



New South Wales Government
Independent Planning Commission

CHAIR OVERSIGHT PROTOCOL

OBJECTIVE

To ensure the reputation of the Independent Planning Commission (Commission) is maintained or enhanced by:

- facilitating consistency in decision-making processes
- meeting any KPIs
- ensuring significant policy issues are identified early and escalated appropriately in accordance with the policy issue escalation protocol.

ROLES AND RESPONSIBILITIES

To be enacted in Panel appointment letters, updated Code of Conduct and updated terms of appointment for Panel Members:

- **Commission Chair** – responsible for meeting the Minister’s expectations, ensuring the Minister’s expectations are met by Commission Panel members, enforcing the Commission’s Code of Conduct and maintaining the reputation of the Commission. The Commission Chair has the right to advise Panel Chairs and Panel members on matters relating to their duties and obligations
- **Panel Chair** – responsible for coordinating the work of panel members on a specific case including ensuring that decision making is in accordance with legislative requirements, Government policy and Commission KPIs. Duty to consult with the Commission Chair on a regular basis or when an issue arises that involves the duties and obligations of any member of the Panel
- **Panel members** – responsible for collective decision-making on individual cases in accordance with legislative requirements, Government policy and Commission KPIs. Panel members must also act in accordance with their letter of appointment to the Panel, the Code of Conduct and the terms of their appointment to the Commission. All Panel members are responsible for maintaining the reputation of the Commission
- **Office of the Independent Planning Commission (OIPC)** – responsible for assisting in the work of the Commission. The relevant Senior Executive position is the Executive Director (ED).

PROCESS

1. Regular reporting from the Panel Chair to the Commission Chair regarding progress of cases
2. Where the Panel/OIPC identifies an issue which could potentially impact on the reputation of the Commission, including, but not limited to:
 - Consistency with previous Commission decisions
 - Process error
 - Policy uncertainty
 - Significant time delays
 - Panel availability
 - Media coverage
 - Seeking legal advice (through Special Counsel assisting the Commission)
 - Any other potentially significant risk
 - a. Panel Chair and/or OIPC ED escalates the issue to the Commission Chair;
 - b. Commission Chair provides advice regarding a course of action to address the issue;
 - c. Commission Chair takes management action should there be a conflict with the Minister’s expectations, Code of Conduct or the terms of appointment of a Panel member.

TIMING

Escalation to the Commission Chair should occur as soon as practicable.

LIMITATIONS

The Chair cannot fetter the content of a decision of a Panel.

FOR MORE INFORMATION

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