

Report 2016.267
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File CCAB-8-623

Committee Council
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Submission on the Healthy Homes Guarantee Bill (No.2)

1. Purpose

To seek Council approval of a submission on the Healthy Homes Guarantee Bill (No.2).

2. Background

The Healthy Homes Guarantee Bill (No.2) is a Member's Bill in the name of Andrew Little. It had its first reading in Parliament on 5 May 2016, and gained enough support to be referred to the Government Administration Select Committee. The Committee has invited submissions on the Bill, with a closing date of 23 June 2016.

The Bill amends the Residential Tenancies Act 1986 with the purpose of ensuring that every rental home in New Zealand meets minimum standards of heating and insulation. The Bill proposes the development of standards for:

- methods of heating
- methods of insulation
- indoor temperatures
- ventilation
- draught stopping; and
- drainage.

Landlords already have obligations under the Residential Tenancies Act with respect to the properties they let out. However, there is no guidance on the specific standards they must meet to ensure warm and dry accommodation.

The Bill proposes that The Ministry of Business, Innovation, and Employment set standards for rental properties within 6 months, and landlords be required to meet the standards as tenancies are reviewed over the next 5 years.

This Bill follows the passage of the Residential Tenancies Amendment Act (2016), which was given Royal assent on 2 June 2016. This Act imposes requirements on landlords in respect of insulation, and also smoke alarms, but none of the other matters required by the current Bill.

3. Comment

There has been much political debate surrounding regulations, standards, or a warrant of fitness to ensure rental properties are habitable. Whilst the Residential Tenancies Act has provisions in respect of habitability and tenant health, this has not been monitored or enforced by the Government. There has also been debate about insulation standards – to 1978 levels, 2001 levels, or 2008 levels, and which types of properties the standards should apply to.

Detractors of the current Bill say that rents will rise as a result of landlords having to meet the standards, and tenants will not be able to turn on the required heaters because they cannot afford to pay the power bill. Supporters say that insulation alone is not sufficient to provide warm and habitable homes and that additional ventilation and heating standards are required.

At a recent meeting with health NGOs, DHB reps and the Energy Efficiency and Conservation Authority, Councillors heard that insulation was a minimum requirement that would be addressed by the Amendment Act, but that heating, ventilation, enforcement and education are also required to improve health outcomes.

A submission to Select Committee has been drafted (**Attachment 1**) which addresses these points.

4. Communication

The final submission will be sent to the Government Administration Select Committee. No further communications are proposed.

5. The decision-making process and significance

Officers recognise that the matters referenced in this report have a high degree of importance to affected or interested parties.

The matters requiring decision in this report have been considered by officers against the requirements of Part 6 of the Local Government Act 2002 (the Act). Part 6 sets out the obligations of local authorities in relation to the making of decisions.

5.1 Significance of the decision

Part 6 requires Greater Wellington Regional Council to consider the significance of the decision. The term ‘significance’ has a statutory definition set out in the Act.

Officers have considered the significance of the matter, taking the Council's significance and engagement policy and decision-making guidelines into account. Officers recommend that the matter be considered to have low significance as the decision relates to feedback from the Council to another

organisation (the Government Administration Select Committee) who will make the final decisions in relation to the subject proposal.

Officers do not consider that a formal record outlining consideration of the decision-making process is required in this instance.

5.2 Engagement

Engagement on the matters contained in this report aligns with the level of significance assessed. In accordance with the significance and engagement policy, no engagement on the matters for decision is required.

6. Recommendations

That the Council:

1. ***Receives the report.***
2. ***Notes the content of the report.***
3. ***Approves the submission on the Healthy Homes Guarantee Bill (No.2) to the Government Administration Committee as set out at Attachment 1 to this report.***
4. ***Delegates to the Chair the ability to make minor editorial amendments to the submission.***

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Attachment 1: Submission on the Healthy Homes Guarantee Bill (No.2)