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Glenn Worthington
Secretary
Joint Select Committee on the Constitutional Recognition of Local Government
PO Box 6021
Parliament House
Canberra ACT 2601

6 December 2012

Dear Mr Worthington

On behalf of Marrickville Council I would like to re-affirm our support for the Australian Local Government Association's campaign for local government to be financially recognised in the Australian Constitution.

I am aware that the Joint Select Committee on Constitutional Recognition of Local Government has been formed and is scheduled to meet this month, and would like to table this submission in your deliberations.

Following the 2010 Federal Election, when Prime Minister Julia Gillard committed to holding a dual referendum on the constitutional recognition of local government and the recognition of Indigenous Australians, Marrickville Councillors resolved on 15 March 2011:

THAT Marrickville Council:

- 1. declares its support for financial recognition of local government in the Australian Constitution so that the Federal Government has the power to fund local government directly;*
- 2. supports the inclusion of local government in any new Preamble to the Constitution if one is proposed;*
- 3. calls on all political parties to support a referendum by 2013 to change the Constitution to achieve this recognition; and*
- 4. write to the Prime Minister, the Leader of the Opposition and the Federal Member for Grayndler to advise them of our support for constitutional recognition.*

Local Government most directly services its community. Every Australian is touched by the services or facilities that local government provides, whether it is directly by waste collection, libraries or child care centres, or more indirectly by using roads and footpaths, or benefitting from environmental, economic development or cultural programs.

Past decades have seen a rapid expansion of services that local councils are expected to deliver and cost shifting from other levels of government. It has been a long time since councils were merely responsible for roads and rubbish collection.

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Despite this, local government has only one tax – rates – which are capped by the State Government and account for only 3% of all tax revenues that the average Australian pays.

With rising costs and increasing service levels, local government has had to rely on partnerships with State and Federal Government to help local government respond to the needs of their communities. The Federal Government provides funds annually to States and Territories to be passed on to local councils, but this has not been enough to meet growing community needs.

We have seen a shift in the past decade by federal governments to directly fund local projects through the Roads to Recovery Program and other infrastructure initiatives. These initiatives have been vital to help local councils maintain their aging assets.

These partnerships have evolved local government's relationship with Federal Government to a point where local government is now closely consulted on national policies through the Council of Australian Government (COAG).

What has not evolved is the Australian Constitution. The document does not mention local government and this inhibits the Federal Government's ability to directly fund local government initiatives. With no constitutional change allowing financial recognition, programs such as Roads to Recovery face uncertainty.

Marrickville Council supports Federal Government having the power to provide funding directly to local government where there is national interest to ensure certainty in funding for these vital programs.

Marrickville Council supports the Australian Local Government Association's bid to change Section 96 of the Constitution, amended 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 is a simple change that would not impact the current relationship between local and state governments, but importantly enabled Federal Government to directly fund local government where it is in the national interest.

This support has received bipartisan support in our own chamber, and similarly, this Constitutional change would require bipartisan support at a federal level if a referendum on this issue was to have any chance of success.

Marrickville Council supports the holding of this referendum at a time which maximises its success, backed by an education campaign to raise awareness about the Constitutional and key issues. We agree that the public needs to be adequately informed about the questions being asked in the referendum before it is held.

On 7 February this year, Marrickville Council resolved to financially contribute to the national awareness campaign, coordinated by the Australian Local Government Association.

The High Court has highlighted legal issues in Federal Government directly funding local governments, and financial recognition in the Constitution is the simplest way to correct this. This option was endorsed by an Expert Panel convened in 2011. Former Prime Minister Kevin Rudd committed to progressing this change in 2007, and Prime Minister Julia Gillard declared that this issue would be considered in the current term of government, ie, by the end of 2013.

Marrickville Council would support the Joint Select Committee's efforts in bringing this issue to a referendum within the next year. This letter serves as unequivocal support for the Australian Local Government Association's efforts to change the Constitution, and we would be happy to supply further detail to the Committee if required.

For further enquiries please contact me on

Yours sincerely

Ken Gainger
General Manager

ENGLISH

IMPORTANT

This letter contains important information. If you do not understand it, please ask a relative or friend to translate it or come to Council and discuss the letter with Council's staff using the Telephone Interpreter Service.

GREEK

ΣΗΜΑΝΤΙΚΟ

Αυτή η επιστολή περιέχει σημαντικές πληροφορίες. Αν δεν τις καταλαβαίνετε, παρακαλείστε να ζητήσετε από ένα συγγενή ή φίλο να σας τις μεταφράσει ή να έλθετε στα γραφεία της Δημαρχίας και να συζητήσετε την επιστολή με προσωπικό της Δημαρχίας χρησιμοποιώντας την Τηλεφωνική Υπηρεσία Διερμηνέων.

PORTUGUESE

IMPORTANTE

Este carta contém informação importante. Se não o compreender peça a uma pessoa de família ou a um/a amigo/a para o traduzir ou venha até à Câmara Municipal (Council) para discutir o assunto através do Serviço de Intérpretes pelo Telefone (Telephone Interpreter Service).

ARABIC

هامة
تحتوي هذه الرسالة معلومات هامة. فإذا لم تستوعبها يرجى أن تطلبوا من أحد أقربائكم أو أصدقائكم شرحها لكم، أو تفضلوا إلى البلدية واجلبوا الرسالة معكم لكي تناقشوها مع أحد موظفي البلدية من خلال الإستعانة بخدمة الترجمة الهاتفية.

VIETNAMESE

THÔNG TIN QUAN TRỌNG

Nội dung thư này gồm có các thông tin quan trọng. Nếu đọc không hiểu, xin quý vị nhờ thân nhân hay bạn bè dịch giùm hoặc đem đến Hội đồng Thành phố để thảo luận với nhân viên qua trung gian Dịch vụ Thông dịch qua Điện thoại.

MANDARIN

重要资料

本信写有重要资料。如果不明白，请亲友为您翻译，或到市政府来，通过电话传译服务，与市政府工作人员讨论此信。