

PLEASE QUOTE

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19 December 2012

Mr Glenn Worthington
Secretary
Joint Select Committee on the
Constitutional Recognition of Local Government
P O Box 6021
Parliament House
CANBERRA ACT 2600

Email: jsclg@aph.gov.au

Dear Mr Worthington

Constitutional Recognition of Local Government

I refer to the establishment of the Joint Select Committee to examine issues associated with the possible constitutional recognition of Local Government. It is understood the Committee is conducting an inquiry into this matter.

The Cassowary Coast Regional Council would like to express its strong support for the constitutional recognition of Local Government in the Australian Constitution and the conduct of a Referendum to enable this to occur.

The Council fully supports the option of appropriate financial recognition occurring in the Constitution as concluded by the independent Expert Panel appointed by the Federal Government in 2011 to examine various options for recognition of Local Government in the Constitution. The Council previously passed a resolution supporting financial recognition of Local Government at its Local Government meeting held on 24 February 2011.

The Council believes it is extremely important that the Federal Government has the necessary power to directly fund Local Government where this is considered in the national interest. Recent High Court decisions have brought into question the ability of the Federal Government to provide funding directly for activities that it believes are in the national interest.

As a result of these decisions, successful programs such as the Roads to Recovery Program, which has provided substantial funding support to the Cassowary Coast Regional Council for the upgrading and improvement of local roads, may be in jeopardy.

The Roads to Recovery Program is of critical importance to Local Government as it provides direct financial support to Councils across Australia to assist in meeting the asset management requirements of the local road network. The asset management task associated with local roads is already beyond the financial capacity of many Councils to manage and without the certainty of this financial support from the Federal Government, the challenge for Councils to remain financially sustainable will be even greater.

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Constitutional Recognition of Local Government (Cont'd...)

The Council believes that an appropriate amendment to Section 96 of the Constitution will overcome the uncertainty created by the High Court decisions by providing the Commonwealth Parliament with the power to grant financial assistance to any State or Local Government body formed by or under a law of a State or Territory.

Given the difficulties associated with successfully proposing a change to the Australian Constitution, the Council believes it is important that a publicly-funded National Education and Awareness Campaign is undertaken to properly inform the public about the Constitution, how it is changed, and the specific questions being asked in the proposed Referendum.

The Council urges the Joint Select Committee's support for the constitutional recognition of Local Government in the Australian Constitution through appropriate changes to enable financial recognition to occur.

Yours faithfully

Terry Brennan
CHIEF EXECUTIVE OFFICER