

## **FFTF – LGNSW Submission: Issues Arising from First meeting of MAG Local Government Act Review Working Group – LGNSW Paper**

February 2016

### **Issues Arising from First Meeting of MAG Local Government Act Review Working Group**

#### **Issue**

**A number of issues arose at the first meeting the Local Government Act Review Working Group, which it is recommended that the MAG consider and progress.**

The MAG LG Act Working Group met for the first time on 21 January 2016. The discussion was largely process-related, but was productive and collegiate, and LGNSW is very pleased to be participating in the group. LGNSW looks forward to contributing in a constructive and helpful manner, and taking the opportunity to consider the full suite of Act amendment proposals within their entirety, and within the context of policy changes that have occurred over the last four years.

Issues arising at the meeting that LGNSW considers warrant involvement of the MAG include:

- The need for OLG to give a commitment to a written feedback loop after the consultation, so that stakeholders can see how their comments were addressed
- A request for OLG to provide stakeholders with a copy of the drafting instructions provided to Parliamentary Counsel's Office
- The need for OLG to provide MAG stakeholders with the opportunity to comment on the draft legislation before it is finalised and submitted to Parliament. This is important to ensure that the intent of the legislation is achieved and that there are no unintended consequences to the drafting. LGNSW would be willing to undertake this type of review loop supported by a confidentiality agreement if necessary
- A request for OLG to be more forthcoming about its intentions in terms of the overall format of the Act, and to formally consult with stakeholders about that. That is, it has previously been OLG's contention that the Act would be remodelled to be one largely of "principles", with the details contained in subordinate legislation and codes of practice. OLG indicated that this is still the intention, and all stakeholders at the Working Group meeting expressed concern with this approach. Given that this is a fundamental underpinning of the Act and the review, it is considered appropriate that OLG provide more information about what is envisaged, and properly consult with stakeholders. (It is noted that the explanatory paper accompanying the Phase 1 changes focuses on issues of specificity only.)
- A request for OLG to ensure that the capability of the on-line comments system for Phase 1 of the Act review is clear to all stakeholders. OLG advised at the meeting that the "comments" box for each item would take unlimited characters, but that only 200 characters will print out. This should be made clear on the website or fixed so that stakeholders do not submit material in good faith that is subsequently lost.

#### **Recommendation**

That the MAG recommend that the issues raised above be actioned by OLG.