



Policy document

Chair Oversight Protocol

This document sets out the oversight protocols for the Commission Chair, consistent with the Planning Minister's Statement of Expectations for the Commission and the *Environmental Planning and Assessment Act 1979*.

1. OBJECTIVE

To ensure the effectiveness of the Independent Planning Commission (Commission) in the exercise of its statutory functions is maintained or enhanced by:

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

2. ROLES AND RESPONSIBILITIES

Commission Chair

The **Commission Chair** is 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 and as head of agency of the Office of the Independent Planning Commission (OIPC) directs staff of the OIPC in their support of Panels.

The Commission Chair may seek advice on carrying out their role and responsibilities, including from staff of the OIPC as well as from any Deputy Chairs of the Commission. Deputy Chairs of the Commission are a particularly useful source of advice when the Commission Chair is also a member of a Panel and would benefit from advice from outside the Panel.

Panel Chair

The **Panel Chair** is 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. There is a 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.

OIPC Staff

Staff are responsible for assisting in the work of the Commission, both as support staff for Panels and as Government sector employees under the leadership of the Commission Chair in his or her capacity as OIPC head of agency. The relevant Senior Executive position is the Executive Director (ED).

3. PROCESS

The key processes that underpin this protocol are:

1. Regular reporting from the Panel Chair to the Commission Chair regarding progress of cases.
2. OIPC staff who are assigned to support a Panel report to the Commission Chair in his or her capacity as OIPC head of agency. The Commission Chair provides direction to OIPC staff regarding their support functions for Panels.
3. Where the Panel/OIPC identifies an issue which could potentially have an impact on the reputation of the Commission:
 - the Panel Chair and/or OIPC ED will escalate the issue to the Commission Chair

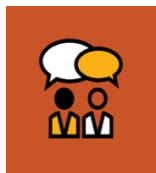
- the Commission Chair will provide advice to the Panel Chair and/or OIPC ED regarding a course of action to address the issue
 - the Commission Chair will take management action should there be a conflict with the Minister's expectations, Code of Conduct, or the terms of appointment of a Panel member.
4. The issues referred to in point 3 above include:
- Consistency with Commission processes and avoidance of process error
 - Policy uncertainty
 - Significant time delays
 - Panel availability (including conflict of interest)
 - Engagement with stakeholders
 - Media coverage
 - Seeking legal advice (through OIPC Legal Director)
 - Any other potentially significant risk

4. TIMING

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

5. LIMITATIONS

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



For more information

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DOCUMENT GOVERNANCE

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