

**MINUTES OF CITY OF MOUNT GAMBIER SPECIAL COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE,
MOUNT GAMBIER ON TUESDAY, 8 FEBRUARY 2022 AT 5.30 P.M.**

PRESENT: Mayor Lynette Martin (OAM), Cr Sonya Meziniec, Cr Max Bruins, Cr Paul Jenner, Cr Frank Morello

OFFICERS IN ATTENDANCE:	Chief Executive Officer	- Mrs S Philpott
	General Manager City Infrastructure	- Ms B Cernovskis
	General Manager Corporate and Regulatory Services	- Mr D Barber
	General Manager City and Community Growth	- Mr T Coote
	Manager Governance and Property	- Mr M McCarthy
	Media and Communications Coordinator	- Ms S McLean
	Councillor Support Officer	- Mrs M Telford

1 ACKNOWLEDGEMENT OF COUNTRY

WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF THE LAND WHERE WE MEET TODAY. WE RESPECT THEIR SPIRITUAL RELATIONSHIP WITH THE LAND AND RECOGNISE THE DEEP FEELINGS OF ATTACHMENT OUR INDIGENOUS PEOPLES HAVE WITH THIS LAND.

2 APOLOGIES

RESOLUTION 2022/13

Moved: Cr Paul Jenner

Seconded: Cr Sonya Meziniec

That the apologies from Cr Christian Greco, Cr Steven Perryman and Cr Kate Amoroso be received.

CARRIED

3 LEAVE OF ABSENCE

RESOLUTION 2022/14

Moved: Cr Max Bruins

Seconded: Cr Frank Morello

That leave of absence from Cr Ben Hood be noted.

CARRIED



4 COUNCIL REPORTS

4.1 CRATER LAKES BUSHFIRE RESPONSE / RECOVERY

MOTION

Moved: Cr Sonya Mezinec

Seconded: Cr Frank Morello

1. That Council Report No. AR22/8149 titled 'Crater Lakes Bushfire Response / Recovery' as presented on 08 February 2022 be noted.
2. That the Council approves all expenditure (which may or may not be included in an approved budget) for immediate Crater Lakes fire response and recovery activities such as, but not limited to, road closures, assessment expertise, and safety related materials and contractors for the response and recovery of the Crater Lakes fire area.
3. That the Chief Executive Officer or delegate be authorised to allocate and expend such amounts as approved under resolution 2, noting the costs associated with immediate response and recovery are being captured and will continue to be captured separately in order to account for the impact of the fire event and that longer term program costs will be assessed, reported to Council and budgeted for as needed.
4. The Chief Executive Officer be authorised to procure specialised expertise where required, noting that such procurement may invoke the exception provisions in clause 11 of Councils Procurement Policy, in order for timely response and recovery activities.
5. That, in accordance with paragraph 7.1 of Council's *Local Government Land By-law 2018*, those parts of the Crater Lakes areas that are high risk zones (as depicted on the plan set out at Attachment 1 to this report) be closed to the public at all times on the basis of public safety, until further decision of the Council (or delegate).
6. That, in accordance with Section 234A of the *Local Government Act 1999*, all vehicles (except Council vehicles, emergency vehicles, or such other vehicles or vehicles of a particular class approved by the Council, the Chief Executive Officer or Chief Executive Officer's delegate) be excluded from the roads within those parts of the Crater Lakes areas that are high risk zones (as depicted on the plan set out at Attachment 1 to this report) for a period of 30 days.
7. That the Chief Executive Officer be delegated the authority to review the closure made by Council under paragraph 5 from time to time, to allow for a staged-reopening (and further closing) of such parts of the Crater Lakes area as deemed appropriate by the Chief Executive Officer, when safe to do so.
8. That Council notes that:
 - (a) Signage will be erected or maintained in accordance with Section 238 of the *Local Government Act 1999* to inform the public about the nature of the closure made under paragraph 5;
 - (b) Traffic control devices will be installed or maintained as required under Section 234A to give effect to the resolution passed under paragraph 6;
 - (c) Notice of the resolution passed under paragraph 6, will be given by publication of a notice on the Council's website and by public notice, as defined in Section 4(1aa) of the *Local Government Act 1999*.
 - (d) As part of any review undertaken under paragraph 7:
 - (i) a decision will be made which parts of the area are to remain closed and which parts of the area are safe to open;



- (ii) reopening (or further closing) may occur in part or whole at different times, dependent on the circumstances relative to each part of the area;
 - (e) If, as part of a review undertaken under paragraph 7, parts of the area are considered safe to open and others must remain or be closed, a new plan will be produced and published on Council's website demonstrating which parts of the area are closed and which have reopened;
 - (f) In conjunction with a review undertaken under paragraph 7, the Chief Executive Officer (or delegate) may in accordance with paragraph 6, approve certain vehicles, or vehicles of a particular class or classes, to enter the roads adjacent, surrounding or leading to those areas;
 - (g) If, in the opinion of the Chief Executive Officer, roads within the Crater Lakes area are required to remain closed for a period exceeding 30 days to ensure public safety, that the Chief Executive Officer is authorised to give consideration to, and implement, such other statutory mechanisms as may be required to implement such closures.
 - (h) The power granted by the Council under paragraph 7 may be sub-delegated at the Chief Executive Officer's discretion.
9. That the Council notes with approval, the actions of the Chief Executive Officer and Council Officers in assisting emergency services with the Crater Lakes fire and the subsequent actions in accepting handover and securing the closed site until public safety can be reasonably assured.
10. Council acknowledges and thanks all emergency agencies, staff and volunteers who were involved in fighting the fire, and residents for their assistance in remaining away from the site in the peak of the emergency.

AMENDMENT

Moved: Cr Max Bruins
Seconded: Cr Paul Jenner

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4. The Chief Executive Officer be authorised to procure specialised expertise where required, noting that such procurement may invoke the exception provisions in clause 11 of Councils Procurement Policy, in order for timely response and recovery activities.
5. That, in accordance with paragraph 7.1 of Council's *Local Government Land By-law 2018*, those parts of the Crater Lakes areas that are high risk zones (as depicted on the plan set out at Attachment 1 to this report) be closed to the public at all times on the basis of public safety, until further decision of the Council (or delegate).



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10. Council acknowledges and thanks all emergency agencies, staff and volunteers who were involved in fighting the fire, and residents for their assistance in remaining away from the site in the peak of the emergency.

The Amendment was put and

CARRIED

The Amendment became the motion



RESOLUTION 2022/15

Moved: Cr Max Bruins

Seconded: Cr Paul Jenner

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- CARRIED**

5 MEETING CLOSE

The Meeting closed at 5.55.

The minutes of this meeting were confirmed at the Ordinary Meeting of the City of Mount Gambier held on 15 February 2022.

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PRESIDING MEMBER

