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In reply quote: L-28-01/03

The Secretary
Joint Standing Committee on the Constitutional
Recognition of Local Government
Department of House Of Representatives
PO Box 6021
Parliament House
CANBERRA ACT 2600

Contact Name: B Cockayne

TRIM No: T004915/2013

January 16, 2013

Submission Number: 155
Date Received: 21/01/2013



Dear Sir,

SUBJECT: CONSTITUTIONAL RECOGNITION OF LOCAL GOVERNMENT

The Auburn City Council has considered the matter of the Constitutional Recognition of Local Government on numerous occasions over recent years, and on each occasion has unanimously carried its resolutions in support.

The most recent considerations of the matter were at the Council's meeting on December 5, 2012 when it subsequently resolved to make a submission on this matter to your Joint Parliamentary Committee.

The Council has identified concerns relating the history of the Australian electorate's voting on previous referendums, including those related to local government. It recognises that community awareness will have to be greatly elevated to enable the proposed referendum to have some real prospects of success. In the light of that, the Council will seek to generate local interest supporting the recognition of local government in the Australian Constitution, particularly on the grounds of enabling a more certain level of funding from the Australian Government.

That uncertainty of funding has become a concern for the Council, and undoubtedly for local government overall, following the recent High Court ruling which has narrowed the opportunity for the Commonwealth Government to financially assist local government.

The Council considers that the future financial viability of local government will be increasingly dependent on Commonwealth funding. The Council is therefore very clear in its view that local government must be assured that funding is able to be made available to it by the Commonwealth when it is budgeting for key public works and projects.

Accordingly, the Council states it is firmly of the view that the proposed amendments to the Australian Constitution are fundamentally important to the future of local government.

The Council identifies the following points as being a summary of its views on the matter -

- The Council has already resolved on March 16, 2011 to support financial recognition;
- The Council supports the Federal government having the power to be able to provide funding directly to local government where this is in the national interest;
- That Councils need certainty of funding so that programs like Roads to Recovery can continue;
- The Council supports an amendment to Section 96 of the Constitution so that it would read: "Parliament may grant financial assistance to any state or local government body formed by or under a law of a state or territory";
- That bi-partisan support is an essential precondition if a referendum is to have the best chance of success;
- The Council supports the referendum being held at a time which maximises its chance of success;
- The Council supports a publicly funded national education and awareness campaign to inform the public about the Constitution, how to change it, and about the question being asked before the referendum, and that an informed voter is more likely to cast an informed vote, which is based on facts rather than misinformation.

In summary therefore, the Council requests that your Committee note Council's concerns as stated above, and takes the appropriate action to support the proposed Referendum seeking changes to the Australian Constitution to have local government properly recognised.

Yours faithfully

JOHN BURGESS
GENERAL MANAGER