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Committee Secretary
Joint Standing Committee on Constitutional
Recognition of Local Government
Department of House of Representatives
PO Box 6021 Parliament House
Canberra ACT. 2600 Australia.

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Re; Presentment to the House of Representatives joint select
Committee on the Constitutional recognition of Local Government

To the Committee Secretary

It is my understanding that the process that you are going through at this point in time is to gauge if there general support in the community for the Constitutional recognition of Local Government and I have no objection with that process. I demand much more community consultation and much more awareness in the media that such consultation is actually taking place and above all, a **lot more time** allocated for constituents/electors to have input. There needs to be **Public Forum** in each capital City as a minimum for the constituents/electors to have their voice heard. It is urgent that this fundamental error be addressed immediately. If that means that we miss the boat for this election, then bad luck, there will be more elections in the future.

I am concerned that the use of the terminology "Parliament of Australia" as is on the top of some of your documents. As I understand the Parliament of Australia is the corporation version of the Parliament of the Commonwealth or the Commonwealth Parliament. The corporation version is not the appropriate version when you are talking about anything to do with the Commonwealth Constitution. The Parliament of Australia has no authority to be concerning itself with any issues of a Constitutional nature.

I am very concerned about the behaviour of most if not all of the councils. Their abuse of the people's rights;

1. Their implementation of Local Laws that most are in direct violation section 108 (Laws of England) of the Commonwealth Constitution, and
2. The drastic over taxing of the people's property (rates) which is in a direct violation with the principle of Fee Simple and such over taxing is consistently forcing the people from their property, sometimes by force and sometimes for economic reasons (not able to sustain the rates), and
3. The structure of Local Government as it is in Victoria at the moment in so far as the only meaningful contact and the only time the people have meaningful contact (like the other structures of Governments) with their local Councillors is just before their elections and that flies in the face of its title "**Local Government**", and
4. Our **elected councillors** have very little input into the day to day running of the local council. The introduction of the forced amalgamation of local councils and the creation of Chief Executive Officers running a body corporate with an Australia Business Number void of transparency has led to this position.

Whether Local Government is legitimate or not, such Government was supposed to of been a **local** connexion between the people and their **local** councils, and

5. The term “Local Government” is actually not lawful. In the referendum of 1988, the 3rd question on the inclusion of local government into the Commonwealth Constitution was substantially defeated. That meant that there was still no head of power for any State or the Commonwealth to make Laws establishing a 3rd or an essential tier of government. In the annotated version of the Commonwealth Constitution written by Quick and Garran (Page 935 and 936) municipal institutions and local government is to be no more than a Department of a State. That fact was again established by Professor Anne Twomey during the expert hearing on the recognition of local government into the Commonwealth Constitution that was held on the 16 of January 2013. If State Governments can make Laws establishing a 3rd or an essential tier of government outside their authority to do so, it is of great concern to think what Local Government might do, and
6. Local councils are not bound by checks and balances (Royal Ascent procedure) so far as the creation of Local Laws are concerned. A good example is the constant breach of Section 108 (Laws of England) of the Commonwealth Constitution as explained in point 1.

Furthermore, the overzealous laws, have created a cauldron of excessive unaffordable Rate/Tax increases, the abundance of fines and charges coupled with the inability to receive relief from such behaviour in the corporatised Court system. The people cannot afford to take matters to the court system any more

The thought that they would be given extra power is very worrying to me and I can assure you that there are a lot of people in the same boat. I believe that their bully boy attitude, their standover tactics and the do as I say mind-set must change before any Constitutional recognition of Local Government is even thought of.

Yours Sincerely.

Kelvin W Granger.