



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
email: jsclg@aph.gov.au

Dear Secretary,

As a private individual, I would like to make a submission to the Joint Standing Committee on constitutional recognition of local councils.

Firstly I would ask that an extension of time be given to allow the public to make submissions. I do not believe that there has been enough notice for individuals to participate in this process

As a ratepayer I am concerned that local councils are becoming more corporatized, less representative ,and more authorities. I am also concerned that there are legal problems with the way they claim to be a government with the legal entity of a corporation. There is controversy surrounding their right to “collect taxes” and I suspect that a referendum will assume certain lies to be facts and attempt to legitimise these councils giving them powers not contemplated by the public.

We need to be vigilant and careful as pointed out by a professor Twomy. The Australian constitution may be weakened inadvertently to allow Australia to lose the ability to control its’ own destiny. It is even possible that this may be the aim of some backers of such a proposal.

The second part of my submission is to reject outright any recommendations for a referendum to be held on the issue of constitutional recognition of local councils

Our constitution only allows direct federal funding to the States and the 1974 referendum confirmed this. Only the States can receive direct federal funding. If we allow financial recognition of local councils, which we have now tacitly accepted as being local government (a State) and then we add to this financial recognition (a right only conferred to States) this will close the final gap in legitimizing themselves as a "mini" States. What then? A super-state is the only logical next step.

We are at a crossroads and must not allow under any circumstances the constitutional recognition of local councils. This is a serious matter and this must not happen as it will totally and utterly destroy and last vestige of rights conferred to the people of Australia under An Act to Constitute the Commonwealth of Australia 1900 (UK) 63 & 64 Victoria Ch. 12.

Ross Herman