
URGENT DECISION OF THE

Waitematā Local Board

Submission on the Healthy Homes Standards MBIE consultation

AUTHORITY TO EXECUTE THIS URGENT DECISION

Urgent Decision Process WTM/2016/181

- a) That the Waitematā Local Board:
- i) adopts the urgent decision process for matters that require a decision where it is not practical to call the full board together and meet the requirement of a quorum.
 - ii) delegates authority to the Chair and Deputy Chair or any person acting in these roles to make an urgent decision on behalf of the local board.
 - iii) requests that all urgent decisions be reported to the next ordinary meeting of the local board.

EXECUTIVE SUMMARY

1. The Ministry of Business, Innovation and Employment is consulting on healthy homes standards for rental properties until 22 October 2018.
2. These standards will set minimum requirements for:
 - Provision of heating devices
 - Level of floor and ceiling insulation
 - Ventilation through provision of windows and extractor fans
 - Draught-stopping
 - Moisture entry and drainage
3. In each of these areas, the ministry is consulting on various options. Depending on the options chosen, the standards have potential to impact significantly on local communities in Auckland.
4. If higher standards are chosen, the 38.5 per cent of Aucklanders who live in rental properties will have the right to warmer, drier homes, potentially improving their levels of health and wellbeing.
5. Auckland Council is making a submission in response to this consultation and this will be recommended to the Environment and Community Committee for their approval on 16 October 2018.
6. Local boards are invited to provide feedback on this consultation and formal local board submissions will be attached verbatim to the Auckland Council regional submission.
7. To be considered by the Environment and Community Committee, local board submissions are required by Monday 15 October.

RECOMMENDATIONS

That the Waitematā Local Board:

- a) approve the feedback, as contained in attachment A, on the Healthy Homes Standards.

REASON FOR URGENCY

8. The case for an urgent decision is made due to local board feedback being required by the 15 October in order for it to be considered by the Environment and Community Committee.
9. The Waitematā Local Board's next scheduled business meeting will be held on 16 October 2018 meaning the local board cannot resolve on their feedback until after the matter has been considered by the Environment and Community Committee.
10. The urgent decision will be reported to the local board during the next scheduled meeting.

DISCUSSION

11. In December 2017 the New Zealand Government passed the Health Homes Guarantee Act (no 2). This Act enables the government to create regulations that set minimum standards to create warmer, drier rental homes (the healthy homes standards).
12. The consultation document seeks feedback on five healthy homes standards:
 - **Heating:** *this includes questions such as 'what minimum achievable indoor temperature should heating devices be sized for in rental homes' and 'where should heating be located'?*
 - **Insulation:** *what is an appropriate level of insulation for rental homes and how should the condition of insulation be assessed?*
 - **Ventilation:** *what is an appropriate level of ventilation to ensure rental homes have adequate airflow in areas of high moisture?*
 - **Moisture ingress and drainage:** *are existing laws for rental homes sufficient to protect against moisture and inadequate drainage or could regulations better protect against moisture entering the home?*
 - **Draught stopping:** *what appropriate measures should landlords take to stop draughts in a rental home?*
13. The discussion document also seeks feedback on two other questions:
 - *When and how should the healthy homes standards be implemented?*
 - *When and how should the healthy homes standards be enforced?*
14. Depending on the options chosen through the consultation process, the standards have potential to significantly improve the wellbeing of local communities in Auckland.
15. Cold and damp rental homes affect a large proportion of New Zealanders, with 38.5 per cent of Aucklanders living in rental homes.
16. New Zealand research shows that children who live in poor quality rental homes are at greater risk of being hospitalised, especially for diseases linked to housing quality and that children are more likely to be re-hospitalised from the effects of cold, damp homes.
17. Low-income, older people, children, disabled people and Māori and Pacific people are more likely than other groups to live in cold and damp rental homes. This impact is particularly

relevant to Auckland where 14.2 per cent of the population identifies as Māori and 12 per cent as Pasifika.

18. The World Health Organisation recommends a minimum indoor temperature for the elderly, young and infirm of 20 degrees and 18 degrees for others.
19. The standards will also have financial impacts on some Aucklanders, as landlords will need to pay to reach the proposed standards and may pass on some of these costs to their tenants.
20. Auckland Council is currently developing a draft submission on the options proposed in the consultation document. This submission has not yet been finalised but will be aligned to the relevant key directions and focus areas of the Auckland Plan which include:
 - Improve health and wellbeing of all Aucklanders by reducing harm and disparities in opportunities
 - Aucklanders live in secure, healthy and affordable homes, and have access to a range of inclusive public places
 - Advancing Māori wellbeing through improving the specific needs of vulnerable tamariki and whānau, particularly whānau who are experiencing substandard housing and homelessness

General

21. The recommendations contained in this report fall within the local board's delegated authority.

DECISION

AUTHORISED FOR RELEASE

Trina Thompson
Relationship Manager/Senior Advisor, Waitematā Local Board




SIGNATORIES

Pippa Coom
Chair, Waitematā Local Board



Shale Chambers
Deputy Chair, Waitematā Local Board



DATE:

9 October 2018

Memorandum

9 October 2018

To: Penny Hulse, Chair, Environment and Community Committee
Alf Filipaina, Deputy Chair, Environment and Community Committee

Cc: Claes Sandstrom – Senior Policy Advisor
Sonja Tomovska, Governance Advisor
All Waitematā Local Board members

Subject: Feedback on the MBIE consultation on Healthy Homes Standards

From: Waitematā Local Board

Purpose

1. To provide Waitematā Local Board's feedback on the Ministry of Business, Innovation and Employment (MBIE) consultation on Healthy Homes Standards

Summary

- The local board believes that having a safe and secure home is a basic human right and urge the government to step up its efforts to provide shelter for our most vulnerable citizens.
- The Waitematā Local Board supports substantially higher standards for healthy homes than those currently applying. This appears necessary to ensure that children, vulnerable people and older adults are not subjected unnecessarily to chronic and repeated health problems generated or perpetuated by inadequacies in characteristics of, or facilities in, their homes
- The Waitematā Local Board provides recommended responses on the seven issues raised in MBIE's Discussion Document on Healthy Homes Standards

Context/Background

2. The Waitematā Local Board area encompasses Auckland's city centre and fringe retail area as well as the inner-city residential suburbs, stretching to Parnell and Newmarket town centre in the east and Westmere in the west.
3. The current population is estimated to be 101,700. The 2013 census indicated only 39 per cent of residents in the local board area owned their own homes, compared to 61 per cent across the wider Auckland area.
4. There are significant areas of high deprivation in the local board area including areas close to the tertiary education facilities where students, including international students, live.
5. Housing insecurity is a very visible issue in central Auckland. The local board supports the Housing First project and is proud to work with the Auckland City Mission, Lifewise, Housing NZ and other service providers on creating enduring solutions for people facing homelessness in our area.
6. We have been supporting community groups that provide interim relief for problems that those without shelter face on a daily basis for example, funding a programme that enables access to showers at Ellen Melville inner-city community centre.
7. The local board believes that having a safe and secure home is a basic human right and urge the government to step up its efforts to provide shelter for our most vulnerable citizens.

Responding to the discussion document

8. The Waitematā Local Board supports substantially higher standards for healthy homes than those currently applying. This appears necessary to ensure that children, vulnerable people and older adults are not subjected unnecessarily to chronic and repeated health problems generated or perpetuated by inadequacies in characteristics of, or facilities in, their homes.

Section 1 - Heating

The Waitematā Local Board recommends the following responses to the options for heating requirements, which will provide healthier homes particularly for children and vulnerable adults.

- 1.1 Adopt Option 2 where landlords are required to provide heating in the living room and also in bedrooms, particularly for those used by children and vulnerable and older adults
- 1.2 Adopt the formula in Appendix 1 to determine the capacity for heating devices to achieve the appropriate indoor temperature and use it as a user-friendly online tool.
- 1.3 Support Option 2 where heaters must be capable of achieving an indoor temperature of at least 20 degrees as this is strongly recommended for children and vulnerable adults and it cannot be predicted who the tenants will be in future, and they may well come into these categories.
- 1.4 Adopt Option one, where landlords provide fixed heating devices only. Portable ones can be subject to theft, inappropriate use and causing fires.
- 1.5 It is recommended that unflued heaters should not be acceptable to be used for the heating standard, nor open fires on their own.

Section 2 - Insulation

- 2.1 The board recommends the middle option, option 2. This would mean that landlords must replace or retrofit ceiling and underfloor installation in their rental home if it is not in a reasonable condition and, when originally installed, the ceiling did not have the Rv value of at least 1.9 in Auckland and underfloor at least 1.3.
- 2.2 Supports adopting Option 2, whereby the degradation of insulation under "reasonable Condition" is assessed to meet the requirements of the above Option 2.
- 2.3 In order for landlords to show compliance with the insulation standard landlords should retain all records of purchase, installation, maintenance and repair on insulation and the assessed R-value certification achieved and include a summary of the standards achieved in the Tenancy Agreement.

Section 3 - Ventilation

- 3.1 The level of ventilation required should be Option 3: openable windows and extractor fans in rooms with a bath, shower or indoor cooktop.

Section 4 - Moisture ingress and drainage

- 4.1 The board provides a recommended response to the question: "*How should landlords protect rental homes against moisture entering the home and inadequate drainage?*" This is Option two: Landlords install a ground moisture barrier if vents are not adequate and that drainage must be efficient.

Section 5- Draught Stopping

- 5.1 "*What is the appropriate level of draught stopping to create warm and dry rental homes?*" The local board supports Option two: Require the stopping of unnecessary gaps or holes that cause noticeable draughts.
- 5.2 It is recommended that all requirements for draught stopping is included in the standard.

Section 6 - Date to comply with the Standards

6.1 *Date to comply with the healthy home standards?*

The board recommends Option two: A single compliance date.

We do not agree with the suggested single compliance date of 1 July 2022 and recommend it be brought forward a year to 1 July 2021 as we believe this will allow quite enough time for landlords, industry and government to comply.

Section 7 - Implementation

7.1 *When and how should the healthy home standards be enforced?*

The landlord should be required to retain and make available printed evidence of compliance with all of the healthy homes standards including the R-value certification for the insulation standard and records of the purchase, installation, repairs and maintenance of materials and work to achieve and maintain the other standards.

A summary of all this information should be required to be included in the tenancy agreement and also a description of the heating system, insulation, drainage and the mechanical ventilation supplied in the kitchen and bathroom.

A Warrant of Fitness system should be introduced as part of the means to achieve compliance and enforcement. A national public body to set and enforce standards and compliance should be required.

Safety

In our view, for a home to be healthy it also needs to be safe. We believe that the Healthy Homes guarantee Act or other legislation needs to be strengthened to ensure appropriate safety measures in homes. These would include window catches, railing around above ground decks, banisters on stairs and, where there are toddlers, a gate at the top of stairs and kiddy covers on power points.

