

2 September 2019

At the conclusion of the Environment Committee



Cultural and Community Committee

Sydney 2030 / Green / Global / Connected

Agenda

1. **Disclosures of Interest**

Cultural and Creative Sub-Committee

2. **Reappointment of Public Art Advisory Panel**
3. **Adhoc Grant - WorldPride 2023 Bid**

Guidelines for Speakers at Council Committees



As part of our democratic process, the City invites members of the community to speak directly to Councillors during Committee meetings about items on the agenda.

To enable the Committee to hear a wide range of views and concerns within the limited time available, we encourage people interested in speaking at Committee to:

1. Register to speak by calling Council's Secretariat on 9265 9310 before 12.00 noon on the day of the meeting.
2. Check the recommendation in the Committee report before speaking, as it may address your concerns so that you just need to indicate your support for the recommendation.
3. Note that there is a three minute time limit for each speaker (with a warning bell at two minutes) and prepare your presentation to cover your major points within that time
4. Avoid repeating what previous speakers have said and focus on issues and information that the Committee may not already know.
5. If there is a large number of people interested in the same item as you, try to nominate three representatives to speak on your behalf and to indicate how many people they are representing.
6. Before speaking, turn on the microphone by pressing the button next to it and speak clearly so that everyone in the Council Chamber can hear.
7. Be prepared to quickly return to the microphone and respond briefly to any questions from Councillors, after all speakers on an item have made their presentations.

Committee meetings can continue until very late, particularly when there is a long agenda and a large number of speakers. This impacts on speakers who have to wait until very late, as well as Council staff and Councillors who are required to remain focused and alert until very late. At the start of each Committee meeting, the Committee Chair may reorder agenda items so that those items with speakers can be dealt with first.

Committee reports are on line at www.cityofsydney.nsw.gov.au, with printed copies available at Sydney Town Hall immediately prior to the meeting. Council staff are also available prior to the meeting to assist.

Item 1.

Disclosures of Interest

Pursuant to the provisions of the Code of Meeting Practice – May 2019 and the Code of Conduct – May 2019, Councillors are required to disclose pecuniary interests in any matter on the agenda for this meeting.

Councillors are also required to disclose any non-pecuniary interests in any matter on the agenda for this meeting.

This will include receipt of reportable political donations over the previous four years.

In both cases, the nature of the interest must be disclosed.

Written disclosures of interest received by the Chief Executive Officer in relation to items for consideration at this meeting will be laid on the table.

Item 2.

Reappointment of Public Art Advisory Panel

File No: X002289.005

Summary

The Public Art Advisory Panel was appointed in March 2007 to provide the City with expert independent advice on public art. The Panel has been reappointed by Resolution of Council for a two year period since that time.

The Panel has met regularly since their last reappointment in 2017 and provided advice on the City's public art program (City Art), in particular the development and implementation of the Green Square Public Art Strategy, City Centre Public Art Plan, the Eora Journey: Recognition in the Public Domain program and provides oversight on management and conservation of the City's public art collection.

The Panel assists the City in offering advice on unsolicited public art proposals and the assessment of public art proposals in private developments, ensuring a high standard of public art in the public spaces of our City. The Panel has been integral to the implementation of the City Art Public Art Strategy 2011, a key action from Sustainable Sydney 2030 and is currently assisting the development of the City's 2050 Plan.

In addition to this, panel members have represented the City of Sydney on external organisations' evaluation panels as requested.

The current term of appointment of members of the Panel expires on 23 October 2019. This report recommends re-appointment of all current members of the Panel for a further two years, the appointment of a member to fill a current vacancy and the appointment of an additional member.

Recommendation

It is resolved that:

- (A) Council re-appoint the following members of the Public Art Advisory Panel for a further term of two years: Dr Felicity Fenner, Judith Blackall, Lisa Havilah, Professor Richard Johnson, Janet Laurence, Anne Loxley and Leon Paroissien
- (B) Council re-appoint Dr Felicity Fenner as Chairperson of the Public Art Advisory Panel for a further term of two years;
- (C) Council approve the draft Revised Terms of Reference of the City of Sydney Public Art Advisory Panel - 2019, as shown at Attachment C to the subject report; and
- (D) authority be delegated to the Chief Executive Officer, in consultation with the Lord Mayor, to appoint a Deputy Chair, a member to fill a current vacancy, an additional member and any new members of the Public Art Advisory Panel within the two year term should the need arise.

Attachments

- Attachment A.** Resolution of Council - Public Art Advisory Panel - Reappointment of Members 23 October 2017
- Attachment B.** List of City of Sydney Public Art Advisory Panel Members and Short Biographies
- Attachment C.** Draft Revised Terms of Reference - City of Sydney Public Art Advisory Panel (additions shown in underlined text and deletions in ~~strikethrough~~).

Background

1. The creation of a Public Art Advisory Panel was approved by Resolution of Council on 7 March 2007. The Panel was appointed for a two year term. The first meeting of the Panel took place on 5 October 2007. Since this time, the Panel has been reappointed every two years.
2. The Terms of Reference were amended and approved by the Chief Executive Officer and Council on 14 December 2017. These are available on the City's website. The Terms of Reference (Attachment C to this report) have been updated to align with the approved Terms of Reference for the Design Advisory Panel.
3. Since the Panel's previous reappointment in October 2017, the full Panel has met 15 times. In that time it has played a leading role in implementing the City Art Public Art Strategy 2011, and in formulating clear directions, criteria and processes for the commissioning of public art.
4. The Panel has offered advice to staff in City Projects and Property, City Life, City Planning, Development and Transport, City Design, and Strategy and Urban Analytics on a range of projects involving artists.
5. The Panel has provided advice to Council on unsolicited proposals and the provision of public art in private developments to ensure the quality of public art is in keeping with the City's high standards for new development through Design Excellence, Voluntary Planning Agreements and the Development Application process.
6. Panel membership comprises Dr Felicity Fenner (Chair), Judith Blackall, Lisa Havilah, Professor Richard Johnson, Janet Laurence, Anne Loxley and Leon Paroissien. A member of the Design Advisory Panel, Richard Johnson, sits on the Public Art Advisory Panel to ensure appropriate cross over on projects.
7. The Terms of Reference have been amended (Attachment C to the subject report with additions shown in underline and deletions in strikethrough). Changes include: amendments to the language of the Terms of Reference to remove acronyms and align more closely with the approved Terms of Reference for the Design Advisory Panel; clarification of the role of the Deputy Chair and the Panel's role in providing advice and reporting back to Council and City Staff; the establishment of one new position; and, further clarification of meeting procedure.
8. In recent years, the Panel has dealt with an increasingly large workload and have been meeting, on average, 10 times per year. To meet the current demands for meetings and to ensure that there is a sufficient number of Panel members able to attend each meeting it is recommended clause 3.2 of the Terms of Reference be amended to 'nine' permanent members to allow for an additional member to be added to the Panel. (Attachment C)
9. The Terms of Reference allocate one new position to be filled and enable new members to be appointed where necessary due to vacancies or resignations through delegation to the Chief Executive Officer, in consultation with the Lord Mayor. The Panel will consist of not more than nine members. The recommendations of proposed appointments will be made by the Design Director. This will be largely based on a skill assessment of the existing Panel members.

10. Public Art Advisory Panel members are included in Evaluation Panels established by the City to select artists and public artworks in the Local Government Area. These panels include approximately two to three Public Art Advisory Panel members. In certain situations, external experts are also invited to participate, for example, in the selection of public art projects proposed for the Eora Journey.
11. Public art projects by the City and third parties can take considerable time to be implemented. The consistency of the Panel through the duration of these projects has been of considerable benefit to the City.

Key Implications

Strategic Alignment - Sustainable Sydney 2030 Vision

12. The re-appointment of the Public Art Advisory Panel is consistent with the City's Sustainable 2030 vision for a high quality public domain and vibrant cultural life, and consistent with the City's Public Art Policy and Strategy.

Organisational Impact

13. The Panel provides high-level advice, and peer review of advice given by the City's public art and planning staff on public artworks in private developments. The Panel also provide advice to staff on the development of proposals involving artists and management of the City's public art collection. This advice is a cost-effective tool for achieving high quality public art in our public spaces.
14. Panel members provide advice to Council on unsolicited proposals by external third parties and help guide the development and implementation of the City Art Public Art program. Panel members do not make any decisions and do not hold any delegation from Council to bind it to any position.

Social / Cultural / Community

15. The Panel ensures that public art projects are subject to independent high quality review and that projects are contributing to the public life of the City through the improvement of our public spaces for the benefit of community.

Budget Implications

16. Panel members are paid a flat hourly rate for attendance at meetings.
17. Funding has been included in the 2019/20 City Design operating budget and further funding allocations will be made in City Design operating budget to cover future years.

Relevant Legislation

18. Local Government Act 1993

Critical Dates / Time Frames

19. Reappointment is required by 23 October 2019

Options

20. Not proceeding with the re-appointment of the Public Art Advisory Panel would compromise the City's public art program and negatively impact on the quality of the public domain and cultural life of the city.

Public Consultation

21. Advice offered by the Public Art Advisory Panel is advice to Council staff. Community consultation is undertaken on individual projects as required. CEO Updates are provided to Council to keep them updated on projects. Advice on private sector projects are included in Development Assessments and reports to planning committees (Transport, Heritage and Planning Committee, Central Sydney Planning Committee and Local Planning Panel).
22. The City Art website, the regular City of Sydney newsletter and project Expressions of Interests are advertised publicly keep the public aware of opportunities and progress of projects.

KIM WOODBURY

Chief Operating Officer

Bridget Smyth, Design Director

Claire Morgan, Program Manager Special Projects Public Art

Attachment A

**Resolution of Council– Public Art Advisory
Panel – Reappointment of Members 23
October 2017**

Resolution of Council

23 OCTOBER 2017

ITEM 8.2

REAPPOINTMENT OF PUBLIC ART ADVISORY PANEL 2017

(X002289)

It is resolved that Council:

- (A) reappoint the following members of the Public Art Advisory Panel for a further term of two years: Leon Paroissien (Chair), Judith Blackall, Dr Felicity Fenner, Lisa Havilah, Professor Richard Johnson, Janet Laurence and Anne Loxley; and
- (B) note and endorse minor amendments made to the Public Art Advisory Panel's Terms of Reference, shown at Attachment B to the subject report.

Carried unanimously.

Attachment B

**List of City of Sydney Public Art Advisory
Panel Members and Short Biographies**

CITY OF SYDNEY PUBLIC ART ADVISORY PANEL MEMBERS AND SHORT BIOGRAPHIES

- 1. Dr Felicity Fenner (Chair)**
- 2. Judith Blackall**
- 3. Lisa Havilah**
- 4. Professor Richard Johnson**
- 5. Janet Laurence**
- 6. Anne Loxley**
- 7. Leon Paroissien**

Associate Professor Felicity Fenner (Chair)

Felicity Fenner is a curator, writer and academic. In 2018 she was appointed to the role of Associate Professor at UNSW Art & Design, Sydney. Prior to that she was the inaugural Director of UNSW Galleries (2013-2018). Her dynamic program of international contemporary art swiftly establishing the new Galleries as a leading centre for art and ideas.

Felicity is a renowned authority on public art and has been a member of the City of Sydney's Public Art Advisory Panel since 2007, becoming Chair in June 2018. In 2011–2015 she was the lead researcher on Curating Cities, a major Australian Research Council project that investigated the world's best practice eco-sustainable public art. Delivered in partnership with the City of Sydney, a comprehensive and continuing public art database was subsequently realised. She recently authored a book about the role of public art in urban spaces across the globe, titled *Running the City: why public art matters* (NewSouth Publishing, 2017).

As a leading curator of contemporary art, Felicity has curated more than 40 exhibitions of Australian and international art, including for the Venice Biennale, National Art Museum of China, Art Gallery of South Australia and the Museum of Contemporary Art, Sydney.

Judith Blackall

Judith Blackall is an independent curator and producer of contemporary art projects. Blackall was the Gallery Curator and Manager of the National Art School in Sydney until June 2019 and prior to that, was the Head of Artistic Programs at the Museum of Contemporary Art Australia, responsible for the curatorial, registration, conservation and collections teams, touring exhibitions and off-site projects.

She has worked in contemporary art galleries in Milan and Florence, the Museo Pecci in Prato and was exhibition coordinator of the first Florence Biennale Art/Fashion presented throughout the city in 1996.

In 1982, with support from the Visual Arts Board of the Australia Council, Judith established an artist-in-residence program for Australians in Arthur Boyd's Tuscan farmhouse, 'Il Paretaiò' which she managed until 1990, as well as undertaking a range of other professional roles in arts organisations in Italy.

Lisa Havilah

Lisa Havilah commenced as Chief Executive of the Museum of Applied Arts and Sciences in January 2019. From 2012 to 2019, Lisa was the Director of Carriageworks. Under her leadership Carriageworks experienced extraordinary audience, artistic and commercial growth, becoming the fastest growing cultural precinct in Australia.

From 2005 to 2011, Lisa was the Director of Campbelltown Arts Centre, pioneering an internationally renowned contemporary arts program that brought together culturally and socially diverse communities, and from 1998 to 2004 was Assistant Director of Casula Powerhouse Arts Centre.

Professor Richard Johnson AO MBE

Richard Johnson studied Architecture at UNSW, gaining the RAIA Prize for Design, the RAIA Silver Medal, and the NSW Board of Architects Bronze Medal. He graduated with First Class Honours in 1969. He was awarded a Commonwealth Postgraduate Scholarship and in 1977 was admitted to the degree of Master of Philosophy following study in Town Planning and Urban Design at University College, London.

In 1976 he was admitted as a Member of the Order of the British Empire for Public Service in the field of architecture. Richard was appointed as architectural advisor to the Sydney Opera House Trust in 1998. He was awarded the RAIA Gold Medal in 2006, a Life Fellow in 2008, a Life Governor of the AGNSW in 2012, and a distinguished Alumni Award from UNSW in 2013.

He is active in the professional and educational arenas and is an active member of the Royal Australian Institute of Architects (RAIA), and has delivered many public lectures, served on Award Juries and is currently a Professor of Architecture at the UNSW. Richard is a founding Director of the Australian Architecture Association (AAA) and is on the Board of the Australian Technology Park and the Redfern Waterloo Authority.

Janet Laurence

Janet Laurence is a well-known Australian artist who works in mixed media and installation. Her work has been included in major survey exhibitions, nationally and internationally. Her work explores a relationship to the natural world from an architectural context. It extends from the gallery space into the urban fabric, and has involved in many public commissions and collaborations with architects and landscape architects and environmental scientists.

Janet is a recipient of a Rockefeller Fellowship and a Churchill Fellowship for her research in environmental art.

Anne Loxley

Anne Loxley is a curator and writer who works with contemporary artists both in and outside gallery contexts, in communities and in public spaces. In January 2011 she took up the position of Curator, C3West, for Sydney's Museum of Contemporary Art and she maintains an active consultancy as a public art curator.

A former Sydney Morning Herald art critic, she has published numerous essays and articles as well as edited many visual arts publications. In 2012 she was awarded an Australia Council grant to research recent public art in London and New York and was also a finalist in New York's Alice Awards for Artists in Residence program at Frasers Broadway Sydney. She was guest editor of a special Australia/New Zealand issue (No 42) of the American journal Public Art Review.

Anne was Curator and later Director, Public Art, for Sydney's Olympic Co-ordination Authority; her recent public art projects include Jennifer Turpin and Michaelie Crawford, *Windlines the Scout Compass of Discovery* (2011) for the City of Sydney and Brook Andrew, *Warrang* for the Museum of Contemporary Art (2012).

Leon Paroissien

Leon Paroissien has been adjunct professor of design and architecture at the University of Canberra (2004 – 2010) and chairman of Object: Australian Centre for Craft and Design (2006 – 2012). He was the founding director of the Museum of Contemporary Art, Sydney, and of the Museum of Contemporary Art, Taipei.

He has been active in professional museum organisations in Australia and abroad for over three decades and has recently contributed to international publications on art, museums and architecture. Leon served as the Chair of the Sydney 2000 Olympic Co-ordination Authority Public Art Advisory Panel from 1996-2001.

Leon was the Chair of the City of Sydney Public Art Advisory Panel from its inception in March 2007 until May 2018.

Attachment C

**Draft Revised Terms of Reference – City of
Sydney Public Art Advisory Panel**

TERMS OF REFERENCE

CITY OF SYDNEY PUBLIC ART ADVISORY PANEL



The Council of the City of Sydney

Town Hall House
456 Kent Street
SYDNEY NSW 2000

Reference: X002289.001
Revised August 2019

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city of villages

TERMS OF REFERENCE

CITY OF SYDNEY PUBLIC ART ADVISORY PANEL

1. Purpose

- 1.1 The Public Art Advisory Panel (~~PAAP~~) (the Advisory Panel) has been established to provide the City of Sydney (the City) with independent expert advice on public art.
- 1.2 These terms of reference set out the ~~functions and powers of the PAAP rules that members of the Panel must follow~~, membership of the ~~PAAP~~ and the operation of the ~~PAAP~~ Advisory Panel.

2. ~~Functions & Powers~~ Advice to the City

- 2.1 The Public Art Advisory Panel will advise and assist the City (as necessary) in relation to the matters referred to in 1.1 above and including:
- (a) ~~in~~ the implementation of the City's Public Art Strategy;
 - (b) ~~on~~ the selection and commissioning of new works and the deaccession of existing works;
 - (c) ~~on~~ the assessment of public art proposals in private developments;
 - (d) ~~on~~ requests, gifts, bequests and plaques proposed by the public;
 - (e) ~~on~~ the development of a master plan for public art; and
 - (f) ~~on~~ communication and community engagement processes for public art; and
 - (g) ~~on~~ any other relevant matter as directed by the Council or the Chief Executive Officer (CEO).
- 2.2 The ~~PAAP~~ Advisory Panel will make recommendations and provide advice to the City on the matters outlined in 2.1 having regard to the City's adopted policies including:
- (a) ~~the City's~~ Public Art Policy;
 - (b) ~~the City's~~ Creative City cultural policy and action plan;
 - (c) ~~the City's~~ Contract Policy;
 - (d) ~~the City's~~ Public Domain Policy; and
 - (e) ~~any applicable procurement procedures~~ Sustainable Sydney 2030

- 2.3 The ~~Advisory Panel PAAP will have no power to:~~ provides advice only - No delegation of Power of functions:
- (a) ~~spend City funds; or The Advisory Panel is legally constituted pursuant to individual contracts between the City and its members to supply advisory services to the City.~~
 - (b) ~~make decisions on behalf of the City~~ It is not a Council Committee established under the Local Government Act.
 - (c) It has no power or authority, whether by delegation, agency or otherwise to exercise any function, right, duty or power of the City, whether under statute or other law, as a landowner or in any other capacity.

3. Members

- 3.1 ~~Membership of the PAAP will be granted~~ The City will seek to engage individuals who are highly recognised in their profession and who:
- (a) have a demonstrated interest in and knowledge of public art matters; and
 - (b) possess the relevant skills and experience to provide independent expert advice.
- 3.2 ~~The PAAP~~ Advisory Panel will consist of at least five and not more than nine permanent members.
- 3.3 Permanent members will be engaged for an initial ~~The City's CEO will appoint members to the PAAP for a term of two years, and reviewed subsequently every two years.~~
- 3.4 The CEO in consultation with the Lord Mayor will appoint a new member if required. Recommendations on the appointments will be made by the Director Design in consultation with the Chief Operating Officer. This will be based on a skill assessment of the existing panel.
- 3.5 If a member resigns from the ~~PAAP~~ Advisory Panel during the initial term, the CEO may appoint a replacement member who has similar expertise and skills.
- 3.6 If a public art project requires local knowledge or specific expertise, the CEO may appoint a temporary member to the ~~PAAP~~ Advisory Panel for that purpose. A temporary member will have equal voting rights.

4. Chairperson and Deputy Chairperson

- 4.1 The City will nominate and appoint a chairperson and a deputy chairperson of the ~~PAAP~~ Advisory Panel for an initial term of two years and reviewed subsequently every two years.

- 4.2 If the position of chairperson becomes vacant for any reason, the CEO will appoint another chairperson. The new Chairperson may be an existing or new member of the PAAP Advisory Panel.
- 4.3 The Chairperson or their nominated representative from the panel will accept appointment to the City's Design Advisory Panel.
- 4.4 The Deputy Chairperson will replace the Chairperson when they are not available at meetings. If both the Chairperson and Deputy Chairperson are unavailable, the Chairperson will nominate another PAAP Advisory Panel member to chair the meeting in advance.

6. Conduct and Disclosure

- 5.1 Members must act lawfully and with honour, integrity and professionalism and comply with the City's Code of Conduct.
- 5.2 Without limiting 5.1 a member who has a pecuniary or non-pecuniary interest in any matter with which the PAAP Advisory Panel is concerned must disclose the existence and nature of the interest as soon as practicable.
- 5.3 A member who has a pecuniary interest in a matter with which the PAAP Advisory Panel is concerned must not be present at any meeting of the PAAP Advisory Panel at which the matter is being discussed, considered or voted on.
- 5.4 A member who has a significant non-pecuniary interest in a matter with which the PAAP Advisory Panel is concerned must disclose the existence and nature of the interest if the member could be influenced, or a reasonable person would perceive that the member could be influenced, by the non-pecuniary interest. A member having disclosed a significant non-pecuniary interest must not be present at any meeting of the PAAP Advisory Panel at which the matter is being discussed, considered or voted on.
- 5.5 A member who has a non-pecuniary interest where the interest is not significant and does not present a conflict of interest must declare the interest to the meeting and advise the meeting why it is not significant and why it therefore does not present a conflict of interest.
- 5.6 A disclosure about a pecuniary or non-pecuniary interest must be recorded in the minutes of the meeting.

6. Meeting Procedure

- 6.1 The PAAP Advisory Panel will meet at such place and time as notified to the Members by the City. It is expected that it will meet approximately ten times a year on dates and at places to be set out in advance for each year.
- 6.2 The City may call an extraordinary meeting of the PAAP Advisory Panel with at least ~~fourteen~~ three days written notice to all members.
- ~~6.3 A quorum of a meeting of the PAAP will be four permanent members.~~

6.3 Councillors and staff of the City may attend the meetings as observers.

~~No business of the PAAP will be considered unless a quorum is present. If within half an hour from the time appointed for the meeting a quorum is not present, the meeting will be dissolved.~~

6.4 Questions arising at any meeting of the PAAP Advisory Panel will be decided by a simple majority of the votes of the members (including permanent and temporary members). If there are equal votes, the Chairperson of the meeting will have the casting vote.

6.5 The Chairperson ~~or if the Chairperson is not present, the deputy chair,~~ will preside as Chairperson at ~~meetings~~ every meeting of the PAAP Advisory Panel unless they are unavailable, in which case, clause 4.4 applies.

6.6 If the Chairperson or Deputy Chairperson is not present within ten minutes after the time appointed for the meeting, the members (including permanent and temporary members) may choose one of their number to be chairperson for the purpose of the meeting.

6.7 City officers will attend meetings of the PAAP Advisory Panel to take minutes and observe the meetings. City officers will have no voting rights.

6.8 ~~The~~ City officers will take minutes of the PAAP Advisory Panel meetings. The minutes will include (without limitation) the following:

- (a) attendance;
- (b) apologies;
- (c) declarations of interest;
- (d) delegations of authority; and
- (e) a record of all recommendations made by the PAAP Advisory Panel.

6.9 The City will circulate minutes to all members within seven days of the meeting and all members must confirm the accuracy of the minutes within a further seven days.

7. Consideration by the Panel and Providing Advice Reporting

7.1 The PAAP Advisory Panel will provide a written report on any matter as directed by the City.

7.2 Individual Panel members may be engaged by the City to provide advice to City staff on specific projects and are required to report back to the full Panel on their review. The Panel may also recommend a member reviews a specific project and reports back to the full Advisory Panel.

7.3 The approved meeting minutes are the report of the Advisory Panel.

- 7.4 The approved meeting minutes include advice sheets on specific projects reviewed by the Advisory Panel. Advice sheets will be made available to the City and to relevant proponents.
- 7.5 Summaries of advice provided by the Advisory Panel in relation to particular applications may be included in Council reports.

8. Review

- 8.1 The terms of reference of the ~~PAAP~~ Advisory Panel will be reviewed every two years.

Item 3.

[Insert title of late report]

Document to Follow