

Accessible Streets Submission Guide



Disabled Persons Assembly NZ



Overview of the Consultation:

The Accessible Streets Regulatory Package is a collection of rule changes that have been proposed by the Associate Minister of Transport, with a view to improving safety of footpaths, encouraging “active transport”, and making towns and cities in Aotearoa more liveable. The changes will have an impact on everyone who uses the transport network - from pedestrians to wheelchair users, to cyclists, motorists, and e-Scooter users.

This package is currently open for consultation until **5pm on the 20th May 2020**, which means that the government (via the New Zealand Transport Authority) is receiving feedback on these rule changes.

You can give your feedback by making a submission, which is a formal document detailing your thoughts on the proposed changes.

Why this is important:

This consultation is important because the changes proposed significantly impact the accessibility of our transport infrastructure for disabled people, and also because these

changes may present an opportunity for New Zealand to prioritise transport that could reduce our collective carbon emissions, and therefore take action on climate change, which also affects disabled people and other structurally oppressed communities the most.

Additionally, many people are making submissions on this Package with a view to reducing carbon emissions and prioritising active transport (like cycling), but may be advocating for this in a way that reduces disability rights and makes shared infrastructure inaccessible for disabled people.

For example, by advocating to give priority to cyclists in an effort to reduce reliance on cars (and therefore reduce emissions), but doing this in a way that puts cyclists in close proximity to mobility impaired pedestrians, who may not be able to quickly get out of the way of fast moving bikes.

It's important that we advocate for climate action that upholds disability rights, because our community of people with disabilities has not been adequately engaged and consulted on policy changes like this Accessible Streets Package which affect us the most, and could put us at risk of injury.

Why we made this Submission Guide:

We made this submission guide to assist individuals wanting to submit on the Accessible Streets Package, to make the submission process simpler, and also to ensure that disability rights and climate justice perspectives are represented in submissions.

The Disabled Persons Assembly NZ is Aotearoa's only pan-impairment DPO (Disabled Persons Organisation), and provides systemic advocacy for the disabled community, and for disability rights more broadly. Crucially, as part of the DPO Coalition, DPA is part of New Zealand's Independent Monitoring Mechanism to the UNCRPD - the United Nations Convention on the Rights of Persons with Disabilities, an essential mechanism to ensure that the rights of persons with disabilities are upheld in Aotearoa and around the world. DPA have deep expertise in disability rights, and how to make Aotearoa more inclusive and accessible for disabled people.

SustainedAbility is a New Zealand based organisation working at national and international levels to advocate for disability-led climate justice. This means that we work within the climate movement to support all climate action to support disabled voices, and uphold disability

rights. We also work within our disability community to advocate for climate action, and to share how climate change impacts our community. SustainedAbility has been advocating for disability-led climate action at the COP23, COP24, and COP25 United Nations Climate Negotiations, as well as at the UNCRPD COSP11 meeting.

We are working with our allies in the climate movement to ensure this vision of disability-led climate action is realised through all our local and international efforts - including in governmental submissions. We appreciate your support in embedding this vision in your own submissions on the Accessible Streets Package!

Where to make a submission:

You can make a submission by filling out the online form at <https://www.surveymonkey.com/r/MXTDZBC>

Alternatively, you can download the complete submission form available here: <https://www.nzta.govt.nz/assets/consultation/accessible-streets/Accessible-Streets-consultation-submission-form.pdf>

You can then submit your completed form via email to accessible.streets@nzta.govt.nz or print and send it to:

Free Post 65090
Waka Kotahi NZ Transport Agency
National Office
Private Bag 6995
WELLINGTON 6141
Attention: Accessible Streets consultation

If you'd like to make a video submission, you can email your video to: accessible.streets@nzta.govt.nz

Notes before you get started:

You do not have to answer every question, or have an opinion on every rule change. You can choose to make a submission even if you only provide feedback on one or two proposed changes.

Submissions are public documents, which means that summaries of them may be posted online by the government, and they can be requested through the Official Information Act process. Therefore, if you don't want your personal information to be published - make sure you include this very clearly on your submission.

The Submission Guide

Before you make your submission, please read the background information from DPA's own submission. You can choose to echo some of these concerns in your own submission where there are boxes to give long-form answers.

After you've read the background, we have provided Key Recommendations, drawn from DPA's submission, which you can echo in your own submission.

You can copy and paste these recommendations as is, or you can expand on them in your own words.

Background from DPA

"DPA is extremely disappointed by many of the key proposals in this package.

We are concerned that if these proposals are implemented as proposed without substantial change, they will have a disproportionately negative impact on the use of footpaths by disabled people, and their ability to use footpaths safely. The New Zealand Transport Agency's own guidance, based on international best practice purports to place 'mobility impaired pedestrians' at the top of the hierarchy of people to be considered in transport planning. Many of the proposals in this package clearly ignore this guidance by worsening the situation for disabled pedestrians.¹

¹ NZ Transport Agency Pedestrian Planning and Design Guide, Figure 5.1
<https://www.nzta.govt.nz/assets/resources/pedestrian-planning-guide/docs/chapter-5.pdf>

We are also disappointed in the lack of direct consultation by the Ministry with the disability sector during the development of these proposals and we urge the Ministry to work through the specific issues raised in our submission with us and other relevant disability organisations.

Our analysis has been written based on data showing disabled people move more slowly and are less likely to be able to avoid other footpath users, particularly transport devices².

Alignment of the Accessible Streets package with the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)

The proposed Accessible Streets package does not meet New Zealand's obligations under the UNCRPD as regards the following articles:

- Article 4.3: Involving disabled people and our organisations;
- Article 9: Accessibility;
- Article 19: Living independently and being included in the community;
- Article 20: Personal mobility;
- Article 30: Participation in cultural life, recreation and sport

The UNCRPD provides for access to facilities for disabled people on an equal basis with others and requires the government to engage with disabled people and our organisations on changes which would significantly impact on us.

As many disabled people rely on footpaths to access our communities and do not have or cannot drive private vehicles, it is essential that our safety is considered in any proposed changes to footpath use.

Reduced safety on footpaths will reduce access for disabled people and we view the proposed policies as discriminatory on that basis."

Key Recommendations:

1. Include in the definition of powered wheelchairs a speed limit of 6km/h similar to UK legislation.
2. Include mobility devices in this review to ensure clarity for disabled users and pedestrians.

² <https://www.nzta.govt.nz/assets/resources/pedestrian-planning-guide/docs/chapter-3.pdf>

3. Proceed with the proposed change to the categories but prevent the powered transport devices (e-scooters and yike bikes) from using the footpath.
4. Do not allow cycles and e-bikes to use the footpath. Continue to categorise small bikes separately and include them in the new category of 'unpowered transport device' thus allowing them to be used on the footpath, with trained adult supervision.
5. Designate safe national speed limit and a ban on bikes and motorised transport devices on footpaths.
6. Set a speed limit of 6km/h for motorised transport vehicles on footpaths: this equates to fast walking speed.
7. Shared paths should have a speed limit of 20km/h or lower with a 10km/h or lower speed limit when passing pedestrians.
8. Shared paths should only be created where it is possible for transport devices to leave a passing distance of 1 metre from pedestrians.
9. Transport devices should leave a passing distance of pedestrians of 1 metre.
10. Consider whether such crossings can be made zebra crossings with the relevant tactile markings to remove ambiguity over who has the right of way. Care must be taken to ensure that the crossings have dropped kerbs and tactile markers appropriately installed.
11. A nationwide ban on parking on berms.