

29 July 2022

Committee  
Action and Info Group – Bonair Crescent  
[actionandinfogroup.bonaircres@gmail.com](mailto:actionandinfogroup.bonaircres@gmail.com)

Dear Action and Info Group - Bonair Crescent

Thank you for your email dated 9 May 2022 requesting the following information under the Official Information Act 1982 (the Act):

*The members of the Bonair Action Group wish to make a request under the Official Information Act for information held by Kainga Ora (formerly Housing New Zealand) in relation to the purchase of 153 Bonair Crescent, Silverdale, Auckland 0932.*

*We understand some of this information is already in the public domain, but we require confirmation.*

I will respond to your questions in turn below.

1. *Please confirm the exact details of the sale of this property to Kāinga Ora/Housing New Zealand as follows:*

a) *Please confirm the date of purchase was 27 March 2020, or provide the correct date if this is incorrect.*

I can confirm the sale and purchase agreement for 153 Bonair Crescent, Millwater was signed on 27 March 2020 and settlement was completed on 19 June 2020.

b) *Please confirm the purchase price was NZ\$5,002,500, or provide the correct purchase price if this is incorrect.*

I can confirm this is the correct final settlement price including GST and sundries.

c) *Please confirm the vendor of this property prior to its acquisition by Kāinga Ora/HNZ.*

I can confirm the vendor was Bonair Developments Limited.

d) *Please confirm whether Kāinga Ora/HNZ was the sole bidder for this property prior to purchase. If not, please detail roughly how many other bidders were involved, to*

*the best of the knowledge or information held by Kāinga Ora or its staff.*

I am declining this part of your request under section 18(g) of the Act as the information you have requested is not held by Kāinga Ora.

2. *Please detail the process carried out by Kāinga Ora in determining to offer the final \$5,002,500 purchase price, including any negotiations held with developers or other interested parties, including banks or finance providers.*

Kāinga Ora staff conducted significant pre purchase due diligence in line with our standard internal processes. The purchase was signed off as per Kāinga Ora settlement delegations.

- a) *Please provide any email chains, internal documentation held in relation to the internal discussions and any negotiations held.*

Please find enclosed with this response Appendix A – Internal Paper for 153 Bonair Crescent. I am withholding the information contained on page 15 under section 9(2)(j) of the Act, as ‘withholding is necessary to enable the agency to carry on negotiations without prejudice or disadvantage’.

An internal email search returned no results for emails mentioning both ‘Bonair’ and ‘negotiation’. Therefore, I am declining the part of your request that asks for ‘email chains’ under section 18(e) of the Act as ‘the document alleged to contain the information requested does not exist or, despite reasonable efforts to locate it, cannot be found.’

- b) *Please confirm whether Kāinga Ora accessed any LIM documents relating to this site prior to purchase, the cost of access (if any) and from which authorities.*

I can confirm Kāinga Ora did not order a LIM report.

- c) *Please confirm any earlier offers made on this property by Kāinga Ora, HNZ or any other NZ Government entities, if any, and detail the date(s) and amount(s) offered.*

Kāinga Ora did not make any prior offers on this property.

3. *Please provide the names, if any, of any other New Zealand Government entities and other parties that were consulted or in any other way involved in this purchase.*

There were no other New Zealand Government entities or parties involved in this purchase. The Bonair Crescent site was acquired for public housing delivery and was acquired below the threshold that needs additional governmental sign off.

4. *Please confirm whether Kāinga Ora consulted, entered into discussions with, or requested information from any other entities (central, local government, or otherwise) regarding this property prior to purchase.*

I can confirm the following companies or organizations were consulted:

- Creative Arch
- Forme Planning
- Young & Richards
- KGA Geotechnical Group Limited and
- Auckland Council

5. *Please confirm whether any companies or entities in the following sectors were engaged by Kāinga Ora in relation to the purchase. Please confirm how many companies, if any, for each of the below sectors, date of engagement, and whether the engagement has concluded or is ongoing.*

- a) *Architectural and Built environment, including building design.*

Kāinga Ora engaged the services of Creative Arch in 2020. This engagement is ongoing.

- b) *Land valuation professionals.*

Kāinga Ora engaged the services of Extensor to produce a valuation report for the Bonair site prior to purchase, which was completed in March 2020. This engagement has concluded.

- c) *Legal advice.*

No external engagement was undertaken in this area.

- d) *Resource management, planning and urban design.*

Kāinga Ora engaged the services of Forme Planning; Young and Richards and KGA Geotechnical Group Limited in 2020. These engagements have concluded.

- e) *Three Waters (stormwater, drinking water and waste water).*

Kāinga Ora worked with Tonkin and Taylor from 30 March 2020 to 24 April 2020.

- f) *Traffic management and roading.*

Kāinga Ora worked with Tonkin and Taylor from 30 March 2020 to 24 April 2020.

- g) Housing providers or charities or other similar organisations involved in carrying out the same.*

No external engagement was undertaken in this area.

- h) Communications strategy, community engagement, co-design or similar.*

No external engagement was undertaken in this area.

- 6. Please provide full email correspondence (legal, email or otherwise) between the vendor of the land and Kāinga Ora in relation to this property.*

An email search between the vendors of the land and Kāinga Ora staff returned over 550 results. Therefore, I am declining this part of your request under section 18(f) of the Act, as 'the information requested cannot be made available without substantial collation or research'.

- 7. Please provide any business plan(s) or similar documentation produced by or for Kāinga Ora relating to this site.*

Please find enclosed with this response Appendix B – Business Case. I am withholding portions of this briefing under section 9(2)(j) of the Act, as 'withholding is necessary to enable the agency to carry on negotiations without prejudice or disadvantage.'

- 8. Please provide any development plans/layouts or similar documentation produced by or for Kāinga Ora relating to this site.*

Please find enclosed with this response Appendix C – Design Plans by Creative Arch, Appendix D - Design Plans by Creative Arch (Block A), Appendix E - Design Plans by Creative Arch (Block B), and Appendix F—Design Plans by Creative Arch (Block C).

- 9. Please provide photos taken on the site and surrounding area (houses, amenities, shops, schools, and parks).*

Kāinga Ora did not take any photos of the site or surrounding areas. Therefore, I am declining this part of your request under section 18(e), as 'the document alleged to contain the information requested does not exist or, despite reasonable efforts to locate it, cannot be found.'

- 10. Please provide details of site visits involving Kāinga Ora staff members, or any contractors or outside parties as part of any agreements with Kāinga Ora.*

Kāinga Ora contracted this acquisition during the first COVID-19 lockdown period, therefore visits were limited. The Extensor valuer visited the site during the due

diligence period and a member of the Kāinga Ora Market Delivery team visited the site prior to contracting the property. Due to COVID-19 alert level restrictions, the Market Delivery team visited the property after settlement when restrictions allowed.

- a) *Please provide how many Kāinga Ora staff members and at what level visited the site before the agreement was signed on 27th March 2020?*

I refer you to the answer above. Please note the settlement date was 19 June 2020.

- b) *Please provide information on what Kāinga Ora staff level was responsible for signing off on this land purchase.*

This acquisition was approved at the Director level, also known as Tier 3.

11. *Please confirm whether any engagement plans have been prepared in advance of discussions with the local community and any other stakeholders, including local boards, ward councillors, MPs, and any other Auckland Council entities, including Auckland Council, Watercare, Auckland Transport.*

At the time this request was received, no engagement plans had been prepared for this site. Many residents of Millwater have expressed feeling taken by surprise over the plans for 153 Bonair Crescent and upset that Kāinga Ora did not consult with the community sooner. As communicated in recent media, we agree that we should have engaged with residents much earlier than we did, and we acknowledge this.

We want to start over and engage properly with this community. This engagement is now underway, including through our Social Pinpoint engagement tool on our website. We encourage you to visit this and have your say (Bonair | Social Pinpoint ([kaingaora.govt.nz](http://kaingaora.govt.nz))).

In the interim, Kāinga Ora has suspended any decision about how we progress the site so that we can listen and understand the community's aspirations for the area.

*Please provide the papers in full, or if these are withheld due to pending discussions, the dates of final draft, and number of Kāinga Ora staff members engaged.*

At the time this request was received, no engagement plans had been prepared for this site. Therefore, I am declining your request under section 18(e) of the Act, as 'the document alleged to contain the information requested does not exist or, despite reasonable efforts to locate it, cannot be found'.

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

Please note that Kāinga Ora proactively releases our responses to official information requests where possible. Our response to your request may be published at <https://kaingaora.govt.nz/publications/official-information-requests/> with your personal information removed.

Yours sincerely



Patrick Dougherty  
**General Manager – Construction and Innovation**