



## Terms of Reference

### Expert Panel for the Implementation Review Project

#### 1. Purpose

The purpose of the Expert Panel for the Implementation Review Project (the Expert Panel) is to deliver the Implementation Review Project (the Project). The scope of the Project will include review by the Expert Panel of:

- a. the *Planning, Development and Infrastructure Act 2016*;
- b. the Planning and Design Code (and related instruments) as it relates to infill policy, trees, character, heritage and car parking;
- c. the e-planning system with a view to ensuring that it is delivering an efficient and user-friendly process and platform; and
- d. the PlanSA Website with a view to ensuring its useability and access to information by the community.

#### 2. Objectives

The Expert Panel will seek to achieve the following objectives through its delivery of the Project:

- a. undertake a review of those legislative, policy and operational matters within the scope of the Project;
- b. consult with the State Planning Commission and other stakeholders (including local government and industry) as required to effectively deliver the Project;
- c. provide advice and make recommendations in the form of a report to the Minister for Planning (the Minister) on matters within the scope of the Project at the end of the 5 month term; and
- d. provide early advice or recommendations as requested by the Minister or as considered appropriate by the Expert Panel, as well as final advice or recommendations at the completion of the Project.

#### 3. Principles

The Expert Panel will operate consistently with the following principles:

- a. taking an evidence and data based approach to review of information;
- b. taking an open-minded and unbiased approach to consultation;
- c. providing frank and fearless advice;
- d. focusing on achieving pragmatic and quality outcomes and the delivery of results.

#### 4. Membership

- a. The Expert Panel will be comprised of four (4) Members who, as far as reasonably practicable, have combined expertise within the following areas:
  - statutory planning, including development assessment;

- planning policy, which may include strategic planning, urban design or architecture;
  - local government, public administration or law; and
  - information technology systems or customer service systems or workflows.
- b. Members of the Expert Panel will be appointed by the Minister, and on conditions determined by the Minister in writing.
- c. The Minister will appoint one Member as the Presiding Member of the Expert Panel.

**5. Remuneration**

Sessional fees will be paid to Expert Panel Members in accordance with Department of the Premier and Cabinet Circular PC016 – Remuneration for Government Appointed Part-Time Boards and Committees (September 2016), and the Boards and Committees – Remuneration Framework (Approved by Cabinet on 10 December 2007).

**6. Term**

The Expert Panel will operate for a period of five (5) months, commencing 1 August 2022 to 31 December 2022.

**7. Presiding Member**

- a. The primary role and function of the Presiding Member is to lead and manage the processes and practices of the Expert Panel, and to ensure the effective delivery of the Expert Panel’s purpose.
- b. In the absence of the Presiding Member, a Member chosen by the majority of Members present will preside at a meeting of the Expert Panel.

**8. Conflict of Interest**

- a. Members must declare any conflicts of interest to the Expert Panel at the start of each meeting or before discussion of the relevant agenda item or topic. Details of the potential or actual conflicts of interest must be appropriately minuted.
- b. Where Members at Expert Panel meetings are deemed to have a real or perceived conflict of interest, it may be appropriate that the Member is excused from deliberations on the matter.

**9. Meeting schedule**

The Expert Panel will meet in person or via Microsoft Teams every month or as otherwise required to deliver the Project (as determined by the Presiding Member in consultation with the Executive Officer).

**10. Agenda and meeting papers**

An agenda and any associated meeting papers will be distributed by the Executive Officer five working days prior to each meeting of the Expert Panel.

**11. Proceedings**

- a. If required, Expert Panel business may be conducted 'out-of-session' by electronic correspondence between the Presiding Member, Members and the Executive Officer (where appropriate).
- b. Each Member has one vote, and the Presiding Member has a casting vote, if required to address an even vote.
- c. Decisions of the Expert Panel are carried by the majority of votes cast. The minutes will only record the decision and not the votes for or against.

**12. Quorum**

For Expert Panel meetings, the quorum is three (3) Members (and no business may be transacted at a meeting of the Expert Panel unless a quorum is present).

**13. Proxies**

Proxy Members will not be appointed. Members are encouraged to attend via online meeting facilities if they are not available to attend in person, otherwise an apology is to be tendered.

**14. Minutes**

- a. The Executive Officer will minute the meeting. The minutes will be concise and only record:
  - The names of Members present
  - Apologies received from Members
  - Any disclosure of interest or conflicts made by a Member
  - A high-level overview of discussion
  - Details of any actions agreed to, and the responsibility for those actions.
- b. The minutes will be distributed amongst members of the Expert Panel within five business days following the meeting and will be included on the agenda of the next Expert Panel meeting for noting.

**15. Attendance of external parties**

- a. Expert Panel meetings are not open to the general public or the media.
- b. The Presiding Member may invite guests to attend specific meetings of the Expert Panel as required, including for the purpose of external parties presenting or advising on specific matters.
- c. Officers from the Department for Trade and Investment may also attend meetings of the Expert Panel as required to support its functions. This will include the Executive Officer, a Project Manager as well as relevant Directors (or their proxies) with expertise in the subject matter to be considered by the Expert Panel at the meeting.

**16. Advice to the Minister**

The Presiding Member, as soon as practical after finalisation of the Panel advice and recommendations to the Minister, will present the Expert Panel's findings to the Minister.

**17. Terms of Reference**

These Terms of Reference may be amended, varied or modified by the Minister at any time by written notice from the Minister to the Presiding Member (through the nominated Executive Officer of the Expert Panel).

**Approval**



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Date: 21 July 2022

**APPROVED** by the Minister for Planning

**Hon Nick Champion MP**