

Attachment C

**Draft Terms of Reference – Cultural and
Creative Sector Advisory Panel**

CITY OF SYDNEY

CULTURAL AND CREATIVE SECTOR ADVISORY PANEL

TERMS OF REFERENCE

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City of Sydney Cultural and Creative Sector Advisory Panel

Terms of Reference 2022

1. Purpose

The purpose of the Cultural and Creative Sector Advisory Panel will be to provide strategic advice on making space for culture and focus on addressing the loss of creative employment floor space in Sydney which is a critical issue that has been exacerbated by the pandemic.

The Panel will help set the pathway for the City's contribution over the medium term to cultural infrastructure programs and sustainable recovery of the City's creative and cultural life including:

- providing advice on the development and implementation of the Sustainable Sydney 2030 – 2050 and City of Sydney Creative City Cultural Policy;
- advising the City on the communication, consultation and collaboration with creative sector and property sector stakeholders;
- providing strategic advice pertaining to the retention and development of new creative employment space in Sydney;
- advising the City on its own creative infrastructure programs including defining optimal spatial needs and determining what is affordable;
- providing input as to how we value the creative sector in relation to the property sector and how we embed creative space in the planning process; and
- advocating on behalf of the cultural sector for increased visibility and strategic importance of creative employment lands and creative floorspace.

2. Limitation of authority

The Cultural and Creative Sector Advisory Panel is an advisory body to the City of Sydney Local Government Authority. The Cultural and Creative Sector Advisory Panel is not an executive body and does not have the authority to:

- expend money on behalf of Council;
- undertake any work on behalf of the City of Sydney;
- commit the Council to any arrangement;
- consider any matter outside its specific reference;
- direct Council officers in the performance of their duties; or
- represent the Council in any communication with the public or media without the permission of the City of Sydney.

3. Membership

The membership of the Cultural and Creative Sector Advisory Panel will include a broad range of members who are highly recognised in relevant professional fields and who have

demonstrated experience and knowledge in the arts and cultural sector, creative space management, the property sector, urban planning and regulation. Such people may include practitioners, business owners and people with related specialist expertise.

Membership of the Cultural and Creative Sector Advisory Panel consists of up to 14 members, and may consist of less than 14 members, including representatives from the following sectors:

- performing arts (1)
- festivals and events (1)
- music (1)
- creative production (1)
- film (1)
- visual arts (1)
- creative space management (2)
- property sector (2)
- urban planning and development (1)
- building and regulation (1)
- two elected representatives, comprising the Lord Mayor (or delegate) and one City of Sydney Councillor.

Key City staff will attend meetings as observers or specialist advisors.

We encourage all applicants, including Aboriginal and Torres Strait Islander people, Australian South Sea Islander people, people with disability, LGBTIQ+ and people from culturally diverse communities to nominate for these groups.

The City will provide reasonable adjustments for individuals with disability throughout the nomination process. If you identify as a person with disability and require adjustments to the application, selection and/or assessment process, please use the contact details listed for each group or call 02 9265 9333 and indicate your preferred method of communication (email or phone).

4. Term

The Advisory Panel will be convened for a three-year period.

Members will be appointed for a term up to three years.

Members may be eligible for re-appointment for a further three-year term.

Regardless of the date of appointment, the first term of the Panel will end in December 2025.

A person ceases to be a panel member if they:

- resign;
- are absent from two consecutive meetings without notification; or
- fail to comply with these terms of reference.

Any member may resign by giving written notification to the City. The Chief Executive Officer may then appoint a new member in consultation with the panel, or the panel may choose to continue to the end of the current term without replacing the panel member.

5. Recruitment

Every three years a call for nominations will be advertised and promoted to relevant groups and organisations via media, community networks, stakeholders and organisations.

The call for nominations will advise that applications will be assessed according to the selection criteria.

6. Selection and selection criteria

An internal assessment of applicants will be undertaken by a panel of City of Sydney staff against the following selection criteria.

Panel members must:

- live, work or study in the City of Sydney Local Government Area;
- have relevant skills or experience in the relevant sector;
- provide a statement outlining the reasons they want to sit on the panel; and
- provide a list of the skills, knowledge and experience they will bring to the panel in service of the local community.

All applicants must be prepared to attend an interview as part of the selection process and, if successful, an induction session prior to the inaugural meeting.

7. Appointment

All Cultural and Creative Sector Advisory panel members, with the exception of the Councillor representative will be appointed by the Chief Executive Officer of the City of Sydney and ratified by Council.

Council may, at its discretion, appoint members to the panel outside of these terms of reference from time to time.

The Councillor representative will be determined by Council. Their appointment is not governed by these terms of reference.

8. Chair and co-chair

The Cultural and Creative Sector Advisory Panel will be chaired by a member and elected for a one-year term by panel members at the first meeting of each calendar year.

Members will be invited to nominate themselves or another member for the position of Chair or Co-Chair. Panel members will then vote on nominees for the position of Chair.

After the initial one-year term, the Chair will act as Co-Chair for a further one-year term. The Co-Chair will provide support to the new Chair as required.

During the inaugural term, a Co-Chair will also be elected for a one-year term.

If the position of Chair becomes vacant for any reason, the panel members will vote to either elect another existing member to be the Chair until the end of the calendar year, or continue to the end of the term without replacing the panel member.

City of Sydney Council staff and elected representatives do not have voting rights for selection of Chair and Co-Chair.

9. Meeting administration and protocol

The City will provide administrative support including:

- scheduling meetings of the Cultural and Creative Sector Advisory Panel with at least two weeks' written notice to all members;
- compiling and circulating agenda and relevant documents to all members;
- taking and distributing minutes that include attendance, declaration of interest and meeting resolutions;
- coordinating other meeting arrangements including accessibility of meeting procedure and materials; and
- reporting on progress to Council and the community.

The Cultural and Creative Sector Advisory Panel will meet approximately four times each year on dates and at places to be set out in advance for each year.

The quorum of a meeting of the panel will be a simple majority. No business of the Cultural and Creative Sector Advisory Panel 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.

If the Chair is not present within ten minutes after the time appointed for the meeting, the Co-Chair will chair the meeting.

Questions arising at any meeting of the Cultural and Creative Sector Advisory Panel will be decided by a simple majority of the votes of members. City staff and elected representatives have no voting right.

Members and the Chair or Co-Chair can suggest additional agenda items during the meeting, provided that these items do not contravene the objectives stated in these Terms of Reference and if time allows.

10. Code of Conduct and Conflicts of Interest

Members must act lawfully, professionally, with honour and integrity. Information accessed, discussed, received, used in the Cultural and Creative Sector Advisory Panel meetings is confidential unless the panel resolves otherwise. The City of Sydney, by resolution of Council, may terminate a Cultural and Creative Sector Advisory Panel member's term for breaching these requirements, or Terms of Reference.

A member who has a pecuniary interest in matter being considered at a meeting must disclose the existence and nature of the interest. A member having disclosed a pecuniary interest must not be present at the meeting when the matter is being considered, discussed or voted on.

A member who has a non-pecuniary interest in a matter being considered at a meeting of the Cultural and Creative Sector Advisory Panel must disclose the existence and nature of the interest if the member could be influenced, or perceived to be influenced by the non-pecuniary interest. A member having disclosed a non-pecuniary interest must not be present at the meeting when the matter is being considered, discussed or voted on.

11. Working parties

The Cultural and Creative Sector Advisory Panel has the capacity to establish time-limited working parties to address specific issues and projects.

The Panel may invite relevant Council and community members to be part of these working groups to provide additional expertise where required.

12. Reporting and review

The City will report to Council on each meeting of the Cultural and Creative Sector Advisory Panel meeting via a CEO Update within three weeks' of the meeting.

The key activities of the Cultural and Creative Sector Advisory Panel will be reported in the City's annual report.

Recommendations for amendments to the Terms of Reference can be made at any time. However, amendments to the Terms of Reference must be endorsed by the Cultural and Creative Advisory Panel and then approved by Council.

13. Payment

The City may pay a Panel member fee of no more than \$300 for each meeting they attend, however, government, peak bodies and large business representatives may be asked to opt out.

Panel members may be reimbursed out-of-pocket expenses incurred by attending the advisory panel meetings such as payment for transport expenses.

Where applicable, panel meetings will be provided with translators, printed material in alternative formats or languages and/or other accessibility services.