

REGULATOR PERFORMANCE FRAMEWORK

BACKGROUND

The Australian Government's Regulator Performance Framework was released in October 2014. The Framework aims to improve the performance of regulators by encouraging them to undertake their functions with the minimum impact necessary to achieve regulatory objectives. The Framework also seeks to effect positive ongoing and lasting cultural change within regulators.

The Framework consists of six outcomes-based key performance indicators covering reducing regulatory burden, communications, risk-based and proportionate approaches, efficient and coordinated monitoring, transparency, and continuous improvement. Further information on the detail of the key performance indicators can be found at cuttingredtape.gov.au/resources/rpf/kpis

For the Environment portfolio, these indicators will be applied to each piece of environmental legislation that a regulator administers on behalf of the Australian Government and that fall within the scope of the Framework.

The indicators are underpinned by a number of specific measures or metrics against which regulators will demonstrate its performance by relevant legislation. Each regulator has nominated a number of metrics which are appropriate to its organisation and the legislation that it administers. These metrics will provide the basis for self-assessment to occur at the end of the reporting period. The first reporting period commences on 1 July 2015, with the first self-assessment to be undertaken after 30 June 2016.

Metrics have been the subject of consultation with a selection of relevant business and community groups that are 'regulated entities' for the purposes of that legislation.

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HARBOUR TRUST

The Harbour Trust has the following regulated activities covered by the Regulator Performance Framework:

- Regulation of Child Care Centres operating on Harbour Trust land
- Issue of Liquor Permits for the service of alcohol on Harbour Trust land
- Issue of Development Applications (DA) for activities on Harbour Trust land

Relevant legislation: *Sydney Harbour Federation Trust Act 2001*

The KPIs that fall within the scope of the Framework for the Harbour Trust are detailed below:

KPI 1 - Regulators do not unnecessarily impede the efficient operation of regulated entities

- Regular, ongoing review of policies, procedures and requirements, including through consultation and engagement with stakeholders.
- Documented established communication mechanisms with regulated entities, including feedback from existing complaint mechanisms.

KPI 2 – Communication with regulated entities is clear, targeted and effective

- Demonstrated effective mechanisms for responding to stakeholder engagement / complaint.
- Estimated timeframes for complaints handling are published, including maximum time for acknowledgement and average time for decisions.
- Decisions are accompanied by a statement of reasons and advice about relevant review or appeal mechanisms, where appropriate.

KPI 3 – Actions undertaken by regulators are proportionate to the regulatory risk being managed

- Demonstrated engagement with regulated entities to inform them of the regulators' expectations.
- Risk management plans are provided by regulated entities.

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KPI 4 – Compliance and monitoring approaches are streamlined and coordinated

- Demonstrated effort to reduce number and crossover of information requirements imposed on regulated entities.
- Demonstrated effort to share and receive information among regulators, where appropriate.
- Regular review and assessment of agreed monitoring and compliance strategies, including use of earned autonomy approaches.

KPI 5 – Regulators are open and transparent in their dealings with regulated entities

- Responses to requests from regulated entities are provided within specified timeframes.
- Performance information is made publicly available, where appropriate.
- Advice and guidance is widely available to stakeholders, with feedback mechanisms in place to support and inform continuous improvement.

KPI 6 – Regulators actively contribute to the continuous improvement of regulatory frameworks

- Documented procedures are in place to allow active and regular engagement with stakeholders.
- Stakeholder events held regularly.

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