CONFIDENTIAL ITEMS 2003 – JULY 2026

#	Date	Item Title	Confidential Order Details	Item being kept confidential - Agenda/ Attachment/ Minutes	Reason regarding retention or recommend-action to release	Resolution Regarding Action	Last Review Date	Next Review Date	Date Released
303	19 January 2026	Confidential Item: Appointment of Arts Grants Independent Assessor Panel	Section 90 (3) (a) Order 1. Pursuant to Section 90(3)(a) Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except the Chief Executive Officer; General Manager Corporate Services; General Manager Planning and Community; General Manager Strategy; and the Minute Secretary be excluded from attendance at the meeting for Agenda Item 18.1 Confidential Item Appointment of the Arts Grants Independent Assessor Panel. The Council is satisfied that pursuant to Section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to this Agenda item includes information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of the applicant Section 91(7) Order 4. Pursuant to Section 91(7) That having considered Agenda Item 18.1 Confidential Item Appointment of the Arts Grants Independent Assessor Panel in confidence under 90(2) and 3(a) of the Local Government Act 1999, the Council pursuant to Section 91(7) of the Act orders that the documents and all minutes be retained in confidence until the process to establish the Arts Grants Independent Assessor Panel has concluded and all Applicants advised of the outcome, or such lesser period as may be determined by the Chief Executive Officer and that this order be reviewed every 12 months, except for the notification to the successful and unsuccessful candidates.	Documents and all minutes	The Council is satisfied that pursuant to Section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to this Agenda item includes information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of the applicant	That the documents and all minutes be retained in confidence until the process to establish the Arts Grants Independent Assessor Panel has concluded and all Applicants advised of the outcome, or such lesser period as may be determined by the Chief Executive Officer and that this order be reviewed every 12 months, except for the notification to the successful and unsuccessful candidates.		Within 12 months	*Report, Attachment and Minutes released on website 6 November 2026*

RELEASED

18. CONFIDENTIAL REPORTS

18.1 REPORT TITLE: CONFIDENTIAL ITEM: APPOINTMENT OF ARTS GRANTS INDEPENDENT ASSESSOR PANEL

DATE OF MEETING: 19 JANUARY 2026

FILE NUMBER: DOC/25/170522

ATTACHMENTS: 1. DOC/25/80495 COMMUNITY FUNDING ASSESSMENT COMMITTEE TERMS OF REFERENCE

Key Contact Alyssa Hill, Community Grants Officer, Community Development

Manager/Sponsor Anne Ross, Acting Manager Community

Executive Natalie Armstrong, General Manager Planning and Community

Community Plan 2044:

The following objectives from the Community Plan 2044 are relevant to this report:

Objective 10 Community Connectedness and Diversity: foster a sense of community and connectedness and celebrate diversity by promoting inclusivity and creating opportunities for community to engage in meaningful dialogue, cultural exchanges, and activities that celebrate the richness of diversity.

Objective 26 Transparent and Inclusive Decision-Making: Promote transparent and inclusive decision-making that ensures active engagement of diverse stakeholders and fosters trust and confidence in governance outcomes.

Objective 28 Collaboration and Partnerships: Foster collaboration and build strategic partnerships between Council and external stakeholders, including businesses, non-profit organisations, and community groups, to address shared challenges and achieve common goals for the betterment of the community.

Annual Business Plan:

People: Deliver the first stage of grant review outcomes including assessment findings and initial recommendations by 30 June 2026.

Purpose:

For Council to appoint the Arts Grants Independent Assessor Panel until 30 January 2029.

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Summary – Key Issues:

1. At its meeting on 7 October 2025 Council approved the creation of an Annual Arts Grants program and adopted the Arts Grants Guidelines.
2. The Arts Grants Guidelines provide for the creation of an Arts Grants Independent Assessor Panel, containing six members of which two members sit on the Community Funding Assessment Committee each grant round.
3. The Administration conducted an open recruitment for panel members and is now presenting the preferred six candidates to be appointed to the panel.

Recommendation:

That Council:

Section 90 (3) (a) Order

1. **Pursuant to Section 90(3)(a)**

   Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except the Chief Executive Officer; General Manager Corporate Services; General Manager Planning and Community; General Manager Strategy; General Manager Infrastructure and Environment; and the Minute Secretary be excluded from attendance at the meeting for Agenda Item 18.1 Confidential Item Appointment of the Arts Grants Independent Assessor Panel.

   The Council is satisfied that pursuant to Section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to this Agenda item includes information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of the applicant.

2. **Note the recruitment process for the Arts Grants Independent Assessor Panel.**

3. **Appoint the following persons to the inaugural Arts Grants Independent Assessor Panel for the period to 30 January 2029:**
   - **Tiffany Knight**
   - **Wendy Dixon-Wiley**
   - **Jorji Gardener**
   - **Lynda de Koning**
   - **Lyndal Hordacre Kobayashi**
   - **Monika Morgenstern**

Section 91(7) Order

4. **Pursuant to Section 91(7)**

   That having considered Agenda Item 18.1 Confidential Item Appointment of the Arts Grants Independent Assessor Panel in confidence under 90(2) and 3(a) of the Local Government Act 1999, the

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Council pursuant to Section 91(7) of the Act orders that the documents and all minutes be retained in confidence until the process to establish the Arts Grants Independent Assessor Panel has concluded and all Applicants advised of the outcome, or such lesser period as may be determined by the Chief Executive Officer and that this order be reviewed every 12 months, except for the notification to the successful and unsuccessful candidates.

Background:

1. The Community Funding Assessment Committee is a committee of Council, pursuant to Section 41 of the Local Government Act 1999.

2. The Community Funding Assessment Committee is responsible for the assessment and recommendations of all Community Grants including the newly introduced Arts Grant.

3. The Community Funding Assessment Committee Terms of Reference adopted on 2 June 2025 allows for independent members to be appointed in accordance with grant program guidelines and by Council resolution.

4. At its meeting on 7 October 2025, Council approved the creation of an annual Arts Grants program and adopted the Arts Grants Guidelines to be administered by the Community Funding Assessment Committee.

5. The Arts Grants Guidelines provide for the creation of an Arts Grants Independent Assessor Panel, containing six members with expertise determining artistic merit across different media, of which two members sit on the Community Funding Assessment Committee each grant round to provide expertise and advice on the Arts Grant applications.

6. During October and November 2025, Council staff undertook an expression of interest process for six panel members from which to draw upon for the assessment of applications to the Arts Grant, noting that only 2 independent members may be appointed to the Community Funding Assessment Committee.

Discussion:

7. The Arts Grants Independent Assessor recruitment selection panel comprised Community Grants Officer, Arts Officer and Team Leader Governance and Risk.

8. Expressions of interest were open during the period 15 October to 12 November, 2025, and the opportunity was advertised in print and digital media.

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9. Twelve (12) expressions of interest were received, noting all were of a high calibre. Six (6) candidates were shortlisted for interviews, which were undertaken on Thursday 27 November and Friday 28 November, 2025.

10. The selection panel unanimously agreed the six shortlisted candidates held a range of professional experiences across different artforms and contexts and were all leaders in their fields. The level of peer and sector endorsement of the candidates (e.g. sitting on other assessment panels, judging awards, board members) is such that it was determined no further interviews were required.

11. The six interviewed candidates have been communicated with that they are the preferred candidates, with appointment to the Panel subject to a Council decision. Likewise the six candidates not shortlisted have received communication that their applications have not progressed further.

12. Council Members were provided with information about the preferred candidates in a confidential memo published to the Council Members' extranet portal on 12 January 2026.

13. It is intended for the Community Funding Assessment Committee to have two more meetings this financial year in April/May 2026 – to assess Round 2 Community, Environmental Grants and to assess the Arts Grants.

14. At the first of these meetings, the Committee will be presented a report with a recommendation to appoint the two independent Arts Grants assessors to the first round of the Arts Grants to be assessed by the Community Funding Assessment Committee. This recommendation will be made by staff based on the art forms of the applications received, conflicts of interest declared by panel members and panel member availability.

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Community Engagement:

Inform	The community can be informed once council decision making on the matters raised occurs at a future council meeting.
Involve	Once Arts Grants applications close, Independent Arts Grants Assessor Panel members will be given a list of applicants and project descriptions and be requested to declare any conflicts of interest.

Policy:
Community Funding and In-Kind Support Policy.

Long Term Financial Plan:
Not applicable

Budget:
The two Arts Grants Independent Assessor Panel members selected to join the Community Funding Assessment Committee for the first round of Arts Grants will each be paid a sitting fee of $453.05 (plus CPI).

Statutory/Legal:
The Community Funding Assessment Committee is a Committee of Council under section 41 of the Local Government Act 1999 with a Terms of Reference adopted by Council.

Staff Resource Requirements:
Within existing staff resources.

Environmental:
Not applicable

Social:
The appointment of independent assessors adds rigour and standing to the Arts Grants, and is standard practice in assessing grants, awards and prizes in the arts industries. All shortlisted candidates referenced their willingness to 'give back' to their community. The panel provides an unique professional and leadership development opportunity for panellists and assists to build a strong local arts ecology.

Risk Assessment:
The appointment of independent assessors adds rigour, transparency and accountability to the recommendations of the Community Funding Assessment Committee. This was a specific recommendation in the 2023 Community Funding Review. As there is an element of subjectivity with assessing art, and expertise involved in assessing high artistic merit, it is important the Committee can access expert advice to guide their recommendations.

Asset Management:
Not applicable.

Conclusion:
Appointment of the Selection Panel's six preferred candidates is sought.

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Previous Decisions By/Information Reports to Council

Meeting Date	7 October 2025	CM Reference	DOC/25/13055
Title	New Arts Grants Program		
Purpose	To seek Council approval for the creation of a new Arts Grants Program.		

Meeting Date	7 July 2025	CM Reference	DOC/25/85444
Title	Community Engagement Outcomes – Draft Community Funding and In-Kind Support Policy		
Purpose	To present the outcomes of community engagement on the draft Community Funding and In-Kind Support policy and a revised draft to Council for adoption.		

Meeting Date	2 June 2025	CM Reference	DOC/25/68703
Title	Appointments to the Community Grants Assessment Committee and Draft Revised Terms of Reference		
Purpose	To appoint one new member and one proxy to the Community Grants Assessment Committee and adopt the revised Terms of Reference.		

Meeting Date	2 June 2025	CM Reference	DOC/25/65455
Title	Arts Plan 2022-2025 Implementation – Mid Plan Update		
Purpose	To update Council on the achievements of the Arts Plan 2022-2027 and the release of the public report – Creative Horizons Arts Plan Midpoint Progress Report 2025.		

Meeting Date	5 February 2024	CM Reference	DOC/24/12809
Title	Community Funding Program Review		
Purpose	To present the Community Funding Review Report, findings, recommendations and action plan.		

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Community Funding Assessment Committee Terms of Reference

Established pursuant to S41 of the Local Government Act 1999

Adopted by Council at its meeting on 2 June 2025 – OM20250602.22

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1. ROLE OF THE COMMITTEE

The Committee, having regard to the Local Government Act 1999 and other relevant legislation, will:

1.1. Provide advice and recommendations to Council for the approval of applications for Council's community funding programs, in accordance with program guidelines.

1.2. Having regard to recommendations from the Team Leader Revenue, recommend to Council who should receive a discretionary rate rebate.

2. REPORTING RESPONSIBILITIES

2.1 The Committee does not have power, authority or delegated financial responsibility.

3. MEETING FREQUENCY

3.1. The Committee shall meet at least once each year.

3.2. The Chief Executive Officer is delegated the authority to vary the meeting schedule after liaison with the Chairperson.

3.3. The Chief Executive Officer is delegated the authority to not call a meeting of the Committee within the meeting schedule should the Committee have no matter for consideration.

3.4. Special meetings of the Committee may be called in accordance with the *Local Government Act 1999.*

4. MEMBERSHIP

4.1. Members of the Committee are appointed by the Council.

4.2. The Committee shall consist of up to four (4) Council members appointed by Council.

4.2.1. A member of Council is to be appointed as a proxy member, solely for the member of Council appointed to the Community Funding Assessment Committee.

4.3. Where required by the relevant community funding program guidelines, the Committee shall also consist of an additional two (2) independent members who will provide specialist knowledge and advice. These

independent members will be drawn from an expert panel appointed by Council.

4.4. Independent members will receive a sitting fee, determined by Council that will increase by the Adelaide CPI each year unless determined by Council.

4.5. Council member appointments to the Committee will hold office for the term of office of the Council.

4.6. Independent expert panel appointments to the Committee will be for a maximum period of 8 years (i.e. two x four year terms, or four x two year terms).

Committee Member	Nomination Process	Term of Office
Council Members	Appointed by Council Resolution	Four years – until the conclusion of the next periodic Council Election
Proxy Member	Appointed by Council Resolution	Four years – until the conclusion of the next periodic Council Election
Independent Members	Public notice will request application, followed by an interview process then reported to Council and appointed via Council Resolution.	Four years

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4.7. A member of the Committee may resign from the Committee by giving written notice to that effect to the Chief Executive Officer.

4.8. A member of the Committee may be removed by Council resolution at any time.

4.9. Only members of the Committee are entitled to vote in Committee meetings. If the member of Council who is a Committee member is unable to participate in a Committee meeting, then the appointed proxy member is able to participate in the Committee meeting and is entitled to vote.

4.10. One member of the Committee (other than the Chairperson) can participate in the meeting via electronic means provided advance notice has been provided to the Chairperson and the Minute Secretary. If the member of Council who is a Committee member is unable to participate in a Committee meeting, then the appointed proxy member is able to participate in the Committee meeting and may do so via electronic

means provided advance notice has been provided to the Chairperson and Minute Secretary.

4.11. If a vacancy occurs on the Committee or for the proxy Council Member then Council shall appoint a replacement Member or proxy Council Member (whichever is the case) to the Committee.

5. CHAIRPERSON

5.1 The appointment of the Chairperson will be made by the Council for the term of the Committee.

5.2 If the Chairperson appointed is a Councillor (i.e. not a Presiding Member or Deputy Presiding Member, or Presiding Member of a Prescribed Committee) they will receive a sitting fee in accordance with the determination of the Remuneration Tribunal.

5.3 An Acting Chairperson will be appointed by a vote of the Committee at the commencement of the Meeting, where required.

6. QUORUM

6.1 The quorum necessary for the transaction of business shall be determined by dividing the number of members in half, ignoring the fraction and adding one.

6.2 A duly convened meeting of the Committee at which a quorum is present shall be competent to exercise all or any of the authorities, powers and discretions vested in or exercisable by the Committee.

7. NOTICE OF MEETINGS

7.1. The Committee shall conducts its meetings in the Council Chambers, Level 1, Local Government Centre, 6 Dutton Road, Mount Barker unless otherwise indicated on the Notice of Meeting.

7.2. Notice of each meeting confirming the venue, time and date, together with an agenda of items to be discussed, shall be forwarded to each member of the Committee and observers, no later than three (3) clear days before the date of the meetings. Supporting papers shall be sent to Committee Members (and to other attendees as appropriate) at the same time.

7.3. Notice of meeting, agenda and supporting information will be placed on public display at the Customer Service Centre and the Council's website.

8. ACCESS TO MEETINGS AND DOCUMENTS

8.1. In accordance with the principles of open, transparent and informed decision making, Committee Meetings must be conducted in a place open to the public. Members of the public are able to attend all meetings of the Committee unless prohibited by resolution of the Committee under

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the confidentiality provisions of Section 90 of the Local Government Act 1999.

8.2. Members of the public have access to all documents relating to the Committee unless prohibited by resolution of the Committee under the confidentiality provisions of Section 91 of the Local Government Act 1999.

9. MINUTES OF MEETINGS

9.1. The Chief Executive Officer shall ensure that the proceedings and resolutions of all meetings of the Committee, including recording the names of those present and in attendance, are minuted and that the minutes otherwise comply with the requirements of the *Local Government (Procedure at Meetings) Regulations 2013.*

9.2. Minutes of Committee meetings shall be circulated within five (5) clear days after a meeting to all members of the Committee and to all members of the Council.

9.3. Minutes of the Committee meeting will be placed on public display at the Customer Service Centre within five (5) clear days of the meeting and kept on display from the beginning of the previous year. The minutes will also be placed on Council's website.

10. MEETING ATTENDANCE

10.1. Council staff will prepare meeting papers, attend and provide advice and assistance to this group in a non-voting capacity. The meetings of the Committee will be facilitated by Council staff.

10.2. All members must attend the meeting and where unable to do so, must provide an apology prior to the meeting.

11. MEETING PROCEDURE

11.1. The Committee shall conduct meetings observing the provisions Part 1 – Preliminary, Part 2 – Meetings of Councils and Key Committees and Part 4 – Miscellaneous of the Local Government (Procedures at Meetings) Regulations 2013; and Council's Code of Practice for Meeting Procedures; and Code of Practice (Access to Council and Committee Meeting and Documents).

11.2. Conflict of Interest declarations are required pursuant to S 73-75B of the Local Government Act 1999.

12. OTHER MATTERS

12.1. The Committee shall give due consideration to laws and regulations of the *Local Government Act 1999.*

12.2. The Committee shall have access to reasonable resources in order to carry out its duties.

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12.3. The Committee shall advise the Council's insurers of any civil liability or risk management issue.

13. REVIEW

The Committee may review its Terms of Reference to ensure it is operating at maximum effectiveness and recommend changes it considers necessary to the Council for approval.

The Council will review the Terms of Reference following the general election.

14. ACCESS TO THE TERMS OF REFERENCE

The Community Grants Assessment Committee Terms of Reference is available for public inspection at the Customer Service Centre, at the Local Government Centre, 6 Dutton Road, Mount Barker, South Australia on the Council's website www.mountbarker.sa.gov.au.

15. FURTHER INFORMATION

For further information on this Terms of Reference or the operations of the Committee, please contact:

Name:	Ben Footner
Title:	Manager Customer Experience
Address:	Mount Barker District Council
	PO Box 54, Mount Barker, SA, 5251
Telephone:	8391 7200
Email:	bfootner@mountbarker.sa.gov.au

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18. CONFIDENTIAL REPORTS

18.1

REPORT TITLE:	**CONFIDENTIAL ITEM: APPOINTMENT OF ARTS GRANTS INDEPENDENT ASSESSOR PANEL**
DATE OF MEETING:	**19 JANUARY 2026**
FILE NUMBER:	**DOC/25/170522**
ATTACHMENTS:	**1. DOC/25/80495 – COMMUNITY FUNDING ASSESSMENT COMMITTEE TERMS OF REFERENCE**

Moved Councillor Jones that Council:

Section 90 (3) (a) Order

1. Pursuant to Section 90(3)(a)

Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except the Chief Executive Officer; General Manager Corporate Services; General Manager Planning and Community; General Manager Strategy; and the Minute Secretary be excluded from attendance at the meeting for Agenda Item 18.1 Confidential Item Appointment of the Arts Grants Independent Assessor Panel.

The Council is satisfied that pursuant to Section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to this Agenda item includes information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of the applicant.

Seconded Councillor Fordham CARRIED
OM20260119.21

Moved Councillor Jones that Council:

2. Note the recruitment process for the Arts Grants Independent Assessor Panel.

3. Appoint the following persons to the inaugural Arts Grants Independent Assessor Panel for the period to 30 January 2029:
   - Tiffany Knight
   - Wendy Dixon-Wiley
   - Jorji Gardener

RELEASED

- Lynda de Koning
- Lyndal Hordacre Kobayashi
- Monika Morgenstern

Seconded Councillor Seager

CARRIED
OM20260119.22

Moved Councillor Westwood that Council:

Section 91(7) Order

4. Pursuant to Section 91(7)

That having considered Agenda Item 18.1 Confidential Item Appointment of the Arts Grants Independent Assessor Panel in confidence under 90(2) and 3(a) of the Local Government Act 1999, the Council pursuant to Section 91(7) of the Act orders that the documents and all minutes be retained in confidence until the process to establish the Arts Grants Independent Assessor Panel has concluded and all Applicants advised of the outcome, or such lesser period as may be determined by the Chief Executive Officer and that this order be reviewed every 12 months, except for the notification to the successful and unsuccessful candidates.

Seconded Councillor Size

CARRIED
OM20260119.23

RELEASED