



## Premier of Queensland

THLGC

Tabled by: Desley Scott MP

At: EST LGCR

Time/date: 6:22pm 25/7/13

Signature: DR/PL

Ref: PO/PL

4 March 2013

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The Honourable Julia Gillard MP  
Prime Minister  
Parliament House  
CANBERRA ACT 2600

Dear Prime Minister

*Julia*

I am writing to you to express the Queensland Government's support for the holding of a referendum at the time of the 2013 Federal election, or on a fixed date in 2014, to support appropriate recognition of local government in the Constitution of the Commonwealth of Australia. The Queensland Government's position is consistent with that of the Local Government Association of Queensland.

I have written to you at this time as I understand the Joint Parliamentary Committee of the Commonwealth Parliament examining this matter is due to report back to parliament in March 2013, and that the views of State governments may contribute to subsequent decisions of the Commonwealth Parliament in respect of that report and its recommendations.

I understand that the proposed change would be limited to the inclusion of the following words in Section 96 of the Constitution: "parliament may grant financial assistance to any state or local government body formed by or under a law of a state or territory on such terms and conditions as Parliament sees fit", and that such an amendment would only allow the Commonwealth to make direct funding allocations to either a State/Territory Government or to a local government formed by the State.

It is the Queensland Government's view that constitutional recognition that does not diminish the State's primary constitutional responsibility for local government is appropriate given the breadth of interaction over recent decades between the Commonwealth and councils, and the legal uncertainty about funding that has arisen from the decisions of the High Court in the Pape and Williams cases in recent years. In particular, we support clarifying the legalities of direct funding of key local government infrastructure projects such as the Roads to Recovery program as well as major tunnel and rail projects.

Yours sincerely

  
CAMPBELL NEWMAN