**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 |
|---|---|---|---|---|---|---|---|---|---|
| **298** | 10 November 2025 | City Centre Precinct (CCP) Project – Town Square Public Art Commission – Recommendation to Award Tender | 1. <u>Section 90 (3)(k) and (3)(b) Order</u><br>Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except Chief Executive Officer, General Manager Strategy, General Manager Corporate Services, General Manager Infrastructure and Environment, General Manager Planning and Community, Senior Project Manager, Arts Officer and Minute Secretary be excluded from attendance at the meeting for Agenda 3.1 Confidential Item: City Centre Precinct (CCP) Project – Town Square Public Art Commission – Recommendation to Award Tender.<br><br>The Council is satisfied that pursuant to Section 90(3)(k) of the Act, the information to be received, discussed or considered in relation to this agenda item is a tender for the provision of services and the carrying out of works.<br><br>The Council is satisfied that pursuant to Section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda item is information, the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting business and would prejudice the commercial position of the Council.<br><br>8. <u>Section 91(7) Order</u><br>That pursuant to Section 90 (3) (b) having considered Agenda 3.1 Confidential Item: City Centre Precinct (CCP) Project – Town Square Public Art Commission – Recommendation to Award Tender, in confidence under 90(2), (3)(k) and (3)(b) of the Local Government Act 1999, the Council pursuant to Section 91(7) of the Act orders that:<br><br>a. the agenda item be retained in confidence until the contracted works are completed, except that the name of the successful artist, the reason for their selection and the amount of the contract will be made public as required by the Local Government Act, and or such lesser | The agenda item be retained in confidence until the contracted works are completed, except that the name of the successful artist, the reason for their selection and the amount of the contract will be made public as required by the Local Government Act, and or such lesser period as may be determined by the Chief Executive Officer and that this order be reviewed every 12 months; and<br><br>The attachment and minutes be retained in confidence until the contracted works are awarded, or such lesser period as may be determined by the Chief Executive Officer and that this order be reviewed every 12 months. | The Council is satisfied that pursuant to Section 90(3)(k) of the Act, the information to be received, discussed or considered in relation to this agenda item is a tender for the provision of services and the carrying out of works.<br><br>The Council is satisfied that pursuant to Section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda item is information, the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting business and would prejudice the commercial position of the Council. | The agenda item be retained in confidence until the contracted works are completed, except that the name of the successful artist, the reason for their selection and the amount of the contract will be made public as required by the Local Government Act, and or such lesser period as may be determined by the Chief Executive Officer and that this order be reviewed every 12 months; and<br><br>The attachment and minutes be retained in confidence until the contracted works are awarded, or such lesser period as may be determined by the Chief Executive Officer and that this order be reviewed every 12 months. | | Within 12 months | *Minutes and Attachment released on website 6 November 2026* |

PART RELEASED

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| | | | period as may be determined by the Chief Executive Officer and that this order be reviewed every 12 months; and<br><br>b. the attachment and minutes be retained in confidence until the contracted works are awarded, or such lesser period as may be determined by the Chief Executive Officer and that this order be reviewed every 12 months. | | | | | | |

PART RELEASED

Attachment 1 to Item 4.1



PART RELE

# Jason Sims

## *Summit* (working title)

**City Centre Project – Town Square Public Art Commission**
**Stage 2: Concept Design**

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PART RELEASED

## Artwork description

*Summit* consists of 10 mirrored and perforated stainless steel columns (ranging from 2.4-3m high and 150mm wide). The columns will be arranged in a line running north to south and facing west. The height of the columns will vary so that as a group they reflect the topography of Mount Barker Summit. The top section of the columns will not be perforated. A central section will be lightly perforated, creating an inverted image of the summit. Below this the perforations will gradually increase in density. Spaced approximately 150mm apart and turned on an slight angle, the columns will be internally lit with a warm white light, ensuring the work has visual impact and presence both during the day and at night.

## Concept

A sculptural interpretation of Mount Barker Summit, *Summit* acknowledges the site's historical, geological and cultural significance and positions it as central to the identity of the town of Mount Barker. Speaking to the collective memory of the community, the work references the past, present and future through its form, materiality and ever evolving quality. During the day, it will reflect the surrounding environment – capturing the ephemeral rhythms of daily life while shifting patterns of light and shadow animate the surrounding environment. Passersby will see themselves reflected – momentarily embedded in the landscape – connecting them to place and each other. Transforming at night, the work will have a warm and whimsical quality, acting as a beacon and inviting people into the space. The effect will be both bold and playful. Echoing the dynamic and evolving character of Mount Barker, *Summit* captures the spirit of the town and acts as a tribute to Mount Barker Summit, reaffirming its place as a vital and enduring presence in the town's past, present and future.

PART RELEASED

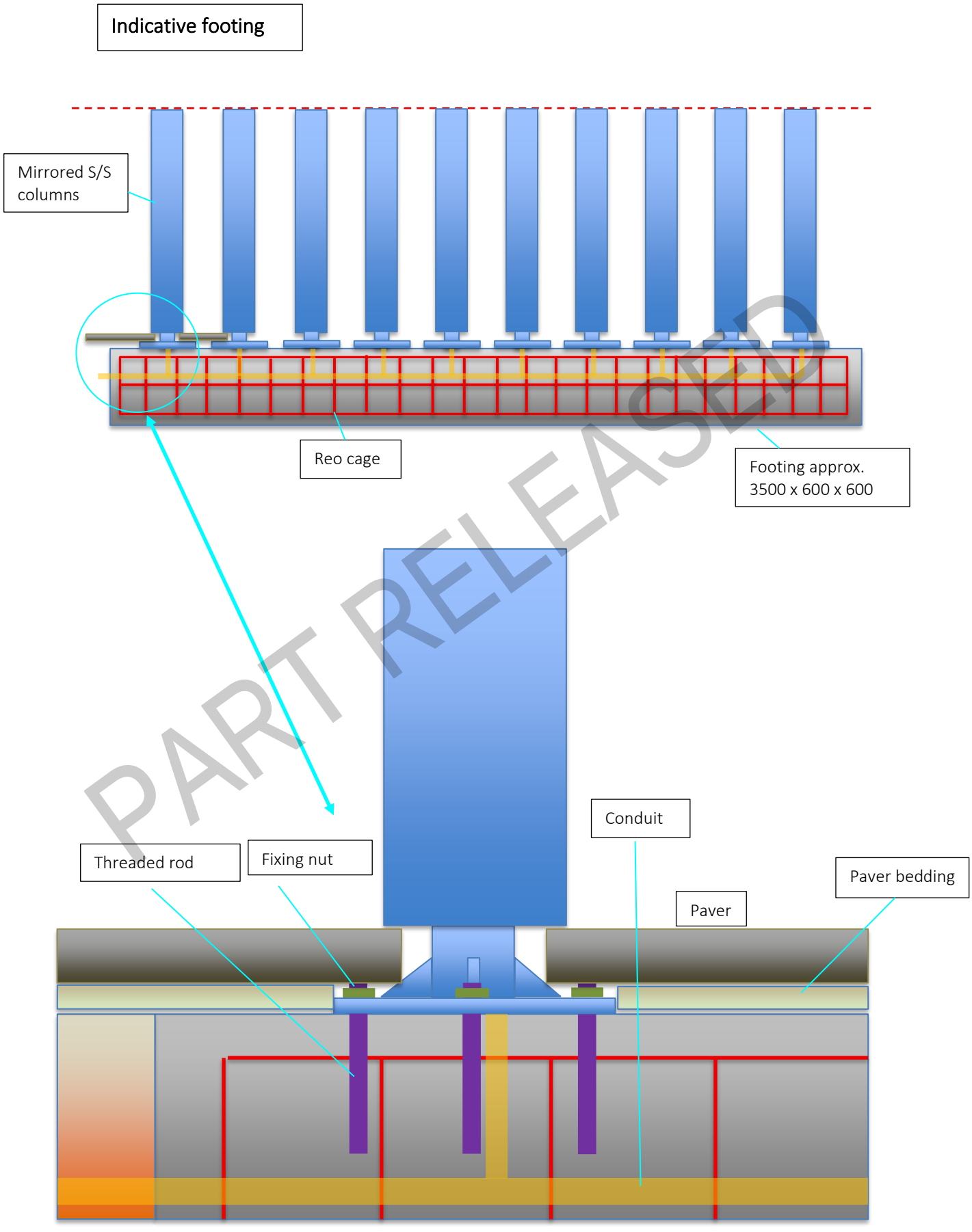
## Concept renders





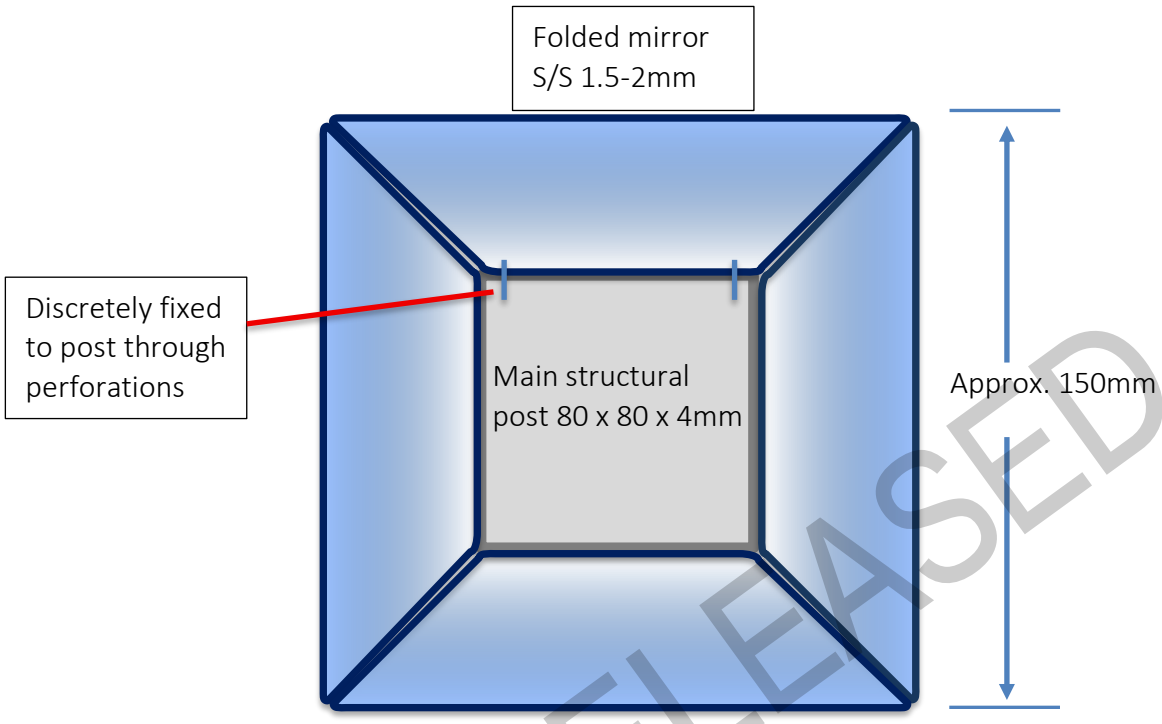
NOT RELEASED

## Construction details




PART RELEASED

Indicative column profile (plan view section)




PART RELEASED

## Site plan

Possible locations




PART RELEASED

## Budget

| | | | Indicative costs |
|---|---|---|---|
| **Design Development/ Engineering** | Stainless steel finishes | Testing - electro polish vs # 8 mirror | |
| | Further material research and testing | | |
| | Specifications of forms | Designing of finished sculpture - refine based on testing, engineering etc. | |
| | Specifications of footings | Geotech Engineering, surveying for correct positioning | |
| | Fabrication drawing | Detailed fabrcation drawing of stainless steel structures, lighting profile, serivice pit etc. | |
| | Engineering | Structual frame requirements, dimensions, base plate specs, size of fixings etc. | |
| | Compliance | Meeting all relevant compliance regulations | |
| | Risk assessment | Safety specialist | |
| | Certification | | |
| | | | [redacted] |
| | | | |
| **Fabrication/Materials** | Stainless Steel posts x10 | Laser cut, welded and finished | |
| | Stainless Steel perf panels x40 | Laser cut, folded and fixed to post | |
| | LEDs | High output LED's and profile approx. 50m | |
| | Cable and accessories | Including electronics/timers | |
| | LED drivers | 24v high wattage drivers x 6 | |
| | Service pit | IP65 pits fot housing electronics | |
| | Offsite assembly | Fitting profile and lighting | |
| | Testing | Lighting and electronic component testing and adjustments | |
| | | | [redacted] |
| | | | |
| **Installation** | Site preparation + assembly | Layout, pit area for power supplies | |
| | Transport | Fabricator - Studio / Studio - Site | |
| | Installation contractors | Installing threaded rods in footing, lifting and postioning of columns, wiring and fixing down | |
| | Electricial contractor | Install GPO's for power supplies, test and certify | |
| | Finishing | testing, clean up, calking etc. | |
| | Permits and traffic management | | |
| | | | [redacted] |
| | | | |

PART RELEASED

| | | | |
|---|---|---|---|
| **Documentation** | Maintenance manual | Preperation of comprehensive maintenance manual | |
| | Professional photography + videography | Day + night shots, install video etc | |
| | | | [redacted] |
| | | | |
| **Overheads** | Administration costs | Miscellaneous | |
| | Insurance | Public liability, work in transit etc | |
| | | | [redacted] |
| | | | |
| **Artist fee** | Design development | | |
| | Responsibilty of realising concept | | |
| | Project management | Liasing with all associated parties through all stages to completion | |
| | Preparation of development approval/s | | |
| | | NAVA recommended rate (25% of budget) | [redacted] |
| | | | |
| **Contingency** | | | |
| | | | [redacted] |
| | | | |
| TOTAL | | | [redacted] |

PART RELEASED

## Fabrication and Installation

The columns will likely be supported by a strip footing with cast in plates or epoxy threaded rods to bolt down each column's base plate. A laser cut template will be used in either case, to ensure accurate onsite positioning of the columns. As the sculpture is made up of individual elements, heavy machinery will not be required for install. The artwork may be scaled up or down depending on the budget and can be one of the final elements installed in the town square.

My preference would be for the work to be installed on the paved area to allow for the shadows and reflections cast by the work to be most effective, however if it is determined that the artwork is best suited to a garden bed or grassed area a small, paved section around the artwork would be appropriate. This will allow for a neat connection to the base of the columns and easier maintenance (i.e. no whipper snipper close to work). It will also ensure the work remains cleaner for longer.

My preference is for the footings, baseplates and gussets to sit below finished floor level. The footing will be set down lower, allowing for paver bedding and pavers to sit on top. Paving can be installed up to the templated installation area, and all remaining paving will be completed once the columns are installed to ensure a neat connection between the ground and artwork.

Power will be required on-site.

PART RELEASED

## Materials and fabrication methods

Structural stainless-steel
LED lighting
Electronics

The columns will be constructed from quality 316 stainless steel using modern and traditional fabrication methods, such as laser cutting, welding, linishing, and electro-polishing. High-quality water-resistant LED lighting will be mounted on an internal structural SHS that will act as a big tube, illuminating the work. A conduit will be cast into the footing so that low voltage cables can service the lights in each column. A service pit for housing LED drivers and any other associated electronic components (e.g. timer) will be placed discretely somewhere close to the artwork (e.g. garden bed).

## Details of third parties and contractors

I have experience working with a range of stakeholders over the course of my career and have formed strong working partnerships with several contractors. I have already been in conversation with both Precision Sheet Metal and Brister & Co. in order to determine fabrication strategies and approaches for this project. When it comes to public art these partnerships are critical to my success, and if commissioned to deliver the work I look forward to collaborating with JPE to ensure a successful, fully integrated outcome.

## Timeline

In relation to the timeline outlined in the REOI, I don't see any issues in this project aligning with the current milestones. The period outlined for design development is reasonable, noting it falls over the Christmas/New Year period, and will only need to be extended if notification is delayed. The time required for fabrication, assembly and install will be determined during design development and flexible, given the footing will be integrated into the construction of the square and the installation of the artwork will be straightforward.

## Risk Assessment

The columns will have a radius on the corners ensuring there are no sharp edges. Placement of the artwork will be determined during design development in consultation with JPE and Mount Barker District Council. My preference is to have the artwork positioned to maximise engagement, with consideration for the flow of pedestrians and public safety access requirements. A safety specialist will be consulted during design development to further mitigate risk and ensure safety for all stakeholders.

The reflective element of the work has been carefully considered in relation to the layout of the columns and the solar/shade studies provided. While the artwork will create reflective flares, these will not affect passing motorists and are unlikely to affect passing pedestrians due to the position of the columns and the Sun's path overhead. The flares will, however, create an interesting effect on the ground and surrounding environment, with light reflected on one side and shadow on the other at varying times of the day depending on the position and intensity of the Sun.

The power usage is anticipated to be relatively low, estimated at the equivalent of running 5-6 incandescent bulbs total.

## Maintenance

The nature of the work means very little maintenance will be required. Stainless steel is a robust, long-lasting material that is easily cleaned. The perforations in the stainless steel should obscure fingerprints and the build-up of some dust and dirt but surface cleaning may be necessary from time to time. The density of perforations on the lower half of the work should also deter vandalism and the deliberate destruction of the mirrored surface. However, the work will be designed to enable individual faces of the stainless-steel columns to be removed and replaced in the event of damage.

Light Emitting Diode (LED) technology has a relatively long-life span, and replacement should not be required for some time. All specified products will carry a guarantee of no less than 5 years. The work will be designed to ensure the LEDs and associated electrical components can be removed and replaced. Lighting and associated products, such as LED drivers, will be quality off-the-shelf products to assist in sourcing for future maintenance.

PART RELEASED

## 4. CONFIDENTIAL REPORT

**4.1 REPORT TITLE:** **CONFIDENTIAL ITEM – CITY CENTRE PRECINCT (CCP) PROJECT – TOWN SQUARE PUBLIC ART COMMISSION - RECOMMENDATION TO AWARD TENDER**

**DATE OF MEETING:** **10 NOVEMBER 2025**

**FILE NUMBER:** **DOC/25/153941**

**ATTACHMENTS:** **1. RECOMMENDED ARTIST'S DETAILED CONCEPT PROPOSAL - DOC/25/155598**

Moved Councillor Westwood that Council:

1. Section 90 (3)(k) and (3)(b) Order

Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except Chief Executive Officer, General Manager Strategy, General Manager Corporate Services, General Manager Infrastructure and Environment, General Manager Planning and Community, Senior Project Manager, Arts Officer and Minute Secretary be excluded from attendance at the meeting for Agenda 3.1 Confidential Item: City Centre Precinct (CCP) Project – Town Square Public Art Commission – Recommendation to Award Tender.

The Council is satisfied that pursuant to Section 90(3)(k) of the Act, the information to be received, discussed or considered in relation to this agenda item is a tender for the provision of services and the carrying out of works.

The Council is satisfied that pursuant to Section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda item is information, the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting business and would prejudice the commercial position of the Council.

Seconded Councillor Voogt CARRIED

***OM20251110.02***

PART RELEASED

6:50pm Mayor Leach sought, with approval of two-thirds of the members present, for a short term suspension of meeting procedures pursuant to Regulation 20 of the Local Government (Proceedings at Meetings) Regulations 2013, for a sufficient time to enable an informal discussion between council members for the purpose of gaining further information and background to the recommendation(s), noting that during which time no motion may be moved other than a motion to end the suspension and resume normal meeting proceedings.

Leave was granted with the approval by show of hands of two-thirds of the Members present.

7:40pm Mayor Leach, with the approval by show of hands of two-thirds of the Members present, ended the short term suspension of meeting procedures.

Moved Councillor Westwood that Council:

2. Receive the Detailed Concept Proposal provided by Jason Sims Art (Attachment 1).

Seconded Councillor Orr CARRIED
***OM20251110.03***

Moved Councillor Westwood that Council:

3. Endorse the Detailed Concept Proposal provided by Jason Sims Art (Attachment 1).
4. Authorises the award of the contract 2024.101 for the Design and Installation of the City Centre Precinct Town Square Public Art Commission to Jason Sims Art ("Preferred Tenderer") for the lump sum amount of $141,000 (excluding GST).
5. Authorises the Chief Executive Officer or their delegate to execute contract documents between Council and the Preferred Tenderer on the basis of the information provided within their submission. (Attachment 1).
6. Authorises a contingency in respect of the contract for a sum of $5,000 (excluding GST).
7. Notes that a Media Release will be drafted for release upon execution of the contract with the Preferred Artist.

Seconded Councillor Seager CARRIED
***OM20251110.04***

Councillor Jones called for a DIVISION

The Mayor declared resolution OM20251110.04 set aside

Councillors voting in the Affirmative: Councillors Seager, Orr, Westwood, Size

Councillors voting in the Negative: Councillors Szilassy, Grosser, Fordham, Voogt, Jones

The Mayor declared OM2025110.04 as LOST
***OM20251110.05***

PART RELEASED

Moved Councillor Voogt that Council:

8. Section 91(7) Order

That pursuant to Section 90 (3) (b) having considered Agenda 3.1 Confidential Item: City Centre Precinct (CCP) Project – Town Square Public Art Commission – Recommendation to Award Tender, in confidence under 90(2), (3)(k) and (3)(b) of the Local Government Act 1999, the Council pursuant to Section 91(7) of the Act orders that:

a. the agenda item be retained in confidence until the contracted works are completed, except that the name of the successful artist, the reason for their selection and the amount of the contract will be made public as required by the Local Government Act, and or such lesser period as may be determined by the Chief Executive Officer and that this order be reviewed every 12 months; and

b. the attachment and minutes be retained in confidence until the contracted works are awarded, or such lesser period as may be determined by the Chief Executive Officer and that this order be reviewed every 12 months.

Seconded Councillor Jones CARRIED

***OM20251110.06***

MEETING DECLARED CLOSED AT 8:16PM

MAYOR

5-12-25
DATE

PART RELEASED