

COUNCIL ACTION ITEMS

Meeting	Responsible Officer	Item	Resolution	Progress Comment	Date Actioned	Completed.	Minute Number
OCM 16/12/20	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 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. No change to report as of February 2021. 11/03/21 - Email issued to Planning requesting an update. 14/04/21 - Meeting taking place with DLPH 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	14-Aug-17	In progress	
Aug-18	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.	01-Jun-19	In progress	
OCM 19/08/27	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 - Awaiting feedback from Balangarra.	16-Sep-19	In progress	27/08/2019 - 118087
OCM 19/08/27	Nick Kearns, Director Planning and Community Development	12.3.2. Lot 509 Commercial Boat Facility	That Council: 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. 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.	Eol prepared and was open for submissions between 22 December 2021 - 31 January 2022. Submissions to be assessed and presented to Council at the March briefing.	07-Dec-21	In progress	10/12/2019 - 118144
OCM 20/02/25	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	25-Feb-20	In progress	25/02/2020 - 118167

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OCM 25/08/2020	Nick Kearns, Director Planning and Community Development	12.3.1.Lots 401 and 402 Pearse Street, Wyndham	That Council authorises the Chief Executive Officer to: 1.Obtain a current market valuation for Lot 401 and 402 on Deposited Plan 144222, Pearse Street, Wyndham with a view to selling the properties. 2.Advertise for Expressions of Interest to purchase Lot 401 and 402 on Deposited Plan 144222, Pearse Street, Wyndham.	EOI prepared and was open between 22 December 2021 and 4 February 2022 (extended 4 days). Submissions to be assessed and presented to Council at the March OCM.	20-Sep-21	In progress	25/08/2020 – 118296
OCM 30/03/2021	Stuart Dyson, Director Infrastructure	12.5.2. Tourism House (Restaurant) Repairs	That Council 1.Approves the transfer of \$80,877.22 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.	15-Apr-21	In progress	30/03/2021- 118411
OCM 27/07/2021	Nick Kearns, Director Planning and Community Development	12.3.2 Kununurra PCYC Redevelopment Agreement	That Council authorises the Chief Executive Officer to: 1.complete negotiations to finalise the Lease, the Licence and the Redevelopment Agreement (Documents) with the WA Police and Community Youth Centres Incorporated conditional on the material terms adopted by Council on 24 November 2020 not being the subject of further negotiation; and 2.execute the finally negotiated Documents together with the Shire President subject to compliance with recommendation 1 above. 3.ensure that the procurement and associated reporting is cognisant of SWEK local preference purchasing policies and commitment to local businesses, to ensure local contractors, including Indigenous contractors, have the ability to tender for works.	Final documents, with all relevant plans, were again forwarded to PCYC for signing, and PCYC have indicated the executed documents would be returned by COB Tuesday 8 February 2022.	07-Dec-21	In progress	27/07/2021 – 118481
OCM 27/07/2021	Stuart Dyson, Director Infrastructure	12.5.2. Roads 2030 list of applicable roads	1. Remove the following roads from the proposed Roads 2030 document: ●Duncan Road ●Gibb River Kalumburu Road ●Glen Hill Road ●King River Road ●Mount Elizabeth Road ●Ningbing Road ●Port Warrender Road 2.Add the following roads to the proposed Roads 2030 document: ●Moonamang Road ●Barytes Road ●Carlton Hill Road	Aug 21: Being reviewed and discussed with Main Roads. Sept 21: Details forwarded to Main Roads and waiting on confirmation of changes. Feb 22: Still awaiting confirmation of changes from Main Roads.	27-Jul-21	In progress	27/07/2021 - 118500
OCM 24/08/2021	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.	Nov 21: Officers meeting with Department of Communities prior to Christmas.	23-Sep-21	In progress	24/08/2021 - 118520
OCM 21.11.23	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 and 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.	04-Dec-21	In progress	23/11/2021 - 118553
OCM 21.11.23	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.	04-Dec-21	In progress	23/11/2021 - 118554
OCM 21.12.14	Nick Kearns, Director Planning and Community Development	12.3.2. Community Engagement Policy	That Council: 1.Adopt the Policy Community Engagement at attachment 1; and 2.Notes the Community Engagement Guidelines will be updated to reflect the amended Policy.	Feb 22: Action has commenced and is in progress		In Progress	14/12/2021 - 118561

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OCM 21.12.14	Nick Kearns, Director Planning and Community Development	16.2 Ord River Magpies Football Club Lease	<p>That Council:</p> <p>1.Reaffirms its decision of 24 July 2018 to offer a 21 year lease to the Ord River Magpies Football Club Inc (Ord River Magpies) for Part Lot 504 on Plan 61898, Part Reserve 29799, 199 Coolibah Drive, Kununurra, as detailed in Attachment 6 (lease terms), subject to the approval of the Minister for Lands;</p> <p>2.Authorises the Chief Executive Officer to negotiate the non-material lease terms, and for the sake of clarity affirms that the material terms are those provisions, detailed in the draft Lease in Attachment 6 in respect to Rent, Rent review, Rates and taxes, Lessee's obligation to effect insurances, use of the Premises, Maintenance and works (material lease terms);</p> <p>3.Directs the Chief Executive Officer to finalise execution of the lease within 60 days of the date of this decision;</p> <p>4.Authorises the Chief Executive Officer to issue the Ord River Magpies with a Notice of Termination and to Vacate the Reserve and remove the clubrooms and facilities in the event that the Ord River Magpies refuse the offer of lease on the material lease terms or to execute the lease within 60 days of the date of this decision, and</p> <p>5.Authorises the Chief Executive Officer to negotiate an in-principle offer to purchase the clubrooms and facilities constructed by the Ord River Magpies in the event that the Ord River Magpies does not accept the material lease terms and does not wish to remove its clubrooms and facilities conditional on the negotiated in-principle offer to purchaser being reflected in a purchase agreement supported by an independent valuation both of which are to be referred back to Council for approval.</p>	<p>The Chief Executive Officer has undertaken negotiations on behalf of the Shire with the Ord River Magpies Executive regarding three clauses that have been highlighted as a concern to the club, including the redevelopment clause. The Ord River Magpies Executive will present the amended clauses to its members for consideration at a special meeting.</p> <p>17/02/22 - CEO is reasonably confident that agreement has been reached and that the lease will be signed prior to the February OCM.</p>	14-Feb-22	In Progress	14/12/2021 – 118573