



# Terms of Reference

## Independent Koala Expert Panel

### 1 Purpose

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- 1.1 The purpose of the Expert Panel is to provide independent scientific advice and expertise to the Minister for the Environment and the Department of Climate Change, Energy, the Environment and Water (the Department) on development and delivery of koala conservation work in NSW.
- 1.2 The Expert Panel will:
- provide expert input into the Government's review of the NSW Koala Strategy and subsequent development of a new koala conservation plan
  - provide advice to the Minister for the Environment on the implementation of the Government's new koala conservation plan
  - support an end-of-program evaluation and provide recommendations for ongoing conservation action

### 2 Membership

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- 2.1 At any given time, there will be a minimum of four Expert Panel members, exclusive of the Chair.
- 2.2 The Expert Panel will include at least one Aboriginal member with expertise in Aboriginal perspectives, engagement and/or traditional ecological knowledge.
- 2.3 Additional experts outside the Expert Panel may be consulted for targeted advice to fill knowledge gaps.
- 2.4 Expert Panel members will have expertise in one or more of the subject areas listed below and will be able to apply and contextualise their knowledge on a landscape scale and within the context of existing koala work happening across the state.
- 2.5 Areas of expertise include but are not limited to:
- the science and delivery of applied threatened species recovery management
  - monitoring and evaluation of threatened species or biodiversity for management and planning purposes
  - landscape restoration theory and practice
  - forest ecology
  - wildlife disease epidemiology, and disease management theory and practice
  - threatened species translocation/reintroduction as a conservation tool

- Aboriginal engagement and participation and/or applying traditional ecological knowledge to landscape programs
- climate change impacts and resilience.
- Land use planning and land management frameworks, and/or private land management for conservation
- Koala rehabilitation and wildlife care, and koala emergency response
- Genetics and population dynamics
- Note. Candidates with koala expertise is highly desired

### 3 Appointment of Panel members and the Chair

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- 3.1 The Chair of the Expert Panel is the Deputy NSW Chief Scientist and Engineer.
- 3.2 Vacancies to the panel will be advertised externally in an open, competitive recruitment process. Potential candidates for the Expert Panel may be identified by the Office of the Chief Scientist and Engineer (OCSE) through a skills matrix and invited to apply. OCSE may also consider expressions of interest to join the panel on an ongoing basis to fill vacancies as they arise.
- 3.3 Members of the Expert Panel will be selected by the Chief Scientist and Engineer and Chair.
- 3.4 The Chair and Chief Scientist and Engineer will use the following selection criteria:
- Demonstrate expert knowledge in areas outlined in section 2.5.
  - Has experience in supporting a similar program.
  - Demonstrate an understanding of koala ecology and conservation scientific method, and a capacity and willingness to make objective, evidence-based decisions.
  - Demonstrate strong analytical and communication skills and be able to apply these skills objectively.
  - Demonstrate an ability to express opinions frankly and ask critical questions.
  - Demonstrate an understanding of the broader contextual challenges in koala conversation in NSW; understand the various stakeholder/community interests at play; and be able to operate objectively within these settings.
  - Provide balance to the panel, and not duplicate areas of expertise already represented.
- 3.5 Members will be appointed for a maximum period of 3 years. Members may be reappointed to their position, with approval of the Chief Scientist and Engineer or Chair.

### 4 Roles and responsibilities

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#### 4.1 Chair

The Chair is responsible for leading the activities of the Expert Panel including:

- ensuring that the Expert Panel performs its functions, acting within any relevant statutory powers, legal obligations and complying with policies relevant to the entity (including whole of government policies)
- facilitating the conduct of meetings to allow frank and open discussion
- facilitating the flow of information to members and stakeholders
- liaising with the relevant Ministers and the senior executive of the Department
- reviewing the performance and contribution of members
- managing the recruitment of new members and providing recommendations to the Chief Scientist and Engineer to fill vacancies.

## 4.2 Members

Members are expected to:

- support the functions of the Expert Panel
- provide analysis and expertise to inform decision making
- review data and information to provide feedback to the NSW Government on their approach
- attend meetings and participate in decision making processes
- undertake consultation or research and review relevant materials prior to meetings to facilitate discussion of the agenda items.
- Comply with the NSW Boards and Committees Code of Conduct and their duties outlined in Chapter 6.

## 4.3 Secretariat

Primary secretariat support for the Chair and Expert Panel is provided by OCSE to ensure independence of the Expert Panel from program implementation. When required, additional support may also be provided by the Department.

Secretariat support will include:

- administration including agendas, papers, and minutes
- logistics including pre-briefs, meetings, and workshops
- coordination and information flow including between OCSE, The Department, and Panel members.

## 4.4 Budget

OCSE will manage the remuneration and administrative arrangements of the Expert Panel to maintain the panel's independence. This responsibility includes payment of members and their expenses, holding the contracts and recovering costs from the Department.

The Department will reimburse OCSE for payment of members and their expenses, and costs associated with running Expert Panel meetings, such as catering.

## 5 Operating protocols

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### 5.1 Quorum

Half the Expert Panel members, plus the Chair, constitutes a quorum. All reasonable efforts will be taken by the Secretariat to ensure there is a quorum at Expert Panel meetings. If a quorum is not achieved, the meeting will be rescheduled to a later date.

### 5.2 Decision-making

The Chair is responsible for the escalation of any issues from the Expert Panel to the Chief Scientist and Engineer and/or the Minister for Environment.

The Chair may provide advice on behalf of the Expert Panel where consensus is not reached. Where this is appropriate, the Chair is required to represent dissenting views.

### 5.3 Meeting agendas

Meeting agendas will be prepared by the Secretariat in consultation with the Chair, Panel members and the Department, and will be circulated to members and the Department at least two weeks in advance of meetings. For meetings requested by the Department, the meeting agenda may be prepared by the Department in consultation with the Secretariat

### 5.4 Meeting papers

The Department may be requested to provide information and/or data to inform Expert Panel meetings and reviews. Requests for such information and/or data will be coordinated through the Secretariat and provided to the Expert Panel at least four weeks prior to requiring any feedback. Exceptions to this timeframe may be approved by the Chair when urgent advice is required. The secretariat will provide panel members with action items within three business days of meetings as relevant.

### 5.5 Meeting minutes

To ensure transparency and accountability, the decisions, resolutions, guidance, and advice of the Expert Panel will be recorded in the Minutes of each meeting by the Secretariat and circulated by the Secretariat to members and the Department.

Minutes will be concise and succinct. Minutes will record Members' identification of conflicts of interest where needed.

### 5.6 Meeting frequency

The Expert Panel will meet at least once a year to develop recommendations for the Minister for the Environment. This meeting will review the work completed during the year prior and inform advice for the year to come.

The Department is required to provide information to support the Expert Panel's annual review and recommendations at least four weeks in advance of the meeting.

Additional meetings may be arranged by OCSE as required.

## **5.7 Direct consultation**

The Department may engage individual Expert Panel members for targeted advice based on their area of expertise.

Advice provided through direct consultation will not require approval from the Chair or broader Expert Panel. Formal advice will be circulated with the Expert Panel members for information out of session.

Members providing targeted advice will be remunerated in line with section 5.9.

## **5.8 Vacancies**

A member of the Panel shall be deemed to have vacated the member's office if the member:

- resigns the member's office by writing under the member's hand addressed to the chair
- is removed from office by the chair
- is unable adequately perform their duties outlined in section 4.2 and Chapter 6.

## **5.9 Remuneration**

Expert panel members who are not representing the NSW Government will be remunerated in accordance with the Classification and Remuneration Framework for NSW Government Boards and Committees (currently \$110 per member, per half day). The OCSE will manage the Expert Panel members contracts and cost recover remuneration from the Department

Members are entitled to be reimbursed legitimate travel, accommodation and meal expenses. The OCSE will recover any costs associated with Expert Panel arrangements with appropriate approval from the Department.

## **5.10 Expert Panel review**

The Expert Panel and the Terms of Reference will be reviewed every three years or as required.

The Chief Scientist and Engineer, in consultation with the Department, will lead reviews to ensure the Panel maintains the appropriate membership and operating protocols to fulfil its purpose outlined in Section 1.

# **6 Code of Conduct**

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## **6.1 Code of conduct**

The Chair and all members are required to comply with the NSW Boards and Committees Code of Conduct. A member may be removed from the Expert Panel for breaching the code of conduct.

Expert Panel members are expected to:

- Attend all meetings

- Support a collaborative meeting environment that encourages open discussion of issues and risks
- Respect fellow Expert Panel members, and Departmental and Secretariat staff
- Respond to requests for advice, as required
- Read and consider all papers circulated before the meeting pending adequate time prior (four weeks minimum) is provided to the Expert Panel.

## **6.2 Declaring pecuniary interests**

The Chair and members of the Expert Panel must declare actual or perceived conflicts of interest, and pecuniary interests upon their appointment, and advise the Secretariat accordingly if there are any updates for the duration of their tenure.

## **6.3 Managing conflicts of interests**

Members must mitigate conflict of interests by:

- disclosing any actual or perceived conflict of interest which may exist as soon as they become aware of the issue
- declaring any actual or perceived conflict of interest on any agenda item at the start of the relevant meeting
- not participating in discussions, potentially being excused from the room and not contributing on any issues where an actual or perceived conflict of interest has been identified.

## **6.4 Confidentiality**

Any business transacted in Expert Panel meetings including deliberations, findings, decisions, conclusions, and proposed recommendations is strictly confidential unless otherwise stated.