COUNCIL ACTION REGISTER - In Progress - November 2022

Meeting	Minute Number	Responsible Officer	Item	Resolution	Progress Comment	1. Date of First Action 2. Date of Completion If First Action and Date of Completion is the same, please write date twice so I know when to move it	Status
OCM 20/12/2016	20/12/2016-11578	Nick Kearns, Director Planning and Community Development	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. **March 2021 -** Email issued to Planning requesting an update. **April 2021** - Meeting taking place with DLPH this month. **May 2021** - No further progress made with Lands. **June 2021** - No further progress made with Lands. **August 2021** - No further progress to report. **September 2021** - Planning are discussing further with Lands. **April 2022 - August 2022** - Planning is following up with the Department and is awaiting response **October 2022 -** DPLH will not close out the reserve. Asset has been removed from Council asset register. Administration will return the item to Council at the November 2022 OCM to rescind the resolution for DPLH to close the road reserve.	1. 23/05/2022 2. Date of Completion	In Progress
OCM 28/08/2018	28/08/2018 - 115837	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. **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. **June 2021 -** Shire Rangers have started the process to review the Dogs Local Law 2013. **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 ciarity on model Local Laws and amendments to review periods have been promulgated. **April 2022 - November 2022 -** No further action until Local Govenment Act review complete.	1. 1/06/2019 2. Date of Completion	In Progress
OCM 27/08/2019	27/08/2019 - 118087	Paul Webb, Director Infrastructure & Strategic Projects	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 expandsion of the site. **February 2022 - October 2022** - Awaiting feedback from Balangarra - not time critical for this financial year. (still no reply November 2022)	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 **September 2022 -** Letter to be delivered 21 September. Department of Communites to follow up in last week of September. **October 2022 -** No further progress due to other priorities. **November 2022** - Officers following up with Department of Communities	23/09/2021 2. Date of Completion	In Progress
OCM 21/11/2021	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 **February 2022** - Letters drafted and sent awaiting response. **April 2022** - Reply received from Main Roads declining the to assume responsibility for the Road. Letter now to be sent to the Minister. **May 2022 - 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. **September 2022 -** Pending meeting September 23rd 2022 with Melissa Paxton, Deputy Director DFES on funding and site safety. **October 2022 - November 2022** - Meeting was held with Melissa Paxton and the Shire put its case that a Shire committment to provide a level of service on these roads is a significant financial risk to the Shire. The next step is now to engage with the Ministers Office. The timing on this will be after Council has the opportunity to address the next tranche of works authorised by DFES.		In Progress
OCM 21/11/2021	23/11/2021 - 118554	Vernon Lawrence, Chief Executive Officer	12.5.2 Carlton Hill Road, portional 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 **February 2022** - Letters drafted and sent awaiting response. **0June 2022 - 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. **September - November 2022 -** Letter sent to KAI, requesting a return letter for a gate request, which will need to progress to OCM for consideration. No response from KAI November 2022)	1. 4/12/2021 2. Date of Completion	In Progress

Meeting	Minute Number	Responsible Officer	Item	Resolution	Progress Comment	1. Date of First Action 2. Date of Completion If First Action and Date of Completion is the same, please write date twice so I know when to move it	Status
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 recieved. Contract of sale documents being finalised. **June 2022 -** Notical of proposed disposl of land iscurrently being advertised and closing date for submissions is 1 July 2022. **August 2022 -** No update **September 2022 -** Contract of Sale documents have been issued to successful applicant for signing	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 RFQ04-20/21 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.	**July 2022 -** Negotiations are in progress with the supplier. Vehicle is expected to be delivered in August. **August - November 2022 -** Recent correspondence indicates that the vehicle will now only be ready in the second week in December 2022. The delay has been due to difficulty in accessing the additional components required to meet our specifications.	1. 23/03/2022 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. **September 2022 - November 2022 -** Pending swing of grader in Wyndham to grade out silted drains in Gully Road. Baker Street now inspected and awaiting works. We have made contact with the ownder of the caravan park, and will be meeting 01-10 December to discuss Baker Street drainage. Issues appear to be related an undersized culvert, which will be	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 receieved 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. **September 2022 -** Application is now with DPLH for action	29/7/22 2. Date of Completion	In Progress
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 Reprsentitives. Currently awaiting further instruction from legal counsel. **August 2022 -** Legal advisors currently undertaking due diligence. **September 2022 -** Legal processes required prior to taking possession of properties currently in progress. **October 2022 -** Legal processes required prior to taking possession of properties currently in progress. **November 2022 -** Legal processes required prior to taking possession of properties currently in progress.	1. 01/06/2022 2. Date of Completion	In Progress
OCM 26/07/2022	26/07/2022 - 118692	Paul Webb, Director Infrastructure & Strategic Projects	12.5.2.Playground Strategy	That Council supports that the 'Draft Playground Strategy' in Attachment 1 be advertised for community consultation.	**August 2022 -** Item discussed with infratructure group, progressing with Communications officer to progress to public consult dates tentatively booked for October **September 2022 -** Communication documents sent to Councillors for comments. Progressing to advertising Week of 19 September, and community consultation in November 2022 **November 2022 -** Public consultation completed and feedback compiled. This project will be put to the February Briefing, or later as time of the Council allows.	1. 19/08/2022 2. Date of Completion	In Progress
OCM 23/08/2022	23/08/2022 - 118701	Paul Webb, Director Infrastructure & Strategic Projects	12.5.1.Police Protection Barriers	That Council approve the Administration to: 1.Commence with the design for construction of 'Disruptive and Protective Hardcover installations', in consultation with Local Police, the consideration of the placement being subject to appropriate engineering standards to reduce run off road impact object crash speeds to 40kmh or lower and the installation being aesthetic fit for purpose to the satisfaction of Council; 2.Accept the receipt of grant funding in the amount of $49,500 to be allocated to this project; 3.Determine detailed costings for the project; and 4.Seek Council approval for the final project design and costings before project commencement.	**September 2022 -** Preliminary design sent to Council for comments. Take to October briefing with costing to finalise comments and clarifications. Move to Novermber OCM for approval at this location all things considered. **November 2022 -** Erythrina/Weaber intersection under construction, Some rock placements outstanding and tree planting (2 x Boab) to be completed. Gates for firebreaks being investigated. Staff will liaise with Police to investigate the next possible location, be returned to breifing and OCM to ascertain if Council are willing ot proceed with the project.	1. September 2022 2. Date of Completion	In Progress
OCM 23/08/2022	23/08/2022 - 118704	Vernon Lawrence, Chief Executive Officer	16.1.CHIEF EXECUTIVE OFFICER - ANNUAL REVIEW AND KEY PERFORMANCE INDICATORS	That Council endorse the recommendations of the CEO KPI Review Panel in relation to CEO's annual performance and remuneration review as per the Confidential Attachments and the CEO is also to report to Council on the organisational culture within 6 months in preparation for next year's KPI's.	**September 2022 - November 2022** - KPI's accepted and allocated as required.	1. Date of First Action 01/09/2022 2. Date of Completion	In Progress
OCM 27/09/2022	27/09/2022 - 118017	Felicity Heading, Director Corporate Services	12.1.1. Consideration of recommendations contained within the minutes of the Audit (Finance and Risk) Committee of 12 September 2022	That Council, with reference to Item 7.7 "Proposed Meeting Dates for the Audit (Finance and Risk) Committee for 2023" as detailed in the 12 September 2022 Audit (Finance and Risk) Committee Agenda/Minutes, adopts: 1. That the Audit (Finance and Risk) Committee meetings for 2023 are held in accordance with the following dates, times and place: Monday, 13 March 2023 5:00 pm, Council Chambers, Kununurra Monday, 12 June 2023 5:00 pm, Council Chambers, Kununurra Monday, 11 September 2023 5:00 pm, Council Chambers, Kununurra Monday, 4 December 2023 5:00 pm, Council Chambers, Kununurra 2. That local public notice of the meetings outlined in recommendation (1) above is provided in accordance with Regulation 12 of the Local Government (Administration) Regulations 1996.	**November 2022 -** Local Public Notice will occur during November	1. 01/11/2022 2. Date of Completion	In Progress
OCM 27/09/2022	27/09/2022 - 118019	Vernon Lawrence, Chief Executive Officer	12.2.2.Memorandum of Understanding - Gelganyem	That Council authorises the Shire President and the Chief Executive Officer to sign, on behalf of the Shire, the Memorandum of Understanding between the Shire and Gelganyem Investments Pty Ltd.	**October 2022 - November 2022 -** To be signed on 22 November 2022.	1. Date of First Action - 1/10/2022 2. Date of Completion	In Progress

Meeting	Minute Number	Responsible Officer	Item	Resolution	Progress Comment	1. Date of First Action 2. Date of Completion If First Action and Date of Completion is the same, please write date twice so I know when to move it	Status
OCM 27/09/2022	27/09/2022 - 118021	Nick Kearns, Director Planning and Community Development	12.3.2.Local Planning Policy Review	That Council authorises the Chief Executive Officer to: 1. Adopt and publish notice of: ●Local Planning Policy 11 (LPP 11) - Workforce Accommodation with modifications; and ●Local Planning Policy 12 (LPP 12) - Temporary Workforce Accommodation Camp in accordance with the requirements of the Planning and Development (Local Planning Scheme) Regulations 2015.	**October 2022 -** Notices being prepared (no further update for November)	1. 12 October 2022 2. Date of Completion	In Progress
OCM 25/10/2022	25/10/2022 - 118743	Paul Webb, Director Infrastructure and Strategic Projects	12.5.1.Firebreak Order 2022 - 2023	That Council; 1. In accordance with Part III, Division 6, Section 33 of the Bush Fires Act 1954, adopt the Shire of Wyndham East Kimberley Firebreak Order, effective immediately and adopt reviewed Policy CP/REM - 3620 Firebreaks. 2. Give notice of this order in a newspaper circulating in the local district as well as through social media and pamphlet distribution. 3. Advertise the Firebreak Order effective immediately in the Government Gazette.	**November 2022 -** To be actioned	1. Date of First Action 2. Date of Completion	To Be Actioned
OCM 25/10/2022	25/10/2022 – 118744	Paul Webb, Director Infrastructure and Strategic Projects	12.5.2.Wyndham Boat Ramp Jetty Redesign	That Council; 1.Approve investigation and costing of an alternative design for the Wyndham boat ramp jetty. 2.Consider allocation of design funding in future budget deliberations	**November 2022 -** Redesign subject to budget allocation by Council. To be considered in the 2023/2024 budget deliberations	1. Date of First Action 2. Date of Completion	To Be Actioned
OCM 25/10/2022	25/10/2022 - 118745	Paul Webb, Director Infrastructure and Strategic Projects	12.5.3.Police Protection Barrier design, Intersection of Weaber Plain Road and Erythrina Street	That Council: 1.Approve construction works for the 'Kununurra Disruptive and Protective Hardcover' at the intersection of Weaber Plain Road and Erythrina Street as demonstrated on the attached plan; and 2.Approve the allocation of a total budget of $99,000 for GL Account 04120333 Kununurra Disruptive & Protective Hardcovers, funded as follows: a.Kimberley Community Action Fund Grant $49,500; and b.Reallocation of budget from GL Account 02040248 Security Trial $49,500.	**November 2022 -** Erythrina/Weaber intersection under construction, Some rock placements outstanding and tree planting (2 x Boab) to be completed. Gates for firebreaks being investigated. Staff will liaise with Police to investigate the next possible location, be returned to breifing and OCM to ascertain if Council are willing ot proceed with the project.	1. Date of First Action 2. Date of Completion	To Be Actioned
OCM 25/10/2022	25/10/2022 - 118748	Paul Webb, Director Infrastructure and Strategic Projects	16.2.T03 - 22/23 WASTE MANAGEMENT FACILITIES STRATEGIC DEVELOPMENT AND PLANNING	That Council approve award of contract to ASK Waste Management Pty Ltd for assistance in waste management facilities strategic development and planning for a contract term of two (2) years plus one 1-year option to extend, commencing 1 October 2022.	**November 2022 -** Task completed.	1. Date of First Action 2. Date of Completion	To Be Actioned