

**Submission Number: 75**  
**Date Received: 07/12/2012**

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

Dear Mr Worthington,

**Re: Submission Supporting the Constitutional Recognition of Local Government**

I am writing to reinforce Council's support for the financial recognition of Local Government in the Australian Constitution.

Council has confirmed its support by way of a Council resolution made on 26 April 2011.

*"Council 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"*

Council is reliant within its budget for the ongoing funding provided by the Commonwealth for programs including Roads to Recovery and Family Day Care.

The ability to receive funding directly from the Commonwealth is critical to Councils' ability to work cooperatively with the Commonwealth in achieving outcomes which meet both Commonwealth and local objectives.

Local Government has demonstrated that it provides a timely and efficient mechanism for delivery of Commonwealth funded targeted programs including the Roads to Recovery Program and the Regional and Local Community Infrastructure Program. Council is very concerned that if these programs require the funding to be passed through the State Government, this will by necessity result in an increased level of bureaucracy, delays in delivery of programs and an increased level of cost to achieve the same outcome.

Council also wishes to reinforce the concerns expressed by the Australian Local Government Association in its submission to the Expert Panel following the High Court Case *Pape v Commissioner of Taxation*. The outcome of this

case threatens to invalidate the Commonwealth's ability to provide funding directly to local governments. It is imperative that this issue be given the highest priority above the other three issues for inclusion in the referendum.

Council also supports a publicly funded national education and awareness campaign to inform the public on this issue.

Yours sincerely

Phil Pinyon  
General Manager