



Port Macquarie-Hastings Access Sub-Committee

Business Paper

date of meeting: Monday 19 October 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**

Port Macquarie-Hastings Access Sub-Committee

CHARTER

1. AIMS

- 1.1 To provide advice and recommendations to Council on strengthening accessibility to all public areas and public buildings within the Port Macquarie-Hastings LGA.
- 1.2 To develop projects that will improve physical access for people with a disability living in the Port Macquarie-Hastings LGA.
- 1.3 To oversee the implementation and monitoring of projects designed to meet the Disability Discrimination Act requirements in the relevant Council planning documents:
 - Delivery Program;
 - Operational Plans;
 - PMHC Disability Discrimination Act Action Plan 2008 2018; and
 - Other relevant documents.
- 1.4 To determine funding priorities for upgrades consistent with the 'Guidelines for Prioritising Access Funding' for PMHC Buildings and Facilities.

2. SUB-COMMITTEE MEMBERSHIP

- 2.1 Sub-Committee members will comprise of:
 - Councillor (Chairperson)
 - Community Members (14 members)
 - Ex officio - Place Making
 - Infrastructure
 - Development & Environment
- 2.2 Chairperson will be a nominated Councillor.
- 2.3 The role of the chairperson shall be to:
 - Chair meetings;
 - Compile agenda in consultation with Council staff member;
 - Ensure meetings are properly convened;
 - Oversee activities of the committee; and
 - Keep the order of proceedings, as set by the agenda.

In the absence of the chairperson, an alternate Councillor shall chair the meeting.

- 2.4 Council's Place Facilitator will be the Secretary for the meetings and will be responsible for:
 - Convening Committee meetings and provide written notice to all members at least 7 days prior to the scheduled meeting;

- Document minutes and forward a copy to Committee members within 14 days of the meeting;
 - Document the priorities for access works funding;
 - Maintain contact details of Committee members;
 - Provide support and resources to the Committee; and
 - Liaise with various areas of Council to bring access issues forward.
- 2.5 Membership of the Sub-Committee will be open to any member of the community that has a disability, is a parent/carer of a person with a disability, has some professional experience or has a demonstrated interest in access issues.
- 2.6 On an annual basis, all committee members will be requested to advise of their interest in remaining on the committee. Should there be any vacancies then membership will be open up to the community via a nomination process.
- 2.7 Members who are absent from three meetings without an apology may have their membership suspended.

3. MEETINGS

- 3.1 A minimum of six meetings will be held per annum.
- 3.2 Topics for the agenda should be forwarded to the nominated Community Development Officer no later than 14 days prior to the meeting date.
- 3.3 Agenda and minutes from the previous meeting will be circulated to members at least 7 days prior to the meeting.

All meetings of the Sub-Committee are public meetings. Members of the public and media can attend meetings as observers; however, they cannot speak at the meeting unless prior arrangements are made through the Sub-Committee Secretary. Presentations shall be limited to a maximum of 5 minutes.

4. QUORUM

- 4.1 A quorum will consist of at least six members of the Sub-Committee.

5. VOTING

- 5.1 Voting on recommendations are made by consensus and all decisions regarding the allocation of funding for works must be stated precisely for inclusion in the minutes.

6. COMMUNICATION

- 6.1 Members of the Sub-Committee are not permitted to speak to the media as representatives of the Committee unless approved by the chairperson.



- 6.2 Where approval has been sought from the chairperson, views and opinions expressed are those of the Port Macquarie-Hastings Access Sub-Committee and not of Port Macquarie-Hastings Council.
- 6.3 When endorsement is required from Port Macquarie-Hastings Council approval must be sought through the formal process.

7. PARENT COMMITTEE

- 7.1 Ordinary Council Meeting.

8. CODE OF CONDUCT

- 8.1 All members of the committee are to abide by Council's Code of Conduct.



**PORT MACQUARIE
HASTINGS**

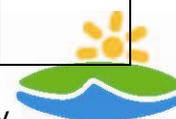
Port Macquarie-Hastings Access Sub-Committee

ATTENDANCE REGISTER

Member	15/09/14	17/11/14	16/02/15	20/04/15	15/06/15	17/08/15
Councillor Rob Turner	✓	A	✓	✓	A	✓
Councillor Lisa Intemann (alternate)	X	✓	X	A	A	✓
Lyndel Bosman	✓	X	✓	✓	A	✓
Nik Sandeman-Allen	X	X	X	X	X	resigned
Brian Bucket	✓	✓	✓	A	✓	✓
Elizabeth Rose	A	✓	✓	✓	✓	A
George Payne	✓	✓	A	✓	✓	✓
Helen Booby	X	✓	✓	A	✓	✓
Liz Faassen	✓	A	A	A	resigned	resigned
Max Waters	✓	✓	✓	✓	✓	✓
Mike Ispen	A	A	✓	A	✓	A
Phil White	A	A	A	A	A	A
Sharon Beard	✓	✓	✓	✓	✓	✓
Lucilla Marshall PMHC Group Manager Community Development	A	A	A	✓	✓	✓
Julie Priest PMHC Aged & Disability Officer	✓	✓	✓	✓	✓	✓

Member	19/10/15					
Councillor Rob Turner						
Councillor Lisa Intemann (alternate)						
Anthony Clarke						
Ben Oultram						
Brian Bucket						
Elizabeth Rose						
Helen Booby						
Ian Irwin						
Jeffrey Tapping						
Julie Haraksin						
Lyndel Bosman						
Max Waters						
Mike Ispen						
Phil White						
Sharon Beard						
Lucilla Marshall PMHC Group Manager Community Development						
Julie Priest PMHC Aged & Disability Officer						

Key: ✓ = Present A = Absent With Apology X = Absent Without Apology



**PORT MACQUARIE
HASTINGS**

Port Macquarie-Hastings Access Sub-Committee Meeting
Monday 19 October 2015

Items of Business

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Item: 01

Subject: ACKNOWLEDGEMENT OF COUNTRY

"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."

Item: 02

Subject: APOLOGIES

RECOMMENDATION

That the apologies received be accepted.

Item: 03

Subject: CONFIRMATION OF PREVIOUS MINUTES

RECOMMENDATION

That the Minutes of the Port Macquarie-Hastings Access Sub-Committee Meeting held on 17 August 2015 be confirmed.

PRESENT

Members:

Councillor Rob Turner (Chairperson)
Councillor Lisa Intemann (alternate)
Lyndel Bosman (Guide Dogs NSW)
Brian Bucket
George Payne
Helen Booby
Max Waters
Sharon Beard
Lucilla Marshall (PMHC Group Manager Community Place)
Julie Priest (PMHC Place Facilitator - Aged & Disability)

Other Attendees:

Anthony Clarke
Julie Haraksin
Ian Irwin
Ben Oultram
Jeffrey Tapping
Carmel Tapping
Bruce Gibbs
Michelle van Zenen (Mid Coast Communities & Ability Links)

The meeting opened at 2.05pm.

01 ACKNOWLEDGEMENT OF COUNTRY

The Acknowledgement of Country was delivered.

02 APOLOGIES

CONSENSUS:

That the apologies received from Elizabeth Rose, Mike Ipsen, Phil White and Vicky Whitfield be accepted.

03 CONFIRMATION OF MINUTES

CONSENSUS:

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

04 DISCLOSURES OF INTEREST

There were no disclosures of interest presented.

05 BUSINESS ARISING FROM PREVIOUS MINUTES

5.14 Access Friendly Project:

The Committee provided an update on the visit to Rydges and Mercure. It was disappointing to note that Rydges had replaced the shower curtain with a perspex screen making it non-compliant. Mercure had four fantastic accessible rooms.

Clr Turner requested that Sails Resort be included in the next visit. Other suggestions include The Observatory and Ki-ea. Sharon Beard requested a roster system with four in a team.

CONSENSUS:

1. That Mercure be sent a letter and stickers welcoming them as members of Access Friendly business (with small tyre wedge needed for lip of the balcony) and that Rydges be sent a letter advising them of the Committees disappointment about their non-compliant bathroom.
2. That Sails Resort, The observatory and Ki-ea be scheduled for Access Friendly visits.

5.17 Access Requests:

1. *Accessible car park requests*

House with No Steps has volunteered for one of their teams to audit all the car parking spaces and review the accessible car parks for compliance and count the number of carparks, location and ratio.

The Lake Cathie Shopping Centre is owned by Ocean Drive Holdings Pty Ltd in Wollongong.

George Payne and Brian Bucket spoke about accessible car parks needing both painted symbols on the road and large signage at eye height.

CONSENSUS:

-
1. That when the carpark audit is completed the Access Committee review the information.
 2. That Ocean Drive Holdings are contacted in regards to advocating for additional accessible car parking spaces.

2. Disability Friendly Bus stops

ACES are continuing to measure and audit the bus stops.

3. Access issues

The kerb and gutter at Bridge and Hollingsworth was inspected and a map tabled showing the lack of kerb ramps. Joeys Day Care Centre has moved from 121 Bridge Street and this is now the office of Alzheimer's Australia. Cllr Turner spoke about the Master Plan for the area. Lyndel Bosman requested that the TGSI's be imbedded in the design. George Payne spoke about High Street Wauchope and cars scrape doors adjacent to the kerb. Lucilla Marshall advised about the High Street Plan currently being designed for the area.

CONSENSUS:

1. That the kerb and TGSI's needed for Bridge and Hollingsworth Sts be included in the Roads & Maritime grant application with discussion with the Traffic Engineer in regards to the Master Plan for the area.
2. That Alzheimer's Australia be contacted in regards to the footpath in front of their premises.

4. Access Works

CONSENSUS:

That an update be provided at the next meeting about the construction of the Long Flat accessible public toilet.

5. Accessible Arts

Accessible Arts is undertaking \$70,000 worth of projects in our LGA. Julie provided an update with the puppet in a wheelchair theatre and Eric the Illustrator children's book to be launched on International Day of People with Disability 3rd December and the Committee will receive invitations to attend. The community public art installation of a giant whale tale (themed recycling and nautical) with participation by NewIDAFE, House With No Steps, Hastings Headway and ACES will be launched at the Fire, Water, Harvest Festival on Town Green in early November.

6. Roads & Maritime services Active Transport Grant

This grant is for pedestrian access to key routes which link the towns eg. the route from the Library to the Glasshouse. Maps were tabled showing location of proposed kerb ramps. Julie Haraksin requested Munster and Church Street be included.

CONSENSUS:

That the following kerb ramps with imbedded TGSi's be included in the grant application

Port Macquarie:

- 2 x kerb ramps Munster / Church Street footpath (for route from Glasshouse to Library)
- 2 x kerb ramps Church and Grant Street footpath
- Along Park St headed toward settlement city (Park and Warlters St)
- Park street (near Port Marina)
- Buller St footbridge - steep gradient of ramp non compliant at footbridge (near motel side)
- 3 Bagnoo Place kerb ramp needed for pre-school (Port Macquarie Pre-School)
- Murray Street where pedestrian ramp meets footpath at Port Central Carpark is a 2 inch drop
- Murray Street - pedestrian kerb ramp needed opposite the Port Macquarie Court House
- Murray St - pedestrian kerb ramp needed at Port Macquarie Court House
- Hughes Place - kerb ramp for Melaleuca Residents
- 41 Munster Street Port Macquarie Community Pre-school

Camden Haven:

- Ocean Drive - footpath near Short Street needs kerb ramp to access footpath / motel accommodations
- Laurie Street, Laurieton kerb ramp needed at footpath linking to Retirement Village

7. *Yellow Brick Road*

Clr Turner led a discussion about Yellow Brick Road (YBR) which was a one off grant used to link Findley Ave (Retirement Village) to local Shopping Centre (Growers). Council is filling in key missing links so that high use footpaths are connected.

Clr Intemann advised that Council has allocated \$500,000 per year to filling in the missing footpath links. Max Waters discussed that during the evolution of the project there was discussion that different colours would signify different routes. Brian Bucket advised that the TCMP is looking at upgrading the whole breakwall area. Lucilla Marshall advised that footpaths would be six metres wide in this area. Moving forward YBR has been completed as a one off grant project.

CONSENSUS:

That Committee members are provided with a document of the Access Committee priority pathways and PAMP.

06 GENERAL BUSINESS

06.01 Request for wheelchair accessible ramp at North Haven River Pool:

Michelle van Zenen from Mid Coast Communities (Ability Links) addressed the Committee. Ability Links have purchased an all terrain wheelchair for Camden Haven and are seeking suggestions for where it can be stored so the community can easily access it for free hire. Michelle showed photo of the North Haven river pool and requested a wheelchair accessible ramp into the river pool. Julie Priest advised that Council had recently constructed a wheelchair accessible toilet and shower room and linking footpath to the two accessible car parks. Potentially the ramp could be funded from the Council Buildings & Facilities access budget.

Michelle spoke about Henry Kendall Reserve and makeshift boat ramp and if there could also be a ramp there. Cllr Turner asked if this was a highly used venue and committee advised that it was not.

CONSENSUS:

1. That Mike Ipsen advise of any organisations that could house the all terrain wheelchair and that Ben Oultram contact ACES and New IDAFE for suggestions too.
2. That the proposal is costed and investigated and brought back to the Committee for consideration as part of the access improvements to Councils buildings and facilities.

06.02 Footpaths and property shorelining:

Lyndel Bosman tabled a Guide Dogs document and spoke about how people with low vision or who are blind move around by using the shoreline of a property to guide them. Their preference is to have café, street furniture, clothes racks, and A Frames etc located along the kerb side of the footpath, and wherever possible the property line is free and maintained a 1.8m width.

Brian Bucket advised that in the Port Macquarie CBD the TCMP have required A Frames to be licensed and forbidden in front of shops. Outdoor dining not in front of shops but minimum 1.3m from the shoreline in low pedestrian traffic area and 1.8m in high pedestrian traffic area. Cllr Intemann spoke about public seating and if it is located on the kerb then it is not covered by an awning. Discussion about mix use and needs from a variety of users and interests in the community. Lyndal suggested street furniture is square ended and if café tables and chairs have a small barrier (such as potplant border or banner border) then would really help. Julie Haraksin and Ian Irwin spoke how they prefer different locations on the footpath to dodge pedestrians walking out of shops. The Australian Standards AS1428 do not specify where on the footpath clearance must be maintained just that an unobstructed accessible path must be maintained.

CONSENSUS:

That the Access Committee develop some guidelines regarding footpaths and property shorelining at the next meeting.

06.03 Review of DA for Student Housing Kingfisher Road, Port Macquarie:

The Access Committee reviewed the DA with Julie Priest to follow up the following questions:

- How many accessible rooms in total?
 - Which toilets in the student hubs are accessible?
 - Do the gradients linking car parks to accommodation comply with AS1428?
 - Where are the lifts located? This could impact on social isolation and interact ability.
 - Is the entrance to the student hub compliant with AS1428?
-

The meeting closed at 4.00pm.

Item: 04
Subject: DISCLOSURES OF INTEREST

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

By <i>[insert full name of councillor]</i>	
In the matter of <i>[insert name of environmental planning instrument]</i>	
Which is to be considered at a meeting of the <i>[insert name of meeting]</i>	
Held on <i>[insert date of meeting]</i>	
PECUNIARY INTEREST	
Address of land in which councillor or an associated person, company or body has a proprietary interest (<i>the identified land</i>) ⁱ	
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.
MATTER GIVING RISE TO PECUNIARY INTEREST	
Nature of land that is subject to a change in zone/planning control by proposed LEP (<i>the subject land</i>) ⁱⁱⁱ <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^{iv} 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:	<ul style="list-style-type: none"> • Discuss next visit • Review the list of Disability Friendly Businesses 	
	Discuss at October meeting	

Item:	5.17	10 February 2014
Subject:	Access Requests	
Action Required:	<p>1. Accessible car park requests The Committee be provided with an update about the car park counting project and review the ratio and location of accessible parking spaces.</p> <p>2. Disability Friendly Bus stops That ACES proceed with the bus shelter audit and for a photo to be taken of each shelter.</p> <p>3. Access issues</p> <p>3.1 Committee review current listing of priority footpaths and kerb ramps and Pedestrian Access Mobility Plan (PAMP).</p> <p>3.2 Annual Disability Discrimination Act Action Plan has been reported.</p> <p>3.3 Discuss Guidelines for park benches and shorelining.</p> <p>3.4 Minister Ajarka - Disability Inclusion Plan.</p> <p>3.5 Review Hay St Bus Stop - Correspondence from Ms Leslie Williams MP.</p> <p>4. Access works</p> <p>4.1 Update about the new Long Flat accessible public toilet.</p> <p>4.2 Update about \$140k Lake Cathie Fishing Platform.</p>	



	<p>4.3 Update about North Haven Ramp for river pool.</p> <p>5. Accessible Arts Update about the three projects</p> <ul style="list-style-type: none">A. Unique - puppet projectB. Eric the illustrator children's book projectC. Community art project
	<p>Provide update at October meeting</p>

