



9 November 2012

Dear Mayor, Councillors and CEO

### **Update on the progress of constitutional recognition**

I am writing to inform you of recent developments in our campaign to achieve constitutional recognition and to seek your support. It is vitally important that every council is behind the constitutional campaign and reinforces the key points supporting constitutional recognition.

#### **Establishment of a joint parliamentary committee into constitutional recognition of local government**

- ◆ A Joint Parliamentary Committee has been established by Federal Parliament to look at the report of the Expert Panel into the constitutional recognition of local government, the level of support for the proposal by the States and Territories, and the potential consequences for Local Government and the States and Territories of such an amendment. Last year, the Expert Panel recommended to the government that a referendum on financial recognition of local government was a viable option.
- ◆ Establishment of a joint parliamentary committee will allow the Commonwealth Parliament examine the local government question. A parliamentary committee can test the level of bipartisan support at the State/Territory level as well as test public opinion through submissions. It can then make recommendations about the best way to proceed.
- ◆ This will be a fairly short and sharp inquiry, with the Parliament asking the Committee to report its initial findings by the end of this year and a final report by February/March 2013. This time frame is necessary if the option of a referendum held in conjunction with a Federal Election in 2013 is to remain open to consideration.
- ◆ One of the Committee's roles will be to assess the level of support for a referendum and whether the referendum is likely to be successful. It is vitally important that the Committee receives a large number of submissions supporting the financial recognition of local government. It needs to be convinced that the referendum has broad support.
- ◆ Submissions from councils are critically important in convincing the Committee of the level of support within local government, and to counter negative comments. Recent experience with the Expert Panel, which received a majority of submissions against the proposal (most of which were very short and possibly part of a campaign), means that every council must lodge a submission to the Committee.
- ◆ We expect the Committee to call for submissions immediately after it is established in early November, with a deadline of around the end of November. In any event, councils can make submissions without waiting for such a call.

## Making a submission - some key points

Submissions need not be an arduous task, but they do need to contain key points. Some guidance on these key points is provided below. We ask your council to:

- ◆ Reinforce that your council supports financial recognition. Most councils have already passed resolutions supporting financial recognition. You could refer to the date that this resolution was passed by council (a new council resolution is not necessary and submissions should be lodged quickly to meet the Committee's timeframe);
- ◆ Reinforce that your council supports the Federal Government having the power to be able to provide funding directly to local government where this is in the national interest;
- ◆ Reinforce that your council needs certainty of funding so that programs like Roads to Recovery can continue;
- ◆ Reinforce that your council supports an amendment to Section 96 of the Constitution so that it would read: "Parliament may grant financial assistance to any state **or local government body formed by or under a law of a state or territory**";
- ◆ Reinforce that bi-partisan support is an essential precondition if a referendum is to have the best chance of success;
- ◆ Reinforce that your council supports the referendum being held at a time which maximises its chance of success;
- ◆ Reinforce that your council 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.

Once you've made a submission let your community know through mayoral columns and speaking with your local media.

ALGA has produced a document outlining the case for changing the Constitution to include local government, called *The Case for Change*, which you can use to add to your submission. It will be available on the ALGA website shortly and copies will be sent out to councils, to promote the need for change in your communities.

Another important resource, our weekly electronic newsletter *ALGA News*, features regular stories and my President's column on progress and developments on constitutional recognition. I urge all councillors to subscribe to *ALGA News* via the website at [www.alga.asn.au](http://www.alga.asn.au). Subscription is free and will ensure you stay right up to date with committee developments and news on the constitutional recognition campaign.

I ask each council to make a submission and show their support to the parliamentary committee. I will continue to keep you informed of developments.

Yours sincerely



Mayor Felicity-ann Lewis  
President