




**Trade & Investment**  
Cross-Border Commissioner



Ref: OUT 13/13807

Yvette Berry MLA (Chair)  
Select Committee on Regional Development  
Legislative Assembly for the Australian Capital Territory  
GPO Box 1020  
Canberra ACT 2601  
[Brian.Lloyd@parliament.act.gov.au](mailto:Brian.Lloyd@parliament.act.gov.au)

	A.C.T. LEGISLATIVE ASSEMBLY COMMITTEE OFFICE
SUBMISSION NUMBER	17
DATE AUTH'D FOR PUBLICATION	29/05/13

Dear Ms Berry MLA,

**ACT Legislative Assembly Select Committee on Regional Development**

I refer to your letter received on the 9 April 2013 regarding the ACT Select Committee on Regional Development and take this opportunity to provide some background on the role of the NSW Cross-Border Commissioner.

The Office of the Cross-Border Commissioner was set up in March 2012 by the NSW Government to advocate for and develop solutions to assist border communities and business on NSW borders' that may have difficulties because of their cross-border location.

I conducted a listening tour in the initial stage of the position and produced a report titled 'NSW Cross-Border Commissioner Listening Tour Report May 2012'. To prioritise actions for 2013 on the issues raised as part of the public consultation I have developed a '2013 Business Plan'. Both of these documents are located at [www.business.nsw.gov.au/cbc](http://www.business.nsw.gov.au/cbc)

It is apparent that for many border locations with urban centres either side; there exists a community of interest involving both business and residents that live, work and access services including health and education on a regular basis in a cross-border setting.

I have attached a submission that I provided to the NSW Independent Local Government Review Panel which expands a little further on the concepts of communities of interest around NSW borders for the information of your Select Committee. The focus of that submission was to the Local Government review process that is underway in NSW, but I feel it is also relevant to the interests of your Select Committee.

A number of urban and rural residential populations occur in NSW in close proximity to the Australian Capital Territory with the main and dominant population centre of Canberra. This situation is recognised in the 'Australian Capital Territory and New South Wales Memorandum of Understanding for Regional Collaboration' signed in December 2011. The level of cooperation that is occurring under this MOU is very encouraging and reflects the changing dynamics in the south east region as the regional population, including that of the ACT, continues to grow.

Under the MOU a number of positive actions are occurring between the ACT Government and NSW at a state and local government level in relation to:

- Strategic regional direction and priorities
- Landuse planning and infrastructure
- Integrated service planning, including health, education and training, and
- Emergency services and disaster recovery

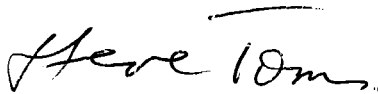
The South East Regional Organisation of Councils also has the opportunity to provide engagement between NSW adjoining Local Government, the ACT Government and Regional Development Australia organisations.

The above processes and forums are reflecting a strong acknowledgement of the benefits of a region working together and whilst respecting jurisdictional borders, to recognise the common community of interest. I see my role as understanding and supporting these activities and processes.

Thank you for this opportunity to comment to the Select Committee on Regional Development.

Please contact my office should you require any further information.

Yours sincerely,



Steve Toms  
Cross-Border Commissioner

31 May 2013

cc. Mr Andrew Cappie-Wood, Head of Service and Director-General, ACT Chief Minister and Treasury Directorate  
Mr John Barilaro MP, Member for Monaro  
Mr Don Cooper, Executive Officer, SEROC



**Trade &  
Investment**  
Cross-Border Commissioner

Ref OUT13/8411

[info@localgovernmentreview.nsw.gov.au](mailto:info@localgovernmentreview.nsw.gov.au)  
Independent Local Government Review Panel  
c/- Locked Bag 3015  
Nowra NSW

Dear Panel Members

**Cross-Border Communities and the Local Government Review**

The Office of the Cross-Border Commissioner was established in March 2012. The role was created by the NSW State Government to help resolve issues that NSW residents, businesses and organisations face as a result of being located near a NSW State border. The role advocates for all NSW border communities covering the borders with Queensland, Victoria, ACT and South Australia.

Since commencement, I have been involved in a formal listening tour as well as ongoing communications with stakeholders. A Listening Tour Report was tabled last year which identified many issues for NSW cross-border communities across many government portfolios. A copy of the Listening Tour Report is available at [www.business.nsw.gov.au/cbc](http://www.business.nsw.gov.au/cbc).

I am writing to provide input to the Local Government Review process, and specifically building on the paper titled "Better, Stronger Local Government - The Case for Change Nov 2012" by the Independent Local Government Review Panel.

The Listening Tour Report amongst other matters, raises the concept of relative distance and communities of interest in relation to New South Wales's borders.

The "Better, Stronger Local Government" paper discusses the need to recognise communities of interest in considering local government boundaries. I think of communities of interest in terms of the spatial hierarchy of settlement relating to where people live and travel on a daily or regular basis. The coverage area of local newspapers tends to reflect a sense of this concept.

NSW is unique in Australia in having the highest number of populated borders compared to any other jurisdiction. The geography of NSW with Sydney centrally located on the east coast and significant population centres relatively close to NSW borders within Queensland, Victoria and the Australian Capital Territory, results in strong influence from the adjoining jurisdictions on NSW border communities. It is only natural that people will gravitate to the next closest larger centre for higher order goods and services, regardless of jurisdictional boundaries.

Cross-Border Commissioner - NSW Trade & Investment  
PO Box 1138, Armidale NSW 2350  
Suite 5, 175 Rusden Street, Armidale NSW 2350  
Tel: 02 6771 3284 Fax: 02 6771 5403 Mob: 0409 243 167  
E: [enquiries@cbc.nsw.gov.au](mailto:enquiries@cbc.nsw.gov.au) [www.business.nsw.gov.au/cbc](http://www.business.nsw.gov.au/cbc)

There are many rural, village, town and city communities in NSW that have strong relationships with their neighbouring centres in the adjoining jurisdiction. Hence many communities of interest around NSW's borders actually include communities in the adjoining jurisdiction.

The current local government areas of - Albury and Wodonga; Moree and Goondiwindi; Murray and Campaspe; Queanbeyan, Palerang, Cooma, Yass and ACT; Tenterfield and Southern Downs; Tweed and Gold Coast; and Wentworth and Mildura are examples of this at a local government level.

NSW tends to be divided up into regions. However the shape and number of these regions vary depending on the nature of the business needs of the various state government agencies or other organisations that rely on them. Local government boundaries are generally used to build regional boundaries.

It is logical for state and local government to recognise jurisdictional borders in drawing up regional boundaries and at this level view NSW as a self contained state. A number of Australian Government agencies however, such as Medicare Locals actually utilise regional boundaries that in some cases cross state and territory boundaries and acknowledge a cross-border community of interest.

As stated earlier, many NSW local government areas close to NSW borders have a strong connection with the adjoining cross-border community or LGA as well as the obvious connections with NSW. These cross-border connections need to be considered in relation to any proposed NSW local government amalgamations. There are examples where the border LGA may have a stronger community of interest across the border than with the next internal LGA. Disruptive communities of interest can be created where these issues are not taken into account. The stronger more dominant centre may exist on the other side of the border.

In any proposed restructuring of local government, it would be unlikely that any current NSW Council would want to merge with a Council of the adjoining jurisdiction. However, the cross-border collaborations of Councils do need to be considered. It makes sense to consider the communities of interest across borders and have the potential to accommodate these through some form of cross-border regional entity or collaboration structure of councils.

The local government review process has identified the need to consider the legal entities supporting the current regional organisations of councils, as these are not specifically provided for in the current Local Government Act. In considering different forms of regional collaboration or regional entities, I would recommend that the Independent Local Government Review Panel consider providing for the voluntary collaboration of local government across jurisdictional borders.

The review of the Local Government Act would need to consider how to provide for this provision, as well as investigate what modifications to adjoining Local Government Acts would need to be made to reciprocate these stronger statutory bonds between local governments.

There are currently a number of examples of cross-border collaboration such as the Border Regional Organisation of Councils BROOC on the NSW / Qld border, and the Alliance of the Councils and Shires of the Upper Murray ACSUM on the NSW / Victorian border.

These issues would also be relevant for the Local Government Acts Taskforce as part of their terms of reference.

I would be pleased to discuss any of these matters in more detail with the review panel.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Steve Toms', written in a cursive style.

Steve Toms  
Cross-Border Commissioner

9 April 2013