

OCM048/04/11		CONSTITUTIONAL RECOGNITION (A0435-02)	
Proponent:	Australian Local Government Association (ALGA)	In Brief The Federal Government has committed to a referendum on Constitutional recognition for Local Government. ALGA has requested that all Local Governments formally resolve to support the conduct of the referendum.	
Owner:	Not applicable		
Officer:	Trish Kursar - Personal Assistant to the Chief Executive Officer		
Signatures Author:			
Senior Officer:	Joanne Abbiss – Chief Executive Officer		
Date of Report	7 TH April 2011		
Previously			
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act		
Delegation	Council		

In Brief

- The Federal Government has committed to a referendum on Constitutional recognition for Local Government, likely to be held in conjunction with the 2013 election.
- A national position was developed at the Local Government Constitutional Summit held in Melbourne in December 2008, and has been refined by the ALGA Board to focus the referendum on financial recognition.
- ALGA has requested that all Local Governments formally resolve to support the conduct of the referendum.

Policy Implications

The national policy position is consistent with the WALGA position. Adoption of the recommendation will formalise Council's policy position and align it with the national campaign.

Budgetary Implications

Local level campaign: the costs associated with any local level campaign will be contingent on its extent and complexity. Expenditures could involve expenses such as venue hire and minor catering and administrative charges including telephone calls, printing, etc. These are likely to be minimal and manageable within the constraints of budgeted operational expenditure.

National Campaign: these are not defined at this stage and will depend largely on the willingness of the Federal Government to fund "YES" and "NO" campaigns. A full range of funding options needs to be developed by ALGA and WALGA before the specific implications for council can be explored.

Background

There is a long history of debate on Constitutional recognition for Local Government in Australia, with referendums having previously been put before the voters in 1974 and 1988, with both being defeated.

During 2008 the ALGA actioned a strategic approach aimed at securing a referendum which involved:

- Some initial resource materials to assist Local Governments to conduct a conversation at the local level on the need for Constitutional recognition
- Zone or region level discussions, where appropriate, based on WALGA agenda items
- Statewide forum to determine a state Local Government position (resolved at Local Government Convention)
- A national experts forum via a National Constitution Summit (Melbourne December 2008)

In 2009/10 ALGA focused advocacy around national political forums, political parties and key influential academics, while State Associations built up state profiling campaigns to improve the image and perception of their local government jurisdictions.

The ALGA Board further refined the national position in 2010 to focus specifically on financial recognition and the WALGA position was also aligned to this focus.

Comment

Whilst the Federal Government has said that it will run a referendum, their willingness to do so in any sort of reasonable time frame will be heavily influenced by their perceptions of its likely success. A major factor in their perceptions will be the degree to which the conversation reflects broad community engagement.

It is important that local community support is marshalled to ensure that community ownership is injected into the campaign. If the campaign is seen purely as one being run by and for the local government system, then success will be difficult to achieve.

Voting Requirements: Simple Majority

OCM048/04/11 COUNCIL DECISION/Officer Recommended Resolution

Moved Cr Hoyer, seconded Cr Harris

That Council;

- 1. Support the ALGA campaign for the Constitutional recognition of local government;**
- 2. Call on the Federal Government to conduct a referendum to achieve the Constitutional recognition of local government at the 2013 federal election;**
- 3. Develop a local level campaign, in support of the national campaign, to inform the local community and garner its support;**
- 4. Acknowledge that funding implications need to be considered as part of the ongoing financial planning process.**

CARRIED 8/1