

COUNCIL ACTION REGISTER - In Progress- June 2022

Meeting	Minute Number	Responsible Officer	Item	Resolution	Progress Comment	1. Date of First Action 2. Date of Completion	Status
OCM 16/12/2020		Director Infrastructure	Proposed closure of Jandami Lane	That Council approves: 1. The closure of a 3.2 km section of Jandami Lane as shown on Attachment 1 – Jandami Lane, section proposed for closure November 2016, in accordance with section 3.50 of the Local Government Act 1995, until the long term future of the lane is finalised, 2. A Shire application to the Department of Lands to relinquish the 3.2 km section of Jandami Lane road reserve, 3. The disposal of the road reserve, road and drainage assets on the 3.2 km section of Jandami Lane, as an exempt disposition in accordance with section 30(2)(c) of the Local Government (Functions and General) Regulations 1996 noting that the section of road and drainage has a written down value of \$1.9M as at 31/10/2016, 4. The permanent closure of a 3.2 km section of Jandami Lane, in accordance with section 3.50 of the Local Government Act 1995, when necessary to facilitate the transfer of that part of the road reserve to another party, and 5. The removal from the Shire's asset register of the 3.2 km section of Jandami Lane, when that section of the lane is permanently closed.	The Shire has previously requested the closure of the road in accordance with the Council resolution, and is awaiting the Department of Planning, Lands and Heritage (DPLH) to complete the process to permanently close the road. Officers met with DPLH on 20 May 2022 and they advised that the road closure will be grouped with the new lease for the Goornig land and that this was likely to be finalised in the next 4 to 5 months. Previous actions (documented): 11/03/21 - Email issued to Planning requesting an update. 14/04/21 - Meeting taking place with DPLH this month. 20/05/21 - No further progress made with Lands. 23/06/21 - No further progress made with Lands. 17/08/21 - No further progress to report. 09/09/21 - Planning are discussing further with Lands. 20/04/22 - Planning is following up with the Department.	1. 23/05/2022 2.	In Progress
1/08/2018		Carl Askew, Chief Executive Officer	Local Law Review	That Council 1) Undertake a review of the following: a) Shire of Wyndham East Kimberley Dogs Local Law 2003 b) Shire of Wyndham East Kimberley Parking and Parking Facilities Local Law 2003 c) Shire of Wyndham East Kimberley Activities in Thoroughfares and Public Places and Trading Local Law 2005 d) Local Government Property Local Law 2003 2) Give State-wide public notice of the proposal to review the above Local Laws.	All four local laws have been reviewed and are in drafting stage. The work on this was postponed due to Covid-19 but has resumed. The comments on the laws have been incorporated in the documents and will be reviewed by the responsible officers as the next step. 14/04/2021 - The work that has been done on this item has been accessed. The Shire Executive will determine a process to progress this item and revert to Council at the July Council Briefing session. 24/06/2021 - Shire Rangers have started the process to review the Dogs Local Law 2013. 04/12/2021 - The review of the Local Government Act will have an impact on this resolution going forward. Further action will be put on hold until clarity on model Local Laws and amendments to review periods have been promulgated. 20/04/2022 - 20/05/2022: No further action until Local Government Act review complete.	1. 1/06/2019 2.	In Progress
OCM 27/08/2019	27/08/2019 - 118087	Stuart Dyson, Director Infrastructure	12.5.4. Landfill Management	That Council: 1. Approves the following option for Wyndham Landfill: Option 1a - New landfill on the existing site in Wyndham (by diverting the surface water running through the existing site) 2. Authorises Shire Officers to action the preferred option.	Endorsed by Council, Officers progressing item 2. Site visited by Ask Waste Management to look at how the creek can be diverted. Works have stalled at the moment due to resource constraints. The Shire is investigating whether or not to appoint a dedicated Waste Manager due to the work load in this area. Survey works have commenced. Survey works being planned and then a concept design will be produced, in parallel with this Officers are also looking at adjacent land. No further progress to report as of November 2020. 11/03/21 - Paper to be taken to Council in the March briefing to provide an update. 15/04/21 - Officers now pursuing 2 options, extend the existing site and a new site. 20/05/21 - No change to report. 09/09/21 - Council briefed on an alternative option for Wyndham. 01/11/21 - Meeting with Balangarra to progress the land issues for the expansion of the site. 14/02/22 - 20/06/22 - Awaiting feedback from Balangarra.	1. 16/09/2019 2.	In Progress
OCM 25/02/2020	25/02/2020 - 11816	Stuart Dyson, Director Infrastructure	12.2.3. Annual General Meeting of Electors 12 December 2019	That Council undertakes a review of gardening and slashing activities and whether or not it is cost effective to outsource them.	Under review with the Asset and Engineering Manager. Implementation delayed as a result of the Covid 19 Pandemic. Priority is now to self perform Swim Beach Footpath. 11/03/21 - Contract put in place for external contractors to provide slashing services. Swim Beach footpath to commence in April 2021. 15/04/21 - Swim Beach commencing in the next 3 weeks. 20/05/21 - Swim Beach footpath works ongoing. 24/06/21 - First stage of Swim Beach completed, balance to be completed in the next financial year. 19/10/21 - PO being finalised for business case to evaluate current situation and to investigate a self performing road construction with a depot crew. 04/12/21 - Uniqco visited Shire to perform the work for the business case for self performance and evaluation of current operations 14/02/22 - Awaiting final report from Uniqco 2/03/22 - Draft final report received for Shire to comment on. 20/04/22 - 24/06/22 - Item to come to briefing after budget completed.	25-Feb-20	In Progress

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OCM 30/03/2021	30/03/2021- 11841	Stuart Dyson, Director Infrastructure	12.5.2. Tourism House (Restaurant) Repairs	That Council 1.Approves the transfer of \$90,877.22 inc GST from the Tourism House Reserve account to fund repair works to the restaurant area of Tourism House. 2.Endorses the repairs outlined in this report to the restaurant area of Tourism House.	15/04/21 - Endorsed by Council and works commence 19/04/21. 20/05/20 Stage 1 works completed and the building is operational again. 24/06/21 - Stage 2 works to be completed during the wet season. 17/08/21 - Legal advice being obtained due to the fact the tenants are using a fire hose again. 09/09/21 - Notice issued to the tenants as they have breached the condition of the licence again. 19/10/21 - Subsequent inspection satisfactory - remainder of works to be conducted early 2022. 14/02/22 - Shire Officers have been in contact with the owners and contractor to schedule work, any price differences will be referred to the MYBR. 23/05/22 - Work will commence once the tourism season is over.	1. 15/04/2021 2.	In Progress
OCM 24/08/2021	24/08/2021 - 11852	Felicity Heading, Director Corporate Services	16.3. EXERCISE OF POWER OF SALE FOR RECOVERY OF OUTSTANDING RATES	That Council 1.Resolve to exercise a power of sale under Part 6 Subdivision 6 of the Local Government Act 1995 in relation to Rates Assessment A411 which has rates in arrears for 3 or more years (as detailed in the table below) for the recovery of outstanding rates and service charges; 2.Request the CEO or their delegate to instruct the Shire's legal representatives to commence legal proceedings in accordance with Part 6 Subdivision 6 of the Local Government Act 1995; and 3.Request the CEO or their delegate to liaise with the Department of Communities, taking into consideration the wellbeing of the occupant, prior to commencing legal proceedings.	November 2021 - Officers meeting with Department of Communities prior to Christmas. March 2022 - Letter has been sent to property occupant, Shire officers to follow up with visit to occupant. April 2022 - No response received from occupant. Shire officers to deliver letter in person. June 2022 - Progress reported to Audit Committee 13 June 2022. Letter to be delivered when officers available.	1. 23/09/2021 2.	In Progress
OCM 21/11/2023	23/11/2021 - 11855	Vernon Lawrence, Chief Executive Officer	12.5.1. Gibb River - Kalumburu Road, disposal	That Council approves the disposal of the following roads to Main Roads Western Australia and authorises the Chief Executive Officer to write to Main Roads WA on other advocacy with relevant State Government Ministers to give effect to this resolution: 1.Gibb River - Kalumburu Road 2.Port Warrender Road.	Letters to be drafted by Manager Infrastructure and sent in January 2022 14/02/22 - Letters drafted and sent awaiting response. 01/04/22 - Reply received from Main Roads declining the to assume responsibility for the Road. Letter now to be sent to the Minister. 23/05/22 - Matter in progress, discussions with DFES and Main Roads ongoing before letter to Minister to be drafted.	1. 4/12/2021 2.	In Progress
OCM 21/11/2023	23/11/2021 - 11855	Vernon Lawrence, Chief Executive Officer	12.5.2 Carlton Hill Road, partial disposal	That Council approves the closure and disposal of Carlton Hill Road from 10.5km to the end of the existing road reserve at 23.71km and authorises the Chief Executive Officer to implement the road closure process.	Letters to be drafted by Manager Infrastructure and sent in January 2022 14/02/22 - Letters drafted and sent awaiting response. 09/06/22 - Discussed the possibility of an easier way to give effect to this resolution with KAI. Officers are developing a proposal to present to KAI.	1. 4/12/2021 2.	In Progress
OCM 22/03/2022	22/03/2022 – 11861	Nick Kearns, Director Planning and Community Development	16.1.EXPRESSION OF INTEREST TO PURCHASE LOTS 401 AND 402 PEARSE STREET, WYNDHAM	That Council: 1.Accepts the offer from Paul Cavanagh for Lots 401 and 402 on Deposited Plan 144222, Pearse Street, Wyndham (land) for the combined price of \$22,400 in accordance with the Expression of Interest lodged and subject to local public notice of the proposed disposition being given in accordance with the Local Government Act 1995. 2.On the basis of the valuation dated 17th of September 2020, where the market value of the land was determined to be \$10,000 (exc GST) for vacant possession, Council adopts this amount to be a true indication of the fair market value of the land as at 22 March 2022. 3.Notifies other applicants, in writing, that they were unsuccessful in their submission to purchase the land and that the successful applicant was Paul Cavanagh. 4.Authorises the Chief Executive Officer to complete any necessary negotiations to dispose of the land, including preparing and finalising contract of sale documentation and a deed of agreement being to ensure that the following conditions are formally documented (formal agreement): a.Lots 401 and 402 on Deposited Plan 144222 are amalgamated (amalgamated land); and b.The required road access to the amalgamated land is constructed at the purchaser's sole cost (road construction obligation) and to design and construct specifications approved by the Shire; and c.The amalgamation of Lots 401 and 402 on Deposited Plan 144222 condition and the road construction obligation will transfer to any subsequent purchaser of the land who will be required to enter into a replacement deed in the same terms as the original formal agreement between the subsequent purchaser and the Shire (replacement deed); and d.The purchaser will consent to a caveat being lodged on lots 401 and 402 on Deposited Plan 144222 to secure the obligations in the formal agreement and any replacement deed, such caveat to be removed to allow for compliant dealings on the land by the purchaser.	May 2022: Letters sent to successful and unsuccessful applicant. The Shire's solicitor is preparing the contract of sale documentation, and the caveat to secure the obligations set out in a deed of agreement in accordance with the Council resolution. The successful applicant has advised that they wish to proceed and Officer's will now begin the notification process for the disposition of land. June 2022: Notice of proposed disposal of land is currently being advertised and closing date for submissions is 1 July 2022.	1. 24/05/2022 2.	In Progress
OCM 22/03/2022	22/03/2022 – 11861	Nick Kearns, Director Planning and Community Development	16.2.EXPRESSION OF INTEREST TO LEASE LOT 509 MILLINGTON DRIVE, KUNUNURRA	That Council: (1)Offers Lake Kununurra Boat Hire a 10 year lease over a portion of Reserve 50467, Lot 509 on Deposited Plan 66529, Commercial Boating Facility, Kununurra to Lake Kununurra Boat Hire subject to: (a)Consent from the Minister for Lands; (b)Local public notice of the proposed disposition being given in accordance with the Local Government Act 1995; and (c)Lease rent to be in accordance with a current market rental valuation. (2)Notifies other applicants, in writing, that they were unsuccessful in their submission for the lease over a portion of Reserve 50467, Lot 509 on Deposited Plan 66529, Commercial Boating Facility, Kununurra and that the successful applicant was Lake Kununurra Boat Hire. (3)Authorises the Chief Executive Officer to negotiate the lease agreement, finalise and affix the common seal.	May 2022: Letters sent to successful and unsuccessful applicant. Lake Kununurra Boat Hire has accepted the offer of lease. Market valuation has been received, and local public notice has been carried out with one submission to be considered by Council at the May 2022 OCM. Section 18 approval for the lease has been provided by the Minister for Lands. June 2022: Lease has been executed by both parties and commenced as of 8 June 2022.	1. 23/05/2022 2.	In Progress
OCM 22/03/2022	22/03/2022 – 11861	Vernon Lawrence, Chief Executive Officer	16.3.QUOTATION AWARD FOR RFQ04-20/21 WHEELED EXCAVATOR	That Council: 1.Note the recommendation in the Evaluation Report for RFQ04-20/21 Wheeled Excavator (Attachment 1); and 2.Endorse that the additional funds required can be committed from GL:1041004050 - Drainage Works - Self Performing in the Mid Year Budget Review. 3.Accept the quote from Hitachi Construction (Australia) Pty Ltd as the most advantageous quotation; and 4.Authorise the Chief Executive Officer; a)To negotiate and sign a purchase agreement with Hitachi Construction (Australia) Pty Ltd, or b)Where a purchase agreement cannot be executed with the preferred supplier, begin negotiations with the second preferred supplier, and after ensuring that all appropriate financial due diligence is undertaken, sign a purchase agreement with the second preferred supplier.	Negotiations are in progress with the supplier. Vehicle is expected to be delivered in August.	1. 23/03/2022 2.	In Progress

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OCM 26/04/2022	26/04/2022 - 11862	Felicity Heading, Director Corporate Services	12.2.3. Annual General Meeting of Electors - 17 March 2026	That Council reviews procurement processes to assist in the improvement of participation from local business in Shire procurement activities.	May 2022: A review of the following procurement policies is planned for completion by September 2022: CP FIN-3204 Purchasing CP FIN-3217 Regional Price Preference CP FIN-3218 Pre-Qualified Supplier Panel Policy Feedback will be sought from suppliers on how procurement processes and systems can be improved while ensuring that statutory requirements relating to local government procurement continue to be met. Officers will continue to engage with suppliers and with organisations supporting local business including EKCCI, Kimberley Small Business Support and Binari Binyja Yarrowoo to assist businesses in navigating the Shire's procurement processes and the online systems. June 2022: No further progress due to other priorities. To be progressed in in new financial year.	1. 27/04/2022 2.	In Progress
OCM 26/04/2022	26/04/2022 - 11862	Vernon Lawrence, Chief Executive Officer	12.2.3. Annual General Meeting of Electors - 17 March 2027	That Council reviews drainage in Wyndham with particular reference to Gully Road, Baker Street and the service roads off Great Northern Highway.	Shire staff to visit site and report on work necessary and schedule works into the program.	1. 27/04/2022 2.	In Progress
OCM 26/04/2022	26/04/2022 - 11862	Vernon Lawrence, Chief Executive Officer	12.2.3. Annual General Meeting of Electors - 17 March 2028	That Council clears the drain at King Location 715 to an acceptable usable standard.	Shire is awaiting the delivery of plant to effect this work.	1. 27/04/2022 2.	In Progress
OCM 26/04/2022	26/04/2022 - 11863	Vernon Lawrence, Chief Executive Officer	12.5.1. Increased Security - 57 Riverfig Avenue Kununurra	That Council transfers \$30,000 from the Property Reserve to the Municipal Fund Account for the purpose of undertaking security upgrades on Shire buildings at 57 Riverfig Avenue, Kununurra.	Works in process - materials ordered waiting for delivery and installation.	1. 27/04/2022 2.	In Progress
OCM 31/05/2022	31/05/2022 - 11864	Nick Kearns, Director Planning and Community Development	12.3.2. Proposed closure of portions of Moonamang Road	1. Advertises the proposed closure of portion(s) of Moonamang Road, being Lots 602 and Lot 603 on Deposited Plan 410592, in accordance with section 58 of the Land Administration Act 1997. 2. Resolves to close portion(s) of Moonamang Road, being Lots 602 and Lot 603 on Deposited Plan 410592, subject to no objections being received during the advertising period. 3. Following completion of the advertising period (subject to no objections), requests the Department of Planning, Lands and Heritage to close portions of Moonamang Road, being Lots 602 and Lot 603 on Deposited Plan 410592, to be reverted to unallocated Crown land	June 2022: notice of the proposed closure is currently be advertised with submissions to be received by 22 July 2022. Referral letters have also been sent to relevant departments and agencies for comment.	1. 2.	In Progress
OCM 31/05/2022	31/05/2022 - 11864	Nick Kearns, Director Planning and Community Development	12.3.3. Sponsorship - Taste of the Kimberley	That Council approves the allocation of \$20,000 from the take-away Alcohol Management System (TAMS) expenditure as a one off sponsorship payment for the 2022 Taste of the Kimberley, subject to the following conditions: •Enter into a funding agreement; •Provide no additional financial support through waiver of other associated costs such as park hire or facility modifications; •Provide an acquittal at the completion of the event; •Suitably acknowledge the support of the Shire, and •Ensure that all necessary approvals and insurances are obtained prior to the event - including COVID directions.	June 2022: Awaiting submission of Event Application and funding agreement being entered into.	1. 2.	In Progress
OCM 31/05/2022	31/05/2022 - 11864	Felicity Heading, Director Corporate Services	12.4.4.2022/23 Budget - Differential General Rates and Minimum Payments and Consideration of Public Submissions	1) Endorse the amended 2022/23 Rating Model as follows (Table included in Council Meeting Minutes), with the intention of striking the rates as part of the 2022/23 Budget adoption, subject to receiving Ministerial approval where required by legislation. 2) Requests the CEO, or their delegate to seek approval from the Minister for Local Government; Heritage; Culture and the Arts to approve the Shire of Wyndham East Kimberley applications to: a. Impose minimum payments for vacant land which will result in more than 50% of the properties in the GRV Other Vacant rating category subject to minimum payments in accordance with section 6.35(5) of the Local Government Act 1995; and b. Impose a rate in the dollar which will result in it being more than twice the lowest differential general rate imposed for UV Mining, UV Mining Exploration and Prospecting and UV Pastoral rating categories, in accordance with section 6.33(3) of the Local Government Act 1995.	June 2022: 1. The adopted Rate Model and Council Policy CP/FIN-3200 Strategic Rating have been incorporated in the draft budget budget to be presented to Council for consideration at the 28 June 2022 OCM. 2. The application for approval of differential rates and minimum payments has been submitted to the Minister and is awaiting a response.	1. 01/06/2022 2.	In Progress
OCM 31/05/2022	31/05/2022 - 11865	Felicity Heading, Director Corporate Services	16.1. EXERCISE OF POWER OF SALE FOR RECOVERY OF OUTSTANDING RATES	1. Resolve to exercise a power of sale under Part 6 Subdivision 6 of the Local Government Act 1995 in relation to Rates Assessments A142, A195, A2072, A402, and A476, which each have rates in arrears for 3 or more years (as detailed in the table below) (Table included in Council Meeting Minutes) for the recovery of outstanding rates and service charges; 2. Request the CEO or their delegate to instruct the Shire's legal representatives to commence legal proceedings in accordance with Part 6 Subdivision 6 of the Local Government Act 1995.	June 2022: Cost Agreements for each of the properties have been signed and returned to the Shire's Legal Representatives. Currently awaiting further instruction from legal counsel.	1. 01/06/2022 2.	In Progress
OCM 31/05/2022	31/05/2022 - 11865	Felicity Heading, Director Corporate Services	16.2. QUOTATION AWARD FOR RFQ03-20/21 MANAGED ICT SERVICES	That Council: 4. Note the recommendation in the Evaluation Report for RFQ03-21/22 Managed ICT Services (Attachment 1); and 5. Accept the quotation from Managed IT as the most advantageous quotation; and 6. Authorise the Chief Executive Officer; c) To negotiate and sign a contract with Managed IT, or d) Where a contract cannot be executed with the preferred respondent, begin negotiations with the second or third preferred respondent, and after ensuring that all appropriate financial due diligence is undertaken, sign a contract with the second or third preferred responder	June: Negotiations have commenced with Managed IT. A Kick off meeting was held on 9th June.	1. 01/06/2022 2.	In Progress
OCM 31/05/2022	31/05/2022 - 11865	Nick Kearns, Director Planning and Community Development	16.3. DISPOSAL OF LAND (LEASE) - LOT 509 MILLINGTON DRIVE, KUNUNURRA	That Council: 1. Notes the submission received from Kimberley Spirit Tours in relation to the proposed disposition of land (lease) of Lot 509 Millington Drive, Kununurra; and 2. Requests Officers to meet with Kimberley Spirit Tours to discuss alternative options within the context of finalising the planning for the area and investigating expansion of the commercial boating facility.	June 2022: Correspondence was sent to Kimberley Spirit Tours advising of Council resolution and inviting them to meet with officers to discuss alternative options. Officers met with Kimberley Spirit Tours to inform future future planning for the area and investigating expansion of the commercial boating facility.	1. 2.	In Progress