



Port Macquarie-Hastings Access Sub-Committee

Business Paper

date of meeting: Monday 18 April 2016

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.



**PORT MACQUARIE
HASTINGS**

- 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	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	14/12/15	15/02/16			
Councillor Rob Turner	✓	✓	✓			
Councillor Lisa Intemann (alternate)	✓	A	A			
Anthony Clarke	✓	A	✓			
Ben Oultram	✓	✓	✓			
Bruce Gibbs	-	✓	A			
Elizabeth Rose	✓	✓	✓			
Helen Booby	✓	✓	A			
Ian Irwin	✓	✓	✓			
Jeffrey Tapping	✓	✓	✓			
Julie Haraksin	✓	✓	✓			
Lyndel Bosman	✓	A	✓			
Max Waters	✓	✓	✓			
Mike Ispen	✓	✓	✓			
Phil White	A	A	A			
Sharon Beard	✓	A	✓			
Lucilla Marshall PMHC Group Manager Community Development	A	A	✓			
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 18 April 2016

Items of Business

Item	Subject	Page
01	Acknowledgement of Country	<u>7</u>
02	Apologies.....	<u>7</u>
03	Confirmation of Minutes	<u>7</u>
04	Disclosures of Interest.....	<u>13</u>
05	Business Arising from Previous Minutes.....	<u>17</u>
06	General Business	



**PORT MACQUARIE
HASTINGS**

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 15 February 2016 be confirmed.

PRESENT

Members:

Councillor Rob Turner (Chairperson)
Anthony Clarke
Ben Oultram
Elizabeth Rose
Ian Irwin
Jeffrey Tapping
Julie Haraksin
Lyndel Bosman
Max Waters
Mike Ispen
Sharon Beard
Lucilla Marshall (PMHC Group Manager Community Development)
Julie Priest (PMHC Aged & Disability Officer)

Other Attendees:

Donna Bailey (Board Member Willing & Able)
Susan Stipcevic-Webb (PMHC Road Safety Officer)

The meeting opened at 2.05pm.

01 ACKNOWLEDGEMENT OF COUNTRY

The Acknowledgement of Country was delivered.

02 APOLOGIES

CONSENSUS:

That the apologies received from Cr Lisa Intemann, Bruce Gibbs, Helen Booby and Phil White be accepted.

03 CONFIRMATION OF MINUTES

CONSENSUS:

That the Minutes of the Port Macquarie-Hastings Access Sub-Committee Meeting held on 14 December 2015 be confirmed with the following amendments:

1. 5.17.5 Change name from Ian Atkins to Ian Irwin.
 2. 5.17.5 North Haven Surf Club change to Camden Haven Surf Club.
-

04 DISCLOSURES OF INTEREST

There were no disclosures of interest presented.

05 BUSINESS ARISING FROM PREVIOUS MINUTES

5.14 Access Friendly Project:

Discussion about KFC stair lifter. Ben Oultram will review onsite again with Manager to check if it is now working. Julie Priest advised that Sails Resort DA includes the provision of two lifts and a service lift. The works will be staged, potentially over a number of years. Discussion about certification, especially private certifiers. Discussion about next businesses to visit.

CONSENSUS:

1. That Ben Oultram will review the KFC stair lifter and report back at the next meeting;
2. That correspondence will be sent to Sails Resort requesting the Access Committee 'road test' the new works and lifts upon completion;
3. That Julie Priest arranges the next Access Friendly business visit; and
4. That information about accreditation of private certifiers be provided at the next Committee meeting.

5.17 Access Requests:

5.17.1 Accessible Car park requests:

Discussion about who from the committee is available to volunteer for the audit project. Julie Priest will provide a copy of the Australian Standard design and measurements.

Discussion about request received from Sensory Smart OT on Buller Street (near the bridge) and if an accessible parallel car park can be located there.

CONSENSUS:

1. That Julie Haraksin, Ian Irwin, Ben Oultram and Julie Priest will audit the Port Macquarie accessible car parks, Lyndel Bosman will audit the Wauchope accessible car parks and Anthony Clarke will audit any other places. A report will be brought to the Committee upon completion; and
2. That the Committee recommends the installation of an accessible car park at Buller Street adjacent to Sensory Smart as Option A, with Option B on Hollingworth Street and that Transport & Stormwater review the request and an update is provided at the next Committee meeting.

5.17.2. Disability Friendly Bus Stops Audit:

Discussion about all the hard work Bruce Gibbs has done in compiling the information. That a listing be developed of bus stops which are missing a bus shelter and have a linked footpath for the Committee's prioritisation.

CONSENSUS:

That an update about the Disability Friendly Bus Stops audit be provided at the next meeting.

5.17.3. Access Issues:

Discussion about Players Theatre and request for kerb ramp to be installed. Julie Priest advised there is a small budget left over from Yellow Brick Road that could go towards this project.

CONSENSUS:

That the Committee recommend a kerb ramp be installed at Players Theatre. An update to be provided at the next meeting.

5.17.4 Access Works:

The Committee was advised that the module accessible toilet for Long Flat has been ordered.

Divers have inspected the river for location of footings for the Lake Cathie Fishing Platform and an Engineer has inspected and measured the gradient of the footpaths. The platform could be located adjacent to the existing footpath as Option A and Option B next to the small sandy beach area.

No update about the costings for a ramp at North Haven River. The Committee reviewed different on-slab steel restroom design modules for Lake Cathie public toilet.

CONSENSUS:

That the Committee recommends that the following module public toilet design for Lake Cathie be costed: Option A Restroom K9505 which includes an accessible bathroom, ambulant bathroom and unisex toilet and Option B the smaller K9503 unisex accessible bathroom and ambulant bathroom. An update to be provided at the next Committee meeting.

5.17.5 Ability Links Wheelchair:

The Committee were advised that Ability Links have donated their beach wheelchair to National Parks.

CONSENSUS:

That an update be provided at the next meeting of how and where National Parks will have the beach wheelchair available and how they will promote this community asset.

5.17.6 Adult Change Tables:

An update was provided about Local Government NSW offering a NSW council the donation of an adult change table however none of the PMHC public toilets were eligible. LGNSW required two accessible toilets in one block, overall dimensions of 3 x 3.5m and be situated in a building wholly owned by Council. Lucilla Marshall spoke about alternative change tables which include a long bench without a hoist.

CONSENSUS:

Ben Oultram and Julie Priest provide information at the next meeting about requirements for space, movement and costings and review change table with hoists or long bench.

5.17.7 Website:

The Committee discussed the Council website pages. Lyndel Bosman reviewed how the search engine works and overlap of pages. Jeffrey Tapping spoke about how this is an important asset for the community to access information.

CONSENSUS:

That website content be reviewed and web page overlap when using the search engine and that the Access Friendly Businesses accommodation suppliers be included in the "52+ Things To Do" tourism website.

**06 PORT MACQUARIE FORESHORE WALKWAY - TOWN GREEN TO
KOOLONBUNG CREEK FOOTBRIDGE**

The Committee reviewed the proposal for Port Macquarie Foreshore Walkway - Town Green to Kooloonbung Creek Footbridge. Max Waters commended the plan. Anthony Clarke discussed the footpath and if there was a risk as no kick rails and pathway follows in parallel to the riverbank.

CONSENSUS:

That the Access Committee are supportive and commend the concept plan for the upgrade of the Port Macquarie Foreshore Walkway from Town Green to the Kooloonbung Creek Footbridge. That the cross-fall gradient of the footpath is compliant to Australian Standards. That an accessible public toilet is included in the future design of the activated al fresco waterfront area and shade such as shade trees are included.

07 PRESENTATION BY MS SUSAN STIPCEVIC-WEBB, ROAD SAFETY OFFICER.

Susan Stipcevic-Webb discussed her role as Road Safety Officer and Roads & Maritime Services requirements for this position. Discussion about pedestrian crossings and pedestrian refuges on Clarence Street, signage and crash statistics which were available on the RMS interactive Crash Database. Julie Haraksin spoke about the high hedging at William and Munster Street.

CONSENSUS:

1. That the Access Committee note this presentation;
2. That the Access Committee have input into the commissioned review of Clarence Street and Gordon Street pedestrian crossings and share-ways; and
3. That Susan Stipcevic-Webb review William & Munster Street hedging and scheduled maintenance as its height impedes clear sight lines.

08 GENERAL BUSINESS

Nil.

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 [Tick or cross one box.]	<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 [Tick or cross one box]	<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 [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	
Effect of proposed change of zone/planning control on councillor [Tick or cross one box]	<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.

-
- 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"> • That Ben Oultram will review the KFC stair lifter and report back at the next meeting; • That correspondence be sent to Sails Resort requesting the Access Committee 'road test' the new works and lifts upon completion; • That the Committee report on the site visit to Roto House and the Koala Hospital; • That information about accreditation of private certifiers be provided at the next meeting. 	
	Discuss at April meeting.	

Item:	5.17	10 February 2014
Subject:	Access Requests	
Action Required:	<p>5.17.1 Accessible car park requests</p> <ul style="list-style-type: none"> • That Julie Haraksin, Ian Irwin, Ben Oultram and Julie Priest plan to audit the Port Macquarie accessible car parks, Lyndel Bosman plan to audit the Wauchope accessible car parks and Anthony Clarke plan to audit any other places. A report will be brought to the Committee upon completion; • That the Committee recommends the installation of an accessible car park at Buller Street adjacent to Sensory Smart as Option A, with Option B on Hollingworth Street and that Transport & Stormwater review the request and an update is provided at the next Committee meeting. <p>2. Disability Friendly Bus stops</p> <ul style="list-style-type: none"> • Update from Bruce Gibbs' about his work compiling the bus stop audit data. 	

	<p>3. Access issues</p> <ul style="list-style-type: none"> • Update about installing access kerb ramp at Players Theatre. <p>4. Access works</p> <ul style="list-style-type: none"> • Update about the new Long Flat accessible public toilet; • Update about the Lake Cathie Fishing Platform and public toilet block; and • Review costings for installation of ramp at North Haven River. <p>5. Ability Links Beach Wheelchair Ability Links have donated a chair to National Parks. That an update be provided at the next meeting of how and where National Parks will have the beach wheelchair available and how they will promote this community asset.</p> <p>6. Adult Change Tables Ben Oultram and Julie Priest provide information at the next meeting about requirements. for space, movement and costings and review change table with hoists or long bench.</p> <p>7. Website That council website content be reviewed and web page overlap when using the search engine and that the Access Friendly Businesses accommodation suppliers be included in the “52+ Things To Do” tourism website. www.pmhc.nsw.gov.au/Resident-Services/Community/Accessibility-Disability</p>
	<p>Discuss at April meeting.</p>

