

Terms of Reference

A Review of the Tasmanian Planning Commission

The following terms of reference have been prepared for the review of the Tasmanian Planning Commission and Act:

The Department of Justice will conduct a review of Tasmanian Planning Commission and the *Tasmanian Planning Commission Act 1997 (the Act)* to examine:

1. The structure of the Commission and its functions and powers under the Act to ensure that:
 - a. The Commission is able to continue to perform its role as an independent decision maker and advisory body, in a fair, just, efficient and effective manner;
 - b. The Commission's statutory functions are not compromised by its membership including representatives of Stage Agencies or bodies that are proponents of matters that the Commission's functions extend to;
 - c. The ongoing structure of the office of the Commission and its resourcing and work allocation is reflective of its extended role in the planning system as an independent decision maker and advisory body on the new components of the Tasmanian Planning system; and
 - d. Its functions are not undermined by the demands of historically designated roles under other legislation that might be better reallocated to another agency or body, in particular the State of Environment Reporting function.
2. The conflict of interest provisions in the Act and the process of delegation to ensure they operate transparently and meet public expectations:
3. The ongoing structure of the office of the Commission, including the staffing profile and required capabilities;
4. The roles, functions and appointment provisions of the Executive Commissioner to ensure that they:
 - a. Provide for the appointment of an appropriately qualified person;
 - b. Align with the State Service expectations of a senior executive;
 - c. Provide flexibility of appointment; and allow for the effective management of the Commission, the Commission's office and State Service employees and contractors, in accordance with applicable legislation and State Service policy.