township.

The proposal is to relocate office space and the visitor contact area out of the factory area to the site next door. The proximity to the site is important for day-to-day operations, and visitor access.

- b) The degree to which the location of the activity in a Rural Zone will adversely affect the convenience, accessibility and vitality of the Business Zones and the services provided for in these zones.

The commercial activity is existing on the adjacent site, being a meat processing plant. Relocating the office operations to the property next door will not detract from any business zone.

- c) The extent to which the activity needs to be located in a rural area.

The office space does not have to be in a rural area, but the business zoned land is fully developed where the factory is, and the adjacent site is owned by the applicant. It is a logical extension of the factory operation.

- d) The degree to which the activity is compatible with the amenity, quality and character of the area and extent to which the activity will impact on the surrounding rural community or natural resources, in particular the following:

- i) traffic generation (and consequent pressure for road upgrading);
- ii) demand on water resources;
- iii) effect on margins of waterbodies and waterways;
- iv) volume, and methods of disposal of, refuse waste, hazardous substances and sewage;
- v) impact on long term use of the District's Class I and II soils for primary production;
- vi) production of noise, odour, glare, fumes or vibration.

The rural land is adjacent to business zoned land and the building is located on the property at the south-western area that is close to the business zoned land. There will be a requirement for a water connection for office workers. There will be no handling of refuse, or hazardous substances in the office area. On site wastewater treatment and disposal is required. There is sufficient land for a septic tank and disposal field.

- d) The extent to which landscape or natural or conservation values, or the visual amenity generally, is adversely affected (refer to Assessment Matters xxv and xxvi – Areas of Landscape Importance and Significant Natural Conservation Values).

Because the building is on rural land with a Significant Coastal Landscape to the west, a condition is recommended for natural colours on the building.

- f) In addition, regard should be given to the following assessment matters as described within this section.
 - i) Height of Buildings
 - ii) Recession Lines
 - iii) Setback from Streets
 - iv) Setback from Neighbours

The building is a single storey house with a pitched roof and regular features. It meets the site development standards for buildings in the rural zone.

Earthworks. The earthworks required are to prepare the footprint for the building and the parking area. Soil will also be disturbed installing a wastewater system and disposal field. This will involve scraping off some soil and creating the car parking areas, access onto the site and wastewater system. The site is more than 5 hectares and the application states that any surplus soil will be kept on site and distributed across it. Standard conditions are recommended for control of silt and dust, and not tracking mud onto public roads.

Positive Effects

The building will be close to the factory, which is part of the same business, and will remove the need for office staff and visitors to go within the factory area. The application states this will remove some health and safety risks associated with vehicles.

Conclusion of Assessment of Effects:

Overall, it is considered that the proposal will result in adverse effects on the wider environment which are less than minor, and in accordance with Step 3 of Section 95A of the RMA, the application does not need to be publicly notified.

Step 4: Further notification in special circumstances

- If the answer is yes to the below question, then the application must be limited notified to these other persons.

Question	Yes	No	N/A
Are there special circumstances that warrant the application being limited notified to any other persons not already determined to be eligible for limited notification (excluding persons assessed under Section 95E as not being affected persons)? (s95B(10))	–	✓	–

Special circumstances are not considered to apply to the proposal.

Conclusion

Having regard to the step-by-step process for considering public notification and limited notification, it is determined that the application can be processed on a non-notified basis.

6. CONSIDERATION ASSESSMENT

6.1 Section 104 Consideration of Applications

Applications for resource consent are considered under s104 of the Resource Management Act 1991 (the Act). Section 104 sets out the matters Council shall have regard to when considering an application for resource consent. Subject to Part II of the Act, which contains the Act's purpose and principles, Council must have regard to:

- any actual and potential effects on the environment of allowing the activity; and
- any relevant provisions of a national policy statement, a New Zealand coastal policy statement, a regional policy statement or proposed regional policy statement, a plan or proposed plan; and
- any other matters that the consent authority considers relevant and reasonably necessary to determine the application.

It should be noted that, other than giving pre-eminence to Part II, s 104(1) gives no priority to other matters. They are all matters to have regard to, and the consent authority must exercise its discretion as to what weight it gives certain matters, depending on the circumstances of the case.

6.2 Part 2 matters Applications for resource consent are considered under s104 of the Resource Management Act 1991 (the Act). Section 104 sets out the matters Council shall have regard to when considering an application for resource consent. According to case law (*Davidson*) Part II of the Act should only be considered when the relevant plans do not provide for the activity under consideration. In this case the Plan provides specific provisions for the rural zone and for earthworks.

Other matters that must be considered are:

- any actual and potential effects on the environment of allowing the activity; and
- any relevant provisions of a national policy statement, a New Zealand coastal policy statement, a regional policy statement or proposed regional policy statement, a plan or proposed plan; and
- any other matters that the consent authority considers relevant and reasonably necessary to determine the application.

6.3 Actual and potential environmental effects

The likely effects were discussed in section 5.3 of this report.

6.4 Assessment of relevant Planning Documents

National Policy Statement Highly Productive Land (NPSHPL)

The site is LUC 2 and is classified as highly productive land under the NPSHPL. The majority of the site will remain unchanged, and it is used for grazing animals, storing some equipment and vehicles. The Draft District Plan does not propose to change the zoning of the land. The building will be almost 150m², and allowing space for car parking approximately 500m² could be taken up with the proposal. This is less than 1% of the site. Farm buildings can include woolsheds, haybarns and implement sheds that could take up a similar amount of space that the building and carparks will occupy in this application. The proposal is to support a factory that processes primary production, and a very small part of the site. The guideline to the NPS does not provide for a meatworks, dairy factory or other food factory to be on highly productive land, and allowing this proposal being a small extension of the existing facility should not signal that further non primary production development would be allowed on this site under the NPSHPL.

Waitaki District Plan

16.5.1 Objective 4 - Rural Amenity.

A level of rural amenity that is consistent with the range of activities anticipated in the rural areas, but which does not create unacceptably unpleasant living or working conditions for the District's residents and visitors, nor a significant deterioration of the quality of the rural environment.

16.5.2 Policies 4

3 To set performance standards or to use enforcement provisions for activities that may cause unpleasant living or working conditions for other people in the rural community, or that could cause a significant adverse effect to the environment.

8 To maintain clear distinctions between the urban and rural areas, in order to assist in protecting the character and quality of the surrounding rural areas.

The proposal is consistent with the relevant parts of the Objective to maintain rural amenity given its proximity to the already built and operating meatworks.

16.6.1 Objective 5 - Business Development in Rural Areas.

The establishment of commercial, industrial, service, recreational and accommodation activities, that are compatible with the amenities of the lower density rural environment.

16.6.2 Policies 5

1 To consolidate activities that do not require a rural location into established settlements in order to manage and contain their effects on the rural environment.

2 To enable the establishment of business activities in the rural areas only where the activities need to establish in the rural area (in terms of scale, effluent disposal requirements, use of or relationship to rural resources) and no reasonable alternatives exist for their location within established settlements.

3 To enable the establishment of small scale business activities in the rural areas, where the adverse effects can be avoided, remedied or mitigated.

5 In considering applications for business activities in rural areas, to ensure that there is no loss of rural amenity as a result of the effects of the proposal, including cumulative adverse effects in conjunction with other activities that are, or may, establish in the rural areas.

The site has been chosen because it is owned by the applicant and adjacent to the existing meat processing plant. The building and car park will occupy less than 1% of the site and the activity is confined to the southernmost part, leaving the rest of the site available for rural activities. Having the building in the proposed location will have the least effect on rural amenity.

16.8.2 Landscape Objective Subdivision, use and development are managed so that:

- the values identified for the outstanding or significant natural features, the outstanding landscapes, and the significant coastal landscapes are protected from inappropriate use and development; and
- the overall landscape qualities of the Rural Scenic Zone are retained.

There is a Significant Coastal Landscape overlay on the eastern part of the property, that will be unaffected by this development.

6.5 Other Matters

Staff Comments

Water Supply

There is an existing restricted water connection to this property. No additional allocation is being sought and therefore no Development Contributions are payable for water supply on this application.

Wastewater.

There is no accessible public sewerage system in the vicinity of this property and therefore all wastewater disposal must be undertaken privately. No Development Contributions are payable for wastewater disposal.

Stormwater.

All storm water disposal shall be undertaken in a manner approved by Council's Building Control and/or Roding units. No Development Contributions are payable for storm water disposal.

Roding

Recommended Conditions

1. All sediment and dust from the activity shall be contained within the extents of the site. This includes and tracking of mud and debris on to legal roads.
2. Any stormwater from the activity shall be collected within the site and discharged to an approved outfall.

Advice Notes:

1. Roding Development Contributions will not be charged on this land use resource consent. Roding DCs may be assessed on each building consent application received in the future. If you wish to know how the Development Contributions are calculated, please visit www.waitaki.govt.nz for the criteria as per the current 2021 Development Contributions and Financial Contributions Policy. Roding Development Contributions may change depending on the applicable Development Contribution Policy. Roding Development Contributions are not related to vehicle crossings which may access the property.

2. A Corridor Access Request (CAR) is required to carry out works with in the road corridor. An application is to be made to Councils Roding Unit by the applicant via Submitica and an authorised roding contractor must carry out the construction.

3. All vehicle crossings must comply with the Waitaki District Plan and Specifications for New Vehicle Entrances whether they are new or an upgrade of existing. An approved contractor must carry out the construction. The 'Application for Vehicle Crossing' form is available on the Council website. Once the application form has been completed and forwarded to Council, the roding department will assess and notify you of the requirements for construction and will enclose a list of approved contractors in an information pack.

Building

The owners must comply with building code regulations and the 'Use' of the building under the Building Act 2004. Notification of proposed Change of Use to the Waitaki District Council may be required. Building Consent will be required for buildings/building work that does not fall within the exemptions outlined in Schedule 1 of the Building Act 2004.

6.6 Section 104B Assessment

As a Discretionary Activity s104 of the Resource Management Act 1991 states that Council, after considering an application for a resource consent, may grant or refuse the application, and if it grants the application Council may also impose conditions under s108 of the Resource Management Act 1991.

6.7 Conclusion

For reasons outlined in the above s104 assessment, the proposal is not considered to be contrary to any relevant provisions of the Operative Waitaki District Plan.

It is considered that any actual and potential effects on the environment of allowing this proposal to place and operate an office building with associated parking and earthworks in the Rural General Zone will be minor and can be consented to subject to the conditions in the recommendation.

7. Recommendation

That the Waitaki District Council grants to Lean Meats Limited a Land Use Consent to place and operate an office block on rural land with associated parking and earthworks at 10 Shortland Road, Oamaru subject to the recommended conditions.



Marian Weaver
Waitaki District Council

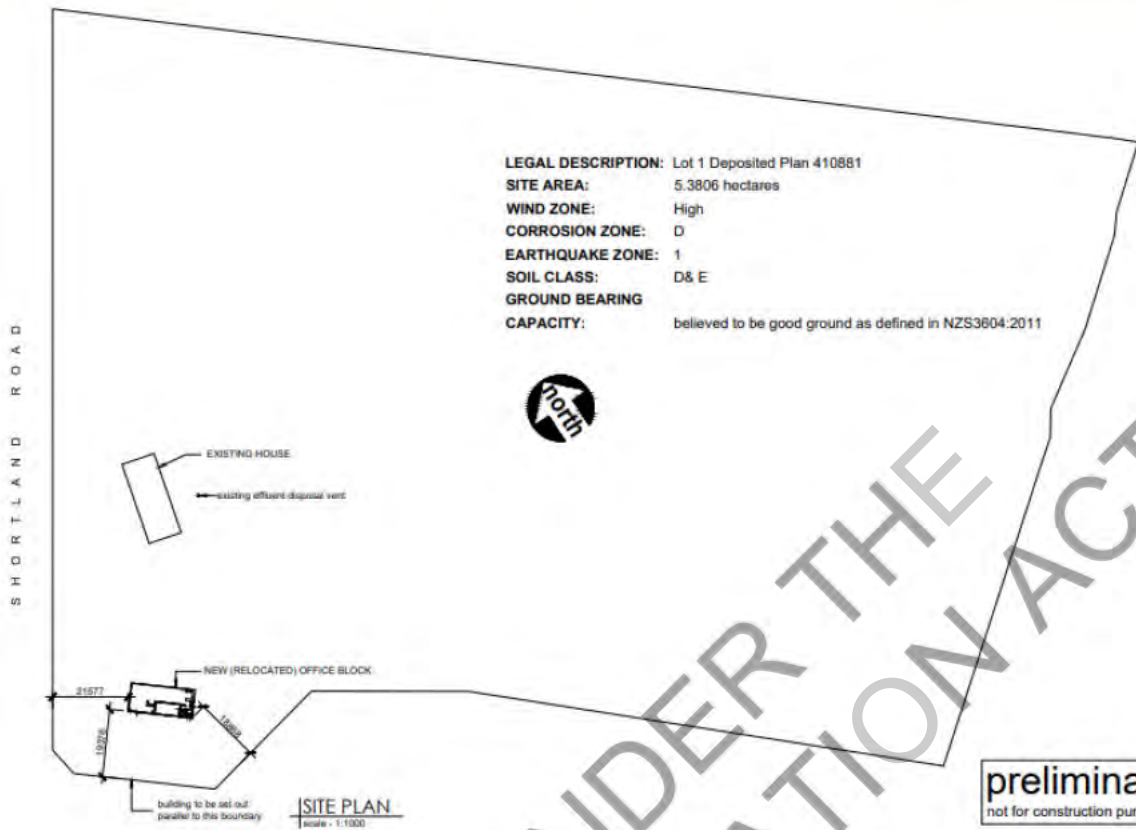


WAITAKI DISTRICT COUNCIL

Resource Consent 201.2023.2134

Signed *Maria Weaver*

Date 6 June 2023



1. Check for conflicts of other works on the plot to be commenced.
 2. Do not scale off drawings.
 3. These drawings are to be used in conjunction with the contract specifications for this project.
 4. All work to comply with the NZ Building Code.
 5. If unclear, ask.
 6. COPYRIGHT. This drawing, printed or otherwise, remains the property of Macdiarmid Architecture Ltd.

Relocated & altered Administration Block
 Oamaru, Mates 7 Redcastle Road, Oamaru

Project no.
638
 Date
 February 2022

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Issue: PIM#1
 16/03/2023
 original sheet size: A3
 sheet no.
A01 1 of 8

WAITAKI DISTRICT COUNCIL

Resource Consent 201.2023.2134

Signed *Marian Weaver*





Date 6 June 2023

RELEASED UNDER THE OFFICIAL INFORMATION ACT

Environmental Risk Assessment *(refer Guidance Notes p.2)*

Resource Consent No: 201.2023.2134

Officer completing assessment: Marian Weaver

No.	Criterion	Assessment	Score
1	WDC priority site (refer guidelines)	No = 0 Yes = 4	0
2	WDC priority site – More than 1 priority applies	No = 0 Yes = 4	
3	Sensitivity of receiving environment (<i>eg. cultural, biodiversity, heritage, geological, high-class soils, visual impact and landscape, proximity of residences – refer guidance notes</i>)	Low = 0  High = 5	2
4	Activity scale and intensity	Low = 0  High = 5	0
5	Activity duration	Short term = 0  Long term = 4	4
6	Community interest/expectations	Low = 0  High = 5	1
7	Notified consent	No WAs= 0 Was* = 1 Limited = 2 Notified = 4	
8	Earthworks – Volume (all zones)	100m ³ – 500m ³ = 0 500m ³ – 1000m ³ = 1 - 2 1,000m ³ – 5,000m ³ = 3 - 4 5,000m ³ – 10,000m ³ + = 5	
9	Residential subdivision	1 to 5 units = 0 5 to 10 units = 1 - 2 10 to 20 units = 3 - 4 20+ units = 5	
10	Activity within 20m of any river, lake, stream or wetland, or within any wetland	No = 0 Yes = 4	
11	Large scale infrastructure/irrigation project	No = 0 Yes = 4	
12	Mining	No = 0 Yes = 4	
13	Zone overlay applies	No = 0 Yes = 4	4
14	Contaminated site/Potential contaminated site/HAIL site/Hazardous substances	No = 0 Yes = 4	
15	Consent includes payment of a bond	No = 0 Yes = 4	
		TOTAL SCORE	
		RISK ASSESSMENT (L, M, H) ** Low	11

Assessment date: 6 June 2023

* Written approvals

**

Low = 0 to 15

Medium = 16 to 25

High = 26 +

Planner's comments:

Forward copy by e-mail to consentmonitoring@waitaki.govt.nz

Risk Assessment Guidelines

The priority sites/activities (Q1.) are:

- Activity in the Mackenzie basin
- Earthworks or indigenous vegetation clearance in wahi tapuna sites
- Significant Natural Areas/features
- Geopark sites
- Heritage items or sites
- Significant coastal landscape/or natural character
- Outstanding natural landscapes'/features

When assessing 'scale and intensity', consider how the consented activity generally compares to an established activity of a similar type in a local (town, district) context and at zone level. For example, a large-scale retail development may be synonymous with certain retail chain-stores, however it may be a significant project at local level resulting in more intense activity on a commercial site than has occurred previously. If an activity is difficult to assess against comparable activities, consider its environmental effects, such as vehicle movements, hours of operation, noise and odour, construction activity, building footprint and height.

When assessing 'Community Interest/Expectations', consider how much interest the consent has generated or may generate. If there are affected parties who have not provided approval or are a number of opposing submissions, or a hearing has been held, those factors would increase the score. Special interest groups may also have expressed a particular interest in the activity or the application may have been controversial.

'Activity duration' refers to the duration an activity will/may be conducted. In the case of resource consents granted for permanent structures such as sheds or dwellings, irrigation ponds and infrastructure, or resource consents granted for breaches of site development standards, 'activity duration' should be treated as the period within which the building or structure will be established (or is likely to be established).

The risk assessment may be shared with the consent holder. If there is any uncertainty around any of the criteria scoring it may be useful to contact the consent holder to discuss the criteria and how it relates to the activity. This may help provide further evidence to score with greater certainty.

The free text section 'Planners Comments' can be used to record any considerations towards the criteria, or where an actual or likely risk has been identified that has not been captured elsewhere.

To add further value to the risk assessment, the Planner and Compliance Monitoring Officer should discuss the environmental risk assessment score when it is high to help identify important points for ongoing monitoring of the consent.

Now that your resource consent has been granted, you must ensure that you comply with all conditions of the consent.

It is important that you read and understand the conditions prior to work starting on site. The type of consent, and the scale or intensity of the activity will initially determine the type and frequency of monitoring undertaken by Council.

Monitoring

Council has a dedicated compliance monitoring officer who will assess your consent to determine the type of monitoring that will be required. They will contact you to advise you of this and to provide further information on the monitoring process.

Some consents can be monitored remotely using photos taken at appropriate stages in the activity/works and submitted by you as the consent holder (or contractor on your behalf), whereas other consents may require site visits at key stages to monitor compliance with the conditions. In some cases, several site visits or ongoing monitoring for the lifetime of the consent may be required.

To help the monitoring process run smoothly, it is important to ensure that you update the compliance monitoring officer on the best point of contact for the consent.

After a site visit

When a site visit has been completed, the compliance monitoring officer will issue a monitoring report. This document is used to record observations made during the site visit so both the consent holder and Council have a clear record of this. Depending on the complexity of the consent or any non-compliance observed, the outcome of the inspection may also be discussed with you directly.

The monitoring report will include an overall assessment grade for the site visit, details of the consent conditions assessed and whether the activity complied with those conditions.

If non-compliance has been noted, the reasons for non-compliance will be clearly outlined along with any actions to be taken to achieve compliance and a date the action is to be completed by.

The inspection process

Waitaki District Council has well developed guidelines on how to assess compliance and the process to follow when non-compliance is identified. This allows Council officers to take on a 'no surprises' approach to all consent monitoring and helps ensure transparency and consistency in decision making. The 'Inspection Process Guidelines' provide further information on the monitoring process and outcomes.

Monitoring fees

The consent holder may be charged monitoring fees which are set by Council, which is something the compliance monitoring officer will cover with you. There are also times when the Council might need to employ an independent expert to help assess compliance with technical conditions of a resource consent. It is important to note when this happens this will be as a cost to the consent holder.

Compliance with the conditions of a resource consent will help reduce the likelihood of complications and increased costs for the consent holder, whilst also ensuring Waitaki's diverse environment is valued and protected.

To submit information for your consent, or for further information please email consentmonitoring@waitaki.govt.nz



www.waitaki.govt.nz

t. 03 433 0300 e. service@waitaki.govt.nz

20 Thames Street | Private Bag 50058 Oamaru 9444

COUNTING ON COMPLIANCE IN WAITAKI



Now that your resource consent has been granted, you must ensure that you comply with all conditions of the consent



INSPECTION PROCESS GUIDELINES

OUTCOME

ACTION



COMPLIES

- ▶ All conditions of the consent have been complied with.



Compliant' monitoring report is issued recognising full compliance with all the conditions.

NON-COMPLIANCE Low Risk

- ▶ Small scale non-compliance observed.
- ▶ Results in negligible effects on the environment.

'Non-Compliant Low Risk' monitoring report is issued and full compliance is encouraged.

Moderate NON-COMPLIANCE Action Required

- ▶ Non-compliance noted that negatively effects the environment.
- ▶ Council requires action to be taken to avoid, remedy or mitigate the adverse environmental effects.

'Non-Compliant Action Required' report is issued, clearly outlining the non-compliance and the action Council requires the consent holder to take.

SIGNIFICANT NON-COMPLIANCE

- ▶ Non-compliance noted with major impacts on the environment.
- ▶ Immediate action is required to avoid, mitigate, stop or remedy the adverse environmental effects.

'Significant Non-Compliance' monitoring report is issued clearly outlining the non-compliance and the immediate steps Council requires the consent holder to take. This may be directed by an abatement notice or enforcement order.

INITIAL INSPECTION COMPLETED

FOLLOW-UP INSPECTION REQUIRED

FOLLOW-UP INSPECTION COMPLIES
'Compliant' monitoring report is issued. If the consent requires ongoing monitoring a further inspection will be scheduled.

FOLLOW-UP INSPECTION FAILS TO COMPLY
'Non-Compliant - Action Required' monitoring report is issued. Additional inspection required or potential for enforcement action to be initiated.

FOLLOW-UP INSPECTION COMPLIES
'Compliant' monitoring report is issued. If the consent requires ongoing monitoring a further inspection will be scheduled.

Non-Compliant - Action Required: Some steps have been taken to avoid, remedy or mitigate the non-compliance, but further work is required.

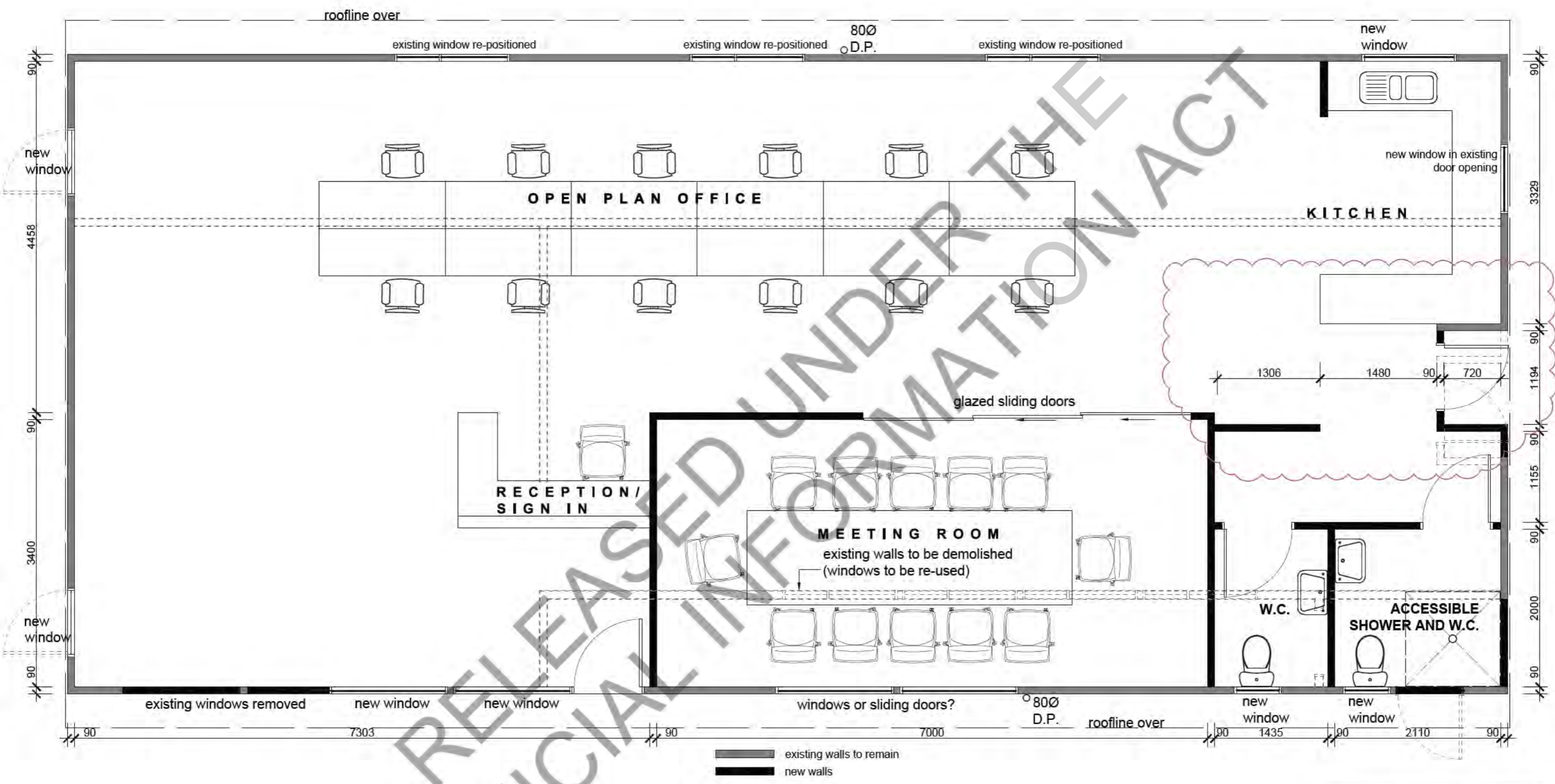
Proceed with Enforcement Action

FOLLOW-UP INSPECTION REQUIRED

FOLLOW-UP INSPECTION FAILS



RELEASED UNDER THE
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NEW FLOOR PLAN
scale - 1:50

preliminary
not for construction purposes

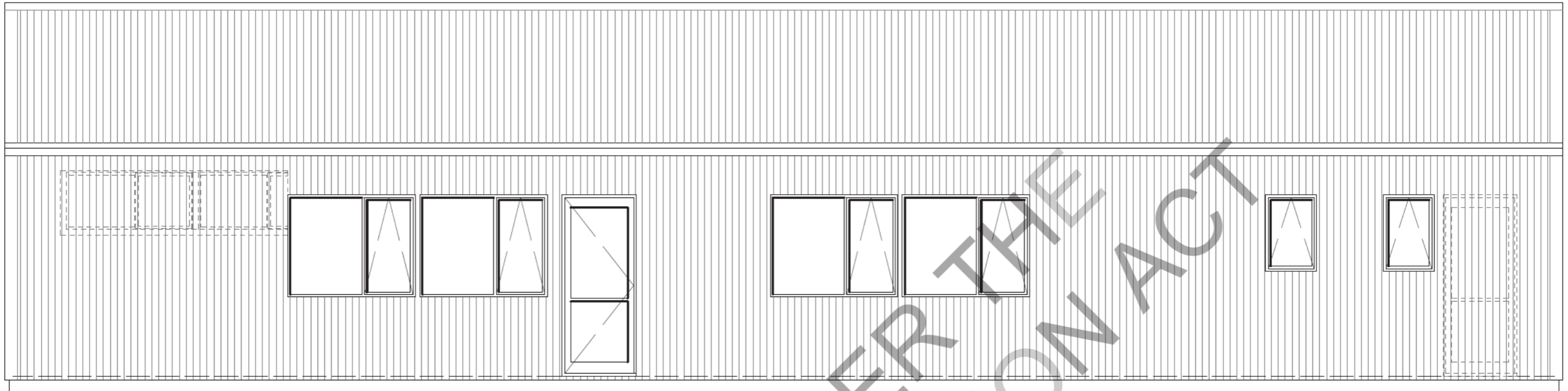
notes: 1. Contractor to confirm all dimensions on site prior to commencing work.
2. Do not scale off drawings.
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Oamaru Meats, 7 Redcastle Road, Oamaru

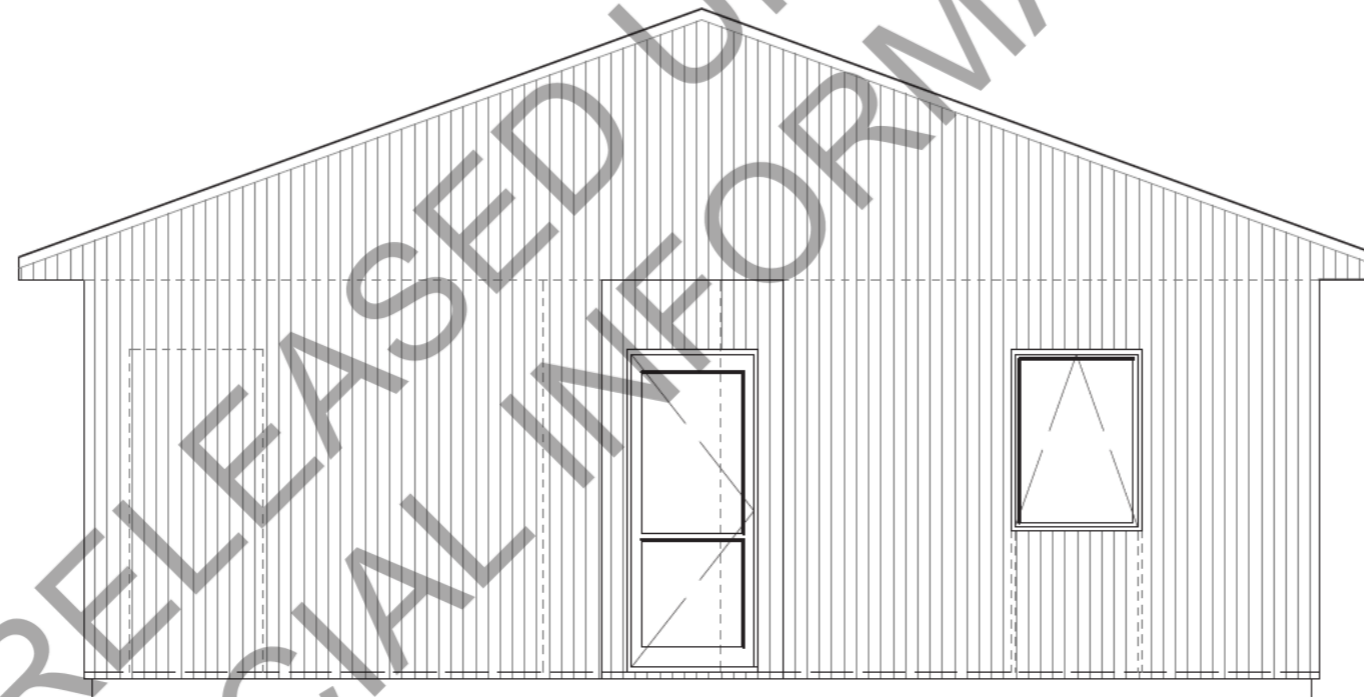
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sheet no.
A04 4 of ~



1 ELEVATION
A04 scale - 1:50



2 ELEVATION
A04 scale - 1:50

preliminary
not for construction purposes

notes: 1. Contractor to confirm all dimensions on site prior to commencing work.
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original sheet size: A3
sheet no.
A07 7 of ~

From: [Richard Thorp](#)
Sent: Monday, 6 November 2017 11:23 PM
To: [Olwyn Smith](#)
Cc: [Phoebe Davies](#)
Subject: RE: Reminder Letter - 201610121 - NZ Binxi [IWOV-Documents.FID1788246]
Attachments: ACCOMODATION CONCEPT 21-08-2015.pdf; BXfoods office building 03-09-2015.pdf; Shortlands Road year 1 report OIO.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Olwyn

Please find the Compliance report for Shorthand's Road -Case: 201610121.

I trust this will meet the requirements of the OIO and look forward to receiving any feedback you may have.

Please find attached to this emails

- Compliance report
- Plans for staff accommodation
- Plans for newly built office.

Regards

RICHARD THORP | BX FOODS LTD

P +64 274 359 001 | **A** Oamaru, New Zealand
W www.bxfoods.co.nz | **E** richard@bxfoods.co.nz

From: Richard Thorp
Sent: Wednesday, 1 November 2017 4:15 p.m.
To: Olwyn Smith <osmith@linz.govt.nz>
Cc: 'Phoebe Davies' <phoebe.davies@duncancoerill.com>
Subject: RE: Reminder Letter - 201610121 - NZ Binxi [IWOV-Documents.FID1788246]

Hi Olwyn

Please accept my apologies, I will be unable to complete the Compliance Report today and would like to work towards your extension offered of 5 working days, with the report to you by **Tuesday 7 November 2018** or before.

Thank you

Regards

RICHARD THORP | BX FOODS LTD

P +64 274 359 001 | A Oamaru, New Zealand
W www.bxfoods.co.nz | E richard@bxfoods.co.nz

From: Phoebe Davies [mailto:phoebe.davies@duncanco_erill.com]
Sent: Tuesday, 31 October 2017 12:14 p.m.
To: Olwyn Smith <osmith@linz.govt.nz>
Cc: Richard Thorp <richard@bxfoods.co.nz>
Subject: RE: Reminder Letter - 201610121 - NZ Binxi [IWOV-Documents.FID1788246]

Hi Olwyn,

Apologies for the delay with this. My client has advised that the report should be with you tomorrow.

Kind regards

Phoebe

Phoebe Davies
Legal Advisor
(Licensed to Practice Law in England and Wales)

d +64 3 372 6549 | p +64 3 379 2430 | m +64 27 491 1653
duncanco_erill.com | [View Duncan Co_erill LinkedIn](#)

Duncan Co_erill Plaza 148 Victoria Street
PO Box 5 Christchurch 8140 New Zealand

[Click here for office directions](#)



From: Olwyn Smith [<mailto:osmith@linz.govt.nz>]
Sent: Tuesday, October 31, 2017 11:19 AM
To: Phoebe Davies
Subject: RE: Reminder Letter - 201610121 - NZ Binxi

Hi Phoebe

I refer to the email from Melanie as below.

As yet this office has not received the compliance report due by 30 October 2017.

I can grant a 5 working day extension. Please ensure the relevant report is submitted to this office by **Tuesday 7 November 2018**, otherwise I will need to pass this matter on to our Enforcement Team.

Regards

Olwyn Smith
Legal Support Officer
Overseas Investment Office

E osmith@linz.govt.nz | DDI +64 4 460 2781

Wellington Office, Level 7, Radio New Zealand House, 155 The Terrace
PO Box 5501, Wellington 6145, New Zealand | T 04 460 0110
W www.linz.govt.nz | data.linz.govt.nz



From: Melanie Swiney
Sent: Wednesday, 27 September 2017 3:13 p.m.
To: 'Phoebe Mahe' <phoebe.mahe@linz.govt.nz>
Subject: Reminder Letter - 201610121

Hi Phoebe

Please find documents attached relating to case 201610121.

Kind regards

Melanie Swiney
Administrator
Overseas Investment Office

E mswiney@linz.govt.nz | DDI +64 4 460 0182

Wellington Office, Level 7, Radio New Zealand House, 155 The Terrace
PO Box 5501, Wellington 6145, New Zealand | T 04 460 0110
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OFFICIAL INFORMATION ACT

EXTERIOR PERSPECTIVE 1



SHEET INDEX

ID	LAYOUT NAME
101	EXTERIOR PERSPECTIVE VIEWS
102	PROPOSED FLOOR PLAN
103	PROPOSED ELEVATION
104	CROSS SECTION
105	EXISTING FLOOR PLAN
106	EXIST. ELEVATION
201	ROOF / FOUNDATION PLAN

EXTERIOR PERSPECTIVE 2

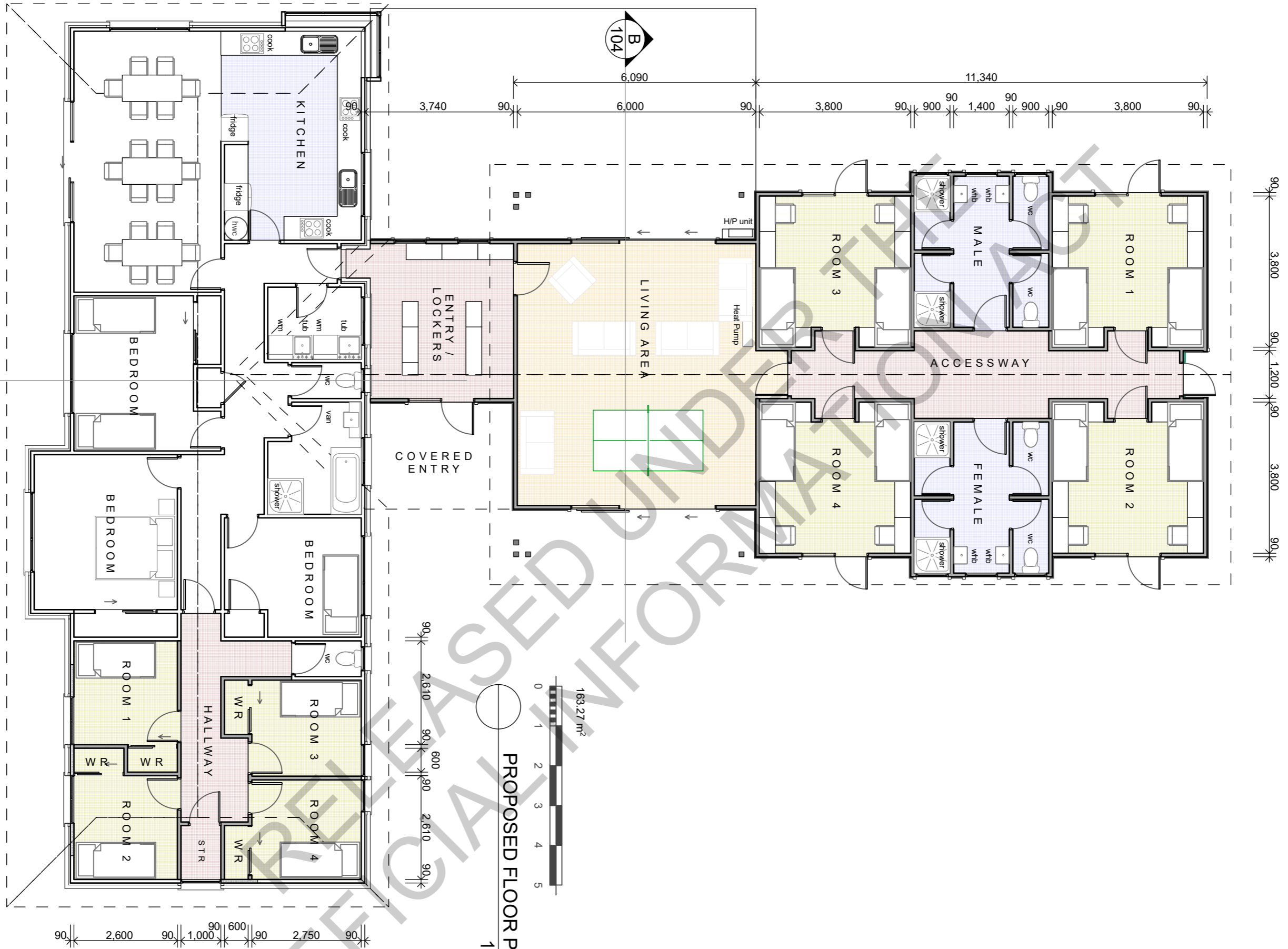


All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.



Job Title	PROPOSED ACCOMODATION DEVELOPMENT		Drawing Title		EXTERIOR PERSPECTIVE VIEWS	
For	BINXI FOODS NZ Ltd		Drawn		Scale	1:200, 1:1
At	REDCASTLE ROAD OAMARU		Design		Drawing Number	101
			Creation Date	14/09/2009	Scale	1:200
		Plot Date	21/08/2015			
ALL DIMENSIONS TO BE VERIFIED ON SITE						

#LayID
C



PROPOSED FLOOR PLAN
1:100

All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.



Job Title	PROPOSED ACCOMODATION DEVELOPMENT		Drawing Title PROPOSED FLOOR PLAN									
For	BINXI FOODS NZ Ltd		Drawing Number 102	Scale 1:100								
At	REDCASTLE ROAD OAMARU		<table border="1"> <tr> <td>Drawn</td> <td></td> </tr> <tr> <td>Design</td> <td></td> </tr> <tr> <td>Creation Date</td> <td>14/09/2009</td> </tr> <tr> <td>Plot Date</td> <td>21/08/2015</td> </tr> </table>		Drawn		Design		Creation Date	14/09/2009	Plot Date	21/08/2015
Drawn												
Design												
Creation Date	14/09/2009											
Plot Date	21/08/2015											
ALL DIMENSIONS TO BE VERIFIED ON SITE												

sg - Safety glass as per NZBC requirements.

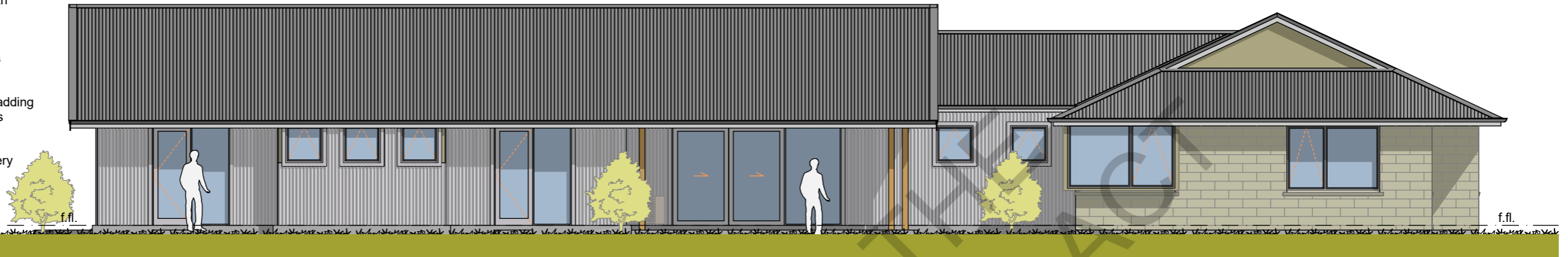
-Selected corrugate colorsteel roofing with matching fixings & flashings.

-Selected colorsteel spouting system fixed as per manufacturers specifications to colorsteel fascia board.

-Selected corrugate colorsteel vertical cladding cladding direct fixed to timber frame walls as per NZS 3604 2011.

-Selected aluminium window & door joinery flashed & sealed to exterior cladding.

-Confirm levels on site before construction.



E-05 | PROPOSED NORTH ELEVATION

sg - Safety glass as per NZBC requirements.

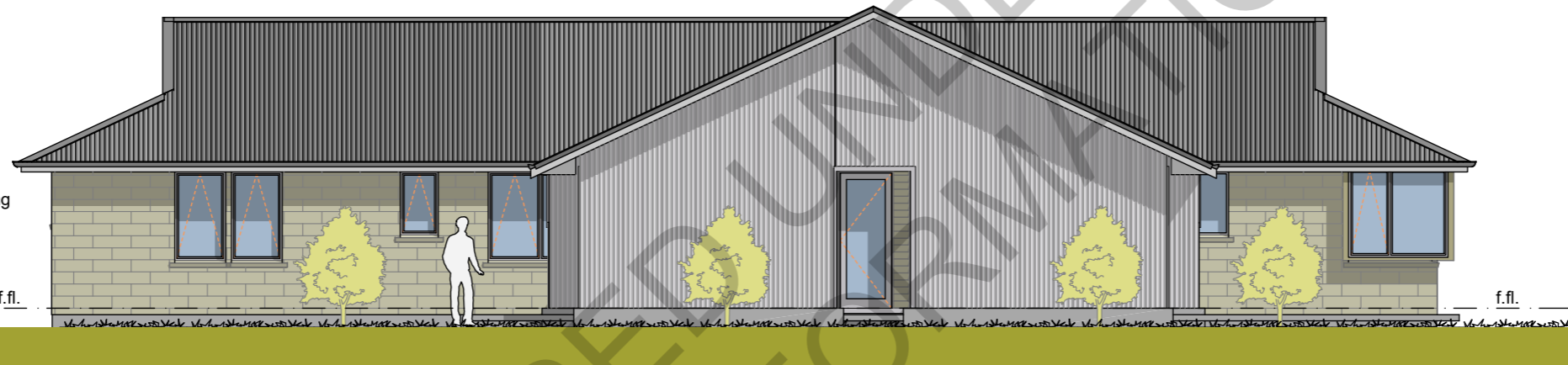
-Selected corrugate colorsteel roofing with matching fixings & flashings.

-Selected colorsteel spouting system fixed as per manufacturers specifications to colorsteel fascia board.

-Selected corrugate colorsteel vertical cladding cladding direct fixed to timber frame walls as per NZS 3604 2011.

-Selected aluminium window & door joinery flashed & sealed to exterior cladding.

-Confirm levels on site before construction.



E-07 | PROPOSED EAST ELEVATION

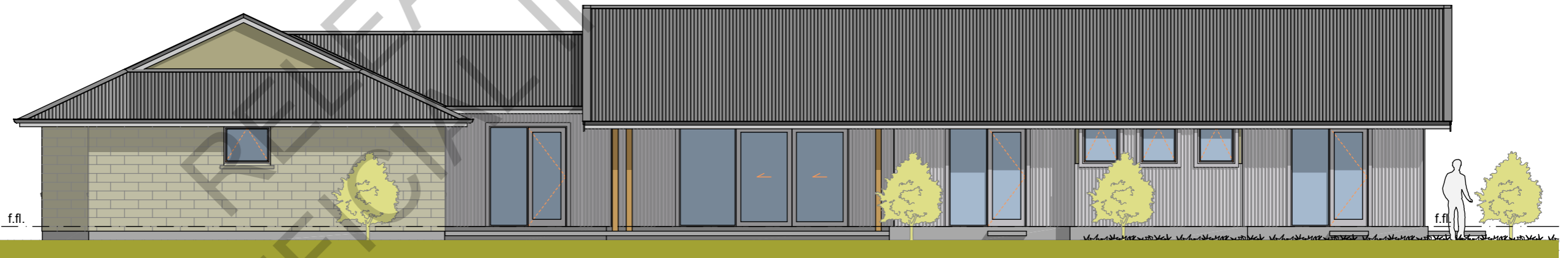
sg - Safety glass as per NZBC requirements.

-Selected corrugate colorsteel roofing with matching fixings & flashings.

-Selected colorsteel spouting system fixed as per manufacturers specifications to colorsteel fascia board.

-Selected corrugate colorsteel vertical cladding cladding direct fixed to timber frame walls as per NZS 3604 2011.

-Selected aluminium window & door joinery flashed & sealed to exterior cladding.



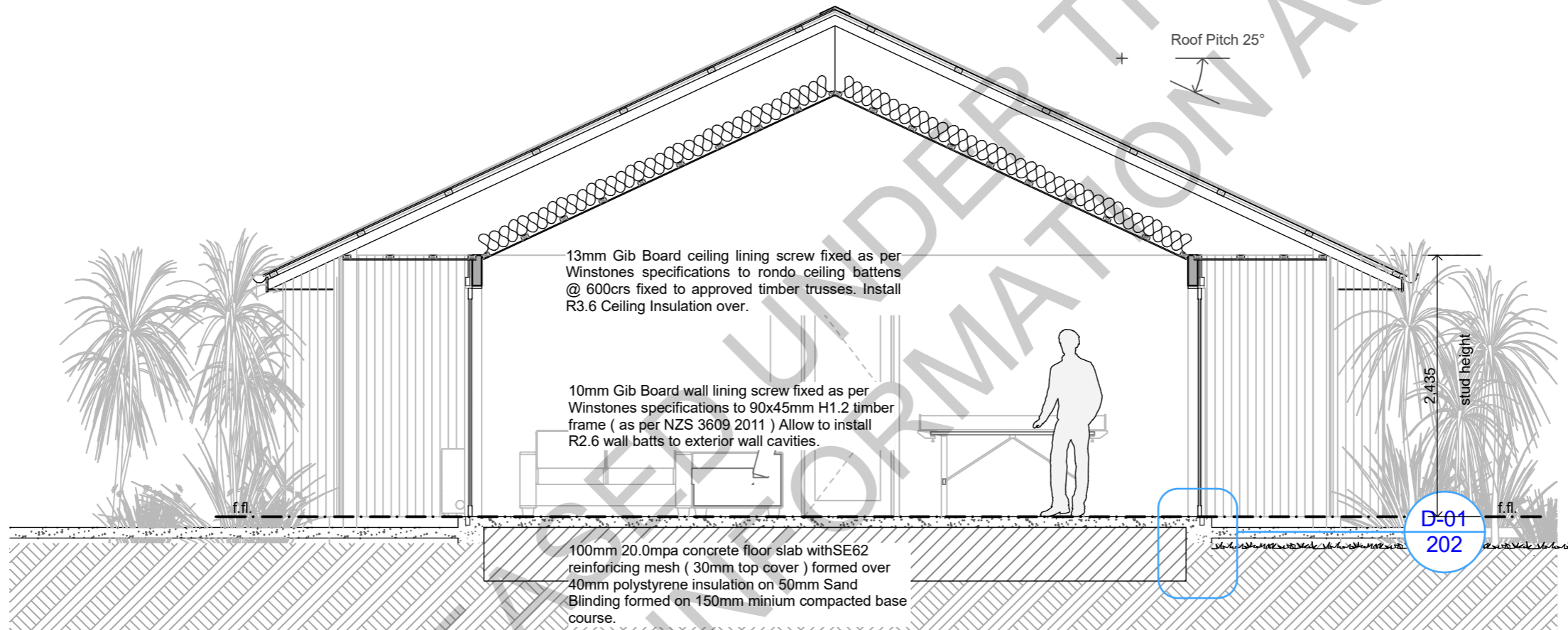
E-08 | PROPOSED SOUTH ELEVATION

All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.



Job Title	PROPOSED ACCOMODATION DEVELOPMENT	Drawing Title																
For	BINXI FOODS NZ Ltd	PROPOSED ELEVATION																
At	REDCASTLE ROAD OAMARU	<table border="1"> <tr> <td>Drawn</td> <td></td> <td>Drawing Number</td> <td>Scale</td> </tr> <tr> <td>Design</td> <td></td> <td>103</td> <td>1:100</td> </tr> <tr> <td>Creation Date</td> <td>14/09/2009</td> <td></td> <td></td> </tr> <tr> <td>Plot Date</td> <td>21/08/2015</td> <td></td> <td></td> </tr> </table>	Drawn		Drawing Number	Scale	Design		103	1:100	Creation Date	14/09/2009			Plot Date	21/08/2015		
Drawn		Drawing Number	Scale															
Design		103	1:100															
Creation Date	14/09/2009																	
Plot Date	21/08/2015																	
ALL DIMENSIONS TO BE VERIFIED ON SITE																		

Selected Colorsteel tray section long run roofing (with matching fixings & flashing) fixed as per manufacturers specifications over self supporting build. paper to 70x45mm timber purlins @ 900crs fixed to approved trusses @ 900crs

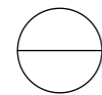
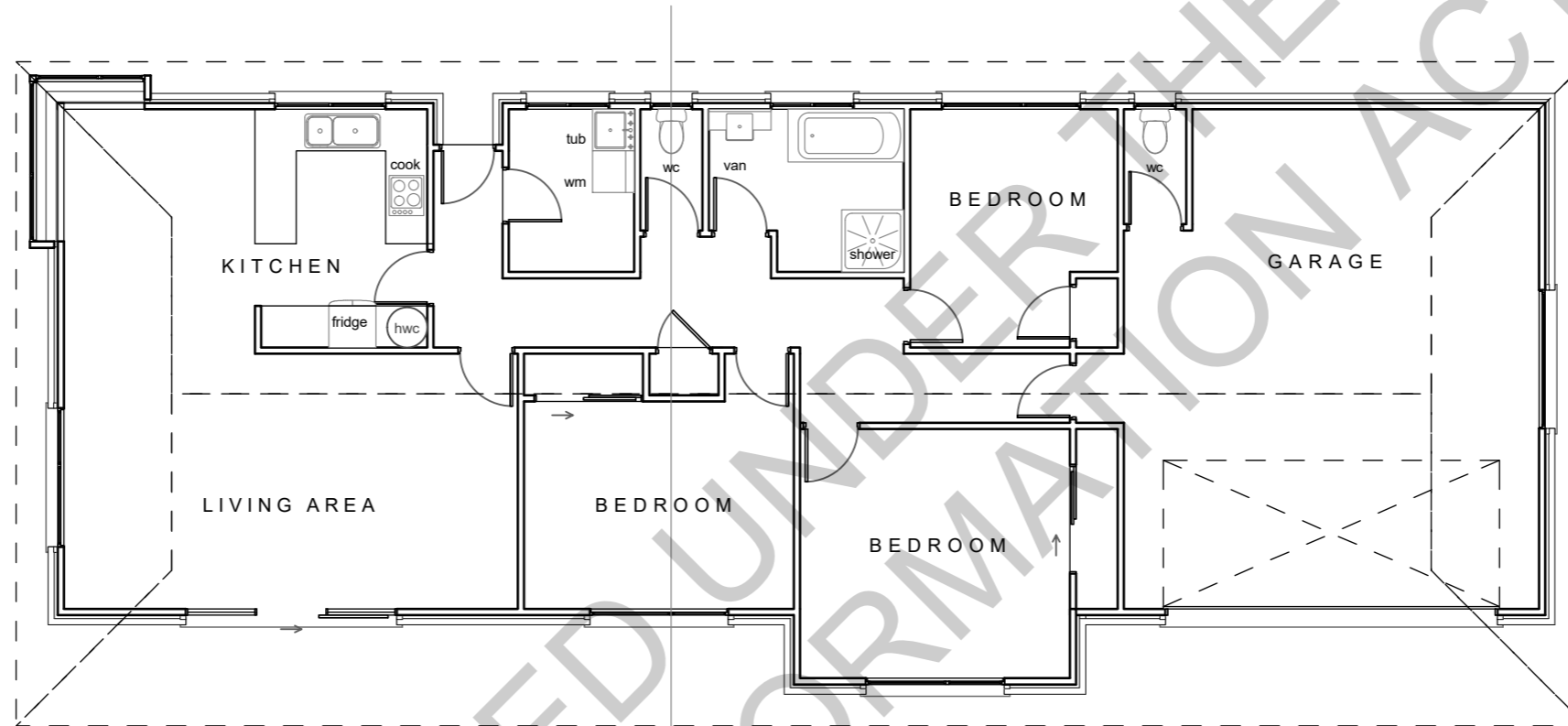


B CROSS SECTION 'B'

All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.



Job Title	PROPOSED ACCOMODATION DEVELOPMENT		Drawing Title		CROSS SECTION	
For	BINXI FOODS NZ Ltd		Drawn		Scale	1:61 7460
At	REDCASTLE ROAD OAMARU		Design		Drawing Number	104
			Creation Date	14/09/2009	Scale	1:54.9935, 1:1, 1:50
		Plot Date	21/08/2015	ALL DIMENSIONS TO BE VERIFIED ON SITE		



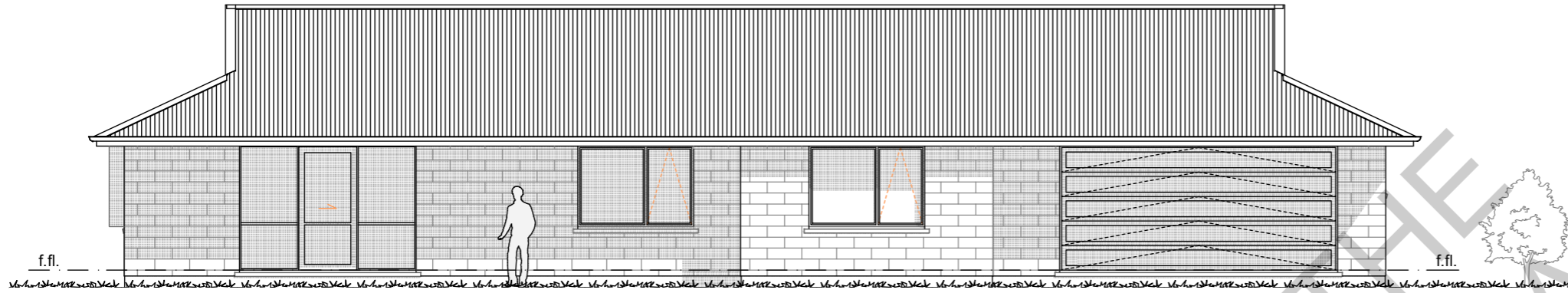
EXISTING FLOOR PLAN

1:100

All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.

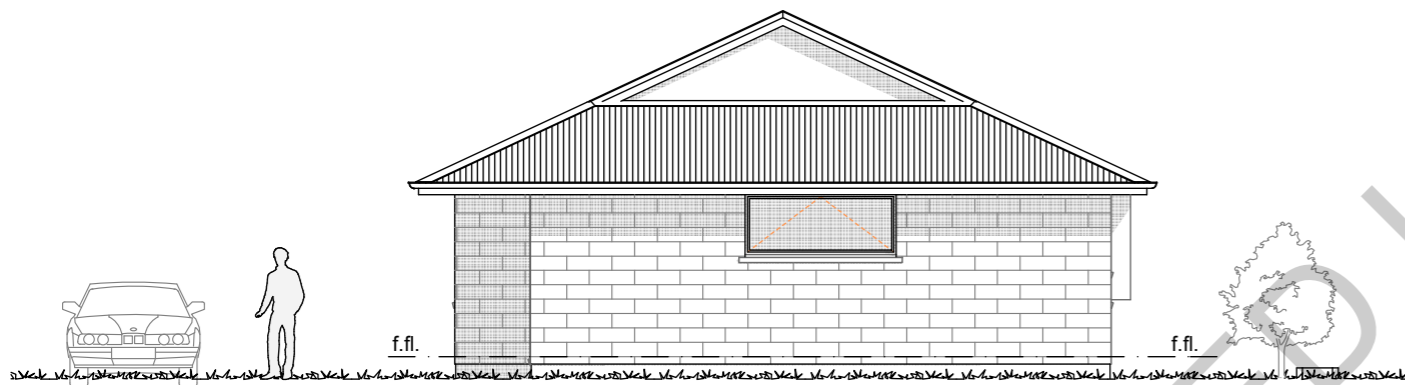


Job Title	PROPOSED ACCOMODATION DEVELOPMENT	Drawing Title		EXISTING FLOOR PLAN
For	BINXI FOODS NZ Ltd	Drawn		Drawing Number
At	REDCASTLE ROAD OAMARU	Design		Scale
		Creation Date	14/09/2009	105
		Plot Date	21/08/2015	1:100
ALL DIMENSIONS TO BE VERIFIED ON SITE				



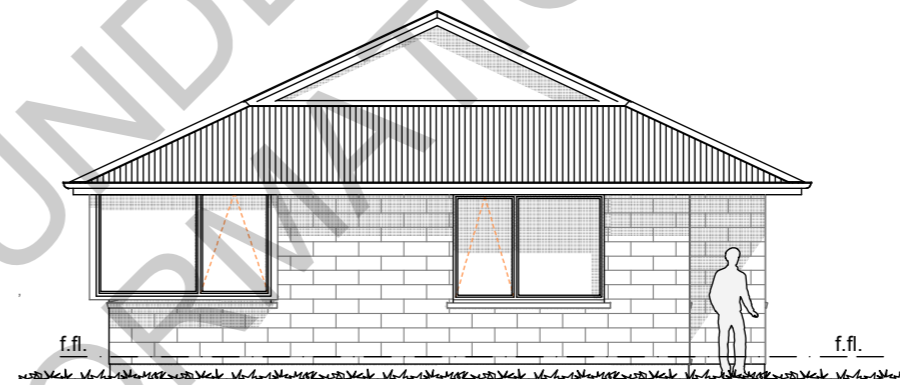
E-03
-

WEST ELEVATION
1:100



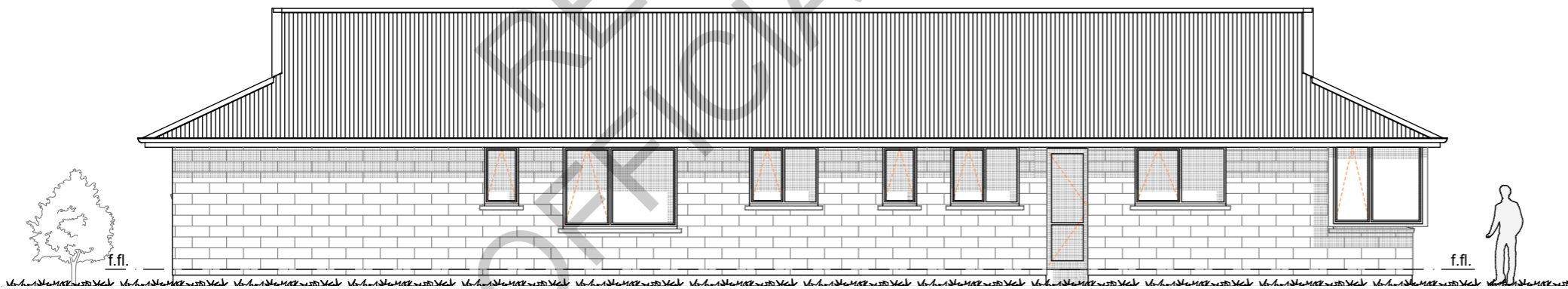
E-02
-

SOUTH ELEVATION
1:100



E-04
-

NORTH ELEVATION
1:100



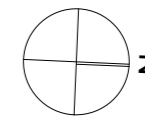
E-01
-

EAST ELEVATION
1:100

Job Title **PROPOSED ACCOMODATION DEVELOPMENT**

For **BINXI FOODS NZ Ltd**

At **REDCASTLE ROAD OAMARU**



Drawn	
Design	
Creation Date	00/00/2010
Plot Date	21/08/2015

Drawing Title

EXIST. ELEVATION

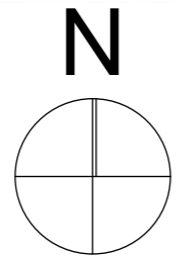
Drawing Number
106

Scale
1:100

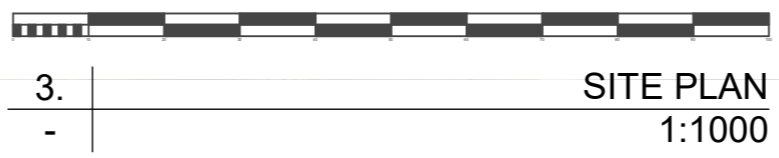
ALL DIMENSIONS TO BE VERIFIED ON SITE

All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.

SHEET INDEX	
ID	LAYOUT NAME
201	SITE PLAN
202	FLOOR PLAN
203	ELEVATIONS
204	PERSPECTIVE IMAGES
205	CROSS SECTION



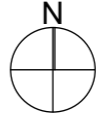
SITE LOCATION PLAN
1:20000

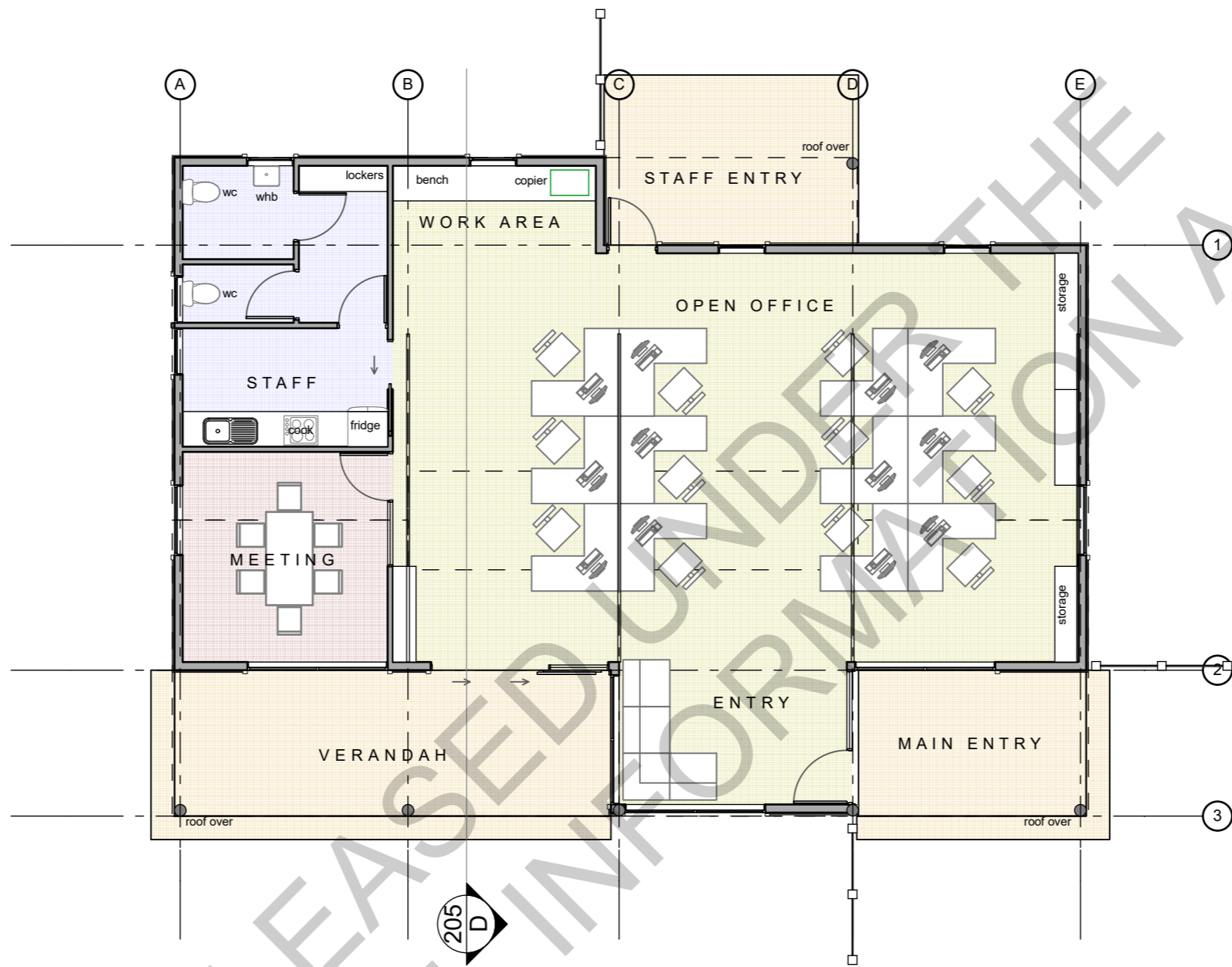


SITE PLAN
1:1000

All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.



Job Title PROPOSED OFFICE DEVELOPMENT	For BINXI FOODS NZ Ltd	At REDCASTLE ROAD OAMARU	 ALL DIMENSIONS TO BE VERIFIED ON SITE	Drawing Title SITE PLAN	
				Drawn	Drawing Number 201
				Design	Scale 1:1, 1:20000, 1:1000
				Creation Date 14/09/2009	Plot Date 3/09/2015



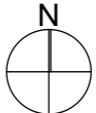
134.93 m²



1. PROPOSED FLOOR PLAN
1:100

All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.



Job Title	PROPOSED OFFICE DEVELOPMENT		Drawing Title FLOOR PLAN	
For	BINXI FOODS NZ Ltd		Drawn	
At	REDCASTLE ROAD OAMARU		Design	
			Creation Date	14/09/2009
		Plot Date	3/09/2015	Drawing Number 202
		ALL DIMENSIONS TO BE VERIFIED ON SITE		Scale 1:100

sg - Safety glass as per NZBC requirements.

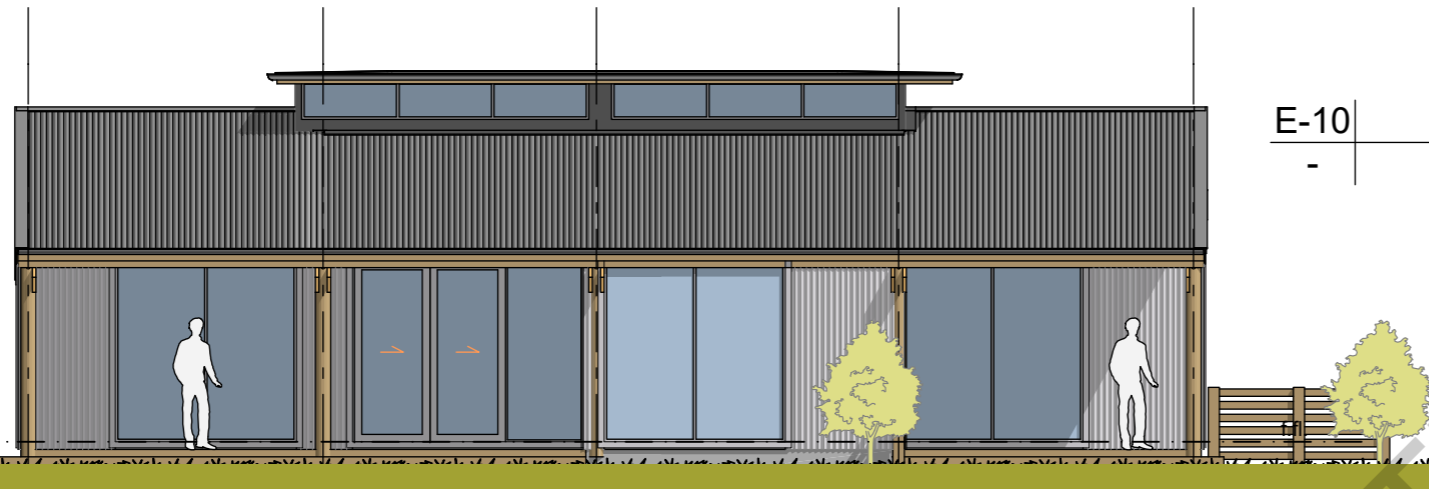
-Selected corrugate colorsteel roofing with matching fixings & flashings.

-Selected colorsteel spouting system fixed as per manufacturers specifications to colorsteel fascia board.

-Selected corrugate colorsteel vertical cladding cladding direct fixed to timber frame walls as per NZS 3604 2011.

-Selected aluminium window & door joinery flashed & sealed to exterior cladding.

-Confirm levels on site before construction.



E-10 OFFICE WEST ELEVATION

sg - Safety glass as per NZBC requirements.

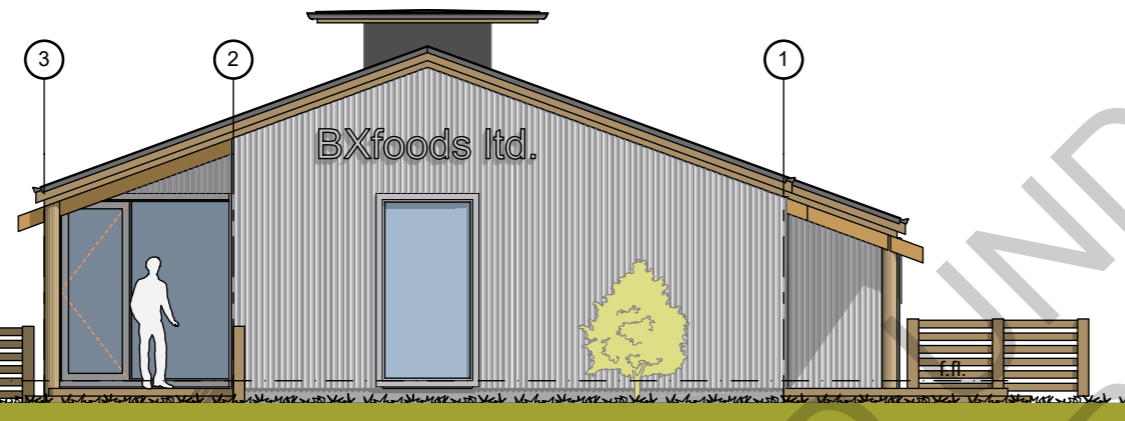
-Selected corrugate colorsteel roofing with matching fixings & flashings.

-Selected colorsteel spouting system fixed as per manufacturers specifications to colorsteel fascia board.

-Selected corrugate colorsteel vertical cladding cladding direct fixed to timber frame walls as per NZS 3604 2011.

-Selected aluminium window & door joinery flashed & sealed to exterior cladding.

-Confirm levels on site before construction.



E-12 OFFICE SOUTH ELEVATION

sg - Safety glass as per NZBC requirements.

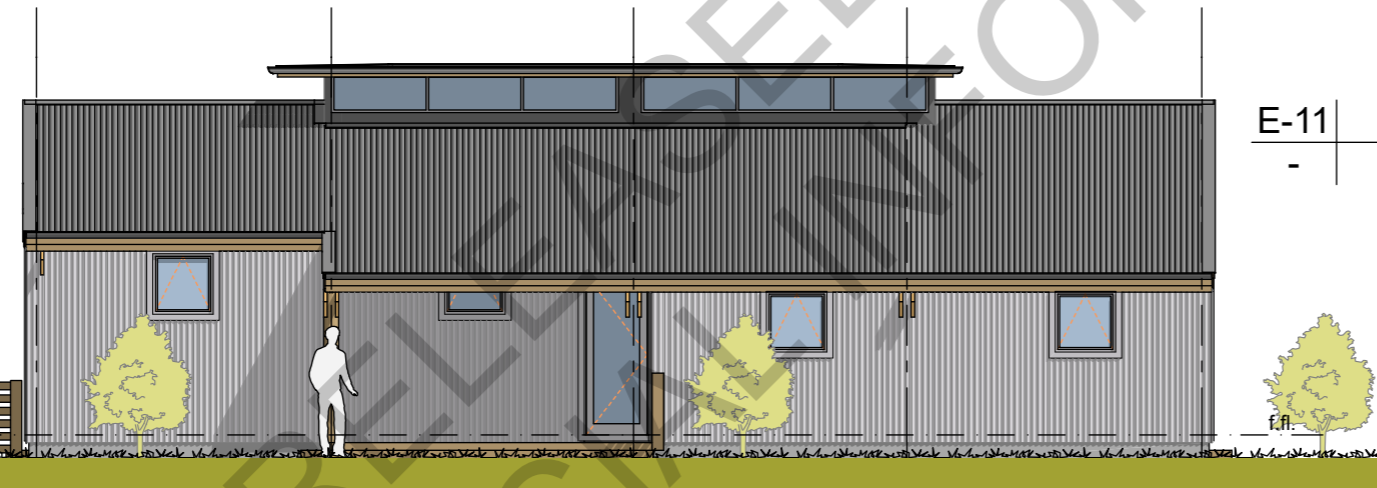
-Selected corrugate colorsteel roofing with matching fixings & flashings.

-Selected colorsteel spouting system fixed as per manufacturers specifications to colorsteel fascia board.

-Selected corrugate colorsteel vertical cladding cladding direct fixed to timber frame walls as per NZS 3604 2011.

-Selected aluminium window & door joinery flashed & sealed to exterior cladding.

-Confirm levels on site before construction.



E-11 OFFICE EAST ELEVATION

sg - Safety glass as per NZBC requirements.

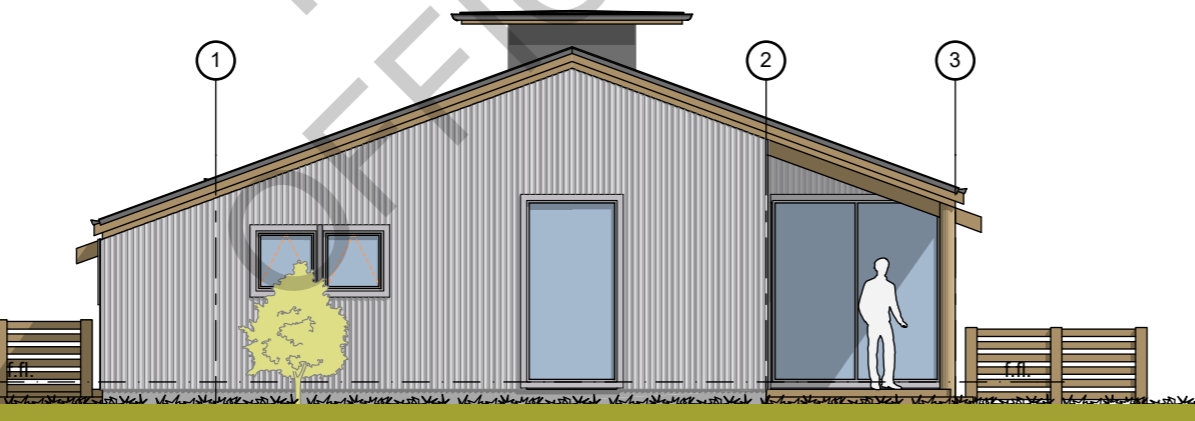
-Selected corrugate colorsteel roofing with matching fixings & flashings.

-Selected colorsteel spouting system fixed as per manufacturers specifications to colorsteel fascia board.

-Selected corrugate colorsteel vertical cladding cladding direct fixed to timber frame walls as per NZS 3604 2011.

-Selected aluminium window & door joinery flashed & sealed to exterior cladding.

-Confirm levels on site before construction.



E-09 OFFICE NORTH ELEVATION



Job Title **PROPOSED OFFICE DEVELOPMENT**

For **BINXI FOODS NZ Ltd**

At **REDCASTLE ROAD OAMARU**



Drawn	
Design	
Creation Date	00/00/2010
Plot Date	3/09/2015

Drawing Title **ELEVATIONS**

Drawing Number	Scale
203	1:100

ALL DIMENSIONS TO BE VERIFIED ON SITE

All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.



OFFICE PERSPECTIVE 1

OFFICE PERSPECTIVE VIEW 2



OFFICE PERSPECTIVE VIEW 3



de Geest
de Geest Construction Ltd
Future builders building futures

Job Title **PROPOSED OFFICE DEVELOPMENT**

For **BINXI FOODS NZ Ltd**

At **REDCASTLE ROAD OAMARU**



Drawn	
Design	
Creation Date	00/00/2010
Plot Date	3/09/2015

Drawing Title
PERSPECTIVE IMAGES

Drawing Number	Scale
204	1:132.8441, 1:170.8859, 1:148.1357

ALL DIMENSIONS TO BE VERIFIED ON SITE

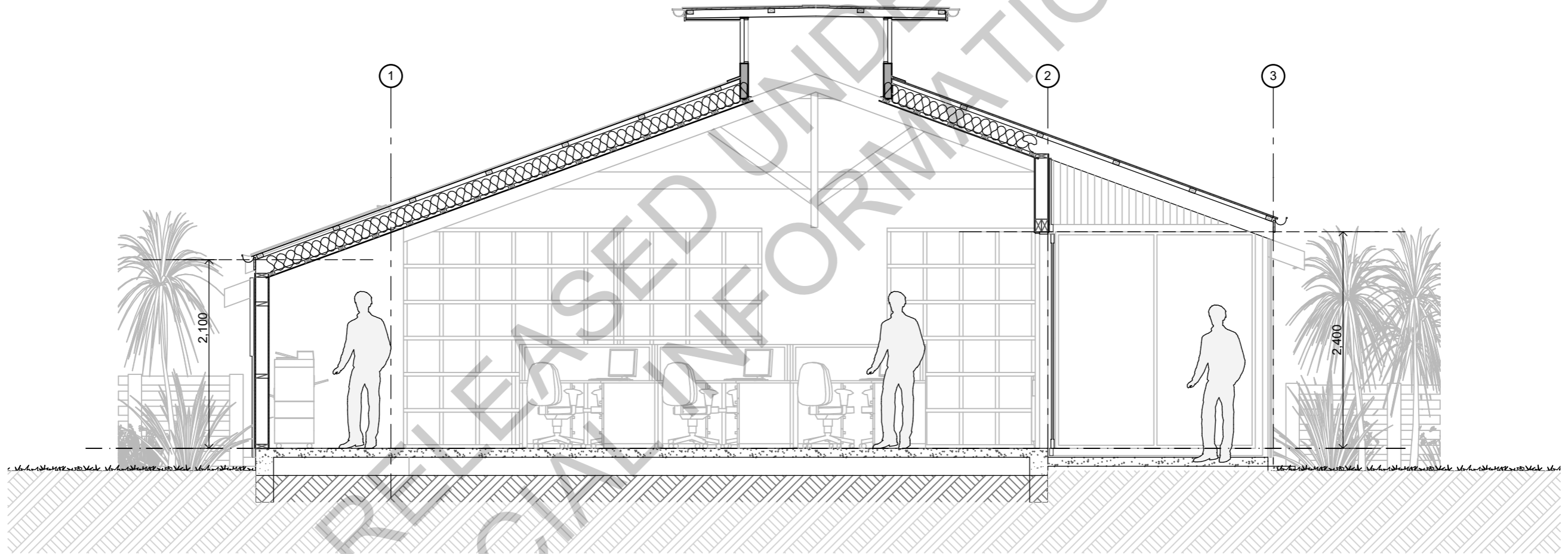
All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.



INTERIOR PERSPECTIVE 2



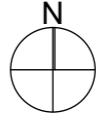
INTERIOR OFFICE PERSPECTIVE 1



D | CROSS SECTION

All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.



Job Title	PROPOSED OFFICE DEVELOPMENT		Drawing Title		
For	BINXI FOODS NZ Ltd		CROSS SECTION		
At	REDCASTLE ROAD OAMARU		Drawn Design Creation Date 14/09/2009 Plot Date 3/09/2015	Drawing Number 205	Scale 1:50, 1:203.6785, 1:243.2696
ALL DIMENSIONS TO BE VERIFIED ON SITE					

Shortlands Road

Case: 201610121

Overseas Investment Office Annual Report 2017



EXTERIOR PERSPECTIVE 1



EXTERIOR PERSPECTIVE 2



Special Conditions	Summary of Section	Progress Update	Status
Resource Consents	3) Within 6 months from the date of consent, the Consent Holder must apply for resource consent (Resource Consent) to change the zoning of the Target Land to allow the development of staff accommodation and a dwelling to take place in accordance with the Business Plan.	Due to the delayed settlement date of 16 th June 2017 we are still preparing the required detail and planning to apply for the change of zoning. We expect this to be completed by the end of December 2017	On-going
Resource Consents	4) The Consent Holder must use all reasonable commercial endeavours to obtain the resource consent	We have engaged the services of de-Geest Construction to assist in the application for re-zoning. We had three meetings with the Waitaki District Council planning staff, this is to ensure we have been provided with the correct path to take when we finally lodge the application.	On-going
Requirement to develop staff accommodation	5) Within 1 year from the date that Resource Consent is granted, the Consent Holder must have begun to redevelop the dwelling on the Target Land into staff accommodation in accordance with its Business Plan	Plans are completed and attached to this report	On Target

<p>Requirement to develop staff accommodation</p>	<p>6) Within 4 years from the date that Resource Consent is granted, the Consent Holder must have completed the redevelopment of the dwelling on the Target Land into staff accommodation in accordance with its Business Plan</p>	<p>Plans are completed and attached to this report</p>	<p>On Target</p>
<p>Requirement to develop office premises</p>	<p>7) Within 2 years from the date that Resource Consent is granted, the Consent Holder must have begun to develop office premises on the Target Land in accordance with its Business Plan.</p>	<p>Plans are completed and attached to this report</p>	<p>On Target</p>
<p>General Summary</p>	<p>Improvements of land since taking ownership.</p>	<ul style="list-style-type: none"> • On taking ownership of the land we have made a number of improvements. • All the internal fences were beyond repair and they were removed with new fences to go in along with new gates – cost to remove fences - \$2,500 • New fences to be installed in the New Year - \$7,500 • We have levelled a third of the farm, laying clay and top soil and will be re-planting grass seed post the New Year - \$10,000 • The cattle yards have been dismantled, these yards were unsightly and had not been used for many years. 	



Richard Thorp

From: [Richard Thorp](#)
Sent: Monday, 18 February 2019 7:16 AM
To: [Gary Bailey](#)
Cc: [Phoebe Mahe](#) ws
Subject: Two Year Report Shorthand's Road -Case: 201610121
Attachments: Shortlands Road year 2 report OIO (Feb 2019).pdf; BXfoods office building 03-09-2015.pdf

Morning Gary

Please find our two year report on the Shortlands Road property.

We are outside a number of the consents and this will require us to apply for a variation to the consent.

We are committed to the office development and now see this progressing and completed in 2020, but due to not being able to have our "Approval in Principle" on Chinese workers in place from Immigration NZL we wish not to proceed with the resource consent requirements for the lodgings on Shortlands Road. Although we are prepared to make some minor changes to the house which would include additional sleeping quarters this will not be a major build and will not require resource consent.

Gary its clear from our summary we will need to apply for a variation to the consent for Shortlands Road, we will await your comments or questions from this report, before we proceed with our lawyers to request that variation.

Regards

RICHARD THORP | BX FOODS LTD

P +64 274 359 001 | **A** Oamaru, New Zealand

W www.bxfoods.co.nz | **E** richard@bxfoods.co.nz



This e-mail message has been scanned for Viruses and Content and cleared by **MailMarshal**

Shortlands Road

Case: 201610121

Overseas Investment Office Annual Report 2018



Special Conditions	Summary of Section	Progress Update	Status
Resource Consents	<p>3) Within 6 months from the date of consent, the Consent Holder must apply for resource consent (Resource Consent) to change the zoning of the Target Land to allow the development of staff accommodation and a dwelling to take place in accordance with the Business Plan.</p>	<p>The company has made two applications for migrant workers through the AIP programme with New Zealand Immigration the most recent application has been declined from immigration New Zealand.</p> <p>At this point we have no commercial reason to change the zoning of the land if we are unable to obtain workers to place in the lodgings</p> <p>Discussions need to commence on a variation of consent with OIO</p>	
Resource Consents	<p>4) The Consent Holder must use all reasonable commercial endeavours to obtain the resource consent</p>	<p>Variation of consent is required</p>	

<p>Requirement to develop staff accommodation</p>	<p>5) Within 1 year from the date that Resource Consent is granted, the Consent Holder must have begun to redevelop the dwelling on the Target Land into staff accommodation in accordance with its Business Plan</p>	<p>Plans are completed and attached to this report, we have not proceeded with the zone change due to a lack of go forward with Immigration NZL on migrant workers</p>	
<p>Requirement to develop staff accommodation</p>	<p>6) Within 4 years from the date that Resource Consent is granted, the Consent Holder must have completed the redevelopment of the dwelling on the Target Land into staff accommodation in accordance with its Business Plan</p>	<p>Due to a decline of our application from Immigration NZL at this point there is no commercial reason to develop the lodgings to the extent we have provided in the plan – there is a possibility we can develop the current building by building bedrooms into the garage. This would allow us house more people but would not require a resource consent. The above will require discussions with OIO on a variation to the consents</p>	
<p>Requirement to develop office premises</p>	<p>7) Within 2 years from the date that Resource Consent is granted, the Consent Holder must have begun to develop office premises on the Target Land in accordance with its Business Plan.</p>	<p>We are now outside the consent period and require a consent variation, there is still a commitment from the company to build an office on the land at the entrance into the main site of the Redcastle road factory. This will also require a request for variation and most likely to be completed by end of 2020</p>	
<p>General Summary</p>	<p>Improvements of land since taking ownership.</p>	<ul style="list-style-type: none"> • On taking ownership of the land we have made a number of improvements. • All the internal fences were beyond repair and they were removed with new fences to go in along with new gates – cost to remove fences - \$2,500 • An old tree line on a boundary fence was removed at 100% cost to NZ Binxi (Oamaru) Foods Ltd 	

Monday, 18 February 2019

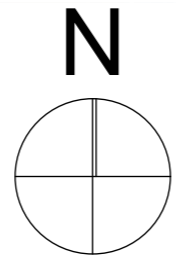
		<ul style="list-style-type: none">• New fences to be installed in the 2019 - \$35,000• We have levelled a third of the farm, laying clay and top soil and will be re-planting grass seed post over the year of 2020 - \$10,000• The cattle yards have been dismantled, these yards were unsightly and had not been used for many years.	
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Richard Thorp

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

SHEET INDEX	
ID	LAYOUT NAME
201	SITE PLAN
202	FLOOR PLAN
203	ELEVATIONS
204	PERSPECTIVE IMAGES
205	CROSS SECTION



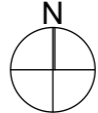
SITE LOCATION PLAN
1:20000

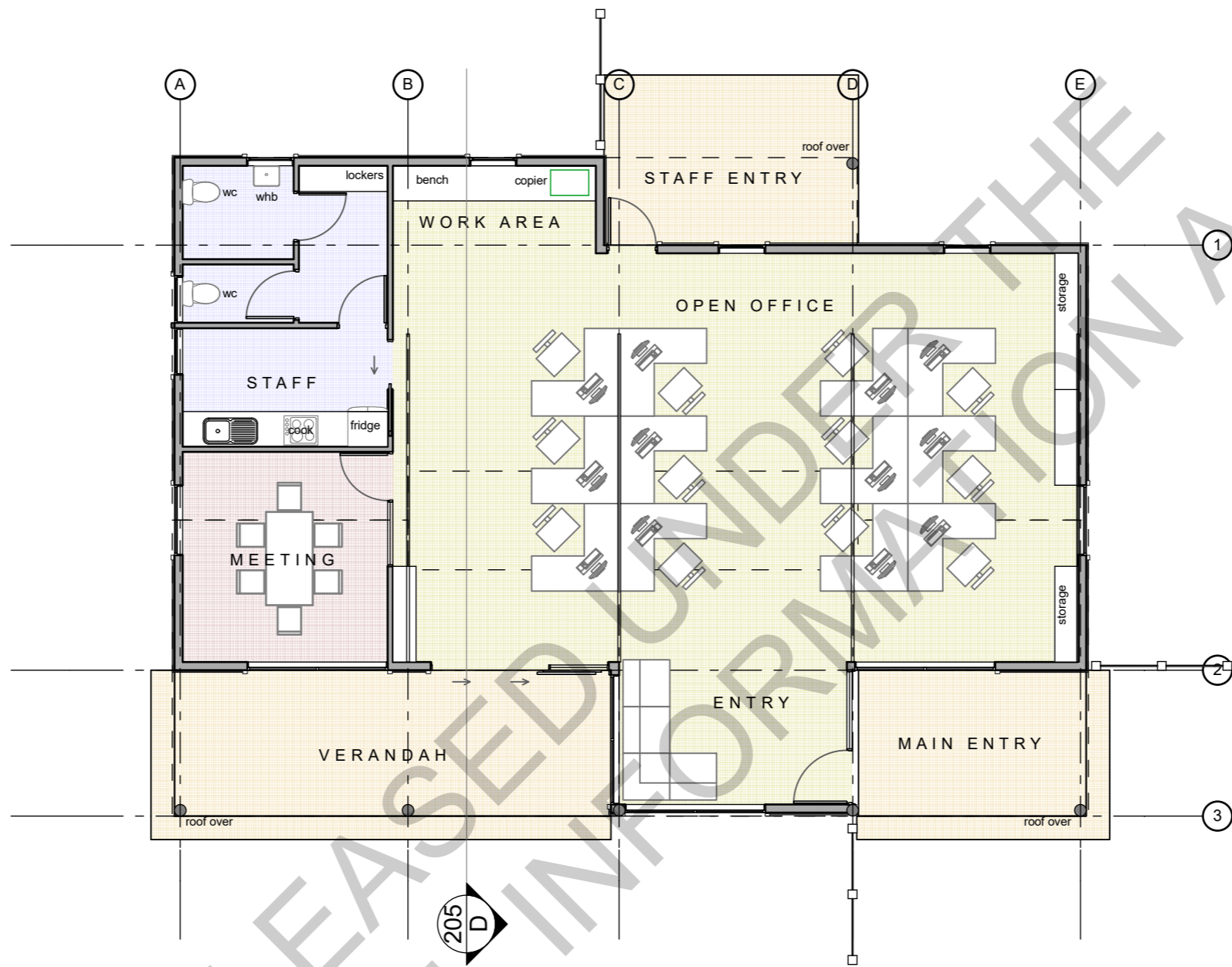


SITE PLAN
1:1000

All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.



Job Title PROPOSED OFFICE DEVELOPMENT	For BINXI FOODS NZ Ltd	At REDCASTLE ROAD OAMARU	 ALL DIMENSIONS TO BE VERIFIED ON SITE	Drawing Title SITE PLAN	
				Drawn	Drawing Number 201
				Design	Scale 1:1, 1:20000, 1:1000
				Creation Date 14/09/2009	Plot Date 3/09/2015



134.93 m²



1. PROPOSED FLOOR PLAN
1:100

All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.



Job Title	PROPOSED OFFICE DEVELOPMENT		Drawing Title		FLOOR PLAN	
For	BINXI FOODS NZ Ltd		Drawn	Design	Drawing Number	Scale
At	REDCASTLE ROAD OAMARU		Creation Date	14/09/2009	202	1:100
			Plot Date	3/09/2015		
ALL DIMENSIONS TO BE VERIFIED ON SITE						

sg - Safety glass as per NZBC requirements.

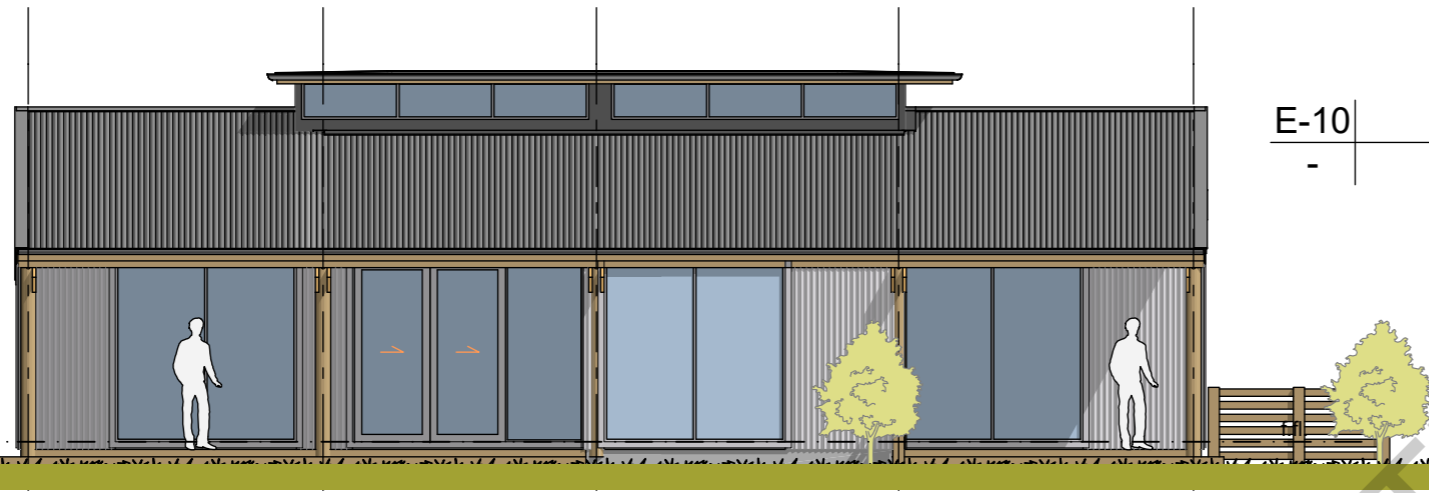
-Selected corrugate colorsteel roofing with matching fixings & flashings.

-Selected colorsteel spouting system fixed as per manufacturers specifications to colorsteel fascia board.

-Selected corrugate colorsteel vertical cladding cladding direct fixed to timber frame walls as per NZS 3604 2011.

-Selected aluminium window & door joinery flashed & sealed to exterior cladding.

-Confirm levels on site before construction.



E-10 OFFICE WEST ELEVATION

sg - Safety glass as per NZBC requirements.

-Selected corrugate colorsteel roofing with matching fixings & flashings.

-Selected colorsteel spouting system fixed as per manufacturers specifications to colorsteel fascia board.

-Selected corrugate colorsteel vertical cladding cladding direct fixed to timber frame walls as per NZS 3604 2011.

-Selected aluminium window & door joinery flashed & sealed to exterior cladding.

-Confirm levels on site before construction.



E-12 OFFICE SOUTH ELEVATION

sg - Safety glass as per NZBC requirements.

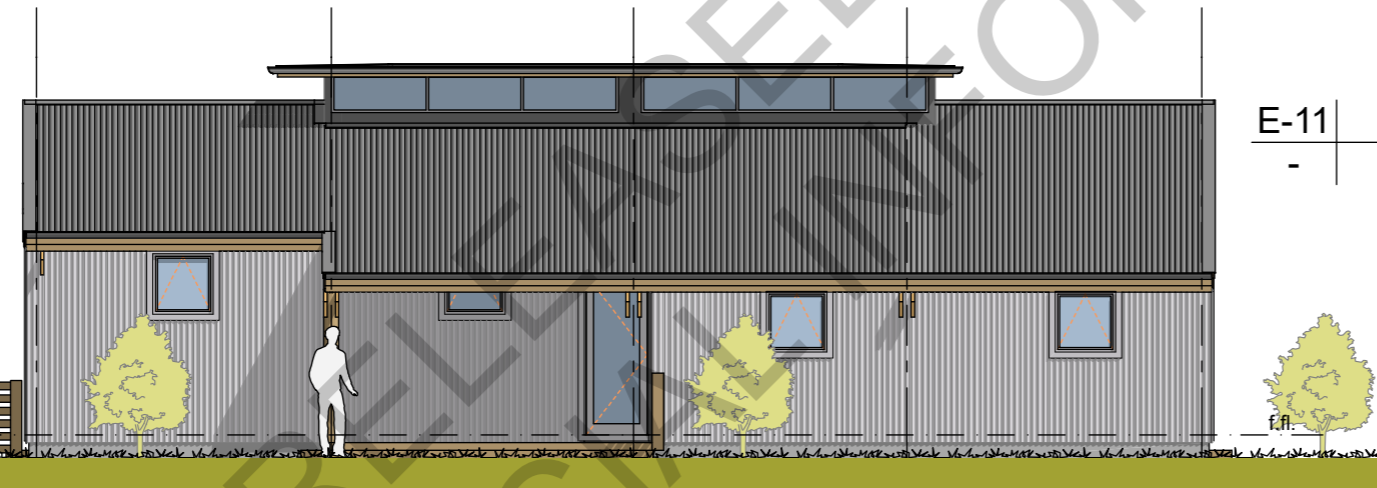
-Selected corrugate colorsteel roofing with matching fixings & flashings.

-Selected colorsteel spouting system fixed as per manufacturers specifications to colorsteel fascia board.

-Selected corrugate colorsteel vertical cladding cladding direct fixed to timber frame walls as per NZS 3604 2011.

-Selected aluminium window & door joinery flashed & sealed to exterior cladding.

-Confirm levels on site before construction.



E-11 OFFICE EAST ELEVATION

sg - Safety glass as per NZBC requirements.

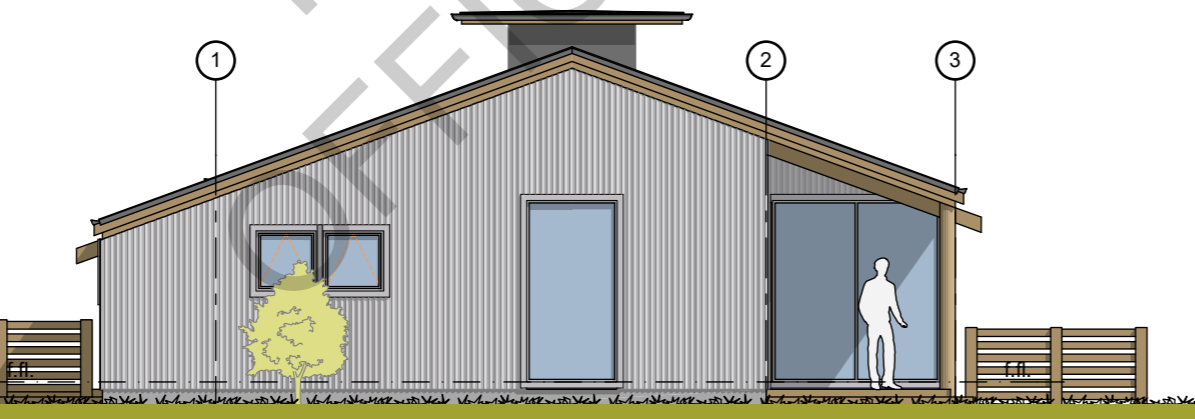
-Selected corrugate colorsteel roofing with matching fixings & flashings.

-Selected colorsteel spouting system fixed as per manufacturers specifications to colorsteel fascia board.

-Selected corrugate colorsteel vertical cladding cladding direct fixed to timber frame walls as per NZS 3604 2011.

-Selected aluminium window & door joinery flashed & sealed to exterior cladding.

-Confirm levels on site before construction.



E-09 OFFICE NORTH ELEVATION



Job Title **PROPOSED OFFICE DEVELOPMENT**

For **BINXI FOODS NZ Ltd**

At **REDCASTLE ROAD OAMARU**



Drawn	
Design	
Creation Date	00/00/2010
Plot Date	3/09/2015

Drawing Title **ELEVATIONS**

Drawing Number	Scale
203	1:100

ALL DIMENSIONS TO BE VERIFIED ON SITE

All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.



OFFICE PERSPECTIVE 1

OFFICE PERSPECTIVE VIEW 2



OFFICE PERSPECTIVE VIEW 3



de Geest
de Geest Construction Ltd
Future builders building futures

Job Title **PROPOSED OFFICE DEVELOPMENT**

For **BINXI FOODS NZ Ltd**

At **REDCASTLE ROAD OAMARU**



Drawn	
Design	
Creation Date	00/00/2010
Plot Date	3/09/2015

Drawing Title **PERSPECTIVE IMAGES**

Drawing Number	Scale
204	1:132.8441, 1:170.8859, 1:148.1357

ALL DIMENSIONS TO BE VERIFIED ON SITE

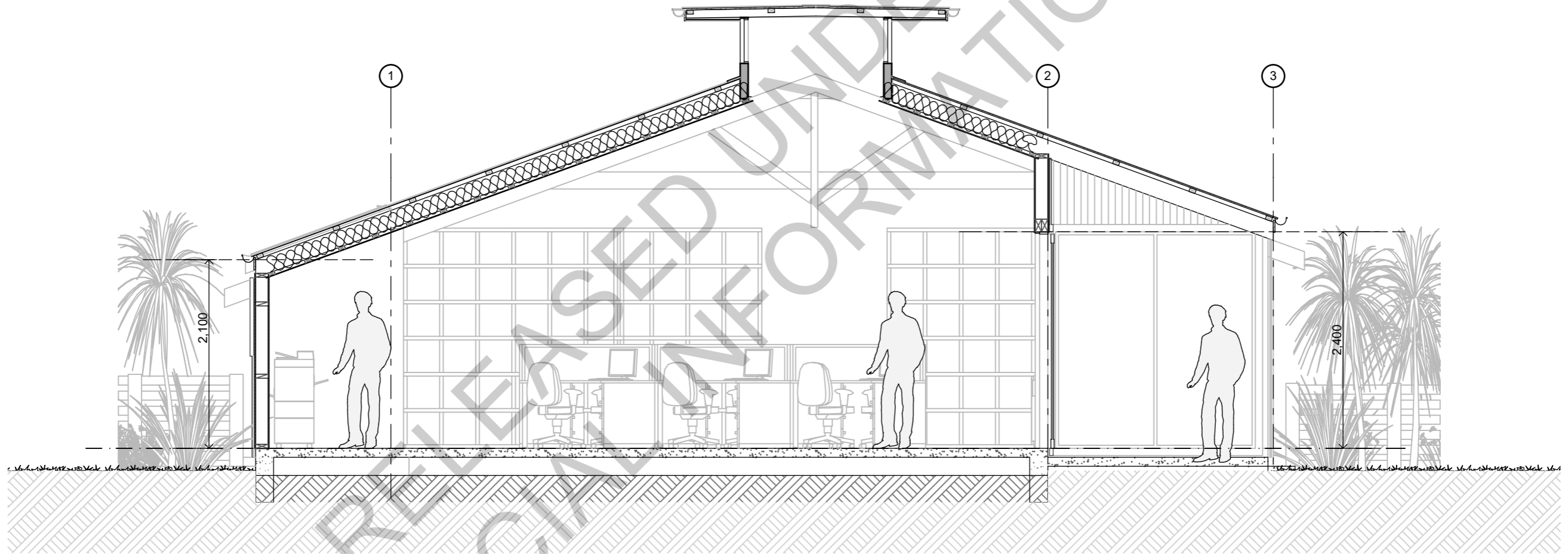
All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.



INTERIOR PERSPECTIVE 2



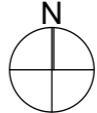
INTERIOR OFFICE PERSPECTIVE 1



D CROSS SECTION

All workmanship and materials shall be in accordance with New Zealand Standards 3604:2011 and the Building Act: 2004. All non specific construction shall be in accordance with the provisions of the New Zealand Building Code. The contractor shall verify all dimensions on site before commencing work. Written dimensions are to take priority over scaled dimensions. All plans are to be read in conjunction with the specifications and Engineer's details.



Job Title	PROPOSED OFFICE DEVELOPMENT		Drawing Title		
For	BINXI FOODS NZ Ltd		CROSS SECTION		
At	REDCASTLE ROAD OAMARU		Drawn Design Creation Date 14/09/2009 Plot Date 3/09/2015	Drawing Number 205	Scale 1:50, 1:203.6785, 1:243.2696
ALL DIMENSIONS TO BE VERIFIED ON SITE					