

Item 10**Extension of all Advisory Panel Member Terms due to the Postponement of the Local Government Election because of Covid-19****File No: X079065****Summary**

Council has a number of Advisory Panels that provide advice on the policies and operations of the City of Sydney across various subject areas.

Advisory Panel member terms vary in length. Member appointments are reliant on the availability of required skills and expertise. Generally terms are between two to four years. These terms are generally set to coincide with Local Government Elections (i.e. member terms usually expire in the year after a Local Government Election). Due to the postponement of the 2020 Local Government Elections, a number of Advisory Panel member terms expire in 2021, prior to, or shortly following the 2021 Local Government Elections.

The following Panels have member terms due to expire in 2021:

- Aboriginal and Torres Strait Islander Advisory Panel - expiring 31 July 2021.
- Design Advisory Panel - expiring 24 June 2021.
- Design Advisory Panel Residential Sub-Committee - expiring 12 September 2021.
- Inclusion (Disability) Advisory Panel - expiring 31 December 2021.
- Nightlife and Creative Sector Advisory Panel - expiring 14 May 2021.
- Public Art Advisory Panel - expiring 21 October 2021.

Extending current Panel member terms to 31 March 2022 will enable consideration of the reappointment of current Panel members, the recruitment of new Panel members and appropriate Expression of Interest processes to take place following the 2021 Local Government Elections.

This report recommends that Council endorse the extension of Advisory Panel member terms to 31 March 2022.

A number of housekeeping updates to the terms of reference for some panels are also recommended including the rescission of the Terms of Reference for the Curatorial Advisory Panel and approval of amendments to the Terms of Reference for the Inclusion (Disability) Advisory Panel.

Recommendation

It is resolved that Council:

- (A) note that as result of the postponement of the 2020 Local Government Election it is recommended that the terms of appointment for several Advisory Panels be extended as a temporary departure from the endorsed Terms of Reference;
- (B) endorse the extension of the following members of the Aboriginal and Torres Strait Islander Advisory Panel: Timothy Gray, Bronwyn Penrith, Sara Hamilton, Matthew Doyle, Jinny-Jane Smith, Dallas Wellington, Ashlee Donohue, Medika Thorpe, Suzy Evans, Beau James, Daniel Coe, Yvonne Weldon and Ryan Donohue-Pitt to 31 March 2022;
- (C) rescind the Terms of Reference for the Curatorial Advisory Panel as shown at Attachment A to the subject report, for the reasons outlined in the subject report;
- (D) endorse the extension of the following members of the Design Advisory Panel: Ken Maher, Kerry Clare, Richard Johnson, Peter Mould, Abbie Galvin, James Weirick, Rachel Neeson and Che Wall to 31 March 2022;
- (E) endorse the extension of the following members of the Design Advisory Panel Residential Sub-Committee: Kerry Clare, Libby Gallagher, Matthew Pullinger, Michael Zanardo, Paul Berkemeier, Alexander Koll and Tony Caro to 31 March 2022;
- (F) endorse the extension of the following members of the Inclusion (Disability) Advisory Panel: Max Burt, Phillipa Carmenolla, Morwenna Collette, Tara Eliffe, Judy Harwood, Sabrina Housemi, Julie Millard, Nidhi Shekaran and Mark Tonga to 31 March 2022;
- (G) approve the amended Terms of Reference for the Inclusion (Disability) Advisory Panel, as shown at Attachment B to the subject report;
- (H) endorse the extension of the following members of the Nightlife and Creative Sector Advisory Panel: Kerri Glasscock, James Winter, Joshua Green, Emily Collins, Stephen Gyory, Kat Dopper, Joy Ng, Emilyya Colliver, John Ferris, Justine Baker, Phillip Wadds and Michael Wynn-Jones to 31 March 2022; and
- (I) endorse the extension of the following members of the Public Art Advisory Panel: Felicity Fenner, Leon Paroissen, Janet Laurence, Anne Loxley, Judith Blackall, Richard Johnson and Lisa Havilah to 31 March 2022.

Attachments

Attachment A. Terms of Reference – Curatorial Advisory Panel 2016

Attachment B. Amended Terms of Reference – Inclusion (Disability) Advisory Panel

Background

1. Council has a number of Advisory Panels that provide advice on the policies and operations of the City of Sydney across various subject areas.
2. Advisory Panel member terms vary in length. Member appointments are reliant on the availability of required skills and expertise. Generally, terms are two to four years. These terms are set to coincide with Local Government Elections (i.e. member terms usually expire in the year after a Local Government Election).
3. Due to the postponement of the 2020 Local Government Election, a number of Advisory Panel member terms expire in 2021, prior to, or just following the 2021 Local Government Elections.
4. Extending current Panel member terms to 31 March 2022 will enable consideration of the reappointment of current Panel members, the recruitment of new Panel members and appropriate Expression of Interest processes to take place following the 2021 Local Government Elections.
5. Advisory Panel Terms of Reference will also be reviewed in consultation with Panel members with any recommended updates and amendments to Terms of Reference to be presented to Council for review and endorsement.
6. This report recommends that, given the circumstances arising from the postponement of the 2020 Local Government Election, Council endorse the extension of Advisory Panel member terms to 31 March 2022.
7. It is considered appropriate that the Council to be elected in September 2021 appoint Advisory Panel members, which will also bring Advisory Panel member terms back into alignment with the Local Government Election cycle following appropriate consultation and Expression of Interest processes.

Aboriginal and Torres Strait Islander Advisory Panel

8. In June 2008, Council resolved to establish an Aboriginal and Torres Strait Islander Advisory Panel. The panel's purpose is to provide advice on the policies and operations of the City of Sydney in relation to matters of importance to Aboriginal and Torres Strait Islander communities.
9. The Panel operates under Terms of Reference which provide for appointments for three years, with up to two consecutive appointments allowed. The term of the current Panel expires on 31 July 2021.
10. It is recommended that the term of the current Panel members be extended to 31 March 2022.

Curatorial Advisory Panel Terms of Reference

11. On 18 November 2019, Council rescinded the Civic Collection Curatorial Policy and noted the internal administrative processes, the Civic Collection Policy and Management Guidelines.

12. The Civic Collection Curatorial Policy sets out the City's commitment to managing and developing its collection of movable cultural heritage, official gifts and contemporary artworks. These items provide the tangible evidence which document the civic traditions and creative processes that define the City of Sydney. A framework for collection management guides decisions and actions relating to the care of the Collection and procedures for acquisition, deaccession, disposal, use, display, storage, documentation, conservation and interpretation of items.
13. Due to an administrative oversight, the Council-endorsed Terms of Reference for the Curatorial Advisory Panel were not rescinded at the 18 November 2019 Council Meeting as part of the rescission of the Civic Collection Curatorial Policy.
14. The internal administrative processes, the Civic Collection Policy and Management Guidelines provide for a Civic Collection Curatorial Advisory Panel, therefore the Council endorsed Terms of Reference for the Curatorial Advisory Panel are no longer required and it is recommended that Council rescind the Terms of Reference. Terms of Reference for the Civic Collection Curatorial Advisory Panel will be reviewed and endorsed by the Chief Executive Officer.

Design Advisory Panel

15. The Design Advisory Panel has been established to provide the officers of the City of Sydney Council with high level independent expert advice and expertise on urban design, architecture, landscape architecture, art and sustainability. The advice is to inform the assessment by Council officers of development applications with a view to promoting the delivery of world class urban design, architecture and sustainable and inclusive design in Sydney's buildings and public spaces. The advice is to inform the assessment process. It is not the purpose of the Panel to have any role in the process of determination of development applications.
16. The Panel operates under Terms of Reference which provide that the Advisory Panel consists of at least three and not more than 10 permanent members. Permanent members are engaged for an initial term of two years and reviewed subsequently every two years. Member terms expire on 24 June 2021.
17. It is recommended that the term of current Panel members be extended to 31 March 2022.

Design Advisory Panel Residential Sub-Committee

18. The City has established a Residential Sub-Committee to the existing Design Advisory Panel, to provide high level independent expert advice and expertise on urban design, architecture, landscape architecture and sustainability for SEPP 65 and similar residential applications. This advice assists the City in its promotion and delivery of high quality built environments and design excellence. The Sub-Committee supports and supplements the Design Advisory Panel.
19. Design Advisory Panel Residential Sub-Committee member terms expire on 12 September 2021.
20. To align with Design Advisory Panel members, it is recommended that the term of Residential Sub-Committee members also be extended to 31 March 2022.

Inclusion (Disability) Advisory Panel

21. The Inclusion (Disability) Advisory Panel was established by Council in November 2012 to provide expert advice to the City on inclusion and access for people with disability.
22. The objective of the Inclusion (Disability) Advisory Panel, is to provide strategic, expert and impartial advice to the City on the development, implementation, monitoring and review of the City's policies, strategies and plans to advance the inclusion of people with a disability.
23. The Panel operates under Terms of Reference which provide for member appointments for three years, with up to two consecutive appointments allowed. Member terms expire on 31 December 2021.
24. It is recommended that the term of current Panel members be extended to 31 March 2022.

Amendment to Inclusion (Disability) Advisory Panel Terms of Reference

25. Following discussion amongst the Panel, they have recommended a series of amendments in Part (A) Preamble; Part (G) Recruitment; and Part (I) Chair of the current Terms of Reference. Proposed amendments to the Terms of Reference are detailed in Attachment B, with additions shown in **bold** and deletions in ~~striketrough~~.

Nightlife and Creative Sector Advisory Panel

26. On 23 October 2017, Council resolved to establish a Nightlife and Creative Sector Advisory Panel to provide expert advice to the City on how it can best work with industry, business and other government agencies to support a thriving, diverse and safe nightlife.
27. The Panel is composed of up to 16 members, and representatives are experts across a range of categories with extensive experience in the nightlife sector and related fields.
28. The Panel operates under Terms of Reference which provide for member appointments for three years. Member terms expire on 14 May 2021.
29. It is recommended that the term of current Panel members be extended to 31 March 2022.

Public Art Advisory Panel

30. The Public Art Advisory Panel has been established to provide the City of Sydney with independent expert advice on public art.
31. The Panel operates under Terms of Reference which provide that the Advisory Panel consists of at least five and not more than nine permanent members. Permanent members are engaged for an initial term of two years and reviewed subsequently every two years. Member terms expire on 21 October 2021.
32. It is recommended that the term of current Panel members be extended to 31 March 2022.

Key Implications

Strategic Alignment - Sustainable Sydney 2030

33. Sustainable Sydney 2030 is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This report is aligned with the following strategic directions and objectives:
 - (a) Direction 10 - Implementation through Effective Governance and Partnerships – the City's Advisory Panels provide an effective source of advice on various subject matters. The Advisory Panel framework provides this advice to City staff and Council in an appropriate format.

Organisational Impact

34. Various City staff provide secretariat and operational support to the City's Advisory Panels.

Risks

35. If Advisory Panel member terms are not extended, the City risks not having an appropriate source of advice on the policies and operations of the City of Sydney across various subject areas.

Financial Implications

36. There are sufficient funds available in the 2020/21 operating budget and provisions have been made in the draft 2021/22 operating budget and future year forward estimates for the operation of the City's Advisory Panels.

Relevant Legislation

37. Advisory Panels provide advice only - no delegation of power or functions. They are not Council Committees established under the Local Government Act 1993.
38. Panels have 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.
39. Terms of Reference can be varied by resolution of Council, and extensions of Panel member terms are recommended due to the postponement of the 2020 Local Government Elections to 4 September 2021.

Critical Dates / Time Frames

40. Aboriginal and Torres Strait Islander Advisory Panel member terms expire on 31 July 2021.
41. Design Advisory Panel member terms expire on 24 June 2021.

42. Design Advisory Panel Residential Sub-Committee member terms expire on 12 September 2021.
43. Inclusion (Disability) Advisory Panel member terms expire on 31 December 2021.
44. Nightlife and Creative Sector Advisory Panel member terms expire on 14 May 2021.
45. Public Art Advisory Panel member terms expire on 21 October 2021.

Options

46. Council has the option to undertake Expression of Interest processes and recruit new Advisory Panel members in 2021. This option is not recommended due to time constraints given the imminent expiry of a number of panels.
47. Council may also choose to reappoint current members for full terms. This option is not recommended as there will have been no opportunity to advertise for new members and it is recommended that the Council elected in September 2021 appoint Advisory Panel members.

Public Consultation

48. Advisory Panel members have been consulted and have agreed to the term extension, subject to Council endorsement.
49. Public consultation and wider Expression of Interest processes for Advisory Panel members will be conducted in the final quarter of 2021.

EMMA RIGNEY

Director City Life

Erin Cashman, Council Business Coordinator