

## Late Addendum Report

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### b52 [CS-CM] IPART - Local Government Compliance and Enforcement - Tweed Shire Council Submission

**SUBMITTED BY:** Corporate Governance

Valid



## Civic Leadership

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
  - 1.4 Strengthen coordination among Commonwealth and State Governments, their agencies and other service providers and Statutory Authorities to avoid duplication, synchronise service delivery and seek economies of scale
  - 1.4.1 Council will perform its functions as required by law and form effective partnerships with State and Commonwealth governments and their agencies to advance the welfare of the Tweed community
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### SUMMARY OF REPORT:

IPART has released a Draft Report on *Local Government Compliance and Enforcement* which recommends reforms to increase the level of consistency, co-ordination, co-operation and harmonisation amongst councils in undertaking their regulatory roles, as well as recognising the need to reflect local preferences in council approaches where appropriate.

The basis of the draft report which contains 39 recommendations is to reduce “red tape” costs for business and community. A short fact sheet which summarises the draft report is attached to this report.

IPART are inviting submissions, which close on 4 July 2014, to be made in response to the draft report.

The proposed reforms are across the majority all of Council functions.

### RECOMMENDATION:

**That Council lodges the submission included in this report to IPART in response to the 39 recommendations contained in the Draft Report on *Local Government Compliance and Enforcement*.**

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### REPORT:

The NSW Government commissioned IPART in 2013 to examine local government compliance and enforcement activities including regulatory powers delegated under NSW legislation and provide recommendations that will reduce unnecessary regulatory burdens for business and the community. The NSW Government seeks to reduce 'red tape' by \$750 million by June 2015.

The IPART Report highlights NSW local councils carryout 121 regulatory functions, involving 309 separate regulatory roles enforced by 37 State legislations which are administered by 31 State Agencies. It is necessary to improve outcomes for both business and community through better State Agency - Local Government coordination in development of regulations, taking into account Councils capacity and capability to reduce 'red tape', economies of scale and ideas sharing amongst Councils.

### Council's submission on the draft recommendations is outlined below:

#### Partnerships between State and Local Government

1. State Local Government Partnership: Subject to cost benefit analysis, the NSW Department of Planning and Infrastructure ('DoPI') should engage in a Partnership Model with local government similar to the Food Regulation partnership, to enhance the capacity and capability of councils to undertake their regulatory functions through clear legislation that supports a risk based approach, with mandatory monitoring reports, cost recovery options and creation of a new State based Unit to support Local Government.

*Response:* Council agrees, that subject to a cost benefit analysis the establishment of a Partnership Model would provide a strong framework for ongoing review and refinement of council's implementation and enforcement of regulation.

It is important that the Model is effective, as the establishment of the Food Regulation Partnership has been. There is high cost to Council in undertaking its regulatory functions, especially where there is inconsistency in regulatory instruments or dated planning laws and not implementing a risk based approach to regulation.

Linked to the Partnership Model should be any initiatives proposed as part of the "cultural change" program in the White Paper.

2. Partnership Model: The Environment Protection Authority should engage in a Partnership model with Local Government that is similar to the Food Regulation Partnership model, subject to cost benefit analysis.

*Response:* The Food Regulation Partnership model is a consultative and collaborative approach to regulation and provides educational, compliance and enforcement tools to ensure a consistent approach across the State within the food industry, the success of the model is evident.

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Though there have been improvements within the Environment Protection Authority, the draft recommendation model applied to environmental regulation would bring about similar benefits to councils and the community and is therefore supported.

It is suggested that a more collaborative approach would also ensure that any further regulatory responsibilities devolved to councils under any partnership would be appropriately considered and funded to ensure that they are adequately resourced.

### Improve regulatory framework at the State level

3. Regulatory proposals : The Better Regulation Office ('BRO') to revise the NSW Guide to Better Regulation for regulatory proposes to set out clear boundaries for Local Government responsibilities, consider costs and benefits of options on Local Government, the capacity of Local Government to administer responsibilities and consultation with Local Government. Clear agreements between State and Local Government in any jointly administered services or functions as to objective, design, standards and funding and compliance implementation plan.

*Response:* Any amendments to the NSW Guide would be strongly supported, should they reflect the development and implementation of the partnership model embraced by the NSW Food Authority. The partnership is generally well received by councils as measured by the high level of commitment and ongoing participation of councils. The development of the partnership was grounded in a well resourced, consultative and collaborative environment.

4. Legislative force: NSW State Government should established better regulation principles through amendment of Subordinate Legislation Act 1989 (NSW) by enacting statutory force to the NSW Guide to Better Regulations.

*Response:* The amendment to the legislation has merit, provided that the NSW Guide ensures that there is adequate consideration given of councils capacity and capability to implement or manage regulation at the design stage and provide a check on the cost in delivering the regulation instead of shifting the cost of the regulation from the state to local government.

5. Mandatory register: The NSW Government should mandatory maintain a register of delegated regulatory responsibilities to Local Government for State Agencies to manage the volume of delegated responsibilities and avoid any duplication or overlapping of regulations with any new or amended functions or powers.

*Response:* Council agrees that an agency of the NSW Government should maintain the register as it would provide a record of all local government regulatory functions in state legislation, assist local government in carrying out their regulatory functions and provide

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advice in the development of new regulations through a review mechanism of existing regulations in the register.

It is important for councils in delivering regulatory functions, that there is no duplication or overlapping of legislation.

6. **Regulators' Compliance Code:** The Better Regulation Office ('BRO') should develop a Regulators' Compliance Code to guide Local Government to carry out enforcement activities. In consultation with Local Government and Regulators to develop a cost benefit analysis guidance material for Local Government to carry out proportional assessments of cost benefits of regulatory actions, policies and alternatives. Similar guidance for the development of Local Government policies and statutory instruments.

*Response:* Council offers no opinion on the development of a Regulators Compliance Code. The development of the Code could be impacted if a number of the draft recommendations in the report are implemented, especially recommendation numbers 1 and 4.

In developing the Code, the State Government must give consideration to resource/cost implications when devolving enforcement activities to Local Government, through extensive consultation with stakeholders.

7. **Model Enforcement Policy and Guidelines:** The NSW Ombudsman to develop and maintain a detailed model enforcement policy and guidelines for adoption by Local Government and implemented by fee-based training with the NSW Ombudsman.

*Response:* It would be appropriate for the NSW Ombudsman to develop and maintain a detailed model enforcement policy and guidelines for adoption by Local Government, similar to the Office of Local Government with the Model Code of Conduct. The NSW Ombudsman has previously published guidelines and the development of a model enforcement policy would be a continuation of their previous work in the matter.

8. **Abolish Local Orders Policies** currently in the Local Government Act 1993 and replace with adoption of the Model Enforcement Policy and Guidelines.

*Response:* Council agrees that section 160 of the Local Government Act be removed and replaced with a Model Enforcement Policy and Guidelines, similar to the Code of Conduct. It would provide a consistent risk-based enforcement framework, but it would enable council to exercise discretion in undertaking their enforcement activities.

9. **Published Guides:** NSW Government to publish and distribute guides for Councils to set regulatory fees and charges in particular where Local Government has discretion and State Agencies to set regulatory fees and charges. Guides to

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include principles and methodologies for estimating efficient costs to set fees and charges and updating fees and charges.

*Response:* Council supports that the NSW Government publish and distribute guides to Councils where a council has discretion in setting its fees and charges. Council should have the ability to reflect their own preferences in setting fees and charges, in particular in applying the principles of efficient cost recovery.

It would be more beneficial for the general public, if there is a requirement for councils to publish a rationale for their fees and charges.

### Enhance regulatory collaboration amongst Councils

10. Sharing Regulatory Services: Amend the Local Government Act 1993 to remove any conditions against sharing regulatory services in particular, amend or remove section 379 restricting delegations of regulatory functions to include shared service bodies and amend section 377 to permit delegation by council of the acceptance of tenders. If Regional Organisations of Councils ('ROCs') continue as a preferred form of Council collaboration then amendment to the Act should be specific in how and what sought of ROCs should be established.

*Response:* Council supports the amendment of section 379 of the Local Government Act to enable councils to delegate regulatory functions to shared services bodies, which could improve efficient operation of the regulatory functions.

The amendment of section 377 to facilitate councils entering into collaborative procurement arrangements via ROCs has merit, especially allowing for councils to delegate procurement functions to general managers in excess of the current maximum amount of \$150,000, with a "report back" mechanism.

11. Collaborative regulatory arrangements: NSW State Government should create incentives to form collaborative regulatory arrangements which should include training, guidance in line with leading practices together with the establishment of a small repayable fund to assist in setting up shared regulatory services. Possibility of loan at concession interest rates to be cost neutral over time as cost savings from shared services materialise.

*Response:* Council supports this recommendation, not directly for itself, but as a partner in entering into a collaborative arrangement for shared regulatory services with a smaller council. The financial situation of smaller councils does impact on their potential to actually deliver a standard of regulatory services that is able to be delivered by a larger council.

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The availability of funds to assist smaller councils in entering into a shared regulatory arrangement with a larger council has merit for consideration.

### The Local Government Act

12. Abolish duplication between approvals in the Local Government Act and Environmental Planning and Assessment Act including footpath dining, mobile vendors, installation of amusement devices, installation and operation of manufactured homes and storm water drainage approvals.

Abolish low-risk activities from approvals under section 68 of the Local Government Act including Busking, set-up, operation and use of loudspeakers or sound amplifying devices, deliver a public address or hold a religious service or public meeting.

Increase duration and allow for automatic renewal of approvals.

Standardise exemptions or enable minimum requirements for section 68 of the Local Government Act in areas like footpath dining, A-frame or sandwich boards, skip bins, domestic oil or solid fuel heaters.

Abolish Local Approval Policies ('LAPs') or reduce consultant period to 28 days in line with Development Control Plans, remove sunset clauses, require Ministerial approval for only amendments of substance, on the Office of Local Government website, centralise LAPs in alphabetical order. To consolidate a 'one' LAP per Council in line with an Office provided model.

Permit section 68 of the Local Government Act approvals to be recognised by all Councils if wanted.

*Response:* It is acknowledged that duplication of approvals exist across numbers of legislation and Council concurs that this concern needs to be addressed. However, there are strengths and weaknesses within the various legislation in its ability to issue approvals in a timely manner and utilise tools to seek compliance and enforcement efficiently.

The IPART Draft Report does not appear to have explored the consequences to councils or the community. Accordingly, further consultation is required to explore and discuss with councils the adequacy of alternative legislation that would practically regulate such approval activities.

Council generally supports the removal of low-risk activities under section 68 of the Local Government Act. Council has had minimal issues on community land( Part D applies), community noise nuisance issues are raised when these activities are carried out on public roads. Council has limited ability to resolve recalcitrant busker nuisance issues.

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Council offers no objections to the remainder of the matters discussed within this draft recommendation. In regard to duration of approvals, the provisions should not be prescriptive, minimum requirement details should be contained within the Regulation and Council already applies mutual recognition of inspection processes on mobile food business vendors.

13. Compliance, enforcement powers and sanctions: Amend the Local Government Act to standardise compliance, enforcement powers and sanctions for Council enforcement officers. Powers based on existing provisions in other legislation developed in consultation with the NSW Ombudsman, Better Regulation Office and State and Local Government Regulators with effective cost recovery mechanisms.

*Response:* This recommendation has merit, especially where consideration is given to the creation of a single consolidated Act for all local government compliance and enforcement powers, sanctions and cost recovery mechanisms to assist council to undertake their regulatory role. However, the Act should apply best practice, so that it does not increase Council enforcement costs.

14. Internal Review Mechanisms: Councils should support alternative internal review mechanisms provided for example by the NSW Ombudsman, NSW Small Business Commissioner and provides of ADR services.

*Response:* Council offers no comment on this, except that it has in place a Mediation Procedure which supports alternative review mechanisms.

15. State Agencies devolving regulatory functions on Local Government by considering a risk-based approach to compliance and enforcement, defining regulatory outcomes and setting of monitoring measures, defining information needs of Local Government to achieve proposed outcomes and monitoring requirements to be developed with Local Government Regulators to commence by end of 2014.

*Response:* The current approaches and reporting requirements of councils to various state government agencies of its regulatory functions is costly and is the outcome information of benefit to gauging the regulatory performance of councils. Their performance should be based on a risk-based approach and not prescribed by legislation or undertaking compliance and enforcement in a manner in which it has done in the past.

Councils should be encouraged to be proactive and not totally reactive.

Council supports the recommendation in that it should result in a compliance and enforcement activity that is applicable to its local area, whilst identifying appropriate information that needs to be obtained from council and how the results can be measured and used.

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16. Stakeholder consultation: The Department of Planning and Infrastructure to consult with stakeholders to identify development consent conditions that could be applied across Councils and develop a standard set of consolidated development consent conditions for Councils to utilise for development needs.

*Response:* Council considers that this recommendation has some merit, which would apply to single dwelling and dual occupancy residential development only. The results of the consultation is important in determining the merits of the recommendation, however councils should still have the ability to place consent conditions on a development which are site specific.

17. Online Annual Fire Safety Statements: The Department of Planning and Infrastructure should enable online lodgements of Annual Fire Safety Statement to Councils and the Commissioner of the Fire and Rescue Service.

*Response:* Council for over 10 years has maintained its Essential Services Register, which includes a fee for service and a review to ensure the statement is consistent with Council's records. Any on line system would need to include a payment for registration (to cover Council's administrative and professional costs) and a review to ensure that statements are consistent.

### Building and Construction

18. Single State Building Authority: The State should create a single State Building Authority containing a minimum role of the Building Professions Board and building, trade aspects of the NSW Fair Trading Authority. Authority interaction with Local Government coordinated through the Partnership Model.

*Response:* Whilst Council is of the opinion that the creation of a single State Building Authority could benefit the building industry, it is prepared to evaluate the results of a cost benefit analysis, prior to forming a final opinion, especially how the proposed new authority would function and where it would report to.

19. Building Professionals Board or Building Authority if adopted should modify its register of accredited certifier to link directly with its registered disciplinary action and in the longer-term create a single register so consumers can check a certifiers accreditation and history of disciplinary action.

*Response:* Council supports this recommendation, as it will provide to the person with the benefit of a development consent information on the accredited certifier who will be managing the development. Certifiers should be primarily obligated to the owner of the development consent, as it could be suggested that the certifier may be under the control of the builder, as they may have arrangements with them.



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20. Councils seeking to impose consent conditions above the Building Code of Australia ('BCA') will need to do a cost benefit analysis to justify the benefits of additional requirements and seek approval from for example IPART under a gateway model.

*Response:* Council endeavours to minimise costs to the community, by developing general development consent conditions, however it considers that it should have the ability to set development consent conditions of a higher standard, depending on the nature and location of the development.

Council therefore, does not object to this draft recommendation

21. Certifiers must inform Council of any builder's breach if not addressed to Certifiers satisfaction. Where a Council has been notified must respond in writing to the Certifier in a specified response time. If the response time lapses the Certifier may issue an Occupation Certificate.

*Response:* Council considers it is imperative that certifiers inform Council immediately of any builder breaches, as it is highly probable that Council would receive complaints about any breaches on site and early notice would enable a greater transparency and appropriate action through collaboration from the builder/ certifier/ Council/ complainants.

It should be re-iterated that should Council fail to respond within a reasonable period of time (14 days) that the legislative requirement on the certifier to ensure compliance with the development consent especially in regard to the issue of an occupation certificate is not waived or diluted.

22. The Building Professionals Board ('BBP') or the Building Authority will incorporate into the current Principle Certifying Authority signage information setting out the contact details for specific complaints (example onsite runoff issues) commencing on a trial basis.

*Response:* Council agrees that incorporating the signage, could significantly reduce the number of complaints being received by Council, by directing complainants to the nominated contact details for specific complaints has the ability to speed up rectification of complaints and reduce Council involvement in the complaint process.

### **Public health, safety and the environment**

23. All Councils to adopt the NSW Food Authority's guidelines on mobile food vendors to enable food inspections on mobile vendors home jurisdiction which will be recognised by other Councils.

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*Response:* Council has no objection to the draft recommendation, as it currently applies mutual recognition of inspection processes of mobile food business vendors with other NSW councils and across the border with QLD councils where the business is registered and inspected regularly.

24. Council and the NSW Food Authority to stipulate a maximum frequency of inspections by Council of retail food businesses with a strong record of compliance to reduce over-inspection.

*Response:* Council strongly objects to the draft recommendation.

NSW Food Authority guidelines stipulate recommended inspection frequencies, in particular Council does generally inspect most medium and high risk retail food premises twice annually in line with the guidelines. Further, Council Officers have already adopted an approach where retail food businesses with a strong record of compliance can have their food inspection reduced to once per annum.

Should any premises not be inspected in any 12 month period, Clause 12 of the Food Regulation requires the annual administrative charge to be refunded. The administrative charge assists councils to recover costs to administer the program and further supports staff training, community education, equipment purchases and technological support. These costs will be incurred by Council whether an inspection is carried out or not.

There are additional benefits in ensuring a regular regulatory presence with the food business including relationship building, sharing of information, changeover of business operators and staff.

25. NSW Food Authority to finalise its internal review and collaborate with Local Government to implement reforms within 18 months of review completion to remove regulatory overlap, develop a single register for notification for all food businesses to remove businesses need to notify both Council and the NSW Food Authority. Review notification system to establish if negligible risk is exempt from notification requirements and to introduce a standard inspection template across Councils for consistency of inspections State wide.

*Response:* Council has no objection to the draft recommendation to remove regulatory overlap.

Council has not experienced any issues of regulatory overlap. Where, there has been some confusion a simple discussion with the food Authority's Local Government Unit has clarified the matter.

Council does object to the draft recommendation for the development of a single register.

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it is agreed that the development of a single register may be more efficient to avoid duplication. There have been significant problems with the Food Authority maintaining up-to-date data and the cleansing of current data. This issue is compounded by the considerable turnover of businesses that is an aspect of the modern food industry.

Councils in any event need to maintain a sufficient database to support an inspection program and provide the necessary statistical information required by the Food Authority as well as providing input into their annual performance reports to the community. In addition, councils operate different software databases. The draft recommendation would be supported if an appropriate enforcement agency was required to be notified.

Council has no objection to the necessity to notify negligible risk food businesses and use of a standard inspection template, as it does not maintain a register of food businesses where there is no minimum annual inspections, as well it supports and promotes a consistent approach to food business inspections and utilises the standard template.

26. Swimming Pool Inspection Program: Office of Local Government should develop a risk-based inspection program to assist Councils in swimming pool inspection program, provide compliance workshops and promote a standard services or 'flying squad' for swimming pool inspections if backlogs within new compliance requirement become apparent and review the Swimming Pools Act 1992 in five years to determine cost benefit of the legislative changes.

*Response:* Council agrees that by developing a model risk based inspection program, with the ability to tailor the inspection program, would assist council in having a consistent and least cost approach to its inspection program. The use of shared services from neighbouring councils can be facilitated, to deal with "spikes" in inspections or if a backlog becomes apparent.

27. Ageing and Disability and Home Care and Office of Local Government should develop a model risk based inspections program with inspection checklist to assist Councils to develop programs under the Boarding Houses Act 2012 (NSW), issue guides on implementing the Act and coordinate workshops for Council staff responsibilities to implement Act requirements.

*Response:* Council agrees that by developing a model risk based inspection program, with an inspections checklist would assist council in having a consistent approach and least cost approach to its inspection program.

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28. The NSW Department of Planning and Infrastructure with the EPA and other stakeholders should develop standard waste management requirements for inclusion in the NSW Housing and NSW Industries and Commercial Codes to establish site waste management standard and requirements for exempt and complying development. In addition remove the need for applicants to submit separate waste management plans to Councils for these types of developments.

*Response:* Council is in agreement with the development of standard requirements, that enhanced standardisation and consistency is introduced into Waste Management Plan requirements for development activities. It could be suggested that a Model Waste Management Code be developed, but each council be required to develop their guidelines for monitoring and enforcement of smaller scale and exempt and complying developments.

### Parking and road transport

29. The State Debt Recover Office ('SDRO') to handle parking fine review requests or appeals to remove current duplication and confusion. Or adopt the SDRO guide for handing representatives where a Council uses SDRO's basis service package and retains the role of handling parking fine requests for review or appeals to attain consistency and fairness across the State.

*Response:* Council currently uses the State Debt Recovery Office (SDRO) to handle parking fine requests for review or appeals.

Therefore, Council supports the draft recommendation that for either the SDRO or councils being required to use the SDRO guide for managing fine reviews or appeals. Whilst it does reduce council's appeal costs, having an independent third party does result in consistency in managing fine reviews or appeals.

30. Office of Local Government to review and update free parking area agreement guidelines, Councils should than have a free parking area agreement in place consistent with these guidelines.

*Response:* Council supports the need for an updated Free Parking Area Agreements Guideline, including a model agreement from the Office of Local Government as there appears to be an increasing requirement for councils to regulate privately owned parking areas. The documentation will clarify the services to be provided by council is regulating privately owned free car parks, on behalf of businesses.

31. NSW Government notes potential red tape savings accrued through the National Heavy Vehicle Regulator to provide technical assistance to Councils in certifying local roads for heavy vehicle access and provide guidelines to Councils for assessing applications for heavy vehicle access on local roads.

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*Response:* Council agrees that there is a requirement for some form of consistency between councils in approving heavy vehicle access in the use of local roads, as Councils currently use different methodology for assessing applications for heavy vehicle access, including public perception and concerns.

### Companion Animals Management

32. Office of Local Government allow optional 1-step registration process where a pet owner could microchip and register at the same time and the person completing the microchipping act as a registration agent for Councils either by providing online facilities or passing registration onto Councils.

*Response:* Whilst Council is generally in agreement with the optional 1- step registration process, it is concerned that , the online process should be implemented to ensure that registration is undertaken without limiting Council's dog registration functions or registration fee raising ability. Any fees paid to registration agents, should be determined by the Office of Local Government in conjunction with Local Government NSW and not set by the registration agent.

33. Office of Local Government allow for online Companion Animal registration, including change provisions Response.

*Response:* Council agrees that Companion Animal Registration information can be amended on line, especially that it is proposed that the process is to be password encrypted. The process could assist animal owners updating Register records in their own time without having to refer changes to Council Officers to update the records. Further it would assist in allocating council officers to more resourceful duties.

34. Office of Local Government to implement targets for responsible pet ownership campaigns with Councils of concern with input from industry experts, to provide accessible facilities for desexing in area where campaigns rolled out.

*Response:* Council agrees that any responsible pet ownership campaigns would benefit the community and could result in reduction of Council resources and costs allocated to companion animals or allocated to other Companion Animal activities.

35. Office of Local Government amend the Companion Animals registration form for mandatory input of owners date of birth and other identifies like a drivers license number.

*Response:* Council agrees that the Companion Animals Form should include a mandatory input of owners identification, in order that the enforcement of fines and penalties process could be simplified.

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It offers no opinion on what form the mandatory owners identification should involve, except that it should be the form which simplifies the fines and penalties enforcement process.

36. Office of Local Government amends the Companion Animals Act to enable fees to be periodically indexed by CPI.

*Response:* Council agrees strongly that Companion Animals Act fees should be periodically indexed by CPI.

Fees not indexed annually do have an impact on revenue available to councils in providing services to the community and they should have some correlation to the cost of providing the service.

### Other areas

37. Amendment to section 125 Roads Act 1993 to extend the lease terms for footway restaurants to ten years subject to lease provisions.

*Response:* Council has no objection to the draft recommendation.

It is Council's experience that only a small percentage of restaurant operators conduct a business for a period greater than 7 years. Council has not experienced many issues with its current arrangement of 2 x 2 year leases. Of more concern is the ongoing maintenance of permanent infrastructures within the road reserve and adequately linking responsibilities to the maintenance of the infrastructure.

38. Office of Local Government to collect dates on the time take for section 68 approvals of the Local Government Act to use as a performance target to reduce delays.

*Response:* Whilst the reporting of high risk section 68 approvals processing times would be possible, it is questionable, whether they add value, as the approvals for water, sewer and stormwater drainage are very different in nature and complexity of assessment.

39. Councils should issue longer-term Development Applications for periods of 3-5 years for recurrent local community events subject to amendments under section 96 of the Environment Planning and Assessment Act.

*Response:* For events on community land and road reserves, Council does require a development application, as they are covered in the LEP and Council has not received a recurrent development application for community event on private land.

Council considers that issuing development consent for recurrent local community events has merit, provided that there are no changes to the event or impacts on the community.

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### OPTIONS:

That Council:

1. Lodges a submission without change.
2. Lodges a submission with changes.
3. Does not lodge a submission.

### CONCLUSION:

That Council lodges the submission to IPART in response to the 39 recommendations contained in the Draft Report on *Local Government Compliance and Enforcement*.

### COUNCIL IMPLICATIONS:

**a. Policy:**

Corporate Policy Not Applicable.

**b. Budget/Long Term Financial Plan:**

Could have both positive and negative impacts if recommendations are implemented.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

Not Applicable.

### UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1      Independent Pricing and Regulatory Tribunal (IPART) Fact Sheet -  
Local Government compliance and enforcement - Summary of Draft  
Report (ECM 3370021).

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