



**Community
Housing
Aotearoa**

NGĀ WHARERAU O AOTEAROA

7 November 2022

To: Social Services and Community Committee

New Zealand Parliament

By **online submission**

Community Housing Aotearoa – Ngā Wharerau o Aotearoa (CHA) thanks the Social Services and Community Committee for the opportunity to share our perspectives on the Accessibility for all New Zealanders Bill.

Access to a decent home is a key area in which successive governments have failed disabled people and tāngata whaikaha. It is through this lens that we make our submission on the Accessibility for all New Zealanders Bill as a peak body for the community housing sector.

About us

CHA is an Incorporated Society and a peak body for the community housing sector.

Our 75 Community Housing Provider members provide homes for nearly 30,000 kiwis nationally across 18,520 homes, and our 44 partner members include developers, consultants, and local councils. Community Housing Providers (CHPs) are primarily not for dividend entities that develop, own, and manage social and affordable housing stock, with rental and progressive homeownership tenure offerings.

In order to achieve our vision of 'all New Zealanders well-housed', we have a strategic focus on supporting a well-functioning housing system and working toward the realisation of the right to housing. We are also mindful of the larger institutional and regulatory settings within which our members and other community organisations operate.

We are keen to ensure these settings support the delivery of homes affordable and accessible to households of varying income levels. More about us can be found [here](#).

Overview

We commend progress made on establishing Whaikaha, the Ministry for Disabled People, and the intent behind the Accessibility for all New Zealanders Bill, which is stated as: *establishing a new legislative framework that addresses systemic accessibility barriers that prevent disabled people, tāngata whaikaha and their whānau, and others with accessibility needs from living independently and participating in all areas of life* (NZ Parliament).

We also commend the intent of the Bill to:

- *Provide an enduring, clear, and consistent methodology for addressing systemic accessibility barriers and growing accessibility practices, now and in the future.*
- *Enhance leadership, accountability, and co-ordination to prevent and remove accessibility barriers and grow accessibility practices.*

However, we are concerned at the lack of standards and accountability. We submit that this lack of accountability will be a barrier to realising the right to a decent home for disabled people and tāngata whaikaha and undermines the intent of the Bill to act as coordinating legislation.

The right to a decent home and the Accessibility for all New Zealanders Bill

At CHA, we have been strong supporters of the right to a decent home being introduced into domestic legislation, or at the very least a clear commitment that the key tenets of the right create a framework for policy making. We have worked with policymakers at local and central government to this end, and in alliance with other non-governmental organisations.

As highlighted by the Human Rights Commission's [Framework Guidelines on the Right to a Decent Home](https://www.hrc.co.nz/our-work/right-decent-home/), a "fair and effective housing system plays a vital role in society". (The full guidelines can be viewed here: <https://www.hrc.co.nz/our-work/right-decent-home/>).

The UN 'decency' housing principles that make up part of the right to a decent home are that the home must be:

- Habitable;
- Affordable;
- Accessible for everyone;
- Close to services, facilities and infrastructure;
- At a location that is safe and where people want to live;
- Demonstrate respect for cultural diversity; and
- Have security of tenure.

Accessibility is defined terms of physical access, affordability and access without discrimination. If we hone in on physical access alone, we know that at least one out of every six New Zealanders has some form of accessibility need from our homes. And as our population ages, so this need grows - from those with arthritis to those reliant on a mobility aid - more and more older people want and need homes that support them to age well in place. Stats NZ Tatauranga Aotearoa (Stats NZ) projects that the number of seniors in 2020 will have doubled by 2056 to around 1.5 million.

Yet, we are not building new homes which are accessible. [Lifemark](#) reports only 2,682 new homes certified meeting their internationally recognised standards over the past three years. With demand far outstripping supply, we are not upholding the right to a decent home for disabled people and tāngata whaikaha overall.

In terms of how we achieve change and uphold these rights, the Framework Guidelines on the Right to a Decent Home in Aotearoa outlines key mechanisms, including:

- Participation in policymaking by impacted communities.
- Te Tiriti-based housing strategy.
- Accountability.

It is the last – accountability – that is the focus of this submission.

Accessibility for all New Zealanders Bill – lacking accountability

The current iteration of the Accessibility for New Zealanders Bill does not go far enough to ensure the rights of disabled people and tāngata whaikaha are upheld and, in terms of housing, the Bill is likely to contribute little to supporting better housing outcomes.

This is for three key reasons:

- There are no *accessibility standards or mandates*.
- There is *nowhere to go for those who have complaints or require redress*.

- There is *no independent body empowered to enforce any aspect of the Bill*, and therefore no guidance to or coordination between other agencies making policy and funding decisions that impact disabled people's lives – such as the Ministry for Housing and Urban Development and Kāinga Ora.

There is therefore no accountability built into the Bill and without accountability, the risk of commitments not turning into concrete actions is high.

Why is it important to us as a community housing peak body that accountability is built into this particular Bill? As noted above, we are mindful of the wider institutional and regulatory settings that impact the housing system and our members. We view the Accessibility for all New Zealanders Bill as legislation that could guide and direct those agencies making decisions about housing futures for disabled people and tāngata whaikaha. This is in line with the stated intent of the Bill to: *Provide an enduring, clear, and consistent methodology for addressing systemic accessibility barriers.*

As an example, for our members consulting with the Ministry of Housing and Urban Development on the draft public housing design guidelines, there was stated preference through the consultation for accessibility standards and mandates to be clearly defined and communicated, and for funding to be allocated accordingly. However, none are included in the adopted guidelines.

This Bill provides the opportune systems-level platform from which to direct a range of agencies to achieve mandated or standardised outcomes that uphold the rights of disabled people and tāngata whaikaha, including housing agencies. In its current form, it is not capable of that and will therefore not fulfil its stated intent and will allow housing policy to develop in a vacuum when it comes to explicit directives on the right to a decent home for disabled people and tāngata whaikaha.

It is therefore our submission that the Bill be amended to:

- **Include accessibility standards or mandates and empower an independent agency to enforce them.**
- **Provide an accountability mechanism for those who require redress or have complaints, in line with the Framework Guidelines on the Right to a Decent Home.**

Endorsements

We endorse the submissions of **New Zealand Disability Support Network** and **CCS Disability Action**. We highlight their expertise on the role, powers and membership of the accessibility committee.

Ngā mihi maioha,

Victoria Crockford

CEO

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