



# Hastings Access Sub-Committee

## Business Paper

**date of meeting:** Monday, 10 February 2014

**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	09/09/13	14/10/13	11/11/13			
Councillor Rob Turner Alternate - Councillor Lisa Intemann	✓ <b>A</b>	✓	✓			
Guide Dogs NSW	✓	<b>A</b>	✓			
Access Building Designer	✓	✓	✓			
Wauchope Seniors	<b>A</b>	<b>A</b>	<b>A</b>			
Physical Disability	<b>A</b>	<b>X</b>	<b>X</b>			
Port Macquarie & Vision Impairment	✓	✓	✓			
Port Macquarie Access	✓	<b>A</b>	✓			
Camden Haven Access	✓	<b>A</b>	✓			
Care & Mobility	✓	✓	✓			
Hastings Macleay Community Transport	<b>X</b>	<b>X</b>	<b>X</b>			
Wauchope Access	✓	✓	✓			
Education & Access	✓	✓	✓			
PMHC Aged & Disability Officer	✓	✓	✓			

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



**PORT MACQUARIE  
HASTINGS**

**Hastings Access Sub-Committee Meeting**  
Monday, 10 February 2014

**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 Hastings Access Sub-Committee Meeting held on 11 November 2013 be confirmed.

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**PRESENT**

**Members:**

Councillor Rob Turner (Chairperson)  
Brian Bucket - Access Building Designer  
Helen Booby - Port Macquarie Access  
Julie Priest- PMHC Aged & Disability Officer  
Lyndel Bosman -Guide Dogs NSW  
Max Waters - Port Macquarie & Vision Impairment  
Mike Ipsen - Camden Haven Access  
Nik Sandeman-Allen - Care & Mobility  
Phil White - Wauchope Access  
Sharon Beard - Education & Access

**Other Attendees:**

Lucilla Marshall - PMHC Group Manager Community Development  
Jeffery Sharp - PMHC Director Infrastructure & Asset Management

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The meeting opened at 2.07pm.

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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 George Payne (Wauchope Seniors) and Vicky Whitfield (Port Macquarie Access) be accepted.

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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 14 October 2013 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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**5.14 Access Friendly Project:**

Councillor Turner advised that he has emailed Port Central Management and upon their response a time will be scheduled for an Access Committee visit.

Julie Priest and Sharon Beard will present at the Chamber of Commerce meeting on Wednesday 20 November 2013. Cllr Turner will be an apology as he is at the Council meeting that night.

Nik Sandeman-Allen proposed that Hastings Home Modification new premises be visited prior to their launch. Helen Booby suggested a visit to World Par-Tea.

**CONSENSUS:**

1. Visit to Port Central be arranged once receive confirmation from management.
2. Visit on Friday 22 November to include Hastings Home Modification and World Par-tea and Julie to liaise with Committee members.

**5.17 Access Requests:****5.17.1 Settlement Point Ferry:**

Discussion about risk for user of mobility scooter and OHSW risk for contractors handling the portable ramp.

**CONSENSUS:**

Independent Risk Assessment to be undertaken to assess proposal for a portable ramp on Settlement Point Ferry.

**5.17.2 Shared Zone:**

The traffic signs in Clarence Street is being reviewed by the Town Centre Masterplan Committee and will be completed in December.

**5.17.3 Rebel Sport:**

Group Manager of Development Assessment has undertaken to liaise with Compliance regarding the painted-out disabled parking spot at Rebel Sport.

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**CONSENSUS:**

The Access Committee be advised of the outcome.

**5.17.4 Lighthouse Beach staircase:**

Council will construct a handrail on the new staircase at Lighthouse Beach.

**5.17.5 Safety Issues:**

Discussion about safety issues to be brought to attention of Road Safety Officer include; no pedestrian crossings on Lord Street (between Gordon & Hill St) and no pedestrian crossing near Finnians Gordon Street.

**CONSENSUS:**

That the Road Safety Officer be advised of pedestrian safety issues at Lord Street (between Gordon & Hill St) and near Finnians on Gordon Street, Port Macquarie.

**5.17.6 Parking at the Wauchope Hospital, Palliative Care Unit:**

Julie Priest undertook an access assessment in January 2013 on the plans and requested that the disabled parking spaces comply with AS. Nik Sandeman-Allen and Mike Ipsen spoke about how during construction there is no access.

**CONSENSUS:**

That Julie Priest contact the Wauchope Hospital and discover how many disabled car parking spots are available now, during construction and upon completion.

**5.17.7 Town Beach Stair Nosings:**

Councillor Turner has 'road tested' the new stair nosings. He found them to be non-slip and highly visible.

**CONSENSUS:**

That Council continue installing stair nosings on beach staircases with Flynn's Beach a priority.

**5.17.8 Prioritise remaining Disability Discrimination Act Funds:**

Discussion about stair nosings, charge points and Vicky Whitfield's suggestion of Pilot Beach amenities which is not DDA compliant. Current projects include compliant access to Log Wharf amenity, stair nosing at Town Beach lookout which are now completed and Nik Sandeman-Allen suggested the installation of 2<sup>nd</sup> automatic opening door at Glasshouse.

**CONSENSUS:**

That Recreation & Buildings undertake the following projects:

1. Allocate \$200 in total for charge points for Laurieton and Wauchope libraries;
2. Undertake works at Pilot Beach amenities so that it is DDA compliant;



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3. Proceed with installing the stair nosings with Flynn's beach a priority; and
  4. If possible install the 2<sup>nd</sup> automatic opening door at the Glasshouse in time for International Day of People with Disability event on Tues 2 December.

5.17.9 Plans for International Day of People with Disability:

Julie spoke about two event the Access All Areas Film Festival at the Glasshouse on Tuesday 2<sup>nd</sup> December and the Disco with Bago Magic on the Friday 6<sup>th</sup> December. The Committee suggested ideas including a skit by Bago Magic and Wheelchair precision driving in the Forecourt anda Councillors wheelchair race. Helen Booby offered to contact Alison Jenner from Port Macquarie Primary School for her support. Cr Turner offered his apologies as he would be unable to attend the event.

CONSENSUS:

That the Access Committee be sent an invitation to IDPwD event at the Glasshouse.

5.17.10 Process / Mechanism to trigger DA review:

Jeffery Sharp spoke about this and a process will be put in place with Lucilla Marshall.

5.17.11 Taxi Driver request a layback on Horton St cab rank and a hand rail:

CONSENSUS:

That this request be logged with Council Roads & Infrastructure.

5.17.12 Boardwalk Waniora Parkway:

Phil White and Sharon Beard inspected the Boardwalk at Waniora Parkway and are pleased to report that it is accessible. Some plants are overgrown in one section. Phil still hasn't heard back from National Parks & Wildlife.

CONSENSUS:

Phil White provide an update at the next meeting.

5.17.13 Retail Renovation and DA requirements for a compliant toilet:

Development Assessment provided the advice that if an internal wall is moved for renovations (in any part of the building) then that triggers a DA and a DA complaint toilet for a retail renovation.

5.17.14 Pedestrian crossing on Lake Road:

Councillor Turner provided an update about Lake Road is now a 40 km/hr zone. This will be trialled for 6 months and then reviewed in regards to pedestrian safety. Brian Bucket's design plan has been submitted to Council's Transport & Traffic.

5.17.15 Bench Seating:

The list of bench seating was tabled at the meeting. Councillor Turner suggested that the seating that is being removed from Hay Street Forecourt may be able to be re-located to

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some of these.

**CONSENSUS:**

That Buildings and Recreation be approached for relocation of benchseating and that a copy of the benchseating list be issued with the minutes.

**16. Busways:**

No action has occurred while Julie Priest was away on leave. The Bus Route timetable still includes incorrect bus stop locations.

**CONSENSUS:**

That Julie Priest write to Busways requesting information on the routes, schedule and frequency of accessible buses, the timeframe of when the fleet will be completely access friendly and when they will be updating their timetable.

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**06 GENERAL BUSINESS**

**06.1 PMHC Project Management Framework:**

Mr Jeffery Sharp, Director Infrastructure & Asset Management spoke about councils' Project Management Framework and the need for a clear decision point for when the Access Committee are notified for input. Operationally his area will take on a milestone or hold point when Engineers will talk to Lucilla Marshall who will decide if the process is to go via the Access Committee.

This was triggered by the community approaching Brian Bucket for information/input.

**CONSENSUS:**

That Council provide a plan to the Access Committee for Stingray Bridge showing the access and width of the pedestrian link and a plan of the breakwall showing the proposed footpath.

**06.2 Progress of the Access Committee:**

Max Waters and Nik Sandeman-Allen spoke about their frustration with the slow pace of works, in particular Yellow Brick Road with change of several locations, and getting park benches allocated throughout the area. They spoke about how they feel they are just rubber stamping priorities and there are opportunities to promote the Access Committee. Cr Turner spoke about the high standing and regard that the Access Committee is held in by Council.

**CONSENSUS:**

That Julie Priest provide a list of all the good the Access Committee has done and will read it out at the IDPWD event.

06.3 Westport Park Inclusive Playground:

Brian Bucket raised the Westport Park Inclusive Playground launch. Lucilla Marshall spoke about the purpose was for community drivers and Touched By Olivia to be engaged. Nik and Max attended however thought it was going to be a launch and there were no formalities. Council had an information stall and 4 staff attended the day with plans for the playground which the Access Committee has reviewed at an earlier meeting. Suggest in future that there is a formal announcement and speech component at the event.

06.4 New Committee Members:

The Committee members discussed the applications of Ms Elizabeth Rose and Ms Elizabeth Conroy.

CONSENSUS:

That a report be submitted to Council recommending the acceptance of the Expression of Interest for Membership to the Port Macquarie-Hastings Access Sub Committee received from Ms Elizabeth Rose and Ms Elizabeth Conroy.

06.5 DA Review Garden Village:

The Committee reviewed the DA plans for the two x 4 storey apartments at Garden Village.

CONSENSUS:

That the Access Committee review be submitted to DA that the footpath be extended to Oxley Highway, that TGSI's be included as to comply with Australian Standards.

06.6 Majestic Cinema Stairlifter:

Phil White spoke about his experience at the Majestic Cinema. He purchased a movie ticket and the stairlifter did not work as it has a light capacity which was incredibly disappointing and will affect many people wanting to use it.

CONSENSUS:

That Nik Sandeman-Allen to investigate the capacity of the stairlifter and report back to the Committee .

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The meeting closed at 4.17pm.

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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

<b>Item:</b>	5.1	<b>Date:</b>	12 March 2012
<b>Subject:</b>	Yellow Brick Road		
<b>Action Required:</b>	<ol style="list-style-type: none"> <li>1. That Council inform committee of the start date of the footpath construction.</li> <li>2. That Council inform the committee of the extent of stencilling that can be achieved within the budget.</li> </ol>		
<b>Current Status:</b>	Update provided at February meeting		

<b>Item:</b>	5.12		14 May 2012
<b>Subject:</b>	Aldi Car Park		
<b>Action Required:</b>	That Brian Bucket will provide draft Australian Standards letter to Julie Priest for Chair to sign.		
<b>Current Status:</b>	Discuss at February meeting		

<b>Item:</b>	5.14		14 June 2012
<b>Subject:</b>	Access Friendly Project		
<b>Action Required:</b>	<ol style="list-style-type: none"> <li>1. Update about visit to Laurieton on 17<sup>th</sup> January.</li> <li>2. Update about Business Enterprise Network Breakfast presentation on 23 January.</li> <li>3. Schedule visit to next retailers</li> </ol>		
	Discuss at February meeting		

<b>Item:</b>	5.17		14 October 2013
<b>Subject:</b>	Access Requests		
<b>Action Required:</b>	<ol style="list-style-type: none"> <li>1. Update about risk assessment to be carried out on the proposal of a portable ramp to access the Settlement Point Ferry &amp; discussions with Council's insurers.</li> <li>2. Brian Bucket has discussed with the Town Centre Masterplan Committee about Shared Zone signs in Clarence Street and advised that the Masterplan Review will be completed in 8 weeks.</li> <li>3. D&amp;E to be informed of compliance issue of painted-out disabled parking space at Rebel sport. Provide update at next</li> </ol>		



	<p>meeting.</p> <ol style="list-style-type: none"> <li>4. Update about Council construction of handrail on the new staircase at the lighthouse.</li> <li>5. Parking at the Wauchope Hospital, Palliative Care Unit.</li> <li>6. Taxi Driver requested a layback on Horton Street cab rank and a hand rail.</li> <li>7. Pedestrian crossing on Lake Road and Brian's design plan update.</li> <li>8. Bench seating update - outside Inner Vision on Cnr William and Grant Sts, and additional seating for the bus stop outside the Macquarie Hotel on Clarence Street.</li> <li>9. Busways update on buses which are disability friendly.</li> <li>14. Stairlifter capacity at Majestic Cinemas update (Nik Sandeman-Allen)</li> <li>15. Successful grant application \$100k grant for construction of disability friendly fishing platform at Dunbogan from NSW Dept Primary Industries.</li> <li>16. Wauchope accessible car parking spot. A new accessible car parking space at Cameron Street Wauchope has been completed (George provide update).</li> <li>17. Community Garden Accessibility open day. The Lost Plot community Garden on Central Road is planning a fun open day with the Disability Interagency Network.</li> <li>18. Cowarra Dam Steps. TGSI's to be installed along full width of steps.</li> </ol>
	Discuss at February meeting



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**Item: 06**

**Subject: REQUEST FOR LEAVE OF ABSENCE FROM SUB-COMMITTEE - NIK SANDEMAN ALLEN**

**Presented by: General Manager, Anthony Hayward**

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### **RECOMMENDATION**

1. That leave of absence from the Hastings Access Sub-Committee be granted to Nik Sandeman Allen until 30 March 2014 and he be advised in writing.
2. That Mr Sandeman Allen be advised that should he require an extension of leave after 30 March 2014, he will need to make another request in writing for the Committee's consideration.

### **Discussion**

Mr Nik Sandeman Allen, in a letter to Councillor Rob Turner dated 17 November 2013, as the Committee Chair, requested leave from the Hastings Access Sub-Committee for a period of three (3) months due to personal reasons.

Due to the fact that this request was received just after the last Sub-Committee in November 2013 and the first meeting in 2014 is approximately on the three (3) month time-line, it is recommended that the leave of absence be extended to 30 March 2014.

If Mr Sandemann Allen requires a further extension, he will need to make another request in writing to the Committee for consideration.

### **Attachments**

Nil

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**Item: 07**

**Subject: DISABILITY TRAINING PROGRAM**

**Presented by: General Manager, Anthony Hayward**

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**RECOMMENDATION**

**That representatives from the New South Wales Government Ageing, Disability and Home Care be invited to address the Sub-Committee.**

**Discussion**

At 2.30pm Rodney Nugent, Deb Murrell and Jeannie Bennett from the New South Wales Government Ageing, Disability and Home Care will be attending this meeting to discuss a new initiative and seek the Sub-Committee's feedback.

**Attachments**

Nil

