

Introduction

The information in this chapter relates to the system of government administered in Victoria at State and Local levels. It outlines the structure and discusses the main functions of State and local government in Victoria. The Victorian Parliamentary Library provided the State government information, and the Local Government information was provided by the Victorian Department of Infrastructure.

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.

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 Hon. Sir James Gobbo held the position of Governor from 24 April 1997 until 31 December 2000. The Premier, Mr. Steve Bracks, made the announcement for his replacement, John Landy M.B.E., on 8 August 2000. John Landy will become Victoria's 26th Governor, taking up his position on 1 January 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, State-based public utilities, and urban, regional and agricultural development. The primary sources of revenue for funding services are 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 also known as the Council President.

Parliamentarians

In 1999, Victoria's 54th Parliament was elected. As of October 2000, there were 34 female Members of Parliament (MP's), with 8 females holding ministerial portfolios (table 3.1). There were 98 male MP's (74.2%) and 10 male ministers (55.5%) in October 2000.

Since 1995, the number of female MP's has increased from 16 to 34, while the number of female ministers has increased from 2 to 8. Males, however, still hold the majority of positions with 74.2% of MP's being male, and 55.5% of ministers being male. Even though there are fewer ministers in the current government than in 1995, the number of female ministers has increased. This change has been particularly marked in the Legislative Council where female ministers now account for 25% of the total.

3.1 PARLIAMENTARIANS

	Members of Parliament				Ministers(a)			
	1995		2000		1995		2000	
	no.	%	no.	%	no.	%	no.	%
Legislative Assembly								
Male	79.0	89.8	66.0	75.0	14.0	87.5	9.0	64.3
Female	9.0	10.2	22.0	25.0	2.0	12.5	5.0	35.7
Persons	88.0	100.0	88.0	100.0	16.0	100.0	14.0	100.0
Legislative Council								
Male	37.0	84.1	32.0	72.7	5.0	100.0	1.0	75.0
Female	7.0	15.9	12.0	27.3	0.0	0.0	3.0	25.0
Persons	44.0	100.0	44.0	100.0	5.0	100.0	4.0	100.0
Total								
Male	116.0	87.9	98.0	74.2	19.0	90.5	10.0	55.5
Female	16.0	12.1	34.0	25.8	2.0	9.5	8.0	44.5
Persons	132.0	100.0	132.0	100.0	21.0	100.0	18.0	100.0

(a) A Minister must be a Member of Parliament.

Source: Victorian Parliamentary Library.

Victorian Government Ministry

Following the State election held on 18 September 1999, the Australian Labor Party, led by the Hon. Steve Bracks, were able to combine their 42 seats with those of three Independent MP's, Susan Davies, Craig Ingram and Russell Savage, to form a minority government. The Bracks government later gained two additional seats from by-elections contested for the lower house seats of Burwood and Benalla.

The state of the parties as of October 2000 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 44 seats, Liberal Party 35 seats, National Party 6 seats, Independents 3 seats.

Legislative Assembly

The Bracks Ministry, as of October 2000, consists of the following members:

The Hon. Steve Bracks: Premier, 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: 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 Finance, 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 forms committees in order 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 seven standing committees, known in Parliament as joint investigatory committees. These 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
- 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

The Legislative Council has one additional committee called the Economic Development Committee and the Legislative Assembly has one additional committee called the Privileges 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 October 2000, there were eight Victorian government departments. These are:

Department of Premier and Cabinet, including: Cabinet Office; Arts Victoria; Multicultural Affairs; Women's Policy; Office of State Administration; Office of the Governor; Chief Parliamentary Counsel; Ombudsman; and Public Employment.

Department of Treasury and Finance, including: Budget and Financial Management; Commercial Policy and Projects; Economic and Financial Policy; Strategic Management; Office of the Regulator-General; State Revenue Office; Government Superannuation Office; and Victorian Casino and Gaming Authority.

Department of State and Regional Development, including: Industrial Relations; Industry Policy; Investment; Major Projects; Manufacturing; Multimedia; Regional Development; Science, Technology and Innovation; Small Business; Sport, Recreation and Racing; and Tourism Victoria.

Department of Education, Employment and Training, including: Schools; Post Compulsory Education, Training and Employment; Youth Affairs; and Departmental Services.

Department of Human Services, including: Acute Health; Aged, Community and Mental Health; Community Care; Disability Services; Housing; and Public Health.

Department of Justice, including: Attorney-General; Consumer Affairs; Corrections; Police and Emergency Services; Equal Opportunity Commission; Legal Policy and Court Services.

Department of Infrastructure, including: Land Use Planning, Heritage and Building Policy; Local Government; Ports and Marine; Roads; Strategic Planning; and Transport.

Department of Natural Resources and Environment, including: Aboriginal Affairs; Energy and Resources; Environment and Conservation; Minerals and Petroleum; Fisheries; Agriculture; Parks, Flora and Fauna; Forests Service; Land Victoria; Catchments and Water.

Local government administration

Structure of local government

As at 30 June 2000, there were 78 local government (municipal) districts in Victoria, comprising 33 City Councils (including 4 Greater Cities), 6 Rural Cities, 38 Shires and 1 Borough. These local government areas are governed by elected councils, except for Melton Shire Council which is administered by commissioners.

Also, 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 part of the Gippsland Lakes (309 square kilometres).

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. These 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.

Setting of rates and charges

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

Performance management system

During 1999, a reference group comprising the peak local government bodies and the Local Government Division was established to review the Performance Management and Reporting System for Local Government. As an outcome of this work, the previous 29 annual plan indicators were reduced to 10 local government indicators for reporting in councils' annual reports for 2000–01 and each year thereafter. The indicators cover the areas of affordability/cost of governance, sustainability, services, infrastructure and governance.

Councils are required to include the performance indicators in their annual business plans and to set targets for these indicators. At the end of each financial year, councils report their performance against these targets in an audited performance statement included in their annual report.

In addition, work is underway to review and refine the 47 comparative and service specific performance measures which councils use for benchmarking purposes. The objective of the comparative indicators is to facilitate an understanding of best practice and encourage benchmarking across "like groups" as part of continuous improvement.

Best Value

The Best Value Principles legislation requires each council to "achieve continuous improvement in the provision of services for its community". A taskforce was established in January 2000 to develop a framework to operationalise Best Value Principles in consultation with the sector. Councils will be required to set quality and cost standards for each service, performance outcomes, and to report against improvement targets.

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Bibliography

Non-ABS sources

Department of Infrastructure, Local Government Division.

Parliament of Victoria, Library.