

File: FOL/11/1122

Submission Number: 238
Date Received: 15/02/2013



12 February 2013

Mr Glenn Worthington
Secretary
Joint Select Committee on the Constitutional Recognition of Local Government
PO Box 6021
Parliament House
CANBERRA ACT 2601

Email: jsclg@aph.gov.au

Dear Mr Worthington

SUBMISSION – CONSTITUTIONAL RECOGNITION OF LOCAL GOVERNMENT

Moonee Valley City Council wishes to advise the Joint Select Committee on the Constitutional Recognition of Local Government that we support the Constitutional recognition of Local Government.

At its meeting held 7 August 2012, Council resolved to support the Australian Local Government Association in seeking financial recognition of Local Government in the Australian Constitution.

Councils throughout Australia play a vital role in the provision of essential services and infrastructure at the local and regional level. Funding from the Commonwealth is important to the continuation of this role.

Due to recent High Court judgments, considerable legal doubt has arisen over Commonwealth powers to fund local government directly. Uncertainty has since overshadowed the Federal Government's ability to fund local government programs such as Roads to Recovery. Accordingly, local government in Australia requires certainty that direct Commonwealth funding will be able to continue to benefit the community.

Council values the contribution that Federal Government funding has made to the municipality and fully supports the financial recognition of local government in the Australian Constitution to allow for the continuation of direct federal funding of local government where it is in the national interest.

In line with the Expert Panel on Constitutional Recognition of Local Government's recommendation, Council strongly supports a referendum to amend Section 96 of the Constitution so that it would read: "Parliament may grant assistance to any **state or local government body formed by or under a law of a state or territory**".

Council supports a referendum being held at a time most likely to achieve a successful result. Further, Council supports the Expert Panel's recommended pre-conditions for a referendum, including:

- bipartisan support from all political parties;
- a need for federal government to negotiate directly with the state governments on the proposal for financial recognition of local government need for a publically funded education campaign on the Constitution and the proposed change; and
- a need to reform Commonwealth laws to allow for the public funding of the 'yes' case.

Moonee Valley City Council strongly urges Committee members to support a referendum to amend the Australian Constitution so that it provides the financial recognition for local government. This will ensure local communities around the country continue to benefit from the support of direct Federal Government funding.

Yours sincerely

NARELLE SHARPE
Mayor