

Councillor Linda Scott

Sydney Town Hall
483 George Street
Sydney NSW 2000 Australia
GPO Box 1591
Sydney NSW 2001 Australia

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cityofsydney.nsw.gov.au

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Joint Standing Committee on the Constitutional Recognition of Local Government
jsclg@aph.gov.au

Re: Constitutional Recognition of Local Government

Dear Joint Standing Committee on the Constitutional Recognition of Local Government,

Thank you for the opportunity to provide the following submission to the Joint Standing Committee on the Constitutional Recognition of Local Government.

I write to strongly support constitutional recognition of local government as a Councillor on the City of Sydney Council. On behalf of the communities of the City of Sydney, I support formal recognition to:

- Strengthen the role of local government in the community;
- Enhance the capacity for local government to deliver services;
- Clarify specific responsibilities for the delivery of services;
- Strengthen the financial oversight and fiscal position of local government;
- Explicate the position of local government and its relationship to other tiers of government; and
- Drive accountability within local government to facilitate better governance.

Local government is the third-pillar of governance in Australia, and should be responsible for the delivery of core infrastructure and services to communities to build social, cultural, human, and economic capital for the well-being of citizens. Constitutional recognition of local government will strengthen the role it plays in the three-tiers of government in Australia including the delivery of infrastructure and services and the operation of democracy in the community.

Following on from the legal challenge by Bryan Pape questioning the legality of the Commonwealth's direct funding of local government infrastructure in the wake of the Global Financial Crisis, legal clarity is required to define the position of local government under the Commonwealth's Constitution and its relationship with State constitutions to strengthen the capacity for local government to deliver the third pillar of governance.

Constitutional recognition offers the chance to clarify specific responsibilities for the delivery of services, maintenance of assets, and the nature of governance of local communities; it offers the opportunity for better coordination between Federal, State, and local governments to govern in the

city of villages

best interests of the community; and it would provide a foundation for greater democratic accountability and trust of local government in the electorate.

Strengthening the role of local government in the community

Local government is the level of government most intimately connected with the delivery of key infrastructure and services to communities including parks and playgrounds, festivals, community welfare services, sporting facilities, roads, and development and planning issues. These services build social, cultural, human, and economic capital for the well-being of citizens and their communities. Constitutional recognition of local government offers the opportunity to foster stronger legal and democratic accountability for local government and councillors to execute the business of service delivery with clearly defined legal parameters and a solid foundation of democratic trust not beholden to the political considerations of State governments.

Enhancing the capacity for local government to deliver infrastructure and services

Local government is often hamstrung by the incapacity to deliver services and maintain public assets due to volatile income revenues and the inability to conduct accurate fiscal planning. Constitutional recognition of local government provides an avenue for the Commonwealth to directly fund local government on key infrastructure projects for the benefit of local communities. Further, in the instance of natural disasters or a state of emergency, Councils are sometimes best placed to coordinate relief efforts through local equipment, expertise, infrastructure, and personnel, but without the ability to adequately provide funds for these efforts at short notice. With constitutional recognition empowering the Commonwealth to directly fund local government on a needs-basis, relief efforts can be better coordinated through a decentralised model of governance.

Regards,

Councillor Linda Scott
Labor Councillor, City of Sydney Council