21st June 2020

## Disabled Persons Assembly NZ submission on the COVID-19 Recovery (Fast-track Consenting) Bill.

# Introducing Disabled Persons Assembly NZ

The Disabled Persons Assembly NZ (DPA) is a pan-disability disabled person’s organisation that works to realise an equitable society, where all disabled people (of all impairment types and including women, Māori, Pasifika, young people) are able to direct their own lives. DPA works to improve social indicators for disabled people and for disabled people be recognised as valued members of society. DPA and its members work with the wider disability community, other DPOs, government agencies, service providers, international disability organisations, and the public by:

* telling our stories and identifying systemic barriers
* developing and advocating for solutions
* celebrating innovation and good practice

# New Zealand’s obligations under the UNCRPD

Under the Convention on the Rights of Persons with Disabilities (UNCRPD), government has an obligation under article 4.3[[1]](#footnote-2) to engage with disabled people and our organisations on changes which would significantly impact on us. There are also obligations under articles 9, 19 and 20 to provide for access for disabled people to facilities on an equal basis with others.

**Public and stakeholder engagement**

DPA shares the concerns that many have raised that curtailing of the public’s right to be notified of, and comment on, applications risks poor outcomes. Prioritising speed and expediency does not mean that the public has to be excluded from participating in the process of assessing projects. DPA would like to see the Bill amended in a way which protects the ability for public to be able to participate in the process while still meeting the government’s objective to streamline the application process.

**Adding DPO’s to Schedule 6 clause 17**

As a minimum, DPA asks that Disabled Persons Organisations (DPO’s) representing disability rights be added to the list of stakeholders in Schedule 6 clause 17 in order to ensure that government meets its obligations under article 4.3 of the UNCRPD.

As an example of why this is so important, DPA notes that many of the proposed projects that have been flagged for fast tracking involve transport and housing projects. Both of these are areas where disabled people often face major barriers to access and where lack of access can have a major impact on our lives and ability to live independently in the community.

DPA is concerned that without provision for the public to submit, or a requirement for disabled people and their organisations to be consulted, there is a risk that the projects will result in infrastructure that is inaccessible for disabled people. There is often poor or non-existent engagement with disabled people into the design, development and placement of infrastructure. Consultation processes are therefore key to ensuring that accessibility is fully integrated into new projects.

From previous experience, we have found that when building and infrastructure projects gets fast tracked (as happened with some of the early projects post the Christchurch Earthquakes), accessibility often ends up being seriously compromised. This has the unfortunate effect of ‘locking in’ inaccessibility for a significant period of time - often decades.

Getting accessibility built in from the start is particularly important because it is often impossible (or prohibitively expensive) to retrospectively add in accessibility once a project has been built.

Upgrading train stations and ferry terminals are examples of projects that are listed to be fast tracked where ensuring they meet the highest possible accessibility standards is vitally important.

It is critical that new infrastructure is accessible to all New Zealanders. Disabled people make up 24% of the population of New Zealand[[2]](#footnote-3). The provision of consultation periods is a key mechanism in ensuring that accessibility is considered and built into all new projects.

# DPA’s recommendations

DPA strongly recommends that the public still be able to submit on fast tracked projects.

As a minimum, Disabled Persons Organisations must have the opportunity to provide comment and have input as provided for under section 4.3 of the UNCRPD by being added to the list of stakeholders in Schedule 6 clause 17 of the bill.

1. https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-4-general-obligations.html [↑](#footnote-ref-2)
2. NZ Disability Survey 2013, <http://archive.stats.govt.nz/browse_for_stats/health/disabilities/DisabilitySurvey_HOTP2013.aspx#gsc.tab=0>, accessed 19/06/20 [↑](#footnote-ref-3)