

**MINUTES FOR THE WATER PLAYGROUND COMMITTEE OF THE SHIRE OF BOYUP BROOK
MEETING HELD IN THE COUNCIL CHAMBERS, ABEL STREET, BOYUP BROOK ON
WEDNESDAY 7 MARCH 2018 COMMENCED AT 6.30pm.**

1. RECORD OF ATTENDANCE/APOLOGIES

COMMITTEE

Cr G Aird – Shire President
Cr R Walker - Deputy Shire President
Cr S Alexander
Cr H O'Connell

Apologies

Cr E Rear

STAFF

Mr Daly Winter (Community Emergency and Regulation Manager)
Mrs Maria Lane (Executive Assistant/Records Officer)

2. CONFIRMATION OF MINUTES

MOVED: Cr O'Connell

SECONDED: Cr Aird

That the minutes of the Water Playground Committee held on 22nd February 2018 be confirmed as an accurate record.

CARRIED 4/0

Res 21/18

3. MEETING OPEN TO THE PUBLIC

At its February 2018 meeting Council resolved as follows:

That Council appoint a Water Playground Committee comprising of the Shire President, Deputy Shire President, Cr Alexander, Cr O'Connell and Cr Rear with the authority to purchase.

The meeting will commence on Thursday, 22nd February 2018 at 6.00pm.

Council delegated the power to purchase and so all committee meetings are to be open to the public. The following sections of the Local Government Act have relevance:

5.23. Meetings generally open to public

- (1) *Subject to subsection (2), the following are to be open to members of the public —*
 - (a) *all council meetings; and*
 - (b) *all meetings of any committee to which a local government power or duty has been delegated.*
- (2) *If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —*
 - (a) *a matter affecting an employee or employees; and*
 - (b) *the personal affairs of any person; and*

- (c) *a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and*
 - (d) *legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and*
 - (e) *a matter that if disclosed, would reveal —*
 - (i) *a trade secret; or*
 - (ii) *information that has a commercial value to a person; or*
 - (iii) *information about the business, professional, commercial or financial affairs of a person,**where the trade secret or information is held by, or is about, a person other than the local government; and*
 - (f) *a matter that if disclosed, could be reasonably expected to —*
 - (i) *impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or*
 - (ii) *endanger the security of the local government's property; or*
 - (iii) *prejudice the maintenance or enforcement of a lawful measure for protecting public safety;**and*
 - (g) *information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1971; and*
 - (h) *such other matters as may be prescribed.*
- (3) *A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.*

5.24. Question time for public

- (1) *Time is to be allocated for questions to be raised by members of the public and responded to at —*
 - (a) *every ordinary meeting of a council; and*
 - (b) *such other meetings of councils or committees as may be prescribed.*
- (2) *Procedures and the minimum time to be allocated for the asking of and responding to questions raised by members of the public at council or committee meetings are to be in accordance with regulations.*

5.25. Regulations about council and committee meetings and committees

- (1) *Without limiting the generality of section 9.59, regulations may make provision in relation to —*
 - (a) *the matters to be dealt with at ordinary or at special meetings of councils; and*
 - (b) *the functions of committees or types of committee; and*
 - (ba) *the holding of council or committee meetings by telephone, video conference or other electronic means; and*
 - (c) *the procedure to be followed at, and in respect of, council or committee meetings; and*
 - (d) *methods of voting at council or committee meetings; and*

- (e) *the circumstances and manner in which a decision made at a council or a committee meeting may be revoked or changed (which may differ from the manner in which the decision was made); and*
 - (f) *the content and confirmation of minutes of council or committee meetings and the keeping and preserving of the minutes and any documents relating to meetings; and*
 - (g) *the giving of public notice of the date and agenda for council or committee meetings; and*
 - (h) *the exclusion from meetings of persons whose conduct is not conducive to the proper conduct of the meetings and the steps to be taken in the event of persons refusing to leave meetings; and*
 - (i) *the circumstances and time in which the unconfirmed minutes of council or committee meetings are to be made available for inspection by members of the public; and*
 - (j) *the circumstances and time in which notice papers and agenda relating to any council or committee meeting and reports and other documents which could be —*
 - (i) *tabled at a council or committee meeting; or*
 - (ii) *produced by the local government or a committee for presentation at a council or committee meeting,**are to be made available for inspection by members of the public.*
- (2) *Regulations providing for meetings to be held by telephone, video conference or other electronic means may modify the application of this Act in relation to those meetings to the extent necessary or convenient to facilitate the holding of those meetings in that way.*

The following Regulations from the Local Government (Administration) Regulations have application:

**4A. Matter prescribed for when meeting may be closed to public
(Act s. 5.23(2)(h))**

The determination by the local government of a price for the sale or purchase of property by the local government, and the discussion of such a matter, are matters prescribed for the purposes of section 5.23(2)(h).

[Regulation 4A inserted in Gazette 31 Mar 2005 p. 1037.]

5. Question time for public, meetings that require prescribed (Act s. 5.24)

For the purposes of section 5.24(1)(b), the meetings at which time is to be allocated for questions to be raised by members of the public and responded to are —

- (a) *every special meeting of a council;*
- (b) *every meeting of a committee to which the local government has delegated a power or duty.*

6. Question time for public, minimum time for (Act s. 5.24(2))

- (1) *The minimum time to be allocated for the asking of and responding to questions raised by members of the public at ordinary meetings of councils and meetings referred to in regulation 5 is 15 minutes.*
- (2) *Once all the questions raised by members of the public have been asked and responded to at a meeting referred to in subregulation (1), nothing in these*

regulations prevents the unused part of the minimum question time period from being used for other matters.

7. Question time for public, procedure for (Act s. 5.24(2))

- (1) *Procedures for the asking of and responding to questions raised by members of the public at a meeting referred to in regulation 6(1) are to be determined —*
 - (a) *by the person presiding at the meeting; or*
 - (b) *in the case where the majority of members of the council or committee present at the meeting disagree with the person presiding, by the majority of those members,*

having regard to the requirements of subregulations (2), (3) and (5).
- (2) *The time allocated to the asking of and responding to questions raised by members of the public at a meeting referred to in regulation 6(1) is to precede the discussion of any matter that requires a decision to be made by the council or the committee, as the case may be.*
- (3) *Each member of the public who wishes to ask a question at a meeting referred to in regulation 6(1) is to be given an equal and fair opportunity to ask the question and receive a response.*
- (4) *Nothing in subregulation (3) requires —*
 - (a) *a council to answer a question that does not relate to a matter affecting the local government; or*
 - (b) *a council at a special meeting to answer a question that does not relate to the purpose of the meeting; or*
 - (c) *a committee to answer a question that does not relate to a function of the committee.*
- (5) *If, during the time allocated for questions to be raised by members of the public and responded to, a question relating to a matter in which a relevant person has an interest, as referred to in section 5.60, is directed to the relevant person, the relevant person is to —*
 - (a) *declare that he or she has an interest in the matter; and*
 - (b) *allow another person to respond to the question.*

It is recommended that in the event any member of the public attends this public meeting, discussions relating to quotations provided be conducted behind closed doors. The quotations were supplied in good faith for Shire use and not for general publication - commercial confidentiality.

4. PUBLIC QUESTION TIME

5. REPORTS

5.1 Water Playground Project

Location:	Swimming Pool
Applicant:	Shire of Boyup Brook
File:	Swimming Pool
Disclosure of Officer Interest:	Nil
Date:	7 March 2018
Author:	Daly Winter – Community, Emergency and Regulation Manager
Authorizing Officer:	Alan Lamb – Chief Executive Officer
Attachments:	Swimming Pool Site survey and draft of proposed location for water playground

SUMMARY

This item is for Council to receive a progress report on the development of a water playground at the swimming pool.

BACKGROUND

At the 25 August 2016 Council Meeting, Council resolved to support the development of a water play facility at the Boyup Brook Swimming Pool. An extract from the minutes is listed below:

*“MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 25 AUGUST 2016 -
MOTION*

*MOVED: Cr Kaltenrieder SECONDED: Cr Muncey
That Council;*

- 1. Authorise the planning and development of a water play facility at the Shire swimming pool complex. The plan be to complete the project by the 30 June 2018, and to amend forward plans to specifically include this project. The funding plan be to apply in the order of \$22,000, from the 2016/17 Community Pool Revitalisation Grants Program, and \$32,000 from 2017/18, plus in the order of \$36,000 from Shire funds in 17/18 to fund the project (\$90,000).*
- 2. Approve an application being lodged with the Department of Sport and Recreation, for funding under its Community Pool Revitalisation Grants Program for a portion of the \$32,000 grant (\$22,000), available for pool facilities, from the 2016/17 funding round, for a water play facility planned for 2017/18.*
- 3. Authorise a Swimming Pool Facility Revitalisation Reserve Fund being established in 16/17 with relevant grant funding for the planned water play facilities.*

CARRIED 8/1 Res 99/16”

Detailed below is information regarding the progress to date on the implementation of this water playground project.

At the 22 February 2018 Water Playground Committee Meeting, the Water Playground Committee resolved to support the development of a water play facility at the Boyup Brook Swimming Pool. An extract from the minutes is

listed below:

1. engage Wetdeck Pools to construct a water playground facility at the Shire swimming pool complex to a maximum cost of \$130,650 excluding GST.
2. require that the supplier:
 - to have the project completed and operational no later than 31st May 2018
 - use stainless steel fittings
 - make the water features (spraying units and the like) interchangeable so that the playground may be reconfigured from time to time
 - construct the deck and associated plumbing such that additional features could be added at a later date.
3. Committee meet with the supplier and further scope the project as soon as practicable. Wetdeck Pools have been engaged to construct a water playground facility at the Shire swimming pool complex to a maximum cost of \$130,650 excluding GST.

CARRIED BY ABSOLUTE MAJORITY 4/1

Res 20/1

Representatives from the Water Playground Committee met with representatives from Wetdeck Pools in the Council Chamber and then at the Boyup Brook Swimming Pool on 26 February 2018. They initially discussed the scope of the project and then they visited the Shire swimming pool to see where the water playground was planned to be installed.

Various locations within the grounds were discussed with modifications to the original plan incorporating a retaining wall/wind break feature. The need for a site survey was discussed by the contractor indicating this was required to help pin point the most desirable and most suitable location.

A site survey was subsequently arranged and this was completed on 4 March 2018.

COMMENT

As contained in the background.

CONSULTATION

Nil.

STATUTORY OBLIGATIONS

Nil.

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

The shire's 2017-18 Annual Budget allocated \$120,000 for the cost of this project, to be funded from grants/contributions at \$84,000, and the balance (\$36,000) to be shire funded. The revised project budget (\$130,650) would mean the shire would contribute an additional \$10,650 towards this project.

Additional funds have now been spent on a site survey \$1,800 Approximately. Also from discussions between the Project Manager, Daly Winter and Wetdeck Pools, the estimated cost for the retaining wall will be in the vicinity of \$25,000 to \$29,000.

To progress the project further additional funds will need to be Authorised from 2017 – 2018 Council Budget.

STRATEGIC IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

- **Environmental**
There are no known significant environmental issues.
- **Economic**
There are no known significant economic issues.
- **Social**
The pool complex is a very well used feature of the town. The main pool and kiddies pool have served the community well for many years and the recent heating project has enhanced the community benefit of this facility. The water playground will add to amenity of the pool area and encourage increased usage.

VOTING REQUIREMENTS

Absolute majority

COMMITTEE RECOMMENDATION - Item 5.1

MOVED: Cr Walker

SECONDED: Cr Alexander

That the Water Playground Committee receives this latest Project progress report .

CARRIED BY ABSOLUTE MAJORITY 4/0

Res 22/18

General discussion about the Water Playground Committee being redirected to become the Swimming Pool Committee.

Committee Members agreed that it would be a good outcome.

COMMITTEE RECOMMENDATION

MOVED: Cr Aird

SECONDED: Cr Alexander

That the Water Playground Committee recommend to Council at the March Ordinary Council meeting, that it formulate a Swimming Pool Committee to address the broader issues around the swimming pool usage and availability.

CARRIED 4/0

Res 23/18

6 CLOSURE OF MEETING

There being no further business the Presiding Member, Cr Aird thanked all for their attendance and declared the meeting closed at 7.21pm.

The next Water Playground Committee meeting will be held on Friday, 23rd March 2018 at 6.00pm.