

**Ordinary Council Meeting**

**Late Items of Business**

**Maclean - 28 June 2022 - 2:00pm**





# AGENDA

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10.22.003 Access Committee

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**10. LATE ITEMS OF BUSINESS AND MATTERS ARISING****ITEM 10.22.003 ACCESS COMMITTEE**

<b>Meeting</b>	Council	28 June 2022
<b>Directorate</b>	Corporate & Governance	
<b>Prepared by</b>	Coordinator Community Engagement, Kath Arndell	
<b>Attachments</b>	A. Access Committee Minutes <a href="#">↓</a>	

**SUMMARY**

This report requests Council consider advocating support for the mindDog training at the Grafton Shopping World.

**OFFICER RECOMMENDATION**

That Council request the Acting General Manager write to Grafton ShoppingWorld Management (McConaghy Group) advising of the relevant legislation and request support for the conduct of mindDog training and assessment procedures on their premises.

**LINKAGE TO OUR COMMUNITY PLAN**

Theme Society  
Objective We will have access and equity of services

**KEY ISSUES**

It has been reported to the Access Committee that community members have had negative experiences when accessing Grafton ShoppingWorld with assistance animals. Reported experiences have included a community member being forcibly removed from the centre by security as well as a mindDog trainer being denied access to the centre for the purpose of the Pedestrian Access Test. Presently, the trainer is required to travel to Coffs Harbour to undertake this part of the training due to access being denied by Grafton ShoppingWorld management.

Denying access of mindDog assistance animals to Grafton ShoppingWorld, increases the stress on already vulnerable and disadvantaged community members and reduces their access and equity in participating in activities of daily living. In addition, this behaviour is in breach of the Disability Discrimination Act 1992 which protects the rights of people with disabilities to access places used by the public on an equal basis with others (section 23). These rights include those who require assistance animals (section 9).

**BACKGROUND**

The first meeting of the 2022/2023 Access Committee was held on 16 June 2022. Business arising from the October 2021 meeting was raised in relation Grafton ShoppingWorld management (McConaghy Group) not allowing mindDogs in training to access the centre for the purpose of accreditation for their Pedestrian Access Test and that this has and is causing higher levels of stress for already vulnerable and disadvantaged community members. A letter has been drafted by the Access Committee.

MindDog is a not for profit organisation that exists to help procure, train and accredit psychiatric assistance dogs.

**COUNCIL IMPLICATIONS**

**Budget/Financial**  
N/A

**Asset Management**  
N/A

**Policy and Regulation**

Disability Discrimination Act 1992

**Consultation**

Access Committee meeting minutes as attached.

**Legal and Risk Management**

N/A

**Climate Change**

N/A

**Clarence Valley Access Committee  
Held in the Maclean Committee Room and via Teams  
On Thursday 16 June 2022 at 2pm – 4pm**

**Attendance:** Cr Karen Toms, Cr Pickering, Bevan Sommerland, Jennifer O'Brien, Laura Smith-Khan and Jason Kingsley and Zoe Goodsell via Teams.

**Chair:** Cr Toms

**Minute Taker:** Kath Arndell Coordinator Community Engagement

**Guest Attendees:** Carmen Landers and Jessica Summerhayes and David Sutton

**Apologies:** Kate Begbie and Jody O'Brien

**ACKNOWLEDGEMNT TO COUNTRY** by Cr Karen Toms

We acknowledge the Bundjalung people, Traditional Custodians of the land on which this meeting is taking place and pay tribute and respect to the Elders both past and present. We also acknowledge the Gumbayngirr and Yaegl nations which lie within the Council boundary.

AGENDA ITEM	DISCUSSION / DECISION FOR ACTION	RESPONSIBILITY
<b>Previous Business:</b>		
<ul style="list-style-type: none"> <li>• Cr Toms advised that community members Dave Moran and Vanette McLennan were nominated for the 2022 Access Committee and were included in the Council resolution (07.22.072). Kath Arndell advised that she will follow-up with Bligh Grant (Governance) to invite Dave and Vanette to the next meeting.</li> <li>• Cr Toms raised business from the October 2021 meeting advising that Grafton Shoppingworld management (McConaghy Group) are not allowing Mind Dogs in training to access the centre for the purpose of accreditation for their Pedestrian Access Test and that this has and is causing higher levels of stress for already vulnerable and disadvantaged community members. Committee member Laura Smith-Khan has experience in the legal space and volunteered to draft a letter on behalf of the committee to be sent to the McConaghy Group highlighting a range of state and federal legislation that is being breached by not allowing Mind Dogs in training to attend the centre.</li> </ul> <p><b>Recommendation</b> That Council be advised about the situation and that correspondence be sent to the companies highlighting the legislation breach. (moved by K Toms, seconded by L Smith-Khan)</p>		

AGENDA ITEM	DISCUSSION / DECISION FOR ACTION	RESPONSIBILITY
<ul style="list-style-type: none"> <li>Beach Access Turners Beach (2011) – Cr Toms and Jason Kingsley talked about previous plans for Turners Beach Access and requested that adding this item to the next meeting agenda and inviting David Sutton to attend to share the plans from 2011 was agreed. Kath to add this to the next agenda and invite David to attend.</li> </ul>		
<p><b>Agenda Item</b></p>		
<p>New Committee TOR</p>	<ul style="list-style-type: none"> <li>Kath provided everyone with a copy of the template TOR and draft Handbook.</li> <li>Cr Toms advised that the committee was an ongoing extension of the previous committee</li> <li>Members confirmed that meetings would occur on the third Wednesday of the month between 11-12pm with extension of one hour should there be any DA presentations or guest speakers.</li> <li>Kath confirmed that she would book Maclean and Rushforth Depot meeting rooms for future meetings as this is how that committee has met in the past.</li> <li>The following dates were identified moving forward; 20 July, 17 August, 21 September, 19 October and 16 November.</li> </ul>	<p>Kath to book venues</p>
<p>Treelands Drive Community centre (TDCC) DA Presented by Jessica Summerhayes and Carmen Landers</p>	<ul style="list-style-type: none"> <li>Jessica presented the DA for the redevelopment of TDCC, explaining that the redevelopment of the community centre is the last piece of the puzzle for the community precinct.</li> <li>Cr Toms raised concerns that were supported by other committee members in relation to the one way ‘shared pathway’ and number of car parks (49 or 35?) and that there seemed to be some confusion on the plans and in the DA In relation to the total number of car parks, including disability spaces. Jessica and Carmen confirmed that accessibility complies with current standards and that an Access Report has been undertaken that will be provided. Jessica confirmed that the building is coded as a 9B building and as such 1 in every 50 car parks is required to have disability access (direct access to building and under cover) and that the current DA complies with this standard.</li> <li>Jason Kingsley commented on signage being appropriate and suggested whether a further 3 disability spaces could be identified at the front of the building?</li> </ul>	<p>Jessica to forward Access report and electronic copy of relevant plans for minutes and further consideration and review total number of car parks to clarify</p>

AGENDA ITEM	DISCUSSION / DECISION FOR ACTION	RESPONSIBILITY
	<ul style="list-style-type: none"> <li>• Jessica confirmed that there is lockable space for bicycles at the rear of the building</li> <li>• Cr Toms reiterated concerns for vision impaired community members using a 'shared pathway' and Jason Kingsley suggested a safer crossing near the Library may alleviate some of the risks</li> <li>• Jessica provided detail in relation to the curved path and low planting plan to ensure the 10km/hr speed limit is adhered to by vehicles using the 'shared pathway'</li> <li>• Cr Toms asked if the toilets have been designed with self opening doors so that people with disability are able to access the toilets independently and she referenced the toilets in the new Prince Street Council office upstairs that someone in a wheelchair can not access.</li> <li>• Carmen Landers confirmed that the floor plan of the building is not for public viewing due to security and as such must be kept confidential and not shared.</li> </ul>	Jessica to check self opening doors are planned
Wherret Park Playground Presented by David Sutton	<ul style="list-style-type: none"> <li>• David outlined the proposal for the playground to be weaved in amongst the existing facilities in the area and improving the linkage between the playground and the skate park and the concept is built around everyone can get there, play there and stay there. Community engagement has been undertaken that highlighted a need for the youth space to be larger and connected to the Out of the Box infrastructure with a basketball hoop and backboard and multipurpose half court. David outlined playground pieces including a hamster wheel, monkey bar, senior challenging climbing piece, picnic shelter, bubbler access, junior equipment including all abilities carousel and seesaw, swing (junior and senior), sound play acoustically tuned, cubbyhouse with a big and little slide option. David talked about tree planting and native play and an additional footpath to the skate park, additional BBQ shelter with extra wide concrete and accessible BBQ's which Jason Kingsley congratulated David on.</li> <li>• Laura asked about shade cover for the playground and David confirmed additional funding would be required. David also advised that planting would provide some shade as well as the aspect of the park</li> <li>• Cr Toms suggested that perhaps policy needs to be reviewed for playgrounds to include shade in any new or redevelopment.</li> </ul>	



AGENDA ITEM	DISCUSSION / DECISION FOR ACTION	RESPONSIBILITY
	<ul style="list-style-type: none"> <li>The existing public toilets near the park were raised as an issue and David confirmed that the existing toilets are not disability friendly, and the nearest bathroom is accessed in the Maclean Sports Centre when open.</li> </ul>	
Pippi Beach Access Presented by David Sutton	<ul style="list-style-type: none"> <li>David presented the concept for the extension of the Yamba Coastal Walk, outlining history of poor access and stairs to the beach as well as an accessible toilet block that couldn't be accessed. David advised that at this stage there is only funding for the concept design (\$20,000)</li> <li>David outlined the plan for a 1:14 ramp with landings and 5 switch backs and a concrete path to the toilet block and picnic shelter with two disabled car parks to access the walkway from the front.</li> <li>Cr Pickering suggested moving the switch back to allow access to the viewing platform and David Sutton advised that with 4 switch backs the entry and disabled car parks would have to be moved and David advised that there will be two other viewing platforms at William Agar Park</li> <li>Community member Jennifer O'Brien asked David about the access to the Ocean pool in Yamba and David advised that this area needs to be totally replanned.</li> </ul>	David Sutton advised he would check out the options
<b>Meeting closed</b>	4pm	
<b>Next Meeting</b>	Wednesday 20 July 2022 at 11am – 12pm (extended to 1pm agenda dependent).	