
About this Consultation Guide

This Consultation Guide provides information about the *Review of Local Government Compliance and Enforcement IPART Final Report* (the Final Report). It supports councils, industry and the community to consider and provide feedback on the recommendations made by the Independent Pricing and Regulatory Tribunal (IPART) in the Final Report.

Each of IPART's reviews were commissioned to identify how best to deliver the Government's commitment to ensure a fair and equitable rating system, cut red tape and reduce costs and delays for business and the community. These issues are critical to the future of local government and local communities across NSW. See how to provide feedback to this review on page 3.

About Local Government Compliance and Enforcement

In NSW, councils undertake a wide range of diverse compliance and enforcement roles under the *Local Government Act 1993* and many other laws. In fact, IPART identified that councils undertake 309 separate regulatory roles under 67 different state laws administered by around 31 agencies.

Local councils are one of the biggest regulators in NSW and play a vital role in enforcing many laws that impact businesses as well as the broader community, from enforcing pet registration to approving footway restaurants, local community events and establishing alcohol free zones.

About the IPART Review

The NSW Government is committed to reducing unnecessary costs ('red tape') on business and the community resulting from how councils go about their compliance and enforcement roles. With that in mind, and to help deliver the Government's commitment to reduce 'red tape' costs for business and the community, the Government commissioned IPART to undertake this review.

The purpose of this review was for IPART to examine local government compliance and enforcement activity (including regulatory powers delegated under NSW legislation) and make recommendations about how to reduce unnecessary regulatory burden for business and the community.

IPART's *Review of Local Government Compliance and Enforcement* included a consultation roundtable as well as the release of an issues paper and draft report for public consultation. IPART received around 150 submissions in relation to this review.

IPART's Final Report and recommendations

The Final Report on the *Review of Local Government Compliance and Enforcement* includes 42 recommendations. IPART proposes changes to compliance and enforcement to reduce 'red tape' impacts on business and the broader community as well as to improve the capacity and capability of councils to undertake regulation more generally.

These recommendations would change how regulations are made and how councils' role is determined in general. The recommendations also propose specific areas in which council's powers or approach might be improved. These specific areas significantly impact local communities and range from enforcing parking restrictions to inspecting mobile food vans and certifying buildings.

Key issues raised in the Final Report include:

- improving engagement and coordination between state agencies and local councils
- how to support stronger regulatory capacity and capability across councils
- balancing consistency across council areas with flexibility to meet local needs, and
- encouraging councils to share ideas and best practice approaches.

Responding to this review

IPART proposes significant changes to local government compliance and enforcement which, if implemented, would require amendments to a range of laws and impact several state agencies. Importantly, a number of these proposals have already been addressed through Government initiatives to consolidate building regulation, streamline pet registration, avoid costly by-elections, and encourage councils to share resources.

IPART's Final Report on this review has now been released for widespread consultation with residents, council staff, councillors, peak bodies and other key stakeholders. The Government welcomes community views on the majority of IPART's recommendations prior to finalising its response to the Final Report of this review. For further information about recommendations not open to further feedback, see "ISSUES TO CONSIDER WHEN PROVIDING FEEDBACK" on page 3 of this guide.



FIND OUT MORE:

- The Terms of Reference for the Review and an overview of the Review process (including the prior consultation undertaken) are [here](#).
- The Final Report and recommendations can be downloaded [here](#).

How to provide feedback

- Feedback should be provided in the [online feedback](#) form. For ease of reference, the feedback form is also in the Appendix to this Guide.
- Alternatively, feedback can be provided to Office of Local Government (OLG) by email at lgenforcement@olg.nsw.gov.au.
- The closing date for feedback is **15 November 2019**.
- For further information contact OLG at lgenforcement@olg.nsw.gov.au.

ISSUES TO CONSIDER WHEN PROVIDING FEEDBACK

- As indicated in the [online feedback form](#).
 - A number of recommendations in the IPART reports have already been implemented through other reform programs, or are currently the subject of separate consultation.
 - There are also a number of recommendations that the government has ruled out, because they may have adverse impacts on vulnerable members of the community, affect regional jobs and economies, or substantially increase costs for taxpayers and the broader community.
 - These matters are marked “Not for consultation” on the feedback form.
- As some recommendations are inter-related, answering “don’t support” to specific recommendations will mean that you do not need to provide feedback to others.

Providing feedback on other IPART Reports

In June 2019 the NSW Government commenced consultation on the Final Reports of three separate IPART reviews, including this Review of Local Government Compliance and Enforcement. Further information about the other reviews and how to provide feedback on them is set out below.

FEEDBACK ON THE FOLLOWING IPART FINAL REPORTS

- **Review of Local Government Rating System**
 - The Terms of Reference for the review are [here](#). The Final Report and recommendations are [here](#). Consultation closing date is **13 September 2019**.
- **Review of Reporting and Compliance Burdens on Local Government**
 - The Terms of Reference for the review are [here](#). The Final Report and recommendations are [here](#). Consultation closing date is **25 October 2019**.

Feedback form