

**COUNCIL ACTION ITEMS**

| Meeting      | Responsible Officer                   | Item                                     | Resolution   | Progress Comment   | Date Actioned | Completed   | Minute Number |
|--------------|---------------------------------------|--|--|--|---------------|-------------|---------------|
| OCM 20/12/16 | Director Infrastructure               | Proposed closure of Jandami Lane         | That Council approves:<br>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,<br>2. A Shire application to the Department of Lands to relinquish the 3.2 km section of Jandami Lane road reserve,<br>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.<br>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<br>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 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. The DPLH has advised that the proposed road closure is pending other land tenure actions, being the creation of proposed easements.<br><br>No change to report as of August 2020.  | 14-Aug-17     | In progress |               |
| Mar-18       | Carl Askew, Chief Executive Officer   | Development of Ord Biosecurity Group     | That Council<br>1. Acknowledges the proposal from Ord Land and Water Inc. to update the Biosecurity Plan for the Ord Irrigation Area.<br>2. 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.<br>3. 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.<br>4. 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.<br>5. 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.<br>6. Retains the current Biosecurity Reserve for any emergency plant, pest or disease response as required and approved by Council. | Advice delivered to the Ord Land and Water Inc.<br>2018/2019 Budget approved an allocation of \$15,000 for this project. No funds were required during the financial year and no further requests were made to have funds available for updating the plan. Funds will be made available should the need arise in future.<br>Calculations for a 7.5% of the rates for Rural Ag1 and Rural Ag 2 show that a total amount of rates is \$1,054,061 meaning 7.5% of this is \$79,054. Since the Shire has had 0% rate increases for two financial years and this amount would have to be recovered from existing funds, a contribution of this amount should not be considered at this stage.<br><br>Acting CEO has reviewed the status of this action. As this item was raised in 2018, it is prudent to revert back to Ord Land and Water to ascertain whether they still want to update the Biosecurity Plan for the Ord Irrigation Area. If so then items 1 - 4 can be progressed. With respect to item 5 is that Shire Officers do not support it for the reasons described above. With respect to item 6, the reserve has been transferred to the Covid-19 Reserve to address the financial impact of Covid-19 on local business in terms of the resolutions passed by Council at the May Ordinary Council Meeting. The reinstatement and funding of the reserve will be considered in the 2021/22 Annual Budget process. | 13-Apr-18     | In progress |               |
| Aug-18       | Carl Askew, Chief Executive Officer   | Local Law Review                         | That Council<br>1) Undertake a review of the following:<br>a) Shire of Wyndham East Kimberley Dogs Local Law 2003<br>b) Shire of Wyndham East Kimberley Parking and Parking Facilities Local Law 2003<br>c) Shire of Wyndham East Kimberley Activities in Thoroughfares and Public Places and Trading Local Law 2005<br>d) Local Government Property Local Law 2003<br><br>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. Postponed due to Covid-19  | 01-Jun-19     | In progress |               |
| Sep-18       | Stuart Dyson, Director Infrastructure | Partial Degazetting of Carlton Hill Road | That Council approves:<br><br>1. Advertising the proposed permanent closure of a 18.5 km section of Carlton Hill Road as shown on Attachment 1 – Carlton Hill Road, in accordance with section 58 of the Land Administration Act 1997.<br><br>2. A Shire application to the Department of Lands to relinquish the 18.5 km section of Carlton Hill Road reserve (subject to completion of item 1 above).<br><br>3. The disposal of the road reserve, road and drainage assets on the 18.5 km section of Carlton Hill Road, 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 \$1.12M as at 31/07/2018.<br><br>4. The removal from the Shire's asset register of the 18.5 km section of Carlton Hill Road, when that section of the road is permanently closed.   | Discussed at the September OCM and endorsed by Council. Public notice to be issued and then a letter to the Department of Lands.<br><br>Submission period has closed and all information has been collated and proposal is being reviewed.<br><br>July 2019 - Meeting to be arranged with KAI to assess their appetite to continue with the process.<br><br>Meeting held and discussed at the Aug Briefing Session.<br><br>Community to be provided with an update in March 2020 from the Shire, CPC and KAI.<br><br>Currently on hold pending the Covid - 19 Pandemic.<br><br>Email issued to KAI requesting a meeting.<br><br>Correspondence issued to KAI on the 17 September 2020 to re-commence discussions.  | 11-Jun-19     | In progress |               |

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| OCM 10/12/19 | Nick Kearns, Director Planning and Community Development | 12.3.4 Proposed Lease - Wyndham Child Care Centre           | That Council:<br>1. Offers LM Hill, trading as Wyndham Child Care Centre, a new three (3) year lease, plus a two (2) year option, for the lease of the Wyndham Childcare Facility at Lot 200 (44) Koolama Street, Wyndham, effective from 21 March 2020 and consistent with the existing lease, subject to the consent of the Minister for Lands.<br>2. Delegates to the Chief Executive Officer the responsibility for undertaking and finalising lease arrangements directly with LM Hill.  | Draft Lease has been provided and Shire Officers have finalised the annexure for Lessee/Lessor maintenance responsibilities to be provided to the Lessee.  | 19-Aug-20     | In progress | 27/08/2019 - 118076 |
| OCM 27/08/19 | Nick Kearns, Director Planning and Community Development | 12.3.1. Lease of Reserve 50120 - Ewin Early Learning Centre | That Council:<br><br>1. Offers the Ewin Early Learning Centre a three year lease, with a two year option, on a commercial lease basis, over Reserve 50120, Lot 506 on Deposited Plan 61898, Chestnut Avenue Kununurra, effective from 1 July 2019, subject to:<br><br>a. The commencing rent being as per the previous annual rent with rent review applied, and<br><br>b. The consent of the Minister for Lands.<br><br>2. Delegates to the Chief Executive Officer the responsibility for undertaking and finalising lease arrangements directly with the Ewin Early Learning Centre Lease.   | Shire Officers have finalised the annexure for Lessee/Lessor maintenance responsibilities for attachment to the lease to be provided to Lessee.  | 19-Aug-20     | In progress | 27/08/2019 - 118077 |
| OCM 27/08/19 | Stuart Dyson, Director Infrastructure                    | 12.5.4. Landfill Management                                 | That Council:<br><br>1. Approves the following option for Wyndham Landfill:<br><br>Option 1a - New landfill on the existing site in Wyndham (by diverting the surface water running through the existing site)<br><br>2. Authorises Shire Officers to action the preferred option.  | Endorsed by Council, Officers progressing item 2.<br><br>Site visited by Ask Waste Management to look at how the creek can be diverted.<br><br>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.<br><br>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 August 2020.   | 16-Sep-19     | In progress | 27/08/2019 - 118087 |
| OCM 29/10/19 | Stuart Dyson, Director Infrastructure                    | 12.5.2. Kununurra Townsite Drainage Study                   | That Council:<br>1. Receives and endorses the Cardno Flood Model Report, Kununurra Stormwater Study 2019 and its identified priority works<br>2. Supports the following actions for funding consideration in the 2020/2021 budget deliberations:<br>a. A budget provision of \$100,000 for survey and design for construction of projects D03 (Weaver Plain cut-off drain), D06 (Cut-off drainage at the industrial area), D05 (Ironwood Drive Western end) and D02 (Messmate Way), with staff to develop a 5 year plan for Council consideration based on project staging.<br>b. Provision of \$30,000 into research and modelling of cut off drains to previous Public Works Department design, so that maintenance can occur on Ivanhoe and Weaver Plains cut off drains, with a survey mounted excavator.<br>c. Development of planning controls to be undertaken in house by Shire Staff.<br>d. Water sampling at drainage water outlet points to be undertaken in house, with a budgetary allowance of approximately \$10,000 per annum.<br>e. Proposed funding of \$259,000, to be utilised to engage contractors to undertake a recorded inspection of all piped network, and in-house development of a 5-10 year piped drainage maintenance/replacement plan, subject to Council approval.<br>f. Desilting of existing cut off drains, noting that combined, the proposed level of funding is \$81,000 in year 1 of the 5 year plan, and \$81,000 in year 2 of the 5 year plan.<br>3. Engage with both Ord Irrigation Cooperative and the Water Corporation to obtain a formal response regarding their commitment to fund future drainage works.<br>4. Work with Ord Irrigation Cooperative and the Water Corporation on joint submissions to the State Government to obtain funding for drainage improvements and new drainage assets. | Council resolution passed, officers working on asset management plans. Emails issued to OIC and Water Corporation regarding their asset contributions.<br><br>Survey works completed and a scope of work is being drafted for Bandicoot and Nutwood/Rosewood. Also looking at existing Drains in and around town with a view to re-profiling them back to their original design.<br><br>Design contract awarded in preparation for construction works in the 2020/2021 financial years.<br><br>Construction to commence in September 2020.   | 29-Oct-19     | In Progress | 29/10/2019 - 118116 |
| OCM 19/11/19 | Stuart Dyson, Director Infrastructure                    | 12.5.1. Moonamang Road, surface condition                   | That Council approves the transfer of \$80,000 from the Goomig Farmlands Road Reserve to fund repairs to Moonamang Road.  | RFQ issued to the market place for repairs prior to the onset of the wet season. Responses due back late November 2019.<br><br>Only 1 response received which was double the budget, the Shire is now investigating self performing the works. Meeting scheduled in late January 2020 with MRWA. Works to be undertaken in May 2020.<br><br>Works delayed whilst a proposed solution is discussed with GHD.<br><br>Funding being requested from LandCorp (via the Goomig Sealing Reserve) . Funding approved by DPIRD and works completed. The repairs will be monitored over the wet season. Test drilling to be undertaken to obtain information on basecourse and sub-base. | 18-Nov-19     | In progress | 19/11/2019 - 118134 |
| OCM 27/08/19 | Nick Kearns, Director Planning and Community Development | 12.5.2. Lot 509 Commercial Boat Facility                    | That Council:<br><br>1. Obtains a current market valuation for Lot 509 of the Commercial Boating Facility in Kununurra with a view to leasing for a term of 10 years.<br><br>2. Advertises for Expressions of Interest for a suitable business or community group to lease Lot 509 of the Commercial Boating Facility, Kununurra for a term of 10 years.  | Release of Expression of Interest deferred due to COVID-19 however is proposed to be initiated early in the new financial year.  | 02-Jun-20     | In progress | 10/12/2019 - 118144 |

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| OCM 25/02/2020 | Chief Executive Officer                                  | 12.2.3. Annual General Meeting of Electors<br>12 December 2019           | That Council:<br>1. In line with the Local Government Amendment Act 2019 and associated guidelines, draft a Shire of Wyndham East Kimberley Code of Conduct for Council Members, Committee Members and Election Candidates;<br>2. Authorise the CEO to draft a separate Code of Conduct for Employees in line with Section 5.51(a) of the Local Government Act 1995 and;<br>3. Ensure the provisions of each Code of Conduct are consistent with the regulations, which provide for the protection of residents against all forms of bullying and harassment.  | The CEO has draft Codes of Conduct ready for review. These Codes will be implemented pending the new Regulations. Once the regulations and guidelines from the Department of Local Government, Sport and Cultural Industries have been published the Codes will be updated. In the interim the current Code of Conduct still applies.  | 26-Feb-20     | In progress | 25/02/2020 - 118165 |
| OCM 25/02/2020 | Stuart Dyson, Director Infrastructure                    | 12.2.3. Annual General Meeting of Electors<br>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.   | 25-Feb-20     | In progress | 25/02/2020 - 118167 |
| OCM 28/04/2020 | Nick Kearns, Director Planning and Community Development | 12.3.3. Proposed Lease - Portion of Airport Land - Lot 200 on Plan 66654 | That Council resolves:<br>1. That, on the basis of the valuation dated 13th of February 2018, in which the market value of the land was determined to be \$100 per hectare per annum, Council adopts an amount of \$400 per annum per hectare to be a true indication of the fair market value of the land as at 28 April 2020.<br>2. Offers Margaret Conley a three year land only lease on a portion of Lot 200 on Deposited Plan 66654, being a portion of the East Kimberley Regional Airport landholdings, Kununurra, subject to:<br>a) The commencing rent being \$400 (excluding GST) per hectare per annum;<br>b) The tenant meeting all applicable outgoings, inclusive of rates, and irrigation water rates and charges; and<br>c) Local public notice of the proposed disposition being given in accordance with the Local Government Act 1995.<br>3. Delegates to the Chief Executive Officer the responsibility for undertaking and finalising lease arrangements directly with Margaret Conley or her authorised representative.<br>4. Authorises the Shire President and Chief Executive Officer to sign the finalised lease and affix the Shire's Common Seal.   | Local public notice given 7 May 2020 and no submissions received. Draft lease being finalised.   | 25-May-20     | In progress | 28/04/2020 - 118204 |
| OCM 28/04/2020 | Chief Executive Officer                                  | 16.2. ACTING CHIEF EXECUTIVE OFFICER KPI'S                               | That Council adopt the interim Key Performance Indicators for the Position of Acting Chief Executive Officer as located in attachment 1 of this report, with the April 2020 deadlines extended to May 2020.  | The Acting CEO has received the interim KPI's and has discussed with the Shire President. The KPI's have been accepted and are being actioned. KPI's for the new CEO are currently being drafted.  | 28-Apr-20     | In progress | 28/04/2020 - 118214 |
| OCM 28/07/2020 | Vernon Lawrence, Chief Executive Officer                 | 12.2.3 Melbourne to Kununurra Direct Flights Trial                       | That Council:<br><br>Authorises the CEO and administration to investigate the business case, potential risk exposure and benefits to the Community, SWEK and the East Kimberley Regional Airport in financially supporting a trial of a direct air service between Kununurra and Melbourne for the 2021 tourist season, including:<br><br>a) Engaging with stakeholders to produce a financial model that will demonstrate whether a direct flight trial for the 2021 tourist season is viable;<br><br>b) Producing a risk assessment of the direct flight trial, addressing the full range of impacts on the business operations of the East Kimberley Regional Airport and other business that may be affected by the direct flight trial;<br><br>c) Producing a timeline identifying those critical milestones that need to be achieved to best ensure the success of the project;<br><br>d) The CEO reporting back to Council on progress at the next and subsequent Council Briefings.<br><br>2. Provides in principle support for the direct flight trial to be extended for a further two years (2022 and 2023) provided that the 2021 direct flight trial commences and that Council resolves after the conclusion of the 2021 direct flight trial that it is a success and that the extension of the direct flight trial meets any conditions set by Council thereafter.<br><br>3. Supports the reactivation of the Air Access Coordination Group (AACG) and endorses the Shire President and the CEO to attend meetings of the AACG. | Shire Officers have reengaged with stakeholders and a financial model was prepared the results of which were for discussion with Councilors at the briefing in September. A more comprehensive briefing with financial modelling will be presented to Council at a future briefing once commercial terms have been agreed between stakeholders.<br><br>The AACG has been reactivated with its first meeting since the suspension of the flight trial being held on 12 August 2020. A subsequent meeting was held on 16 September 2020. | 30-Jul-20     | In Progress | 28/07/2020 – 118278 |