



# Port Macquarie-Hastings Access Sub-Committee

## Business Paper

**date of meeting:** Tuesday 4 December 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**

<b>Member</b>	<b>05/12/17</b>	<b>06/02/18</b>	<b>10/04/18</b>	<b>05/06/18</b>	<b>07/08/18</b>	<b>09/10/18</b>
Councillor Peter Alley (Chair)	<b>A</b>	✓	✓	✓	✓	✓
Ben Oultram	✓	✓	✓	✓	✓	✓
Bruce Gibbs	✓	✓	<b>A</b>	✓	<b>A</b>	✓
Elizabeth Rose	✓	✓	✓	<b>A</b>	✓	<b>A</b>
Helen Booby	✓	✓	✓	✓	✓	<b>A</b>
Ian Irwin	✓	✓	✓	✓	✓	✓
Julie Haraksin	✓	✓	✓	✓	✓	✓
Cheryl Dimmock Lisa Sayers (alternate)	<b>A</b>	✓	<b>A</b>	<b>A</b>	<b>A</b> ✓	✓
Mike Ipsen	✓	✓	<b>A</b>	✓	✓	✓
Phil White	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>
Sharon Beard	✓	✓	<b>A</b>	✓	✓	✓
Lucilla Marshall PMHC Group Manager Community Development	<b>A</b>	<b>A</b>	<b>A</b>	✓	<b>A</b>	<b>A</b>
Julie Priest PMHC Aged & Disability Officer	✓	✓	✓	✓	✓	✓

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

**Port Macquarie-Hastings Access Sub-Committee Meeting**  
Tuesday 4 December 2018

**Items of Business**

<b>Item</b>	<b>Subject</b>	<b>Page</b>
01	Acknowledgement of Country .....	<u>7</u>
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06	General Business	

**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 9 October 2018 be confirmed.

**PRESENT**

**Members:**

Councillor Peter Alley (Chair)  
Ben Oultram  
Bruce Gibbs  
Ian Irwin  
Julie Haraksin  
Cheryl Dimmock  
Mike Ipsen  
Sharon Beard  
Julie Priest (PMHC Aged & Disability Officer)

**Other Attendees:**

Sandra Wallace (PMHC Community Participation Manager)  
Pip Cox (PMHC Road Safety Officer)  
Kara Nicholson (Omnicare)  
Pip Cullen (OT, All Together Therapy)  
Graham Saunders

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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 Elizabeth Rose, Helen Booby, Phil White and Lucilla Marshall be accepted.

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### **03 CONFIRMATION OF MINUTES**

#### **CONSENSUS:**

That the Minutes of the Port Macquarie-Hastings Access Sub-Committee Meeting held on 7 August 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**

#### **05.01 Access Friendly Project**

Thank you to Helen Booby, Bruce Gibbs, Cheryl Dimmock, Ben Oultram and Julie Priest for undertaking a visit to Shelly Beach, Shops and Sea Acres.

Discussion about venues and future locations.

#### **CONSENSUS:**

That the Committee recommend that:

1. The bench seat in the Shelly Beach accessible toilet be shortened so that it does not encroach on access to the hand basin.
2. The design of future module toilets be reviewed so that the push buttons are off centre (to the left) of the pan and also if a back rest is available to be installed.
3. Correspondence be sent to the Shelly Beach shops recommending nosings on the stairs to be installed that are in a bright contrasting colour such as white. That they consider a threshold wedge or straightening the front of the ramp as it is currently cut at a 45 degree angle when meeting the footpath.
4. Correspondence is sent to Sea Acres offering a letter of support from the Access Committee if they apply for a grant to install a lift. That they consider purchasing a wheelchair which is available for their customers to use with assistance. That future improvements of the walk include installing kerb rails and handrails in the sections that are missing these.
5. The next access visit be coordinated for the shopping precinct at Spotlight at Lake Road.

#### **05.02 Accessible Updates**

Council has a new webpage about the footpath programme. For more information, visit <https://www.pmhc.nsw.gov.au/About-Us/What-Were-Up-To/Roads-and-Bridges>

Council is investigating a trial for the 'Pop Up' special event car parking idea at Westport Park.

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The Committee were pleased to note that the plans for the new footpath at Bunnings showed that the push button pedestrian light poles were linked to the footpath.

**CONSENSUS:**

1. That an update be provided to the Committee about the Bunnings footpath design in front of Grace Church.
2. That Lucilla Marshall is invited to a future Access Committee meeting to provide an overview about the Health and Education Precinct (HEP).

**05.03 Access Issues**

A variety of access issues were reviewed and discussed by the Committee.

The Committee voiced that in regards to pedestrian access for the Stingray Creek Bridge that Council shouldn't have found itself in this situation. It is noted that the Council waste truck requires access to the gross pollutant trap so it is not possible to install a handrail or gate in front of this access.

The footpath on the Camden Haven side has been extended. The pedestrian refuge on the Laurieton side has been modified as requested. Wayfinding signage is being installed to direct access to the accessible footpath side.

**CONSENSUS:**

1. That Pip Cox investigate and provide an update to the Committee about the New Horizons request for an accessible car park at Morton Street, and review the location of the bus zone and how it relates to the bus shelter.
2. That the Access Committee reviewed the request for 2 x kerb ramps at Cameron/Weistmantle Street, Wauchope and assessed it as a low priority due to minimal local usage and not linking two significant destinations such as a retirement village to local shops.
3. That Pip Cox investigate options for an accessible car park on Murray Street, review the turning bay at the end of the street, and provide an update to the Committee.
4. That Pip Cox review timed accessible car parks from other LGA's such as Sydney and provide the Committee with an update about the regulatory requirements.
5. That at Stingray Creek Bridge (Camden Haven end) the Committee recommend to Council to extend the handrails on both sides of the road as far as possible.

**05.04. Accessible Parking Project**

**CONSENSUS:**

That a field excursion be organised to map more car parking spots with the iPads with Bruce Gibbs, Ben Oultram, Cheryl Dimmock and Mike Ipsen.

**05.05 Disability Inclusion Action Plan**

Julie Priest tabled a copy of the Plain English Report Card for the Disability Inclusion Action Plan which will be placed on the Council website.

### **05.06 Development of an Airport Access Guide**

Discussion about developing an airport guide, similar to Hobart and Newcastle.

**CONSENSUS:**

1. That a working group be coordinated with Sharon Beard, Cheryl Dimmock and Julie Priest to develop an accessible Airport Guide.
  2. That David Archer, Acting Airport Business Manager, be invited to the December Access Committee meeting to provide an overview of the airport expansion.
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### **06 CHANGING PLACES - ADULT CHANGE TABLE AND ACCESSIBLE TOILET**

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Pip Cullen, (OT, All Together Therapy) and Kara Nicholson (Omnicare) spoke in support of Council installing a 'Changing Places' adult change table, hoist and accessible toilet.

Thank you to Ben Oultram who has championed this initiative for three years.

**CONSENSUS:**

That the Committee:

1. Noted the support for a Changing Places adult change table, hoist and accessible toilet module by Pip Cullen, (OT, All Together Therapy) and Kara Nicholson (Omnicare).
  2. Recommend to Council a preferred location for the module at Short Street Plaza Car Park, Port Macquarie. The 2<sup>nd</sup> option is a location elsewhere in Port Macquarie.
  3. Recommend that the module does not include a shower.
  4. Recommend that there is high contrast colour between the floor and the walls, toilet seat and pan, and signage.
  5. Recommend Council add this module to the works schedule for the proposed new amenities block and take advantage of savings for connection to water, sewerage, power and installation.
  5. Recommend a budget allocation from the PMHC DDA Budget for the purchase and installation of a 'Changing Places' adult change table, hoist and accessible toilet module of up to 100% of the budget (\$106,100.00). Council to undertake robust quotes for the purchase and installation in compliance with its Procurement Policy.
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## **07 A GUIDE TO TACTILE GROUND SURFACE INDICATORS**

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The Access Committee reviewed the draft Guide to Tactile Ground Surface Indicators (TGSIs). This has reduced a 79 page document to a simple 7 page guide for our local Engineers and Developers.

### **CONSENSUS:**

1. That Cheryl Dimmock will provide some photos of good examples and offered the Guide Dogs Advisory Group for further review.
  2. That design drawings are consistent with the photo images and show best practice.
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## **08 GENERAL BUSINESS**

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### **08.01 PROPOSED 2019 ACCESS COMMITTEE MEETING DATES**

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#### **CONSENSUS:**

That the dates for the 2019 Access Committee Meeting are 2pm to 4pm on the first Tuesday of every second month as follows:

5 February 2019

2 April 2019

4 June 2019

6 August 2019

1 October 2019

3 December 2019

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### **08.02 SOAR AND ROAD EVENT**

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The Committee were advised about the Special Olympics event on Sunday 9 December at Sydney Motorsport Park [www.soarandroar.com.au](http://www.soarandroar.com.au)

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### **08.03 FAIRMONT GARDENS AMENITIES**

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The Committee were advised of a request for funding to replace the amenities block at Fairmont Gardens. This will not be funded from the PMHC DDA budget as is not a priority. The sporting club or Council Recreation and Buildings to source alternative options for funding.

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### **08.04 GRANT AND GORDON STREET SIGNALISED CROSSING**

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Julie Haraksin advised that the new pedestrian crossing lights do not allow enough time to cross the road. The RMS regulate the timing of the traffic lights.

CONSENSUS:

That Pip Cox provide the RMS contact details to the Committee.

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### **08.05 DRIVEWAY IMPEDIMENTS**

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Julie Haraksin advised that at some driveways a parallel bar along the kerb and guttering has been installed that impedes access.

CONSENSUS:

That Julie Irwin send photos of the impediment and location to Pip Cox who will investigate and report back to the Committee.

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### **08.06 MISSING FOOTPATH LINK - PRIVATE HOSPITAL**

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Ian Irwin raised the issue of a missing footpath link on Lake Road/Munster Street in the vicinity of the Private Hospital.

CONSENSUS:

That the missing footpath link on Lake Road and Munster Street be included as an item in the December Agenda.

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The meeting closed at 4:25pm.

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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		9 October 2018
<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 Lake Road businesses.</li> <li>• Discuss venues for next visit and when this will be scheduled in 2019.</li> </ul>		
	Discuss at December meeting.		

<b>Item:</b>	5.02		9 October 2018
<b>Subject:</b>	Access Requests		
<b>Action Required:</b>	<p><b>1. Accessible updates</b></p> <ul style="list-style-type: none"> <li>• That Pip Cox investigate and provide an update to the Committee about the New Horizons request for an accessible car park at Morton Street, and review the location of the bus zone and how it relates to the bus shelter.</li> <li>• That Pip Cox investigate options for an accessible car park on Murray Street, review the turning bay at the end of the street, and provide an update to the Committee.</li> <li>• That Pip Cox review timed accessible car parks from other LGA's such as Sydney and provide the Committee with an update about the regulatory requirements.</li> <li>• Westport Park footpath works are now completed.</li> </ul> <p><b>2. Access Issues</b></p> <ul style="list-style-type: none"> <li>• Ian Irwin raised the issue of the missing footpath links on Lake Road and Munster Street – to be discussed at the meeting.</li> <li>• Julie Haraksin raised the issue of</li> </ul>		

	<p>driveway impediments – to be discussed at the meeting.</p> <ul style="list-style-type: none"><li>• Bruce Gibbs raised the issue of footpath links around Bunnings and Coles.</li></ul> <p><b>3. Health and Education Precinct</b></p> <ul style="list-style-type: none"><li>• That Lucilla Marshall provides an overview about the Health and Education Precinct (HEP).</li></ul> <p><b>4. Accessible Parking Project</b></p> <ul style="list-style-type: none"><li>• Update about the next field excursion using iPads to map the car parking spots.</li></ul> <p><b>5. Changing Places Adult Change Table</b></p> <ul style="list-style-type: none"><li>• Update about the module and location.</li></ul> <p><b>6. Development of an Airport Access Guide</b></p> <ul style="list-style-type: none"><li>• Update from the working group with Sharon Beard, Cheryl Dimmock and Julie Priest to develop an accessible Airport Guide.</li></ul> <p><b>7. International Day of People with Disability</b></p> <ul style="list-style-type: none"><li>• Visit SailAbility at McInherney Park</li></ul>
	Discuss at December meeting.