



17 December 2012

Mr Glenn Worthington  
Secretary  
Joint Select Committee on the Constitutional  
Recognition of Local Government  
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Dear Secretariat

### CONSTITUTIONAL RECOGNITION FOR LOCAL GOVERNMENT

Swan Hill Rural City Council welcomes the opportunity to reinforce its comments on the options being considered by the Joint Select Committee established to look at the issue of constitutional recognition for Local Government.

History records how difficult it is to amend the constitution on any issue and not just the matter of recognition for Local Government.

Two previous attempts to have Local Government recognised have failed for a variety of reasons.

Council believes that the timing of any referendum is critical to its success or other wise and that it must be held at a time that will maximise its chances of success.

The question(s) to be put to the public must be clear in intent and presented in such a way that the community understands it easily.

One suspects that any perceived reduction of State powers in the wording will be met with resistance from a number of State Governments.

If this is the case then the question is very likely to fail due to the complex system to achieve a successful outcome.

Local Government as an industry right across Australia has been asked to consider funding a significant "yes" campaign and there is real concern that if the question is not posed in such a manner as to ensure its success, the campaign might be doomed from the start.

Constitutional recognition would obviously ensure Local Government's position in the three tiered government structure but Local Government does need to pursue financial sustainability.

Financial sustainability with the ability to allow for real funding growth through direct funding should be pursued.

There needs to be a mature discussion between all three levels of government to develop a fairer funding model.

The Swan Hill Rural City Council supports a model that provides the Federal Government with the power to directly fund Local Government, where it is in the national interest.

This will allow for certainty of funding that will enable programs such as roads to Recovery to continue well into the future.

Models such as Roads to Recovery should be free of legal challenges and all levels of government should look for a win win solution. It is also critical that these programs receive bi-partisan support.

Local Government cannot be expected to continue to provide increased services passed onto them without the ability to finance those additional services.

Constitutional recognition is needed but financial certainty is mandatory if a positive outcome is to be achieved.

Swan Hill Rural City Council supports an amendment to Section 96 of the Constitution that reads, "Parliament may grant financial assistance to any State or Local Government body formed by or under a law of a State or Territory.

This Council also supports a publicly funded national education and awareness campaign to fully inform the public about the Constitution, how to change it and information on the question(s) being asked. The public also needs to be informed of the benefits to Constitutional change regarding the recognition of Local Government in order to allow them to make an informed decision when casting their vote.

Council wishes the Joint Select Committee well in its deliberations.

Yours sincerely

David Leahy  
Acting Chief Executive Officer