

Three Levels of Government Online Program

Background Notes

1. Federation

Australia is a Federation of six states and two territories. It is also a representative democracy where people elect representatives to make decisions/laws on their behalf in Parliament.

Until 1901, Australia was made up of six separate British colonies - New South Wales, Tasmania, Victoria, Western Australia, South Australia and Queensland. Each developed its own parliament, laws and administration. Each was made responsible for a range of government activities, other than such matters as defence and foreign policy, which were kept in the hands of the British Government.

In 1901 the six colonies federated, forming the new nation of Australia to be governed by a Federal Parliament. The Australian Constitution setting out the rules on how Australia should be governed, was given royal assent by Queen Victoria in July 1900. The Australian Constitution was influenced by the British Westminster system of government as well as by the 1787 American Constitution.

Since 1901 the Constitution has been made up of eight chapters and 128 sections. Effectively now there are 100 'workable' sections as the other sections were 'setting up' procedures that are no longer required. The only way a change can be made to the Constitution is by a referendum, where Australian citizens are asked if they agree or disagree with the changes. There have been 44 attempts to change the Constitution and only 8 successful referendums where the majority of people voted 'yes' for the change.

Australia is a constitutional monarchy in which the Monarch (the current King or Queen) is Head of State and has limited powers. The Governor-General represents the monarch in Australia at the Federal Level, and each State has a Governor to represent the Monarch at the State Level.

Representatives are elected to each of the three levels of government, federal, state and local.

2. The Australian or Federal Government

Summary

The Australian Federal Parliament is based on the British Westminster system of parliament with two houses: the Senate and the House of Representatives. Another term to describe the Federal Parliament structure is "bicameral" meaning two chambers (houses).

All eligible Australians within their respective federal electorates under a compulsory voting system elect individual members. The party or parties (coalition) with a majority of members in the House of Representatives forms the Government.

In accordance with the Australian Constitution, the Federal Government is responsible for all matters concerning Australia as a nation such as defence, foreign affairs, telecommunications and customs.

Role of the Senate

The Senate is one of the two houses of the Australian Federal Parliament. The Senate is often called the "States' House". Each state, regardless of its size or population, is represented by the same numbers of Senators to ensure equality of representation for the States. Currently it consists of 76 Senators, twelve from each of the six states and two from each of the mainland territories.

Representatives are called Senators and they are elected by a system of proportional representation for a period of six years. A system of rotation, however, ensures that half the Senate retires every three years. This system is used so that the composition of the Senate closely reflects the voting pattern of the electors.

Role of the House of Representatives

The House of Representatives is one of the two houses of the Australian Federal Parliament. It is sometimes called the '*people's house*' or the '*house of government*' and is elected on a population basis. Australia is divided into single member divisions which have approximately the same number of electors in each.

The House has 151 Members. Each Member represents an electoral division. The boundaries of these electorates are adjusted from time to time so that they all contain approximately equal numbers of electors (because of the distribution of Australia's population they vary greatly in area from a few square kilometres to over two million square kilometres). Members are elected by a system known as preferential voting, under which voters rank all the candidates in order of preference.

Each member of the House of Representatives (MHR) may continue for up to three years, after which, general elections for a new House must be held. Elections may be held before the end of this period. The head of the Australian Government is called the Prime Minister and sits in the House of Representatives.

3. The Western Australian or State Government

Summary

Western Australia has a bicameral (two houses) State Parliament. Eligible voters within their respective State electorate under a compulsory voting system elect individual members. The party or parties (coalition) with a majority of members in the Legislative Assembly forms the Government.

Legislative Assembly

The Legislative Assembly is the lower House of the Parliament of Western Australia, and comprises 59 members elected from single member electoral districts by a system of preferential voting. The Legislative Assembly's six principal roles and functions are:

- forming a government;
- approving the finance for government operations;
- scrutinising the government's performance;
- legislating;
- providing a forum for matters of public concern; and
- representing the people of Western Australia.

Members are known as Members of the Legislative Assembly or MLA's. The leader of the Government is known as the Premier.

Legislative Council

The Legislative Council is the upper House of the Parliament of Western Australia, and comprises 36 members elected from six multi-member regions by a system of preferential representation (proportional representation). Proportional representation is a voting system designed to ensure that the mix of successful candidates in a multi-member electorate reflects as closely as possible the proportional break-up of all the valid votes cast in an election. The Legislative Council's principal roles and functions are:

- legislating, monitoring and reviewing government legislation, administration and expenditure; and
- gathering information and publicising issues, by using committees, question time and through parliamentary debates on motions, Bills, and by petitions presented by members on behalf of members of the public.

Members are known as Members of the Legislative Council or MLC's.

In November 2021 an Electoral Equality Bill was passed to implement a single State-wide electorate and a new system of voting for the Legislative Council. At the next State elections the proportion of votes a political party receives will determine the proportion of seats they win. The Legislative Councillors will represent the whole state instead of specific regions. There will be 37 representatives in total on the Council from 2025.

Role of Members of Parliament

Members are charged first with pursuing the interests of the majority of those constituents who elected them but more importantly they represent all constituents within their respective electorates. This can often involve heated debate, in the best tradition of parliamentary proceedings, reflecting the will of the electorate and the differences between political parties. Often matters of policy or planning are decided through debate and negotiation at two or three levels of government.

4. Local Government

Summary

Local government is not a totally independent level of government. Cities, Towns and Shires are established under the authority of a higher level of government (state governments) and are supervised through Minister for Local Government. Each Local Government has an elected Council as its governing body, representatives on a Council are called Councillors and the head is called a Mayor or Shire President.

Local government representatives are elected by eligible people in their residential wards under a non-compulsory voting system. They are responsible for a wide range of local services provided direct to the community, including libraries, rubbish removal, parks, recreation centres, bicycle paths, parking and local roads.

Local government provides for the particular needs of the local community; needs that do not have to be related to the requirements for the whole state - such as education. Local governments have many roles which include: determining what kind of buildings will be allowed in a particular area and the standards of materials and construction; and power to inspect domestic and commercial premises to ensure that health regulations are being complied with. Local governments receive most of their funding by collecting a form of tax called rates. They can also receive funding from other charges such as pet registration or building permits, and occasionally get grants from the federal and state governments for major projects.

History of Councils in Western Australia

Local government has been active in WA for more than 150 years- since the land was colonised in the mid-1800s. Initially the citizens of each town or district organised local works and services such as road repairs, street lighting and rubbish collection.

Areas were mapped out into municipalities and shires and property owners were given the right to elect a council to decide what works were necessary, to levy rates and to employ people to carry the works. Even though local governments existed before federal government, there is no reference in the Australian Constitution about the role of local governments.

5. Responsibilities of the three levels of Government

Federal, state and local governments each have specific responsibilities, however they also work together sometimes to provide services for people in Australia.

The powers of the **Federal Government** come from the Australian Constitution. They are responsible for matters which concern the whole of Australia as a nation, or issues which can affect more than one state at a time. These areas are things which must have a uniform approach wherever you are in Australia.

The **state governments** are responsible for lots of matters including powers that aren't mentioned in the Australian Constitution. These are things which are dealt with better by a government that is closer to the issue, and knows about the unique challenges that might affect a state. This means that while all the different states share the same responsibilities and powers, they might act on them in different ways.

There are also things mentioned in the Constitution that both the State and the Federal Governments are responsible for. These **shared responsibilities** don't necessarily mean that state and federal governments are in charge of the exact same things- most of the time it means that they work on different parts of one bigger issue. For example, the Federal Government is in charge of preschool education, but state governments are in charge of primary and high school education.

Local governments are given responsibilities by the state governments, and they have power over issues that affect a smaller area than the whole state. This includes managing services, facilities, and local laws, known as by-laws, for local residents and communities.

Examples of Responsibilities of the Three Levels of Government		
Federal Responsibilities	State Responsibilities	Local Responsibilities
Telecommunications Defence Quarantine Postal Services Pensions Immigration Income Tax Trade Foreign Policy	Education Housing Transport Power Police Hospitals & Health Payroll and Land Taxes Water Local Government The Environment Industrial Relations	Libraries Rubbish Collection Parks and Gardens Swimming Pools & Recreation Centres Local Roads Building Permits Dog Control



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Acknowledgement of Country The Government of Western Australia acknowledges the traditional custodians throughout Western Australia and their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their cultures; and to Elders both past and present.