

THLGC
Tabled by: Minister Mander
At: Estimates
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Signature: CM Gaudin

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Terms of Reference

Department of Housing and Public Works

☐ Review Panel

Following the Inquiry into the Operation and Performance of the
Queensland Building Services Authority 2012

Document history

Version	Date	Status	Key changes made	Author/s	Reviewer/s
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0.02	20/12/2012	Draft Version 1	Scope and minor general amendments		DG/Boyd Backhouse
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1. Document purpose

The purpose of this document is to clearly define the Terms of Reference for the Department of Housing and Public Works' Review Panel following the Parliamentary Committee's Inquiry into the Operation and Performance of the Queensland Building Services Authority (QBSA) 2012.

2. Overview

The Transport, Housing and Local Government Committee chaired by Mr Howard Hobbs MP undertook an inquiry following direction from the Legislative Assembly on the 2 August 2012 into the operation and performance of the Queensland Building Service Authority (QBSA). The inquiry included the calling and receipt of public submissions in August 2012 together with a public briefing from industry stakeholders on 27 August 2012 and a public hearing held on the 8 October 2012.

Following the inquiry, the Committee Report No 14: *'Inquiry into the operation and performance of the Building Services Authority 2012'* was tabled in Parliament on 30 November 2012. The report includes 41 recommendations for consideration and a response to these recommendations from the Minister for the Department of Housing and Public Works to be tabled with the Legislative Assembly.

3. Scope of the Review Panel

The overarching objective for the Review Panel is to assist the Minister in providing a report to the Minister for the Department of Housing and Public Works to enable a response to Parliament which addresses the Parliamentary Committee's recommendations with the goal of establishing a more effective structure and processes to deliver the Building Services Authority functions.

The Review Panel, in assessing the recommendations arising from the Parliamentary Committee's Report into the QBSA is to provide advice to the Minister for the Department of Housing and Public Works (DHPW) in addressing the recommendations contained in the Committee's Report and the preparation of an interim formal response to be tabled in Parliament by 28 February 2013 and a final formal response to be tabled in Parliament by the Minister by 30 May 2013.

In addressing the recommendations the Review Panel will:

- Consider the outcomes of further community and industry consultation undertaken by KPMG as part of this review
- Consider the outcomes of the consultation process undertaken as part of the Review into the BCIPA
- Provide opinion and guidance in areas of particular expertise and experience held by the Review Panel members, relevant to this review
- Ensure that in providing the Review Panel's recommendations both the construction and consumer sectors are treated fairly and equally.
- Ensure that any recommendations result in the consumer and industry receiving services which align with the government's priorities
- Ensure that any proposed structure for a 'reconfigured QBSA' will provide a Building Services Authority in which both industry and consumers will have a high level of confidence.
- Ensure that the proposed operating model will facilitate effective, professional and timely delivery of services in a transparent process visible to industry and consumers.

4. Key functions of the Review Panel

The key functions of the Review Panel are to:

- review all documentation provided to familiarise themselves with all aspects of the QBSA and Committee recommendations
- provide input into the community and industry consultation process and recommendations, following receipt of responses, being undertaken by KPMG
- attend formal Review Panel meetings at the offices of the Department of Housing and Public Works. At present it is anticipated that six meetings may be required to finalise the report and formal response for the Minister to table in Parliament.
- review and provide guidance and input into regular draft submissions of the report
- endorse, through the Chair, an interim response in the form of a letter to the Clerk of the Parliament by the Minister prior to 28 February 2013
- review, endorse and sign off the final report and response to be tabled in Parliament by the Minister by 30 May 2013.

5. Membership

The Review Panel shall be comprised of 4 members including:

- Mr Phil Kesby – Chair
- Mr Andrew Wallace
- Mr David Hanna
- Neil Castles, Director-General, Department of Housing and Public Works

Meetings will be attended by members of the Review Panel Secretariat. The General Manager, Project Services will undertake the role of the Review Panel Secretariat.

Specialist advisors from within the Department of Housing and Public Works or other Government Departments may attend meetings as requested by the Review Panel.

6. Convenor/Chair

If the designated Chair is not available, then the Chair will nominate a member as a proxy and the acting Chair will be responsible for convening and conducting that meeting. The Acting Chair is responsible for informing the Chair as to the salient points and recommendations raised or agreed to at that meeting.

7. Agenda items

All agenda items for each Review Panel meeting must be forwarded to the Secretariat by close of business three working days prior to the next scheduled meeting.

The Review Panel agenda, with attached meeting papers, will be distributed at least two working days prior to the next scheduled meeting.

8. Meeting papers

Pre-reading material, including agendas, minutes, reports and recommendations, will be circulated at least two working days prior to each scheduled meeting. It is possible that impromptu meetings may not have this material available prior to the meeting.

9. Minutes

The minutes of each Review Panel meeting will be prepared by the Secretariat.

All Review Panel meetings will be minuted and recommendations/resolutions recorded in the actions register. Minutes will be distributed to the Review Panel members within a week of the meeting.

The draft minutes will be provided to Review Panel members with the meeting papers of the next Review Panel meeting and tabled for endorsement. Any feedback will be incorporated and the final minutes documented.

10. Out-of-session papers

A resolution may be passed without a meeting being held, if the Chair agrees, to the circulation of an out-of-session paper. This mechanism should only be used infrequently for urgent or critical issues.

Agreed out-of-session recommendations or resolutions shall be recorded in the minutes of the next scheduled Review Panel. The Secretariat is responsible for circulating out-of-session papers, and recording the decision.

An out-of-session paper is considered approved if approved by a quorum of members.

11. Frequency of meetings

Meetings are held at the determination of the Chair.

12. Quorum requirements

A minimum of three Review Panel members is required for the meeting to be recognised as an authorised meeting and for the recommendations or resolutions to be valid.

Providing a quorum is established, any recommendations or resolutions about the review process and decisions become binding on all members of the Review Panel even if they were not personally present at the time the recommendation was developed and agreed.

13. Role of individual Review Panel members

13.1 Role of individual members

The role of individual members includes:

- providing independent and expert content
- providing feedback on the likely impact of the proposed recommendations
- maintaining an outcome and output focussed view

- ensuring the security and confidentiality of matters discussed at meetings.

Where individual panel members have a differing view on a recommendation this will be noted in the final report for the information of the Minister.

13.2 Review Panel Chair

The Chair shall manage the Review Panel meetings, ensuring the correct representation is present and that thorough review and discussion underpins each recommendation or resolution made by the Review Panel.

The role of the Chair includes:

- managing the preparation and conduct of the meetings
- ensuring action items are adequately addressed and any outstanding issues are addressed in the required timeframe
- ensuring minutes are accurately minuted, recommendations or resolutions documented and disseminated to the appropriate stakeholders

13.3 Attendees as requested by the Chair

The Chair may invite, as necessary other individuals into the meeting to provide expert advice and/or presentations relevant to a specific area of the review.

