

28 May 2012

Mr Steve Toms
Cross Border Commissioner
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NSW Business Chamber
incorporates

- Sydney Business Chamber
- Australian Business Limited Apprenticeships
- Australian Business Lawyers and Advisors
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Dear Mr Toms

I write to congratulate you on your appointment as NSW's inaugural Cross Border Commissioner.

As you may be aware, the harmonisation of regulation, especially in our border communities, remains a key priority for the NSW Business Chamber (NSWBC). We see your position as Cross Border Commissioner playing a vital role in advocating for the pace of harmonisation to be increased so as to ensure NSW becomes a better place to do business.

Putting NSW on a competitive footing with other states has also been recognised as a key priority under the NSW Government's *NSW 2021: A Plan to Make NSW Number One*. Goal 4 of that plan identifies a number of targets and priorities including the introduction of the payroll tax rebate, eliminating the need for dual State/Commonwealth threatened species approvals and the reduction of red tape through the introduction of the "one on / two off" policy, coupled with a target of \$750 million in annual red tape savings over the course of the government's four year term that will help increase the competitiveness of doing business in our state.

There is however, especially for communities living close to state borders, a need to do more to ensure that business conditions are the same, if not better in NSW than those in other states.

For NSWBC members in the Northern Rivers, differences between NSW and Queensland road weight limits places local business at a significant competitive disadvantage. Under current circumstances, trucks travelling across the border are forced to comply with the lower NSW weight limit, meaning that they travel at less than full capacity. In light of this, it's easy to understand why a NSW business using Queensland port facilities to export goods worldwide, would consider closely the option to reduce its transport costs by moving that business interstate.

Licensing is another area of regulation that is causing considerable frustration for border businesses. The difference in trade licenses between states and the inability to have trade qualifications across jurisdictions is a major concern.

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I understand that you have recently met with NSWBC members in both the Northern Rivers and in Albury to discuss the impacts that both border businesses and communities face in operating so close to different state jurisdictions.

The NSWBC has recently outlined some of these concerns in a submission to the NSW Legislative Assembly's Committee on Economic Development *Inquiry into the establishment of special economic zones*. A copy of this submission is attached for your reference.

As identified in the NSWBC submission, differing state licensing regimes cause significant difficulties for businesses operating in border regions. Recent discussions with the NSW Minister for Fair Trading, the Hon Anthony Roberts MP, have indicated that this is an issue which the Office of Fair Trading would like to look into and see where improvements can be made. I would encourage you to engage with Minister Robert's office to see whether you and your office may be able to assist in this work. The NSWBC would also be happy to assist in this regard.

While I appreciate that many aspects of cross border harmonisation are being developed as part of COAG's National Partnerships agenda, I believe there is opportunity and scope for your office to help drive bilateral agreements and achieve harmonisation on some of these issues with our neighbouring states. From my discussion with our Regional Advisory Councils in the Northern Rivers and the Murray Riverina, other than license arrangements the key priorities for harmonisation for businesses in these regions include: Pay roll tax rates / thresholds and reporting; Public Holidays / shop trading hours and daylight savings; Tendering agreements; and insurance.

One way in which solutions to these issues could be developed would be by establishing cross border committees. Such committees would be based in border regions (Albury, Tweed and Queanbeyan) to look directly at how border anomalies and their impact on business conditions can be overcome. The committees could be chaired by yourself and have a range of stakeholders as members from local business and community groups to council and state government representatives. I would appreciate hearing your views on this proposal and would be happy to work with you to establish such committees if supported.

Please feel free to contact Mr Sean Molloy, Senior Manager Policy, on 9458 7441 if you would like to discuss these matters in more detail.

Yours sincerely



Stephen Cartwright
CHIEF EXECUTIVE OFFICER

cc *The Hon. Anthony Roberts, MP, Minister for Fair Trading*
 Ms Yasmin King, Small Business Commissioner