



Cr Wayne Phillips

Beale Ward

Mayor

2005/06

2006/07

2007/08

2009/10

2012/13

Banyule

CITY COUNCIL

Submission Number: 100

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19 December 2012

Mr Glenn Worthington
Secretary
Joint Select Committee on the
Constitutional Recognition of Local Government
Email: jsclg@aph.gov.au

Dear Mr Worthington

Submission to the Joint Select Committee on the Constitutional Recognition of Local Government

I advise that Council at its meeting on Monday, 3 December 2012 resolved to endorse the following submission:

"Banyule City Council is pleased that the Government has established a Joint Parliamentary Committee to examine the report of the Expert Panel into the Constitutional Recognition of Local Government.

Council considers that the financial recognition of Local Government in the Constitution is long overdue and will reflect the reality of the system of Government within Australia. Banyule City Council previously resolved at its Council Meeting on 18 April 2011:

1. *That Council declares its support for recognition of Local Government in the Australian Constitution so that the Federal Government has the power to fund Local Government directly.*
2. *Council declares its support for the inclusion of Local Government in any new preamble to the Constitution if one is proposed.*
3. *The Mayor writes to the Prime Minister, Leader of the Opposition and Federal Members representing Banyule, asking them to support a referendum by 2013 to change the Constitution to allow recognition of Local Government."*

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Banyule City Council also made a submission on 2 November 2011 to the Expert Panel on Constitutional Recognition of Local Government, giving its support to financial Constitutional recognition to secure direct Commonwealth funding for local communities, and advising that Council is committed to supporting the community to achieve a 'Yes' vote in the referendum.

Financial Constitutional recognition would provide the opportunity to address the uncertainty of how the Federal Government can work directly with Local Government to ensure the ability to provide funds directly to Local Government. Without this formal recognition of Local Government, the future provision of essential services and infrastructure to local communities is threatened, and important projects such as 'Roads to Recovery' may not be able to continue.

As such, Banyule City Council supports an amendment to Section 96 of the Constitution to read:

"Parliament may grant financial assistance to any state or local government body formed by or under a law of a state or territory."

Banyule City Council would like to reinforce that bi-partisan support is an essential precondition if a referendum is to have the best chance of success, as is the timing of the referendum in order to maximise its chance of success.

Banyule City 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. An informed voter is more likely to cast an informed vote, which is based on facts, rather than misinformation.

Banyule City Council would like to thank the Joint Parliamentary Committee for the opportunity to make a submission, as Council considers this subject to be of great importance for the future of Local Government."

Yours sincerely



CR WAYNE PHILLIPS
Mayor