



# Port Macquarie-Hastings Access Sub-Committee

## Business Paper

**date of meeting:** Tuesday 5 June 2018

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

**time:** 2.00pm

## Port Macquarie-Hastings Access Sub-Committee

### CHARTER

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#### 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 Access Sub-Committee

### ATTENDANCE REGISTER

Member	06/06/17	01/08/17	03/10/17	05/12/17	06/02/18	10/04/18
Councillor Peter Alley (Chair)	✓	✓	✓	A	✓	✓
Councillor TBA (Deputy Chair)	-	-	-	-	-	
Ben Oultram	✓	✓	✓	✓	✓	✓
Bruce Gibbs	✓	✓	✓	✓	✓	A
Elizabeth Rose	A	A	A	✓	✓	✓
Helen Booby	✓	A	✓	✓	✓	✓
Ian Irwin	✓	A	✓	✓	✓	✓
Julie Haraksin	A	A	A	✓	✓	✓
Cheryl Dimmock	A	A	A	A	✓	A
Max Waters	✓	✓	✓	✓	✓	A
Mike Ipsen	✓	✓	✓	✓	✓	A
Phil White	A	A	A	A	A	A
Sharon Beard	✓	✓	✓	✓	✓	A
Lucilla Marshall PMHC Group Manager Community Development	✓	A	A	A	A	A
Julie Priest PMHC Aged & Disability Officer	✓	✓	✓	✓	✓	✓

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

**Port Macquarie-Hastings Access Sub-Committee Meeting**  
Tuesday 5 June 2018

**Items of Business**

<b>Item</b>	<b>Subject</b>	<b>Page</b>
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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 Port Macquarie-Hastings Access Sub-Committee Meeting held on 10 April 2018 be confirmed.

**PRESENT**

**Members:**

Councillor Peter Alley (Chair)  
Ben Oultram  
Elizabeth Rose  
Helen Booby  
Ian Irwin  
Julie Haraksin  
Julie Priest (PMHC Aged & Disability Officer)

**Other Attendees:**

Mayor Peta Pinson  
Pip Cox (PMHC Road Safety Officer)  
Kate Whatman (PMHC landscape Architect)  
Carl Bennett (PMHC GIS Coordinator, Digital Technology)  
Bronwen Hughes (PMHC GIS, Digital technology)  
Ravinder Dogra (CSU secondment student)

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The meeting opened at 2:00pm.

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**01 ACKNOWLEDGEMENT OF COUNTRY**

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The Acknowledgement of Country was delivered.

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**02 APOLOGIES**

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CONSENSUS:

That the apologies received from Bruce Gibbs, Cheryl Dimmock, Max Waters, Mike Ipsen, Phil White, Sharon Beard, Lucilla Marshall (PMHC Group Manager Community Development) be accepted.



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### **03 CONFIRMATION OF MINUTES**

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**CONSENSUS:**

That the Minutes of the Port Macquarie-Hastings Access Sub-Committee Meeting held on 6 February 2018 be confirmed.

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### **04 DISCLOSURES OF INTEREST**

There were no disclosures of interest presented.

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### **05 BUSINESS ARISING FROM PREVIOUS MINUTES**

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#### **5.01 Access Friendly Project**

Thank you to Julie Haraksin, Ian Irwin, Bruce Gibbs, Julie Priest and Ravinder Dogra for undertaking the visit. The group noted that Coles has a number of accessible programs.

**CONSENSUS:**

That Julie Priest send correspondence to: Coles thanking them for their accessible programs and noting the area near the downstairs lift is a potential hazard and recommend planter boxes; Pizza Obsession to either fix the accessible door with a handle or remove the wheelchair access sticker; Dan Murphy's to review stacking boxes which push out from the shelves; and Finnians to consider mobility scooter parking area and clear signage. The next access visit to include the Breakwall Caravan Park.

#### **5.02.1 Accessible Public Toilets**

**CONSENSUS:**

1. That the Committee extends its congratulations to the Council Project Team on receiving a \$255,000 grant for the new toilet amenities at the Short Street Plaza Car Park.
2. That the Project Team consider installing two accessible car parks adjacent to the new amenities. Noting that one accessible car park is already planned.
3. That the Access Committee review Adult Change Tables and Hoists and determine at the next meeting where is the top priority to locate one and the approximate costs. That Julie Priest will contact Councils who have an adult change table and hoist and ask for their feedback in terms of usage, promotion and costs.

### **5.02.2 Accessible Reserves**

**CONSENSUS:**

That the data capture app that GIS is creating for the Access Committee will include a layer for “Accessible Reserves”.

### **5.02.03 Access Parking.**

The Committee viewed the design for Westport Park. Julie Haraksin and Ian Irwin discussed the non-compliant gradient near the footbridge. Bruce Gibbs’ media articles from the Sun Herald 25 March 2018 were tabled about selfish drivers.

**CONSENSUS:**

1. That the Access Committee noted the proposed change in footpath at Westport Park to line up at the two accessible car parks; and
2. That the Access Committee is aware how to report any abuse of use of the mobility parking permit by contacting the State Government hotline by phoning 1300 884 899.

### **05.02.04 Access Updates.**

Images of the completed Yarrabee Road School Crossing were tabled. Pip Cox discussed the proposed design for the Bold Street Pedestrian Crossing at Laurieton noting that more detailed plans will be available for the Committee to review at a later stage. The footpath between fishing platform and toilets will commence after school holidays. The Committee noted the images showing the technical specifications for the Liberty Swing. Discussion about Town Beach Caravan Park which has been bought by NRMA and to be visited by the Committee and to review the gutters located there.

**CONSENSUS:**

1. That the Committee congratulated Julie Haraksin about the #standby me advocacy which received a two year extension of \$26M across NSW.
2. That Julie Priest send correspondence to the Home Zone building owner advocating for them to install footpath access that links to the proposed Hastings River Drive footpath.
3. That Pip Cox will provide a further update about the Bold St Laurieton plan when this becomes available.

### **05.02.05 Dementia Friendly Programme**

**CONSENSUS:**

That the Committee congratulated Julie Priest on receiving a \$15k grant to deliver a Dementia Friendly programme over the next 18months.

### **05.02.06 Town Centre Master Plan Committee**

The Committee noted that Sharon Beard is on extended carers leave. El Rose discussed need for a parkland bench along William Street

**CONSENSUS:**

That the Town Centre Master Plan Committee review the request for a parkland bench to be installed along William Street.

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### **06 ACCESSIBLE PARKING PROJECT**

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Carl Bennett and Bronwen Hughes from PMHC GIS Digital technology discussed the accessible parking project. They showed product examples, spoke about the data collection process and options for showing dots on the map and how this information is searched. The App will in the long term include parking spaces, public toilets, pram ramps, accessible picnic tables, bus stops, reserves and accessible playgrounds.

**CONSENSUS:**

1. That GIS create a data collection tool for the Access Committee and it includes attributes such as if rear access to car park is available.
  2. That the final product can be searched by “show me within 100metres of where I am”, includes a photo of the car park (wherever possible a close up and a wide shot) and information can be searched or filtered via fields that are selected.
  3. That the map can be printed as a PDF.
  4. That GIS are invited to the June Access Committee meeting to provide an update about the project.
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### **07 WAUCHOPE LIBRARY OUTDOOR LEARNING SPACE CONCEPT PLAN**

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Kate Whatman, PMHC Landscape Architect, presented the plan for the Wauchope Library Outdoor Learning Space. She requested an allocation of \$13k for the construction of the wheelchair ramp and modified doorway.

**CONSENSUS:**

That the Access Committee endorsed the allocation of \$13,000 from the DDA budget for the design and installation of the accessible wheelchair ramp at the Wauchope Library Outdoor Learning Space.

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### **08 ACCESS PRIORITIES**

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The Committee reviewed the list of proposed Access Priorities for the current DDA budget. Discussion that the \$80k set aside to match funding for the new accessible toilet at Short Street Plaza is no longer required as Council was successful in receiving a grant for 100% of the new amenities. The Committee to review 2018/19 budget allocation for possible adult change table and hoist project in the August meeting.

**CONSENSUS:**

That the Access Committee endorsed the allocation of the DDA budget for the following projects:

- \$20,000 Shelley Beach for accessible picnic table and linking footpath to amenities and accessible car park.
- \$13,000 Wauchope Library wheelchair ramp.
- \$7,300 Wauchope Pool aquatic wheelchair and hoist.
- \$4,300 Rocks River Ferry Pontoon wheelchair hoist.
- \$30,000 Comboyne War Memorial Hall accessible toilet.
- \$17,000 Lake Cathie linking footpath and if needed fish cleaning table.
- That if any funding is left over to investigate if it can be allocated for Kooloonbung Footbridge footpath to make it compliant.

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**09 GENERAL BUSINESS**

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**09.01 COMMUNITY INCLUSION PLAN**

The Access Committee were advised that the Community Inclusion Plan is open for ideas and feedback and closes 28 May 2018. A community think tank workshop is on Thursday 17 May at the Glasshouse and the Access Committee are invited to attend. For more information visit [haveyoursay.pmhc.nsw.gov.au](http://haveyoursay.pmhc.nsw.gov.au).

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**09.02 INVITATION TO ARTWALK**

The Access Committee are invited to the PMHC Artwalk event 6pm to 9pm on Thursday 19 April 2018 – start at the Glasshouse Forecourt.

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**09.03 FLYNNS BEACH MASTERPLAN**

The Access Committee noted that the two accessible car parks are included in the plan as requested.

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**09.04 GLENVIEW DRIVE, YIPPIN CREEK**

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Julie Priest advised that a resident had contacted her as the developer has installed a beautiful new footpath at Glenview Drive but it does not include pram ramps so residents with a disability cannot get on or off the footpath or access the new playground.

**CONSENSUS:**

That Development & Environment review the footpath and investigate installing pram ramps, especially at the playground. That Development & Environment provide education to Developers so that future footpaths include pram ramps.

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**09.05 SHARED PATH SAFETY PROJECT**

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Pip Cox spoke about the project for CBD and gathered feedback from the Committee about width of footpaths and signage.

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**09.06 LETTER FROM RESIDENT JULIE RIXON**

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A letter was tabled from resident Julie Rixon.

**CONSENSUS:**

That the Access Committee review the letter and provide a response at the June Access Committee Meeting.

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The meeting closed at 4:15pm.

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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: .....  
.....

Name: .....

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. The Council official must not be present at, or in sight of, the meeting of the Council at any time during which the matter is being considered or discussed, or at any time during which the council is voting on any question in relation to the matter. (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> )	
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 Name:** .....

**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..
  - 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

<b>Item:</b>	5.01	5 December 2017
<b>Subject:</b>	Access Friendly Project	
<b>Action Required:</b>	<ul style="list-style-type: none"> <li>• Committee to provide an update about the access visit to Sales Resort.</li> <li>• Discuss venues for next visit in July.</li> </ul>	
<b>Status:</b>	Discuss at June meeting	

<b>Item:</b>	5.02	5 December 2017
<b>Subject:</b>	Access Requests	
<b>Action Required:</b>	<p><b>1. Accessible public toilets</b></p> <ul style="list-style-type: none"> <li>• Adult change table and hoist request to be part of Lake Cathie scope for amenities.</li> <li>• Julie Priest to advise usage, promotion and costs from feedback from other councils.</li> <li>• Shelley beach toilet update.</li> </ul> <p><b>2. Accessible Reserves</b></p> <ul style="list-style-type: none"> <li>• That the data capture app will include a layer for 'Accessible Reserves'.</li> </ul> <p><b>3. Access Issues</b></p> <ul style="list-style-type: none"> <li>• Review letter tabled from resident Julie Rixon at April meeting and provide a response.</li> <li>• Update about missing footpath link at Stingray Creek Bridge.</li> <li>• Update about community engagement of proposed CBD pedestrian improvements at five intersections and concept of a 40 km/hr zone. <a href="http://www.haveyoursay.pmhc.nsw.gov.au">www.haveyoursay.pmhc.nsw.gov.au</a></li> </ul> <p><b>4. Accessible Parking Project</b></p> <ul style="list-style-type: none"> <li>• Update and demonstration of app to capture data.</li> </ul> <p><b>5. Dementia Friendly Programme</b></p> <ul style="list-style-type: none"> <li>• Update about the Pop Up Soup Cafés in July.</li> </ul>	

	<ul style="list-style-type: none"><li>• Provide Dementia Friendly design principles for guidance of future council building maintenance</li></ul> <p><b>6.Town Centre Master Plan Committee</b></p> <ul style="list-style-type: none"><li>• Sharon Beard to provide an update.</li></ul>
<b>Status:</b>	Discuss at June meeting.