

**COUNCIL ACTION ITEMS**

Meeting	Responsible Officer	Item	Resolution	Progress Comment	Date Actioned	Completed
OCM 26/04/17	Director Community Development	Community Lease - Ord River Magpies	That Council authorise the Chief Executive Officer to offer a 10 year lease to the Ord River Magpies Football Club for Part Lot 504 on Plan 61898, Part Reserve 29799, 199 Coolbah Drive Kununurra, subject to the approval of the Minister of Lands.	To be reconsidered (for a 21 year lease) at the July 2018 OCM	10-Apr-17	In progress
OCM 26/04/16	Carl Askew, Chief Executive Officer	Intent to Review Local Laws	That Council undertake a review of all of its Local Laws in accordance with the <i>Local Government Act 1995 s.3.16</i> and give statewide and local public notice of its intent to undertake a review.	Internal audit is taking place to prioritise the review of local laws	19-Jul-18	In progress
OCM 5/10/2016	Carl Askew, Chief Executive Officer	Motion from Cr Perry 13.1 Review of System of Representation	Minute No: 5/10/16-11513  Commissioner resolved:  That the incoming Council, to be elected in October 2017, consider a review of its system of representation, exploring whether the current system of no wards in the Shire of Wyndham East Kimberley serves the best interests of their diverse communities.	Deferred until new Council in place. Governance Officer to prepare a report for Council	05-Oct-16	In progress
OCM 20/12/16	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.	Dept of Lands advised on 9 January 2017. Statutory public notice was published on 23 February 2017  Awaiting advice from Lands department; they would prefer to wait until we have the KAI lease in place and amalgamation of the land into the lease can be undertaken at the same time as registration of the road closure.	14-Aug-17	In progress
OCM 25/08/15	Director Community Development	Proposed Gravel Reserves	That Council:  1. Requests the Chief Executive Officer to consult with the Darwulah Aboriginal Corporation to obtain written consent for the surrender of the proposed 'King River' gravel area from Lease I837493, and support the realignment of the dedicated road reserve to correspond with the physical location of the constructed King River Road.  2. Requests the Chief Executive Officer to advise the Department of Lands that the Shire of Wyndham East Kimberley:  a. agrees to proceed with a future act process to facilitate the creation of reserves for the purpose of gravel supply for road building purposes over the sites identified as 'Afghan Cemetery', 'Mount Albany' and 'Parry Creek', and proposed easement to provide legal access to the 'Afghan Cemetery'.  b. indemnifies the Minister for Lands against any costs arising from the future act process.  3. Requests the Chief Executive Officer to advise the Department of Lands that the Shire of Wyndham East Kimberley agrees to pay survey costs associated with:  a. the creation of 'Gravel' reserves over the four areas referred to as 'King River', 'Afghan Cemetery', Mt Albany and 'Parry Creek',  b. the creation of an easement to provide access to the area referred to as 'Afghan Cemetery'; and  c. the realignment of the dedicated road reserve to correspond with the physical location of the constructed King River Road.  d. that the estimated total survey costs be acknowledged as \$19,600.	Correspondence sent to DoL advising of Council resolution. Correspondence also sent to Darwulah Aboriginal Corporation in relation to the gravel source along King River Road and the proposed realignment of the dedicated road reserve. The Senior Planning Officer met with Darwulah representatives on 6 October 2015 to discuss the matter. The Senior Planning Officer and Director Infrastructure met again with representatives of the Darwulah Aboriginal Corporation on 18 March 2016. Darwulah Aboriginal Corporation have requested another meeting with the Senior Planning Officer and Shire President. Meeting to be arranged between representatives of Darwulah, the Shire and Department of Lands.	14-Oct-16	In progress
OCM 29/03/16	Director Community Development	Request for extension of Development Approval - Lot 507 Chestnut Ave - 2	That Council: 1. Extend the Kununurra Neighbourhood House Development Approval (DA) 6/14 at Lot 507, Chestnut Drive Kununurra for a further two years. 2. Request the Chief Executive Officer to enter into lease negotiations with Kununurra Neighbourhood House; the lease to include agreed development milestones and timeframes. 3. Request the Chief Executive Officer to investigate alternate options for expansion of the Child Care facility on lot 506, Chestnut Drive; and 4. Request the Chief Executive Officer to investigate alternate options for the construction of a new Kununurra Neighbourhood House facility. 5. Request the Chief Executive Officer to bring the report on future expansion of child care facilities to Council at a future Briefing Session.	Resolutions 1 and 2 completed. Request for extension of term approved and alternative options being investigated. Application by Ewin Centre received in May 2018 for extension of their current development. Briefing to Council made June 2018	19-Apr-17	In progress

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OCM 20/12/16	Vernon Lawrence, Director Corporate Services	Request for write off of penalty interest; waiver of penalty interest; and for a self supporting loan - rates debtor A501	That Council authorises the CEO to advise rates debtor A501 that:  1. The outstanding interest on rates and service charges will be written off on the condition: a. that the rates and services debt is fully paid by 30 June 2017 b. a lease with the Shire has been executed inclusive of a business plan by 30 June 2017 2. the Shire will consider an application for a rates concession for the 2017/18 if the above conditions are met	Letter sent to rate payer advising of Council decision on 15/02/2017. Followup phone made 23/03/2017 with no answer. Follow-up email sent 24/03/2017. Lease negotiation being undertaken. This debtor has been contacted by the Commissioner, CEO and Director Corporate Services to follow up on progress with settling the outstanding amounts. An amount of \$10k was paid prior to year end but the balance remains outstanding. The agreement has now lapsed and direction will be sought at the Audit Finance and Risk Meeting on 21 August 2017. Additional funds have been paid by the debtor since year end on both the rates outstanding and the sundry debts. The Administration has been in contact with the debtor in an attempt to get a commitment for a repayment schedule to present to Council.  There is nothing further to report on this item. Attempts have been made to contact the ratepayer with no success. The lease has not been signed to date. The Manager Community Development attended the Annual General Meeting and confirmed the Shires support for the Club. The Club has been making some payments but is yet to formalise a regular monthly commitment to the Shire.	01-May-18	In progress
OCM 25/08/15	Director Community Development	Transient Accommodation - Lot 411 Minjirriga Lane, Kununurra	That Council request the Chief Executive Officer to undertake further investigation as part of the Local Planning Scheme review, to consider the introduction of a new or amended use class to appropriately provide for rural workers accommodation and preparation of a subsequent Local Planning Policy.	Land Use definition for Rural Workers Accommodation included in draft Local Planning Scheme No. 9. Officers have commenced desktop audit of accommodation on rural properties, prior to preparation of draft Local Planning Policy. Modification to draft local planning scheme was to remove Rural Workers Accommodation Land Use. Policy to be developed in accordance with modifications.	15-Aug-16	In progress
OCM 22/11/16	Vernon Lawrence, Director Corporate Services	Update on Request to Revest Rates Assessments A5594 and A5595 Back to the Crown	That Council, with reference to Matters Behind Closed Doors Item 8.3 "Update on Request to Revest Rates Assessments A5594 and A5595 Back to the Crown":  1. Authorise the CEO, or their delegate, to request lawyers acting for the Shire to conduct negotiations with the ratepayer on the following basis:  a. That the ratepayer will fund the cost of any works required by the Department of Environment Regulation for the investigation and any remediation required to their property;  b. Recognising that the Shire will be required to undertake investigations and potential remediation of Parcel 69070 Pearse Street road reserve (Pin # 11413027) and offer the ratepayer an arrangement whereby the consultants costs could be shared;  c. That the Shire will execute the Deed of Settlement and Transfer of Land only upon the ratepayer undertaking the investigations and remediating, or funding the investigations and remediation of their land, to the satisfaction of the Department of Environment Regulation.  2. Authorise expenditure in advance for an additional purpose in the 2016/17 budget of \$20,000, being to initiate the investigations and possible remediation process for Parcel 69070 Pearse Street road reserve (Pin # 11413027) and source these funds from savings (or additional revenue) identified in the 2016/17 Mid-Year Budget Review.	This process is nearing finalisation. All documents for transfer have been signed and lodged. Shire Officers believe that the process should be complete before the end of Q1 2018/19.	01-May-18	In progress
OCM 22/11/16	Vernon Lawrence, Director Corporate Services	Update on the Recovery of Outstanding Rates - Assessments A2574, A2569 and A411	That Council, with reference to Matters Behind Closed Doors Item 8.2 "Update on the Recovery of Outstanding Rates - Assessments A2574, A2569 and A411", notes:  1. The further investigations and actions undertaken regarding options for the recovery of outstanding rates for Assessments A2574, A2569, and A411 in accordance with relevant legislation; and  2. That a further updated report will be included in the next Audit (Finance and Risk) Committee Agenda.	This matter was considered at the Audit (Finance and Risk) Committee on 14 May 2018 and will be followed up again at the 13 August 2018 meeting. Shire Officers continue to follow up on these outstanding amounts. In the instance of A411, steps to acquire the property and dispose of it have commenced with the Shires legal advisors. The remaining two properties have nothing substantial to report.	01-May-18	In progress

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OCM 28/11/2017	Carl Askew, Chief Executive Officer	Additional Flight Options from East Kimberley Regional Airport	<p>That Council reaffirm its decision of 22 November 2016 and specifically:</p> <ol style="list-style-type: none"> <li>Provide support for a trial of an air service proposed by the East Kimberley Marketing Group between Kununurra and Melbourne for forty (40) return services between May and October 2018 and authorise the CEO to enter into negotiations with the East Kimberley Marketing Group and their partners on the following basis: <ol style="list-style-type: none"> <li>Consideration of a supporting financial package comprising: <ol style="list-style-type: none"> <li>Waiver of Passenger Service Fees for screening, Terminal Passenger Handling Fees and Landing Fees to a maximum value of \$153,000, conditional upon the flights arriving and departing between 10:00 am and 4:00 pm (WA time) when the airport staff are onsite and available.</li> <li>Operational subsidy to maximum of \$200,000 (acknowledging an additional contribution from the State Government and/or local community of at least \$200,000).</li> </ol> </li> <li>Further negotiate with the East Kimberley Marketing Group and the Airline regarding the type of aircraft, flight schedules and the implications for connections with Melbourne Airport and services required of EKRA, confirmation of the opportunity for, booking arrangements and seamless ticketing or connectivity to secondary destinations, confirmation of details related to fare structures and ticketing costs, key performance indicators.</li> </ol> </li> <li>Condition its support and contribution to the trial upon the development and execution of a professional marketing campaign properly funded and resourced by the State Government to promote the commencement and for the duration of the trial service;</li> <li>Refers the cost of the trial for consideration in both the Mid-Year Budget Review 2017-18 and Annual Budget 2018-19; and</li> <li>Refers the replacement of Landing Fees to the Airport Reserve from Municipal funds for consideration in both the Mid-Year Budget Review 2017-18 and Annual Budget 2018-19.</li> </ol>	<p>Part 1: Resolution to be put in a formal letter to EKMG</p> <p>Part 2: Action the details of the resolution. Potentially occurring in 2018. EKMG negotiating with Airline and partners.</p> <p>Media Release by EKMG on 5 April 2018 confirming last minute decision by Alliance Airlines not to proceed with service in 2018. Airline cited unexpected terminal costs in Melbourne, delayed upload of fares for distribution and crew shortages. EKMG remains committed to project and will focus on service in 2019</p>	01-Mar-18	Ongoing
OCM 19/10/2017	Director Community Development	Warringari Radio in White Gum Park	<p>That Council</p> <ol style="list-style-type: none"> <li>Note Waringari Media Aboriginal Corporation's proposed Music in Whitegum Park Solar Sound Pole project</li> <li>Authorise the CEO to advertise the proposal for community comment for a period of 28 days.</li> </ol>	Community Consultation completed. Alternative sites being investigated	20-Nov-17	In Progress
Mar-18	Carl Askew, Chief Executive Officer	Development of Ord Biosecurity Group	<p>That Council</p> <ol style="list-style-type: none"> <li>Acknowledges the proposal from Ord Land and Water Inc. to update the Biosecurity Plan for the Ord Irrigation Area.</li> <li>Supports in principle the proposal, subject to the involvement of relevant industry representatives, State Government agencies, and cross-border integration with the Northern Territory Regional Biosecurity Emergency Response Plan currently being developed by the NT Government.</li> <li>Refers the request for consideration in the 2018/19 Budget an allocation of up to \$15,000 to assist in the update of the Biosecurity Plan for the Ord Irrigation Area, with a preference that Ord Land and Water obtains matching funding from State Government agencies and other sources if possible.</li> <li>Supports Ord Land and Water as the coordinator for the development and implementation of the updated Biosecurity Plan, in partnership with industry representatives and State Government.</li> <li>Considers through the budget process the request for a small percentage (7.5%) of the rates raised from Rural Ag 1 and Rural Ag 2 properties for the ongoing management and delivery of the operational plan developed for the Ord, subject to the involvement of relevant industry representatives and State Government agencies, and with the intention of supporting Ord Land and Water to secure matching State funding.</li> <li>Retains the current Biosecurity Reserve for any emergency plant, pest or disease response as required and approved by Council.</li> </ol>	Advice delivered to the Ord Land and Water Inc 2018/2019 Budget approved an allocation of \$15,000 for this project	13-Apr-18	In progress
Mar-18	Stuart Dyson, Director Infrastructure	Road Dedication - Moonamang Road Extension	<p>That Council:</p> <ol style="list-style-type: none"> <li>Supports the dedication of Lot 604 on Deposited Plan 410818 as road, being the extension of Moonamang Road to the Western Australia and Northern Territory border, pursuant to Section 56 of the Land Administration Act 1997.</li> <li>in accordance with Section 56(4) of the Land Administration Act 1997, indemnifies the Minister for Lands against any claim for compensation in an amount equal to the amount of costs and expenses reasonably incurred, excluding costs associated with survey, in considering and granting the dedication.</li> </ol>	Letter issued supporting the extension of Moonamang Road. Awaiting further action from external departments.	01-May-18	In Progress
Jun-18	Nick Kearns, Director Planning and Community Development	Community Lease East Kimberley Volunteer Sea Rescue Group	That Council authorises the Chief Executive Officer to offer the East Kimberley Volunteer Sea Rescue Group a 21 year lease for Reserve 51156, Lot 500 on Deposited Plan 73840, Foreshore Road Wyndham, as detailed in Attachment 1, subject to the approval of the Minister of Transport: Planning: Lands.	Documentation being finalised	05-Jul-18	Pending