

Canterbury

District Health Board

Te Poari Hauora o Waitaha

Submission on Kāinga Ora—Homes and Communities Bill

To: Select Committee

Submitter: Canterbury District Health Board

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C/- Canterbury District Health Board
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Proposal: This bill establishes Kāinga Ora—Homes and Communities as a Crown entity which will focus on contributing to sustainable, inclusive, and thriving communities.

SUBMISSION ON KĀINGA ORA—HOMES AND COMMUNITIES BILL

Details of submitter

1. Canterbury District Health Board (CDHB).
2. The Ministry of Health requires the submitter to reduce potential health risks by such means as submissions to ensure the public health significance of potential adverse effects are adequately considered during policy development.

Details of submission

3. We welcome the opportunity to comment on the Kāinga Ora—Homes and Communities Bill.

General comments

4. The future health of our populations is not just reliant on hospitals, but on a responsive environment where all sectors work collaboratively.
5. Health and wellbeing is influenced by a wide range of factors beyond the health sector. These influences can be described as the conditions in which people are born, grow, live, work and age, and are impacted by environmental, social and behavioural factors. They are often referred to as the 'social determinants of health'¹.
6. An example of one such factor which influences health in a number of complex and interconnected ways is housing. The World Health Organisation cites that improvements in housing lead to improved mental and general health. Specific factors such as security of housing tenure, temperature, air quality, dampness, design, location and financial assistance to access contribute². The recent Mental Health and Addictions Inquiry Report: He Ara Oranga also explicitly highlights the connection between housing and mental health outcomes, stating that the inquiry found "threats to basic needs such as affordable and safe housing...leads to chronic stress on families, whānau and individuals (which) compromises wellbeing"³.

¹ Public Health Advisory Committee. 2004. *The Health of People and Communities. A Way Forward: Public Policy and the Economic Determinants of Health*. Public Health Advisory Committee: Wellington.

² World Health Organisation. (n.d). *The determinants of health*. Retrieved from: <https://www.who.int/hia/evidence/doh/en/index4.html>

³ Government Inquiry into Mental Health and Addiction. 2018. *He Ara Oranga: report of the Government Inquiry into Mental Health and Addition*. Crown: Wellington.

7. The CDHB encourages Select Committee to consider alternative housing access options which enable low income families into their own homes, or long-term rental accommodation. This Bill provides opportunity to legislate alternative housing models, such as shared equity schemes i.e. Housing Foundation and Wayne Francis Trust, concepts such as Kiwi Buy or exploring alternative funding options such as the capitalisation of universal benefits towards deposits for first homes⁴.
8. The CDHB supports the establishment of Kāinga Ora- Homes and Communities as previous systems and approaches have not achieved equity of housing access and the co-benefits related to improved health outcomes for New Zealanders. This new entity provides opportunity to reshape the public housing sector to achieve such positive outcomes.

Specific comments

Item	Comment
Part 1, subpart 1 - Preliminary Provisions	The CDHB supports the preliminary provisions of the Bill.
Part 1, subpart 1 4. Māori Interests	<p>The CDHB is pleased to see Māori interests acknowledged and protected in subpart 1(4), however the wording of this section does not incorporate a partnership model of working with Māori. For example, the CDHB recommends that tangata whenua representation on the Board is legislated to represent Māori interests rather than just ‘understand perspectives of Māori clause’ (as per 11(1)(b)(iii)) which can be interpreted widely and not function to protect Māori interests in practice.</p> <p>The CDHB would like the Bill to ensure in 4(d) and in the associated section 20 that Kāinga Ora- Homes and Communities must give first right of refusal to iwi when disposing of land and are not exempted from this Treaty obligation. Historically Māori have faced significant barriers in accessing suitable housing,</p>

⁴ McAllister, J. St John, S. & Johnson, Al. 2019. *The Accommodation Supplement: The Wrong Tool to Fix the House*. Auckland. Child Poverty Action Group

	<p>particularly homes which meets cultural needs in terms of layout to ensure separation of tapu and noa⁵. Providing for first right of refusal for iwi is one way such equity can be achieved for Māori who disproportionately experience limited housing options. First right of refusal for Iwi may also encourage Papakāinga Housing to support health and wellbeing outcomes similar to developments like Mangatawa Papakāinga Housing development.</p> <p>The CDHB supports the concept of Housing Navigators and Brokers to support Māori which could be legislated within the Bill. This role is intended to support Māori at any stage of housing need or aspiration as detailed in 'Kāinga Strategic Action Plan: a plan to improve housing outcomes for Māori in Tāmaki Makaurau'⁶. Such a role is a practical way to achieve equity for Māori in accessing secure housing.</p>
<p>Part 1, subpart 2 10. Membership of board</p>	<p>The CDHB recommends that appointed members to the board have knowledge of health and wellbeing, accessible housing (universal design) and environmental impacts all of which have complex links to housing and health outcomes.</p> <p>The CDHB suggests wording which incorporates this concept, such as:</p> <p><i>(2) (j) understanding of the determinants of health including the complex links between housing and health outcomes.</i></p>
<p>Part 1, subpart 2 12. Objective</p>	<p>The CDHB agrees in principle the objectives of this Bill, however recommends that housing is recognised as a fundamental human right given its importance as a determinant of health and New Zealand's commitment to a number of international treaties</p>

⁵As McAllister, J. St John, S. & Johnson, Al. 2019. *The Accommodation Supplement: The Wrong Tool to Fix the House*. Auckland. Child Poverty Action Group.

⁶ Independent Maori Statutory Board. 2019. *Kāinga Strategic Action Plan*. Retrieved from: <https://www.imsb.maori.nz/assets/sm/upload/tt/5i/27/a5/Kainqa-finalA.pdf>

	<p>under which the UN identifies adequate standard of living (which specifies housing) as a human right⁷.</p> <p>In 12(a) the CDHB recommends that accessible housing is listed alongside good quality, affordable housing choices that meet diverse needs.</p> <p>In 12(c) the CDHB recommends that health is included within this specific objective. The term wellbeing is used, however not all recognise the link between wellbeing and health, nor housing as a fundamental determinant of health. In order to ensure this link, and the need for a cross-sector mandate for recognising the importance of housing, health should be included so that it reads:</p> <p style="text-align: center;"><i>“otherwise sustain or enhance the overall economic, social, environmental, cultural, health and wellbeing of current and future generations”.</i></p>
<p>Part 1, subpart 3</p> <p>13. Functions and Operating Principles</p>	<p>The CDHB again recommends that provision of accessible housing is included within the functions of Kāinga Ora – Homes and Communities under 13(1). The word ‘appropriate’ is used in (1)(b), however this is problematic to define and its interpretation is likely to be subjective. The CDHB recommends that accessible, secure accommodation is instead emphasised here in place of ‘appropriate’.</p> <p>In (1)(c) the CDHB recommends that loans for critical housing repairs, insulation, heating and ventilation are included. Financial barriers exist for such essentials which are fundamental to healthy housing for many, particularly low-middle income households who may not be eligible for other forms of support. These households are more likely to experience adverse health outcomes as a result of conditions which are exacerbated by poor standards of housing (such as respiratory disorders,</p>

⁷ United Nations. 1966. International Covenant on Economic, Social and Cultural Rights. Retrieved from: <https://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>

	<p>asthma, hypo/hyperthermia for older people, poorer mental health etc.⁸).</p> <p>Under the ‘Urban Development’ in (1)(f-j), ensuring that urban development supports social connections via transport choice and access to community services (such as health services) needs to be included. Hidden costs of housing are often related to the development of land which is some distance from amenities, employment, services and education and are not serviced by public transport links. When factoring in daily transport costs to reach essential services and employment opportunities, such housing is no longer ‘affordable’, yet this aspect is rarely factored into urban planning and design. Additionally, provision of ‘affordable housing’ in sprawled communities leads to community severance which adversely impacts upon mental health and wellbeing⁹.</p> <p>Urban sprawl not only impacts upon health and social outcomes but environmental outcomes via loss of productive land and biodiversity. This Bill provides an opportunity to prioritise development of brownfield over greenfield land in order to mitigate against the adverse environmental impacts of urban development.</p>
<p>Part 1, subpart 3</p> <p>14. Operating Principles</p>	<p>The CDHB recommends a change of wording to 14(1) to reflect earlier comments regarding the inclusion of health in this section.</p> <p>The CDHB supports consideration of current and future generations as set out in operating principle (1). However one aspect of this is consideration of youth accommodation which contributes positively to wellbeing, yet has not been included.</p> <p>Additionally, within (1)(b) ‘supporting tenants’. These operating principles, although sound, remain generic rather than acknowledging that Kāinga Ora- Homes and Communities is</p>

⁸ Howden-Chapman, P. 2004. *The Link between Housing and Health*. Auckland: Health Research Council.

⁹ *Government Inquiry into Mental Health and Addiction*. 2018. *He Ara Oranga: report of the Government Inquiry into Mental Health and Addiction*. Crown: Wellington

	<p>likely to have a pivotal role in supporting some of our most vulnerable who have limited housing options and experience discrimination in access to housing. For example youth, older people, those on limited fixed incomes or experiencing financial hardship, migrants and refugees, those with disabilities and those with diverse sexual orientation or are gender diverse¹⁰.</p> <p>The CDHB recommends that principle (1)(f) specifies accessible housing that meets a range of needs across a life-course. This concept is not as visible as it should be throughout the Bill as it is a particularly important concept to ensuring housing stock meets the needs of vulnerable populations.</p>
<p>Part 1, subpart 4 16. Investigate circumstances of applicant for financial assistance for home ownership</p>	<p>The CDHB does have concerns as to the potential power imbalance this clause may perpetuate. Such a general clause has the potential to worsen inequities across society as powers of investigation such as this can lead to systemic discrimination and racism for those who may already experience disadvantage.</p> <p>The CDHB recommends that a detailed process and parameters around collection of specific information for the purpose of assessment is included. The Bill needs to ensure any investigations of an applicant and/or their significant other is justified, reasonable, proportionate, not intrusive and that only information of relevance is able to accessed as per principles of the Privacy Act 1993.</p> <p>Additionally a review and complaints procedure for applicants needs to be included.</p>

Conclusion

11. The CDHB does not wish to be heard in support of this submission.

12. Thank you for the opportunity to submit on Kāinga Ora—Homes and Communities Bill.

¹⁰ Human Rights Commission. 2007. *Transgender Report*. Retrieved from: https://www.hrc.co.nz/files/5714/2378/7661/15-Jan-2008_14-56-48_HRC_Transgender_FINAL.pdf

Person making the submission



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