



New South Wales Government

IPART's *Investigation into the Burden of Regulation and Improving Regulatory Efficiency*: Second Six-Monthly Progress Report

October 2008

The Independent Regulatory and Pricing Tribunal (IPART) released its *Investigation into the Burden of Regulation and Improving Regulatory Efficiency* in October 2006. 74 recommendations were made to improve regulatory process and reform specific policy areas. The NSW Government responded in 2007 and committed to reporting against each on a six-monthly basis. This is the second progress report and indicates that the Government continues to deliver on its commitments to cut red tape. A further 14 recommendations were completed since April bringing the total of completed recommendations to 37. The remaining 37 are on-track to be delivered.

The reforms to regulatory process under recommendations 1 to 16 have proceeded with the release of the first annual report on regulatory reform across NSW. This report provides an overview of the Government's performance in reducing regulatory burden from January 2007 to June 2008. It also contains case studies that highlight specific reforms that have reduced regulatory burden across NSW. Two tools, *Measuring the Costs of Regulation* and *Risk-Based Compliance*, were released during the second reporting period to assist agencies with the better regulation requirements provided in the *Guide to Better Regulation*.

There have also been significant achievements in a range of specific reform areas, including simplification of shop trading hours, streamlined arrangements for Government procurement of consultancy services, action to improve council processes for approving fireworks displays and more consistent requirements between states for workers' compensation insurance.

There are 17 of the 74 recommendations which are being addressed through cross-jurisdictional action. The NSW Government continues to strongly pursue these reforms through the Council of Australian Governments (COAG) and various ministerial councils. Achievements in this group of reforms include the agreement in July 2008 to implement a national online registration system for ABN and business names and to harmonise consumer protection policy.

A copy of the previous progress report, the Government's responses to the IPART report and the *Guide to Better Regulation* can be found on the Better Regulation Office website at www.betterregulation.nsw.gov.au.

The third progress report will be released in April 2009.

GOVERNMENT RESPONSE TO IPART REPORT ON REGULATORY BURDEN

Second six monthly update

IPART Rec	Reform area & Responsibility	Final Government Response	Status	October 2008 progress update
1	<p>Strengthen the role of the Minister for Regulatory Reform</p> <p>(Regulatory Reform)</p>	<p>The NSW Government supports this recommendation. The role of the Minister for Regulatory Reform has been enhanced, in order to ensure that regulation making in NSW is consistent with best practice principles. The Minister has been tasked with ensuring that red-tape is minimised, and that an effective regulation making process has been followed, in the development of all new regulatory proposals. The Minister will need to certify the adequacy of each Regulatory Impact Statement (RIS) for significant proposals. The Minister will bring his assessment of the adequacy of RIS to Cabinet.</p> <p>For regulations which do not demonstrate compliance with a best practice process, or are significant, the Minister may provide advice to the Premier regarding whether the matter should proceed.</p> <p>The Minister will have joint administration of the <i>Subordinate Legislation Act 1989</i> (with the Premier) and will be allocated responsibility for the Better Regulation Office.</p> <p>The Minister will also be able to direct the Better Regulation Office to conduct reviews into specific regulatory matters where reduction of the regulatory burden will have benefits across the State's economy or multiple industries within the State's economy.</p>	Complete	Refer to April progress report details.
2	<p>Establish Better Regulation Office</p> <p>(Regulatory Reform)</p>	<p>The NSW Government supports this recommendation, and will establish a Better Regulation Office.</p> <p>The Better Regulation Office will be an advocate for, and source of assistance for, best practice regulation making across government. In particular the Office will:</p> <ul style="list-style-type: none"> - provide ongoing advice and practical tools to agencies to assist in meeting the requirements of good regulatory process, including guidance on alternative regulatory forms, risk analysis and cost-benefit analysis; - provide a central source of information on best practice regulation; - conduct targeted reviews into identified areas where reduction of 	Complete	Refer to April progress report details.

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		<p>regulatory burden would have benefits across the State's economy or multiple industries within the State's economy;</p> <ul style="list-style-type: none"> - provide an annual report on compliance with the NSW Government's regulatory process requirements; - review and advise the Minister on the implementation of good regulatory processes across Government; - provide technical and analytical support to the Minister; and - update existing best practice regulation guidelines, including a consultation policy, and develop enhanced RIS requirements, and new review requirements. <p>The Better Regulation Office will also be tasked with developing a measure of the compliance costs and administrative burden for business and the community of all new regulatory proposals.</p> <p>The provision of assessments and advice by the Better Regulation Office will be ring-fenced from the broader processes of its host agency and the Office will report to the Minister.</p> <p>The Better Regulation Office was established administratively in January 2007 and will be fully operational by June 2007.</p>		
3	<p>Report against performance indicators for best practice regulatory processes</p> <p>(Regulatory Reform)</p>	<p>The NSW Government supports this recommendation in-principle, and will require the Better Regulation Office to report on the NSW Government's performance against best practice regulation requirements.</p> <p>The performance indicators will be developed to take into account the need to create incentives to achieve best practice while ensuring that undue internal government red-tape is minimised.</p> <p>It is envisaged that the reports will provide an annual overview of significant proposals that required the preparation of Regulatory Impact Statements (RIS), the adequacy of required RIS, and an overview of the operation of regulatory processes in New South Wales.</p>	Complete	<p>The Government released <i>Annual Update: Removing Red Tape in NSW</i> in October 2008. The report provides an overview of the Government's performance in reducing regulatory burden. It outlines the operation and performance of regulatory processes in NSW and contains case studies that highlight specific reforms that have reduced regulatory burden in the State. The report is available on the Better Regulation Office website at www.betterregulation.nsw.gov.au.</p> <p>The Government is working closely with the Productivity Commission as part of its Business Regulation Benchmarking project to develop a common framework for measuring, benchmarking and reporting on business regulation. The Productivity Commission's draft reports were released on 12 September 2008 and can be found at http://www.pc.gov.au/.</p>

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4	Develop consultation policy (Regulatory Reform)	The NSW Government supports this recommendation, and will develop a whole-of-government consultation policy, as part of a new guide to Best Practice Regulation.	Complete	Refer to April progress report details.
5	Extend minimum consultation period for RISs (Regulatory Reform)	<p>The NSW Government supports the need for adequate consultation with stakeholders on all regulatory proposals, proportionate to their significance and degree of stakeholder interest. It is important, however, that such red tape does not unnecessarily delay proposals proceeding in the public interest.</p> <p>As an immediate measure, the NSW Government has extended the minimum consultation period for new regulatory proposals to 28 days. This does not prevent employing longer consultation periods on more significant or complex proposals.</p> <p>A whole-of-government consultation policy will be developed as part of the new guide to Best Practice Regulation. This will include guidance on when consultation periods longer than 28 days would be appropriate.</p>	Complete	Refer to April progress report details.
6	Undertake regulatory impact assessment meeting 'materiality' thresholds (Regulatory Reform)	<p>The NSW Government supports this recommendation and will introduce a new requirement for a best practice regulatory impact assessment process to be used in the development of <u>all</u> regulatory proposals. That process will be developed as part of the new guide to Best Practice Regulation.</p> <p>Consistent with IPART's proposal for a 'materiality' threshold, a 'decision making' Regulatory Impact Statement (RIS), reporting on the regulation making process, will be prepared for new and amending Bills and Regulations which would:</p> <ul style="list-style-type: none"> - have a significant impact on individuals, the community, or any sector of the community; - have a significant impact on business, including by imposing significant compliance costs; - impose a material restriction on competition; or 	Complete	Refer to April progress report details.

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		<ul style="list-style-type: none"> - impose a significant cost to government. <p>The Better Regulation Office will assess the adequacy of the RIS before proposals are considered by decision makers, and the RIS will be made publicly available as appropriate.</p>		
7	<p>Update best practice regulation guidelines</p> <p>(Regulatory Reform)</p>	<p>The NSW Government supports this recommendation, and will develop a new guide to Best Practice Regulation.</p> <p>The new guide will assist policy makers and regulators to work through the regulatory impact assessment process, including clarification of the objective, consultation, and analysis of costs and benefits of options.</p> <p>The guide will be consistent with relevant COAG commitments, including the new best practice regulation commitments made as part of the National Reform Agenda.</p> <p>The guide will ensure that policy development processes demonstrate the following best practice principles:</p> <ul style="list-style-type: none"> - the need for government action should be established; - the objective of action should be made clear; - the costs and benefits of a range of options should be considered, including non-regulatory options; - government action should be effective and proportional; - the simplification, repeal, reform, or consolidation of existing regulation should be considered; - business and community consultation should inform regulatory decisions; and - regulation should be periodically reviewed and, if necessary, reformed to ensure its continued efficiency and effectiveness. 	Complete	Refer to April progress report details.
8	Promote standard national RIS guidelines	The NSW Government supports this recommendation in-principle, and is currently working with other jurisdictions, through COAG, to identify consistent national approaches to better regulation, including through enhanced regulatory impact assessment.	Complete	Refer to April progress report details.

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	through COAG (Regulatory Reform)			
9	Adopt stronger risk analysis and assessment (Regulatory Reform)	<p>The NSW Government supports this recommendation, and will include in the new guide to Best Practice Regulation requirements that implementation be considered in the development of options and that planning for implementation and enforcement form part of regulatory proposals.</p> <p>Administration and enforcement strategies will be required to be set out in RIS and Cabinet Minutes, as relevant.</p> <p>Further, the NSW Government will request the Better Regulation Office to develop an information resource on risk-based enforcement, to complement the Best Practice Regulation Guide.</p>	Complete	<p>The <i>Guide to Better Regulation</i> specifies that an implementation and compliance strategy should be developed for a regulatory proposal to ensure the objectives will be effectively and efficiently achieved.</p> <p>The Better Regulation Office released a risk-based compliance tool in September 2008 as an additional resource to assist agencies to conduct compliance activity on the basis of risk analysis and assessment. Agencies will be able to further improve the development and administration of compliance work using this resource. The tool is available on the Better Regulation Office website at www.betterregulation.nsw.gov.au.</p>
10	Monitoring and reporting of performance (Regulatory Reform)	<p>The NSW Government supports this recommendation.</p> <p>Appropriate reporting requirements will be developed in consultation with the Better Regulation Office.</p> <p>This work will take account of work commissioned by COAG, and being undertaken by the Productivity Commission, on possible performance indicators and reporting frameworks across all levels of government to implement COAG's in-principle decision to adopt a common framework for benchmarking, measuring and reporting on regulatory burden.</p>	Complete	<p>The Government released <i>Annual Update: Removing Red Tape in NSW</i> in October 2008. The report monitors and reports on the Government's performance in reducing compliance costs (refer to recommendation 3).</p> <p><i>Measuring the Costs of Regulation</i> was released by the Better Regulation Office in June 2008 as a tool to assist agencies to assess the cost implications of regulatory proposals. The tool is available on the Better Regulation Office website at www.betterregulation.nsw.gov.au.</p> <p>The Government continues to work closely with the Productivity Commission on its Business Regulation Benchmarking project (refer to recommendation 3).</p>
11	Post implementation reviews (Regulatory Reform)	<p>The NSW Government supports this recommendation. The new guide to Best Practice Regulation will require that regulatory proposals include processes for post implementation monitoring and review.</p>	Complete	Refer to April progress report details.

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12	Vary automatic repeal requirements (Regulatory Reform)	<p>The NSW Government supports this recommendation. Ministers will be encouraged to coordinate reviews of Principal and Subordinate Legislation. To facilitate this, staged repeal processes for Regulations will be reformed to provide that a synchronised review of both the Principal and Subordinate Legislation will satisfy all review obligations.</p> <p>The NSW Government will further review and if necessary revise the existing staged repeal arrangements as part of its comprehensive review of current regulatory processes.</p>	Complete	Refer to April progress report details.
13	Review clauses (Regulatory Reform)	<p>The NSW Government supports this recommendation, and will require all Legislation to be subject to a program of rolling review. An automatic review clause will continue to be included in all Principal Legislation, subject to exemptions including where legislation does not have significant impacts. A new review clause will be required to be inserted following completion of a review.</p> <p>The timing of reviews will be decided with regard to a range of matters including the significance and complexity of the Legislation, the likely impact of a review on affected parties, and the need to ensure reviews are rigorous and timely.</p>	Complete	Refer to April progress report details.
14	Administrative and legislative amendments (Regulatory Reform)	<p>The NSW Government supports this recommendation in-principle, and will introduce administrative requirements and amend legislation as appropriate to ensure effective implementation and transition to new arrangements.</p> <p>The Better Regulation Office was established administratively in January 2007, to allow work to commence on overhauling current regulatory processes and developing the detail of new regulatory frameworks, guidance and requirements. (Specific responses to recommendations 1, 5, 6, and 7 are detailed above.)</p> <p>The Office will be fully operational by June 2007. The NSW Government will review the efficacy of the Better Regulation Office within three years of its commencement of operations.</p>	Complete	Refer to April progress report details.
15	Support national-level reforms	<p>The NSW Government supports this recommendation, and notes that these matters are reflected in New South Wales' existing and ongoing participation in inter-jurisdictional processes and agreements.</p> <p>While the NSW Government does not believe that a 'one size fits all'</p>	Complete	The NSW Government is supporting national level reforms through its ongoing involvement in COAG and various ministerial councils. The structures are in place and senior people are represented to ensure NSW contributes to the reforms.

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	(Regulatory Reform)	<p>approach is always the best solution, consideration of the approaches to regulation in other jurisdictions will be an essential component of the new guide to Best Practice Regulation.</p> <p>The Australian and Trans-Tasman mutual recognition schemes are reviewed every five years. The most recent review of the schemes was conducted by the Productivity Commission in 2003 which, among other things, considered the scope for expansion of the schemes and the management of exemptions and exclusions from the schemes.</p>		<p>COAG's Business Regulation and Competition Working Group is continuing to implement reforms in 27 regulatory areas, including the 10 regulatory 'hotspots'. Details of these reforms are available at http://www.coag.gov.au/.</p> <p>With the release of <i>Measuring the Costs of Regulation</i> in June 2008 and <i>Annual Update: Removing Red Tape in NSW</i> in October 2008, the NSW Government has now delivered on all of its commitments to maximise the efficiency of regulation under COAG's National Reform Agenda.</p> <p>The <i>Guide to Better Regulation</i> requires agencies to consider harmonisation and mutual recognition with other jurisdictions at the regulatory development phase to reduce regulatory burden.</p> <p>The Productivity Commission reviews the Australian and Trans-Tasman mutual recognition schemes every five years and the latest review is due for release in January 2009. The Government will consider any specific recommendations on current exclusions and exceptions.</p>
16	<p>Establish taskforce to draft national protocols and terminology</p> <p>(Premier)</p>	<p>The NSW Government recognises the importance of consistency in the drafting of legislation that has a national impact or affects businesses operating on a national basis.</p> <p>To that end, the NSW Parliamentary Counsel is the Secretary of the Australasian Parliamentary Counsels' Committee which comprises the legislative drafting offices of all Australian jurisdictions and New Zealand. The Committee drafts national uniform legislation and provides a forum for the promotion of consistent styles of legislation and the exchange of ideas.</p>	Complete	Refer to April progress report details.
17	Support the development of a national on-line registration system for ABN and business names, including trademark searching	The NSW Government is working with other jurisdictions through the COAG Small Business Ministerial Council to develop a preferred model to deliver a seamless, single on-line registration system for ABN and business names, including trademark searching. The Ministerial Council will report back to COAG with its recommendations and cost implications by the end of 2007.	Complete This is a COAG regulatory hotspot	<p>In July 2008, COAG approved the establishment of a national online registration system for ABN and business names, including trademark searching and a whole-of-government online business information service that will also improve ongoing interactions between business and government.</p> <p>On 2 October 2008, COAG approved an implementation plan for the national system. NSW will be required to introduce legislation as part of the implementation process.</p>

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	(Small Business/ Fair Trading)			
18	Support reforms to achieve a harmonised national system of chemicals and plastics regulation (Climate Change & Environment / WorkCover)	<p>The NSW Government supports this recommendation, and will participate in a COAG Ministerial Taskforce to develop measures to achieve a streamlined and harmonised system of national chemicals and plastics regulation.</p> <p>NSW has led the development of a national framework for environmental chemical management (NChEM) through the Environment Protection and Heritage Council. In June 2007, the Council endorsed the national framework by signing a Ministerial Agreement and agreeing to an Action Plan for implementation.</p> <p>The regulation of security-sensitive ammonium nitrate was reviewed as part of the COAG Review of Hazardous Materials. COAG considered this aspect of the Review in 2004 and new regulatory arrangements aimed at introducing a nationally-consistent, effective and integrated approach were instituted as recently as 2005.</p>	On-track This is a COAG regulatory hotspot	<p>NSW continues to play a key role in developing a national framework for environmental chemical management through the Environment Protection and Heritage Council's NChEM working group.</p> <p>COAG agreed on 3 July 2008 to the package of early harvest regulatory reform measures developed by the Ministerial Taskforce on Chemicals and Plastics Regulatory Reform and approved by the Business Regulation and Competition Working Group (BRCWG).</p> <p>On 2 October 2008, COAG welcomed the final research report from the Productivity Commission on chemicals and plastics regulation, and agreed that improved and better coordinated governance structures are required to advance reform in this area. COAG directed the Ministerial Taskforce to develop that structure for COAG's consideration at its November 2008 meeting.</p> <p>COAG also directed the relevant Ministerial Councils to report in November, through BRCWG, on responses and implementation plans for the relevant recommendations of the Commission's report.</p> <p>At its October meeting, COAG considered the final report of the Hazardous Materials Review on the Management of Chemicals of Security Concern. COAG agreed to establish a Chemical Security Management Framework that will reflect an agreed approach to minimising the potential of chemicals to harm the Australian community, industry and infrastructure. COAG also signed an intergovernmental agreement which will facilitate implementation of the Framework.</p>
19	Review role of governments in regulating children's services to identify areas of duplication and options to improve	The NSW Government is working with other jurisdictions to develop by 2008 an intergovernmental agreement on a national approach to quality assurance and regulations for early childhood education and care. This agreement aims to address overlaps and duplication between State and Commonwealth regulations and reduce red tape for service providers.	On-track Early childhood education is a COAG reform area	<p>The COAG Productivity Agenda Working Group (Education, Skills, Training and Early Childhood Development) has released a discussion paper on a National Quality Framework for Early Childhood Education and Care and is conducting a round of national consultation forums.</p> <p>It is expected that an exposure draft of the national quality standards and a rating system will be made available for public consultation later in 2008. It is also expected that the broad direction of a more streamlined regulatory system will be publicly announced later this year.</p>

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	efficiency (Community Services/ Premier)			Following national endorsement, the final framework is expected to be introduced in 2009.
20	Identify opportunities for greater national harmonisation of consumer protection regulations (Fair Trading)	<p>The NSW Government supports this recommendation, and is working with other jurisdictions to develop options for greater harmonisation of consumer protection regulations, including in relation to:</p> <ul style="list-style-type: none"> - finance brokers: an exposure draft bill on national regulation of finance brokers is expected to be released for public consultation in 2007; and - telemarketing: a national telemarketing industry standard commenced on 31 May 2007. <p>At the 13 April 2007 COAG meeting, States and Territories agreed to the development of a uniform national approach to product safety within 12 months. At its meeting on 18 May 2007, the Ministerial Council on Consumer Affairs (MCCA) agreed on actions to meet this deadline.</p> <p>In November 2006, the NSW Legislative Council Standing Committee on Law and Justice report on unfair terms in consumer contracts recommended that the NSW Government establish a scheme for the protection of consumers in relation to unfair terms in consumer contracts under NSW legislation. In response, the NSW Government asked the Office of Fair Trading to further examine the need for Government intervention.</p>	Complete Product safety is a COAG regulatory hotspot Consumer policy, personal property securities, mortgage broking, margin lending, non-deposit lending institutions and consumer credit are COAG reform areas	<p>Opportunities for greater national harmonisation have been identified in the areas below. NSW will be required to introduce legislation with respect to each reform area as part of the implementation process.</p> <p>Product safety</p> <p>On 3 July 2008, COAG agreed that the Commonwealth will assume responsibility for the making of permanent product bans and standards under the <i>Trade Practices Act 1974</i>.</p> <p>Consumer policy framework</p> <p>On 2 October 2008, COAG agreed to a new consumer policy framework comprising a single national consumer law, based on the <i>Trade Practices Act 1974</i>, drawing on the recommendations made by the Productivity Commission in its Review of Australia's Consumer Policy Framework and best practice in State and Territory consumer laws, including a provision regulating unfair contract terms.</p> <p>The new national consumer law will provide a uniform and higher level of protection for Australian consumers. The new policy framework will improve consumer law enforcement powers, reduce compliance costs for business and increase access to information regarding dispute resolution and consumer issues.</p> <p>Personal property securities</p> <p>COAG also signed an intergovernmental agreement at its October meeting formalising its commitment to the reform of Australia's personal property securities law. The reform will establish a single online national system governing the registration and regulation of securities held against personal property. It will lead to significant cost savings for business through reduced compliance costs and greater choice and certainty for consumers and businesses who borrow money against secured property.</p>

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				<p>Mortgage broking, margin lending and non-deposit lending institutions</p> <p>On 3 July 2008, COAG agreed that the regulation of mortgage broking, margin lending and non-deposit lending institutions will be transferred to the Commonwealth.</p> <p>Consumer credit</p> <p>COAG agreed at its July 2008 meeting that the Commonwealth would assume regulatory responsibility for the remaining areas of consumer credit. COAG agreed at its 2 October 2008 meeting to an implementation plan to achieve this. Phase one of the plan is the transfer of responsibility for trustee companies and existing credit regulation, including a Uniform Consumer Credit Code. The Commonwealth, States and Territories will ensure that legislation giving effect to phase one of the reform agenda will be introduced in the first half of 2009. COAG has also agreed to an implementation plan for phase two, the regulation of remaining areas of consumer credit, including pay-day lending, credit cards, store credit, investment and small business lending, and personal loans, so that the reform package is completed in the first half of 2010.</p>
21	<p>Support national initiatives to develop a nationally consistent framework for greenhouse gas and energy reporting and an emissions trading model</p> <p>(Climate Change & Environment)</p>	<p>The NSW Government strongly supports this recommendation, and has led States and Territories in the design of a potential national emissions trading scheme.</p> <p>At the February 2007 meeting of the Council for the Australian Federation (CAF), Premiers and Chief Ministers of State and Territory Governments made a commitment to introduce a national emissions trading scheme by the end of 2010 should the Commonwealth refuse to do so.</p> <p>On 13 April 2007, COAG agreed to establish a mandatory national greenhouse gas emissions and energy reporting system, with the detailed design to be settled after the Prime Minister's Task Group on Emissions Trading reports at the end of May.</p>	On-track	<p>Establish national reporting system</p> <p>The Commonwealth <i>National Greenhouse and Energy Reporting Act 2007</i> commenced in September 2007 with requirements for industry to report from 1 July 2008. First reports are due by October 2009. COAG has established an experts group which is examining whether state and territory reporting programs can be carried out under the reporting system established by the Commonwealth legislation. A report is due at the end of 2008, with implementation of streamlining proposals expected to occur in 2009.</p> <p>Introduce a national emissions trading scheme</p> <p>The CAF-sponsored National Emissions Trading Taskforce (NETT) Secretariat released <i>Possible Design for a National Greenhouse Gas Emissions Trading Scheme: Final Framework Report on Scheme Design</i> in December 2007. The report and associated modelling was provided to the Commonwealth as part of the national emissions trading scheme design process.</p> <p>NSW has made a whole-of-government submission in response to the</p>

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				Commonwealth's discussion paper on the design of a national emissions trading scheme, released 16 July 2008, which supports the Carbon Pollution Reduction Scheme.
22	<p>Encourage Cwth to recognise NSW Action Plans as meeting Cwth energy efficiency requirements, and improve compatibility of NSW requirements</p> <p>(Climate Change & Environment)</p>	<p>The NSW Government supports this recommendation, and is working with the Commonwealth Department of Industry, Tourism and Resources to minimise the overlap and improve consistency between the two programs. The NSW Government will continue to encourage the Commonwealth Government to recognise NSW Action Plans as meeting the EEOA program requirements.</p> <p>The NSW Government will also continue to look for options to increase flexibility in the Action Plan requirements, such as through streamlining of annual reporting requirements, to achieve greater consistency with EEOA requirements.</p>	Complete	No new NSW Energy Savings Action Plans will be required from October 2008. Consequently, there is no need to further improve consistency with Commonwealth requirements in relation to preparation of Energy Savings Action Plans.
23	<p>Action Plans should continue only if Cwth program not meeting policy objectives</p> <p>Consider the report to COAG on emissions and energy reporting</p> <p>(Climate Change & Environment)</p>	<p>The NSW Government supports this long term recommendation in principle, and will only go ahead with a second round of Action Plans if its policy objectives cannot be achieved through the Commonwealth program. It is noted that the current Inquiry into Electricity Supply in NSW (the Owen Inquiry), which is due to report at the end of August 2007, is examining energy efficiency and demand management measures in the context of meeting NSW's future energy needs.</p> <p>The Department of Water and Energy will undertake an assessment of whether NSW objectives can be so achieved. This assessment will be undertaken in the context of the State Plan Target concerning greenhouse emissions recognising that the measurement of, and delivery on energy efficiency initiatives in NSW is critical to meeting the Government's greenhouse emission reduction targets.</p> <p>On 13 April 2007, COAG agreed to establish a mandatory national greenhouse gas emissions and energy reporting system, with the detailed design to be settled following consideration of the Prime Minister's Task Group on Emissions Trading report.</p>	On-track	<p>No new NSW Energy Savings Action Plans will be required from October 2008 and no second round of plans is proposed.</p> <p>Annual reporting of existing Energy Savings Action Plans will be streamlined by 2009. Entities required to report under the <i>National Greenhouse and Energy Reporting Act 2007</i> will not have to separately report.</p>

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24	<p>Enter into assessment bilateral with Cwth under EPBC Act, and approvals bilateral in future</p> <p>(Planning)</p>	<p>The NSW and Commonwealth Governments entered into an assessment bilateral agreement under the <i>Environmental Protection and Biodiversity Conservation Act 1999</i> in January 2007. A copy of the agreement is available at www.environment.gov.au/epbc.</p> <p>The NSW Government will now work with the Commonwealth Government to develop an approvals bilateral agreement, based on NSW management arrangements and authorisation processes which meet the requirements of the <i>Environmental Protection and Biodiversity Conservation Act 1999</i> (EPBC Act).</p>	<p>On-track</p> <p>This is a COAG regulatory hotspot</p>	<p>NSW is currently assessing eighteen projects under the bilateral agreement established between the NSW and Commonwealth Governments.</p> <p>NSW and the Commonwealth are jointly developing administrative procedures to ensure that communication between the two governments on projects assessed under the bilateral agreement operates effectively at all stages of the assessment.</p> <p>COAG agreed at its March meeting to develop approvals bilateral agreements where efficiencies can be achieved in meeting the requirements of the EPBC Act. The NSW Government continues to work with the Commonwealth to develop an approvals bilateral agreement, based on NSW management arrangements and authorisation processes.</p> <p>COAG agreed at its July meeting to the identification of opportunities for strategic assessments under the EPBC Act to avoid unnecessary delays in development approval processes. Strategic assessments are conducted over an entire region and provide a mechanism to approve classes of development which have been assessed under this process, rather than conducting individual assessments and approvals.</p>
25	<p>Work with APRA to ensure coordinated prudential regulation of insurers</p> <p>(Fair Trading)</p>	<p>The NSW Government supports this recommendation, and notes that current arrangements avoid any significant regulatory overlap between the Commonwealth and NSW, as acknowledged by IPART.</p> <p>The Motor Accidents Authority and the Office of Fair Trading will continue to coordinate responsibilities and share information consistent with its Memorandums of Understanding with APRA.</p>	Complete	<p>The Office of Fair Trading and the Motor Accidents Authority have memorandums of understanding with APRA to coordinate regulatory responsibilities. NSW agencies rely on APRA approval as a means of ensuring NSW-licensed insurers are prudentially sound and do not provide duplicated prudential regulation of insurers.</p>
26	<p>Professional Standards Council consider the Cwth's implementation of Review of</p>	<p>The NSW Government supports this recommendation, and the Professional Standards Council will consider the Commonwealth Government's implementation of the findings of the Review of Discretionary Mutual Funds and Direct Offshore Foreign Insurers.</p>	Complete	<p>Refer to April progress report details.</p>

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	Discretionary Mutual Funds and Direct Offshore Foreign Insurers (Attorney-General)			
27	Consider whether greater cross-jurisdictional harmonisation can be achieved in the regulation of providers of statutory classes of insurance (Minister for Finance/ Fair Trading)	<p>This recommendation is supported.</p> <p>The NSW Government has initiated significant steps in harmonising the administration of workers' compensation systems across all States and Territories, which will lead to more uniform regulatory frameworks across jurisdictions.</p> <p>On 13 October 2006, at the meeting of the Council for the Australian Federation, States and Territories signed an intergovernmental agreement committing to harmonisation of key areas of workers' compensation and occupational health and safety schemes. The intergovernmental agreement is consistent with the ten-point action plan signed by NSW and Victoria to harmonise key areas of their WorkCover schemes.</p>	Complete	<p>The workers' compensation harmonisation initiatives under the Council for the Australian Federation Intergovernmental Agreement have been implemented. These reforms include:</p> <ul style="list-style-type: none"> - Uniform claim forms in NSW, Victoria and Queensland. - Common processes for premium payments and payroll declaration in NSW, Victoria, Queensland and South Australia. - One-stop shops for multi-state employers in NSW and Victoria. - Mutual recognition rules for return to work coordinators in NSW, Victoria and Queensland. - Sharing of common workers' compensation guidance material in NSW, Victoria, Queensland, South Australia, Western Australia and the Australian Capital Territory. - Common financial indicators in all jurisdictions. - A national OHS audit tool in NSW, South Australia and Victoria with other jurisdictions to follow. <p>The Heads of Workers' Compensation Authorities National Self-Insurance Working Group developed and implemented the relevant harmonisation initiatives concerning self- insurance, including:</p> <ul style="list-style-type: none"> - A common set of financial indicators. - A multi-state financial application process. - An information sharing protocol for regulators. - A dispute management process.

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				<p>- A standard bank guarantee template and security requirements.</p> <p>The Government is also seeking jurisdictional harmonisation of other statutory classes of insurance, where possible. To this end, the Motor Accidents Authority has consulted with insurers and interstate regulatory agencies through the Heads of Compulsory Third Party forum in relation to the Road and Traffic Authority's introduction of optional short-term vehicle registration and compulsory third party insurance cover.</p> <p>The possibility of greater harmonisation of home warranty insurance schemes is being considered by COAG in developing a national trade licensing system which will apply to building occupations.</p>
28	<p>Support work to harmonise the regulation of OHS</p> <p>(Minister for Finance)</p>	<p>While the NSW Government is participating in cross-jurisdictional processes considering OHS legislation, the NSW Government's primary concern has been to ensure workplace safety outcomes are not compromised.</p> <p>On 13 April 2007, COAG agreed to a timetable for achieving national OHS standards and harmonising elements in principal Acts. While the NSW Government agreed to this element of COAG's decision, it did not agree that duty holders and the scope of their obligations are areas for prioritisation. The NSW Government has commissioned the Honourable Paul Stein AM QC to conduct a review of proposed reforms to NSW OHS legislation, and these issues are being considered in the context of this review.</p> <p>The NSW Government is, however, progressing a range of harmonisation activities in the area of OHS through the Council for the Australian Federation (refer recommendation 27).</p>	<p>On-track</p> <p>This is a COAG regulatory hotspot</p>	<p>COAG signed an intergovernmental agreement on 3 July 2008 for OHS reform formalising the commitment to adopt model OHS laws. The timetable for implementation of uniform of OHS laws was brought forward one year to 2011.</p>
29	<p>Work with other States to harmonise payroll tax administration</p> <p>(Treasurer)</p>	<p>On 26 February 2007, the NSW and Victorian Governments jointly announced a bilateral payroll tax harmonisation project to reduce red tape and compliance costs for businesses operating in both States. NSW legislation has passed both Houses of Parliament and was assented to on 4 July 2007.</p> <p>This project will ensure harmonisation in areas such as tax exemptions, definitions and administrative arrangements, including the adoption of consistent fringe benefits grossing-up factors, accommodation and motor vehicle allowance rates and grouping provisions, and common treatment</p>	<p>Complete</p> <p>This is a COAG reform area</p>	<p>Refer to April progress report details.</p>

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		<p>of contractors.</p> <p>In undertaking this project, NSW has adopted a number of provisions from Victorian legislation, such as the exemption provided for maternity and adoption leave, and the exemption from payroll tax on contributions paid into a portable long service leave scheme and a redundancy or severance scheme. Similarly, Victoria has adopted a number of NSW legislative provisions including the inclusion of the employee share acquisition scheme into the payroll tax base and an exemption for wages paid to employees participating in voluntary work for bush fires or emergency relief.</p> <p>NSW and Victoria remain committed to the multilateral payroll tax harmonisation work program being undertaken by the States-Only Ministerial Council of Treasurers. In their respective 2007-08 State Budgets, Queensland and Tasmania announced their intention to harmonise payroll tax arrangements with NSW and Victoria from 1 July 2008.</p>		
30	<p>Support efforts to harmonise personal liability for directors and officers of a corporation, and consider findings of CAMAC report.</p> <p>(Attorney-General)</p>	<p>The NSW Government supports this recommendation, and will consider the findings of the Corporations and Market Advisory Committee's (CAMAC) final report on 'personal liability for corporate fault' as well as the Commonwealth's response to this report.</p>	<p>On-track</p> <p>Directors' liabilities is a COAG reform area</p>	<p>CAMAC recommendations on personal liability for corporate fault are no longer on the Ministerial Council for Corporations agenda. COAG agreed on 3 July 2008 that there is a case for reform to promote a consistent and principled approach to the imposition of personal criminal liability for corporate fault. The matter is being progressed through the Business Regulation and Competition Working Group.</p>
31	<p>Support pharmaceuticals reform, as recommended by the Galbally Review.</p>	<p>The NSW Government supports this recommendation in-principle. State and Territory Health Ministers have forwarded a report on the implementation of the Galbally Review recommendations to COAG for consideration out-of-session.</p> <p>With respect to recommendation 24 of the Galbally Review, Health</p>	<p>Complete</p>	<p>Refer to April progress report details.</p>

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	(Health)	Ministers have agreed that while not supporting the mechanism for achieving national uniformity in medicines and poisons legislation, the objective would be worked towards through other means, including licensing, dispensing labelling requirements, and requirements for household chemical packaging.		
32	Publicly release inquiry into privacy regulation by NSW Law Reform Commission and give priority consideration. (Attorney-General)	The NSW Government supports this recommendation, and will consider the NSW Law Reform Commission's findings into privacy regulation as a matter of priority when the inquiry is concluded.	On-track	The NSW Law Reform Commission released its first consultation paper, <i>Invasion of Privacy</i> , in July 2007 and it is anticipated that a final report will be completed before the end of 2008. The Commission released <i>Consultation Paper 3 - Privacy Legislation in New South Wales</i> in July 2008 and the closing date for submissions was 17 October 2008. A final report is anticipated to be completed in the first quarter of 2009 and will take into account the Australian Law Reform Commission's report of its review of federal privacy laws, released 11 August 2008.
33	Ask SCOCA to examine streamlining trust account requirements for property agent and owners. (Fair Trading)	The NSW Government supports this recommendation, and will participate in a working party, established under the Standing Committee of Officials of Consumer Affairs and being led by Victoria, to examine harmonisation of trust account requirements.	On-track	On 3 July 2008, COAG agreed to develop a national trade licensing system which will apply to property agent occupations. The proposed system is to be endorsed in an intergovernmental agreement between jurisdictions by COAG in December 2008.
34	Consider working with other States and Territories to examine opportunities to harmonise and clarify land rich	The NSW Government supports this recommendation in-principle, and has completed preliminary investigations on relevant land rich duty definitions. The NSW Government is awaiting further information from the business sector on specific business issues arising from different treatment between States, and priorities for harmonisation.	On-track	Heads of Treasuries gave in-principle support to the issue in November 2007. NSW is carrying out additional consultation with industry and will seek to progress the matter based on the outcome of this process.

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	duty definitions (Treasurer)			
35	Continue work to resolve issues related to proposed model trustee companies legislation (Attorney-General)	The NSW Government supports this recommendation, and has led the development of uniform trustee legislation through the Standing Committee of Attorneys-General (SCAG). On 1 June 2007, the Commonwealth confirmed its support for a nationally consistent regulatory regime for trustee companies. At its meeting in July 2007, the Committee agreed to form a working group, chaired by the Commonwealth, to develop nationally consistent regulation for trustee companies and a single or mutual recognition scheme for their licensing. The working group will prepare a regulation impact statement outlining options for reform, including options for the supervision of trustee companies.	On-track This is a COAG reform area	COAG agreed in March 2008 to the Commonwealth assuming responsibility for the regulation of trustee companies. The details of the regulatory framework have been subject to consultation with industry and consumer groups. COAG agreed at its 2 October 2008 meeting that legislation giving effect to the transfer of responsibility will be introduced in the first half of 2009. Future Commonwealth legislation will create a national market, removing the need for multiple State and Territory licences, streamline the obligations that trustee companies must meet and increase the effectiveness of supervision of these companies.
36	Support work to achieve national consistency in key areas of workers' compensation (Minister for Finance)	While the NSW Government is participating in cross-jurisdictional processes considering workers' compensation legislation, the NSW Government's primary concern has been to ensure workplace safety outcomes are not compromised and support for injured workers is maintained.	On-track	Workers' compensation harmonisation initiatives under the Council for the Australian Federation Intergovernmental Agreement have been successfully implemented (refer to recommendation 27). The Heads of Workers' Compensation Authorities developed and implemented the relevant harmonisation initiatives concerning workers' compensation. This includes: <ul style="list-style-type: none"> - Mutual recognition rules for return to work coordinators in NSW, Victoria, and Queensland. - Common processes for premium payments and payroll declaration in NSW, Victoria, Queensland and South Australia. - A national OHS audit tool in NSW, South Australia, and Victoria with other jurisdictions to follow. - One-stop shops for multi-state employers in NSW and Victoria. - Self-insurance arrangements, including: the development of a common set of financial indicators; a multi-state financial application process; a standard bank guarantee template and security requirements; an information sharing protocol for regulators; and a

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				<p>common dispute management process.</p> <p>Work is continuing to develop common definitions of employer, worker, remuneration and injury/disease.</p>
37	<p>Conduct post implementation review of BASIX within 5 years, including updated cost-benefit analysis</p> <p>(Planning)</p>	<p>The NSW Government supports this recommendation. Ongoing evaluation of BASIX, including working with energy and water utilities to monitor actual water and energy/emissions savings, is underway.</p> <p>The NSW Government will conduct a review of the BASIX energy targets in mid-2008. The current monitoring work being undertaken with energy and water utilities as well as an Australian first pilot into cogeneration for residential developments will be considered as part of the review.</p>	On-track	<p>Sydney Water has completed a two phase validation of BASIX water data. Preliminary analysis of a limited sample indicates average performance is close to predicted targets. Analysis of a broader sample is currently being undertaken and a final report is forecast later this year.</p> <p>The Department of Planning has established a data sharing agreement with Energy Australia for verification of energy usage across a sample of BASIX houses. Results from the verification project will be used to inform any recommended changes in the energy targets.</p> <p>Cogeneration demonstration plants have been installed in developments at Chatswood and Rouse Hill. The Chatswood development is fully occupied and an average of 6.8 tonnes of CO2 per month was saved in the period March to June. When 12 months of data is collected, it will be used to inform the energy target review.</p>
38	<p>Provide service-specific guides to children's services legislation.</p> <p>(Community Services)</p>	<p>The NSW Government supports this recommendation in-principle, and will continue to provide clear information and guidance to service providers.</p> <p>The Department of Community Services (DoCS) provides an ongoing information and advisory function by responding to service providers requesting a specific interpretation of the applicable legislation. DoCS is also revising and improving licence and registration application documents as part of its decision to centralise and streamline licensing processes. Improved information on the key obligations for service types will be considered as part of this process.</p> <p>The Government will continue to monitor the concerns and complaints of stakeholders to identify any systemic problems in relation to the content and form of information provided to ensure that it continues to be appropriate.</p> <p>The NSW Government will consider any requests to provide hard copy information to stakeholders who are unable to access this information in electronic form.</p>	Complete	Refer to April progress report details.

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39	<p>Consult with stakeholders on development of <i>Children's Services Regulation 2004</i>.</p> <p>(Community Services)</p>	<p>The NSW Government supports this recommendation, and a review of the Children's Services Regulation 2004 is scheduled to commence in 2007/2008. The review will include consultation with Department of Community Services (DoCS) staff, service providers, peak group, parents, and other stakeholders. A formal consultation plan will be developed by DoCS and published through the media and the DoCS website.</p>	On-track	<p>The Government announced a fundamental review of the Children's Services Regulation in August 2008. An Industry Reference Group will provide industry advice on the approach of the review and design of the new regulation.</p> <p>Broad public consultation on the development of the regulation will commence in October 2008, with the release of a discussion paper. This paper raised both fundamental questions about the design of a new regulation and more detailed issues, such as health and safety standards for group sizes, and the obligations on licensees relating to personal information.</p>
40	<p>Consider amending family day care safety requirements in the Regulation.</p> <p>(Community Services)</p>	<p>The NSW Government supports this recommendation in-principle, and will consider options for greater flexibility for family day care providers in meeting safety measures as part of the next scheduled review of the Children's Services Regulation 2004.</p> <p>The risk management strategies currently set down in the Regulation provide significant flexibility for all types of service providers in ensuring the health, safety and well being of children in their care. Whilst the NSW Government may consider alternative approaches as part of the review of the Regulation, any increases in flexibility will not be implemented at the expense of safety.</p>	On-track	<p>This issue is being considered as part of the review of the Children's Services Regulation (refer to recommendation 39).</p>
41	<p>Review authorised and temporary supervisor obligations in the Regulation.</p> <p>(Community Services)</p>	<p>The NSW Government supports this recommendation, and has legislated to permit children's services to have two authorised supervisors. Under the <i>Children and Young Persons (Care and Protection) Amendment Act 2006</i>, greater flexibility will be provided for services in staffing. In addition, some of the practical issues of responsibility and provision for the overall supervision of a children's service have been addressed.</p> <p>DoCS' operational policy also enables an Authorised Supervisor of two extended services to be on the premises 50 per cent of their total working hours at each service.</p> <p>DoCS is establishing an administrative process by which Authorised Supervisors are placed on a register which will support the transfer of an Authorised Supervisor from one children's service to another. The outcome of this initiative will be a simplified and streamlined application process that will minimise submission requirements and expedite the approval process for persons moving between services.</p>	On-track	<p>This issue is being considered as part of the review of the Children's Services Regulation (refer to recommendation 39).</p>

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		Other issues raised in relation to Authorised Supervisors will be addressed as part of the review of the Children's Services Regulation 2004.		
42	Review requirements in the Regulation on group sizes and the definition of 'group of children'. (Community Services)	The NSW Government supports this recommendation, and group sizes will form a major part of the consultation processes associated with the review of the Children's Services Regulation 2004. The review will test the feasibility of taking a more flexible, outcomes-based approach.	On-track	This issue is being considered as part of the review of the Children's Services Regulation (refer to recommendation 39)
43	Review licensing requirements in the Regulation relating to personal information. (Community Services)	The NSW Government supports this recommendation, and reforms to eliminate duplication of personal information for applicants with multiple services are being implemented. Further simplification of personal information requirements, in particular those relating to the level of involvement and control, will be considered as part of the process of reviewing the Children's Services Regulation 2004 in 2007/08.	On-track	This issue is being considered as part of the Review of the Children's Services Regulation (refer to recommendation 39).
44	Implement accepted recommendations of Disconnections and Move in-Move out Working Groups (Energy)	The NSW Government supports this recommendation. Regulatory amendments to implement the recommendations of the Disconnections and Move in-Move out Working Groups came into force on 1 July 2007. Stakeholders, including consumer groups and retailers, were consulted on the draft amending regulations.	Complete	Refer to April progress report details.

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45	<p>Do not increase fireworks licence fees until impact of fee increase has been assessed</p> <p>(Minister for Finance)</p>	<p>The NSW Government supports this recommendation, and an appropriate review of explosives licensing arrangements and fees is expected to take place within three years. Adequate consultation and impact assessment will be undertaken before any fee changes are implemented.</p>	On-track	<p>WorkCover will complete a licensing review, including fees, by 2010 in conjunction with the statutory review of the Explosives Regulation 2005. The review will include undertaking an assessment of the impact of the regulation and will be conducted in consultation with stakeholders.</p>
46	<p>Consider establishing service contracts with providers of probity information for explosives licence assessments</p> <p>(Minister for Finance)</p>	<p>The NSW Government supports this recommendation in-principle, and has requested that WorkCover, in conjunction with NSW Police and relevant Commonwealth agencies, examine processes that will ensure explosives licences are re-issued in a timely way without compromising the need for thorough probity assessments of applicants.</p>	Complete	<p>Licences are normally issued or renewed by WorkCover within eight weeks of receipt of an application. This includes a NSW Police review of an applicant, probity checks by the Australian Federal Police and the Australian Security Intelligence Organisation (ASIO) and card manufacture and postage by WorkCover.</p> <p>The majority of the time taken is due to probity checks by the federal agencies (approximately 5-6 weeks), which face a large backlog of explosive licence applications from NSW and other Australian jurisdictions.</p> <p>ASIO is unwilling to enter into a services agreement and there appears no scope for NSW Government agencies to further improve processing times.</p>
47	<p>Consider developing standard information package on fireworks regulation, and require local councils to publish information on-line</p>	<p>The NSW Government supports this recommendation in-principle, and in consultation with key stakeholders, will explore the feasibility of developing a standard information package for the approval of fireworks displays in local government areas for adoption by local councils.</p> <p>The NSW Government will encourage local councils to make relevant information available on their websites.</p>	Complete	<p>The NSW Government issued guidelines under section 23A of the <i>Local Government Act 1993</i> on 22 October 2008 for use by councils when responding to notifications of a fireworks event. The guidelines were developed by WorkCover, the Department of Local Government (DLG) and the Local Government and Shires Associations (LGSA) to provide a uniform process by which councils exercise their functions.</p> <p>DLG released a circular on 22 October 2008 to inform councils of the new guidelines.</p>

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	(Local Government)			
48	Accelerate work of the Grants Administration Review (Premier)	<p>The NSW Government supports this recommendation in-principle, and has developed a staged approach to cross-government electronic grants management:</p> <ul style="list-style-type: none"> - Stage 1 (complete): provide the public with a single point of access to grants program information (www.communitybuilders.nsw.gov.au); - Stage 2 (complete): collect grants performance data, including the name of the grant program, grant recipients, amount given, and purpose of grant, from agencies' annual reports; - Stages 3 (under development): registration of non-government organisations seeking funding; and - Stage 4 (under development): system that enables whole of government prioritising, and if appropriate, management of grants. <p>The Grants Administration Review worked closely with grant-giving agencies to limit the amount of data to be collected in the grants templates to that which is necessary and not merely desirable. The implementation of electronic grants lodgement is expected to bring significant improvements to the time applicants spend completing applications.</p>	Complete	<p>The <i>communitybuilders</i> website provides a single portal for details of all NSW Government grants.</p> <p>Key Government agencies have electronic grants application processes and templates consistent with the Department of Premier and Cabinet's <i>Good Practice Guide to Grants Administration</i> (http://www.dpc.nsw.gov.au/publications/grants_administration).</p> <p>The Guide minimises grants administration requirements while facilitating consistent grants management practices across agencies.</p>
49	Require all agencies to use guidance material developed as part of this Review. (Premier)	<p>The NSW Government supports this recommendation in-principle, and has published the <i>Good Practice Guide to Grants Administration</i> to assist grant giving agencies in engaging consistent practices for grants programs. The Guide includes good practice, models and templates for all grants processes that agencies can customise to suit the nature of specific grants programs (http://www.dpc.nsw.gov.au/publications/grants_administration).</p> <p>The NSW Government considers it important to retain a degree of flexibility in the use of templates and forms to avoid imposing unnecessary burdens on agencies and external stakeholders.</p>	Complete	Refer to April progress report details.

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50	<p>Continue collating existing information on procurement.</p> <p>(Commerce)</p>	<p>The NSW Government's procurement policy applies on a whole of government basis to all government departments, statutory authorities, trusts and other government entities. State Owned Corporations are exempt although they are encouraged to adopt aspects of the policy that are consistent with their corporate intent.</p> <p>The NSW Government supports this recommendation, and currently collates information on procurement outcomes for NSW Government agencies that utilise the electronic procurement systems, NSW eTendering and Smartbuy®.</p> <p>NSW eTendering is capable of tracking data including the type of procurement undertaken, number of businesses bidding for the tender, financial value of the tender, and the successful contractors. The summation of the value of the contracts awarded can provide an indication of the size of the NSW Government procurement market. Smartbuy® can gather summary statistics of expenditure on goods and services.</p> <p>All NSW Government agencies, including those not covered by Part 1, Schedule 1 of the <i>Public Sector Employment and Management Act 2002</i>, are required to implement NSW eTendering. Major Government agencies are also required to implement Smartbuy®. While State Owned Corporations are not subject to these requirements, many agencies, such as RailCorp and Sydney Water, are already using NSW eTendering and/or Smartbuy®.</p> <p>These initiatives will support the provision of collated information on procurement and improve the assessment of reform opportunities across Government.</p>	Complete	Refer to April progress report details.
51	Examine the current level of participation of small and medium enterprises in government procurement markets.	The NSW Government supports this recommendation in-principle, and will consider options for reviewing the participation of small and medium sized enterprises (SMEs) in government procurement markets.	Complete	<p>The NSW Government has consulted with SMEs through the Small Business Regulation Reviews and has found impediments to SME involvement in the procurement market do exist. Those impediments are all being addressed through wide-ranging reforms of NSW procurement policies and procedures, including:</p> <ul style="list-style-type: none"> - NSW Procurement Contracting Services is updating the Insurance Guidelines for goods and services procurement (refer to recommendation 53); - a Consultant Pre-Qualification Scheme – Performance Reviews and

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	(Small Business)			<p>Management Consultancy has been developed (refer to recommendation 55);</p> <ul style="list-style-type: none"> - barriers to participation in government procurement markets have been considered in the Small Business Regulation Review process; - the Department of Commerce has developed the NSW Government Procurement System for Goods and Services which includes standardised contract forms, practice guides and training; and - the NSW Government Construction Suite of Contracts will be reviewed by the end of 2008.
52	<p>Develop information package for agencies involved in consultancy procurement, and best practice guidelines covering risk assessment.</p> <p>(Premier)</p>	<p>The NSW Government supports this recommendation, and is committed to improving the skills and capabilities of staff in agencies managing all categories of procurement, not just procurement of consultancies.</p> <p>The NSW Government has implemented an Agency Accreditation Scheme for goods and services procurement. The Scheme requires agencies that wish to be accredited to conduct their own procurement to have systems, processes and people with suitable capabilities in place. The Scheme is underpinned by a training and development program, consistent with national standards.</p> <p>This initiative will build consistency across the sector in developing procurement discipline, improved technical capability and performance, and better skills deployment.</p>	Complete	Refer to April progress report details.
53	<p>Consider developing best practice guidelines for consultancy procurement</p> <p>(Premier)</p>	<p>The NSW Government supports this recommendation in principle, and will consider the development of best practice guidelines to assist agencies in determining the appropriate level of insurance required for procurement projects. The guidelines would be similar to Insurance Guidelines used by the Department of Commerce's Contracting Services.</p> <p>Existing Risk Management Guidelines provide assistance to agencies to evaluate the level of risk associated with procurement projects. The guidelines can be applied to all procurement not just consultancies.</p> <p>The NSW Government is working with the Australian Procurement and Construction Council (APCC) to develop a nationally consistent</p>	On-track	<p>An independent review of the Insurance Guidelines of NSW Procurement Contracting Services was completed in July 2008. The review focused on the levels of insurance expected of suppliers in government goods and services contracts, including consultancy services. A revised version of NSW Procurement Contracting Services' <i>Insurance Guidelines</i> is being finalised through a consultative process that will engage key agencies and industry. The new guidelines will be finalised in early 2009 and will be available for use by all agencies.</p>

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		assessment test and methodology to risk management for liability in Information and Communications Technology contracts. The APCC is a council of agencies responsible for procurement, construction and asset management policy for the Australian, State and Territory governments.		
54	<p>Consider and address the reasons why procurement processes are delayed.</p> <p>(Commerce)</p>	<p>The NSW Government supports this recommendation, and has implemented strategies to address the issue.</p> <p>Under the Agency Accreditation Scheme for goods and services procurement, agencies have to demonstrate that they have the required expertise, systems, processes and discipline to be accredited to conduct their own procurement (where there are no whole of government contracts available).</p> <p>The development of the Scheme has provided the opportunity to review the requirements of the tendering process which may cause delays and constrain the market providing innovative solutions that could provide better outcomes.</p>	Complete	Refer to April progress report details.
55	<p>Consider raising the value cap for projects that would require a minimum of three bidders from \$150k to \$250k.</p> <p>(Premier)</p>	<p>The NSW Government will consider raising the value cap for a project that would require a minimum of three consultants to bid from \$150,000 to \$250,000. In considering raising the value cap, the NSW Government will examine whether such a change would effectively strike a balance between minimising unnecessary costs and promoting competition.</p>	Complete	<p>The Government has prepared guidelines for the Consultant Pre-Qualification Scheme – Performance Reviews and Management Consultancy. The Scheme provides for the pre-qualification of consulting companies that have met agreed standards of quality and expertise suitable for engagement by government</p> <p>http://www.dpc.nsw.gov.au/publications/prequalification_scheme.</p> <p>Under the scheme, bids from three consultants will be required for projects of at least \$50,000 in value and there is no maximum value at which an open tender process is prescribed. The Scheme compliments existing procurement policy and procurement officers will continue to exercise sound risk management practices in deciding when it may be appropriate to use an open tender process.</p> <p>Any State Government agency or State Owned Corporation may access the Scheme. Quality control is protected through routine assessment of product quality.</p>
56	<p>Consider reviewing the <i>Insurance Act 1902</i></p>	<p>The NSW Government supports this recommendation, and has contacted the Insurance Council of Australia to help identify those parts of the <i>Insurance Act 1902</i> that are unnecessary. Depending on the outcome of the consultation with the Insurance Council of Australia, a more</p>	On-track	<p>The Attorney General's Department has commenced an internal review of the operation of the <i>Insurance Act 1902</i>. The views of a range of relevant stakeholders have been sought as well as the advice of the Crown Solicitor. Once responses are received, advice will be prepared for the</p>

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	(Attorney-General)	comprehensive review of the legislation may take place in 2007.		Attorney General regarding any parts of the Act that should be repealed or consolidated.
57	Monitor compliance by direct offshore foreign insurers with NSW tax and levy requirements (Treasurer)	The NSW Government supports this recommendation, and the NSW Office of State Revenue will work closely with the Insurance Council of Australia to identify revenue leakages and improve compliance.	Complete	Refer to April progress report details.
58	Undertake a post implementation review of the Social Impact Assessment process and develop requirements for new liquor licence categories (Gaming and Racing)	The NSW Government supports this recommendation, and has developed a framework for a review of the Social Impact Assessment process. The review will involve consultation with a range of stakeholders.	Complete	Refer to April progress report details.
59	Review the permitted modes of delivery of Responsible Service of Alcohol (RSA) training as part of RSA training	The NSW Government supports this recommendation, and has engaged an independent consultant to review Responsible Service of Alcohol (RSA) training, including on-line training options. The review commenced in April 2006 and is expected to conclude in the second half of 2007.	On-track	With the <i>Liquor Act 2007</i> commencing on 1 July 2008, priority had to be given to implementation. This included the immediate development of model course content for RSA training course providers. This initiative, approved by the new Casino, Liquor and Gaming Control Authority in early July 2008, significantly reduces red tape and costs for RSA providers and Government. It avoids each course provider developing and obtaining

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	<p>review.</p> <p>(Gaming and Racing)</p>			<p>approval for their own course content.</p> <p>The Authority is now considering a range of RSA training issues including on-line delivery, refresher training, a tiered training approach, recognition of interstate training and the RSA training scheme's administration.</p>
60	<p>Review the <i>Occupational Health & Safety Regulation 2001</i> in 2007.</p> <p>(Minister for Finance)</p>	<p>A review of the <i>Occupational Health and Safety Regulation 2001</i> will be considered following the finalisation of the review of the <i>Occupational Health and Safety Act 2000</i>.</p> <p>The NSW Government recently requested the Honourable Paul Stein AM QC to conduct an inquiry into occupational health and safety legislation in NSW. The review examined proposals arising from the Report on the Review of the <i>Occupational Health and Safety Act 2000</i>, and the impacts of the proposals, having regard to best practice solutions that will remove unnecessary regulatory burdens on business, without compromising safety. Mr Stein has submitted his report and the NSW Government is currently considering its response to the report's recommendations.</p>	<p>On-track</p> <p>This is a COAG regulatory hotspot</p>	<p>COAG signed an intergovernmental agreement for OHS reform formalising the commitment to adopt model OHS laws on 3 July 2008 (refer to recommendation 28).</p> <p>WorkCover will ensure that all issues raised by IPART will be considered during this national review process.</p>
61	<p>Require draft NSW OHS codes of practice to be subject to proportional cost-benefit analysis.</p> <p>Review the <i>OHS Act 2000</i> within 5 years of commencing amendments.</p> <p>(Minister for Finance)</p>	<p>The NSW Government supports this recommendation. Processes for the development of draft NSW OHS codes of practice will be examined in light of the IPART recommendation. Codes of practice are currently developed in consultation with key stakeholders.</p>	<p>On-track</p> <p>This is a COAG regulatory hotspot</p>	<p>COAG signed an intergovernmental agreement for OHS reform formalising the commitment to adopt model OHS laws, including supporting national codes of practice, on 3 July 2008 (refer to recommendation 28).</p> <p>WorkCover will ensure that all issues raised by IPART will be considered during this national review process.</p>

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62	<p>Implement planning and development assessment (DA) reform program.</p> <p>(Planning)</p>	<p>The NSW Government supports this recommendation, and has undertaken an extensive planning law reform program over the past two years. This has included the introduction of integrated approvals process for major projects, a stronger emphasis on strategic planning, a standardised template for local plans, a reduction in statutory concurrence and referral requirements in existing plans and the introduction of a more flexible development contributions systems.</p> <p>Through the Standard Instrument for Local Environment Plans (LEPs), uniform clauses for the identification of exempt and complying development have been provided. The NSW Government is preparing supporting guidelines for councils on how exempt and complying development should be dealt with in new LEPs. The NSW Government, in consultation with local government, will examine opportunities to provide further consistency in the approach to exempt and complying development through annual operational reviews of the Standard Instrument.</p> <p>Over the next four years, as councils prepare new comprehensive LEPs, further opportunities will be identified to remove outdated, unnecessary and redundant concurrence requirements in current plans.</p> <p>The NSW Government will continue to review opportunities to remove any unnecessary integrated development requirements for Part 4 development applications, or provide other exemptions from single issue land use permits where development is of a minor or low risk nature.</p> <p>The NSW Government has an active program of rationalising and consolidating the number of SEPPs and REPs. Initiatives are underway to reduce the number of SEPPs from 59 to 37. It is expected that during 2007 further consolidation will be undertaken in relation to infrastructure, the mining, petroleum and extractive industry, residential and retail development, and rural and biodiversity issues.</p> <p>With the preparation of new LEPs across NSW, a number of REPs and SEPPs will be partially or fully incorporated into these instruments, thereby further reducing the number of REPs and SEPPs over time. The Standard Instrument currently incorporates four SEPPs (or part). Once a new LEP is adopted based on the Standard Instrument, these SEPPs will no longer apply as stand alone planning instruments.</p>	<p>On-track</p> <p>DA is a COAG regulatory hotspot</p>	<p>Streamlining development assessment</p> <p>NSW Planning Reform legislation received assent on 25 June 2008.</p> <p>As part of the Planning Reform program, the regulations will be amended to establish new statutory timeframes to improve assessment and turnaround times for development approvals.</p> <p>The Planning Reform program also includes a new system of planning arbitrators to consider applicant appeals against council decisions on small-scale development proposals. This system will provide cheaper and faster review of decisions for minor developments.</p> <p>The rezoning system for LEPs will also be improved through a 'gateway' process, by giving early feedback to councils on proposed plans and tailoring the plan making process to the scale and size of a proposed plan.</p> <p>Exempt and complying development</p> <p>In May 2008, the NSW Government released the NSW Housing Code and the NSW Commercial Building Code for public comment. The draft Codes provide a number of significant benefits in relation to improving regulatory efficiency, including:</p> <ul style="list-style-type: none"> - streamlining the approval process for housing, commercial and industrial developments; - reduced delays in receiving approvals for such development ; - standardising the application of common exempt and complying requirements across the State; and - clearer processes for certification of common housing, commercial and industrial developments. <p>Both Codes will be reviewed and revised following public exhibition. It is intended that the scope and content of the Codes will be expanded over the next 12-18 months, and further public consultation will be undertaken of any revised drafts.</p> <p>SEPPs and REPs</p> <p>The Government's program to rationalise and consolidate the number of SEPPs and REPs is underway.</p> <p>The State Environmental Planning Policy (Mining, Petroleum and</p>

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				<p>Extractive Industries) 2007 was gazetted which repealed two SEPPs and consolidated relevant industry provisions from other SEPPs. This was followed by the gazettal of State Environmental Planning Policy (Infrastructure) 2007 which repealed 20 SEPPs, reducing the number of SEPPs from 59 to 39.</p> <p>To clearly delineate between local and State planning provisions, the 44 existing REPs will shortly be converted to SEPPs and will be rationalised through a priority process. Local functions and provisions will be transferred into comprehensive LEPs and provisions of State importance will be retained in SEPPs. This process is being run in tandem with further consolidation of the remaining 39 SEPPs.</p> <p>The final outcome will be a clear distinction between planning provisions implemented at the local level through Standard LEPs, and a suite of key State level documents which provide strategic and overarching policy advice.</p> <p>Removing concurrences and referrals</p> <p>A draft SEPP has been prepared which proposes to remove unnecessary State agency concurrence and referral requirements in LEPs, REPs and SEPPs. These include referrals for draft LEPs and for development applications. The draft SEPP proposes to amend some 1373 referral clauses in environmental planning instruments, including removing over 250 State agency concurrence provisions.</p> <p>The Planning Reform program includes a 'gateway' process for the development of draft LEPs which will streamline plan making by tailoring the process (including the level of consultation or concurrence required) so that the timeframes, assessment and level of external input is commensurate with the scope and importance of the LEP (eg. minor rezonings versus comprehensive LEPs).</p> <p>COAG</p> <p>Development approvals are also being dealt with by COAG. At its July meeting, COAG:</p> <ul style="list-style-type: none"> - endorsed the report prepared by the Local Government and Planning Ministers' Council on current reform initiatives; and - welcomed the progress made to date by the States and Territories toward more streamlined development assessment processes

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				through, for example, increasing use of 'complying' development to speed up approvals, reforming intergovernmental referral processes and encouraging greater use of electronic processing.
63	<p>Subject recent reforms to post implementation review within 3 to 5 years and publicly report findings.</p> <p>(Planning)</p>	<p>The NSW Government supports this recommendation, and is committed to keeping under review the recent reforms to ensure that they achieve the desired outcomes of a more efficient, open planning regime which delivers liveable communities and economic growth within sustainable environmental parameters.</p> <p>In this context, a review of the operation of Part 3A Major Projects was undertaken at the end of its first year of operation resulting in recent amendments being passed in Parliament. In addition, the Major Projects SEPP was also reviewed at the end of its first year of operation. Amendments to the SEPP arising from this review were gazetted on 27 July 2007. The SEPP includes provisions which requires a further review every 5 years to ensure that it stays up to date and achieving its objectives.</p> <p>In July 2006, the NSW Government introduced a new system for performance reporting on the planning system, based on data collected by councils. The performance reporting program will be built up over time and will have significant long-term benefits for overall monitoring of the planning and development assessment system and target any future reform initiatives.</p>	On-track	<p>Planning Reform Implementation Advisory Committee</p> <p>An independent Implementation Advisory Committee (IAC) has been established to oversee and advise the Government on the implementation of the Planning Reform program.</p> <p>IAC includes representatives from the Planning Institute of Australia, the Royal Australian Institute of Architects, the Local Government and Shires Associations, the Local Government General Managers Association, the Total Environment Centre, the Nature Conservation Council, the Law Society, the Property Council of Australia, the Urban Development Institute of Australia, the Housing Industry Association and the Real Estate Institute of New South Wales.</p> <p>IAC, with its broad membership, is well placed to advise the Government on how to achieve the social, economic and environmental objectives of the reforms.</p> <p>Local Performance Monitoring</p> <p>The annual NSW Local Development Performance Monitoring reports provide comprehensive statistics about development in NSW, including annual information on the volume, value and type of development and council processing times. It is compiled by the Department of Planning based on the Department's analysis of data supplied by local councils.</p> <p>The most recent report 2006/07 provides significantly more information about the planning system than previous reports. This has improved understanding of the type of development that is occurring, the speed at which it is being assessed and, importantly, why there are bottlenecks in the system.</p> <p>These annual reports have informed the Planning Reform program and will continue to provide data for measuring the effectiveness of the reforms to the development assessment process.</p> <p>Major Development Monitor</p> <p>The Department of Planning released its second Major Development Monitor in 2007, and the Minister has approved preparation of the third</p>

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				<p>report to cover 2007/08. The Monitor reports to communities, councils, developers and Government agencies on decisions taken during the year by the Minister for Planning and the Department of Planning in regard to major development projects and proposed local environmental plans (LEPs).</p> <p>As with local performance monitoring, the Major Development Monitor is intended to assist in identifying areas within the approvals process that can be improved.</p> <p>Major Projects Tracking System</p> <p>The Department of Planning has established a comprehensive tracking system for Part 3A Major Projects.</p> <p>The Major Projects Tracking System enables wide ranging reporting on projects assessed under Part 3A <i>Environmental Planning and Assessment Act 1979</i>. The database is used to provide monthly reports to the Minister on progress of Major Project assessments.</p>
64	<p>Review plumbing and drainage regulation</p> <p>(Water)</p>	<p>The NSW Government supports this recommendation, and will be reviewing the regulation of the NSW plumbing industry in conjunction with the development of regulations for the <i>Water Industry Competition Act 2006</i>. The development of the regulations will include extensive stakeholder consultation.</p>	On-track	<p>The Department of Water and Energy and the Better Regulation Office are examining the regulation of plumbing and drainage with a focus on institutional arrangements and opportunities to reduce red tape.</p>
65	<p>Convene a working group to identify opportunities to share or streamline information among agencies, and provide guidance on</p>	<p>Extensive inter-agency work has already been undertaken in the Human Services sector on the issue of privacy and information sharing. In June 2006 the NSW Government released <i>Information Sharing for effective human services delivery - A guide for practitioners</i>, to provide a set of principles for information sharing by human services agencies and practitioners. A number of specific initiatives are also underway. For example, work is currently being undertaken by the Department of Housing and other agencies to develop an information sharing schedule under the Housing and Human Services Accord. The Accord is an overarching framework to improve the coordination and delivery of support services to people</p>	On-track	<p>The Government's Internal Red Tape Review and the Cabinet Standing Committee on Human Services and Justice are currently considering actions to further promote the appropriate sharing of information between agencies.</p> <p>A cross-agency information sharing schedule was trialled under the Housing and Human Services Accord in four locations. The results of the trial, completed in August 2008, are under consideration in determining how to promote the appropriate sharing of information between agencies.</p> <p>The NSW Law Reform Commission's review of the privacy laws in NSW</p>

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	privacy requirements affecting information sharing between agencies. (Attorney-General)	<p>living in social housing. The information sharing schedule will inform all trials under the Accord and assist to facilitate the sharing of information across agencies.</p> <p>Privacy requirements are also being examined as part of the NSW Government's internal red tape review.</p> <p>Privacy NSW currently maintains an extensive website which explains the requirements of NSW privacy legislation. The website also includes an on-line training program which is presently available to limited numbers of Privacy Contact Officers from NSW agencies. The program will be extended if it proves successful. Plans are in place to deliver additional on-line training which will deal with both the <i>Privacy and Personal Information Protection Act 1998</i> and the <i>Health Records and Information Privacy Act 2002</i>.</p> <p>The NSW Government will consider convening an inter-agency working group of senior officers to explore options for improving information sharing arrangements between government agencies should further potential opportunities emerge.</p>		<p>is also expected to identify further opportunities for improvement.</p>
66	Provide ongoing education and training to health care providers on health information requirements (Health)	<p>The NSW Government supports this recommendation, and provides on-going education and training to health care providers through a number of programs administered by NSW Health:</p> <ul style="list-style-type: none"> - NSW Health Privacy Manual and Health Privacy Training Program (updated in 2005): provides extensive Train-the-Trainer education sessions conducted with Area Health Service privacy/learning and development staff; - Internal Review Guidelines: issued in 2006 to complement the Privacy Manual and designed to support Area Health Services dealing with privacy complaints; and - NSW Health Privacy Officer: conducts training sessions and provides on-going support for trainers. <p>NSW Health has also developed an on-line education/compliance tool which is expected to be rolled out to the public health system in 2007.</p> <p>The NSW Government also notes that privacy regulation is being examined in reviews being conducted by the NSW Law Reform Commission (refer recommendation 32) and the Australian Law Reform</p>	On-track	<p>NSW Health has developed an extensive range of resources, policies and protocols to assist staff to meet health information requirements.</p> <p>The Department also delivers a range of face-to-face information on privacy education and training programs for health service staff and information on privacy training is included in new staff orientation programs. All health services have a privacy contact officer responsible for coordinating the delivery of these programs and NSW Health liaises closely with privacy contact officers to assist with training issues.</p> <p>NSW is also developing an online privacy training program. The content of this training is almost complete and conversion to an online format is expected to be finalised by December 2008.</p>

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		Commission and will consider any relevant findings in due course.		
67	<p>Undertake a post implementation review of the <i>Workplace Surveillance Act 2005</i> within 2 years of commencement.</p> <p>Provide guidance to small businesses on the Act's requirements on overseas or interstate information.</p> <p>(Attorney-General)</p>	<p>The NSW Parliament determined that the <i>Workplace Surveillance Act 2005</i> should be reviewed after five years of operation. A review of the policy objectives after five years of operation will more accurately assess the impact of the legislation than a review after only two years.</p> <p>Should it become apparent that the Act is not achieving its objectives, an earlier review will be considered.</p> <p>A short guide to the Act is available on the NSW Lawlink website. The guide was made available to all identified stakeholders prior to the commencement of the Act.</p>	On-track	<p>The statutory review of the Act will commence in 2010.</p> <p>The Attorney Department is monitoring requests for information and complaints in relation to the Act. No major issues have arisen which suggest that an earlier review is required.</p>
68	<p>Finalise review of the <i>Property Stock and Business Agents Act 2002</i> in relation to commercial property agents</p> <p>(Fair Trading)</p>	<p>The Office of Fair Trading has conducted a review of the <i>Property Stock and Business Agents Act 2002</i>, which considered the issues identified in the IPART report.</p> <p>The review recommendations are currently under consideration by the Minister for Fair Trading.</p>	On-track	<p>The Office of Fair Trading released its report of the review of the Property Stock and Business Agents Act on 31 July 2008. The review recommended a number of changes to improve the operation of the Act, including that commercial property agents who sell or manage property for a related company be exempted. A draft regulation to make this change was released for consultation in September 2008.</p> <p>The review concluded that the Act otherwise achieves its objectives by ensuring that agents act in the interests of property owners and providing consumer protection to potential purchasers and tenants. It was also found not to duplicate the <i>Retail Leases Act 1994</i> which has a more limited scope, dealing with the relationship between retail tenants and property owners.</p> <p>It is also noted that COAG decided on 3 July 2008 to develop a national</p>

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				trade licensing system applying to property agent occupations and the Property Stock and Business Agents Act will, in time, be affected.
69	Consider specific regulatory burden considerations as part of the next review of the <i>Retail Leases Act 1994</i> . (Small Business)	<p>The NSW Government supports this recommendation.</p> <p>The <i>Retail Leases Act 1994</i> was the subject of a comprehensive National Competition Policy (NCP) review in 2004.</p> <p>This review resulted in a number of amendments that removed red tape, clarified requirements and reduced costs. The amendments were subject to extensive consultation with key players in the retail leasing industry. The changes were specifically designed to ensure that the Act remains relevant and responsive to the current business environment and to promote informed decision-making by creating more effective disclosure between the parties.</p> <p>The <i>Retail Leases Act 1994</i> was also amended in 2005 to enable disputes to be resolved at an earlier stage and to reduce the number of formal mediations and matters brought to the Administrative Decisions Tribunal.</p>	On-track	The Government released a discussion paper on 14 April 2008 on 47 issues affecting the retail leasing industry. The Government will consider these matters in light of the Productivity Commission's report on the Review of the Market for Retail Tenancy, released 27 August 2008. Legislative reforms may be undertaken prior to the next scheduled statutory review due in 2012. The Government will consider the issues IPART has raised as part of that review.
70	Simplify the regulation of trading hours for general shops (Regulatory Reform/ Industrial Relations)	The NSW Government is considering options for simplifying the current arrangements with respect to trading hours for general shops in NSW.	Complete	The <i>Shop Trading Act 2008</i> commenced on 1 July 2008 simplifying the regulation of shop trading hours. The Act de-regulates shop trading hours while restricting trading on Good Friday, Easter Sunday, the morning of Anzac Day, Christmas Day and Boxing Day. Small shops and other specified shops are able to trade on restricted trading days.
71	Establish a working group to consider regulatory processes and requirements across agencies.	<p>The NSW Government supports these recommendations in-principle, and believes that there would be value in reviewing the efficiency of current regulatory arrangements for water.</p> <p>The NSW Government will ask the Natural Resources and Environment CEO Cluster, an existing inter-agency working group of senior officers, to oversee a review process that will examine the issues outlined in</p>	On-track	<p>The Department of Water and Energy (DWE) continues to participate in ad hoc working groups in conjunction with the Local Government and Shires Associations and NSW Water Directorate to review regulatory requirements. A current working group is in the final stages of incorporating enhancements in the forthcoming update of the <i>Liquid Trade Waste Management Guidelines</i>.</p> <p>The Minister for Water has commissioned a major review of the institutional, regulatory and governance arrangements for the long term</p>

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	(Water)	recommendations 71-73.		provision of water supply and sewerage in country NSW. The independent Inquiry Panel submitted its draft report in October 2008. Relevant agencies will form a working group to coordinate regulatory activities under any new arrangements established by the Government.
72	<p>Ensure that new regulatory requirements for water utilities are subject to proportional cost-benefit analysis.</p> <p>(Water)</p>	As above.	On-track	<p>The Department of Water and Energy (DWE) is represented on the National Steering Group responsible for developing and refining the National Performance Framework for Urban Water Utilities. The Steering Group subjects any new proposed performance indicators to cost-benefit analysis to ensure they provide net value and consults on its proposals with representatives of stakeholders.</p> <p>DWE has rationalised the reporting requirements for non-metropolitan urban local water utilities to ensure they are in accordance with the National Reporting Framework, which is subject to cost-benefit analysis and stakeholder consultation.</p> <p>The Minister for Water has commissioned a major review of the institutional, regulatory and governance arrangements for the long term provision of water supply and sewerage in country NSW. The independent Inquiry Panel submitted its draft report in October 2008. Relevant agencies will form a working group to coordinate regulatory activities under any new arrangements established by the Government and also ensure that cost-benefit assessment and stakeholder consultation is carried out before new requirements are imposed.</p>
73	<p>Review the efficiency of regulatory arrangements for water.</p> <p>(Water)</p>	As above.	On-track	<p>The Minister for Water has commissioned a major review of the institutional, regulatory and governance arrangements for the long term provision of water supply and sewerage in country NSW.</p> <p>The independent Inquiry Panel submitted its draft report in October 2008.</p>
74	Conduct a post implementation review of reforms arising	The NSW Government supports this recommendation in-principle. A number of minor amendments arising from the Macken Report commenced in late 2005 and early 2006. However, a key amendment concerning the introduction of the rulings provision only recently	On-track	The review will commence in October 2008.

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	<p>from the Macken Report within 2 years of implementation.</p> <p>(Minister for Finance)</p>	<p>commenced operation in October 2006. The NSW Government considers it important to wait a full two years before commencing a post-implementation review to ensure that all aspects of the reforms have been fully incorporated and that their impacts can be appropriately assessed.</p>		