



**OBJECTIONS TO CONSTITUTIONAL RECOGNITION OF LOCAL  
GOVERNMENT**

All comments to be read in reference to submission #171 from Peter Olney, whose statement I fully agree with.

Mr Olney has stated his case admirably.

Recognition of local government should not occur for the reasons stated in Mr Olney's submission (Submission #171) and, in addition, for the reasons outlined below.

Local government has persisted, unlawfully, since the 1988 Federal Referendum denied councils their very existence, in flagrant violation of the express will of the Australian people.

Seeking constitutional recognition is an admission of lack of the same.

Various aspects, outlined below, define further my objections:

-a proper and formal local governmental set-up would properly require two houses of parliament, an incumbent "party", and an opposition, with the attendant expenses, and the possibility that pensions and other benefits, available to state and federal politicians, might be made available, or demanded by councillors;  
This would be an unacceptable impost on ratepayers, as holding council office should essentially be regarded as an honorary or voluntary position, and the true role of councils is the provision of basic municipal services;

-already overburdened, unlawfully taxed ratepayers might be subject to more taxes, at the whim of local councils if constitutional recognition came to be granted;

-councils, Australia-wide, have been operating unlawfully, since the results of the 1988 Federal Referendum denied them their existence: this needs to be remedied and the way councils operate (often flagrantly against the wishes of their constituents) needs to be redressed if councils are to continue to operate in this country;

Councils claim "commercial-in-confidence" regarding their activities, which seems to me to be a convenient way to avoid financial accountability and, as Mr Olney notes,

**they are able to avoid the usual requirements of corporate governance via their exemption from basic fair trading principles.**

**This means that (unwilling) ratepayers may have no recourse for redress for any real or perceived injury incurred via council actions.**

**This is totally unconscionable, and, quite simply, corporate tyranny.**

**-anecdotal evidence regarding a compulsory audit (ASIC requirement) of the City of Greater Geelong in recent years, is that, amongst other things, nepotism is rife at the GOGG, and that salaried staff could be reduced by a third or more, without any reduction in council services/efficiency.**

**If indeed this information is correct, then “things” may be seriously amiss at Geelong council, and the efforts of the Panel at achieving constitutional recognition for local government must be overshadowed by the doubts expressed in this submission.**

**Above all, ratepayers need to have recourse to proper redress for injuries inflicted by council-any less is to institutionalise fraudulent activity and corporate tyranny.**

**Gary Oraniuk**