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TEMORA SHIRE COUNCIL

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3 January 2013

Mr Thomas Gregory
Committee Secretary
Joint Select Committee on the
Constitutional Recognition of Local Government
PO Box 6021
Parliament House
CANBERRA ACT 2600

Email: jsclg@aph.gov.au

Dear Mr Gregory

Temora Shire Council is a small rural Local Government authority located in the NSW Riverina Region. The Council represents a population of approximately 6,200 people.

Council welcomes the establishment of the Joint Parliamentary Committee into Constitutional Recognition of Local Government, established by The Federal Parliament to examine the issues surrounding this important step toward ongoing sustainability of local communities.

At the Temora Shire Council meeting held 20 December 2012, Council unanimously resolved to declared its support for financial recognition of local government in the Australian Constitution to enable Federal Government to have the power to fund local government directly and further to call on all political parties to support a referendum in 2013 to change the constitution to achieve this recognition.

Council supports the amendment to Section 96 of the Contribution 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*". This simple change would give clarity to the Commonwealths ability to fund local government directly where this is in the national interest and ensure continued funding to important programs like Roads to Recovery. The current right of the Commonwealth to fund directly, challenged in the high court in the Pape and Williams Cases, needs to be clarified.

The decision to conduct a referendum is however the only the first part of the process. The history of successful referendums is not encouraging. Against this backdrop, Council supports a referendum being held as follows:

1. At a time most likely to achieve a successful result. That is where the political appetite to change the constitution is strongest.
2. Subject to a publicly funded national education and awareness campaign be conducted to support an informed vote in the community. It is imperative that there is an understanding in the community about the constitution, the role it plays in society today, how it can be amended and specifically the impact of a change to Section 96.

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Temora Shire Council is a member of the NSW Shires Association and fully supports the efforts of that organisation and the Australian Local Government Association in its representation of Local Government on this important issue.

Yours faithfully

GC Lavelle
GENERAL MANAGER