

Reference: AF11/877
Enquiries to: Ms Sarah Philpott

MEMBERS

NOTICE is hereby given that the Mayor has called a Special Meeting of the Council to be held at the Council Chamber, Civic Centre, 10 Watson Terrace, Mount Gambier on the following date and time:

Tuesday, 8 February 2022 - Council Chamber - Civic Centre (commencing at 5:30 pm)

For the purpose of:

1. Crater Lakes Bushfire Response / Recovery

Please find Agenda attached.



Sarah PHILPOTT
CHIEF EXECUTIVE OFFICER

7 February 2022



City of
Mount Gambier

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I hereby give notice that a Special Meeting of Council will be held on:

Date: Tuesday, 8 February 2022
Time: 5.30 p.m.
Location: Council Chamber
Civic Centre
10 Watson Terrace
Mount Gambier

AGENDA

Special Council Meeting 8 February 2022

Sarah Philpott
Chief Executive Officer
7 February 2022

Order Of Business

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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

That the apology(ies) from Cr Steven Perryman be received.

3 LEAVE OF ABSENCE

That leave of absence from Cr Ben Hood be noted.



4 COUNCIL REPORTS

4.1 CRATER LAKES BUSHFIRE RESPONSE / RECOVERY – REPORT NO. AR22/8149

Committee:	Council
Meeting Date:	8 February 2022
Report No.:	AR22/8149
CM9 Reference:	AF21/496
Author:	Michael McCarthy, Manager Governance and Property
Authoriser:	Sarah Philpott, Chief Executive Officer
Summary:	This report outlines a number of recommendations relating to expenditure, procurement and road and land management in the immediate response and early recovery phase, following the fire at the Crater Lakes precinct.
Strategic Plan Reference:	Goal 1: Our People
	Goal 2: Our Location
	Goal 3: Our Diverse Economy
	Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage
	Goal 5: Our Commitment

REPORT RECOMMENDATION

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.



TYPE OF REPORT

Legislative

BACKGROUND

The recent fire at the Crater Lakes precinct was first noted on early Tuesday morning, the 25th of January. Emergency Services personnel responded to the fire from that time through until Thursday 27th of January, and the site was returned to the care and control of Council from late on Thursday afternoon.

During the immediate response phase, a number of agencies liaised on response, with the MFS as the agency controlling the firefighting efforts, with CFS, SES, Parks and Wildlife and SAPOL, as well as resources and staff from Council. The District Council of Grant also provided experienced personnel on the first day.

Throughout the course of the response, resources, staff and volunteers were deployed under the control of the MFS to actions including firefighting, aerial water support, road closures, creation of fire breaks, back burns, removal of dangerous trees and vegetation, and communication with stakeholders.

At hand over, the MFS provided advice regarding the ongoing closure of the Valley Lakes area to ensure public safety for a week after the fire was contained. The MFS continued to monitor the area after hand back and have continued to liaise and assist Council in commencing assessment activities.

Road and site closures remained in place across the whole of the precinct for several days in line with those safety requirements. Limited staff access, supported by MFS commenced on Wednesday 3 February, and preparations for opening up some unaffected areas began at that time. Stakeholder and resident communications occurred throughout the emergency, and as the recovery phase has commenced.

Noting that the Crater Lakes fire site was initially under emergency services control, upon handing over of the site to Council the relevant authority and decision making regarding the prohibition and eventual permitting of traffic and the public into the area lies with Council. Immediate control has been managed under Council's road traffic and traffic management device powers associated with works being undertaken in the fire affected area. However alternate powers provide more appropriate control of the site over the recovery period. These are addressed further below and in the recommendations.

PROPOSAL

This report notes that there will remain some areas affected which will require more detailed assessment before reopening. The report recommends that the authority to close the land and roads as needed is delegated to enable a flexible response as assessments are underway, now that the site is past the immediate emergency response.

Recovery will require the procurement and potentially additional financial resources to enable the process of assessment and reopening to occur with a focus on safety for staff and community members. While longer term rehabilitation of the site, and ongoing vegetation management actions will be needed, it is anticipated these will form the basis of specific and separate recommendations to Council.

The resolutions contained in this report are for more immediate expenditure and procurement which may be outside of existing budgets and may require the use of exemption provisions contained within Council's procurement policy, to ensure the appropriate expertise and timely response can be maintained.

An assessment plan is continuing to develop, and implementation will include

Stage 1 Securing fire affected site

Stage 2 Risk Assessment and zoning of affected areas based on their risk score



Stage 3 Assessment of fire damage and recovery measures

Stage 4 Gradual opening of the identified high-risk zones

Stage 1 Securing fire affected site - complete

Council officers received handover of the Valley Lakes area from SAMFS on Thursday 27th January 2022 for the Crater Lakes area after their emergency response to the bushfire. Council was made aware of the hazards present at the area and needed to take necessary action to mitigate the risk for public safety. Hazards included smoke, falling trees and limbs and hotspots. The MFS handover mitigations included risk assessments, PPE requirements and prevention of access to the entire Valley Lakes area for a period of one week. MFS crew continued to patrol the site.

Council officers have sign posted for access restriction to all identified tracks and trails leading into the Valley Lakes Area. Bunting has been installed and traffic management plans are in place, including speed limit restrictions on Grant Avenue. Community members have been advised and reminded about remaining out of the site, and that significant dangers remain.

Stage 2 Risk assessment and Zoning based on their Risk

Council Officers have been working in collaboration with MFS to assess the risk of the fire affected areas and perform a comprehensive risk assessment for safety measures. After assessing the risk identified “low risk” to “none” areas are planned to be opened for public access. As part of this process Leg of Mutton, Saddle and Marist Park Oval (only for organised sports) has been opened.

Based on the immediate risk/hazards, opening and closing areas around the Valley Lakes will be monitored through a continuous risk assessment process and routine inspections.

Stage 3 Assessment of fire damage and recovery measures

This process is longer term assessment of the fire damaged area, flora and fauna loss and the planning and development of recovery procedures. Council Officers will work collaboratively with other agencies. (i.e. Landscape Board, Parks and Wildlife, CFS/MFS, animal and wildlife specialists and specialist arborists) to determine the extent of the recovery process and timeframe.

Currently the “Pines Area”, “Centenary Tower” “Blue gum trails” and the “Browns Reserve” fall into the category of severely fire affected areas. The current risk of entering these areas are still “very high” and will required to be continually monitored and is likely to remain high for a protracted period.

Stage 4 Gradual opening of the identified high-risk zones

Once the comprehensive assessment is done for the identified high-risk areas, action will be taken as per identified recommendations from the ongoing assessment process and be gradually opened to the relevant users once it is considered safe to do so.

Closing (and re-opening) of fire affected land / roads

The most efficient way of managing the complexity of closing and re-opening of the fire affected land and roads is by delegating relevant Council powers to the Chief Executive Officer.

The report recommendations include the closure of the fire affected land as shown in Attachment 1, under Council’s By-Law power in By-Law No.1 - Local Government Land, and closure of roads under section 234A of the Local Government Act 1999.

The recommendations further provide delegation to the Chief Executive Officer to review the closures and allow the staged re-opening (and further closing - if necessary) as it is safe to do so in the circumstances as they evolve over the coming weeks or months.

Further reports will be presented to Council both formally and informally as recovery efforts progress.

LEGAL IMPLICATIONS

It is appropriate that Council manage its recovery expenditure and access to land and roads in accordance with relevant powers and authorities in the prevailing circumstances. This report presents the immediate issues arising from the Crater Lakes fire.



STRATEGIC PLAN

N/A

COUNCIL POLICY

Council's [Procurement, & Disposal of Land and Assets Policy P420](#) and exceptions contained therein are applicable to any procurement associated with the recovery efforts from the Crater Lakes fire.

ECONOMIC IMPLICATIONS

Economic implications from the Crater Lakes fire are yet to be determined. However, Council Officers have remained in contact particularly with nearby businesses including the Blue Lake Golf Club and Caravan Park since the fire event.

ENVIRONMENTAL IMPLICATIONS

Environmental implications from the Crater Lakes fire are yet to be determined, however around 50 hectares of vegetation was fire impacted. It is anticipated that a subsequent report will address such issues.

SOCIAL IMPLICATIONS

Social implications from the Crater Lakes fire include the immediate impact to nearby residents, and community members who are regular users of the site. Communication with community members, residents and specific user groups, such as mountain bike, walkers and disc golf continues.

CULTURAL IMPLICATIONS

Cultural implications from the Crater Lakes fire are forming part of the assessment. Council's Heritage Advisor will provide advice for heritage listed sites such as Centenary Tower once assessments are made to ensure initial safety. It is anticipated that a subsequent report will address such issues.

RESOURCE IMPLICATIONS

Resource implications from the Crater Lakes fire are yet to be determined. There are a number of immediate implications including the redeployment of staff towards fire response and recovery, as well as costs associated with road closures, specialist equipment and advice.

VALUE FOR MONEY

N/A

RISK IMPLICATIONS

Risk implications including public safety are of the highest priority in the recovery period following the Crater Lakes fire. Full risk implications are yet to be determined and it is anticipated that a subsequent report will address such issues.

EQUALITIES AND DIVERSITY IMPLICATIONS

N/A

ENGAGEMENT AND COMMUNICATION STRATEGY

After initial risk mitigation, engagement and communication are a high priority to ensure the Elected Members and community are informed of relevant developments. In the first instance such strategy is focussed on safety and (restrictions to) access associated with the Crater Lakes precinct.

As further recovery plans and actions are developed these will be communicated appropriately with relevant stakeholders.

IMPLEMENTATION STRATEGY

An implementation strategy following the Crater Lakes fire is yet to be developed as assessments of the affected area are continuing. It is anticipated that a subsequent report will address such issues.




CONCLUSION AND RECOMMENDATION

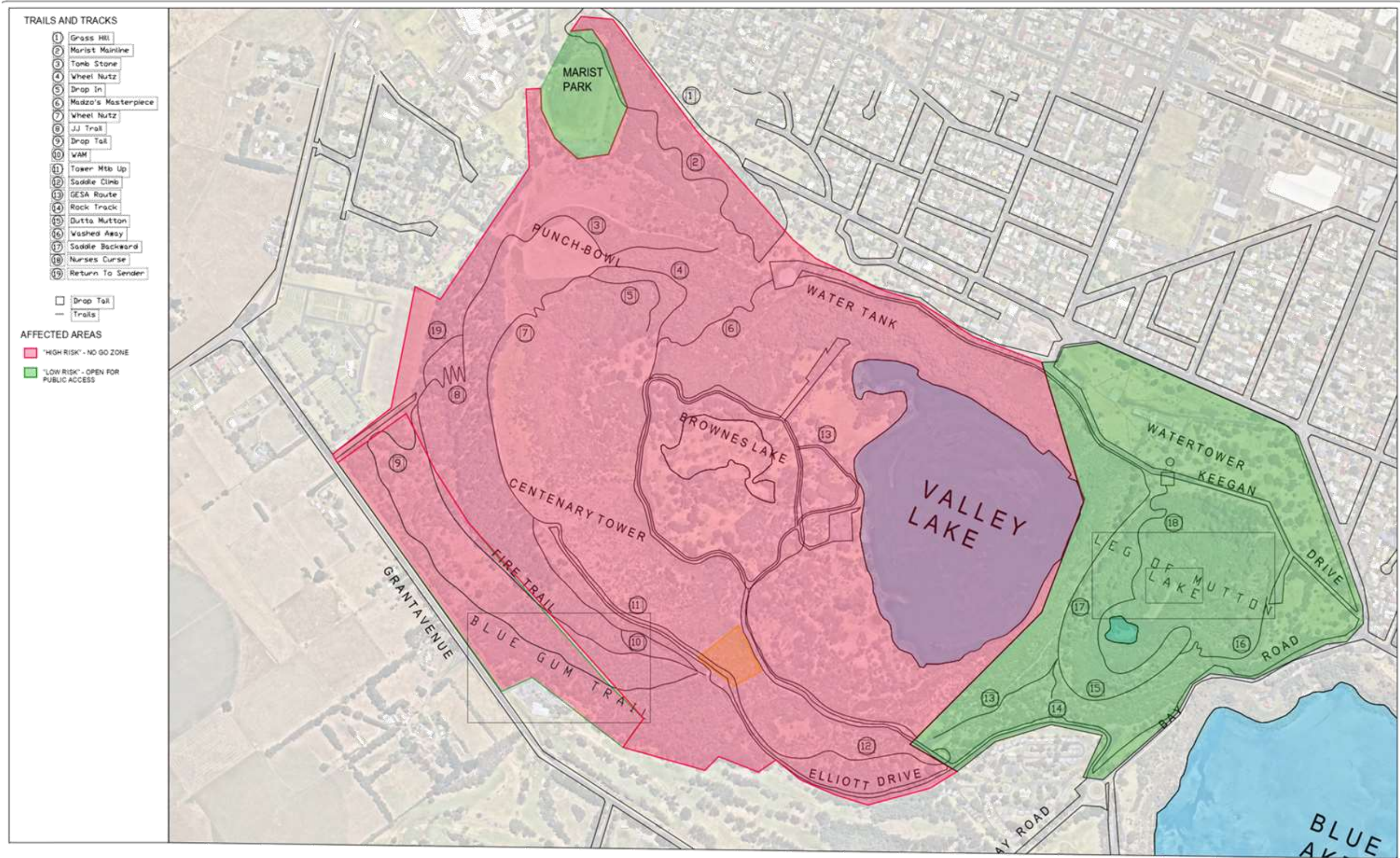
Having considered the report it is recommended that Council endorse the report recommendations to enable the Chief Executive Officer and delegates/officers to progress the necessary assessment and recovery activities.

Further reports will be presented as relevant information and proposals become available.

ATTACHMENTS

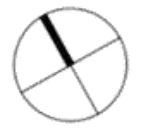
1. Valley Lakes - Opening Plan [↓](#) 





- TRAILS AND TRACKS**
- 1 Grass Hill
 - 2 Marist Mainline
 - 3 Tomb Stone
 - 4 Wheel Nutz
 - 5 Drop In
 - 6 Madzo's Masterpiece
 - 7 Wheel Nutz
 - 8 JJ Trail
 - 9 Drop Tail
 - 10 WAM
 - 11 Tower Mtib Up
 - 12 Saddle Climb
 - 13 GESA Route
 - 14 Rock Track
 - 15 Dutta Mutton
 - 16 Washed Away
 - 17 Saddle Backward
 - 18 Nurses Curse
 - 19 Return To Sender

- AFFECTED AREAS**
- Drop Tail
 - Trails
 - High Risk - NO GO ZONE
 - Low Risk - OPEN FOR PUBLIC ACCESS



	Approved by	
	Co-ordinates	
	Height Datum	
	Level book	
Drawn by	AM FEB 2022	CAD ref AUTOCAD 2021-31
		Survey ref

CITY OF MOUNT GAMBIER
**VALLEY LAKE FIRE AFFECTED
AREAS RE-OPENING**

Scale	Sheet No
1 : 10	1 OF 1
Plan No	
2021-31	

5 MEETING CLOSE

