



Hastings Access Sub-Committee

Business Paper

date of meeting: Monday 17 November 2014

location: Emergency Operations Centre
Central Road
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

- (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	10/02/14	10/03/14	14/04/14	12/05/14	14/07/14	15/09/14
Councillor Rob Turner	✓	✓	A	A	✓	✓
Councillor Lisa Intemann (alternate)	A	A	✓	X	X	X
Lyndel Bosman Guide Dogs NSW	✓	✓	A	✓	✓	✓
Nik Sandeman-Allen Care & Mobility	A	A	A	X	X	X
Brian Bucket	✓	✓	✓	✓	✓	✓
Elizabeth Rose	✓	✓	A	✓	A	A
George Payne	✓	A	✓	A	A	✓
Helen Booby	✓	A	✓	✓	✓	X
Liz Faassen	✓	✓	✓	✓	✓	✓
Max Waters	✓	✓	✓	✓	✓	✓
Mike Ispen	✓	✓	A	✓	A	A
Phil White	A	✓	A	✓	✓	A
Sharon Beard	✓	✓	✓	✓	✓	✓
Lucilla Marshall PMHC Group Manager Community Development	X	✓	✓	✓	A	A
Julie Priest PMHC Aged & Disability Officer	✓	✓	✓	✓	✓	✓

Key: ✓ = Present

A = Absent With Apology

X = Absent Without Apology



**PORT MACQUARIE
HASTINGS**

Hastings Access Sub-Committee Meeting

Monday 17 November 2014

Items of Business

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**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 Hastings Access Sub-Committee Meeting held on 15 September 2014 be confirmed.

PRESENT

Members:

Councillor Rob Turner (Chairperson)
Lyndel Bosman (Guide Dogs NSW)
Brian Bucket
George Payne
Helen Booby
Liz Faassen
Max Waters
Sharon Beard
Julie Priest (PMHC Aged & Disability Officer)

Other Attendees:

Maryanne Gawne, Regional Coordinator, Disability Advocacy NSW Inc.

The meeting opened at 2.05pm.

01 ACKNOWLEDGEMENT OF COUNTRY

The Acknowledgement of Country was delivered.

02 APOLOGIES

CONSENSUS:

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

03 CONFIRMATION OF MINUTES

CONSENSUS:

That the Minutes of the Hastings Access Sub-Committee Meeting held on 14 July 2014 be confirmed.

04 DISCLOSURES OF INTEREST

There were no disclosures of interest presented.

05 BUSINESS ARISING FROM PREVIOUS MINUTES

5.12 Aldi Car Park:

No correspondence has been received from Australian Standards.

CONSENSUS:

Julie Priest to send Australian Standards a reminder letter.

5.14 Access Friendly Project:

The Committee reported back on their August visits. The Museum, Coffee Co, The Corner Cafe, Town Green Inn, Yellow Jet Boat and Hogs Breathe were visited. Businesses in West Clarence Street were closed on the Monday. The Corner, Museum and Town Green Inn will be invited to join Access Friendly. The Coffee Co recommend a rubber wedge along the door ledge, Hogs Breathe does not have an accessible toilet and the Yellow Jet would need assistance to transfer.

Max, Phil, Mike and Julie also visited South Pacific Apartments (opposite Flynn's Beach). The owners Christine and Brett were very welcoming. The accessible apartment has a great balcony and bathroom, only needs a wedge at the screen door and no access to the kitchen sink and the dining table too low. Julie met with the owners and Council Planner to discuss changes to their front office to extend and enable accessible entrance via a ramp and they are getting information about a hoist for the swimming pool.

Julie did a presentation at the Racecourse to the Tourism organisations and subsequently the Access Committee have received invitations to a number of businesses.

CONSENSUS:

Next Access Friendly visit scheduled for Monday 13th October and include Douglas Vale, Black Duck Brewery, Bago Vineyards, Timbertown Resort Motel & Montana's on High Restaurant. Julie Priest will advise an itinerary closer to the time.

5.17 Access Requests:

1. Taxi request for kerb ramps.

Discussion about difficulties that Australian Standards does not accommodate this and could create a hazard to pedestrian who may think they can cross the road when it is for taxi users only.

CONSENSUS:

Access Committee recommend that a dogleg type kerb ramp design be investigated as a

proposed solution - for the front of the queue at Coles and Horton Street.

2. Sailability invitation to observe one of its sailing days:

CONSENSUS:

Committee to attend in November with details to be confirmed closer to the time.

3. The Co-Coffee shop:

This was reviewed as part of an Access Friendly visit with the recommendation that a threshold wedge would be a solution to enable access to the ground floor of the café.

This matter is now closed.

4. Damaged road at Surgery cnr Tunis and Bold St Laurieton:

Request for damaged road to be fixed.

CONSENSUS:

Update to be provided at next meeting.

5. William St Observatory - Accessible Parking request:

John Hanlon, PMHC Traffic Engineer provided information that Council is currently installing street lighting on this section of road with a view to upgrading the pedestrian refuge to a marked foot crossing. In association with these works the angled parking on the southern side of William Street will be adjusted. The Access Committee's proposed changes will be considered as part of these parking changes.

Brian Bucket requested that the taxi set down area be reviewed. Lyndel was very supportive that the pedestrian refuge is transitioning into a pedestrian crossing.

CONSENSUS:

John Hanlon to provide a draft plan for the Access Committee to review.

6. Billabong update:

Julie Priest tabled a letter she has sent to Billabong owners offering our support and requesting that the wheelchair accessible toilet sign be removed as they do not have a compliant facility. Have not received any return correspondence from Billabong. This matter is now closed.

7. MLAK flier (Master Locksmith Access Key):

Fliers have been distributed to disability organisations, Doctors surgeries and retirement villages to advise that some of the public toilets require an MLAK key. This matter is now closed.

8. Accessible car park requests:

The Port Macquarie Courthouse has requested an accessible parking space. Now that they have a wheelchair lift and bathroom. Julie met on site with the Courthouse Registrar and the Road Safety Officer. The new accessible parking space will be located between the Courthouse and the Disability Advocacy office.

George Payne spoke about the accessible parking space on High Street and that the ramp is next to the car - not near the boot and need for ranger to monitor the accessible car parking spaces.

Discussion about accessible maps and Brian suggested a copy could be sent to every rate payer when they are next updated. Other promotion opportunities include in Council Matters.

CONSENSUS:

Julie to review when maps are next to be updated. Rangers to be requested to visit Wauchope and take special interest in cars parked in the accessible car parks and permits are not displayed.

06 ACCESS PRIORITIES FOR PMHC BUILDINGS AND FACILITIES

The Committee reviewed the 2014/15 priorities for works for Buildings and Facilities. Request that in future the document be sorted by completed and uncompleted projects and in alphabetical order.

CONSENSUS:

That PMHC Buildings Coordinator investigate and provide costings of works to the Access Committee for the following projects. The Access Committee will then prioritise the projects.

- Apex Park (Camden Haven) install unisex accessible toilet module
- Log Wharf Reserve accessible toilet - remove step and create accessible entrance
- SkatePark Wauchope site install unisex accessible toilet module
- Port Macquarie Historic Courthouse - create wheelchair accessible toilet
- Long Flat amenity block - create wheelchair accessible toilet

07 GENERAL BUSINESS

7.1 Draft Disability Strategy:

Clr Turner thanked Julie for her work and that the presentation to Councillors featured almost all the Committee. Committee members received a copy of the draft. The document will be on public exhibition for 28 days if endorsed at the upcoming Council meeting.

CONSENSUS:

Please provide your ideas and feedback to Julie Priest by 22nd October so one submission

is made on behalf of the Access Committee

7.2 Correspondence from Nik Sandeman-Allen:

Cr Turner gave an overview of the discussions with Lisa McPherson from Port Macquarie Chamber of Commerce. The Chair read out the letter from Nik Sandeman-Allen. Discussion about Excellence in Business and access included as part of the award not a separate category so it is embedded and inclusive. This matter is now closed.

7.3 Welcome to Maryanne Gawne, Regional Coordinator, Disability Advocacy NSW Inc.:

The Chair warmly welcomed Maryanne as an observer and invited her to introduce herself. She is the new Disability Advocate and has a background as a social worker. She is an advocate when there has been an injustice. It is a free service for the Mid North Coast and they're here to help.

7.4 Crohn's Society:

Cr Turner and Brian Bucket advised that the Crohns Society were looking at a project to approach businesses for them to be Crohns Friendly.

CONSENSUS:

Julie Priest to contact Clyde May at Crohns Disease.

7.5 Development Assessments:

Helen Booby enquired whether the recommendations of the Access Committee were implemented for the Lake Cathie Public School and Charles Stuart University. Max Waters expressed concern that the school will not have pedestrian access with no footpath from Lake Cathie or Bonny Hills.

CONSENSUS:

An update about the Lake Cathie Public School and Charles Stuart University development assessments be provided at the next meeting.

7.6 Access requests:

Max enquired about the progress for the need for public seating near Tea and Treasures and near the Post Box on William Street and if the nosings on the staircase on the steps from Pacific Drive near Flynns Beach Surf Club. George Payne requested the 2 accessible ramps be painted which are located near the L J Hooker and Bottlo at Wauchope.

CONSENSUS:

An update be provided at the next meeting.

The meeting closed at 3.50pm.

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.

-
- 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:	5.12	14 May 2012
Subject:	Aldi Car Park	
Action Required:	Julie Priest to send Australian Standards a reminder letter .	
Current Status:	Provide update once response received.	

Item:	5.14	14 June 2012
Subject:	Access Friendly Project	
Action Required:	<ol style="list-style-type: none"> 1. That the Committee provide an overview of the Monday 13th October Access Friendly visits to Douglas Vale Winery, Timbertown Resort Motel & Montana's on High, Wauchope RSL and Timbertown Tavern. 2. Discuss next businesses to visit. 	
	Discuss at November meeting.	

Item:	5.17	10 February 2014
Subject:	Access Requests	
Action Required:	<p>1. Taxi requests for kerb ramp at Coles and layback on Horton St cab rank The Committee to be provided an update about the Coles and Horton St option.</p> <p>2. Sailability Discuss Wednesday morning visit for November/ December.</p> <p>4. Damaged road at Surgery cnr Tunis and Bold St Laurieton Mike Ipsen to take photos of the area and forward to Julie Priest. An update will be provided to the Committee at the next meeting.</p> <p>5 .William St Observatory - Accessible Parking request John Hanlon, PMHC Traffic Engineer to provide update.</p>	

	<p>4. Accessible car park requests PMQ Courthouse, Horton St West, Short Street and Lighthouse Beach shops.</p> <p>5. Crohn’s Society Julie Priest to provide an update from her meeting with Clyde May.</p> <p>6. Public seating request near Tea and Treasures and near the Post Box on William Street.</p> <p>7. Nosings on the staircase on the steps from Pacific Drive near Flynns Beach Surf Club.</p> <p>8. Accessible ramps request to be painted which are located near the L J Hooker and Bottlo at Wauchope.</p>
	Provide update at November meeting.



Item: 06

Subject: PRIORITISE PMHC BUILDING WORKS FOR 2014/2015

Presented by: Community & Organisational Development, Lesley Atkinson

RECOMMENDATION

That the Committee prioritise access improvements for PMHC building works.

Discussion

Mr Robert Stanborough, Buildings Coordinator, presents to the Access Committee the costings and works required for their review.

Attachments

Nil



Item: 07

Subject: INTERNATIONAL DAY OF PEOPLE WITH DISABILITY

Presented by: Community & Organisational Development, Lesley Atkinson

RECOMMENDATION

That the Access Committee accept the invitations to the International Day of People with Disability events.

Discussion

Julie Priest, Place Facilitator, will discuss the two events including a short film festival at the Glasshouse on 26th November and the launch of the wheelchair accessible fishing platform and Disability Strategy at Dunbogan on Wednesday 3rd December.

Attachments

Nil

