

Responses received to additional questions

Clr Christine Forster and Clr Craig Chung

1. What is your view of having the Small Business Commissioner co-ordinate night time economy policy?

The Small Business Commissioner already acts as an advocate for small business within and outside Government. Much of the work of the SBC is to assist small businesses throughout NSW to navigate government, advocate for and promote small businesses and to support small business with a range of Government programs such as dealing with government on payment of invoices, dealing with red tape and . Importantly, it does not have compliance or regulatory power.

Small businesses wishing to develop a night time strategy are confronted with multi-jurisdictional, contradictory and complex rules and compliance regimes which act to deter and stymie the development of a night time economy. Many agencies seek to enforce regulation and compliance with multi-layered rules rather than provide Compliance as a Service.

The Small Business Commissioner can act to bring together agencies and stakeholders to help develop strategies to ensure that small businesses are assisted to meet the regulatory hurdles rather than inter-agency complexity making the red-tape overwhelming. The SBC can also help to develop broader strategies and make recommendations about the implementation of broader NTE strategies.

a) Would this be best done stand alone, or in company with the Department of Premier and Cabinet?

This does not need to be elevated to Premier and Cabinet. The SBC can make recommendation to the Minister who can in turn bring matters to cabinet.

2. What other steps or regulatory changes could be taken to encourage small bars in NSW?

The 2018-2019 NSW Budget included \$37 million toward the significant scaling up of the NSW Government's 'Easy to do Business' program, which aims to slash red tape and provide small businesses with one front door to Government. This followed the successful Easy to do Business pilot which has reduced the cost, time and complexity of starting up a café, restaurant or small bar. In addition, in March 2019 the NSW Treasurer announced the Government would implement a suite of short-term reforms to improve productivity, as recommended by the NSW Productivity Commission which was established by the Treasurer in 2018. The initial reforms include targeting small business fees and charges with the objective of reducing the cost of doing business, as well as advising business of regulatory changes. The next stage of the Easy to do Business reforms will focus on enabling businesses to opt-in to receive communications about policy or regulatory changes affecting their specific industry.

Any further support and expansion of the Easy to do Business program in NSW, particularly in conjunction with the repeal of the lockout laws, would encourage the creation of more small bars throughout NSW.

Should the NSW Government decide to charge the office of the Small Business Commissioner with co-ordinating night time economy policy, then that office should work together with the City of Sydney and other affected Councils to ensure that local planning rules and processes are supporting the establishment and operation of small bars and not adding to the layers of red tape these small businesses need to navigate.

3. What support could the State Government offer to support the NTE Councils Committee?

The State Government should manage the co-ordination of night time economy policy through the office of the Small Business Commissioner and should therefore disband the NTE Councils Committee. The government should instead focus its resources toward the effective and efficient management and operation of the sector via the Small Business Commissioner.