

Our Ref 21-058

15 October 2020

Fern Simmons

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Dear Fern

**Response to your official information request**

Thank you for your clarified official information request received on 6 September 2020 for

*"the executive summary and consent conditions, in relation to the "benefit to New Zealand test", "increased housing, non-residential, and incidental residential use tests", and "special forestry test" decided in the month ending 31 August 2020"*

Your request relates to four applications by James Fletcher Drive: 202000239, Tasman Tourism New Zealand Ltd: 201900676 and 202000202, Resources Investment Pte Ltd: 202000228, and Cloudy Bay Vineyards Limited: 201900453.

In relation to your request we have decided to release certain documentation in part.

In an endeavour to get some of the requested documentation to you as soon as possible, we are releasing the documentation in tranches.

You received the first tranche of the documentation on 2 October:

- a copy of the executive summary and notice of decision (case201900453)
- a copy of the executive summary and notice of decision (case 201900676)

Please see attached second tranche of the documentations:

- a copy of the executive summary and notice of decision (case 202000239)
- a copy of the executive summary and notice of decision (case 202000228)

In relation to the case 202000228 executive summary paragraph 41 the applicant's legal consultant have advised that there was a misinterpretation and the correct interpretation of the later part of the paragraph being:

*"but because of sluggish timber sales and falls in world timber prices default situations have arisen under both facilities."*

would more correctly be:

*"TriLinc acquiesced in the delayed payments under its facility to Zindia Timber Assets."*

We are of the view that the withholding information in executive summaries for cases 202000239 and 202000228 is not outweighed by considerations which render it desirable in the public interest to make that information available. Such information has been withheld in terms of section 9(2)(b)(ii) of the Official Information Act 1982.

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

If you wish to discuss this decision with us, please feel free to contact [ministerialsupport@linz.govt.nz](mailto:ministerialsupport@linz.govt.nz).

Yours sincerely

A handwritten signature in blue ink that reads "M Appleyard."

**Michael Appleyard**  
**Manager Applications (Residential & Forestry)**