



NOTICE OF MEETING

NOTICE IS HEREBY GIVEN that of a meeting of the Access Committee will be held:

DATE: Tuesday 17th February 2009

TIME: 2pm to 4pm

PLACE: Councillors Room, Manly Council

COMMITTEE MEMBERS:

Councillors

Cllr Jean Hay AM, Mayor (ex officio)
Cllr Barbara Aird
Cllr Adele Heasman

Manly Council
Manly Council
Manly Council

Mr Evelyn Shervington,
Ms Verity Shervington,
Mr Bourke Gibbons,

Community Representative
Community Representative
Community Representative

Council Staff

Kathryn Fayle

Community Services Manager

All other Councillors are free to attend as observers and are invited to do so and to engage in discussions, but not in voting, on any matter before the Committee.

Amanda Spalding
**Deputy General Manager
Strategic Projects**

Date: 11.2.09



MEETING TO BE HELD ON TUESDAY 17th FEBRUARY 2009 AT 2PM

Councillors' Room, Manly Town Hall, 1, Belgrave Street, Manly 2095

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| ITEM 1 | Apologies and leave of absence |
| ITEM 2 | Declarations of Interest – Pecuniary
Non- Pecuniary |
| ITEM 3 | Welcome and Introductions |
| ITEM 4 | Strategic Framework for the Access Committee including Terms of
Reference and Work Plan Development |
| ITEM 5 | Access Report Update and Discussion |
| ITEM 6 | General Business |
| ITEM 7 | Date of Next Meeting |



Report from: Kathryn Fayle, Community Services Manager

To: Access Committee

Date: Tuesday 17 February 2009

Subject: Strategic Framework for the Access Committee, Work Plan 2009-12, and the First Meeting of the Committee

1. Introduction

This is the first meeting of the Access Committee in Manly Council's 2008-12 term.

2. Information

All Special Purpose Committees need to consider what their goals are and how to achieve them over the 2009-12 term.

Each of the Council's Special Purpose Committees and Working Groups will be taking the opportunity of its first meeting to:

- Receive and discuss a presentation by the Staff Officer on the strategic framework for the work of that Committee for 2009-12.
- The Staff Officer's presentation will facilitate the Committee to consider its objectives, (in the Committee's Terms of Reference), at its first meeting and, if necessary, recommend to the General Manager and Council that changes should be made.
- Develop a three year work plan for 2009-12 to achieve the objectives. The work plan will assist the Staff Officer to set the agendas for future Committee meetings.
- The Staff Officer's presentation will also facilitate the Committee to consider its

Membership, and whether to recommend to the General Manager and Council that other organisations should be invited to be members to assist the Committee to achieve its objectives. It is important that the work of each Committee is credible and not seen to be partial in favour of some interest groups to the exclusion of others.

- The Committee should also consider its proposed meeting schedule and recommend any changes to the General Manager for consideration. The current proposed meeting schedule is:

17 February	21 April	16 June	18 August
20 October	15 December		

3. Recommendations

The Access Committee recommends to Council that it considers the Committee's approved strategic framework and work program 2009-12 (attached),

And recommends the following changes (if any) to the Committee's

- a) objectives;
- b) membership;
- c) schedule of meetings

be considered by the General Manager and Council.

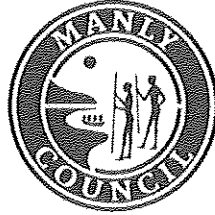
Kathryn Fayle

Community Services Manager

Access Committee

11 February 2009

Attachment: Access Committee Terms of Reference



Manly Council Access Committee

***This Special Purpose Committee has been established
under the Local Government Act, 1993***

The Status of the Committee is purely advisory

Terms of Reference

1. Title

The Committee shall be known as the Access Committee (hereinafter called the Committee).

2. Role and Objectives

This is a Special Purpose Committee, convened by the General Manager, to provide a forum for discussion and recommendation to Manly Council to:

- Advise Council to ensure all its programs, services and facilities properly address and consider relevant access and equity issues as defined under statute and in keeping with current state and national trends, and
- Act as a contact point for people with disabilities in the community to advise Council in decision-making regarding access to local buildings and services, particularly with regard to redevelopments in Manly.

The role of this Committee is purely advisory and may not commit Council resources. The Committee is to work within the framework of the Community Strategic Plan and does not deal with day to day operational matters. It should be noted that employees of the Council are not subject to the direction of the Advisory Committee or any of its members.

3. Management

A. *Membership of Committee*

The Committee shall consist of:

Councillor representatives (and the Mayor ex officio):

- Councillor Barbara Aird
- Councillor Adele Heasman

6 Community representatives

The Community members shall serve on the Committee in a voluntary capacity.

Membership of the Committee shall be reviewed in September 2010.

The quorum for the Committee is 5 members.

This Committee meets bi-monthly.

B. *Absence from Meetings*

A Committee member absent from three (3) consecutive Committee meetings without approval of the Committee shall forfeit his/her place on the Committee.

C. *Resignation from the Committee*

Any member of the Committee may, by notice in writing addressed to the Committee, resign his/her office as a member.

D. *Notification of Vacancies*

The Committee shall notify the General Manager promptly of any vacancy occurring in its membership, whether it is through death, absence or resignation from the Committee. The Committee shall submit to the General Manager within 28 days the name of a person considered by the Committee to be suitable for appointment. The General Manager will decide whether to accept that appointment, or to call for public Expressions of Interest. All newly appointed members must participate in a committee induction process as soon as possible following their appointment to the Committee so that they can comply with the proper conduct of meetings.

4. Duties of Officers

A. *Chairperson*

The duties of the Chairperson are to:

- Direct meetings according to the Committee Terms of Reference, and Council's Code of Conduct.
- Facilitate the discussion of items on the agenda in a timely manner, and the consideration and approval of recommendations to Council.
- Ensure all committee members have the opportunity to participate in the meetings.
- Not attempt to direct Council staff, including not directing staff as to the content of any advice or recommendation.

B. Secretariat and Staff Officer

The duties of the Secretariat and Staff Officer are to:

- Call all meetings of the Committee.
- Develop and send out the agenda and reports for the meetings.
- Advise the Committee without fear or favour.
- Comply with Council's Guide to Ethical Behaviour: Staff.
- Prepare all minutes and distribute them as described below.
- Keep a record of attendance for every member of the committee.
- Attend to such housekeeping matters as booking meeting rooms and arranging refreshments in accordance with standard protocols.
- The Council Staff will not be members of the Committee, nor have voting rights, nor preside at meetings, apart from when it is necessary to organise the election of a chairperson to preside at the meeting.

C. Members

The duties of the members are to:

- Attend and participate in meetings (as well as induction, planning sessions and relevant training).
- Work co-operatively with other members in achieving the objectives of the Committee.
- Contribute advice, ideas and suggestions relating to items on the agenda.
- Show respect for their peers, councillors, staff and others during Committee meetings.
- Understand that employees of the Council are not subject to the direction of Councillors, Committees or their members.

5. Meetings

- A **QUORUM** shall comprise a majority of members on the Committee. A scheduled meeting must be adjourned if a quorum is not present within half an hour after the time designated for the holding of the meeting, or at any time during the meeting. In either case, the meeting must be adjourned to a time, date and place fixed by the Chairperson, or, in his or her absence, by the majority of the members present.
- This is an Advisory Committee, and it is unlikely that there will be a need for voting, however, should that eventuality arise, each member of the Committee shall have one vote and decisions of the Committee shall be by simple majority. In the event of the votes and the members being equal the Chairperson of the meeting shall have a casting vote in addition to his/her deliberative vote.
- Council Secretariat and staff will attend meetings but have no voting rights, and provide administrative support and professional advice, as determined by the General Manager.
- Items may only be raised under General Business if the permission of the Chairperson is obtained before the meeting starts, and each such item is to have a recommendation;

- The first item on the agenda for all committee meetings (after apologies and requests for leave of absence) shall be the declaring by members present of **pecuniary and non-pecuniary interests** and these shall be recorded in the minutes.
- Any committee member who has a pecuniary interest in any matter on the agenda for a committee meeting, or that arises during a meeting at which they are present, must disclose the nature of the interest to the meeting as soon as practicable, and must not be present at, or in sight of, the meeting at any time during which the matter is being considered or discussed, or at any time during which the committee is voting on any question in relation to the matter.
- Conflicts of interest may also arise due to a strong relationship or affiliation the member may have with a matter being discussed by the committee. These are referred to as non-pecuniary interests. A non-pecuniary interest would be considered significant where the relationship or affiliation is such as it would prevent the member from impartially and objectively considering all the relevant information as a result of this conflict of interest.
- A Councillor committee member who has a non-pecuniary interest in any matter on the agenda for a meeting, or that arises during a meeting at which they are present, must disclose the nature of the interest to the meeting as soon as practicable, and, in the case of a "significant" non-pecuniary interest must disclose the nature of the interest to the meeting as soon as practicable, and must not be present at, or in sight of, the meeting at any time during which the matter is being considered or discussed, or at any time during which the committee is voting on any question in relation to the matter.
- A community representative member of a committee who is also a member or representative of a community group that could be affected by any matter on the agenda, or that arises during a meeting at which they are present, (irrespective of whether or not the person has a pecuniary or a non-pecuniary interest), must state the name of the community group of which the person is a member or representative, and the matter shall be recorded in the minutes.

6. Working Groups

- The Committee may appoint any number of Working Groups at any time to investigate any matter or thing to which the Committee may require information or to organise and manage, subject to the control of the Committee, any activity which may be considered by the Committee to be essential to the objectives of the Committee.
- Each Working Group appointed shall have Terms of Reference and a fixed term.
- The Working Group must ensure that full and accurate minutes of the proceedings of its meetings are kept and completed within 2 weeks of the meeting and then reported to the next available Committee meeting.

7. Minutes, Communications and Reporting

- The agendas and minutes of the Committee shall be stored as a permanent record of Council, as determined by the General Manager.
- The minutes of each meeting shall be circulated to all members as soon as practicable. Any questions by members regarding the minutes are to be referred immediately to the Staff Officer and if any error in the minutes is confirmed, the Staff Officer shall arrange to make the appropriate changes.
- Minutes will be completed within 2 weeks of the Committee meeting and then reported to the next available Council Meeting.
- All agendas shall be published on Council's website prior to the meeting.
- All minutes shall be published on Council's website within 5 days of adoption by Council.
- Members of the Committee are not permitted to speak to the media as representatives of the Committee unless approved by Council.

8. Insurance

- Council shall effect personal accident insurance on Committee members together with legal liability cover, Voluntary Workers, cash in transit and personal property insurance cover.

Note: Legal liability cover will only be provided to members of the Committee and voluntary workers whilst they are acting within the scope of their duties for and on behalf of Council.

9. Statutory Requirements

- The Committee shall ensure that the *Local Government Act 1993* and related Regulations, all other statutory provisions and all Council's Codes and Policies relating to its activities are at all time strictly observed.

10. Dissolution

All committees are automatically dissolved from the date of the quadrennial election.

..... General Manager

..... Chairperson

Addendum:

Staff Officer:

Kathryn Fayle

Councillor Representatives:

Councillor Barbara Aird
Councillor Adele Heasman
And the Mayor ex-officio

Community Representatives:

Bourke Gibbons
Evelyn Shervington
Verity Shervington

Report Update – Access Committee – February 2009

Date	Item no.	Issue	Location	Action	Date/details of completion
Prior to 2008		Fragrant Garden for Ivanhoe Park – Garden currently being finalised with plantings etc.	Ivanhoe Park near Preschool	Official Opening to be during Seniors Week, Tues 17 March	
19 June 2008	4.2	Disability Parking Cheats: Committee's recommendation for signage at the Whistler Street Carpark, from their 19 June 2008 meeting: "Given continued abuse of MPS permit regulations by people parking at Whistler St accessible parking bays when not transporting a person with a disability, the Committee continues to request that signage be erected stating MPS regulations and relevant contact number s for misuse" – adopted by Council at the OM of 21 July 2008 Then at 21 August meeting: Recommendation: In accordance with Council's resolution at the OM of 21 July 2008, and advice from Council's traffic section, the Committee requests that the Community Development Coordinator liaise with the Manager, Environmental Services, with advice on wording from the RTA, given the State Government's latest laws to crack down on disabled parking cheats.	Whistler Street Carpark	Referred to Manager, Environmental Services, Stephen Clements.	
19 June 2008	6.1	Pedestrian Safety along Whistler Street & Market Lane "That the safety issues at the entry and exits to the Whistler Street Carpark be dealt with urgently by the painting of line markings so it is clear that pedestrians have right-of-way: – adopted by Council at the OM of 21 July 2008 Then at 21 August 2008 meeting: Following on from Council's resolution of 21 July 2008, and considering the urgency of safety issues in relation to the entry and exits of the carpark, the Committee requests that the Traffic Section carry out the surveys to ascertain whether these locations meet the pedestrian crossing warrant criteria.	Whistler Street Car Park	Referred to Prabaka Siva, Traffic, 1/10/08	

Report Update – Access Committee – February 2009

Date	Item no.	Issue	Location	Action	Date/details of completion
21 Aug 2008	6.2	STA bus stop on Sydney Road near Thornton Street Bus stop opposite Thornton Street has been closed, inconveniencing many who used this bus stop to access Fairlight Shops. Recommendation: The Committee requests Mike Baird's office to contact Sydney Buses and the RTA re this bus stop closure at the Fairlight Shops.		Referred to Lyn Pelling, Mike Baird's office, and Prabaka Siva, Traffic 1/10/08 Item was to be considered by Traffic Committee in August 2008.	
21 Aug 2008	6.3	Accessible taxis – pick up and drop-off zones - There is nowhere in Manly where there is sufficient time and space for accessible taxis to set down their passengers. - The Committee requests that the Rangers be a bit more lenient with accessible taxis when they are picking up and dropping off clients, for instance, in loading zones. What is the law in relation this? - There is a 'Kiss & Ride' pick-up/drop-off zone near the taxi rank opposite the Wharf near the Hop Skip & Jump bus stop. However there is no ramp at this location to allow wheelchairs to safely access accessible taxis. Recommendation: The Committee would like to have a site meeting with the Head Ranger, the Traffic Manager, and members of the Access Committee, in order to identify the problems and possible solutions for better pick-up and drop-off zones for people in wheelchairs who use accessible taxis.		Referred to Prabaka Siva, Traffic, and Terry Jones, Rangers, on 1/10/08	
21 Aug 2008	8.4	Recommendation: When the Committee reconvenes, the Committee would like to invite the Traffic Engineer to address the Committee about disability parking in general, and where such parking is to be provided in the Manly CBD.		Referred to Prabaka Siva, Traffic, 1/10/08	
21 Aug	8.5	Timing of lights at Belgrave & Raglan Street intersection Recommendation Committee would like to clarify that the timing of the lights crossing over Belgrave St on the tennis court side of the intersection, requires checking (ie. not baby health centre side).		Referred to Prabaka Siva, Traffic, 1/10/08	

Report Update – Access Committee – February 2009

Date	Item no.	Issue	Location	Action	Date/details of completion
21 Aug 2008	8.1	Redesign of Mobility Parking Permits Recommendation: The Committee requests that Mike Baird's office forward a further letter in relation to the issue to the Minister for Roads, clarifying that the Committee would like to see the permit redesigned to display the photo on the outside, with personal details inside, as per the UK disabled parking permits.		Referred to Lyn Pelling, Mike Baird's office, 1/10/08	Response now received via Mike Baird's office from RTA dated 3/2/09, explaining why photo displayed to inside (privacy, sunlight damage to photo) COMPLETED
21 Aug 2008	8.2	Request for better toilet seats for disabled people at accessible toilets – first requested at the June 2008 meeting		Referred to Ray Cook, Facilities Manager	Ray Cook advised 28/10/08: "Ocean Beach Toilets (opp Corso) and Rialto Sq have both been fitted with new (blue) seats. Shelly Beach, Lt Manly and Queenscliff (when refurbishment works complete) Accessible Toilets will also be fitted." COMPLETED
21 Aug 2008	4.3	Proposed Access Ramp – Manly Yacht Club Requested pre-2008 for access to foreshore by Manly Sailability Final design plans were scrutinised by Community Development Coordinator, Evelyn Shervington and other interested parties (Yacht Club, Sailability Little Manly Precinct) in late 2008.	Proposed Access Ramp, Manly Yacht Club		Ramp to be completed at end of February COMPLETED

Report Update – Access Committee – February 2009

Date	Item no.	Issue	Location	Action	Date/details of completion
21 Aug 2008	7.1	Steep kerb ramps Darley Rd & Wentworth Street Advice to Aug 2008 meeting was work to be incorporated in the Darley Road footpath upgrade from Wentworth Street to Corso		Urban Services Mgr Tony Goninon advises work scheduled for March 2009 subject to RTA approval as it is within traffic lights	
21 Aug 2008	7.2	Telegraph poles obstructing footpath on East Esplanade			Work has been completed around one pole as agreed by Access Committee and Little Manly Precinct COMPLETED
21 Aug 2008	8.3	The Corso Access Issues Council General Manager had advised the Corso flagpoles near the cenotaph would be removed. Recommendation: Committee requests that Council consider moving the sunken spotlights under the flagpoles, once the flagpoles have been removed. These types of lights created safety issues for the visually impaired.		Referred to Peter Dickson, Corso Project Mgr. Response: The removal of the flagpoles was discussed with the General Manager and he asked that only the centre flagpole be removed. The General manager also requested that the Australian flag remain on 1 pole 24hrs a day, and as such, the flag must be lit at night. Otherwise it must not be flown at night. This is the reason the in ground lights have not been removed. Though I am more than willing to try to assist the access committee in regards to these matter have reviewed the relevant Australian Standards in regards to disabled access, and I am unable to find requirements with regards to in-ground	

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Date	Item no.	Issue	Location	Action	Date/details of completion
				spot lights. Could the committee give some guidance in this regard? Also the issue of the flagpoles, can the committee give some guidance? Are flagpoles treated the same as any post or pole within the public area?	
				The committee's feedback will be appreciated.	
21 Aug 2008	4.4	Request for Regional Access Committee meeting Recommendation: When the Access Committee reconvenes, the Community Development Coordinator to communicate with counterparts in Warringham & Pittwater Councils to convene a regional Access Committee		Referred to Community Development Coordinator. Response: Current resources do not allow for a regional access committee to be convened via the CDC role.	
21 Aug 2008	4.5	Updating the Manly DCP for Access Recommendation: When the Committee is reconvened, Access Committee representatives would like to meet with the DCP Project Coordinator and Funktion Access Management, in relation to the review of the Access DCP.		Meeting was held with Access Committee reps, DCP Project Coordinator, Funktion Access, and CDC late 2008. Can seek update from Paul Christmas as to current status of consolidating DCP	

