

COUNCIL ACTION REGISTER - In Progress - July 2022

HANDY HINTS: Press and hold down the **ALT** key then press **ENTER** to write on the next line in the same cell
If the cell is 'full' and you can't read all the text in it, just double click your mouse on the cell and it will pop out the missing text
Please leave items completed this month in this spreadsheet, the EO to the CEO will move them once they have been reported to Council

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 Goomig land and that this was likely to be finalised in the next 4 to 5 months. Previous actions (documented): 11 March 2021 - Email issued to Planning requesting an update. 14 April 2021 - Meeting taking place with DPLH this month. 20 May 2021 - No further progress made with Lands. 23 June 2021 - No further progress made with Lands. 17 August 2021 - No further progress to report. 09 September 2021 - Planning are discussing further with Lands. 20 April 2022 - 22 August 2022 - Planning is following up with the Department and is awaiting response	1. 23/05/2022 2. Date of Completion	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 April 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 June 2021 - Shire Rangers have started the process to review the Dogs Local Law 2013. 04 December 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 April 2022 - 20 August 2022 - No further action until Local Government Act review complete.	1. 1/06/2019 2. Date of Completion	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 March 2021 - Paper to be taken to Council in the March briefing to provide an update. 15 April 2021 - Officers now pursuing 2 options, extend the existing site and a new site. 20 May 2021 - No change to report. 09 September 2021 - Council briefed on an alternative option for Wyndham. 01 November 2021 - Meeting with Balangarra to progress the land issues for the expansion of the site.	1. 16/09/2019 2. Date of Completion	In Progress
OCM 24/08/2021	24/08/2021 - 118520	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. August 2022 - No further progress due to other priorities	1. 23/09/2021 2. Date of Completion	In Progress
OCM 21/11/2023	23/11/2021 - 118553	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 February 2022 - Letters drafted and sent awaiting response. 01 April 2022 - Reply received from Main Roads declining the to assume responsibility for the Road. Letter now to be sent to the Minister. 23 May 2022 - 22 August 2022 - Matter in progress, discussions with DFES and Main Roads ongoing. Letter sent to the Department Transport and awaiting response before letter to Minister to be drafted.	1. 4/12/2021 2. Date of Completion	In Progress
OCM 21/11/2023	23/11/2021 - 118554	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 February 2022 - Letters drafted and sent awaiting response. 09 June 2022 - 22 July 2022 - Discussed the possibility of an easier way to give effect to this resolution with KAI. Officers are developing a proposal to present to KAI. August 2022 - Letter to KAI in draft form to be sent before next OCM.	1. 4/12/2021 2. Date of Completion	In Progress

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OCM 22/03/2022	22/03/2022 – 118611	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.	July 2022 - Advertising for disposition of land has been completed and no submissions received. Contract of sale documents being finalised. June 2022 - Notice of proposed disposal of land is currently being advertised and closing date for submissions is 1 July 2022. August 2022 - No update	1. 24/05/2022 2. Date of Completion	In Progress
OCM 22/03/2022	22/03/2022 – 118613	Vernon Lawrence, Chief Executive Officer	16.3.QUOTATION AWARD FOR RFQ04-2021 WHEELED EXCAVATOR	That Council: 1.Note the recommendation in the Evaluation Report for RFQ04-2021 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.	July 2022 - Negotiations are in progress with the supplier. Vehicle is expected to be delivered in August. August 2022 - Recent correspondence indicates that the vehicle will now only be delivered in November 2022	1. 23/03/2022 2. Date of Completion	In Progress
OCM 26/04/2022	26/04/2022 – 118625	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 Yarrawoo 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. August 2022 - No further progress due to other priorities.	1. 27/04/2022 2. Date of Completion	In Progress
OCM 26/04/2022	26/04/2022 – 118626	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.	July 2022 - Shire staff to visit site and report on work necessary and schedule works into the program. August 2022 - Director Infrastructure and CR McKittrick met to agree on works to be undertaken. Staff will progress works when equipment next goes to Wyndham.	1. 27/04/2022 2. Date of Completion	In Progress
OCM 26/04/2022	26/04/2022 – 118627	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.	July 2022 - Shire is awaiting the delivery of plant to effect this work. Some preliminary works have been performed at this location. August 2022 - Works expected to be completed by the end of August.	1. 27/04/2022 2. Date of Completion	In Progress
OCM 26/04/2022	26/04/2022 – 118636	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.	July 2022 - Works in process - materials ordered waiting for delivery and installation. August 2022 - Still awaiting delivery and installation	1. 27/04/2022 2. Date of Completion	In Progress
OCM 31/05/2022	31/05/2022 – 118641	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 being advertised with submissions to be received by 22 July 2022. Referral letters have also been sent to relevant departments and agencies for comment. August 2022 - Notice completed and no submissions received and DPLH have been advised with the request.	29/7/22 2. Date of Completion	In Progress

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OCM 31/05/2022	31/05/2022 – 118642	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: <ul style="list-style-type: none"> •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. 	July 2022 - Event Application and funding agreement received and being reviewed by Officers. August 2022 - Funding allocated	1. Date of First Action 2. Date of Completion	In Progress
OCM 31/05/2022	31/05/2022 – 118647	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. August 2022 - Ministerial approval was received and the annual budget for 2022-23 was adopted by Council at the 28 June OCM.	1. 01/06/2022 2. 28/06/2022	Completed
OCM 31/05/2022	31/05/2022 – 118650	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. August 2022 - Legal advisors currently undertaking due diligence.	1. 01/06/2022 2. Date of Completion	In Progress
OCM 31/05/2022	31/05/2022 – 118651	Felicity Heading, Director Corporate Services	16.2.QUOTATION AWARD FOR RFC03-2021 MANAGED ICT SERVICES	That Council: 4.Note the recommendation in the Evaluation Report for RFC03-21/22 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 respondent.	June 2022 - Negotiations have commenced with Managed IT. A Kick off meeting was held on 9th June. August 2022 - Finalisation of the contract is expected by the end of August.	1. 01/06/2022 2. Date of Completion	In Progress
OCM 31/05/2022	31/05/2022 – 118652	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 Sprit Tours to inform future future planning for the area and investigating expansion of the commercial boating facility. August 2022 - Completed - no update	21-Jul-22	Completed
OCM 28/06/2022	28/06/2022 - 118663	Vernon Lawrence, Chief Executive Officer	12.2.2.North West Defence Alliance	That Council: 1.Endorses the Shire President and Chief Executive Officer to attend North West Defence Alliance meetings on behalf of the Shire of Wyndham East Kimberley, and 2.Endorses an appropriation of \$5,000 from General Ledger Account 102040213 - Lobby and Representation - Governance to contribute towards funding the advocating operations of the North West Defence Alliance.	July 2022 - Provision made in the budget for this. Shire has requested invoice to make payment. August 2022 - Shire now attends meetings.	1. 28/06/2022 2. 20/08/2022	Completed
OCM 28/06/2022	28/06/2022 - 118669	Vernon Lawrence, Chief Executive Officer	12.4.3.Plant and Equipment - Purchase of Street Sweeper	That Council endorses the acquisition of a Street Sweeper acquired at auction on 26 May 2022 in the amount of \$37,505 funded from available funds in the Plant and Equipment budget.	July 2022 - Plant has been delivered and a trial run has been perform August 2022 - Vehicle now in operation.	1. 28/06/2022 2. 20/08/2022	Completed