

10 May 2023

s9(2)(a)



Thank you for your email of 10 January 2023 to Kāinga Ora - Homes and Communities, requesting the following information under the Official Information Act, 1982 (the Act).

1. *Please provide records of any meetings held by members of Kainga Ora staff with the Ministry of Housing and Urban Development or any Ministers relating to the purchase of the property at Bonair Crescent, Silverdale, between 1 April 2019 and the date of this request (dates include failed 2019 negotiations).*
2. *Please include copies of briefing documents provided to yourself, members of the Kainga Ora executive team, or any Ministers with responsibility for public or social housing, or the housing portfolio generally.*
3. *Records of discussion, notes of conversation, or any recollections of meetings concerning this document (whether in written record, draft email, internal email communication or otherwise).*
4. *Whether this purchase was personally approved by your or your Minister*
5. *Please provide the date on which you first became aware Kainga Ora (or its predecessor Housing NZ, or any other related entities) were considering purchase of 153 Bonair Crescent*
6. *Which if any members of the Executive team were involved in discussions concerning the purchase, and at what level the purchase was signed off.*

I acknowledge that this request seeks information about the role Kāinga Ora played in the acquisition of 153 Bonair Crescent, Millwater, Silverdale and we sincerely apologise for the delay in responding to your request. Please refer to our response below:

Question one: Please provide records of any meetings held by members of Kainga Ora staff with the Ministry of Housing and Urban Development or any Ministers relating to the purchase of the property at Bonair Crescent, Silverdale, between 1 April 2019 and the date of this request (dates include failed 2019 negotiations).

Kāinga Ora did not consult with the Ministry of Housing and Urban Development (HUD) or any Ministers relating to the purchase of the property at Bonair Crescent, Silverdale, between 1 April 2019 to 10 January 2023, as it did not meet the threshold for consultation. Cabinet Office Circular CO (19) 6 sets out Cabinet's expectations for the management of investments. You can find more guidance on this within the Cabinet Office Circular here: [CO \(19\) 6: Investment Management and Asset Performance in the State Services](#)

Therefore, I am refusing this part of your request under section 18(e) of the Act, *that the document alleged to contain the information requested does not exist or, despite reasonable efforts to locate it, cannot be found.*

Question two: Please include copies of briefing documents provided to yourself, members of the Kāinga Ora executive team, or any Ministers with responsibility for public or social housing, or the housing portfolio generally.

Question three: Records of discussion, notes of conversation, or any recollections of meetings concerning this document (whether in written record, draft email, internal email communication or otherwise).

Prior to, or at the time of the purchase, there were no briefings about the purchase of 153 Bonair Crescent provided to me, members of the Kāinga Ora executive team, or any Ministers with responsibility for public or social housing, or the housing portfolio, as the acquisition was actioned through the Market Delivery team.

As no copies of briefings were provided at that time to me, members of the Kāinga Ora executive team, or any Ministers, we did not locate any records of discussion, notes of conversation, or any recollections of meetings concerning this document (whether in written record, draft email, internal email communication or otherwise).

Therefore, I am refusing both parts of your request for briefings and email communications under section 18(e) of the Act.

All relevant business cases, plans and papers relating to the acquisition of 153 Bonair Crescent have been released previously under the Act here:

- [Appendix A Internal Paper \[PDF, 4.5 MB\]](#)
- [Appendix B Business Case Part1 \[PDF, 30 MB\]](#)
- [Appendix B Business Case Part2 \[PDF, 11 MB\]](#)
- [Appendix C Creative Arch plans and design \[PDF, 27 MB\]](#)
- [Appendix D Creative Arch plans and designs for Block A \[PDF, 15 MB\]](#)
- [Appendix D Creative Arch plans and designs for Block B \[PDF, 17 MB\]](#)
- [Appendix D Creative Arch plans and designs for Block C \[PDF, 14 MB\]](#)

Question four: Whether this purchase was personally approved by you or your Minister

The purchase of 153 Bonair Crescent was approved by the Market Delivery Director of Kāinga Ora for a purchase price of \$5,002,500 including GST and sundries. The sale and purchase agreement was signed on 27 March 2020 and settlement was completed on 19 June 2020. As advised in our response to question one, Kāinga Ora was not required to consult with relevant Ministers.

I approved the payment of the purchase on 18 June 2020 in our financial system as this was a requirement of our financial delegations at this time, which required sign-off from the Chief Executive for land purchases over \$5 million. However, the business case and decision to purchase the land was approved by the Market Delivery Director. Kāinga Ora staff conducted significant pre-purchase due diligence in line with our standard internal processes.

Question five: Please provide the date on which you first became aware Kāinga Ora (or its predecessor Housing NZ, or any other related entities) were considering purchase of 153 Bonair Crescent.

As per the previous answer, I first became aware of the purchase of 153 Bonair Crescent when I received the request to approve payment.

I understand that the first negotiations with the vendor began in May 2019.

Question six: Which if any members of the Executive team were involved in discussions concerning the purchase, and at what level the purchase was signed off.

Please refer to our responses above.

You have the right to seek an investigation and review by the Ombudsman of this response to your request. Information about how to make a complaint is available at www.ombudsman.parliament.nz or by calling 0800 802 602.

Kāinga Ora proactively releases its responses to official information request where possible, and our response to your request may be published at www.kaingaora.govt.nz/publications/official-information-requests/ with your personal information removed.

Ngā mihi

A handwritten signature in black ink, appearing to read 'A. McKenzie', written in a cursive style.

Andrew McKenzie
Chief Executive