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LJC:DJT DEP 18/1

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

Dear Sir/Madam

The Shire of Wagin, a small regional Local Government situated in Western Australia would like to support the submission made on behalf of all Local Governments throughout Australia by Australian Local Government Association (ALGA).

Like ALGA the Shire of Wagin is concerned about recent challenges to the Federal Government especially relating to the ability to dispense funding direct to Local Government.

In their submission, ALGA describes the role that local government has played in Australia before and since Federation in 1901, and highlights the increasing relevance of local councils in the provision of services and infrastructure to Australian communities. The submission notes that the constant expansion of its roles and functions, particularly in recent decades, means that that local government provides key services and infrastructure that serve as the foundation for local and regional communities; it is often the only institutional presence in rural, regional and remote communities, and one of the key drivers of economic activity. Local government is the level of government closest to Australians, best able to identify the local needs of the communities it represents.

The Shire of Wagin has previously supported financial recognition on 22 December 2011 and passed the following motion;

COUNCIL DECISION

Moved: Cr. G R Ball

Seconded: Cr. J L C Ballantyne

That the Shire of Wagin make a submission to the Joint Select Committee on Constitutional Recognition in support of full constitutional recognition for local government throughout Australia.

Carried 8/1

Council wants to reinforce its support for Federal Government to have the power (unchallengeable) to be able to provide funding direct to Local Government and believes that Constitutional Recognition is the only sure way for this to happen.

Council asks that Section 96 of the Constitution is amended to read;

“Parliament may grant financial assistance to any State or Local Government body formed by or under law of a State or Territory”.

Council does not underestimate the size of the task involved in seeking any amendment to the Constitution – history shows that achieving constitutional change in Australia is an enormous challenge and does not happen easily.

It is important therefore that for a referendum to succeed the following should occur;

- That there be bi-partisan support
- That the referendum be held at a time which maximises success
- That a publicly funded education and awareness campaign be held stating facts rather than misinformation to ensure the voter is informed.

Notwithstanding its exclusion from the Australian Constitution, local government is seen as Australia’s third arm of government. It is increasingly called upon to assist in the delivery of Commonwealth Government initiatives at the local level.

At the national level, local government has been increasingly called upon as a partner in the delivery of initiatives that foster Australians’ wellbeing.

In their submission, ALGA has detailed the important and expanding role of local government in the modern Australian Federal system of government and has highlighted its critical role in meeting the increasingly diverse needs of its local and regional communities. It is submitted that the role and functions of local government are increasingly relevant to Australians as they progress further into the 21st century. However, it is subject to considerable uncertainties because it has no formal place in the nation’s Constitution. These uncertainties are compounded by inadequate recognition and funding support for local and regional communities from the other levels of government, and various restrictions that are placed upon it by its state and territory government masters.

Conclusion

After 110 years it is time to include Local Government in the constitution as the third sphere of Government. Such a move will protect what most Australians take for granted and give Local Government the funding security to better deliver the services that the community so needs and deserves.

We respectfully hope that the above submission receives the support it needs from the joint select Committee.

Please contact the undersigned should you required further clarification.

Yours faithfully

L J Calneggia
CHIEF EXECUTIVE OFFICER

18 December 2012