3   **Government**

Overview

There are three levels of government conducted within Australia. The Commonwealth Government, State or 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 the 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

On 18th September 1999 simultaneous elections were held in Victoria for the Legislative Council and Legislative Assembly. Due to the untimely death, on the same day, of Peter McLellan, MLA for Frankston East, a by-election was held on 16th October 1999. As a result of this by-election, the Australian Labor Party, led by the Hon. Steve Bracks, held 42 seats, and signed a "Memorandum of Understanding" on 18th October 1999 with three Independent Members of Parliament. This resulted in the formation of a minority Labor government in Victoria. The new Bracks Ministry was formally sworn in on 20th October 1999.

The state of the parties as of October 1999 was:

Legislative Council (Upper House): Liberal Party 24 seats, Australian Labor Party 14 seats, National Party 6 seats.

Legislative Assembly (Lower House): Australian Labor Party 42 seats, Liberal Party 36 seats, National Party 7 seats, Independents 3 seats.

Legislative Assembly

The new Bracks Ministry consisted of the following members:

The Hon. Steve Bracks: Premier, Treasurer, Minister for Multicultural Affairs

The Hon. John Thwaites: Deputy Premier, Minister for Health, Minister for Planning

The Hon. Peter Batchelor: Minister for Transport

The Hon. John Brumby: Minister for Finance, Assistant Treasurer, Minister for State and Regional Development

The Hon. Bob Cameron: Minister for Local Government, Minister for Work Cover, Minister Assisting the Minister for Transport regarding Roads

The Hon. Christine Campbell: Minister for Community Services

The Hon. Mary Delahunty: Minister for Education, Minister for Arts

The Hon. Sherryl Garbutt: Minister for Environment and Conservation, Minister for Women's Affairs

The Hon. Andre Haermeyer: Minister for Police and Emergency Services, Minister for Corrections

The Hon. Keith Hamilton: Minister for Agriculture, Minister for Aboriginal Affairs

The Hon. Rob Hulls: Attorney General, Minister for Manufacturing Industry, Minister for Racing

The Hon. Lynne Kosky: Minister for Post Compulsory Education, Training and Employment

The Hon. John Pandazopoulos: Minister for Gaming, Minister for Major Projects and Tourism, Minister Assisting the Premier on Multicultural Affairs

The Hon. Bronwyn Pike: Minister for Housing, Minister for Aged Care, Minister Assisting the Minister for Health

Legislative Council

The Hon. Candy Broad: Minister for Energy and Resources, Minister for Ports, Minister Assisting the Minister for State and Regional Development regarding State Development

The Hon. Monica Gould: Minister for Industrial Relations, Minister Assisting the Minister for WorkCover

The Hon. Justin Madden: Minister for Sport and Recreation, Minister for Youth Affairs, Minister Assisting the Minister for Planning

The Hon. Marsha Thomson: Minister for Small Business, Minister for Consumer Affairs

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 eight standing committees, known in Parliament as joint investigatory committees, and comprise 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 joint investigatory committees are as follows:

> Drugs and Crime Prevention Committee
> Economic Development Committee
> Environment and Natural Resources Committee
> Family and Community Development Committee
> Law Reform Committee
> Public Accounts and Estimates Committee
> Road Safety Committee
> Scrutiny of Acts and Regulations 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. At January 2000, 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 Financial Management; Commercial Policy and Projects; Economic and Financial Policy; Strategic Management; Victorian Casino and Gaming Authority; and State Revenue Office.

Department of State and Regional Development, including: Business and Regional Development; Tourism Victoria; Multimedia Victoria; Small Business and Regulation Reform; Sport and Recreation Victoria; Office of Major Projects; State Development Policy; and Business Services and Marketing.

Department of Education, Employment and Training, 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; Rural Health; and Disability Services.

Department of Justice, including: Attorney-General's Policy Division; Women's Affairs; Fair Trading and Business Affairs; Policy and Emergency Services; Corrections; Courts, Tribunals and Registries Division; Births, Deaths and Marriages; 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 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 1999, there were 78 local government (municipal) districts in Victoria, comprised of 31 city councils (including 4 greater cities), 6 rural cities, 40 shires and 1 borough. These local government areas are governed by elected councils, except for Melton Shire Council which is administered by commissioners. There will be a poll of Melton voters in October 2001 to determine whether the Council should continue to be administered by commissioners.

There are several unincorporated areas of Victoria (i.e. not part of a municipality). These include: land within an alpine resort (seven alpine resorts have been declared under the *Alpine Resorts Act 1983*); French Island, situated in Westernport Bay (154 square kilometres); Lady Julia Percy Island, located off Port Fairy (1.3 square kilometres); Bass Strait Islands (3.8 square kilometres); and Gippsland Lakes (part, 309 square kilometres).

Setting of rates and charges

The *Local Government Act 1989* includes provisions whereby the Minister may limit income raised by councils from rates and charges. Since the 1998–99 financial year the application of the power has been relaxed and councils have been provided with guidelines in the form of a broad policy framework to assist them where they want to consider increases in the amount of income to be raised by rates and charges.

As at 30 June 1999, the overall level of local government rates and charges in Victoria remained below that which applied in 1993–94 when major restructuring of the sector reduced the number of councils from 210 to 78.

Performance management system

The Statewide framework of performance indicators was launched in February 1998, comprising annual plan and comparative indicators.

Annual plan indicators are higher level, audited, corporate performance measures that cover financial performance, community satisfaction, rates management, capital expenditure and operating costs. Each council sets targets in its Business Plan for each of the annual plan indicators. At the end of each financial year, councils report performance against these targets in a performance statement included in the annual report.

Comparative indicators are service specific performance measures of unit costs and service quality covering major services provided by councils as well as council administration and customer service. The objective of the comparative indicators is to facilitate an understanding of indicative best practice and encourage benchmarking across "like groups" as part of continuous process improvement with individual councils.

Functions of council

The functions of a council relate to its roles in providing good governance and equitable and appropriate services for its municipal district. Its functions include:

- general public services (waste management; local fire, safety and emergency services; parking and traffic control; animal control; information services);
- planning and land use control (building control; environmental protection; plant control);
- infrastructure (construction and maintenance of local roads; bridges; lighting and drainage);
- health, welfare and community services (services for families; the aged and other groups in the community; health and food premises' inspection services);
- recreational and cultural services (parks and gardens; libraries and museums; sport, leisure and arts facilities); and
- economic development, including tourism.

References

Non-ABS sources

Department of Premier and Cabinet, Information Victoria.

Department of Infrastructure, Local Government Branch.

Parliament of Victoria, Library.

Internet

Victorian Government http://www.vic.gov.au