



# Hastings Access Sub-Committee

## Business Paper

**date of meeting:** Monday 17 August 2015

**location:** Function Room  
Port Macquarie-Hastings Council  
17 Burrawan Street  
Port Macquarie

**time:** 2.00pm

**Note:** Council is distributing this agenda on the strict understanding that the publication and/or announcement of any material from the Paper before the meeting not be such as to presume the outcome of consideration of the matters thereon.



**PORT MACQUARIE  
HASTINGS**

## Hastings Access Sub-Committee

### CHARTER

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- (a) To advise Council regarding issues of access and facilities for persons with disabilities to all public areas and public buildings within the Hastings Local Government area.
- (b) To provide expert advice and recommendations, including pre-lodgement advice on building and development applications relating to public buildings, where necessary.
- (c) To develop guidelines for assessing building and development applications relating to private buildings.



**PORT MACQUARIE  
HASTINGS**

## Hastings Access Sub-Committee

### ATTENDANCE REGISTER

Member	15/09/14	17/11/14	16/02/15	20/04/15	15/06/15	
Councillor Rob Turner	✓	A	✓	✓	A	
Councillor Lisa Intemann (alternate)	X	✓	X	A	A	
Lyndel Bosman Guide Dogs NSW	✓	X	✓	✓	A	
Nik Sandeman-Allen Care & Mobility	X	X	X	X	X	resigned
Brian Bucket	✓	✓	✓	A	✓	
Elizabeth Rose	A	✓	✓	✓	✓	
George Payne	✓	✓	A	✓	✓	resigned
Helen Booby	X	✓	✓	A	✓	
Liz Faassen	✓	A	A	A	resigned	resigned
Max Waters	✓	✓	✓	✓	✓	
Mike Ispen	A	A	✓	A	✓	
Phil White	A	A	A	A	A	
Sharon Beard	✓	✓	✓	✓	✓	
Lucilla Marshall PMHC Group Manager Community Development	A	A	A	✓	✓	
Julie Priest PMHC Aged & Disability Officer	✓	✓	✓	✓	✓	

**Key:** ✓ = Present

A = Absent With Apology

X = Absent Without Apology



**PORT MACQUARIE  
HASTINGS**

**Hastings Access Sub-Committee Meeting**  
Monday 17 August 2015

**Items of Business**

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**Item: 01****Subject: ACKNOWLEDGEMENT OF COUNTRY**

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"I acknowledge that we are gathered on Birpai Land. I pay respect to the Birpai Elders both past and present. I also extend that respect to all other Aboriginal and Torres Strait Islander people present."

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**Item: 02****Subject: APOLOGIES**

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**RECOMMENDATION**

That the apologies received be accepted.

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**Item: 03****Subject: CONFIRMATION OF PREVIOUS MINUTES**

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**RECOMMENDATION**

That the Minutes of the Hastings Access Sub-Committee Meeting held on 15 June 2015 be confirmed.

**PRESENT**

**Members:**

Brian Bucket  
Elizabeth Rose  
George Payne  
Helen Booby  
Max Waters  
Mike Ipsen  
Sharon Beard  
Lucilla Marshall (PMHC Group Manager Community Place)  
Julie Priest (PMHC Place Facilitator - Aged & Disability)

**Other Attendees:**

Bruce Gibbs  
Julie Haraskin  
Ian Irwin  
Ben Oultram  
Jeffrey Tapping  
Carmel Tapping  
Brodie Rafferty  
Ross Henderson (Ability Links)

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The meeting opened at 2.05pm.

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**01 ACKNOWLEDGEMENT OF COUNTRY**

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The Acknowledgement of Country was delivered.

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**02 APOLOGIES**

**CONSENSUS:**

That the apologies received from Councillor Rob Turner, Councillor Lisa Intemann, Vicky Whitfield, Lyndel Bosman and Phil White be accepted.

A warm welcome to Bruce Gibbs, Julie Haraskin, Ian Irwin, Ben Oultram, Jeffrey Tapping and Carmel Tapping who expressed interest in joining the Access Committee and are attending today as observers. Anthony Clarke noted as an apology.

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**03 CONFIRMATION OF MINUTES**

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**CONSENSUS:**

That the Minutes of the Hastings Access Sub-Committee Meeting held on 20 April 2015 be confirmed.

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**04 DISCLOSURES OF INTEREST**

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There were no disclosures of interest presented.

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**05 BUSINESS ARISING FROM PREVIOUS MINUTES**

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**5.12 Development and Compliance.**

Julie Priest has submitted the Access Committee's feedback and request for review of the shared zone within an accessible car park to the Premises Australian Standards Review. She has signed up to email alerts to give status updated on the submission outcomes and will provide any updates to the Committee when received.

Discussion about including this in the Development Control Plan with Brian Bucket. Lucilla Marshall advised this process could take 12months to be reviewed.

**CONSENSUS:**

Updates to be provided about changing the shared zone in an accessible car park when they come to hand.

**5.14 Access Friendly Project**

Mike Ipsen, Helen Booby, Max Waters, Vicky Whitfield and Julie Priest attended SailAbility on Wednesday 13 May. Mike spoke about his experience and Max commended SailAbility on their volunteers. Brian Bucket had attended the onsite meeting six weeks earlier. All agreed that a permanent pontoon is supported. Lucilla Marshall advised that SailAbility have lodged a DA for a permanent pontoon as their grants require this permission for their applications. Council's Australia Day event also supports a SailAbility fund raising activity.

**CONSENSUS:**

Julie Priest to coordinate the next Access Friendly visit project and advise Committee Members.

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#### 5.17 Access Requests

1. Taxi requests for kerb ramp at Coles and layback on Horton Street

Discussion about works on Horton Street with pedestrian crossing points. Works for Kerb Ramp at Coles was submitted by Jeffrey Sharp for 2015/16.

2. Accessible car park requests

The Committee reviewed the community request for an additional accessible car park to be installed at Lake Cathie Woolworths (private car park) and the request for an additional accessible car parking space at the Port Macquarie Court House.

#### CONSENSUS:

That the Access Committee endorse that a letter of support be sent to Lake Cathie Woolworths advocating for the need for an additional accessible car park. That the Access Committee endorse an additional accessible car park to be installed at the Port Macquarie Court House.

3. Public seating

Max Waters discussed the ongoing request. Council's Landscape Architect has advised that there are no left-over seats from Mrs Yorks Garden which can be recycled. The Tea & Treasures location is on the register for seat allocation

#### CONSENSUS:

That the Committee be provided any updates at the next meeting.

4. Disability Friendly Bus Stops

The Volunteer Coordinator and Julie Priest have met with ACES for a training briefing. ACES will undertake an audit of the bus stops which will assist in Council's grant application.

#### CONSENSUS:

That the Committee review the information when the bus routes audit has been completed and to prioritise new bus shelter locations for the grant application.

5. Access issues

El congratulated Council on reducing kerbside and round-a-bout flora. The kerb and gutter at Bridge and Hollingsworth needs to be inspected. Max Waters enquired if the footpath and been improved near Joeys day care centre.

#### CONSENSUS:

That the kerb and gutter at Bridge and Hollingsworth be inspected and an update be provided at the next meeting about the footpath near Joeys day care centre.

6. Access works completed

The North Haven accessible public toilet and shower, plus linking footpath and car parking space has been completed.

The Bonny Hills Community Hall accessible bathroom with grab rails has been completed.



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The Committee congratulated Recreation & Buildings team for their outstanding efforts. 200 metres of footpath have been completed at Dunbogan which includes a park bench and destination signage as part of the Beach to Beach project.

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## **06 PEDESTRIAN EGRESS & SAFETY**

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Brodie Rafferty addressed the Committee and spoke about his experience of skateboarders on footpaths in Port Macquarie CBD. Brodie has found them to cause potential accidents and that the Police have not given him requested assistance.

Lucilla Marshall advised that the section of footpath is to undergo a transformation with a minimum 2.5 metre wide footpath which should alleviate pinch points. These works are expected to commence by Christmas. Max Waters discussed how egress with bicycles and skateboards. Julie Priest spoke about complaints about Mobility Scooter users with incidents reported at Settlement City.

### **CONSENSUS:**

That the Committee note the verbal report presented by resident Brodie Rafferty under the aegis of Ability Links. That Rangers monitor the situation before and after the footpath works have been undertaken.

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## **07 APPLICATIONS FOR MEMBERSHIP TO THE PORT MACQUARIE-HASTINGS ACCESS SUB-COMMITTEE**

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A call for new members was issued via the Council Matters newspaper column in three newspapers, online with the front page of the Council website and to the Disability Interagency Network. Applications to join the Access Committee have been received from:

- Bruce Gibbs
- Julie Haraskin
- Ian Irwin
- Ben Oultram
- Jeffrey Tapping
- Carmel Tapping
- Anthony Clarke

Clr Turner has reviewed the applications and requested the applicants be invited to attend the meeting as observers to gain an understanding of how the Committee operates.

Currently there are two vacancies and George Payne advised that he will be retiring. Phil White has requested sick leave for six months.

The Committee expressed their thanks and gratitude to George for all the volunteer time he has given to champion a disability friendly community.

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**CONSENSUS:**

That the number of membership positions available be reviewed by Councillor Turner. The applicants to be contacted by Julie Priest to seek their feedback on joining the Committee.

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**08 GENERAL BUSINESS**

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08.1 Long Flat accessible toilet:

Max Waters enquired as to the status of price quotes for the works.

**CONSENSUS:**

An update about the Long Flat accessible toilet works to be provided at the next meeting

08.2 Wauchope streetscape:

George discussed works needed at Wauchope CBD. John Mongard Landscape Architect is undertaking consultation with community, Council and RMS. Likely changes will include moving location of pedestrian crossing, street scaping and review of accessible car park locations. George spoke about incidents where people are parking at the accessible car parks either without a mobility parking scheme permit or using someone else's.

**CONSENSUS:**

That the Rangers be requested to patrol Wauchope CBD especially to monitor the accessible car parking spaces.

08.3 Yellow Brick Road:

Brian Bucket spoke about the stencilling needing to be replaced with a larger design and better quality paint. The Breakwall is currently under review by TCMP to widen and split the cycle way.

**CONSENSUS:**

That Yellow Brick Road be a Committee project for the next 12months.

08.4 Access Committee Representative for Town Centre Masterplan Sub-Committee:

Infrastructure & Asset Management are seeking expressions of interest for membership to the TCMP, with representative from Access Committee, CBD landowner, Chamber of Commerce and CBD trader. The Committee thanked Brian Bucket for all his hard work in on the TCMP. Brian spoke about the commitment needed with one monthly meeting and several working group meetings a month.

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**CONSENSUS:**

That members interested in representing the Access Committee on the TCMP to contact Julie Priest.

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The meeting closed at 3.40pm.

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Item: 04  
Subject: DISCLOSURES OF INTEREST

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**RECOMMENDATION**

That Disclosures of Interest be presented

**DISCLOSURE OF INTEREST DECLARATION**

Name of Meeting: .....  
Meeting Date: .....  
Item Number: .....  
Subject: .....  
.....

I, ..... declare the following interest:

**Pecuniary:**  
Take no part in the consideration and voting and be out of sight of the meeting.

**Non-Pecuniary - Significant Interest:**  
Take no part in the consideration and voting and be out of sight of the meeting.

**Non-Pecuniary - Less than Significant Interest:**  
May participate in consideration and voting.

For the reason that: .....  
.....

Signed: ..... Date: .....

*(Further explanation is provided on the next page)*



**Further Explanation**

(Local Government Act and Code of Conduct)

A conflict of interest exists where a reasonable and informed person would perceive that a Council official could be influenced by a private interest when carrying out their public duty. Interests can be of two types: pecuniary or non-pecuniary.

All interests, whether pecuniary or non-pecuniary are required to be fully disclosed and in writing.

**Pecuniary Interest**

A pecuniary interest is an interest that a Council official has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the Council official. (section 442)

A Council official will also be taken to have a pecuniary interest in a matter if that Council official's spouse or de facto partner or a relative of the Council official or a partner or employer of the Council official, or a company or other body of which the Council official, or a nominee, partner or employer of the Council official is a member, has a pecuniary interest in the matter. (section 443)

The Council official must not take part in the consideration or voting on the matter and leave and be out of sight of the meeting. (section 451)

**Non-Pecuniary**

A non-pecuniary interest is an interest that is private or personal that the Council official has that does not amount to a pecuniary interest as defined in the Act.

Non-pecuniary interests commonly arise out of family, or personal relationships, or involvement in sporting, social or other cultural groups and associations and may include an interest of a financial nature.

The political views of a Councillor do not constitute a private interest.

The management of a non-pecuniary interest will depend on whether or not it is significant.

*Non Pecuniary – Significant Interest*

As a general rule, a non-pecuniary conflict of interest will be significant where a matter does not raise a pecuniary interest, but it involves:

- (a) A relationship between a Council official and another person that is particularly close, for example, parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the Council official or of the Council official's spouse, current or former spouse or partner, de facto or other person living in the same household.
- (b) Other relationships that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship.
- (c) An affiliation between a Council official an organisation, sporting body, club, corporation or association that is particularly strong.

If a Council official declares a non-pecuniary significant interest it must be managed in one of two ways:

1. Remove the source of the conflict, by relinquishing or divesting the interest that creates the conflict, or reallocating the conflicting duties to another Council official.
2. Have no involvement in the matter, by taking no part in the consideration or voting on the matter and leave and be out of sight of the meeting, as if the provisions in section 451(2) apply.

*Non Pecuniary – Less than Significant Interest*

If a Council official has declared a non-pecuniary less than significant interest and it does not require further action, they must provide an explanation of why they consider that the conflict does not require further action in the circumstances.



**SPECIAL DISCLOSURE OF PECUNIARY INTEREST DECLARATION**

<b>By</b> <i>[insert full name of councillor]</i>	
<b>In the matter of</b> <i>[insert name of environmental planning instrument]</i>	
<b>Which is to be considered at a meeting of the</b> <i>[insert name of meeting]</i>	
<b>Held on</b> <i>[insert date of meeting]</i>	
<b>PECUNIARY INTEREST</b>	
Address of land in which councillor or an associated person, company or body has a proprietary interest ( <i>the identified land</i> ) <sup>i</sup>	
Relationship of identified land to councillor <i>[Tick or cross one box.]</i>	<input type="checkbox"/> Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease trust, option or contract, or otherwise).  <input type="checkbox"/> Associated person of councillor has interest in the land.  <input type="checkbox"/> Associated company or body of councillor has interest in the land.
<b>MATTER GIVING RISE TO PECUNIARY INTEREST</b>	
Nature of land that is subject to a change in zone/planning control by proposed LEP ( <i>the subject land</i> ) <sup>iii</sup> <i>[Tick or cross one box]</i>	<input type="checkbox"/> The identified land.  <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control <i>[Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]</i>	
Proposed change of zone/planning control <i>[Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]</i>	
Effect of proposed change of zone/planning control on councillor <i>[Tick or cross one box]</i>	<input type="checkbox"/> Appreciable financial gain.  <input type="checkbox"/> Appreciable financial loss.

**Councillor's Signature:** ..... **Date:** .....



### Important Information

This information is being collected for the purpose of making a special disclosure of pecuniary interests under sections 451 (4) and (5) of the *Local Government Act 1993*. You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints made about contraventions of these requirements may be referred by the Director-General to the Local Government Pecuniary Interest and Disciplinary Tribunal.

This form must be completed by you before the commencement of the council or council committee meeting in respect of which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

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- i. Section **443** (1) of the *Local Government Act 1993* provides that you may have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative<sup>iv</sup> or because your business partner or employer has a pecuniary interest. You may also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.
  - ii. Section **442** of the *Local Government Act 1993* provides that a **pecuniary interest** is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter or if the interest is of a kind specified in section **448** of that Act (for example, an interest as an elector or as a ratepayer or person liable to pay a charge).
  - iii. A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in section **443** (1) (b) or (c) of the *Local Government Act 1993* has a proprietary interest—see section **448** (g) (ii) of the *Local Government Act 1993*.
  - iv. **Relative** is defined by the *Local Government Act 1993* as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.



Item: 05  
Subject: BUSINESS ARISING FROM PREVIOUS MINUTES

Item:	5.14	14 June 2012
Subject:	Access Friendly Project	
Action Required:	Committee to report on visit to Rydges and Mercure. Committee to nominate businesses to visit during September.	
	Discuss at August meeting.	

Item:	5.17	10 February 2014
Subject:	Access Requests	
Action Required:	<p><b>1. Accessible car park requests</b></p> <ul style="list-style-type: none"> <li>The Committee be provided with an update about the car park counting project and review the ratio and location of accessible parking spaces.</li> <li>That a letter be sent to Woolworth's endorsing additional accessible car parking spaces at Lake Cathie Shopping Centre</li> </ul> <p><b>2. Disability Friendly Bus stops</b> That ACES proceed with the bus shelter audit and for a photo to be taken of each shelter.</p> <p><b>3. Access issues</b></p> <ul style="list-style-type: none"> <li>That the kerb and gutter at Bridge and Hollingsworth be inspected</li> <li>An update be provided at the next meeting about the footpath near Joeys day care centre.</li> </ul> <p><b>4. Access works</b></p> <ul style="list-style-type: none"> <li>Update about Long Flat accessible public toilet</li> </ul>	





	<p><b>5. Accessible Arts</b> Update about the three projects</p> <ul style="list-style-type: none"><li>A. Unique - puppet project</li><li>B. Eric the illustrator</li><li>C. Community art project</li></ul> <p><b>6. Roads &amp; Maritime Services Active Transport Grant</b> Update about the kerb ramp locations selected for the grant application</p>
	<p><b>7. Yellow Brick Road</b> Discussion about expanding this project</p>
	<p><b>8. Code of Conduct and WHS.</b> New access Committee Members to read and sign the Certificate of Compliance and return to Julie Priest.</p>
	Provide update at August meeting.