



# Annual Report

smallbusiness.nsw.gov.au

# Acknowledgement of Country

The NSW Small Business Commission acknowledges that Aboriginal and Torres Strait Islander peoples are the First Peoples and Traditional Custodians of Australia, and recognises their continued custodianship of Country – land, seas and skies. We acknowledge the diversity of First Nations cultures, histories and peoples, recognise their enduring connection to our State, and we pay our deepest respects to Elders past, present and emerging.

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# Minister's message

Small businesses play a vital role in shaping and contributing economic opportunity within our communities. The NSW Government is committed to supporting the small business sector, including through the services of the NSW Small Business Commission.

In 2024, the number of small businesses in NSW grew by 24,000 and there are now some 873,000 small businesses operating across the State. Small businesses make up 97 per cent of all businesses in NSW, contributing an impressive \$536 billion in annual sales and services income, while employing 1.8 million people and contributing \$76 billion in annual wages and salaries.

Despite their resilience, small businesses continue to navigate a challenging economic environment marked by cost pressures and weaker customer demand. Throughout these difficulties, the Commission has been there to help by offering low cost dispute resolution services, providing valuable information and guidance, and promoting fair treatment and constructive working relationships with the small business sector.

In many cases, the Commission has been able to assist small businesses one-on-one to achieve a critical breakthrough or support them to resolve a dispute, allowing our small businesspeople to get on with what they do best.

I'd like to congratulate the team at the Commission on some of their key achievements for 2024. These include: the launch of the new Digital Platforms Hub, which offers support for small businesses experiencing difficulties with an online platform or service; new resources to make it easier for small businesses considering opportunities to sell to Government; and the delivery of Small Business Month, which is a NSW Government initiative connecting small businesses to useful information and support.

Our communities thrive when small businesses flourish, making it essential to champion their success. With this in mind, the NSW Government has continued its strong commitment to supporting small businesses through key initiatives in 2024.

A cornerstone of this commitment is the NSW Charter for Small Business, introduced in February 2024. The Charter establishes principles to assist small businesses in starting, growing and thriving across the State. It will deliver stronger engagement on new policy and regulation, and ensure we listen and respond to small business concerns about red-tape and other pain points. Complementing these initiatives, the Commission contributed to improved regulatory outcomes through delivery of the Rightsizing regulation report, working with small businesses to find out first-hand how regulatory outcomes could be improved.

Other important commitments delivered in 2024 include the establishment of the Service NSW Business Bureau, targeted cost-of-doing-business relief and measures to make it easier to supply to government, such as by simplifying insurance requirements.

Finally, I would also like to thank outgoing Small Business Minister Stephen Kamper for his dedication to the small business sector over the past several years.

I look forward to working with the small business sector and the NSW Small Business Commission in 2025.

#### The Hon. Janelle Saffin MP

Minister for Small Business Minister for Recovery Minister for the North Coast

# Small business at a glance





By NSW small businesses in the private sector, which is around 43 per cent of the State's private sector workforce





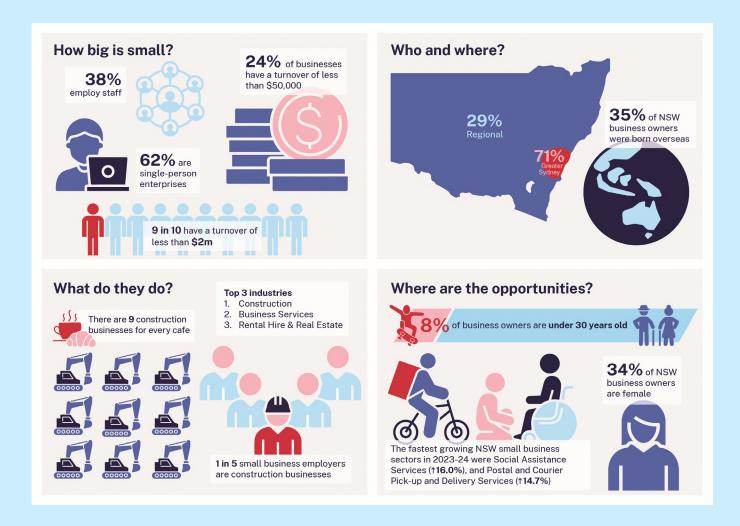


## About the Commission

The NSW Small Business Commission is dedicated to supporting the State's 873,000 small businesses by facilitating and encouraging the fair treatment of small businesses and promoting an operating environment in which small businesses can flourish.

#### The Commission also provides:

- a point of contact for small business to make complaints and raise issues about their dealings with government agencies, councils or larger organisations
- a neutral, confidential and low-cost mediation service for retail tenancy disputes, commercial lease arrangements and other business disputes
- advocacy assistance, representing small business in instances of unfair treatment and making the case for a more supportive policy and regulatory environment
- · up-to-date information and guidance.



## Our work in 2024

In 2024, small businesses continued to face ongoing uncertainty marked by higher costs, weaker customer demand and new ways of working.

A priority for the Commission has been to ensure our services continue to meet the needs of small businesses. As the business environment has evolved, the Commission has worked to assist small businesses on new and emerging challenges. This included supporting small businesses facing difficult times, responding to complexities in the digital economy and helping businesses navigate regulatory changes.

In 2024, the Commission provided one-on-one assistance to more than 11,600 small businesses and engaged with a further 9,000 small businesses through our insights and engagement activities. Demand for the Commission's mediation services remained strong, with applications for mediation more than double prior to the impact of COVID-19. In 2024, the Commission conducted 320 mediations and managed 2,203 mediation applications.

As small businesses continue to struggle with a range of challenges—including contractual, leasing and payment disputes—it is vital for them to have access to affordable and effective dispute resolution options. In many cases, disputes resolve prior to mediation with our accredited mediation officers playing a supporting role in discussing matters with the parties in an independent and neutral manner. Our office has supported businesses to get on the front foot and resolve matters before they escalate and get out of control.

A crucial role for the Commission is to serve as an independent advocate for small businesses within government.

The Commission regularly engages with policy agencies, regulators and other authorities on the needs of small businesses and made 25 submissions to public inquiries and policy discussion papers in 2024. Our advocacy work is evidence-based and supported by feedback and insights contributed from the more than 20,000 small businesses we engaged with throughout 2024.

The Commission heeded increasing concerns about the complexity of running a small business, engaging with the small business sector on their experiences with regulatory policymaking. The Commission's report, *Rightsizing regulation*, identified opportunities to improve consultation processes and ensure their perspectives are considered when designing new regulation. The report's nine recommendations were informed by the perspectives of small businesses who contributed to the review and offers a pathway to ensure well-designed regulation. The Commission looks forward to advancing this agenda in 2025.

Our engagement with the small business sector is critical to meeting our objectives and functions.

In 2024, the Commission delivered Small Business Month held in October which provided valuable opportunities to connect with exhibitors, develop skills and gain practical knowledge. The Commission hosted expos in locations right across the State, bringing together government services and industry experts to provide knowledge sessions, exhibitor displays and networking activities. The expos were complemented by our collaboration partner program with more than 16,000 attendees at over 400 events.

The Commission also convened the Small Business Reference Group (SBRG) to connect with small businesses and sector leaders on matters affecting the sector. SBRG members offered a valuable sounding board to support the Commission's activities.

In 2024, the Commission farewelled our outgoing Commissioner Chris Lamont. As Small Business Commissioner during COVID-19, Chris made significant contributions to support small businesses during this period and throughout his tenure. The team at the Commission thank Chris for his leadership and dedication to the small business sector during his tenure, and wish him well for his future endeavours.

The Commission is pleased to present our 2024 annual report.

## 2024 highlights







89%
of customer calls
answered within 60 seconds



25
submissions to inquiries
and policy discussion papers



direct engagement sessions
with industry, local government,
State and Federal Government
departments and agencies



95% customer experience satisfaction score



320 mediations conducted



2,203
mediation applications
managed



8,915
businesses responded
to our Momentum surveys



94
news and help articles
to keep small businesses informed

# Top industries reached

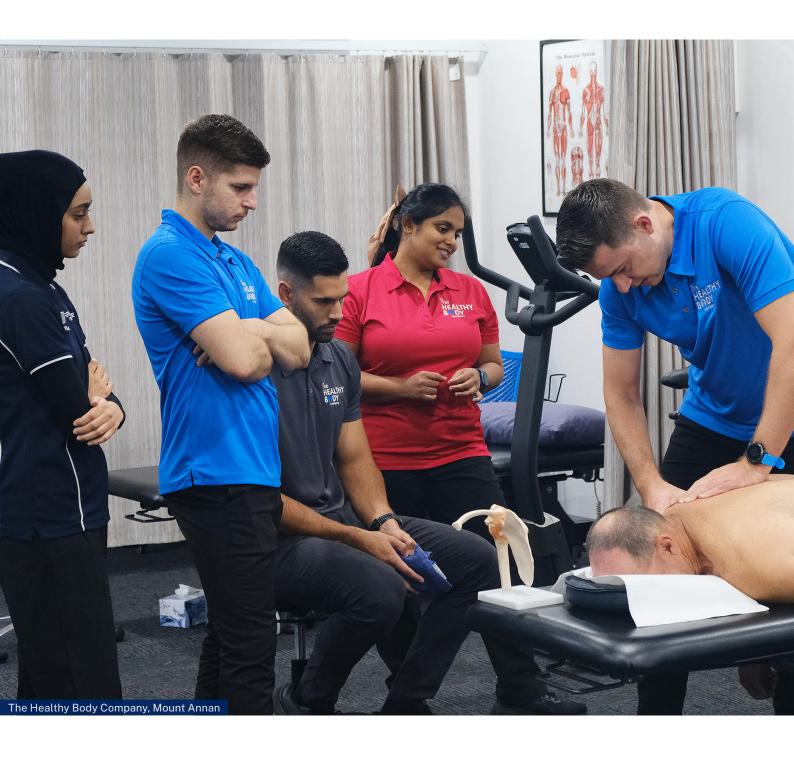


- 1. Construction
- 2. Retail trade
- 3. Accommodation and food services
- 4. Rental, hiring and real estate services
- 5. Health care and social assistance

# Top reasons for customer calls



- 1. Business to business
- 2. Retail Leases Act (RLA)
- 3. Commercial Lease (Non RLA)
- 4. General Civil
- 5. Business to consumer



# Economic and business conditions in 2024

2024 was a tough year for many small businesses. The Commission regularly engages with small businesses who report that higher input costs, staff shortages, interest rates and weaker customer demand continue to impact their performance.

Broader economic conditions remain subdued, with the NSW economy growing by 1.2 per cent in 2023-24, following a rise of 4.2 per cent the previous year. Insolvency levels in NSW remain elevated compared to pre-COVID levels and the Commission continues to align our services with the contemporary challenges faced by the small business sector.

Small business confidence remained subdued in 2024, reflecting an uncertain outlook and ongoing challenges in the business environment.

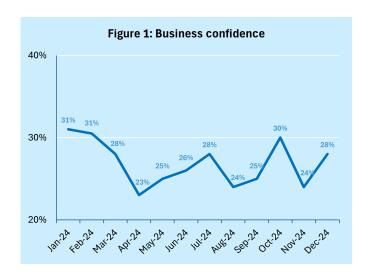
The Commission's Momentum Survey tracks business conditions and confidence. Small business confidence declined in the early part of the year, with a slow recovery towards the middle. Confidence levels were more volatile in the second half of the year (see Figure 1). The Momentum Index, which measures underlying changes in business performance and is designed to track turning points, has remained below 100 for the majority of the year (an index score below 100 suggests a slowing down in momentum, see Figure 2).

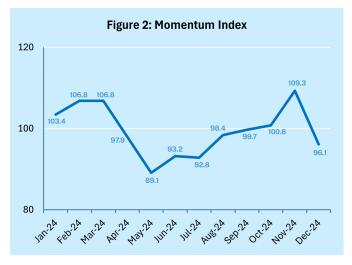
The Momentum Survey also tracks business concerns. The cost of business inputs remains the top concern, increasing by 7 percentage points (from 79 per cent in January to 86 per cent in December). At the end of 2024, the top business concerns reported by small businesses were:

- 1. The cost of business inputs (86 per cent of businesses)
- **2.** Cash flow and availability of working capital (74 per cent)
- **3.** Predicted retail electricity and gas price changes (72 per cent).

Latest survey data and insights are available on the Commission's website:

smallbusiness.nsw.gov.au/about-nsw-small-businesses/small-business-survey





## Insights and intelligence

The Commission's Small Business Momentum Survey asks almost 9,000 businesses each year about the key challenges they face in operating their business. The survey provides a high-level overview of business sentiment and conditions impacting small businesses in NSW.

The Commission also regularly engages directly with small businesses through the Business Insights Initiative (BII) to better understand the nature of the challenges faced by small businesses. Commission staff also regularly engage with small businesses

through delivery of various programs and initiatives, including Small Business Month, the Small Business Reference Group and regional visits and roundtables.

Customer insights are also a valuable source of intelligence on contemporary issues and challenges. The Commission tracks new and emerging issues throughout the year to ensure our services are aligned with current needs.

**NSW** economic growth

1.2%

Gross State Product, 2023-2024 (Source: ABS)

**Consumer Price Index** 

2.4%

Year end, December 2024 (Source: ABS)

Cash rate during 2024

4.35%

Small business confidence

**28**%

Year end, December 2024 (Source: Momentum Survey)

**Momentum Index** 

**96.1** points

Year end, December 2024 (Source: Momentum Survey)

**Business related insolvencies** 

5,308

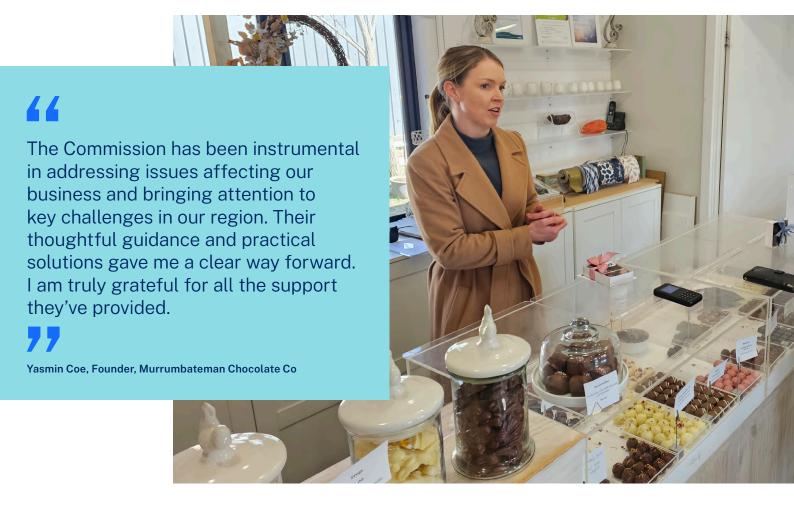
NSW, 2024 (Source: ASIC)

## Advocacy

The Commission plays a vital role in advocating for the interests of small businesses across the State, ensuring their voices are heard in regulatory and policy discussions. By identifying key challenges, and engaging with government and industry stakeholders, the Commission works to create a fairer and more supportive business environment. Through research, consultation and direct representation, the Commission is committed to fostering a thriving small business sector in NSW.

In 2024, the Commission focused on enhancing awareness of its advocacy services, launching the *Advocacy services guide* to help small businesses understand how they can access support.

Key advocacy efforts included responding to government inquiries, hosting regional roundtables, convening the Small Business Reference Group, addressing regulatory challenges and championing improvements in areas such as procurement, digital platforms, and better leasing practices. The Commission also worked to identify opportunities to reduce red tape and improve small business participation in government decision-making. The Commission published new or revised guides on disaster preparation, dealing with local construction works and helping local councils support small business.



# Advocacy services guide

As well as advocating on behalf of the small business sector as a whole, the Commission may be able to provide one-on-one assistance where a small business experiences a business issue or challenge.

The Commission developed the Advocacy services guide to provide key information about how our Advocacy services can help. These services involve representing individual small businesses in cases of unfair treatment, advocating for more supportive policies and promoting a regulatory environment that fosters small business success.

Additionally, the guide contains frequently asked questions (FAQs) and example scenarios to illustrate the types of issues the Commission addresses, the steps typically taken and how our advocacy services differ from other services offered by the Commission, including mediation.



The Advocacy services guide is available on the Commission's website:

smallbusiness.nsw.gov.au/resources/guides/ advocacy-services-guide



# Inquiries and discussion papers responded to in 2024

## **Department of Infrastructure, Transport, Regional Development, Communications and the Arts**

Flight paths for Western Sydney International and the draft Environmental Impact Statement

#### **NSW Environmental Protection Authority**

Plastics Next Steps Paper

## **NSW Parliament, Standing Committee on Social Issues, NSW Legislative Council**

Procurement practices of government agencies in New South Wales and its impact on the social development of the people of New South Wales

### **NSW Department of Planning, Housing and Infrastructure**

<u>Discussion paper on short and long-term rental</u> <u>accommodation review of regulations and supply in</u> NSW

#### The Treasury, Market Conduct and Digital Division

Review of the Food and Grocery Code of Conduct 2023-24

## **NSW Department of Customer Service, Better Regulation Division**

Consumer Protection Discussion Paper

#### **NSW Treasury**

**Emergency Services Levy Consultation Paper** 

#### NSW Department of Customer Service, Safework NSW

Strategic Plan 2024-2029 Consultation

#### **Transport for NSW**

Draft Community Improvement Districts CID Bill 2023

### Parliament of Australia, Select Committee on Adopting Artificial Intelligence

Adopting Artificial Intelligence Al

#### **NSW Environment Protection Authority**

Food and Garden Organics Mandates Proposal Paper

## **Australian Competition and Consumer Commission**Digital Platform Services Inquiry

## The Treasury, Competition Taskforce Division Revitalising National Competition Policy

## **NSW Department of Customer Service, Better Regulation Division**

Feedback on the proposed Home Building Bill

### Department of Climate Change, Energy, the Environment and Water

Options to reform Australia's current national coregulatory framework for packaging

#### **NSW Health, Regional Health Division**

<u>Feedback on experiences of consultation and</u> engagement with NSW Health

#### **NSW Environment Protection Authority**

Plastics: The Way Forward

#### **Productivity Commission**

Opportunities in the circular economy

## **NSW Department of Customer Service, State Insurance Regulatory Authority**

Review into the Home Building Compensation Scheme (HBC)

#### **The Treasury, Market Conduct Division**

Consumer Guarantees and Supplier Indemnification under Consumer Law

#### The Treasury, Market Conduct Division

Review of AI and the Consumer Law

### NSW Department of Customer Service, NSW Fair Trading

Feedback for information standard for e-micromobility vehicles

#### The Treasury, Small and Family Business Division

The consideration of a licensing regime for the franchising sector

#### The Treasury, Market Conduct Division

<u>Proposed</u> <u>Amendments, Unfair Trading Practices under</u> the ACL

#### All of our published submissions can be viewed at

smallbusiness.nsw.gov.au/resources/submissions

# Making it easier for small businesses to sell to government

In April 2024, the Commission provided evidence to the NSW Parliamentary inquiry into the procurement practices of Government agencies in NSW.

The Commission regularly hears from small businesses about their experiences supplying to government and has identified opportunities to enhance procurement processes and foster a vibrant small business sector.

In September 2024, the NSW Government announced key reforms to support local jobs and businesses, including:

- Promoting local content NSW
   Government agencies can now consider the impact of local employment and development opportunities when awarding contracts
- Local supplier mandates from 1 January 2025, agencies must justify awarding contracts worth more than \$7.5 million to out-of-state suppliers
- Redefining 'Value for money' a broader approach to 'value for money' encourages agencies to factor in employment opportunities and economic outcomes alongside cost.

The Commission remains committed to advocating for further reductions in procurement and contractual complexities and will continue to provide small business perspectives in ongoing procurement reforms.



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It has been a pleasure to engage with the Commission on procurement matters affecting our members, including unfair risk allocation, burdensome tender processes, and the need to focus on value rather than just price. It is important for organisations such as ours to have a place within government who understands and can raise awareness of these concerns.

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Kylie Yates, CEO, Civil Contractors Federation NSW

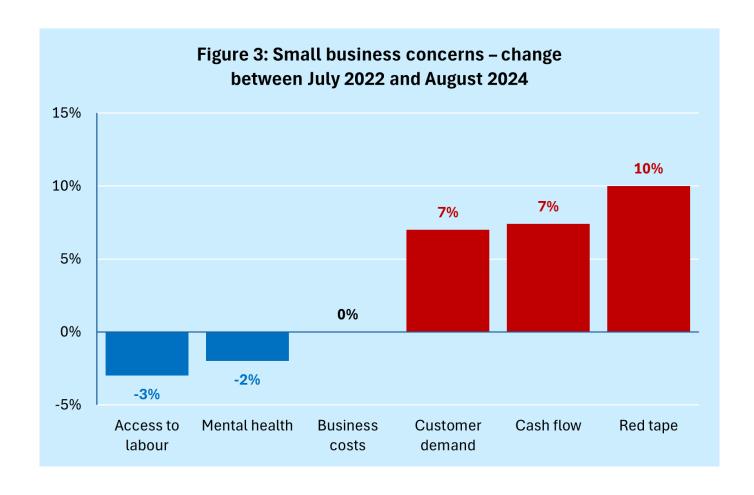
### Rightsizing regulation

In October 2024, the Commission released the report Rightsizing regulation: Review of small business experiences with regulatory policymaking processes. The report examined the experiences of small businesses when new legislation, regulations, rules and other requirements are being developed.

The review was driven by feedback from small businesses, with concerns about excessive or complex rules and regulations increasing by more than any other factor between 2022 and 2024 (see figure 3). Guided by extensive stakeholder engagement and survey analysis, the review found a significant proportion of small businesses felt their needs and unique challenges were not considered.

To address these issues, the report made nine recommendations aimed at improving regulatory policymaking and ensuring regulation is designed with small businesses in mind. These recommendations build upon the existing NSW Government commitments and best practices from international jurisdictions and include the preparation of Small Business Impact Statements when proposing new regulatory proposals.

In 2025, the Commission will collaborate with NSW Government agencies to advance the report's recommendations, including by developing practical guidance to support improved consultation and engagement with small businesses, as well as factors to consider when assessing small business impacts and designing regulation that meets their needs.



#### Rightsizing regulation review and factsheet

smallbusiness.nsw.gov.au/resources/reports/rightsizing-regulation-final-report smallbusiness.nsw.gov.au/resources/factsheets/regulation-review-factsheet





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The Commission's recommendation for small business impact statements offers a practical solution to the issue of increasingly complex red tape that is becoming harder for small businesses.

An understanding of how small businesses operate day-to-day is critical when making changes to rules and requirements, particularly in the residential construction sector where requirements are fast evolving and becoming increasingly complex.

It is pleasing to see the Commission's review give a voice to the concerns of small businesses in our sector.

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David Bare, Executive Director NSW, Housing Industry Association

# Delivering recommendations from the Review of the Retail Leases Act

The NSW Small Business
Commission supported delivery
of recommendations made in the
Commission's 2023 review of the
Retail Leases Act 1994, including by
launching two Before You Lease fact
sheets to simplify leasing processes
and ensure lessors and prospective
lessees are well-informed.

These fact sheets complement the existing *Retail* tenancy guide, offering key guidance, promoting transparency and encouraging equitable relationships between parties.

The Commission recommends sharing the fact sheets and the *Retail tenancy guide* with lessors and prospective lessees early in the process to support informed decision-making before finalising any retail lease agreement.

The fact sheets were a key outcome of the Commission's review of the Act which provided 32 recommendations, including both legislative and non-legislative measures designed to balance risk, foster equitable relationships, and promote good leasing practices.





#### Illicit tobacco

The Commission has advocated for appropriate compliance and enforcement arrangements to ensure responsible supply of tobacco and nicotine products.

This has included making representations to the parliamentary inquiry into E-cigarette regulation and compliance in NSW and to NSW Health. The Commission has advocated for more effective enforcement and resourcing to meet the dual benefits of meeting public health objectives while protecting small businesses against an enlarged 'black market'.

In October 2024, significant policy reforms and increased enforcement resources were introduced to address this issue, including mandatory licensing for tobacco suppliers in NSW and increased penalties for selling tobacco without a licence or to minors.

The Commission is also aware of concerns about rising insurance premiums and reduced coverage for tobacconists and adjacent premises. The Commission has issued guidance and offers mediation services to help lessors and lessees navigate these challenges and continues to monitor developments relating to the supply of tobacco and nicotine products.

# Advocacy for solar installers

From time to time, the Commission receives a high volume of customer contacts on an emerging issue, suggesting there may be a systemic issue or failure.

In August, the Commission responded to concerns raised by small solar installers who did not receive payment for work completed as part of the Small-scale Renewable Energy Scheme (SRES). The Commission engaged with key regulatory authorities to address the issue, including highlighting the experiences of impacted businesses and calling for a review of the program's design to prevent similar issues in future.

The Commission also provided advice to individual businesses on their options, including how to pursue payments owed and how to raise their concerns with State and federal regulators for further action.





### Digital platforms

The Commission has continued to support small businesses with digital platform issues and disputes. Key issues faced by small businesses this year included loss of access to online business accounts, unclear contract terms, payment delays and poor communication.

Over the last 12 months, the Commission received 470 enquiries relating to digital platforms and services, and helped to resolve business impacts and disruptions.

The Commission has worked proactively to support better outcomes for small businesses. This included contributing to the ACCC's Digital Platform Services Inquiry and the Revitalising National Competition Policy agenda. The Commission also advocated for better internal dispute resolution processes.

The Commission launched the Digital Platforms Hub, designed to help businesses navigate common challenges and encourage platform providers to optimise their services for small business users. The hub includes two best practice guides: the Digital platforms small business guide, which offers practical advice for managing risks and challenges, and Improving small business experiences with digital platforms, which outlines model practices and procedures for digital platform providers.





# The digital marketplace

For many small business operators, online marketplaces and digital services have changed the way they do business. For Marti Borus, owner of Barks and Claws Pet Care, digital platforms have been essential in growing her pet care business.

"I've loved dogs since I could walk and talk, so I always wanted to work with animals," she recalled. More than a decade ago, she started small, handing out \$100 worth of business cards and chatting with every dog owner she met. Today, her business is firmly established online. Social media platforms allow her to connect with new clients and showcase reviews and testimonials—no more paper business cards required.

While digital platforms offer considerable benefits, they also present challenges. Businesses that rely on these services can be vulnerable to cybercrime, data breaches, service outages, unclear terms, payment delays and unexpected account suspensions. Marti learned this firsthand when her accounts were suddenly taken offline. Without access, she couldn't communicate with clients or seek customer support from the platform.

"It was very important to me to have my account restored because that was a representation of my business for the past 10 years," Marti explained. "All my clients' comments, all the images I took, and my experience with different dog breeds—it was all there."

Marti contacted the Commission which actively works with digital platforms to advocate on behalf of small business owners.

"I called anyone I thought could help me. I was very lucky to call the Small Business Commission. The person who answered my call was very understanding, very helpful."

Marti, like many small business owners, knows that asking for help is crucial.

"If you need help, don't be afraid to ask," she advised. "Your mental health is just as important as running a business. Keep yourself healthy and happy, and then pursue your passion."

The recovery of her accounts felt like a victory, not just for her business, but for the community she had built around it. Clients, many of whom had followed her journey for years, were able to reconnect, leave new comments, and engage with her services.

"This wouldn't have happened without the Commission's help, and for that, I'm very grateful," she said. "I may be a very small business, but I care deeply about my clients and their beloved furry family members. This is the best Christmas present—to have all those images, comments and 10+ years of my business history back."



Marti Borus, owner of Barks and Claws Pet Care



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I would like to express my gratitude for your willingness to assist and escalate this matter. Your involvement provided muchneeded reassurance during a challenging process, and I appreciate the time and effort you dedicated to supporting me. This resolution would not have been possible without your assistance.

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Xianzhe Jia, delivery driver



## Mediation

The Commission's mediation service continues to play a pivotal role in supporting small businesses to resolve disputes, helping both parties to find practical solutions without the burden of costly and complex legal proceedings.

The Commission's mediation service provides a structured and impartial process that prioritises collaboration and mutual understanding. Mediators guide parties to identify common ground and work towards resolutions that protect their interests while preserving important business relationships. This approach not only supports the parties to avoid costly and protracted legal disputes but can support mutually beneficial relationships into the future.

In 2024, demand for the Commission's mediation services remained elevated with applications for mediation more than double prior to the impact of COVID-19. In 2024, the Commission conducted 320 mediation sessions and managed 2,203 mediation applications.

Through our mediation services, the Commission is able to address a broad spectrum of disputes, ranging from retail and commercial leasing matters through to contractual and other business-to-business disputes involving a small business.

In 2024, the proportion of non-lease matters increased to 45 per cent reflecting new and emerging challenges in the business environment. The proportion of non-lease matters in 2024 increased to 45 per cent. Retail lease matters make up 36 per cent of all applications received and 68 per cent of mediation sessions that are formally set down. General commercial leasing matters (outside of the *Retail Leases Act 1994*) represent 18 per cent of all applications.

## Highlights





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My experience with the mediation team was very helpful. I have been able to let go of the built-up stresses associated with the negotiations. Thank you so much.

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Elizabeth Grey, Owner, RJ and EA Gray

### Early resolution

There are various reasons why parties submit applications for mediation but, at its core, mediation serves as a framework for resolving conflicts with the assistance of a neutral third party.

Our mediation team is staffed by trained mediators with specialised skills in dispute resolution and extensive experience in leasing and commercial disputes. It is free to speak to one of our mediation officers, with 83 per cent of customers receiving one-on-one support within 7 working days.

When a customer contacts the Commission with a dispute, we take steps to support the parties in considering opportunities to resolve the matter before it proceeds to formal mediation. We help to clarify goals and evaluate options, focusing on creating the right conditions for parties to work towards a resolution.

This preliminary assistance supports efficient and timely resolution of disputes at the earliest possible stage, often averting the need to proceed to formal mediation. Through pre-mediation support, the vast majority of customers do not progress to formal mediation. This is often due to parties entering into early resolution or private negotiation.

#### **CASE STUDY:**

#### Good outcomes

Elizabeth, the owner of a small farming business in northern NSW alongside her husband Robert, found herself in a payment dispute with one of her clients. Elizabeth had supplied a large batch of produce to a customer who had not paid their invoices. Initially, Elizabeth tried to reach the customer directly to understand why the invoices had gone unpaid. Despite multiple attempts to reach the customer and clarify the situation, her inquiries did not lead to clear answers and the business relationship became strained.

Elizabeth contacted the Commission and spoke at length with a mediation officer who confirmed Elizabeth's concerns and explored ideas and ways to encourage communication between Elizabeth and her customer. The mediation officer explained the mediation process and discussed possible strategies to get the invoices paid.

The mediation officer reached out to the customer, informing them of Elizabeth's desire to resolve the issue and suggested the possibility of mediation. With the mediation officer acting as an intermediary, Elizabeth and the customer agreed to meet informally to discuss the matter. Using the strategies discussed with the mediation officer, Elizabeth was able to reach an agreement with the customer for payment of the invoices. Elizabeth's experience highlights how the mediation process can support good outcomes, even if it does not proceed to formal mediation. By simply initiating the process and keeping an open mind, she was able to find a solution that benefited both parties.



#### **CASE STUDY:**

# Building understanding across language barriers

Priya, the operator of a small physiotherapy and occupational therapy clinic, found herself in a tense dispute with her landlord, Chen, over who was responsible for major property repairs. Priya believed the structural renovations were Chen's responsibility and, unable to operate her business, stopped paying rent. This decision heightened tensions between them, with both parties becoming firmly entrenched in their positions. Miscommunication and unclear lease terms only made matters worse, while language barriers left both Priya and Chen feeling misunderstood and unheard.

To address the escalating conflict, the Commission facilitated mediation and arranged for interpreters to ensure clear communication. During the session, a key misunderstanding came to light: Priya had mistakenly assumed she was renting fewer rooms than stated in the lease. This misunderstanding had significantly influenced her expectations and plans for the renovations.

With the interpreters' help, the mediator created a space for open dialogue. Both parties reviewed the lease terms and worked together to identify practical solutions for the renovations. The result was a mediation agreement that clarified responsibilities for payment of rent arrears, an arrangement for rent moving forward, and the renovations to be undertaken.

This mediation preserved Priya and Chen's business relationship and highlighted the value of open communication in resolving disputes. The process demonstrated how mediation can break down barriers and foster long-term cooperation, even in complex and emotionally charged conflicts.

#### Disclaimer

These case studies reflect actual matters dealt with by the Commission in 2024 and have been used with permission. To protect the confidentiality and identity of the parties involved, names and some other details have been changed, but all events described are factual.



I had an amazing experience with the mediation team from start to finish, and I'm so grateful for this as, if it wasn't for them getting involved, I would have had a negative outcome with my matter. Thank you for all the guidance.

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**Mediation client** 

# Launch of new mediation panel

In July 2024, the Commission launched a new mediation panel to assist in providing high quality, confidential and timely mediation services. The panel was established to ensure we have access to experienced and qualified mediators, right across NSW, to assist small businesses, lessors and lessees, and other parties to resolve disputes.

The panel is made up of more than 50 mediators with specialist skills and experience in retail and commercial leasing, as well as general commercial disputes. All of our mediators are nationally accredited and registered with the Mediator Standards Board. The panel has coverage across regional areas and, when combined with our internal accredited mediators, the Commission can continue to offer high quality mediation services, no matter where our customers are located in NSW.

# Engagement with small business

The Commission's customer experience team assisted more than 8,700 small businesses during the year.

The customer experience team maintained their ongoing commitment to their Customer Charter, implemented in 2023, with a continued focus on delivering high quality services to small businesses. To support customer outcomes, the customer experience team focused on building relationships with other government and non-government agencies to better serve small businesses and respond to enquiries.

The customer experience team also undertook, continuous improvement through updating information available on our website to better address common queries raised by customers. The Commission continues to deliver a high quality service, achieving a customer experience rating of 4.8 out of 5, achieved from over 1,000 survey responses, with 89 per cent of calls answered within 60 seconds.



## Highlights







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Your staff were polite, knowledgeable, efficient and very helpful, and promptly provided the information I required. Customer service of this standard is to be commended.

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Greg Stone, Woodlands Environmental Management

# The Commission in the community

Throughout 2024, the Commission actively engaged with small businesses across NSW, participating in discussions and events while gaining valuable insights into the unique challenges faced in local communities..

### Regional roundtables

In July, the Commission hosted six roundtables across regional NSW, bringing together local small businesses to hear feedback on emerging challenges and opportunities in their community.. The Commission gained a deeper understanding of conditions in regional NSW, with small businesses impacted by issues such as the rising cost of doing business and workforce challenges. The Commission also provided one-on-one assistance to businesses who raised specific challenges and concerns.

# Industry and professional association events

The Commission presented at industry and professional association events, providing education to associations on the small business landscape, sharing insights from small businesses, and highlighting the Commission's role. Recently, the Commissioner presented to the Real Estate Institute of New South Wales, offering updates on the small business environment and findings from the *Rightsizing regulation* report.











# Meeting local small businesses and leaders

The Commissioner met with small businesses and industry leaders across metropolitan and regional NSW, hearing firsthand accounts of their experiences. Most recently, the Commissioner attended the Bungendore Business Chamber to provide an update on the small business landscape in NSW and connect with local business owners. The Commission also participated in various local business events, delivering presentations on the services offered by the Commission, discussing challenges, and answering questions from attendees.

#### **Podcasts**

This year the Commissioner interviewed a diverse range of industry leaders, experts and small business success stories to share their insights. This includes Fire and Rescue NSW Commissioner, Jeremy Fewtrell AFSM, who shared tips on how small businesses can protect themselves from fire and other hazards; Council of Small Business Organisations Australia (COSBOA) CEO, Luke Achterstraat, who shared his journey from founding a small business to leading COSBOA; Victorian Small Business Commissioner, Lynda McAlary-Smith, who shared her insights from across the border; and Bungendore Wood Works Gallery owner, David Mac Laren OAM, about the evolution of his gallery as a business and significant tourism attraction.

## Engaging small business leaders through the Small Business Reference Group

The NSW Small Business Commissioner established the Small Business Reference Group (SBRG) to strengthen engagement with small businesses and industry representatives across the State. This group built on the successful work of its predecessor during the COVID-19 pandemic, which advised on support measures critical to the survival of many small enterprises.

Comprising nine members from diverse sectors—including construction, real estate, retail and manufacturing—the SBRG supported the Commissioner to gain firsthand insights into the challenges and experiences of small businesses.

In 2024, the SBRG met regularly to support the Commission's review of small business experiences with regulatory policymaking. The *Rightsizing regulation* review, which addresses the growing regulatory burden on small businesses, was guided and informed by feedback from the SBRG which emphasised the importance of inclusive consultation processes.

#### Members of the SBRG:

- Luke Achterstraat CEO, Council of Small Business Organisations Australia
- David Mumford Director, RBK Nutraceuticals
- Yasmin Coe Founder, Sweet Pea & Poppy
- Todd & Jenny Raffen Owners, Almighty Industries
- Mark McKenzie CEO, Australian Convenience
   & Petroleum Marketers Association
- Tim Burt Director, Future Skills Organisation
- Kylie Yates CEO, Civil Contractors Federation NSW
- David Bare Executive Director NSW, Housing Industry Association
- Amanda Gould Director, Real Estate Institute of NSW



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The Commission has proactively worked to engage a diverse range of perspectives through the SBRG to ensure the small business voice is represented within government. As a member of the SBRG over the past year, we've been able to discuss and hear different perspectives on matters such as regulation and the business environment.

This experience has enabled me to better identify unnecessary red tape and propose actionable ways for governments to streamline processes and reduce bureaucratic barriers."

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David Mumford, RBK Nutraceuticals

# Building a stronger industry: the importance of advocacy and small business engagement

Sandy Chong, former CEO of the Australian Hairdressing Council and a small business owner for 39 years, has been a passionate advocate for the hairdressing industry, raising awareness of the day-to-day realities and needs of small businesses in her industry.

Sandy's advocacy career is grounded in firsthand knowledge of what it takes to run a business having founded Suki, a successful and respected hairdressing salon. Reflecting on her career, Sandy explained, "Involvement in the industry gave me a grounded understanding of the many challenges of running not just my business, but insight into all industry stakeholders."

These experiences laid the foundation for her advocacy work with the Australian Hairdressing Council from 2010 to 2024. When Sandy became an industry advocate, she quickly established the relationships needed to support change. She highlights the value of being well-prepared: "Take every opportunity you can to participate in discussions about your industry, but don't attend a meeting just to vent or complain. Have solutions

with clear explanations of how and why, and be respectful at all times."

One of Sandy's most significant contributions was her role in lobbying for hairdressing to be included on the Core Skills Occupation List after its removal from the Skills Migration List in 2020. The campaign involved industry roundtables, submissions, case studies and meetings with government ministers. Her perseverance paid off when hairdressing was reinstated on the Core Skills Occupation List in 2024.

For other industry leaders seeking to support and champion small businesses, Sandy emphasised the importance of understanding all stakeholders in the industry. "You need to speak their language," she explained. Her 39 years as a small business owner gave her firsthand experience with the challenges of running a business.

Sandy also encouraged small business owners to get involved in advocacy: "Any request for consultation or a case study is an opportunity to have your say. By actively contributing, you can make a meaningful impact."



Sandy Chong, former CEO of the Australian Hairdressing Council

#### **NSW Small Business Month**

# The Commission successfully delivered Small Business Month in October 2024.

Small Business Month is a program of events and other activities designed to support and empower small businesses across the State. The program featured events tailored to the diverse interests of small business owners, providing valuable opportunities to connect with exhibitors, develop skills and gain practical knowledge.

As part of Small Business Month, the Commission hosted eight expos in locations including Sydney,

the Central Coast, Northern Rivers, Wollongong, Queanbeyan, Batemans Bay, Dubbo and Newcastle. These expos brought together government services and industry experts to provide knowledge sessions, exhibitor displays and networking activities. The expos fostered meaningful connections and celebrated the vital contributions of small businesses across the State.

The expos were complemented by 428 in-person and online events delivered through the Collaboration Partner Program. Collectively, these activities attracted over 16,000 attendees, with 82 per cent of attendees indicating they would apply information learned at the events to their business.





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Working in partnership with the Commission as part of NSW Small Business Month was a great event to be involved in. The events provided small businesses in the Illawarra Shoalhaven region the chance to network, learn and hear from the Commissioner about the broader business landscape.

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Selena Stevens, CEO, Regional Development Australia Illawarra Shoalhaven

**428** 



events

8 expos



192



collaboration partners

57
exhibitors





88%

of attendees were very satisfied or satisfied participating in Small Business Month

82%

agreed with the statement 'The activity provided me with information I intend to apply to my business'



16,364



90%

of attendees **are likely** to attend future Small Business Month programs

**\$475**%

of attendees increased their awareness of government support by participating in Small Business Month

#### **Cumberland Business Converge**

Cumberland City Council joined forces with Greater Cumberland Chamber of Commerce, hosting 120 attendees to hear from local business owners and experts. The event featured keynote speakers Ravi Singh, co-founder and CEO of Kickin' Inn Australia, and Carla Dias Wadewitz, Senior Manager Innovation and Strategy at Western Sydney University. Organisers received high praise, with attendees provided networking and engagement opportunities throughout the event.



#### Better Business Partnership Launch

In October, the Better Business Partnership launched its Circular Food Pathways program, a business partnership food waste reduction program supported by the NSW Environmental Protection Authority. The event included a networking session and was attended by 80 small business owners and their teams, as well as representatives from the Better Business Partnership partner councils: Willoughby City Council, North Sydney Council and Ku-ring-gai Council.



#### **Crafting the Perfect Elevator Pitch**

Four local organisations: Wollondilly Women in Business, the Unleashed Collective, Ink Business and Saigen Thyme, came together to host a workshop on how to perfect a concise, compelling and memorable elevator pitch. Attendees were taken through building a pitch step by step, practicing with the group, gaining feedback and perfecting their final product, providing participants with a valuable learning opportunity.



# Resources to support small businesses

The Commission developed resources and information to support small businesses and keep them informed.

This included publishing 94 articles on a diverse range of topics, along with guides, online learning and pre-lease information for both lessees and lessors.

## Online learning

The NSW Small Business Commission offers online learning modules to assist small businesses in navigating procurement processes and securing contracts with the NSW Government.

In 2024, the Commission launched the Selling to the NSW Government course. This course is an extension of the successful Selling to the NSW Government Micro Skills online course, previously offered through TAFE NSW. The Selling to the NSW Government course provides a 40-60 minute program designed to equip small businesses with the tools and knowledge needed to succeed when considering whether to supply to government. Participants gain insights into:

- Preparing their business for government procurement
- Developing a compelling Capability Statement
- Meeting government compliance standards
- Communicating effectively with government buyers.

This course complements the Winning Business course, launched in 2023, designed for small businesses new to contracting and introduces pitching for both public and private sector contracts.

#### Top 5 news articles published in 2024

- 1. Energy Efficiency Grants for Small Business smallbusiness.nsw.gov.au/news-podcasts/news/energy-efficiency-grants-for-small-business-round-2
- 2. Warning on sale of vapes and illegal tobacco smallbusiness.nsw.gov.au/news-podcasts/news/warning-on-sale-of-vapes-and-illegal-tobacco
- 3. Small business instant asset write-off and energy incentive now law

smallbusiness.nsw.gov.au/news-podcasts/news/small-business-instant-asset-write-off-and-energy-incentive-now-law

4. Federal budget 2024-25: information for small businesses

<u>smallbusiness.nsw.gov.au/news-podcasts/news/federal-budget-2024-25-information-for-small-businesses</u>

5. NSW State Budget 2024-25

smallbusiness.nsw.gov.au/news-podcasts/news/nsw-state-budget-2024-25

## Top 5 information pages and resources published in 2024

- 1. Do I need a workers compensation insurance policy? smallbusiness.nsw.gov.au/help/common-questions/do-i-need-a-workers-compensation-insurance-policy
- **2. Smart savings and strategies to remain profitable**smallbusiness.nsw.gov.au/help/common-questions/tips-to-ease-the-squeeze-on-small-business
- **3. Discussion paper regulatory policymaking**smallbusiness.nsw.gov.au/resources/submissions/discussion-paper-regulatory-policymaking
- **4. Advocacy Services Guide**smallbusiness.nsw.gov.au/resources/guides/advocacy-services-guide
- 5. How to deal with unwanted charges and recurring payments

<u>smallbusiness.nsw.gov.au/help/common-questions/how-to-deal-with-unwanted-charges-and-recurring-payments</u>

# Guidance and information

In response to the current challenging economic environment, the Commission focused on providing guidance to help small businesses navigate financial pressures and protect their interests. Recognising the importance of early intervention, the Commission encouraged businesses facing debt or financial hardship to act swiftly and access available support programs. These programs include financial counselling services and mediation options to help manage debts and resolve disputes.

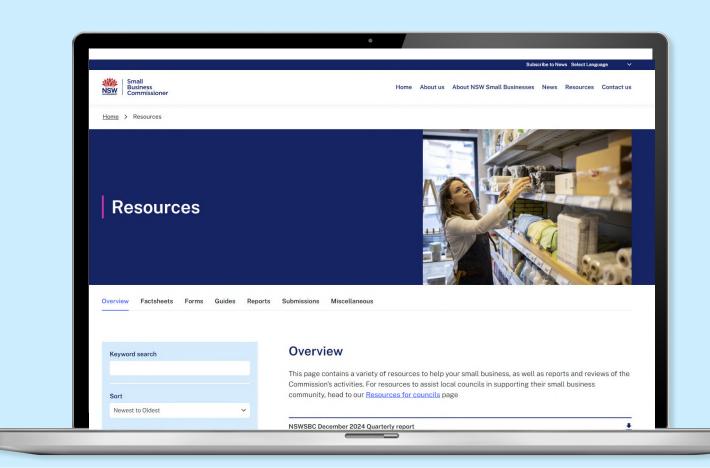
The Commission also highlighted the importance of reviewing contracts for hidden costs and subscription fees and renegotiating terms with suppliers. Businesses were also urged to stay alert to predatory practices, especially when dealing with digital platforms.

For those seeking to ease the financial squeeze, the Commission provided strategies to reduce costs and

improve efficiency. This includes tips on optimising operations, renegotiating leases and leveraging government support programs. These practical measures aim to help businesses reduce overheads while maintaining profitability in a challenging economic climate.

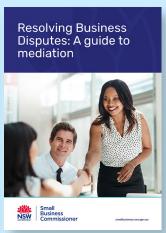
The Commission launched the *Advocacy Services Guide* which provides information about our advocacy services. This guide contains comprehensive guidance on how we can help small businesses, how our advocacy services differ to mediation, and comprehensive example scenarios where our services have been provided to small businesses.

As part of our Digital Platforms Hub, the Commission launched two guides to promote improved outcomes in this increasingly important part of the economy. The *Small business guide* supports small businesses to get the most out of their use of digital platforms, while the *Model practices and procedures guide* was developed to help improve the experiences of small businesses, including through effective customer support and dispute resolution.

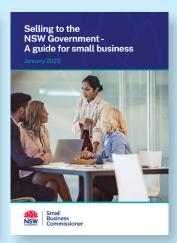


#### Guides & resources



























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