

July 2023

To Auckland Council,

Please find attached DPA’s submission on Future Development Strategy

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# Introducing Disabled Persons Assembly NZ

**We work on systemic change for the equity of disabled people**

Disabled Persons Assembly NZ (DPA) is a not-for-profit pan-impairment Disabled People’s Organisation run by and for disabled people.

**We recognise:**

* Māori as Tangata Whenua and [Te Tiriti o Waitangi](https://www.archives.govt.nz/discover-our-stories/the-treaty-of-waitangi) as the founding document of Aotearoa New Zealand;
* disabled people as experts on their own lives;
* the [Social Model of Disability](https://www.odi.govt.nz/guidance-and-resources/guidance-for-policy-makes/) as the guiding principle for interpreting disability and impairment;
* the [United Nations Convention on the Rights of Persons with Disabilities](https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html) as the basis for disabled people’s relationship with the State;
* the [New Zealand Disability Strategy](https://www.odi.govt.nz/nz-disability-strategy/) as Government agencies’ guide on disability issues; and
* the [Enabling Good Lives Principles](https://www.enablinggoodlives.co.nz/about-egl/egl-approach/principles/), [Whāia Te Ao Mārama: Māori Disability Action Plan](https://www.health.govt.nz/publication/whaia-te-ao-marama-2018-2022-maori-disability-action-plan), and [Faiva Ora: National Pasifika Disability Disability Plan](https://www.moh.govt.nz/notebook/nbbooks.nsf/0/5E544A3A23BEAECDCC2580FE007F7518/$file/faiva-ora-2016-2021-national-pasifika-disability-plan-feb17.pdf) as avenues to disabled people gaining greater choice and control over their lives and supports.

**We drive systemic change through:**

* **Leadership:** reflecting the collective voice of disabled people, locally, nationally and internationally.
* **Information and advice:** informing and advising on policies impacting on the lives of disabled people.
* **Advocacy:** supporting disabled people to have a voice, including a collective voice, in society.
* **Monitoring**: monitoring and giving feedback on existing laws, policies and practices about and relevant to disabled people.

## UN Convention on the Rights of Persons with Disabilities

DPA was influential in creating the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), a foundational document for disabled people which New Zealand has signed and ratified, confirming that disabled people must have the same human rights as everyone else. All state bodies in New Zealand, including local and regional government, have a responsibility to uphold the principles and articles of this convention. There are a number of UNCRPD articles particularly relevant to this submission, including:

### Article 3 – General principles

### Article 9 – Accessibility

### Article 19 – Living independently and being included in the community

Article 9 refers to the obligation for States parties to identify and eliminate obstacles and barriers to accessibility, including “buildings, roads, transportation and other indoor and outdoor facilities”.1

### Article 30 – Participation in cultural life, recreation, leisure and sport

## New Zealand Disability Strategy 2016-2026

Since ratifying the UNCRPD, the New Zealand Government has established a Disability Strategy2 to guide the work of government agencies on disability issues. The vision is that New Zealand be a non-disabling society, where disabled people have equal opportunity to achieve their goals and aspirations, and that all of New Zealand works together to make this happen. It identifies eight outcome areas contributing to achieving this vision. There are a number of Strategy outcomes particularly relevant to this submission, including:

**Outcome 5 – Accessibility**

# The Submission

DPA welcomes this opportunity to engage on the Auckland Council Future Development Strategy being proposed by Auckland Council.

DPA sees this future strategy (and others around the country) as presenting an opportunity to plan for the growth of our main urban centres, with Tāmaki Makaurau/Auckland facing huge challenges being the largest city in the country and with significant population growth projected to continue.

For disabled people, accessibility is not just seen as an add on but an essential component of planning for Auckland’s growth over the next 30 years.

According to the 2013 Statistics New Zealand Disability Survey one in four New Zealanders have a disability or long-term health condition. Māori and Pacific peoples have an even higher-than-average rate of disability. There were approximately 271,000 disabled people residing in Auckland in that year (the latest data available), a number which rises to over 300,000 when accounting for current population increase.[[1]](#footnote-2)

The number of disabled people in Auckland’s population is projected to increase (along with the rest of the country) by 2053 due to the high incidence of ageing within the population, amongst other factors.

DPA believes that building an inclusive Auckland where everyone, including disabled people can fully participate in their communities without barriers should be the overriding objective of Auckland Council in terms of this plan.

Our submission and recommendations will cover the following main areas outlined in the consultation survey form:

* Focusing growth
* Accessible local centres
* Avoiding hazards (climate related)
* Resilient infrastructure

DPA Auckland members contributed their views to this submission.

We will briefly background the main challenges facing disabled people in terms of housing, transport, climate change and infrastructure.

**1.) Background**

**a.) Housing**

The housing situation for disabled people is currently still dire in Tāmaki Makaurau as much as it is around the country.

For this reason, disabled people are one group who are disproportionately impacted by homelessness. This is due to disabled people being overrepresented amongst low-income earners while also facing higher living costs due to disability. For this reason, disabled people are more likely to be renters; 2018 data from Statistics New Zealand shows that 47% of disabled people rent compared to 35% of non-disabled people.[[2]](#footnote-3)

Disabled people are also at greater risk of homelessness due to the lack of security around ongoing tenancy and this is exacerbated by the low number of accessible houses not only in Auckland but throughout the country.

However, as this Future Development Plan looks out to 2053, we have an expectation that during this period, central government will (at some point) be persuaded to legislate for housing design standards to focus on universal design, meaning that disabled people as well as everyone else will be able to live in homes that are both accessible and usable across their natural lifespans.

As we will elaborate in the body of our submission, the main challenge to housing accessibility arises from orienting spatial planning away from planning for urban sprawl towards the creation of more compact communities instead.

**b.) Transport**

Earlier this year we submitted on the Auckland Council’s Future Transport Projects plans. In that submission, we outlined how disabled people are highly reliant on public transport given the significant proportion of disabled people who don’t drive.

Nevertheless, provision needs to be made as part of the Auckland Future Development Strategy to accommodate the transport needs of all disabled people and this includes for those who transport themselves via different modes including driving, bussing, walking, cycling, using taxis and trains.

In 2022, Waka Kotahi published independently commissioned research (in which DPA collaborated) entitled *Transport experiences of disabled people in Aotearoa New Zealand*. [[3]](#footnote-4)

This research illustrated the ongoing accessibility challenges faced by disabled people when using public transport. Disabled people’s main challenges included, for example, issues around using Total Mobility (TM), the inaccessibility of bus services, lack of footpaths and safe crossing points, and feeling excluded from the planning of sustainable city centres, as well as the disablist attitudes of some transport planners.[[4]](#footnote-5)

Disabled people also have ongoing issues with accessing train and ferry services in Auckland and the need for improved transport accessibility and affordability[[5]](#footnote-6), including for disabled people, will be key to ensuring the success of urban planning efforts going forward to 2053.

When undertaking future transport planning activities, Auckland Council should ensure that TM is a key component for disabled people as this gives the disabled community who are eligible for it the ability to access their community.

DPA also recommends that the existing maximum fare cap needs to be adjusted annually to keep pace with inflation, so that disabled people can access journeys to both existing and newer communities within the Auckland region.

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| **Recommendation 1**: that Auckland Council should ensure that TM is viewed as a key transport component for disabled people in all transport planning activities. |

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| **Recommendation 2:** that Auckland Council adjusts the TM maximum fare cap annually by the rate of inflation. |

**c.) Climate change**

The disabled community are already being severely hit by the impacts of climate change and are expected to be one of the hardest hit population groups going forward, locally, nationally and internationally.[[6]](#footnote-7)

DPA found that after reaching out to our members in Auckland following the recent weather events that while many disabled people were resilient and had withstood the floods well, others had not as we heard stories about the impact that weather-enforced homelessness had on disabled people, especially given the lack of accessible housing.[[7]](#footnote-8)

DPA welcomes the focus on avoiding hazards, especially those which are climate related, as part of this plan. We recognise that it is clear after the recent flooding events that there are areas which will likely be red zoned as not suitable for building due to natural and geological hazards by either Auckland Council and/or central government following the introduction of new planning legislation.

Some red zoning will likely affect areas which have a flat topography that otherwise makes settling in these areas very attractive to disabled people, especially those with mobility impairments. The fact that formerly suitable areas will become out of bounds for house building and settlement activity or even face managed retreat means that disabled people need to be fully involved in discussions about these possibilities, which we will elaborate on further within this submission.

**d.) Infrastructure**

DPA believes that accessible community infrastructure needs to be put in place across the board.

For disabled people, this includes infrastructure such as footpaths, roads, parks, rail, bus and ferry services, all of which will support both existing and new communities across Auckland.

We will talk further in this submission about the need to have all infrastructure designed and built to universal design standards.

**2.) Auckland’s Future Development Strategy – a disability perspective**

**a.) Focusing growth**

While DPA welcomes the development of more compact, accessible communities, there are still several issues needing to be resolved for this to happen successfully, especially for disabled people.

Firstly, there is the need for the Building Code and other associated legislation to change to make the growing number of high-rise apartments and dwellings necessitated by this policy fully accessible and the goal of fully accessible communities possible.

Currently, under the Building Code, builder owners/developers are not legally required to have accessibility features, including lifts, installed in private dwellings (i.e., houses and business premises) if they are less than three floors in height.[[8]](#footnote-9)

In the absence of any changes to the Building Code for even part of the timeframe of this plan, Auckland Council will need to incentivise private, government and non-government organisation developers through capital contributions to build apartments and more compact housing to Lifemark Universal Design (UD) standards, especially in the areas being signalled for infrastructural upgrades. The use of capital contributions will also help offset any additional costs involved.

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| **Recommendation 3:** that Auckland Council incentivise the building of more compact, accessible to Lifemark UD standards houses and public buildings through capital contributions. |

According to one of DPA’s members, more of Auckland’s disabled people, as well as their families and whānau, have moved to locations which have cheaper rental properties including Waiuku, Pukekohe, Warkworth, Puhoi, and Helensville over the last 10 years.

The member also related that in their view none of the community infrastructural upgrades proposed in this plan are not based in these locations. For this reason, strategic planning and investment needs to flow to the communities where disabled people are increasingly settling as well as to existing communities.

Secondly, this means the need for Auckland Transport to provide fully accessible transport options including rail, ferries, buses and other on-demand transport services for everyone, including disabled people, both to and from wherever they live within the region. If this is done, then disabled people in the abovementioned and other locations around Auckland will be able to easily access the city and its environs in the future.

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| **Recommendation 4:** that strategic planning should include investment in improving accessibility everywhere within the Auckland region. |

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| **Recommendation 5:** that Auckland Transport ensure that accessible transportation options are prioritised enabling the connection of disabled people with the upgraded centres. |

**b.) Accessible local centres**

DPA supports the concept of having accessible, compact local centres (known as 20-minute cities/towns) where people live in communities where their work, essential services, schools, healthcare, recreational opportunities and retail outlets are based within 20 minutes of where they live.

DPA recognises the importance of building more compact, accessible communities which enable the building of greater social connections and cohesion while simultaneously aiming to reduce carbon emissions through more readily available public transport options leading to the reduction of long commutes.

Disabled people would benefit from having more compact communities given that great numbers of us experience social marginalisation, isolation and loneliness within the more sprawled out communities we presently live in.

However, for more compact communities to work for us housing, transport and infrastructure need to be fully accessible.

DPA believes that the best way to ensure that all infrastructure including housing, public buildings, schools, footpaths and transport systems are fully accessible is that Universal Design Standards (at least to level 5) are fully written into the development strategy so that they are understood by all stakeholders including builders, developers, planners and architects, amongst others.

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| **Recommendation 6:** that Council fully incorporate Universal Design Standards (at least to level 5) within the Future Development Strategy to ensure accessibility. |

All communities in Auckland should be suitable for every disabled person to live in too, and this includes people with mobility impairments, blind and low vision people, neurodiverse people (i.e., Autistic people), people with psychosocial disabilities/mental distress and Deaf/deaf communities.

This can be achieved through having accessible wayfinding signage in public spaces/places, quiet spaces where people can retreat to in busy areas (which are suitable for neurodiverse people and people experiencing mental distress), accessible bus stops, mobility parking and vehicle drop off areas, appropriate seating where people can sit and rest as well as good lighting and security features.

Building infrastructure to UD standards should support the building of accessible, inclusive communities but more detail needs to be included in the final strategy as to how.

Most importantly, building fully accessible, inclusive communities has to be underpinned by the undertaking of extensive barrier free accessibility audits in areas where infrastructural improvements are being mooted under this strategy.

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| **Recommendation 7:** that Auckland Council undertake barrier free audits in areas where infrastructure improvements are planned. |

**c.) Avoiding hazards (climate related)**

DPA acknowledges the need to manage development around the threats posed by climate change and significant natural hazards including earthquake faults and dormant volcanoes.

DPA supports the proposition that known areas which present a natural hazard risk due to natural and climatic risks should be re-assessed to see whether future development is viable.

DPA is also supportive of the idea that where development has already been approved in potentially vulnerable areas that investigation be undertaken into appropriate actions to mitigate the risks that present from this.

We say this as we know of disabled people in the Auckland area who have had to leave accessible housing because of the recent weather events. Our concerns have been further compounded by reports that social housing providers, such as Kainga Ora, could be planning housing developments in flood prone areas, some of which will contain much needed accessible housing.

This means that if new, accessible housing is constructed in high-risk areas, there is the potential for any units to be severely damaged or destroyed, rendering them uninhabitable, perhaps only a short time after first being moved into by disabled people; after having undergone (in many cases) a long wait for them.

DPA would like to see these stressful scenarios for disabled people avoided through good, effective involvement in all aspects of development planning by local communities in the Auckland region under this strategy.

DPA believes that it is inappropriate for land which is deemed to be at high risk from natural hazards including flooding and sea level rise to have new buildings or development on them without full consideration about how the risks to local communities and their residents can be managed.

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| **Recommendation 8:** that Auckland Council review the appropriateness of allowing new house and commercial building activity in areas deemed at high risk of damaging flooding or sea level rise. |

Post any reviews, there should be managed retreat from areas which are assessed as being prone to a high level of climate related risks that cannot be mitigated, and this includes from things such as damaging flooding or other natural hazard hazards.

In these circumstances, many disabled and older people will need to be transitioned away from high-risk areas to (hopefully) less risky but still accessible ones as part of any managed retreat strategies.

In the medium to long-term, this will require Auckland Council and central government to partner with disabled people and disability organisations as part of community co-design efforts to successfully plan these types of transitions.

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| **Recommendation 9:** that Auckland Council partner with disabled people, tangata whaikaha/whānau hauā and disability organisations to plan any managed retreat from existing communities that are at high risk from climate related natural hazards. |

**d.) Resilient infrastructure**

DPA supports the creation of resilient, nature-based infrastructure as one means of providing an active defence against the risks of climate change. Ideas such as gardens, swales, and detention basins are just some of the ones that we agree with.

Undertaking this type of natural infrastructure creation might mitigate the need for managed retreat, meaning that as few people as possible will be impacted by this.

It will also mean that the homes, schools, training establishments and businesses of Auckland will be more protected from future climate change produced events.

1. Statistics New Zealand. (2013). New Zealand Disability Survey. Retrieved from http://archive.stats.govt.nz/browse\_for\_stats/health/disabilities/DisabilitySurvey\_HOTP2013.aspx#gsc.tab=0 5 [↑](#footnote-ref-2)
2. Statistics New Zealand. (2018). The disability gap 2018. Retrieved from <https://www.stats.govt.nz/infographics/the-disability-gap-2018/#:~:text=Home%20life-,Of%20disabled%20New%20Zealanders%20aged%2015%E2%80%9364%20years%20in%202018,percent%20of%20non%2Ddisabled%20people>. [↑](#footnote-ref-3)
3. Doran, B., Crossland, K., Brown, P., & Stafford, L. (2022). Transport experiences of disabled people in Aotearoa New Zealand (Waka Kotahi NZ Transport Agency research report 690). Retrieved from <https://www.nzta.govt.nz/resources/research/reports/690> [↑](#footnote-ref-4)
4. Kelly-Costello, A. (2023, June 30). Putting a blind-friendly transport system on the agenda. Blind Citizens New Zealand. <https://abcnz.org.nz/uncategorized/putting-a-blind-friendly-transport-system-on-the-political-agenda/> [↑](#footnote-ref-5)
5. Affordability is an issue for many disabled people in Auckland given that the current Total Mobility maximum fare cap is $40, which is hardly sufficient for personal travel across great swathes of the region. [↑](#footnote-ref-6)
6. Schulte, C. (2020, March 28). People With Disabilities Needed in Fight Against Climate Change. Retrieved from <https://www.hrw.org/news/2020/05/28/people-disabilities-needed-fight-against-climate-change#:~:text=People%20with%20disabilities%20are%20at,said%20in%20a%20recent%20report>. [↑](#footnote-ref-7)
7. Shivas, O. (2023, February 4). ‘Life or death’ for disabled people caught in Auckland floods, improvements needed. *Stuff.* <https://www.stuff.co.nz/auckland/local-news/131128910/life-or-death-for-disabled-people-caught-in-auckland-floods-improvements-needed> [↑](#footnote-ref-8)
8. Pringle, T. (2018, December 1). Going up and down. *Build 169*. <https://www.buildmagazine.org.nz/index.php/articles/show/going-up-and-down#:~:text=3%20(which%20differs%20from%20D1,required%20to%20a%20reception%20area> [↑](#footnote-ref-9)