



30 November 2012

Mr Glenn Worthington  
Secretary  
Joint Select Committee on the Constitutional Recognition of Local  
Government  
PO BOX 6021  
Parliament House  
CANBERRA ACT 2601  
(via email to: [jsclg@aph.gov.au](mailto:jsclg@aph.gov.au))

Dear Sir

### **Constitutional Recognition – The Case for Change**

The Mornington Peninsula Shire Council at its meeting of 24 October 2011, considered a report titled Constitutional Recognition of Local Government.

Council resolved the following:

1. **That Council receives and notes the report titled ‘Constitutional Recognition of Local Government – Submission’.**
2. **In its submission to the Expert Panel on Constitutional Recognition of Local Government, support amendments to Section 96 of the Constitution as follows:**

**A. Financial Recognition**

*“ ... the Parliament may grant financial assistance to any State or to any Local Government body on such terms and conditions as the Parliament thinks fit.”*

**B. Democratic Recognition**

*“ Each State shall, and each Territory may, provide for the establishment and continuance of a system of Local Government elected in accordance with laws of the state or territory.”*

and

*“ The Parliament of a State or Territory may, by Statute, dismiss a Local Government body and provide for the appointment of persons to perform its functions and exercise its powers until such time as a new Local Government can be elected.”*

3. **That Council continues to advocate for the holding of a referendum on the Constitutional recognition of Local Government at the same time as the next Federal election, expected to be held in 2013.**
4. **That Council requests that this referendum question be a standalone issue.**

The Shire also supports the Federal Government having the power to be able to provide funding directly to Local Government where this is in the national interest. Local Governments and in particular the Mornington Peninsula Shire Council requires certainty of funding so that programs like Roads to Recovery can continue.

In resolving in Clause 4 above, Council was concerned that if the Local Government question is considered with other questions then the issue of the Recognition of Local Government could be over shadowed and the current bi-partisan support for the Local Government question may be 'lost'.

The Shire also supports a publicly funded National Education and Awareness campaign to inform the public about the Constitution, how to change it, and about the question being asked before the referendum. An informed voter is more likely to cast an informed vote, which is based on facts rather than misinformation.

Should you have any queries, please don't hesitate to contact the writer Mr Noel Buck, Manager Governance & Corporate Support, on \_\_\_\_\_ or \_\_\_\_\_

Yours faithfully

Noel Buck  
**Manager Governance and Corporate Support**