September 2022

To Hamilton City Council

Please find attached Disabled Persons Assembly’s submission on the Plan Change 12 Document

Disabled Persons Assembly NZ

Contact:

**Chris Ford**

**Regional Policy Advisor**

**027 696 0872**

**chris.ford@dpa.org.nz**

# Introducing Disabled Persons Assembly

**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.

Since our formation in 1983, DPA has brought disabled people together and shaped our collective input in a way that drives system level change.

**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/) and [Whāia Te Ao Mārama: Māori Disability Action Plan](https://www.health.govt.nz/publication/whaia-te-ao-marama-2018-2022-maori-disability-action-plan) 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

* modelling disabled leadership;
* as a member of the [Disabled People’s Organisations (DPO) Coalition](https://www.odi.govt.nz/guidance-and-resources/disabled-peoples-organisations/);
* as a member of [Disabled Peoples International](http://www.dpi.org/);
* as a member of the [Pacific Disability Forum](https://pacificdisability.org/), a member of the [International Disability Alliance](https://www.internationaldisabilityalliance.org/); and
* creating and supporting disabled-led initiatives such as [Mahi Tika – Equity in Employment](https://www.dpa.org.nz/mahitika/mahi-tika-equity-in-employment).

**Information and advice:** informing and advising on policies impacting on the lives of disabled people

* providing a channel for information between disabled people and government;
* providing advice, commentary, and submissions to Parliament, government agencies, and local authorities;
* providing advice to businesses and non-government organisations; and
* research.

**Advocacy:** supporting disabled people to have a voice, including a collective voice, in society

* listening to disabled people and identifying barriers to equity;
* engaging both nationally and regionally with our members and the wider community - disabled people, whānau, allies and organisations;
* building the capacity and capability of disabled people;
* partnering with other organisations on projects and campaigns; and
* engaging with the media.

**Monitoring:** monitoring and giving feedback on existing laws, policies and practices about and relevant to disabled people

* monitoring existing and proposed laws, policies and practices relevant to disabled people and whānau; and
* supporting government, organisations, businesses and the public to recognise, understand and address barriers to equity.

# The submission

**Introduction – General observations, comments**

DPA is providing this submission to Hamilton City Council in considering its changes to District Plan 12.

We begin with some general comments and observations and then make a series of recommendations pertaining to specific sections of the plan.

We want to start by highlighting that the current housing crisis is particularly severe for disabled people. The lack of accessible housing has major impacts on disabled people, especially those living with physical and age-related impairments. The increasing costs of rental housing, particularly in the private sector, has a major impact on low-income households many of which will include disabled people. Many people in the disability community are on low incomes.

Because of this, we welcome changes to the District Plan which are aimed at enabling greater housing supply and choice within the city. However, we want to see specific amendments and alterations to the plan to ensure that it takes more fully into account the need for accessibility and inclusion, including for disabled people, both in terms of building design and urban planning requirements. DPA strongly supports Universal Design (UD) for housing design. This is the idea – promoted by Lifemark New Zealand – that all buildings and housing should be built to design standards which enables a dwelling to be built as accessible or be converted to become one as the needs of the people who live within it change. This means, for example, that if a person who lives within a UD house becomes impaired due to ageing that the house can be easily modified to accommodate accessibility features such as wet floor showers and railed toilets without too much additional cost or inconvenience.

**DPA’s recommendations**

**Chapters 2 and 4 : need to fully account for the growing population of disabled people**

The plan is currently lacking in terms of the need to accommodate the needs of the present and future population of both disabled people and older people. Indeed, there is a close inter-relationship between disability and ageing as with an ageing population, more people will acquire impairments, whether they be physical (mobility), sensory (hard of hearing/blind/vision impaired), age related (memory loss) or psychosocial (mental health). Currently, it is estimated that 24% of New Zealand’s population identifies as disabled and this number is set to increase as the number of older people grows exponentially in the coming decades.

That is why DPA believes that several objectives and policies in Chapters 2 and 4 need to be extensively reviewed to fully recognise the needs of disabled people, mostly when it comes to accessible housing and making our communities safe, inclusive and accessible for everyone. Some of the ways in which both housing and the wider communities around them can be made accessible and safe for disabled people include through designing for footpaths that are wide enough to accommodate the needs of all users including wheelchair users, mobility aid users, as well as blind and low vision people. Other important considerations include the need to have car parks and car ports attached to the outside of homes, ramped or level access into housing, safe and accessible spaces to place and retrieve waste and recycling, well-lit streets, the insertion of mobility kerb cuts and level kerbing, and easy access to bus stops, amongst other things.

**Walkable neighbourhoods – need to define who ‘people’ are more clearly**

While DPA recognises that the concept of walkable neighbourhoods is useful in assisting the development of urban areas where people can have easier and readier access to services and amenities including, for example, workplaces, healthcare centres, shops and public transport from wherever they live, it is important that a disability lens be cast over the definition of 'walkable''. What is walkable for an able-bodied person may not be for many disabled people. Hence while the statement that the average person can walk 800 metres within the space of 10 minutes sounds reasonable on the surface, it does not take account of the varying issues facing disabled people. For example, people with mobility impairments may take longer than the average non-disabled person to complete the same route. Also, people with more ‘invisible’ mobility impairments, including older people may experience issues with their energy levels meaning that they may take longer to mobilise even the shortest of distances. The same applies for blind and low vision people who, with the assistance of either guide dogs, canes, or accompanying support person may take longer to navigate our streets.

**Recommendations 1 and 2**

DPA recommends that:

1.) the definition of people be broadened and amended to include ‘the needs of all people, including disabled people whose impairments may make it difficult to access community amenities and services more readily, i.e., retailers, health services, education and training establishments, recreational and leisure facilities and public transport.

2.) during the next phase of the District Plan consultation process, the council work in partnership with disabled people and our organisations, to look at encouraging accessible housing developments within 400 metres of essential services such as shops, educational and training establishments (i.e., schools), recreational and leisure facilities (i.e., parks) and public transport. Making these changes would ensure that the needs of disabled people were accommodated as part of the transition to greater housing density and more closely linked communities.

**Recommendations on Strategic Framework - Objectives 2.2.3, 2.2.9 and 2.2.14**

**3.) Objective 2.2.3 [Urban Design Approach]:** DPA supports the broad principles of this rule which stress the need for urban design to contribute to an overall more sustainable environment. However, there should be an additional policy 2.2.3d created which incorporates the idea of ensuring that urban design is not only functional but that it is accessible for everyone, including, especially, disabled and non-disabled people. The addition of a new policy would emphasise the need for planners and other stakeholders involved in planning processes to consider the needs of disabled people whose needs, interests and views are often minimised in planning processes instead of being incorporated to produce better accessibility outcomes which not only benefit disabled people but non-disabled people as well.

**4.) Objective 2.2.9 [Residential Development]:** DPA supports the policies contained within this section. However, a new policy should be included in the form of 2.2.9c to stipulate that notwithstanding the definition of ‘residential’ it should include people living in residential care and managed care facilities. This should be done so disability and aged care providers begin thinking about working with disabled people to create greater housing and living choices for their clients and that these factors can be translated into design options. We firmly believe this as in the Waikato, the Enabling Good Lives principles are being put into practice around how disabled people are being supported to live good lives in their communities and, in line with this, the ability to have the same choices and options as non-disabled people. Therefore, DPA and other disabled people’s networks in the Waikato are supportive of having disabled people move away from living in group homes largely comprised of disabled or older people which have been referred to by some people in our community as being merely ‘mini-institutions.’ That is why planning rules need to be changed in order to encourage not only more accessible housing but developments which enable both disabled and older people to exercise full autonomy and choice and have the dignity to be able to live well with whatever support they need and that is determined solely by them.

**5.) Objective 2.2.14 [City Urban Form]:** DPA supports the insertion of a new policy 2.2.14j within this section introducing the concept of horizontal accessibility for multi-storey builds which would outline that all duplexes and three storey buildings must contain accessible units built to universal design standards and have level entry. Effectively, this would increase the number of accessible dwellings within new developments and get around the provisions of the current Building Act which stipulates that lifts can only be installed in developments greater than three storeys in height.

**Recommendations on Chapter 4 – Residential Zones**

**6.) Objective 4.1.2 [Residential Zones]:** DPA supports the insertion of a new Objective 4.1.2.9 on the ‘need for residential development to incorporate accessibility features and technologies.’ These would include outside of residential developments, the provision of smooth paving, accessible kerbing, mobility parking for both residents and non-residents, and easily accessible areas to store refuse and waste. Inside residential units, provision should be made for electronically operated garage doors, electronic door keys and security systems to be installed along with easily adjustable, variable lighting and provision for showers/bathrooms which can easily become wet floor showers combined with railed toilets if the need arose.

**Further recommendation on working with Disabled People’s Organisations**

**7.)** Hamilton City Council should work with DPA and other local Disabled People’s Organisations (DPOs) which include People First, Balance New Zealand, Muscular Dystrophy Association, Blind Citizens, and Deaf Aotearoa and the Hamilton-based Disabled People’s Forumas lead co-design partners on this District Plan as it progresses through each of its next phases. This would enable the City Council to fulfil its obligations under Article 4.3 which stipulate that both central and local government must engage with DPOs and other disabled people’s lead organisations on any matters pertaining to disabled people and policy which impacts upon us.