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# Government

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## Overview

There are three levels of government conducted within Australia. The Commonwealth Government, State, Territory and local governments coordinate and manage different aspects of policy, planning and administration associated with legislature, regulation and service delivery. Information in this chapter relates to the system of government administered in Victoria at state and local levels.

## Victorian Constitution and Government

Victoria has been self-governed since 1851, with its first parliament formed in 1856. On 1 January 1901, Victoria ceased to be an independent colony and became a State of the newly formed Commonwealth of Australia.

Under the Victorian Constitution the Parliament of Victoria comprises the Crown (Governor of Victoria), Legislative Council (Upper House) and Legislative Assembly (Lower House). The term of a Parliament is currently three years (minimum), with a mandatory general election required to take place during the fourth year.

The Governor is appointed for a five-year term. The current Victorian Governor is the Hon. Sir James Gobbo. His term is due to expire in April 2001.

The Victorian Government Ministry, comprising the Premier and ministers, is drawn from both houses of Parliament. The support of a majority of Lower House members is required to form and empower the ministry to govern. The Premier of Victoria is government leader in Parliament. Government ministers assume a range of ministerial and portfolio responsibilities relating to administration and provision of services to the people of Victoria.

The Victorian Government has responsibilities to manage the State's finances; provide a range of services including health, education and public transport; and administer responsibilities such as law and order, agricultural development, State-based public utilities, and urban and regional development. The primary source of revenue for funding services is derived from Commonwealth government grants and State government taxes.

### **The Legislative Assembly**

There are currently 88 Legislative Assembly members, each representing the constituents of a single Electoral District. Members are elected for the term of Parliament. The Legislative Assembly or Lower House is also known as the seat of Government. The political party (or group of parliamentarians) who control the majority of support in the Legislative Assembly can form Government.

The State Premier is leader of the Lower House majority. The official opposition is the largest grouping or political party which opposes the Government. The Legislative Assembly Presiding Officer is known as the Speaker. The Speaker is responsible for conduct of the Lower House and, along with the Upper House Presiding Officer, represents Parliament on official and ceremonial occasions.

### **The Legislative Council**

There are 44 members of the Legislative Council representing 22 Electoral Provinces (two Councillors for each province). Legislative Council members are elected for two terms of Parliament. Half the Council members are required to face re-election at any general election.

The Legislative Council is often referred to as the 'House of Review', and its primary role is to provide a 'second opinion' or review of bills and measures proposed by the Lower House. The Legislative Council Presiding Officer is known as Council President.

### **Victorian Government Ministry**

A simultaneous election for Legislative Council and Legislative Assembly of the Victorian Parliament was held on 23 March 1996. The Liberal/National Party Coalition, under the leadership of the Hon. Jeffrey Kennett, was re-elected. (Refer to page 40 of the *1996 Victorian Year Book* for a list of Victorian Premiers, 1943 to 1996.)

Following the Gippsland West by-election of early 1997, the state of parties was:

Legislative Council (Upper House): Liberal Party 28 seats, Australian Labor Party 10 seats, National Party 6 seats.

Legislative Assembly (Lower House): Liberal Party 47 seats, Australian Labor Party 30 seats, National Party 9 seats, Independent 2 seats. The Government Ministry consisted of the following members as at December 1997.

### **Legislative Assembly**

The Hon. Jeffrey Kennett: Premier, Minister for Multicultural Affairs, Minister for the Arts  
The Hon. Robin Cooper: Minister for Transport  
The Hon. Phillip Gude: Minister for Education  
The Hon. Ann Henderson: Minister for Housing, Minister responsible for Aboriginal Affairs  
The Hon. Phil Honeywood: Minister for Tertiary Education, Minister assisting the Premier on Multicultural Affairs  
The Hon. Bill McGrath: Minister for Police and Emergency Services, Minister for Corrections  
The Hon. Patrick McNamara: Deputy Premier, Minister for Agriculture and Resources  
The Hon. Robert Maclellan: Minister for Planning and Local Government  
The Hon. Dr. Denis Napthine: Minister for Youth and Community Services

The Hon. Tom Reynolds: Minister for Sport, Minister for Rural Development

The Hon. Alan Stockdale: Treasurer, Minister for Multimedia

The Hon. Marie Tehan: Minister for Conservation and Land Management

The Hon. Jan Wade: Attorney-General, Minister for Women's Affairs, Minister for Fair Trading

#### **Legislative Council**

The Hon. Louise Asher: Minister for Small Business, Minister for Tourism

The Hon. Mark Birrell: Minister for Industry, Science and Technology

The Hon. Geoff Craige: Minister for Roads and Ports

The Hon. Roger Hallam: Minister for Finance, Minister for Gaming

The Hon. Rob Knowles: Minister for Health, Minister for Aged Care

#### **Parliamentary committees**

An important component of the parliamentary process is the work conducted by parliamentary committees. Parliament may form committees to examine particular issues of interest to Parliament. Such committees may be either 'standing' committees, which exist for the life of Parliament, or 'select' committees, which exist for the duration of a particular investigation.

Currently, there are nine standing committees, known in Parliament as joint investigatory committees, and comprise of both government and opposition members from both houses. While investigating particular issues, parliamentary committees examine information from many sources, including public submissions. This process of investigation, consultation and debate provides substantial input to the formation of new legislation. The current joint investigatory committees are as follows:

Those administered by the Legislative Assembly:

- Drugs and Crime Prevention Committee
- Economic Development Committee
- Public Accounts and Estimates Committee
- Scrutiny of Acts and Regulations Committee

Those reporting to the Legislative Council:

- Environment and Natural Resources Committee
- Family and Community Development Committee
- Federal-State Relations Committee
- Law Reform Committee
- Road Safety Committee

### **Victorian government departments and statutory authorities**

Victorian government departments and statutory authorities administer legislation, implement government policy, provide policy advice to government, and supply goods and services within Victoria. In 1998, there were eight Victorian government departments:

Department of Premier and Cabinet including: Multicultural Affairs; Arts Victoria; Ombudsman; Auditor General; Office of the Governor; Chief Parliamentary Counsel; Public Service Commission; and Cabinet Office.

Department of Treasury and Finance including: Budget and Resource Management; Economic and Financial Policy; Privatisations and Industry Reform; Financial Management; Energy Projects; Strategic Management; Victorian Casino and Gaming Authority; and State Revenue Office.

Department of State Development including: Business Services and Marketing; Employment Victoria; State Development Policy; Business and Rural Development; International, Sport, Recreation and Racing Victoria; Tourism Victoria; Small Business and Regulation Reform; and Multimedia Victoria.

Department of Education including: Schools, Training and Further Education; Strategic Planning and Administrative Services; Higher Education; and Review.

Department of Human Services including: Aboriginal Affairs; Housing; Acute Health; Public Health; Aged, Community and Mental Health; Youth and Family Services; and Disability Services.

Department of Justice including: Attorney-General's Policy Division; Women's Affairs; Fair Trading and Business Affairs; Victoria Police; Emergency Services; Courts, Tribunals and Registries Division; and Justice Operations.

Department of Infrastructure including: Contracts, Regulation and Compliance Services; Local Government, Planning, and Market Information Services; and Strategic Planning and Economic Services.

Department of Natural Resources and the Environment including: Catchment Management and Sustainable Agriculture; Primary Industries; Minerals and Petroleum; Forests Service; Parks, Flora and Fauna; and Land Victoria.

### **Local government administration**

#### **Structure of local government**

As at 30 June 1998, Victoria comprised 78 local government (municipal) districts. These municipalities included 31 cities (including 4 greater cities), 6 rural cities, 40 shires and 1 borough.

There are several unincorporated areas of Victoria (i.e. not part of a municipality). These include: French Island (154 square kilometres) situated in Western Port Bay; Lady Julia Percy Island (1.3 square kilometres) located off Port Fairy; Bass Strait Islands (3.8 square kilometres); and Gippsland Lakes (part, 309 square kilometres).

**Compulsory competitive tendering**

Under amendments to the *Local Government Act 1989*, councils were required to competitively tender 20% of their total operating expenditure in 1994–95, rising to 30% in 1995–96, and 50% in 1996–97 and subsequent years. Overall in 1996–97, \$1.45 billion worth of local government work was tendered, representing 56% of aggregate operating expenditure for Victorian councils. More than 55% of work tendered by councils was won by external contractors, and nearly one-third retained by in-house provider teams. All councils advised they had programs in place designed to reach the 50% target in 1997–98.

The Office of Local Government is working with the Municipal Association of Victoria to develop a database on councils' tendering activities. This information will benefit all participants by supporting policy development, local government advocacy, and planning for the next round of competitive tendering.

**Setting of rates and charges**

In September 1997, the Government announced that rate capping for municipal councils would be lifted for the 1998–99 financial year, returning full responsibility and accountability for setting rates and charges to councils. The lifting of rate capping was conditional on councils establishing and meeting performance and financial targets, and stepping up reporting for council business enterprises.

**Performance management system**

A performance management system was launched in February 1998 by the Office of Local Government, which requires all councils to report on a standard set of key performance indicators: 29 'high level' annual plan indicators focusing on rate levels, financial performance, operational costs, capital expenditure and community satisfaction; and 47 'service specific' comparative indicators which focus on cost and quality of service delivery, and council administration. An integral part of the performance measurement system is an annual community satisfaction measurement program to establish information on community satisfaction across a range of council services.

**Functions of council**

The functions and powers of councils relate to the administration of roads and bridges (for which there is a construction and maintenance responsibility); drainage; building control; community welfare, including infant and preschool centres; home help; elderly citizens and meals on wheels; garbage; and parking and traffic engineering.

**References****Non-ABS sources**

Department of Premier and Cabinet, Information Victoria.

Local Government Board, Victoria.

Parliament of Victoria, information kit and library staff.

