



Premier of Western Australia

Our Ref: 24-134625/MG

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

Dear Mr Worthington

INQUIRY INTO THE CONSTITUTIONAL RECOGNITION OF LOCAL GOVERNMENT

Thank you for your correspondence dated 6 November 2012 regarding the establishment of the Joint Select Committee on Constitutional Recognition of Local Government to conduct an inquiry into the financial recognition of local government in the Australian *Constitution* and to assess the likelihood of success of a referendum on financial recognition.

I note that the Committee is to inquire into the majority finding of the independent panel (financial recognition), which had been asked to identify options for the constitutional recognition of local government and to report on the level of support for such recognition among stakeholders and in the general community.

In that regard, previous advice has been provided that the position of the Western Australian Government, supported by legal advice, is that a Constitution amendment is likely to affect the powers, capacity and function of the State Parliament and Government in relation to local governments and that any reduction or impact on these powers would not be supported.

This position has not changed. The view of the State Government continues to be that local government exists under State legislation and is not a sharing of powers but a delegation of powers from the State Government to local governments. This relationship is underpinned by a State Local Government Agreement.

It would be appreciated if you would convey the position of the Western Australian Government to the Joint Select Committee on Constitutional Recognition on Local Government.

Yours sincerely

Colin Barnett MLA
PREMIER

8 JAN 2013