

72 Woodville Road, Woodville  
South Australia 5011  
PO Box 1, Woodville SA 5011

T 08 8408 1111  
F 08 8408 1122  
charlessturt.sa.gov.au



20 May 2021

South Australian Productivity Commission  
Submitted via email to: [sapc@sa.gov.au](mailto:sapc@sa.gov.au)

## **Inquiry into the reform of South Australia's regulatory framework – response to Issues Paper**

Thank you for the opportunity to provide a submission to the inquiry into the reform of South Australia's regulatory framework. The following outline some key issues identified by the City of Charles Sturt Economic Development Team. Please note that these are staff views and have not be endorsed by Elected Members.

### **1. Regulation needs to consider social and economic impacts**

The inquiry into the reform of the regulatory framework should consider the implementation of a review process for the creation of any new regulatory action to bring it in line with best practice. The review process should consider the social and economic impacts of the proposed regulations with a focus on ensuring that it is not overly burdensome on business and the community. This should take into consideration the time and complexity of compliance and reporting.

### **2. Regulations and legislation need to be more nimble and responsive**

The ability to respond swiftly and decisively to the restrictions that were placed on businesses throughout the COVID -19 pandemic and the subsequent reopening, has demonstrated the need for regulators to be able to be nimble and responsive. This was shown by the City of Charles Sturt's response in allow temporary outdoor dining for food businesses and the State Government's relaxing of liquor licensing laws to allow takeaway beverages to be sold with food.

Being nimble and responsive also needs to be balanced and considered in the context of other longer term health and safety objectives for example providing adequate space for people with a mobility impairment to traverse footpaths and access public open spaces.

Regulation and legislation needs to be able to respond to emerging trends, technology and the gig economy which has evolved faster than legislation is able to respond. A new framework for legislation needs to adopt innovative and contemporary forms or regulation taking into account advanced data analytics including the use of real time data and artificial intelligence. The approach should be outcomes based, enabling business innovation and growth while ensuring community safety.

In the past, South Australia has been used as a test site for new technology and innovation due to the size of our population. This should be embraced and we should foster and promote a regulatory environment that supports new technology that enhances liveability and economic growth.



### **3. Encourage incentive based approach for business regulation**

A balanced approach is required for business related regulations. Where possible incentives for business to adopt best practice should be encouraged in preference to explicit government regulation. This allows the government to influence business behaviour and can be achieved through co-design with industry stakeholders and associations.

Further investigation should be undertaken to identify the current use and opportunities to create further incentive based regulation in South Australia.

### **4. Explore the alternatives to legislation**

The regulation review process should consider alternative approaches to appropriately regulate the gig and sharing economy. This is to allow for a more responsive and innovative approach which supports business and economic growth. The regulated entities could be held to account through the use of data analytics including real time data and data developed to ensure consumer protection and community safety.

Further investigation should be undertaken to identify how this could be facilitated and incorporated in the South Australian regulatory framework.

### **5. Create a best practice approach to regulation, review and reform**

A comprehensive review of the existing regulations and legislation should be undertaken to ensure that it is achieving its intended purpose. The review should also identify where it could be streamlined and where the reporting and compliance requirements on business and the community can be reduced. As part of the process it is important to undertake stakeholder engagement with business leaders, associations and the community.

Legislative reform and red tape reduction requires the leadership of State and Commonwealth Governments to ensure that the changes filter down to the regulators and that a consistent approach is facilitated across Council boundaries. In undertaking this review and reform it is critical that stakeholders and consumers are engaged and involved in the review to ensure a customer centric approach.

If you have any queries, or require further clarification, please do not hesitate to contact me via email: [kwundersitz@charlessturt.sa.gov.au](mailto:kwundersitz@charlessturt.sa.gov.au) or phone 0434 010 696.

Yours faithfully,



Kym Wundersitz  
Principal Economic and Strategic Planner