

Overseas Persons Buying Lifestyle Property?

Lifestyle properties in New Zealand are often non-urban land and exceed 5 hectares. That makes them "sensitive land". Lifestyle properties under 5 hectares may also be sensitive land for other reasons, for example being adjacent to lakeside reserve or conservation estate.

If you are an overseas person then you need consent from the Overseas Investment Office to acquire any interest in sensitive land. You cannot avoid this requirement by having someone else buy on your behalf or in collaboration with you.

Exceptions

- If you have a residence permit and either you are domiciled in New Zealand or you have been living here for a year and intend to stay indefinitely, then you have ceased to be an overseas person.
- If you are buying with your spouse or partner who is a New Zealand resident or citizen, then you do not need OIO consent.

Getting OIO consent

You can get OIO consent by proving that you intend to live in New Zealand indefinitely. You can also get OIO consent by proving that your investment here will benefit New Zealand.

Some examples of ways to benefit to New Zealand economically are:

- Starting up a business in New Zealand that will create new jobs;
- Rescuing a New Zealand business, to retain jobs;
- Improving the efficiency or productivity of a New Zealand business, especially by using your skills and experience in that industry sector;
- Adding to market competition or enhancing services provided in New Zealand;
- Investing capital in a New Zealand business for development purposes.

Some examples of other ways to benefit the New Zealand public are:

- Protecting a significant area of native environment, e.g. fencing off native bush or wetlands;
- Protecting a site of historic heritage;
- Providing public walking access, particularly to areas of significance and where there is inadequate public access at present;
- Supporting a local community organisation.

We can help

We would be happy to advise you about your particular situation and help you get OIO consent if that is needed.

Lesley Brook
Partner
03 467 7764
0274 345 295