



DOIA21/22020693

F Jones

[fyi-request-18504-7b99c8fd@requests.fyi.org.nz](mailto:fyi-request-18504-7b99c8fd@requests.fyi.org.nz)

Dear F Jones,

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

*I request under the Official Information Act, all advice from the Ministry of Housing and Urban Development to the Minister of Housing since 1 July 2021, on the following:*

- a. The performance of Kāinga Ora*
- b. Kāinga Ora investment business cases*
- c. Improving the Ministry's oversight and performance monitoring of Kāinga Ora WCC's compliance with - and performance in relation to - the "Deed of Grant" signed with the Crown.*
- d. With reference to briefing number BRF2021040921 (proactively released by the Ministry under the OIA), please provide a copy of the "improved reporting" referred to in paragraph 68, and clarify whether this improved reporting allows the Ministry to now "report back on value for money and to track the deliverables that the borrowing requirements help finance"?*

We have identified a total of 16 documents within scope of parts A and B of your request. Information relating to these documents can be found in Annex One.

Five documents are being withheld in full under section 9(2)(f)(iv) of the Act, to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials. In addition, eleven documents are being released with some information redacted as it is out of scope, or withheld under the following sections of the Act:

<b>Section of Act</b>	<b>Reason to withhold</b>
9(2)(a)	protect the privacy of natural persons, including that of deceased natural persons
9(2)(b)(ii)	protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information
9(2)(f)(iv)	maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials
9(2)(g)(i)	maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty
9(2)(j)	enable a Minister of the Crown or any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

With regards to parts C and D of your request, we are refusing these parts of the request under the following sections of the Act:

Section of Act	Reason to withhold
18(e)	that the document alleged to contain the information requested does not exist or, despite reasonable efforts to locate it, cannot be found:

Kāinga Ora reports organisational progress through a number of different mechanisms and one singular performance report does not exist. The idea of 'improved reporting' in section 68 refers to an aspirational state for reporting overall and investment business case progress reporting will include increased value-for-money measures.

In terms of section 9(1) of the Act, I am satisfied that, in the circumstances, the decision to withhold information under section 9 of the Act is not outweighed by other considerations that render it desirable to make the information available in the public interest.

You have the right to seek an investigation and review of my response by the Ombudsman, in accordance with section 28(3) of the Act. The relevant details can be found on the Ombudsman's website [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

As part of our ongoing commitment to openness and transparency, the Ministry proactively releases information and documents that may be of interest to the public. As such, this response, with your personal details removed, may be published on our website.

Yours sincerely



Katie Wellington  
**Head of Crown Entity Performance and Monitoring**  
**Crown Entity and Monitoring Team**

## Annex One: Document schedule

Documents to be released		
Date	Title	Sections of the Act applied
3/12/22	Emerging headwinds to residential development and construction and meeting with the Chair of Kāinga Ora to discuss associated delivery risks	S 9 (2)(a) S 9 (2)(f)(iv)
15/10/21	Meeting with Kāinga Ora to discuss impacts of COVID-19	S 9 (2)(a) S 9 (2)(g)(i)
31/01/22	Weekly status report – 31 Jan 2022	Out of scope
23/11/21	Kāinga Ora Arlington Sites Redevelopment proposal	S 9 (2)(a) S 9 (2)(f)(iv) Out of scope
04/02/22	Kāinga Ora investment decision-making practice	S 9 (2)(a) S 9 (2)(f)(iv) S 9 (2)(g)(i)
17/09/21	Kāinga Ora proposed acquisition of 95ha of rural land in Tauriko, for housing development	S 9 (2)(a) S 9 (2)(f)(iv) S 9 (2)(g)(i) S 9 (2)(j)
30/07/21	Kāinga Ora – Homes and Communities Board: Proposed approach to appointments	S 9 (2)(a) S 9 (2)(g)(i)
03/12/21	Kāinga Ora – Homes and Communities Board: Draft Cabinet paper to progress	S 9 (2)(a) S 9 (2)(g)(i)
12/21	Annex A – Draft letter to Helen O’Sullivan	S 9 (2)(a)
12/21	Annex B - Kāinga Ora- Homes and Community Board Appointment	Released in full
12/21	Annex C – APH Organisation Form	S 9 (2)(a)

Documents refused		
Date	Title	Section of the Act applied
01/22	[Title withheld]	S 9 (2)(f)(iv)
02/22	[Title withheld]	S 9 (2)(f)(iv)
12/21	[Title withheld]	S 9 (2)(f)(iv)
12/21	[Title withheld]	S 9 (2)(f)(iv)
09/21	[Title withheld]	S 9 (2)(f)(iv)