

CONFIDENTIAL - Confirmation of the Confidential Minutes of the Infrastructure and Strategy Committee meeting held on 3 July 2018

Originating Officer Strategy Leader - Elaine Delgado

Corporate Manager Manager Innovation and Strategy - Fiona Harvey

General Manager General Manager City Development - Abby Dickson

Report Reference GC180724F01

Confidential



Confidential Motion

That:

1. Pursuant to Section 90(2) and (3)(b) and (d) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Abby Dickson, Tony Lines, Kate McKenzie, Jaimie Thwaites, Sherie Walczak and Victoria Moritz be excluded from the meeting as the Council receives and considers the report Infrastructure and Strategy Committee Confirmation of Minutes, upon the basis that it is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential on the grounds that the minutes contain information of a commercial nature and would on balance, be contrary to the public interest.

REPORT OBJECTIVE

The purpose of this report is to receive the confidential minutes from the 3 July 2018 Infrastructure and Strategy Committee relating to the following items:

- BMX Project - Progress Report on Darlington Site Options

The confidential minutes are attached in Appendix 1.

RECOMMENDATION

That Council:

1. Receives and notes the confidential minutes of the Infrastructure and Strategy Committee meeting held on 3 July 2018 (Appendix 1)
2. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, *Confirmation of the Confidential Minutes of the Infrastructure and Strategy Committee meeting held on 3 July 2018* and Appendix, having been considered in confidence under Section 90 (2) and (3)(b) and (d) of the Act, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2018.

Attachment

#	Attachment	Type
1	ISC180703F01 - Confidential ISC meeting 3 July 2018 minutes	PDF File

**MINUTES OF
 CONFIDENTIAL ITEM**

**BMX - Progress Report on Darlington Site Option
 Report Reference: ISC180703F01**

Moved Cr Gard, Seconded Cr Pfeiffer that:

Pursuant to Section 90(2) and (3)(b) and (d) of the *Local Government Act 1999*, the Infrastructure and Strategy Committee orders that all persons present, with the exception of the following persons: Cr Crossland, Cr Kerry, Cr Veliskou, Adrian Skull, Abby Dickson, Tony Lines, Kate McKenzie, Fiona Harvey, Elaine Delgado, Greg Salmon and Carla Zub, be excluded from the meeting as the Committee receives and considers information relating to the BMX Project, upon the basis that it is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential on the grounds that the report contains information of a commercial nature and would on balance, be contrary to the public interest.

Carried unanimously

6.38pm the meeting went into confidence

Mr Salmon introduced the report with the following comments:

- Heritage documents have been supplied to Council
- A site valuation has been undertaken
- Engagement with the Kurna community, and the Department of Aboriginal Affairs and Reconciliation has been undertaken
- Approval from the Kurna community is required before Council can move forward to develop the site

Mr Salmon sought advice from the Committee on future directions for the project. Members provided the following comments:

- Legitimacy of the title on the land was queried. The response from administration was that the land is owned by Council but Council needs to negotiate with the Kurna community to use the land. The Premier makes the decision in consultation with the Kurna community. Legislation requires that a cultural risk assessment be undertaken and reporting of any cultural finds during the project construction.
- There are different issues with both sites, excluding that of significant trees
- Burial sites are indicated but no actual locations are identified
- A potential next step could be to negotiate with the Kurna lawyer

Action: The site be investigated by administration re environmental management of land as a result of it being used by the Department of Planning, Transport and Infrastructure and to confirm if the site is being managed within the Aboriginal Heritage Act requirements.

- Council needs to be objective and adhere to the correct process to be undertaken but also negotiate re total costs incurred with a selected solution
- We need to proceed with caution – we need a good understanding of cultural heritage damages that have occurred whilst also recognising the significant commercial value of the site

- It should be noted that the scope of the project with the City of Onkaparinga has changed from initially meeting the need for a local level BMX site to provision of an international level BMX site

Comments from Members in the gallery included:

- Glenthorne could be a potential Option C
- A site in the City of Onkaparinga could be further considered
- Council's highest priority should be meeting the needs of its BMX clubs and the pursuit of an international level facility should be re-evaluated
- Council would be open to the consideration of an alternative site

RECOMMENDATION

Moved Cr Pfeiffer, Seconded Cr Gard that the Infrastructure and Strategy Committee:

1. Notes the report
2. Notes the Committee's comments
3. Notes Council's response to Mr Tim Campbell from Campbell Law acting for the Kurna Yerta Aboriginal Corporation
4. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Committee orders that this report, BMX Project – Progress of Darlington site investigations, associated appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(b) and (d) of the Act, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2018.

Carried unanimously

7.25pm the meeting came out of confidence