

LOCAL GOVERNMENT

Local government is not held under the power of Australia's Constitution.

In 1901, the Federation of Australia formed after all the states and territories came together to operate under the same laws and expectations. This enabled them to have the power to collect taxes from multiple sources in the community and operate under a common set of rules and laws to govern communities.



Local councils are bound by state legislation, rather than the commonwealth constitution.

This means that the states and territories have evolved from a combination of national and local governments of Australia leading up to the time of Federation.

The commonwealth constitution clearly sets out the division of powers and responsibilities for the state and territory governments, but it does not recognise local government. This creates a dilemma when the requirement of maintaining services and facilities are shared between state and local council bodies.



Who pays the bills?

In 1988, referendum was conducted to ask the citizens of Australia to formally recognise local governments in the commonwealth constitution where they could have their own rules, laws and regulations which could enable them to independently manage their own communities, but it was defeated.

A **referendum** is a direct vote where an entire **electorate** (every Australian citizen) is invited to vote on the issue.

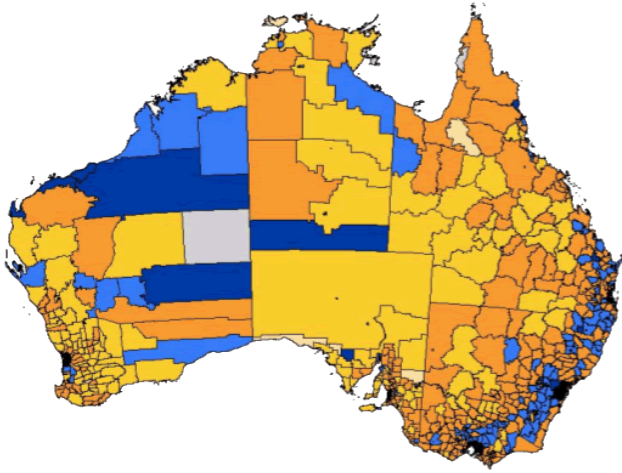
Today, local councils are represented at the *Council of Australian Governments*. This council includes each state and territory premier (chief minister), the Prime Minister of Australia, and the head of the Australian Local Government Association. This association represents elected council representatives across Australia.

An Interesting Fact

An unincorporated area is a land mass in a remote or rural area that is sparsely populated. These areas are managed by state and territory governments.

Local councils make decisions and laws – called *bylaws*, on local.

Local governments can also be known as *shires, municipalities, towns, or cities*.



This diagram indicates how many local councils are in Australia and where they are situated. There are numerous smaller areas situated along the east and west coast of Australia, with larger areas situated in the interior, as well as the far north of Western Australia and Northern Territory.

Why do you think this is so?

Councils and the Rule of Law

Many Australians think that local government doesn't matter, and that the council merely manages roads, rates and rubbish. However, local councils present an important opportunity for citizens to be represented in the decision-making process, as *councillors* (members of the council) are elected by the people. The responsibilities of elected *councillors* can vary across states and territories, depending on their size. Their roles and responsibilities range from:

- governance and finance*** policy writing, budgeting, rates (business and residential), licensing, enforcement
- community services*** water and sewerage, food inspections, health care facilities and community welfare services (including immunisation), aged care
- planning and environment*** approvals, building inspections, recreational facilities, urban development
- administration of facilities*** cultural, libraries, galleries, museums, transport, pet management, waste and recycling, pools and sports

The *mayor* oversees all council actions and responsibilities. This role also enables a deciding vote on council matters during meetings, such as policy and budget decisions. The *mayor* can be directly elected by the citizens in some states or elected by fellow *councillors* – although their term of service is shorter than the full election cycle.

For residents, it is vital that councils develop and manage the communities they live in. If the surrounding environment makes residents feel good and they feel at home where they live, then councils are doing their job well. Citizens should also have access to a variety of housing options in areas of their choice, as where they live becomes memories and stories of their life. The more citizens feel at home in their local area, the more they tend to become involved in community life – this is the ultimate test for any successful community.

Here are two interesting questions for you to consider:

- How can a local council support its residents to feel safe in their community?***
(Write a list of services and facilities that councils provide to help you achieve this answer)
- What do you think would happen if councils did not adequately provide these facilities and services for its residents?***
(Think about how communities would change and what types of experiences would residents have as they went about their day to day life)