

7 November 2022

Via submission platform: [Parliament New Zealand](https://www.parliament.nz)

SUBMISSION TO THE SOCIAL SERVICES AND COMMUNITY SELECT COMMITTEE ON THE ACCESSIBILITY FOR NEW ZEALANDERS BILL

Tēnā koe,

Thank you for the opportunity to provide feedback on the Accessibility for New Zealanders Bill (the Bill).

The Queenstown Lakes District Council (QLDC) broadly supports the approach outlined in the Bill to meaningfully improve accessibility for all New Zealanders. QLDC is committed to promoting wellbeing for those living in the Queenstown Lakes, ensuring thriving and inclusive communities for all, including visitors.

QLDC implemented a Disability Policy in 2018 that commits to taking all practicable measures to improve accessibility for those living in or visiting the Queenstown Lakes District. However, implementing innovative and transformative change at a local level will require stronger national legislation, investment and leadership. This will support communities to better identify, prevent and remove barriers to participation for disabled people, tāngata whaikaha Māori, and others with accessibility needs.

This Bill offers Aotearoa New Zealand the chance to develop a robust and world-leading legislative framework that provides meaningful and long-lasting change that addresses systemic accessibility barriers. This submission makes recommendations to matters in the Bill that require further consideration to ensure a transformative approach is implemented that supports all New Zealanders to live independently and participate in all areas of life

The following feedback and input represent the views of Council officers and has not been ratified by full Council.

For ease of reference, we have provided comments on key elements of the legislation as Annex A.

Kind regards,



Ken Bailey
General Manager, Community Services
Queenstown Lakes District Council

ANNEX A

1.0 Establishing Accessibility Committee

- 1.1 While QLDC supports the establishment of the Accessibility Committee (the Committee), further clarity is required about the powers of this committee to effect transformational change across all government entities. QLDC recommends that the Committee be empowered to make binding recommendations as part of its processes, while ensuring robust implementation processes to monitor, test, learn and adjust over time.
- 1.2 QLDC recommends a clear consultative process is specified by the Bill, whereby all recommendations made by the Committee must be co-designed with Māori, relevant organisations representing disabled people, tāngata whaikaha and their whānau, specified entities and any other stakeholders the Committee considers relevant.
- 1.3 Aspirations to accelerate progress towards a fully accessible New Zealand should be backed up with a clear timeframe and targets for the review and update of current policies and legislation to ensure accessibility barriers are identified, removed and prevented in a timely manner. The Bill lacks a sense of momentum and does not provide an assurance that significant improvements will be made in the short term to remove accessibility barriers and grow accessibility practices across New Zealand.
- 1.4 QLDC agrees with ensuring the Committee has knowledge and understanding of: Te Tiriti o Waitangi, te ao Māori, and tikanga Māori and the United Nations Convention on the Rights of Persons with Disabilities.
- 1.5 QLDC agrees with the establishment of both a Community and Māori nominations panel for the appointment of the Committee.

2.0 Defining “others with accessibility needs”

- 2.1 The QLDC Disability Policy¹ reflects the importance of recognising that disabilities and related barriers to participation may be visible or invisible. It “acknowledges that all people are unique individuals, and that disability arises from the interaction between people living with impairments and the physical, attitudinal, communication and social barriers they face in their environment.”
- 2.2 The Bill interprets the “accessibility practices means actions, measures, modifications, or adjustments that enable disabled people, tāngata whaikaha and their families or whānau, and others with accessibility needs to live independently and participate fully on an equal basis with others.” QLDC recommends further clarification of the term “others with accessibility needs”, recognising that this can include people with invisible disabilities such as neurodiversity (dyslexia, dyspraxia, and autism spectrum disorders etc.).

3.0 Principles

- 3.1 QLDC recommends that the Principles of the Act (Part 1) place greater emphasis on supporting the aspirations and rights of disabled people, tāngata whaikaha and their families or whānau, particularly those derived from the following:
 - The United Nations Convention on the Rights of Persons with Disabilities
 - The New Zealand Disability Strategy (2016-2026).

¹ [QLDC Disability Policy \(2018\)](#)

- 3.2 QLDC recommends that the Bill must adhere to the principle that disabled people are experts in their own lives; any requirements, regulations or standards recommended by the Committee must be designed with, and by, disabled people to achieve greater access and inclusion.

4.0 The United Nations Convention on the Rights of Persons with Disabilities

- 4.1 The New Zealand Government ratified the United Nations Convention on the Rights of Persons with Disabilities in 2008 but has not significantly implemented the rights contained within it. QLDC recommends the development of more comprehensive disability rights legislation that articulates those rights, sets standards to support those rights, and mechanisms to enforce the standards.
- 4.2 Along with rights regarding accessibility, disability rights legislation should support the realisation of other rights within the Convention:
- Respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons
 - Non-discrimination
 - Full and effective participation and inclusion in society
 - Respect for difference and acceptance of disabled people as part of human diversity and humanity
 - Equality of opportunity
 - Equality between men and women
 - Respect for the evolving capacities of disabled children and respect for the right of disabled children to preserve their identities.

5.0 Standards

- 5.1 QLDC recommends that accessibility legislation must be enforceable and regulated to ensure meaningful improvements can be made to accessibility for all. Accessibility legislation must enforce the review and mandatory update of Government Acts and New Zealand Standards that currently present barriers to the participation of disabled people in many areas of life and society. E.g., NZ Building Act and Standards, Reserves Management Act, NZ Aquatics Facilities Standards, NZ Building Code.
- 5.2 QLDC recommends that the Accessibility Bill includes a commitment from all Government agencies and entities to identify, prevent and remove barriers that relate to all key areas of life including housing, health, mental wellbeing, employment, education, transport, arts, culture and recreation. This commitment should also acknowledge the need to support collaboration with the private sector and with local communities to achieve innovation and accelerate change.
- 5.3 To ensure improvements can be made to public places, spaces and transport once Universal Design standards are introduced, QLDC recommends appropriate funding and support be made available to local authorities and relevant organisations to improve capability and accelerate the remedial, retrospective work required to comply with enhanced accessibility standards.

6.0 Acknowledgement of previous reports and Inquiries

- 6.1 There have been a range of reports and inquiries made over many years into removing barriers for disabled people living in New Zealand. QLDC recommends that the Bill acknowledges these key documents as a starting point for the work of the Committee. This mahi, including the voice of disabled people who were

involved in these processes, should be respected and acknowledged, and considered when the Committee makes recommendations.

- 6.2 Much of this previous work and recommendations are still relevant and yet to be implemented. For example, the Findings of the National Local Authority Survey on Accessibility². The Survey was triggered by disabled people reporting that local government has a greater impact on their daily lives than central government. The purpose of the National Local Authority Survey on Accessibility (the Survey) was to:
- understand how well local authority policies and practices are meeting the accessibility needs of disabled people (including disabled residents, children and visitors)
 - provide a snapshot of the progress being made nationally by local authorities and any innovations they are testing.

7.0 Spatial Plan / Future development strategy

- 7.1 Places succeed and perform best when central and local governments work together with iwi, business, industry and the community to deliver a shared vision for their community. The *Whaiora Grow Well Partnership* is an established Urban Growth Partnership between Central Government, Kāi Tahu, and QLDC.
- 7.2 QLDC recommends that Bill acknowledges the opportunities offered by such partnerships between Iwi, Central Government, and local government to accelerate the removal of barriers for disabled people, particularly in relation to urban design, transport and housing. One of the key outcomes of the Queenstown Lakes Spatial Plan is “Well-designed neighbourhoods that provide for everyday needs”.
- 7.3 QLDC recommends that the Bill includes Universal Design considerations and standards with the development of legislation that influences future design of New Zealand’s urban communities.

8.0 Accessible Tourism

- 8.1 The Queenstown Lakes District tourism industry is vital to both the local and national economy. As outlined in a recent paper by the Tourism for All NZ research group³, the accessible tourism market has been identified internationally as a growing segment that could lead the way for both social inclusiveness and economic benefit.
- 8.2 QLDC, the Department of Conservation, Destination Queenstown and Lake Wānaka Tourism have recently partnered to produce the draft destination management plan - Tourism for a Better Future / Te oraka o te tāpoi / A Regenerative Tourism Plan. Acknowledging the connection between tourism and local communities, the purpose of the plan is: “Improving local and visitor wellbeing and experience, forging connections between people and places, and enabling ecosystems to thrive, so that the district becomes known as a leading example of how tourism can create a better future.”
- 8.3 QLDC recommends that the Accessibility Bill includes reference to the implementation of enforceable standards that support the development of an accessible and regenerative tourism sector. Funding and support should be made available to the tourism sector to assist businesses to achieve these new standards.

² [Findings of the National Local Authority Survey on Accessibility \(2020\)](#), Office for Disability Issues

³ Cockburn-Wootten, C., & McIntosh, A. (2020). [Improving the Accessibility of the Tourism Industry in New Zealand](#). Sustainability, 12(24), 10478. <https://doi.org/10.3390/su122410478>

9.0 Social Cohesion

- 9.1 QLDC has recently joined the Welcoming Communities⁴ programme led by Immigration New Zealand. Working alongside our newcomer, migrant and receiving communities, QLDC is developing a Welcome Plan for the communities of the Queenstown Lakes District. Welcoming Communities works towards healthier, happier and more productive communities by welcoming newcomers into the local community, including those newcomers with accessibility needs.
- 9.2 Welcoming Communities aligns with the Government's programme of work to strengthen social cohesion⁵ in New Zealand and create a safer, more inclusive society. QLDC recommends that the Bill reflects the language and intent outlined in the Government's social cohesion strategic framework and acknowledge the importance of effective accessibility standards in supporting social cohesion (belonging, inclusion, participation, recognition, and legitimacy for all).

⁴ QLDC's Welcoming Communities Programme information: <https://www.qldc.govt.nz/community/welcoming-communities>

⁵ Te Korowai Whetū Social Cohesion strategic framework (2022), <https://www.msd.govt.nz/about-msd-and-our-work/work-programmes/community/social-cohesion/>