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Citizen to Councillor

A Guide for Prospective Councillors



About this guide

The Municipal Association of Victoria (MAV) has prepared this guide as a resource for anyone considering becoming a councillor in the 2020 Local Government general election.

It will help potential candidates better understand the purpose of local government, what is expected of a councillor and the processes for getting elected to council.

The MAV is a membership body comprising all 79 Victorian councils and the legislated peak body for local government in Victoria.

This guide outlines the aspects of the [Local Government Act 2020](#) and the [Local Government \(Electoral\) Regulations 2020](#). It is not a substitute for the law and should be read in conjunction with the Act, the regulations and the VEC's [Local Government Elections Candidates Handbook](#). You should seek legal advice or other professional advice in relation to any particular concerns you may have. The guide does not incorporate the special provisions that relate solely to the City of Melbourne elections.

At the time of writing, the making of the *Local Government (Governance and Integrity) Regulations 2020* had not been announced and have therefore not been incorporated in this guide. The regulations cover a range of matters, including; the prescribed Councillor Standards of Conduct, the form of the oath or affirmation of office required of each councillor, and the form and content of the summary of councillor interests that must be posted to the council's website.

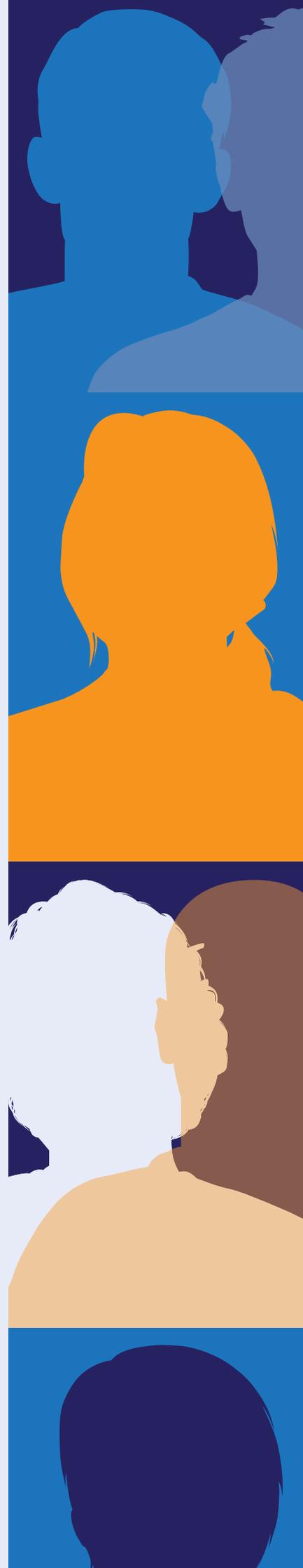
The MAV has been advocating for campaign guidance to assist candidates in understanding what campaigning activities are appropriate during various levels of coronavirus restrictions. While we understand that this is a fluid situation, the importance of early access to this guidance to maximise the interest of potential candidates in nominating should not be underestimated.

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Disclaimer

This publication may be of assistance to you but the MAV and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purpose and therefore disclaims all liability for any error, loss or other consequence which may arise from relying on any information in this publication.

The MAV can provide this publication in an alternative format upon request, including large print, Braille and audio.

Acknowledgement of Traditional Owners

The MAV, the legislated representative of local government in Victoria, respectfully acknowledges the Traditional Owners of the land on which we are located, and pay our respect to their Elders past and present and emerging.

Introduction

Being a councillor is one of the most visible ways of communicating your values, hopes and ideas for your community and shaping the kind of world you want to live in at the local level.

Standing for council is the first step in that journey.

2020 has been a hugely challenging year for many. In times of great challenges however, we need a robust balance of stability and vision so our communities will recover and thrive now and into the future. We need people who have the motivation, drive and passion to make that happen.

We also need people who are truly representative of our communities. Women make up just over half of our population yet only 38 per cent of councillors are women. There's an even sharper fall in the equality equation when we look more broadly at diversity and include measures like culture, ethnicity, people with disabilities or the LGBTIQ community. That's a lot of skills, experience, views and innovation we are missing out on.

A strong, healthy and inclusive democracy is underpinned by diversity and inclusion. It needs all voices heard, all values respected, and all needs visibly represented.

You may think you don't have the skills and experience to be a councillor. However, what you do in your professional, personal, social and community lives are highly transferrable to the role of councillor and the business of running a council. And you may not have community leadership experience, but chances are you have community leadership attributes. This is what we need, now more than ever.

Being a councillor is not just about what you can bring to your community. It's also about what it can bring to you. You will have opportunities for professional and personal development, to build new networks, and create deep connections and friendships that will last the rest of your lives.

I warmly invite you to be part of your community's future and stand for council, and I wish you every success on your path to becoming a councillor.



Kerry Thompson
Chief Executive Officer





Foreword

Local government has a significant impact on the lives of all Victorians adding more than \$7.2 billion to our economy, delivering over 100 services to the Victorian community and managing \$103 billion of assets and infrastructure.

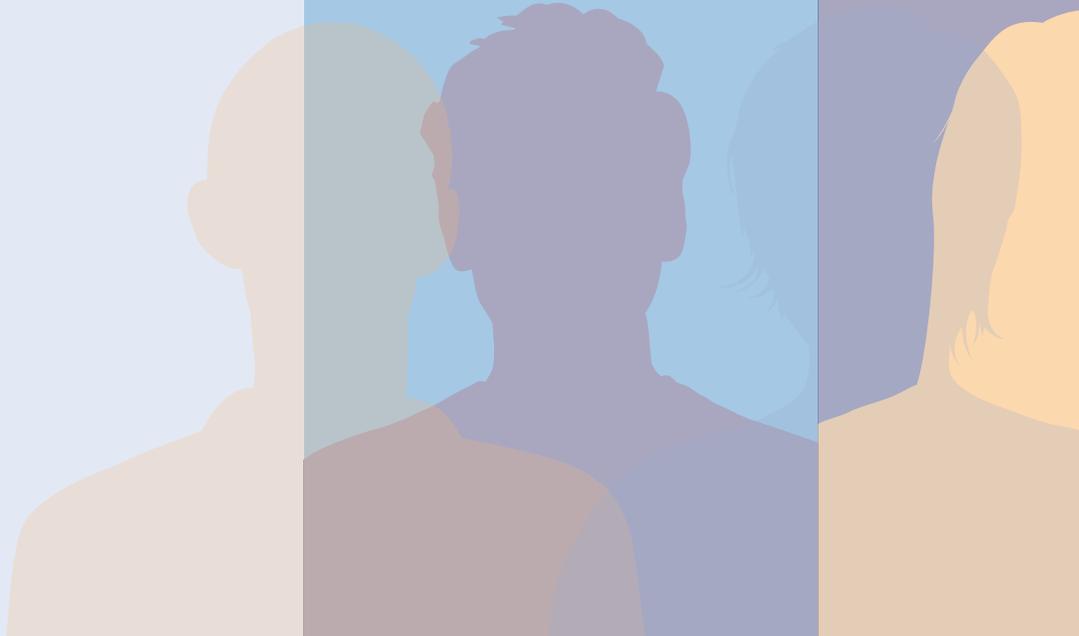
Councils are complex and vibrant businesses and provide and maintain a large number of public buildings, amenities and services. Victoria's largest council is in the top 100 employers in the state and our smaller rural councils are often the largest employer in the region.

Councillors are elected by residents and ratepayers and have a meaningful and challenging role to fulfil. They must be connected with and deeply understand the needs of a diverse community and balance those needs within a framework of financial accountability. The work of councillors is varied and carried out within a highly political environment.

One of the most challenging aspects of this work is that councillors must make decisions that affect people's lives. Some of these decisions will not always be popular. It's important that councillors successfully communicate the council's vision to all members of their municipal community, and deliver long-term objectives consistent with this vision.

Councils require talented and dedicated individuals to participate in making the decisions that count. Standing for election is a great way to influence the future direction of the local community for the benefit of all its members. It can be daunting and time consuming, but highly rewarding.

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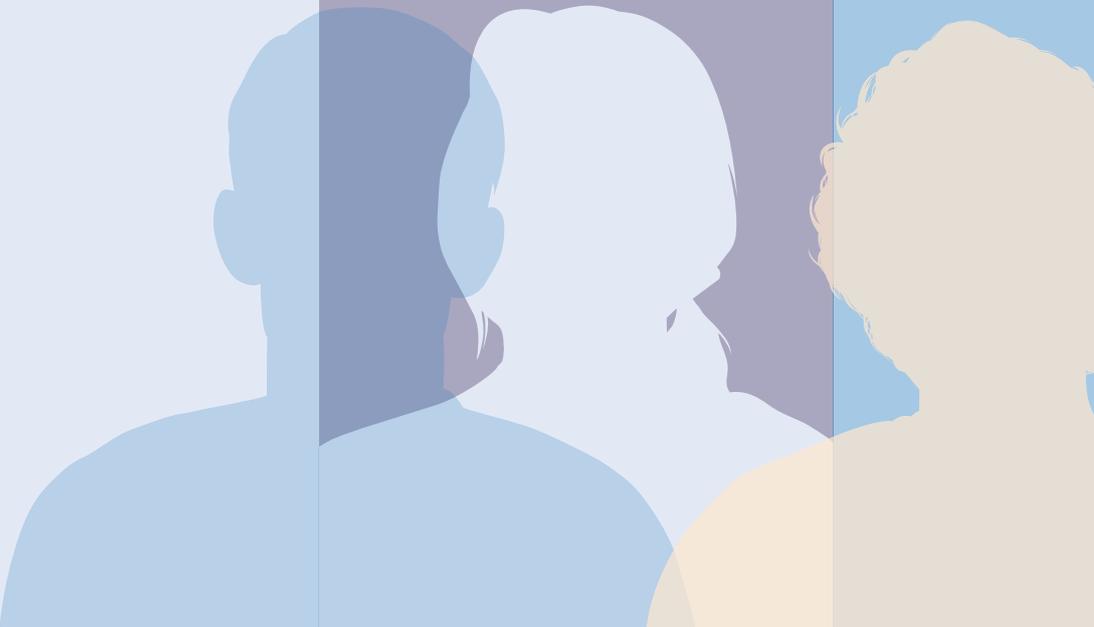
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Section 1

What is local government?

Local government in Victoria
Legislative framework
Council responsibilities and functions
Local government funding sources



Local government in Victoria

Local government enables the economic, social and environmental development of the municipality it represents, supports individuals and groups, and provides a wide range of services for the wellbeing of the community.

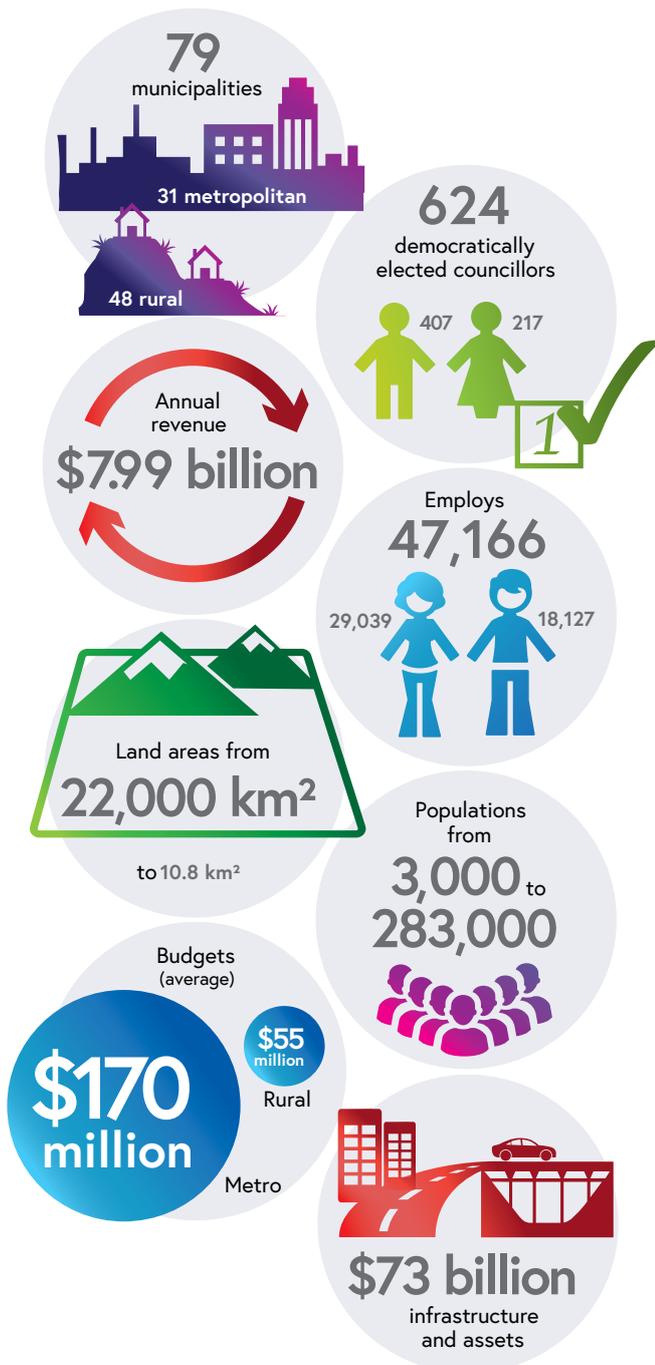
Local government is the third level of government in the Australian federal system. It is established by an Act of State Parliament, which specifies local government powers, duties and functions.



In Victoria, 79 municipal councils represent more than 6.3 million people. Each council varies in size, population, rate base and resources but all must operate in accordance with the *Local Government Act 1989* (LG Act 1989) and the *Local Government Act 2020* (LG Act 2020) until the implementation of the LG Act 2020 is complete.

Councils consist of elected members (democratically elected councillors) and the administration (council employees). The elected councillors, as council, appoint the Chief Executive Officer, set the council's strategic direction and participate in other significant decision-making including the adoption of budgets and policies and monitoring the council's overall performance.

Local government has responsibility for implementing many diverse programs, policies and regulations set by the federal and state governments. Councils also provide a range of services at their discretion in response to local community needs. Additionally, councils have the power to make local laws to regulate activities within the municipality. Each municipality is distinct. There are some common services across local government but also a degree of diversity. *More information on the range of services delivered by Victorian councils is outlined in Appendix A.*



Legislative framework

Local government is recognised as a ‘distinct and essential tier of government consisting of democratically elected councils having the functions and powers that the Parliament considers are necessary to ensure peace, order and good government of each municipal district’.

(Constitution Act 1975; Local Government Act 2020: Purpose of Act)

The local government provisions in the Victorian Constitution cannot be removed or changed without the approval of Victorian voters in a referendum.

Councils operate within a legislative framework established by the Victorian Parliament through the LG Act 2020. The Act sets out their functions and powers.

There are a number of other key Acts under which local government operates. These include the *Planning and Environment Act 1987*, the *Public Health and Wellbeing Act 2008* and the *Emergency Management Act 1986*.

The breadth and diversity of local government responsibilities requires councils to have regard to, and comply with, more than 100 federal and state Acts and regulations, as well as Ministerial Directions, codes of practice, Australian Standards and guidelines.

Council responsibilities and functions

Councils are area-based, representative governments with a legislative and electoral mandate to manage local issues and plan for the community's needs.

Councils, in providing good governance for the benefit and wellbeing entire community:

- communicate and consult with the community extensively on a variety of matters
- express community identity, and establish community goals and objectives
- have political, management and decision-making structures
- undertake economic, social and environmental planning for the sustainability of the municipality
- provide a range of services
- provide and maintain assets and infrastructure.

Objectives of the LG Act 2020

The objectives of the LG Act 2020 are to ensure that:

- local government continues to be constituted as a democratically elected tier of government in Victoria
- councils are constituted as representative bodies that are accountable, transparent, collaborative, efficient and engaged with their communities
- councils have the functions and powers necessary to enable councils to perform their role.

LG Act 2020, Section 4

Role of a council

A council is elected to provide good governance in its municipal district for the benefit and wellbeing of the municipal community.

The council provides good governance if:

- it performs its role in accordance with the overarching governance principles and supporting principles
- the councillors perform their role in accordance with the legislative requirements (refer to Section 2, What is expected of a councillor).

What and who is the municipal community?

The municipal community is made up of four classes of people and bodies, many of whom will fit within more than one class, and specifically includes:

- residents
- ratepayers
- traditional owners of land in the municipality
- people and bodies who conduct activities in the municipality.

People and bodies who conduct activities within the municipality may include community and sporting organisations, businesses, charitable bodies, cultural organisations, government and government agencies and visitors.

Governance principles

A council in performing its role must give effect to the following overarching governance principles:

- council decisions are to be made and actions taken in accordance with the relevant law
- priority is to be given to achieving the best outcomes for the municipal community including future generations
- the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted
- the municipal community is to be engaged in strategic planning and strategic decision making
- innovation and continuous improvement is to be pursued
- collaboration with other councils and governments and statutory bodies is to be sought
- the ongoing financial viability of the council is to be ensured
- regional, state and national plans and policies are to be taken into account in strategic planning and decision making
- the transparency of council decisions, actions and information is to be ensured.

In giving effect to the overarching governance principles, a council must take into account the following supporting principles;

- the community engagement principles
- the public transparency principles
- the strategic planning principles
- the financial management principles
- the service performance principles.

LG Act 2020, Section 9

General power of a council

Councils have a general power, subject to any legislative limitations or restrictions to do all things necessary or convenient to be done in connection with the performance of their role.

This general power of competence is not limited by specific legislative powers. This means that councils have the power to do anything an individual can do provided it is not prohibited by legislation.

LG Act 2020, Section 10



Local government funding sources

Councils in Victoria are responsible for annual revenue in the order of **\$11.6 billion** and expenditure in the order of **\$9 billion**. Annually, councils spend **\$7.2 billion** delivering services to the Victorian community. In addition, they manage **\$103 billion** of assets and infrastructure including roads, bridges, town halls, recreation and leisure facilities, drains, libraries and parks.

Local government in Australia receives funding and revenue from several major sources:

- Rates and charges on property
- Fees, fines and charges (e.g. swimming pool entry fees, waste depot fees, planning permit fees, parking fees and fines)
- Borrowings (e.g. to pay for large infrastructure projects), asset sales, donations, contributions, reimbursements and interest earned

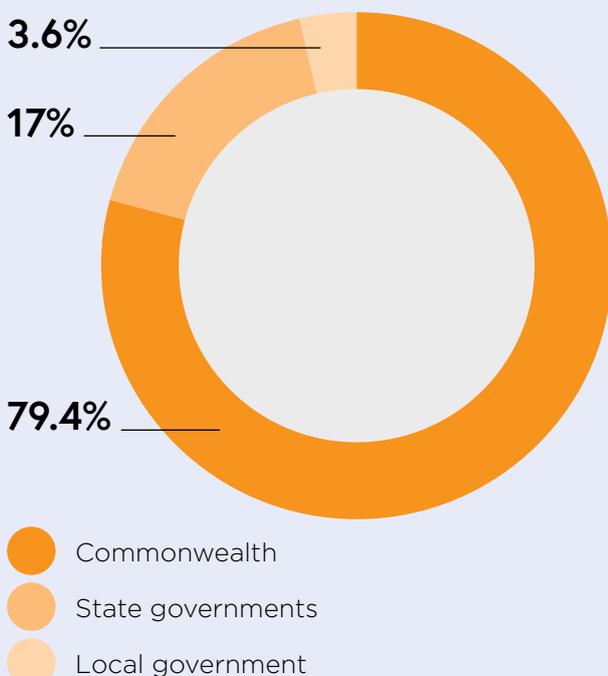
- Specific purpose grants from state and federal governments, for funding specific projects or programs
- General purpose grants from state and federal governments that are not tied to a specific purpose.

State and federal government grants are typically derived from a share of taxation revenue.

Local government collects only three cents of every tax dollar raised in Australia.

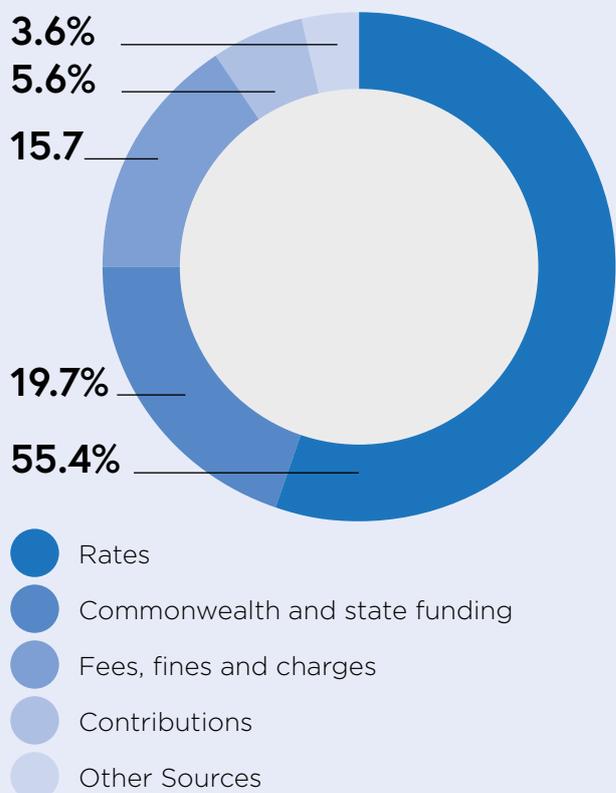
Rate revenue collected by Victorian councils is capped by the State Government. Each year the State Government decides the percentage by which councils can increase their total rates collected. Individual councils can apply for an exemption to increase their rate revenue above the rate cap.

Tax collected by governments



Source: abs.gov.au

Average local government revenue



Source: audit.vic.gov.au

Source: cpaaustralia.com.au

Section 2

What is expected of a councillor?

- Role and responsibilities
- Leadership and governance
- Conduct of councillors
- Personal information and transparency
- Councillor activities
- Role of the mayor
- Roles of the deputy mayor
- Working with the CEO and council staff
- Working with other councillors
- Working with the community



Role and responsibilities

A councillor's role is exciting, diverse and demanding. Collectively, they form the governing body of a local municipality and so play a vital leadership role in creating and implementing their community's vision, strategic direction and the values within which they operate.



The role of a councillor is:

- to participate in the decision-making of the council
- to represent the municipal community in that decision-making
- to contribute to the strategic direction of the council through the development and review of key strategic documents of the council, including the Council Plan.

In performing their elected role, a councillor must:

- consider the diversity of interests and needs of the municipal community
- support the role of the council
- acknowledge and support the role of the mayor
- act lawfully and in accordance with the oath and affirmation of office
- act in accordance with the standards of conduct
- comply with council procedures required for good governance.

The role of a councillor does not include the performance of any responsibilities or functions of the Chief Executive Officer (refer to Section 2 Chief Executive Officer's Functions).

LG Act 2020, Section 28

Councillors guide the development of strategic planning, local policies, set service standards and priorities and monitor the performance of the organisation. Other responsibilities of councillors include determining the financial strategy and budget, allocating resources, and liaising with other levels of government, the private sector and non-government community groups.

A major task for councillors is to represent the whole municipal community and advocate on their behalf on a wide range of issues. Councillors provide an invaluable link between the community and council.

Leadership and governance

The LG Act 2020 places a responsibility on elected councillors to provide leadership and good governance for the municipal district and the community. The concept of good governance is a fundamental element of the LG Act 2020 and is integral to the role of the council.

In representing the interests of their community, councillors are faced with the challenge of practising and implementing good governance processes.

Good governance is required by councils to meet their legislated responsibilities; promotes community confidence; leads to better decision-making processes; and supports impartial and ethical decision-making.

Good governance is accountable

Accountability is a fundamental requirement of good governance. Local government has an obligation to report, explain and be answerable for the consequences of decisions it has made on behalf of the community it represents.

Good governance is transparent

People should be able to follow and understand the decision-making process. This means that they will be able to clearly see how and why a decision was made – what information, advice and consultation council considered, and which legislative requirements (when relevant) council followed.

Good governance follows the rule of law

This means that decisions are consistent with relevant legislation or common law and are within the powers of council.

Good governance is responsive

Local government should always try to serve the needs of the municipal community while balancing competing interests in a timely, appropriate and responsive manner.

Good governance is effective and efficient

Local government should implement decisions and follow processes that make the best use of the available people, resources and time to ensure the best possible results for their community, including future generation.

Good governance is participatory

Anyone affected by or interested in a decision must have the opportunity to participate in the process for making that decision. This can happen in several ways – community members may be provided with information, asked for their opinion, given the opportunity to make recommendations or, in some cases, be part of the actual decision-making process. The council's Governance Rules will provide decision-making processes that ensure that any person directly affected by a council decision is entitled to communicate their views and have their interests considered.

Conduct of councillors

The LG Act 2020 provides for the development of a Councillor Code of Conduct which must include standards of conduct to be observed by councillors.

The purpose of the Councillor Code of Conduct (Code) is to incorporate standards of conduct, including prohibiting discrimination, harassment (including sexual harassment) and vilification, which are expected to be observed by councillors in the course of performing their duties and functions.

The Code must include the standards of conduct and any provisions prescribed in State regulations. The standards of conduct will be included in the *Local Government (Governance and Integrity) Regulations 2020* which have not been made at the time of publication. The Code may also include any other matters which the council considers appropriate.

There is a statutory obligation for all councils to develop and adopt the Code within the period of four months after a general election, that is, by **Friday 24 February 2021**. It is necessary for the Code to be adopted by a formal resolution of the council passed at a meeting by at least two-thirds of the total number of councillors elected to the council.

Until a council adopts a Code, the councillors must comply with the existing Code.

LG Act 2020, section 139

Personal information and transparency

As an elected representative there are transparency requirements that relate to your personal information and activities.

Councillors, and unsuccessful candidates, are required to submit a campaign donation return. The return must be submitted within 40 days after 24 October 2020. The return must contain the details of any *gift*, including goods or services, valued \$500 or more received during the *donation period*. (Refer to section 4 – *Election campaign donations* for more details on this requirement.)

Campaign donations may cause a conflict of interest for a councillor where council is considering a decision on a matter that involves the interests of a person who has given them a campaign donation.

A person who becomes a councillor must lodge an initial personal interests return with the Chief Executive Officer **within 30 days of taking the oath or affirmation of office as councillor**. A councillor must also lodge a biannual personal interests return.

LG Act 2020, Sections 133 and 134

The information to be included in the initial and biannual interest returns and the dates by which the biannual personal interest returns must be made will be prescribed in the *Local Government (Governance and Integrity) Regulations 2020*.

Personal interests – summary to be published on website and available for inspection

The Chief Executive Officer must prepare a summary of the personal interests information disclosed in the last personal interests return lodged by relevant persons, including councillors. The summary must include the town or suburb, but not the residential street address disclosed by the councillor and such other information as the regulations require.

The Chief Executive Officer must publish the summary of person interests on the council's website and ensure the summary is available for inspection at the council office.

Personal interest returns – confidentiality

The confidentiality of the personal interest returns must be maintained by the Chief Executive Officer who may only provide access to specified people including a Municipal Monitor or the Chief Municipal Inspector.

Councillor expenses – disclosure

Councillors are entitled to be reimbursed for reasonable bona-fide out-of-pocket expenses incurred while performing duties as a councillor.



It is anticipated that regulations not made at the time of publication will require details of councillor expenses, including reimbursement of expenses to be periodically available on the council's website or in the council's annual report.

Councillor activities

Councillors are required to participate in a wide variety of activities, both as an elected representative of the community and as a member of the governing body of council. Councillors are accountable to their municipal community. Representing the entire community in decision-making requires councillors to weigh and balance all relevant factors without bias or prejudgement.

1. Community involvement and accountability

Many citizens who become councillors have already had a high level of involvement in community organisations and events. Attending community meetings, gauging community values and needs, as well as being available and approachable are part of being a councillor.

Councillors, both individually and collectively, are accountable to their community. They have a responsibility to respond to requests for information, be prepared to explain the reasons for their own or the council's actions and defend council proposals.

2. Advocacy

The council often represents and advocates on behalf of its residents, businesses and community organisations on key issues that affect the wellbeing of the local area. This includes meeting with other levels of government, statutory bodies, businesses and regional interest groups.

Councillors also play a critical role in the decision-making processes that guide and govern the strategic vision and directions for the municipality.

Councillors need to remember that they are obligated to make decisions that are in the best interests of the entire municipal community. This obligation to the entire municipal community is greater than the interests of their constituents or particular parts of their community.

3. Debating and decision-making

Key decisions are made at council and committee meetings. Prior to council and committee meetings, councillors receive the agenda and relevant reports to read and consider. The reports provide background information and advice on the issue from council officers. At the meetings, councillors debate the issues and make considered decisions in the best interests of the entire community.

The decision-making processes of the council must be open, accessible and transparent except

in limited circumstances when confidentiality is required. A meeting of a council, or a delegated committee, must be open to members of the public unless the council has closed the meeting to the public on the basis of the circumstances specified in the LG Act 2020.

The LG Act 2020 requires all councils to make governance rules that include the conduct of council meetings, with which all councillors must be familiar. The council's governance rules must provide for a council to consider and make decisions fairly and on merit.

It is the responsibility of a councillor to ensure that they are properly informed in their decision-making.



4. Community Vision, Council Plan, other strategic plans and the Annual Report



A council must develop and adopt many important strategic and financial planning and reporting documents as required by the LG Act 2020. This includes a **Community Vision, Council Plan, a Financial Plan, Asset Plan and Revenue and Rating Plan** as an integrated strategic planning framework. In addition, the council is required to prepare an **Annual Report**, which includes progress against the Council Plan and strategic initiatives and audited financial statements.

The mayor must report on the implementation of the Council Plan by presenting the annual report at an open council meeting.

In developing the Council Plan and other strategic plans in accordance with the strategic planning principles. The principles require that an integrated approach to planning, monitoring and performance reporting is to be adopted and that strategic planning must:

- address the Community Vision
- take into account the resources needed for effective implementation
- identify and address the risks to effective implementation
- provide for ongoing monitoring of progress and regular reviews to identify and address changing circumstances.

In preparing the Community Vision, and most strategic plans, the council must consult with the community in accordance with the council's Community Engagement Policy. The process of consulting and preparing the Community Vision, Council Plan and other strategic plans is the key means by which councillors, by resolution of council, influence the direction of the council.

The Community Vision must describe the municipal community's aspirations for the future of the municipality for a period of at least 10 years. The Community Vision must be developed or reviewed, in accordance with council's Community engagement policy's deliberative engagement practices and adopted by **31 October in the year following a general election** and will have effect from **1 July of that year**.

The council must develop or review the Council Plan in accordance with its deliberative engagement practices. The Council Plan must be adopted by **31 October in the year following a general election**. The Council Plan take effect from **1 July in the year** following a general election. A Council Plan must be for a period of at least the next four financial years and must include:

- the strategic direction of the council
- strategic objectives for achieving the strategic direction
- strategies for achieving the objectives for a period of at least the next four financial years
- strategic indicators for monitoring the achievement of the objectives
- a description of the council's initiatives and priorities for services, infrastructure and amenity
- any other matters prescribed by the regulations.

In addition, the council must develop and adopt a Financial Plan by **31 October 2021**, an Asset Plan by **30 June 2022** and a Revenue and Rating Plan by **30 June 2021**.

Each year the council must also prepare an Annual Report, which reports on the achievements and activities of the council for that financial year and which must include:

- progress on Council Plan implementation, including strategic indicator results
- a statement of progress in relation to the major budget initiatives
- results against the prescribed service performance indicators
- audited financial statements

The mayor must report on the implementation of the Council Plan by presenting the annual report at an **open council meeting held within four months of the end of the financial year**.

The Annual Report is available to the public.

5. Budgeting and financial management

Councillors are responsible for determining the council's annual budget. This includes a general description of the services and initiatives to be funded during the year and the level of rates and charges required to fund them.

Councils seek to make the most out of the revenue available. The budget process also involves setting priorities and allocating funds to achieve the major initiatives identified as priorities in the Council Plan, to be undertaken in the financial year.

Councillors, at council meetings, monitor spending against the annual budget and the achievement of council objectives.

Councils, in making decisions, are required to take into account the following financial management principles:



- revenue, expenses, assets, liabilities, investments and financial transactions must be managed in accordance with a council's financial policies and strategic plans
- financial risks must be monitored and managed prudently having regard to economic circumstances
- financial policies and strategic plans, including the Revenue and Rating Plan, must seek to provide stability and predictability in the financial impact on the municipal community
- accounts and records that explain the financial operations and financial position of the council must be kept.

LG Act 2020, Section 101

6. Strategic land use planning and development proposals

A councillor's role in forming strategic land use and development plans and deciding planning applications can be challenging and time consuming. Councillors contribute to the review of the council's Local Planning Policy Framework which sets a local and regional strategic policy context for a municipality. The Local Planning Policy Framework is made up of a Municipal Strategic Statement and specific local planning policies. Each council, as planning authority, must prepare a Municipal Strategic Statement that provides the broad local policy basis for making decisions under a planning scheme. The Local Planning Policy guides how discretion in a zone, overlay or a particular provision will be exercised.

Active participation in the development of the Statement and local planning policies forms a sound strategic basis for decision-making on planning applications.

Councillors are often faced with having to make decisions on contentious development proposals, after considering opposing viewpoints from ratepayers, developers and other interested parties. Issues requiring council's consideration when deciding applications include objections and submissions received by the council as well as environmental issues, visual amenity considerations, impact of a development on neighbourhood character and economic and social considerations.

Relevant strategic plans, policy statements, guidelines or codes may also assist a council when deciding a planning application.

As councils receive thousands of applications each year, some of the decision-making responsibilities may be delegated to council officers. It is important that council policies are clear and unambiguous to provide guidance to the delegated council officers.

Additional information on the planning process in Victoria and useful information to assist councillors perform their function and responsibilities within the planning system can be found in MAV's [Land Use Planning in Victoria Councils Guide](#) available online.

7. Chief Executive Officer performance review

Management accountability is a fundamental responsibility of the elected council.

When council has decided on its direction, strategy and policies, the Chief Executive Officer has responsibility for implementing these decisions and managing day-to-day operations.



The Chief Executive Officer is employed by the council under a contract of employment which cannot be longer than five years. The contract of employment must specify performance criteria to enable at least an annual review of the Chief Executive Officer's performance.

Role of the mayor

The mayor is a councillor elected by the council to lead the council, usually for a term of one year although a council may resolve to elect a mayor for a two-year term.

This excludes:

- Melbourne City Council, which has a directly elected lord mayor and deputy lord mayor who nominate for office jointly under the provisions of the *City of Melbourne Act 2001*; and
- Greater Geelong City Council, where the mayor must be elected for a two-year term.

The role of the mayor is to:

- chair council meetings
- be the principal spokesperson for the council
- lead engagement with the municipal community on the development of the Council Plan
- report to the municipal community, at least once each year, on the implementation of the Council Plan
- promote behaviour among councillors that meets the standards of conduct set out in the Councillor Code of Conduct
- assist councillors to understand their role
- take a leadership role in ensuring the regular review of the performance of the Chief Executive Officer
- provide advice to the Chief Executive Officer when the Chief Executive Officer is setting the agenda for council meetings
- perform civic and ceremonial duties on behalf of the council.

The mayor also has specific powers:

- to appoint a councillor to be the chair of a delegated committee
- to direct a councillor, subject to any procedures or limitations specified in the Governance Rules, to leave a council meeting if the behaviour of the councillor is preventing the council from conducting its business

- to require the Chief Executive Officer to report to the council on the implementation of a council decision.

The mayor's responsibilities can also be described as:

1. Leader of the council



The mayor presides over council meetings, conducting meetings in accordance with governance rules and established conventions and protocols.

The mayor promotes high standards of democratic governance and chairs meetings impartially. In the event a vote is tied, the mayor has a casting vote.

The mayor also guides councillors on their role and conduct and promotes high functioning relationships between councillors irrespective of divergent views and personalities.

2. Enhancer of good governance

The mayor is a symbol of democratic leadership to the community, the council and council staff. The mayor acts to create political stability within the elected council and ensure effective and respectful communication between councillors and the Chief Executive Officer. This also involves providing guidance to councillors on the role of a councillor.

3. Builder of external and media relations

The mayor acts to develop and maintain relationships with stakeholders including other councils, state and federal governments, community and business groups and the media. The mayor acts as the principal public spokesperson for the council to communicate its role, decisions and activities, and promote council and community interests.

4. Promoter of civic and institutional pride

The mayor serves as the council's social, cultural, political and business ambassador, presiding over key civic functions, maintaining a presence within the municipality and ensuring that it is appropriately represented at relevant and important occasions. The mayor welcomes formal visitors and delegations to the municipality; presides over local citizenship ceremonies; opens exhibitions, events, demonstrations and ceremonies; presents awards; and visits schools and community groups.

5. Supporter and engager with the community

The mayor is the public face of the council and displays public leadership in times of disaster. The mayor is accessible, visible and approachable. The mayor reports on the implementation of the Council Plan by presenting the annual report at a council meeting open to the public.

6. Facilitator of the governing process

The mayor leads for the whole council, facilitating the participation and inclusion of all councillors and ensuring effective communication and respectful relationships among councillors. The mayor puts the interests and harmony of the council first and takes ultimate public responsibility for the council's performance.

Role of the deputy mayor

A council may establish an office of deputy mayor with the role and powers of the mayor if:

- the mayor is unable for any reason to attend a council meeting or part of a council meeting
- the mayor is incapable of performing the duties of the office of mayor for any reason, including illness
- the office of mayor is vacant.

Acting mayor

If an office of deputy mayor is not established by the council, an acting mayor must be appointed to act where the mayor is unable to attend all or part of a council meeting, the mayor is unable to perform the role of mayor for any reason or where the office of mayor is vacant.



Working with the CEO and council staff

To achieve the best results for the community, a council must have an effective working relationship between councillors, and the Chief Executive Officer and council staff. While councillors determine policy directions for the municipality, they also rely on advice from the administration.

The administration's role is to provide relevant and timely information to council. Councillors evaluate options and assess the impact of decisions before deciding what is in the municipal community's best interest. The administration then implements the policies determined by the council.

Understanding the differences in the roles and functions will enable the establishment of a professional working relationship between the council and the administration.

The importance of mutual respect within the council team, and between council and senior management, cannot be underestimated. There needs to be a shared commitment to the values and goals of the council by both councillors and senior management.

Functions of the Chief Executive Officer

A Chief Executive Officer is responsible for supporting the mayor and councillors in the performance of their roles and ensuring effective and efficient management of day to day council operations.

Supporting the mayor and the councillors in the performance of their roles includes:

- ensuring that council decisions are implemented without undue delay
- ensuring that the council receives timely and reliable advice about its obligations under this Act or any other Act
- supporting the mayor in the performance of the mayor's role as mayor
- setting the agenda for council meetings after consulting the mayor
- when requested by the mayor, reporting to the council in respect of the implementation of a council decision
- carrying out the council's responsibilities as a deemed employer with respect to councillors, as deemed workers, which arise under or with respect to the Workplace Injury Rehabilitation and Compensation Act 2013.

Ensuring the effective and efficient management of the day to day operations of the council includes:

- establishing and maintaining an organisational structure for the council
- being responsible for all staffing matters, including appointing, directing, managing and dismissing members of council staff
- managing interactions between members of council staff and councillors and ensuring that policies, practices and protocols that support arrangements for interaction between members of council staff and councillors are developed and implemented
- performing any other function or duty of the Chief Executive Officer specified in this Act or any other Act.



It is the council's responsibility to appoint the Chief Executive Officer, negotiate contractual obligations, and manage and review their performance.

While the separation of policy-making and day-to-day management is important, it should be managed to ensure a sound and effective working relationship.

Working with other councillors

Councillors are sometimes elected on a platform to achieve or oppose particular issues or projects. Councillors must understand however, they do not make decisions on their own. Decisions are made by the majority of councillors at properly constituted council meetings.

A major challenge for councillors is to convince sufficient numbers of their colleagues to support their particular positions and have their issues adopted as part of the council's plans, policies or programs.

Decision-making is a complex and fluid process. Councillor positions are guided by their view at the time about what decision is in the best interests of the municipal community. To achieve this, strong communications and interpersonal skills are essential as councillors must work effectively with one another, and as a group.

Working with the community

Councillors are the direct link between the community and the council.

A council should consult and engage its community, in accordance with its Community Engagement Policy. The council's decisions should reflect the aspirations of the entire municipal community.

Community planning processes help communities to identify priorities and assist the council to identify strategic issues, as well as increasing community participation and engagement.

Consultation gives the community a critical opportunity to express their opinions and provide feedback to inform the decision-makers, before a decision is made.

Consultation does not mean that councils are bound to follow the majority position on an issue. Local government is not government by referendum. Rather, good consultation means that the council knows and understands the range of community opinions about a particular issue and can use this to inform its decision.

Council sometimes needs to demonstrate leadership when considering contentious or divisive issues as they may have information that is only available to the council; or arises from the council's perception of its role as a government elected to govern; or from its understanding of the broader community gained from its Community Engagement Policy.

The requirements of a community engagement policy and the community engagement principles are detailed in Appendix B.

Section 3

Fulfilling your duties

- Time commitment
- Financial entitlements
- Rewards and benefits
- Obligations and protocols
- Disclosure of interests
- Access to information
- Ceasing to be a councillor



Time commitment

The role of councillor typically involves several hours each week for formal duties and many more hours for informal duties such as meeting with constituents and attending community functions.



The time commitment varies from councillor to councillor and council to council, but it could require a core commitment of 15-20 hours a week and generally more for the mayor.

Councillors should expect to attend at least one meeting per week. Council meetings are held at least once a month. Council may also have committee meetings or other activities, which form a regular schedule. Councillors often nominate for a particular committee responsibility, which holds separate committee meetings.

Regular council and committee meetings may take up more than one night in some weeks but commitments are shared with other councillors to spread the workload.

Councillors must also find time to respond to phone calls and correspondence raising issues of concern from constituents and other members of the municipal community. Much of this correspondence takes place over email.

While there are core commitments that councillors are expected to attend, there are also voluntary opportunities that can be taken up at the discretion of individual councillors.

There may also be involvement in external organisations, for example with neighbourhood house, school and recreational committees. These organisations have their own meeting schedule and procedures.

Most councillors retain their employment and undertake the role of councillor in their own time.



Partners of councillors are not expected to attend civic events and receptions, however an invitation is often extended to them.

Financial entitlements

Councillors are not considered employees of their council and do not receive employment benefits such as a salary and leave entitlements.

Current allowance arrangements

Councillors receive an allowance. Each council determines the amount to be paid to councillors within limits set by the Victorian Government. These limits vary depending on the revenue and population of each council. Mayors receive a larger allowance due to their role and increased workload.



The allowances payable to councillors and mayors for all councils are listed in Appendix C.

The allowances are adjusted annually by the State Government. An amount equal to the superannuation guarantee (9.5 per cent) may be payable on top of the councillor allowance.

Councillors who reside in remote areas can be paid an additional allowance for each day they attend authorised meetings or functions.

Future allowance arrangements

Mayors, deputy mayors and councillors receive an allowance. The allowance is determined by the Victorian Independent Remuneration Tribunal. The Tribunal must make the first determination in relation to the allowances to take effect on the day after the expiry of the period of six months after receiving a request from the Minister for Local Government to make the first determination.

When making the first determination the Tribunal must:

- include a comprehensive review of the existing allowance categories and councillor allowances and mayoral allowances under the LG Act 1989 taking into account similar allowances for elected members of local government bodies in other States and allowances for persons elected to other voluntary part-time community bodies
- provide for the annual indexation of allowances
- set the value of allowances at not less than the existing equivalent allowances under the LG Act 1989.

Councils are required to provide councillors with resources and facilities and reimburse councillor’s reasonable travel and out-of-pocket expenses. These generally include:

- administrative support, an office and a vehicle for the mayor
- laptop or Ipad, mobile phone
- the reimbursement of travel, phone, internet and childcare and carer expenses for all councillors in accordance with the council expenses policy
- access to relevant training and conferences.

In addition, councils provide councillors with access to office space and administrative support.

At the time of publication, the *Local Government (General) Regulations 2015* continue to apply. These regulations require details of official overseas or interstate travel (other than interstate travel by land for less than three days) to be available for public inspection unless the information is published on the council’s website.

Councillors are entitled to deduct a maximum of \$1,000 for election expenses for each election, even where the expenditure is incurred in more than one financial year. If a deduction is claimed for any election expense which is reimbursed, the reimbursement must be included as income in the tax return.

Taxation

Councillors must include the income equivalent to their allowance in their tax return. Councillors can decline to receive all or part of an allowance, in which case tax liability would reflect the amount accepted. Superannuation contributions to a complying fund do not represent assessable income.

For further information on taxation of councillor allowances and candidate expenses, **please contact the ATO on 13 28 61 or [online](#).**



Rewards and benefits

Serving your community as a councillor has many rewards. It is an important and challenging role and provides one of the most direct means an individual can influence the decisions that affect their local area.

Satisfaction in serving the community

Councillors have influence over and involvement in the long-term planning and development of their local environment. They work to get a better deal for their community and value being part of the place where decisions are made. Councillors have differing interests, motivations and skills that will all make different and valuable contributions to council.

Personal enrichment

Councillors bring with them a wide range of employment, educational, community

and general life experiences. Through full participation in local government, they learn about democratic processes, consultation processes at a formal and informal level, and to be responsible and accountable for what they do. Many find it rewarding to see the development and implementation of programs they have initiated, or been involved with.

Professional development

Councils are expected to support councillors by offering professional development programs. Through these programs and with on-the-job experience, they will gain knowledge and skills to help them perform effectively in areas such as budgeting, strategic planning, meeting procedures, advocacy, negotiation and media.

Other than the mandatory councillor induction program provided by the Chief Executive Officer, professional development is voluntary but strongly encouraged.

Obligations and protocols

Once elected, a councillor must take an oath or affirmation of Office before the CEO, which is dated, signed and recorded in the council minutes.

A person who has been elected to be a councillor cannot act as one until the oath or affirmation of office is taken and failure to do so within three months of being declared elected will result in the office of that councillor becoming vacant.

The Oath of Office will be prescribed in the *Local Government (Governance and Integrity) Regulations 2020*, not made at the time of publication.

A councillor is also required to complete councillor induction training within six months after the day the councillor takes the oath or affirmation of office. The Chief Executive Officer must ensure that the training is available from the day the councillor takes the oath or affirmation of office. After completing the induction training the councillor must make a written declaration before the Chief Executive Officer stating that the councillor has completed the induction training.

If a councillor fails to complete the training or make the necessary declaration the councillor's allowance is withheld until such time as the obligations are completed, at which time the councillor may receive the withheld allowance.

Councillors are expected to perform their duties with a high level of probity, integrity and care. The municipal community is entitled to expect that:

- the business of the council is conducted with efficiency, effectiveness and impartiality
- the councillor will attend all meetings of council (except where leave has been obtained) and vote on all matters except when prohibited from doing so

- councillors and staff will comply with the spirit and letter of the law and be sufficiently familiar with the provisions of relevant statutes, regulations and council rules and policies.

Councillors must ensure there is no conflict or incompatibility between their personal interests and the impartial fulfilment of their public duties.

There are a number of obligations councillors are expected to observe in regard to interest and conduct.



Disclosure of interests

The rules dealing with councillor interests, their disclosure and the declaration of conflicts of interest under the LG Act 2020 and the council's Governance Rules are complex. A councillor who fails to disclose a conflict of interest is guilty of an offence and liable to a fine of 120 penalty units. As of 1 July 2020, one penalty unit is \$165.22.

Guidance material is expected to be available from Local Government Victoria.

Register of interests

Councillors are obliged to lodge an initial personal interests return which contains the matters prescribed in the *Local Government (Governance and Integrity) Regulations 2020*, not made at the time of publication, with the Chief Executive Officer within 30 days of taking the oath or affirmation of office of a councillor. Councillors are thereafter obliged to lodge biannual personal returns containing the prescribed matters by the end of each prescribed period.

Conflict of interest

A conflict of interest arises when a councillor has an interest that is in conflict with their duty as a councillor. If there is any doubt as to whether a conflict of interest arises in particular circumstances, they should seek advice from the Chief Executive Officer and/or the Governance Manager.

It is the personal responsibility of the individual councillor to decide if he or she has a conflict of interest.

The penalties for failing to disclose a conflict of interest are significant. A councillor who fails to disclose a conflict of interest in relation to a material conflict of interest is guilty of an offence and liable to a fine, if convicted, not exceeding 120 penalty units. As of 1 July 2020, one penalty unit is \$165.22.

A councillor who fails to disclose a general conflict of interest who has previously been subject to a conflicts related finding of guilt by a Court or of serious misconduct by a councillor Conduct Panel, if convicted, is also liable to a fine not exceeding 120 penalty units.



A councillor who has a conflict of interest in a matter being considered by a council, a delegated committee or a community asset committee must disclose the conflict of interest in the manner required by the council's Governance Rules. They must also exclude themselves from the decision-making process in relation to that matter, including any discussion or vote on the matter at any council meeting or delegated committee, and any action in relation to the matter.

Councillors who have a conflict of interest in a matter at a meeting conducted under the auspices of the council, for example a councillor briefing, are also required to disclose the conflict of interest in the manner required by the council's Governance Rules and comply with the relevant procedures set out in the Rules.

Interests (refer to LGA Act 2020 Part 6 Council Integrity Division 2 Conflict of Interest)

The LG Act 2020 distinguishes between general conflicts of interest and material conflicts of interest. The LG Act 2020 conflict provisions also apply to members of delegated committee and members of council staff. This guide focusses on the provisions as they apply to councillors.

General conflict of interest

A councillor has a general conflict of interest in a matter if an impartial, fair-minded person would consider that the councillor's *private interests* could result in the councillor acting contrary to their *public duty*.

'*Private interests*' means any direct or indirect interest of a councillor that does not derive from their public duty and does not include an interest that is only a matter of personal opinion or belief

'*Public duty*' means the responsibilities and obligations that a councillor has to members of the public in their role as a councillor.

A general conflict of interest is not further defined because it relies on what a reasonable person would consider to be a conflict of interest.

Material conflict of interest

A councillor has a material conflict of interest in respect of a matter if an *affected person* would gain a benefit or suffer a loss depending on the outcome of the matter.

(2) The benefit may arise or the loss incurred:

- a. directly or indirectly
- b. in a pecuniary or non-pecuniary form.



An *affected person* is:

- the councillor
- a family member of the councillor
- a body corporate of which the councillor or their spouse or domestic partner is a Director or a member of the governing body
- an employer of the councillor, unless the employer is a public body
- a business partner of the councillor
- a person for whom the councillor is a consultant, contractor or agent
- a beneficiary under a trust or an object of a discretionary trust of which the councillor is a trustee
- a person from whom the councillor has received a *disclosable gift*.

A disclosable gift means one or more gifts with a value of, \$500 or more* received from a person in the five years preceding the decision on the matter:

- if the person held the office of councillor at the time the gift was received
- if the gift was, or gifts were, or will be, required to be disclosed as an election campaign donation – but does not include the value of any reasonable hospitality received by the relevant person at an event or function that the relevant person attended in an official capacity as a councillor.

* *Regulations may prescribe a different amount. At the time of publication, the disclosable gift threshold was \$500.*

The LG Act 2020 also sets out various exemptions to the conflict of interest provisions, where a councillor is deemed not to have a conflict of interest despite an interest existing. A conflict of interest does not arise where:

- it is so remote or insignificant that it could not be reasonably regarded as capable of influencing the actions or decisions of the councillor in relation to the matter
- it is held in common with a substantial proportion of the residents, ratepayers or electors of the municipal district and does not exceed the interest held by the other residents, ratepayers or electors
- the councillor does not know the circumstances that give rise to the conflict of interest, and could not be reasonably expected to know those circumstances
- the councillor is the representative of the council on a not-for-profit organisation that has an interest in the matter and councillor receives no personal advantage from the not-for-profit organisation
- a family member of the councillor is a member but not an office-holder of a not-for-profit organisation
- the councillor is a member of a not-for-profit organisation that has expressed an opinion or advocated for an outcome in regard to the matter
- the interest arises in relation to a decision by a councillor on a matter or in a circumstance that is prescribed to be exempt by the regulations.

At the time of publication, no relevant regulations have been made.

Access to and use of information

Councillors are provided access to all information held by the council necessary for them to properly perform their duties and meet their responsibilities. However, a councillor must not use council information to gain advantage for themselves or any other person or body, which is inconsistent with their responsibility to be impartial.

The LG Act 2020 makes it an offence for a councillor to misuse their position to gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person; or to cause, or attempt to cause, detriment to the council or another person.

The LG Act 2020 defines misuse of position as including, among other things:

- making improper use of information acquired as a result of the position he or she held or holds
- disclosing confidential information.

Misuse of position carries a penalty of 600 penalty units (a penalty unit is currently \$165.22) or imprisonment for five years, or both.

Councillors must be careful not to disclose any confidential information. The unlawful disclosure of confidential information carries a penalty of 120 penalty units. The circumstances where a person may disclose confidential information are set out in the LG Act 2020 and include circumstances relating to legal proceedings or at the direction of a Municipal Monitor, Chief Municipal Inspector, Commission of Inquiry or law enforcement agency.

The LG Act 2020 defines the following information as confidential:

- council business information, being information that would prejudice the council's position in commercial negotiations if prematurely released
- security information, being information that if released is likely to endanger the security of council property or the safety of any person
- land use planning information, being information that if prematurely released is likely to encourage speculation in land values
- law enforcement information, being information which if released would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person
- legal privileged information, being information to which legal professional privilege or client legal privilege applies
- personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs
- private commercial information, being information provided by a business, commercial or financial undertaking that:
 - relates to trade secrets
 - if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage
- confidential meeting information, being the records of meetings closed to the public
- internal arbitration information
- councillor Conduct Panel confidential information
- information prescribed by the regulations to be confidential information for the purposes of this definition
- information that was confidential information under the *Local Government Act 1989*.



Ceasing to be a councillor

A councillor ceases to hold the office of a councillor, and the office of councillor becomes vacant if the councillor:

- ceases to be qualified to be a councillor
- dies
- resigns in writing delivered to the Chief Executive Officer
- is ousted from office
- is absent from council meetings for a period of four consecutive months without leave obtained from the council.

Councillor qualifications

A person is qualified to be a councillor if the person:

- is at least 18 years; and
- is an Australian citizen or an eligible British subject; and
- is enrolled on the voters' roll for the council.

A person is not qualified to be a councillor if the person:

- is a Member of Parliament
- is employed as a Ministerial officer, a Parliamentary adviser or an electorate officer and has taken leave for the election period
- is a councillor of another council
- is a member of council staff of the council and has not taken leave for the election period
- is an undischarged bankrupt
- has property that is subject to control under the law relating to bankruptcy
- has failed to take the oath or affirmation of office of councillor when required under the LG Act 2020
- has been disqualified from being a councillor after a finding by VCAT of gross misconduct, while the disqualification period is in force
- has been subject to two or more findings of serious misconduct by separate councillor Conduct Panels in specified circumstances

- has been convicted of the offence of failing to lodge an election campaign donation return in relation to the current term of the council
- has been convicted of an offence against the LG Act 2020 in the preceding eight years for which the maximum penalty is at least 120 penalty units or a period of imprisonment of at least 12 months
- has been convicted of an offence in the preceding eight years, committed when the person was of or over 18 years of age, which is punishable upon first conviction for a term of imprisonment of two years or more
- is disqualified from managing corporations under the Corporations Act.

All councillors go out of office at 6 am on the day of the general election, Saturday 24 October 2020, and can retire from office by not nominating for re-election. As councillors are accountable to the community, their performance over their term of office will have a bearing on their electoral success if they stand for another term.

A councillor can resign in writing delivered to the CEO and cannot revoke the resignation after it has been delivered. This is a significant decision as council may need to conduct a by-election to fill the extraordinary vacancy created by the resigning councillor.



Section 4

Standing for council

Election timeframe

Postal elections

Eligibility to stand

Electoral structures 2020

Mandatory candidate training

Nominating for election

Candidate statement

Candidate questionnaire

Electoral material

Election campaign donations and return



Election timeframe

It is critically important that candidates are aware of, and plan for, the various electoral processes, particularly those that are mandatory in relation to candidature. The VEC's Election Timeline is at Appendix D.

Postal elections

The LG Act 2020 provides for the Minister for Local Government to determine whether the voting system to be used for general elections and by-elections is postal voting or attendance voting. The Minister has determined that the voting system is postal voting.

Postal voting

Each voter will receive candidate statements, ballot paper, declaration envelope, explanation about how the completed candidate questionnaires may be accessed, instructions on how to vote, a pre-paid envelope for the return of the ballot paper and a declaration envelope.

Postal voting closes at 6pm on the day before election day, being Friday 23 October 2020. A voter is taken to have voted before 6pm on Friday 23 October if the declaration is signed and dated no later than 23 October and the declaration envelope is received by the election manager before 12pm on the fifth working day after election day, being Friday 30 October 2020.

If a ward election is uncontested at the close of nomination, the VEC will mail advice to the voters in the ward that the election is uncontested, that there will be no requirement to vote and the name of the candidate/s who will be declared elected.

Eligibility to stand

To be eligible to stand as a candidate in the election, a person must

- be listed on the voters' roll for the council's election, and
- be an Australia citizen (or qualified British subject)
- not be disqualified from standing under the LG Act 2020 (refer to Qualifications to be a councillor)
- have completed mandatory Local Government Candidate Training

It is an offence to nominate as a candidate if you are not qualified to do so.



All candidates should carefully read the [Local Government Elections 2020 Candidate Handbook](#) available on vec.vic.gov.au

Candidates should check their enrolment and seek independent advice if they are uncertain about any disqualification that may apply.

Should the VEC's election manager believe a candidate is not entitled to nominate under the Act, the election manager must send a notice specifying the reasons for that belief and inviting a response as to why the candidate should not be prevented from contesting the election.

If the candidate does not respond or provides deficient reasons, the election manager must either:

- reject the nomination (if nominations have not yet closed) and advise the candidate that their nomination has been rejected and the reasons or
- if nominations have closed but the declaration of the election has not been made, advise the candidate that he or she is retired and provide the reasons why. The candidate will cease to be a candidate from the date the advice of retirement is sent.

Electoral structures 2020

A ‘council’ consists of councillors, who are democratically elected and must consist of no fewer than five but no more than twelve.

Under the LG Act 2020, the council electoral structure is made by an Order in council on the recommendation of the Minister for Local Government. It may be either wards, consisting of a single councillor or un-subdivided, meaning that there are no wards.

The 2020 electoral structure and the number of councillors for each council is detailed at Appendix E.

If subdivided into wards, the elected councillors represent the whole area of the municipality, although elected by voters in their respective wards.

Mandatory candidate training

The 2020 elections are the first elections where candidates must complete mandatory Local Government Candidate Training to be eligible to nominate. The nomination form requires that a candidate make a declaration that includes a statement that the candidate has completed the mandatory candidate training and the date the candidate was provided access by electronic means to the training.

The mandatory candidate training will be conducted online via a link from each council’s website to the Local Government Victoria online module.

Each council Chief Executive Officer must provide ‘reasonable assistance’ to a person to enable them to complete the training.

A candidate with either a disability or internet connectivity or other technical issues should contact the council for detail regarding the available assistance. Local Government Victoria has advised that it will be providing guidance on ‘reasonable assistance’ in the week commencing 27 July 2020.

The Chief Executive Officer must maintain a confidential register of persons who were provided electronic access to the training. The Chief Municipal Inspector or the VEC may require a Chief Executive Officer to provide any information from the register.

Nominating for election



Intending candidates must nominate by:

- filling out the nomination form either online using VEC's Candidate Helper or be hand and
- submitting the nomination form to the election manager in person and
- Paying the nomination fee (\$250) to the Victorian Electoral Commission (VEC)*.



Nomination period

The period for lodging nominations commences Thursday 17 September 2020 and closes at 12pm on Tuesday 22 September 2020. The nomination period can be found on the [VEC website](#) and is generally advertised in the local press.

Candidates must pay a nomination fee, in cash or bank cheque, and complete a nomination form which includes:

- the name of the council (and ward, if applicable)
- the surname and given names of the candidate
- the address in respect of which the candidate is enrolled on the voters' roll
- if different from above, the candidate's residential and postal addresses
- how the candidate can be contacted at short notice during business and non-business hours
- the form in which the candidate's name is to appear on the ballot paper
- a declaration stating the candidate's is qualified to be a candidate, has completed the Local Government Candidate Training and specifying required details and their awareness that it is an offence under the LG Act 2020 to nominate as a candidate if the person is entitled to nominate.

* Please note: At the time of publication of this guide, anticipated Electoral Regulations, relating to the nomination process, have not been made by the State Government. Please visit the VEC website for the latest information.

Candidates are prohibited from nominating for election to more than one council.

The Election Manager must reject a nomination from a person who is not on the voters' roll.

A person is not eligible to be a candidate for election if the nomination form is not properly completed or the nomination fee has not been paid.



Candidate nomination fee

The fee for candidates nominating to stand for council is \$250.

The nomination fee must be paid in cash or by bank cheque in person, with the nomination form, to the Election Manager.

The nomination fee is refunded to candidates that are successfully elected to council or receive at least four per cent of the formal first preference votes.

Candidate statement

A candidate who has nominated for an election may lodge with the election manager a candidate statement for publication on the VEC’s website and which may also be published by the VEC in printed form.

The candidate statement must be lodged with the election manager **no later than 12pm on the day after nomination day (12pm Tuesday 22 September)** and must comply with the electoral regulations in order to be published and included in the ballot material posted to all voters.

The candidate statement must include a written statement of no more than 300 words and may include a recent passport-size photograph of the candidate. The candidate statement may not include:

- a reference to another candidate in the municipal election without the written consent of that person
- a claim of endorsement or support from a party, organisation or a person without their written consent.

The election manager must reject a candidate statement if in the opinion of the election manager, the statement contains any of the following:

- material that is offensive or obscene
- material that is likely to mislead or deceive a voter in casting a vote
- a reference to another candidate that is included without the written consent of that candidate
- a claim of endorsement or support from a party, an organisation or a person that is not supported by the written consent referred to in regulation 39(3)
- material that is in breach of an act or regulation.

A candidate statement must be accompanied by a declaration signed and dated by the candidate which states:

I declare that my candidate statement is true and correct, that it does not contain matter that may mislead or deceive a voter in the casting of the voter’s vote and that I am aware I may be liable to prosecution if my candidate statement contains matter that may mislead or deceive a voter when casting a vote.



A candidate may be entitled to amend their statement and resubmit it to the election manager within the required timeline.

Where a candidate fails to lodge all candidate statement information that may be published, the election manager must publish a notice that the candidate has not provided all information.

Candidate questionnaire

A candidate may lodge a completed candidate questionnaire with the election manager **before 12pm on the day after nomination day (12pm Wednesday 23 September 2020)**. The questionnaire must be in prescribed form and must be published on the VEC’s website and be made available to any person on request.

The questionnaire includes the following questions:

- Vision for the municipality (50-word maximum)
- Expertise or attributes which would help in undertaking the role of councillor (50-word maximum)
- Read the current Council Plan? (Yes/No)
- Read the current Councillor Code of Conduct? (Yes/No)
- Endorsement by registered political party? (Yes/No)
- If yes, provide name of party
- If a current councillor, attendance record at council meetings to be indicated
- Contact details for voter contact.

The lodged questionnaire must be accompanied by a declaration signed and dated by the candidate which states that the answers provided are true and correct. If the questionnaire includes a claim of endorsement by a registered political party, the candidate must provide written consent of the registered officer of the party.

If a candidate does not lodge a completed questionnaire form or has lodged a partially completed form, the election manager must publish a notice so advising.

Electoral material

The LG Act 2020 sets out the type of electoral material that can be authorised and published during the election period.

Electoral material means an advertisement, handbill, pamphlet or notice that contains *electoral matter*, but does not include an advertisement in a newspaper that is only announcing the holding of a meeting.

Electoral matter means *matter* which is intended or likely to affect voting in an election, but does not include any electoral material produced by or on behalf of the election manager for the purposes of conducting an election.

Matter is to be taken to be intended or likely to affect voting in an election if it contains an express or implicit reference to, or comment on:

- the election; or
- a candidate in the election; or
- an issue submitted to, or otherwise before, the voters in connection with the election.

All electoral material must not be printed, published or distributed unless the name and address of the person who authorised the material is clearly displayed on the face of the material. For this purpose, address means a street address or a post office box address.

Appendix F contains a summary of the offences that candidates need to be aware of in relation to campaigning and electoral materials.

Election campaign donations and return

All candidates are required to complete and submit an ‘election campaign return’ to the CEO of the council in which they stood as a candidate.

The return must be submitted **within 40 days after the election day**. The return must contain the details of any ‘gift’, including goods or services, valued at \$500 or more received during the ‘donation period’.

The donation period, for the majority of candidates, commences **30 days after the last general election (22 October 2016)** and ends **30 days after the election day, Saturday 24 October 2020**. If the candidate was a candidate in a by-election following the last general election (at which the candidate was required to give an election campaign donation return), the donation period commences **30 days after the last election**.

Two or more gifts made by the same person to, or for the benefit of a candidate are taken to be one donation. For example, a donation made in December 2016 of \$150, printing services provided at no charge but valued at \$200 in September 2020 and a payment of \$150 at a fundraising auction in November 2020, from the same person or body would together reach the disclosable gift threshold and must be included in the return.

Candidates should understand which gifts may not be accepted including the requirement not to accept a gift from a person whose name and address are not known to the person accepting the gift.



A penalty applies for failing to submit a return or for providing particulars or information that the candidate knows to be false or misleading.

A return must be submitted even if no campaign donations were received.

The Chief Executive Officer’s responsibilities include:

- providing a written report to the Minister specifying the names of the candidates in the election and the names of candidates who submitted a return
- ensuring a summary of each return, including the name of the candidate and the name of any donor and the total value of any gift received from that person, is available on the council’s website
- ensuring a copy of the election donation return is available for public inspection.

Section 5

The election process

Close of the roll

Voters' roll

Election (caretaker) period and policy

Voting at a council election

Ballot paper order

Withdrawing or retiring from an election

How votes are counted

Declaration of election results

Close of the roll

The close of the roll (previously referred to as 'entitlement day') is the day on which the voters' roll is closed to further enrolments by potential voters. The close of the roll occurs at 4pm 57 days before election day, that is Friday 28 August 2020.

This means that people need to have:

- notified the Victorian or Australian Electoral Commission of any changes of address
- notified the council of any changes in property ownership

- applied to be on the voters' roll (if not automatically entitled) on or before entitlement date in order to be enrolled to vote at the forthcoming council elections.

If a person is not on the voters' roll they cannot nominate to be a candidate at the election.



Voters' roll

Before each election, a voters' roll must be compiled by the VEC in accordance with procedures set out in the LG Act 2020.

Voters can check their enrolment with the VEC or the council. The VEC will certify that the voters' roll has been prepared in accordance with the LG Act 2020 by **Thursday 17 September**

2020. In the event there are administrative errors in the certified electoral roll, the VEC must certify any amendments.

The VEC must ensure that the certified voters' roll is available for inspection by the public for the period from the day the roll is certified until one month after election day.

The voters' roll is prepared for each ward or, for an un-subdivided municipality, for the whole of the municipality.

After nomination day, Tuesday 22 September 2020, the VEC must provide, on the request of a candidate, a copy of the voters' roll for the election in which the candidate has nominated. **The candidate must only use the roll for the purposes of the campaign and is obliged to return or destroy all copies of the voters' roll within 30 days after 24 October 2020, election day.**

A person not on the roll but who claims to be entitled to vote may apply to the election manager for a postal ballot envelope as an unenrolled voter.

Election (caretaker) period and policy

Similar to federal and state government elections, Victorian councils observe special arrangements during the period leading up to a general council election. The election period policy, or caretaker arrangements, are applicable from 12pm Tuesday 22 September 2020 (the close of nominations) to Saturday 24 October 2020 (election day).

Caretaker arrangements generally avoid the use of council resources in a way that may influence voting at the election and prohibit major decisions that may bind the incoming council.

The council's Governance Rules must include an election period policy which prohibits any council decision (which includes a decision by a council delegate):

- relating to the appointment or remuneration of the Chief Executive Officer
- committing expenditure exceeding one per cent of council's revenue from rates and charges in the preceding financial year
- which council could reasonably defer until the next council is in place
- the council considers should not be made during the election period
- that would enable the use of council's resources in a way that is intended, or likely, to influence voting at the election.

The council's Governance Rules must be available on the council's website.

It is an offence for a councillor or council officer to use council resources, at any time, in a way that is intended to, or likely, to affect the result of an election.

It is also an offence for a councillor or council officer to use council resources to publish or distribute any electoral material (refer to Section 4 Electoral Materials) during the electoral period on behalf of, or purportedly on behalf of, the council unless the material only contains election process information or is required under the statutory framework.

Voting at a council election

The LG Act 2020 provides that for the 2020 general election it is only compulsory for all residents on the voters' roll to vote in the election.

However, voting is not compulsory for a person to vote if the VEC is satisfied that the person has a sufficient excuse for not voting. The regulations provide a non-exhaustive list of sufficient excuses including:

- the voter was ill, disabled or infirm
- the voter was absent from Victoria during the 15 days immediately before the last day of voting.

The VEC has confirmed that it will not enforce compulsory voting where the voter was 70 years or older at the date of the election.

The VEC has the responsibility for enforcing non-voting and each council must pay the VEC's costs relating to enforcement less any fines recovered. The administration and enforcement of non-voting includes preparing the list of non-voters, serving 'failure to vote' notices to non-voters, infringement notices and prosecuting non-voters in court.

Ballot paper order

The election manager must as soon as practicable after 12pm on Tuesday 22 September 2020, the time after nominations close, hold an electronic or manual ballot to determine the order in which the name of each candidate is to appear on the ballot paper.

The VEC has advised that the ballot draw will be conducted electronically with the order of names determined by a computerised random draw.

It is expected that the publication of the final list of candidates, in ballot order, will be available on the VEC's website by **5pm Tuesday 22 September 2020**.

If there is a similarity of candidate names that may cause confusion, the election manager may arrange for a description to distinguish them from each other. The additional description may not relate to the allegiance of a candidate to a political party or other cause.

Withdrawing or retiring from an election

A candidate may withdraw a nomination before the close of nominations which is 12pm on Tuesday 22 September 2020.

The notice of withdrawal must be in writing, signed by the candidate. The election manager must retain both the nomination form and the nomination fee paid by a candidate who withdraws.

After the close of nominations, a candidate may 'retire' as a candidate before the day of the election if retirement will result in an uncontested election.

Compulsory 'retirement' before the declaration of the election occurs where the candidate is not qualified, or is disqualified, to be a candidate and the election manager has complied with a process that ends with advice to the candidate on the reasons why the candidate is retired from the election.

How votes are counted

The proportional representation (PR) method is used for counting election results for un-subdivided councils and multi-member council wards. The preferential system of voting is used to count results in single member council wards.

Preferential voting system

This system is referred to as the preferential system and applies where an electorate is electing a single member.

Under the preferential system, all valid first preference votes are counted and sorted to ascertain the number of first preferences for each candidate.

Where one candidate has a majority (50 per cent plus 1) that candidate is declared elected.



If no candidate has an absolute majority the candidate with the fewest votes is eliminated and their votes are allocated to their second preferences. This process is repeated until one candidate obtains an absolute majority and is declared elected.

The full preferential voting system applies and requires voters to place a **1** in the box against the preferred candidate and number all remaining boxes in order of preference.

Proportional representation counting system

Proportional representation is used where more than one candidate is to be elected and applies to elections for un-subdivided councils and where more than one councillor is to be elected in a ward.

Candidates must obtain a 'quota' or a proportion of votes to be elected. The quota is determined by the election manager by calculating the total number of formal votes

and dividing that number by one more than the number of vacancies to be filled and then adding one to that number.

The quota is obtained by dividing the total number of formal votes by one more than the number of candidates required to be elected, then increasing the result by one. For example, in an un-subdivided ward with seven councillor positions and 60,000 formal votes, the quota would be $[60,000 \div (7+1)] + 1 = 7501$.

Any candidate who receives a number of first preference votes equal to, or greater than, the quota is elected. If no candidate receives a quota on first preference votes, the candidate with the lowest number of first preferences is excluded and their votes are distributed. If no candidate has achieved a quota following the distribution of the surplus, this process is repeated until a candidate achieves the quota. This process continues until all vacancies are filled by candidates who have achieved the required quota.

Should a candidate gain an exact quota, he or she is declared elected and their ballot papers are set aside as there are no surplus votes to distribute. If the elected candidate receives more votes than the quota, that candidate's surplus votes are transferred to the remaining candidates according to the preferences on that candidate's ballot papers.

Because it is not possible to tell which votes elected the candidate and which are surplus, all the candidate's votes are transferred at a value calculated by dividing the surplus by the total number of ballot papers for the candidate. Each ballot paper transferred to another candidate has this value. Any candidate who has gained the quota once the surplus votes have been transferred is elected.

If there are still vacancies to fill once the surplus votes have been distributed, the candidate with the lowest number of votes is excluded. The excluded candidate's ballot papers are then transferred to the remaining candidates (at the value they received), according to the preferences on them.

This process of transferring surpluses from elected candidates and distributing preferences

from excluded candidates continues until all vacancies have been filled.

For more information on the voting systems and counting methods for local government elections contact the Victorian Electoral Commission (VEC) on 13 18 32 or go to www.vec.vic.gov.au.



Declaration of election results

The election manager will publicly declare results as soon as practicable after election day giving the names of the elected candidates.

The election manager must, as soon as practicable, after the declaration of election results give public notice of the names of the councillors elected and the order in which they were elected and advise the Minister for Local Government and the Chief Executive Officer of the result.

The VEC has advised that the extended postal vote receipt period will be **12pm on Friday 30 October 2020**. Due to the extended postal vote period the VEC's intention is to declare all elections by **5pm Friday 13 November 2020**.

Right to apply to VCAT for review appeal

The LG Act 2020 makes provision for a candidate, any 10 persons who are entitled to vote or the VEC to dispute the validity of an election to apply to VCAT for a review of the result of the election within 14 days of the declaration of the result.

VCAT has powers including:

- to declare any person declared elected was not duly elected
- to declare any candidate duly elected who was not declared elected
- to order a recount of the whole or any part of the ballot papers if it is satisfied that a recount is justified and has advised the VEC of its intention.

Section 6

Getting elected



Introduction to campaigning

Candidates will be considering how to safely campaign for election during the coronavirus pandemic. [The Local Government Victoria's guidelines for safe campaigning during the coronavirus \(COVID-19\) pandemic](#) provides an overview of the restrictions applicable to campaign activities and measures candidates can take to reduce the risk of transmission.

Any campaign activities must comply with directions by the Victorian Chief Health Officer, which are in place at the time.

As at 12 August 2020 Stage 4 restrictions apply to greater Melbourne and Stage 3 restrictions (Stay at Home) to the rest of Victoria. These restrictions are subject to change and these guidelines will be updated accordingly.

Under stage 3 restrictions, campaigning for election is considered work and is therefore a permissible reason to leave home but should be done in a way that minimises the risk of coronavirus transmission.

Under stage 4 restrictions, those campaigning for election are not considered 'permitted workers' and therefore it is not permissible to leave home to undertake campaign activities.

COVID-19 restrictions mean campaigns will primarily be carried out online. The challenge – and the most important thing – is making sure you are still able to connect with your community in a way that feels personal, communicates authenticity and transparency, and shows them why you are the best person to represent their voice and interests.

The significant challenges of coronavirus have made a lot of people rethink their capacity for community service this year, including nominating for council. The statistics tell us this is particularly true for women and people from diverse backgrounds. But now, more than ever, we need committed, motivated and passionate people to help lead the recovery of our communities and thrive now and into the future.

Checklist

Make sure you have completed a [Community and Candidate Information Session](#) run by the [Municipal Association of Victoria](#) and the Mandatory Candidate Training run by [Local Government Victoria](#). Always know and understand voting procedures.

For postal ballots, know when to expect ballot papers and when they need to be returned. If you are doing any campaigning that is not online, make sure you follow the [COVID-19 restrictions](#) in your area.

Do your research

You will have issues that are important to you, but you also need to know what is important to your community and why, and talk about how you might represent their voice. Find out and connect with influencers in your community, and, where possible, get them to back you.

Campaign plan

Create a plan that contains your narrative, your clearly articulated objectives, key messages, timelines, checklists, how you will communicate and through what channels. Be familiar with the election process – do you know many votes you need to win? Local government is locally based and personalised so your campaign should reflect this.

Your approach will depend on the competitiveness of your opponents, the methods most effective in reaching voters, your time, your financial resources, your support including how many helpers and the size of the area.



Know your audience

You will need to consider your community as a whole and think about the demographics, particularly across the issues which need to be addressed in your area.

- Does your community have a large population where English is their second language? Will you need your campaign material translated?
- Do you know the socioeconomic make-up of your community and how that affects the way people think and vote?
- What's the average age of your constituents? Pitching yourself and your ideas to an older population will be very different from a population that comprises of young families or younger single people.
- Are there any social or environmental issues that are polarising your community and who are the loudest voices or squeakiest wheels? Try to understand why.

Know your fellow candidates

Research is not just about your community and what they look like and care about – research your fellow candidates.

- Are they a new or returning candidate – have they been popular and why?
- Have they been re-elected before? Was their messaging different the second time?
- What are they offering?
- How are people responding to them, is there a lot of chatter on social media about them and why?
- What is their (and your) point of difference?

Campaign tips

- As a candidate, never use the official council logo.
- Any written material promoting your campaign must be authorised.
- Get your how-to-vote card approved by the returning officer before including it in your brochure.
- Ensure your information is accurate and does not contain offensive material or language. There is a penalty for printing, publishing or distributing any election material that is misleading or deceptive.
- If in doubt, ask the returning officer.
- Consider engaging a local designer to create a 'brand' for your campaign which you can use across your communications channels including social media mastheads and media releases.
- As much as possible, keep it positive - in a competitive campaign, it's easy to fall into the trap of criticising everything.

Candidates must be aware any material published or broadcast during the election campaign is electoral material. Accordingly, candidates must be mindful of their obligations under the LG Act 2020 with regard to the publication and distribution of this material.



Developing your own unique narrative

The most important aspect of your campaign is you and the story of you – or the narrative. Your history, your beliefs, personality and all of the traits and characteristics which will make people vote for you. Be very clear about what you are standing for and communicate that in a way that is authentic and transparent. Your message is powerful when communicated that way.

Recognise not everybody is interested in politics but you want everybody to be interested in you. Remember it's a competitive environment and there will most likely be sitting councillors who are well known to the media and the local community.

Make sure you are articulating issues and ideas important to your community – this will help you build an engaged following. In line with this, engage with social media accounts that align with your goals.

Campaigning in a digital world

Getting elected without a face-to-face campaign is challenging as it doesn't allow you to have a physical connection with your community. However, there are a lot of benefits and opportunities in running a digital campaign.

- Immediacy. Get your message out straight away – however it still needs to be planned and carefully thought out.
- It's interactive and measurable.
- Make sure what you say adds value.
- The capacity for your messaging to go viral – connect and mobilise new audiences.
- Monitoring the media.
- Analytics – get real time insights into your campaign activities and re-shape as needed.
- Helps paint a broad and vivid picture of your electorate.
- Tapping into online forums which have replaced face-to-face meetings.

Candidates are increasingly publishing their own content on websites, blogs and social media to directly connect with voters. This can offer a cheap alternative to advertising, but you need to be prepared to commit to the effort to raise your profile online – especially if you are starting from scratch.

To get started, have a supporter base of family and friends who are willing to share and help promote your campaign through their own social media networks.

Remember your followers have followers too. Amplify your reach by tapping into communities where one of them is a vocal supporter (or detractor) and get involved in the conversation. Look for conversations in blogs and forums to discover online communities beyond your social networks.



Monitor social and digital media channels

Continuously monitor your social and digital media accounts, your fellow candidates accounts and accounts which focus on the issues you are campaigning on (or not, but are still important to the community). The 24-hour news cycle means there isn't a downtime.

People voice their opinion, particularly dissatisfaction, through social and digital media. Practice active social listening and have someone always monitoring your accounts (and where you and your issues are being talked about) and responding to comments and engaging in discussions on your behalf.

Have a clearly defined social media policy so anyone who posts or responds on your behalf knows exactly what they can say and what is acceptable behaviour.

Plan for the worst ... remember, the best laid plans ... Making a social media blunder is possible so have a plan for what you will do if this happens.



Digital tips

- Post regularly (up to once a day) and be concise. In an online campaigning environment like this year's election, social media will be your bread and butter tools so make it a priority. You will have a lot to say and there's a lot of digital clutter out there – be clear and consistent.
- Find time for feel-good, non-campaign posts. It gives people an insight into who you are, particularly important when you can't campaign in person and gives you and the voters a break from campaign messaging. For example, post a photo of your pet or doing a hobby such as cooking or gardening.
- Protect your privacy. Keep your campaign and personal accounts separate.
- Engage with voters by responding to comments, posts and messages. It's always best to respond to direct questions within a 24-48 hour period.
- Be courteous, patient and respectful of others' opinions, including detractors.
- Be accurate, constructive and informative, and correct any errors as soon as possible.
- Be sensitive to the privacy of others. Seek permission from anyone who appears in photographs or footage before sharing these on social or online media. If asked to remove materials, do so as soon as possible.
- Be clear about your identity as a candidate in the election – never use fictitious names or identities that deliberately intend to deceive or mislead.

- Learn how to deal with trolls and develop a thick skin. Unless messages are harassing or inappropriate don't delete them, but respond to them addressing their issues where possible. Build a positive following and focus on answering genuine questions.
- Add your social accounts and website to your email signature.

Creating your posts

- Tailor your messages to reach your target audience. Make sure it resonates with them because they're the people that matter.
- Don't put all your focus on one social media channel. Know where your audience is and talk to them across several social networks.
- Know how the channel works. Twitter is different from Facebook and Facebook is different from Instagram. Each social channel has its own posting style that most people follow, so you need to make sure you do too.
- Consistently ask (and answer) questions, a great way to boost engagement on social media - it shows you are listening. Ask for feedback - positive or negative. It's an easy and quick way to know if your response is hitting the mark.
- Don't publish information or make statements which you know to be false or may reasonably be taken to be misleading or deceptive.
- Don't comment or contribute, forward, post, upload or share content that could be seen as malicious or defamatory.

Your tools

Website

There's a lot of easy to use, cost effective (some are even free) website platforms that can help you design and structure your website. For example, do you want it to just be a source of information or do you want a more interactive site which embeds your social media feeds, hosts videos, hosts polls/surveys and hosts chat forums. Setting up a blog is a great way to further engage with voters in a storytelling format. If you do set up a blog, it is important to regularly post content to help build your audience.

Social media

Social media is easy to use and relatively low cost - all a candidate needs is access to the internet via a computer, smart phone or mobile device. It is a quick and easy means of connecting with voters and keeping them up-to-date with your electoral platform and campaign.

Social media is all about having conversations.

It is not just about broadcasting but engaging with voters, responding to their questions or concerns, sharing information and having them recommend you to their friends. It is a good way to hear from voters about what is important to them.





The best social platforms

There isn't one size fits all – it will depend on who you are targeting.

The key thing is to remember to make sure your message is relevant and appropriate for the platform and the audience you want to speak to. Facebook is the most popular social media platform with more than 1 billion users. However, the average age of an active Facebook user is between 35–55 years.

Do your research and see which platform your constituents are more likely to be using. Twitter is great for breaking news and staying across chatter around current issues. Instagram is great for creative and visual audiences whereas Snapchat is one of the key platforms for people under 25 years. To build your brand, make sure you use real images not stock photos.

Visual content

Research shows that posts with a visual element have more engagement than those with just text. Video, photographs and infographics will help your information be shared far and wide across most platforms. Tools like Canva can help you create simple visuals to support your written and digital communications.

Photographs

Good quality, interesting photographs are worth a thousand words and are one of the most essential tools for getting your campaign message across. Where readers might skim over text they will be drawn to photographs. A voter gets more information in a shorter space of time from a photo or several photos than they do from the written word.

A good campaign photo must pass two tests:

- Does it grab the reader's attention?
- Does it deliver your campaign message?

In campaigns where TV and radio are not viable options, images will form the basis in newspaper advertisements, postal vote cards, brochures, letterheads, posters and how-to-vote cards.

Video

If a photo is worth a thousand words then engaging the public with video is probably worth a thousand more. Contemporary communications tools and social platforms have made it really easy to quickly record and upload video. Live social video is especially powerful for local campaigns where it is much harder to receive mainstream news coverage. Don't worry about investing time and energy in professional editing: recording and uploading footage, selfies and live video is very common, completely acceptable – and instant. Consider creating a YouTube or Vimeo channel to host your videos.

Advertising

One way voters can get to know you and what you stand for is through advertising, which can include paid advertisements, as well as campaign brochures and posters.

Paid advertising

How much advertising you can do depends on how much you can afford. Many local papers have a levy or surcharge for items published within the first five pages or on the right hand side of the paper, so consider this when budgeting for advertising. Many candidates advertise their how-to-vote card with a photo in the local paper a week before voting.

Paid advertising is also available on social which will allow you to boost your posts and potentially your following giving much greater visibility.

Campaign brochures

Many candidates use brochures as a way to provide information to voters. Even with very limited options for face-to-face campaigning this year, they can be distributed through your digital channels or in letterboxes.

Brochures could include:

- a candidate slogan
- an introduction about yourself
- photos of yourself, including action shots
- your hopes and aspirations if elected

- endorsements from prominent people or community leaders including past or present local politicians; church, service club and sporting association leaders; migrant and progress associations; chambers of commerce etc.
- surveys to obtain feedback from voters on important local issues
- an open letter to voters
- your contacts information
- information on how to vote for you.

Posters

Posters are a great way of building your profile. You can create A4 or A3-size posters to be displayed in local businesses, newsagents or shops, dependent on what COVID-19 restrictions are in place at the time. Always make sure you include the name and address of the person who has authorised the poster at the bottom.

Build a relationship with the media

Introduce yourself to local journalists or media representatives as a local highlighting the issues you stand for and why. Most importantly, make sure you can always back up your statements with facts and accurate information.

Send out regular media releases about campaign announcements or issues you are campaigning on.



Make these a relevant and valuable source of information and focus on the issues you most want to be heard so it will have a greater chance of being picked up by media outlets.

Try to keep the release to one page and have an engaging title and first paragraph.

Journalists are time poor and many don't have the capacity to read a whole media release. Once you've established what the media release is about in your first sentence, the rest should be one-paragraph sentences or 'grabs', spoken or attributed to yourself. It should try to answer all the questions a reasonable and inquiring person might ask. Try to pre-empt any claims or questions that may arise.

Requests for interviews

Local radio or newspapers may contact you to comment on your campaign or local issues.

When they phone, you don't need to provide answers immediately. Ask them what they want to speak to you about and when their deadline is and if possible, to send through the questions in an email. If they need a comment within the next 30 minutes, **tell them you will ring them back in 10 minutes.** This gives you breathing space to regroup and think about what you're going to say. Remember, it is your interview and you need to plan what you want to say.

Don't forget about third party channels

- Your own personal and professional networks both offline and online, and those of your family and friends.
- Local community newsletters and newspapers including trade, issues or sector specific publications.
- Online community media channels.
- Community, sporting and business networking groups, and advocacy bodies.
- Neighbourhood and club houses.
- Special interest groups such as gender equality, diversity, social media, CALD (Community and Linguistically Diverse), community newsletters.

Section 7

Appendices

Appendix A: Local government service delivery

Appendix B: Community engagement

Appendix C: Remuneration categories

Appendix D: 2020 election timeline

Appendix E: Council electoral structures 2020

Appendix F: Candidate campaign offences



Appendix A

Local government service delivery

Local government collects rates from residents and businesses in their municipality to help fund its community infrastructure and service obligations.

Councils in Victoria are responsible for annual revenue in the order of \$11.6 billion and expenditure in the order of \$9 billion. Annually, councils spend \$7.2 billion delivering services to the Victorian community. In addition, they manage \$103 billion of assets and infrastructure including roads, bridges, town halls, recreation and leisure facilities, drains, libraries and parks.

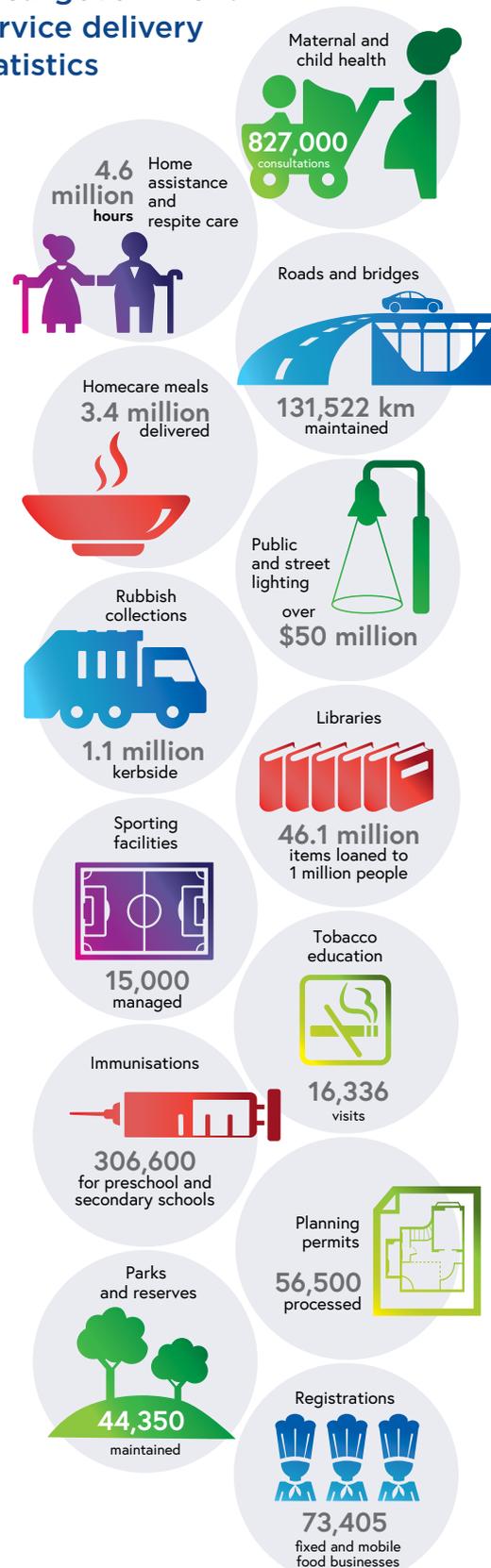
They also provide more than 100 essential services. Every time a person leaves their house they are using services provided by their council.

From foot and bike paths, public street lighting, litter bins, school crossings, library books, internet services, sporting facilities, community meeting spaces and places, swimming pools, public playgrounds, bus shelters, parking spaces, public landfill and recycling programs to dog litter disposals, removal of dumped rubbish, youth and family counselling and support, childcare programs, preschools and kindergartens, school holiday programs, head lice and immunisation programs.

Councils also provide in-home services such as childcare, parenting and baby health advice by maternal and child health nurses, multilingual telephone services, provision of permits for parking, demolition, building and renovations, garbage, recycling and hard waste collections, home maintenance, meals on wheels, gardening services and respite care.

Local laws developed by councils deal with important community safety, peace and order issues such as public health, management of council property, environment and amenity. Local laws often apply to noise, fire hazards, abandoned vehicles, parking permits, street stalls, disabled parking, furniture on footpaths, graffiti, animals in public spaces, nuisance pets and busking permits.

Local government service delivery statistics



Council services are generally grouped into broad categories:

- General public services
- Emergency management plan, animal shelters, and community directories
- Health, welfare and community services
- Early childhood services, aged care programs, school holiday programs, community jobs programs and disability services
- Planning and building services
- Planning application assessments, strategic planning work, building inspections, and energy efficient housing
- Land use management services.
- Agricultural production, forest regulation enforcement on private land, and economic development strategies
- Environment services
- Landfills, recycling, protection of water catchments, flood management, native vegetation conservation and tree clearance permits
- Infrastructure and asset management services
- Roads, drains, bike paths, community facilities, street cleaning and parking signs.

Appendix B

Community engagement

Community Engagement Policy

The council's Community Engagement Policy must be implemented by 31 March 2021

The policy must be:

- be developed in consultation with the municipal community
- give effect to the *community engagement principles* (see below)
- be capable of being applied to the making of the council's local laws
- be capable of being applied in relation to the council's budget and policy development
- describe the type and form of community engagement proposed, having regard to the significance and complexity of the matter and the level of resourcing required
- include deliberative engagement practices that include addressing any matters prescribed by the regulations for the purposes of this paragraph and be capable of being applied to the development of the Community Vision, Council Plan, Financial Plan and Asset Plan

- specify a process for informing the municipal community of the outcome of the community engagement
- include any other matters prescribed by the regulations.

Community Engagement Principles

- The community engagement process must have a clearly defined objective and scope.
- Participants must have access to objective, relevant and timely information to inform their participation.
- Participants must be representative of the persons and groups affected by the matter that is the subject of the community engagement.
- Participants are entitled to reasonable support to enable meaningful and informed engagement.
- Participants are informed of the ways in which the community engagement process will influence council decision making.

Appendix C

Remuneration categories

Allowance ranges effective from 1 December 2019, approved by the Minister for Local Government.

| Category 1 | Category 2 | Category 3 |
|---|---|--|
| Current Range: Councillors \$8,833-\$21,049 Mayor up to \$62,884 | Current Range: Councillors \$10,914-\$26,245 Mayor up to \$81,204 | Current Range: Councillors \$13,123-\$31,444 Mayor up to \$100,434 |
| Alpine Shire Council Ararat Rural City Council Benalla Rural City Council Borough of Queenscliffe Buloke Shire Council Central Goldfields Shire Council Corangamite Shire Council Gannawarra Shire Council Hepburn Shire Council Hindmarsh Shire Council Indigo Shire Council Loddon Shire Council Mansfield Shire Council Mount Alexander Shire Council Murrindindi Shire Council Northern Grampians Shire Council Pyrenees Shire Council Southern Grampians Shire Council Strathbogie Shire Council Towong Shire Council West Wimmera Shire Council Yarriambiack Shire Council | Bass Coast Shire Council Baw Baw Shire Council Bayside City Council Campaspe Shire Council Colac Otway Shire Council East Gippsland Shire Council Glenelg Shire Council Golden Plains Shire Council Greater Shepparton City Council Hobsons Bay City Council Horsham Rural City Council Latrobe City Council Macedon Ranges Shire Council Maribyrnong City Council Maroondah City Council Mildura Rural City Council Mitchell Shire Council Moira Shire Council Moorabool Shire Council Moyne Shire Council Nillumbik Shire Council South Gippsland Shire Council Surf Coast Shire Council Swan Hill Rural City Council Wangaratta Rural City Council Warrnambool City Council Wellington Shire Council Wodonga City Council Yarra City Council | Ballarat City Council Banyule City Council Boroondara City Council Brimbank City Council Cardinia Shire Council Casey City Council Darebin City Council Glen Eira City Council Frankston City Council Greater Bendigo City Council Greater Dandenong City Council Hume City Council Kingston City Council Knox City Council Manningham City Council Melton Shire Council Monash City Council Moreland City Council Moonee Valley City Council Mornington Peninsula Shire Council Port Phillip City Council Stonnington City Council Whitehorse City Council Whittlesea City Council Wyndham City Council Yarra Ranges Shire Council |

| City of Melbourne allowances are: | Greater Geelong City Council allowances are: |
|-----------------------------------|--|
| Lord mayor \$200,870 | Mayor \$100,434 |
| Deputy lord mayor \$100,434 | Deputy mayor \$31,444 |
| Councillors \$47,165 | Councillors \$13,123-\$31,444 |

Appendix D

2020 election timeline

| | | | |
|---|--------------------|----------------------|--|
| Council primary enrolment data | Jul 13 | Monday | (Date fixed by VEC) |
| Public notice of Close of Roll Date (Published during this period) | Aug 8 | Saturday | |
| | ↓ Aug 14 | ↓ Friday | |
| Close of Roll | Aug 28 | Friday | 4pm (57 days before Election Day) |
| Publication of Election Notice (Published during this period) | Aug 31 | Monday | |
| | ↓ Sep 5 | ↓ Saturday | |
| OPENING OF ELECTION OFFICE | Sep 16 | Wednesday | |
| Certification of voters' roll Opening of nominations | Sep 17 | Thursday | |
| Nomination Day | Sep 22 | Tuesday | Nominations close at 12pm Ballot draw to follow |
| Lodgement of candidate statements, photographs and questionnaires | Sep 23 | Wednesday | Candidate statements, photos and questionnaires close at 12pm |
| Mail-out of ballot packs/ Uncontested ward leaflets | Oct 6 | Tuesday | |
| | ↓ Oct 8 | ↓ Thursday | |
| CLOSE OF VOTING | Oct 23 | Friday | Voting closes at 6pm |
| Election Day | Oct 24 | Saturday | |
| Postal vote receipt period | Oct 26 | Monday | Postal vote receipt closes at 12pm |
| | ↓ Oct 30 | ↓ Friday | |
| All elections to be declared by Friday 13 November | | | |

Appendix E

Council electoral structures 2020

Metropolitan Councils

| Councils | Number of Councillors | Electoral Structure | Councils | Number of Councillors | Electoral Structure |
|-------------------|---------------------------------------|---|----------------------|---------------------------------------|----------------------------|
| Banyule | 9 | 9 single-councillor wards | Melton | 9 | 1 four-councillor ward |
| Bayside | 7 | 7 single-councillor wards | | | 1 three-councillor ward |
| Boroondara | 11 | 11 single-councillor wards | | | 1 two-councillor ward |
| Brimbank | 11 | 3 three-councillor wards | Moira | 9 | Un-subdivided |
| | | 1 two-councillor ward | Monash | 11 | 3 three-councillor wards |
| Cardinia | 9 | 9 single-councillor wards | | | 1 two-councillor ward |
| Casey | Election postponed until October 2024 | | Moonee Valley | 9 | 3 three-councillor wards |
| Darebin | 9 | 9 single-councillor wards | Moorabool | 7 | 1 four-councillor ward |
| Frankston | 9 | 3 three-councillor wards | | | 3 single-councillor wards |
| Glen Eira | 9 | 3 three-councillor wards | Moreland | 11 | 2 four-councillor wards |
| Greater Dandenong | 11 | 11 single-councillor wards | | | 1 three-councillor ward |
| Hobsons Bay | 7 | 1 three-councillor ward | Mornington Peninsula | 11 | 2 three-councillor wards |
| | | 2 two-councillor wards | | | 1 two-councillor ward |
| Hume | 11 | 2 four-councillor wards | | | 3 single-councillor wards |
| | | 1 three-councillor ward | Nillumbik | 7 | 7 single-councillor wards |
| Kingston | 11 | 11 single-councillor wards | Port Phillip | 9 | 3 three-councillor wards |
| Knox | 9 | 9 single-councillor wards | Stonnington | 9 | 3 three-councillor wards |
| Manningham | 9 | 9 single-councillor wards | Whitehorse | 11 | 11 single-councillor wards |
| Maribyrnong | 7 | 1 three-councillor ward | Whittlesea | Election postponed until October 2024 | |
| | | 2 two-councillor wards | Wodonga | 7 | Un-subdivided |
| Maroondah | 9 | 9 single-councillor wards | Wyndham | 11 | 2 four-councillor wards |
| Melbourne | 11 | Lord mayor and deputy lord mayor directly elected as a leadership team by the voters at-large | | | 1 three-councillor ward |
| | | Un-subdivided | Yarra | 9 | 3 three-councillor wards |
| | | | Yarra Ranges | 9 | 9 single-councillor wards |

Rural and Regional Councils

| Councils | Number or Councillors | Electoral Structure | Councils | Number or Councillors | Electoral Structure |
|--------------------|-----------------------|---|-------------------------|---------------------------------------|--|
| Alpine | 7 | Un-subdivided | Loddon | 5 | 5 single-councillor wards |
| Ararat | 7 | Un-subdivided | Macedon Ranges | 9 | 3 three-councillor wards |
| Ballarat | 9 | 3 three-councillor wards | Mansfield | 5 | Un-subdivided |
| Bass Coast | 9 | 3 three-councillor wards | Mildura | 9 | Un-subdivided |
| Baw Baw | 9 | 3 three-councillor wards | Mitchell | 9 | 3 three-councillor wards |
| Benalla | 7 | Un-subdivided | Mount Alexander | 7 | 1 three-councillor ward 4 single-councillor wards |
| Buloke | 7 | 1 three-councillor ward 2 two-councillor wards | Moyne | 7 | Un-subdivided |
| Campaspe | 9 | 2 three-councillor wards | Murrindindi | 7 | 7 single-councillor wards |
| | | 3 single-councillor wards | Northern Grampians | 7 | 1 three-councillor ward |
| Central Goldfields | 7 | 3 single-councillor wards | | | 1 two-councillor ward |
| Colac Otway | 7 | Un-subdivided | | | 2 single-councillor wards |
| Corangamite | 7 | 1 three-councillor ward | Pyrenees | 5 | 5 single-councillor wards |
| | | 4 single-councillor wards | Borough of Queenscliffe | 5 | Un-subdivided |
| East Gippsland | 9 | Un-subdivided | South Gippsland | Election postponed until October 2021 | |
| Gannawarra | 7 | 1 three-councillor ward | Southern Grampians | 7 | Un-subdivided |
| | | 1 two-councillor ward | Strathbogie | 7 | 2 two-councillor wards |
| | | 2 single-councillor wards | | | 3 single-councillor wards |
| Glenelg | 7 | Un-subdivided | Surf Coast | 9 | 1 four-councillor ward |
| Golden Plains | 7 | Un-subdivided | | | 2 two-councillor wards |
| Greater Bendigo | 9 | 3 three-councillor wards | | | 1 single-councillor ward |
| Greater Geelong | 11 | 3 three-councillor wards | Swan Hill | 7 | Un-subdivided |
| | | 1 two-councillor ward | Towong | 5 | Un-subdivided |
| Greater Shepparton | 9 | Un-subdivided | Wangaratta | 7 | 1 four-councillor ward 3 single-councillor wards |
| Hepburn | 7 | 2 two-councillor wards | Warrnambool | 7 | Un-subdivided |
| | | 3 single-councillor wards | Wellington | 9 | 3 three-councillor wards |
| Hindmarsh | 6 | 3 two-councillor wards | West Wimmera | 5 | Un-subdivided |
| Horsham | 7 | Un-subdivided | Yarriambiack | 7 | 1 three-councillor ward |
| Indigo | 7 | Un-subdivided | | | 2 two-councillor wards |
| Latrobe | 9 | 1 four-councillor ward | | | |
| | | 2 two-councillor wards | | | |
| | | 1 single-councillor ward | | | |

Appendix F

Candidate campaign offences

There are a number of offences under the LG Act 2020 which candidates should be aware of. They include:

- Nominating as a candidate when not qualified to be a candidate (Section 286)
- Printing, publishing or distributing electoral material without the name and address of the person authorising the material appearing on its face (Section 287(1))
- Providing information that is likely to mislead or deceive a voter in relation to the casting of a vote (Section 288(1))
- Providing electoral material which purports or contains representation of a ballot paper for use in that election to induce the voter to mark the ballot paper otherwise than in accordance with the directions on the ballot paper (Section 288(2))
- Printing a newspaper, circular or pamphlet containing an article, report, letter or other matter unless the author's name and address are set out at the end (Section 290(1))
- Making a false or misleading statement in relation to voter enrolment, declaration or application (Section 293)
- Forging or dealing with any forged ballot paper, prescribed forms or other document lodged in relation to an election (Section 294 (1) (a) and (b))
- Forging any signature on any ballot paper, prescribed forms or other document lodged in relation to an election (Section 294(c))
- Tampering or dealing with election material, including the voters' rolls except as authorised (Section 296)
- Communicating information likely to defeat the secrecy of voting, by a person present when a voter votes (Section 297)
- Failing to post a ballot paper on behalf of a voter after agreeing to do so (Section 298)
- Interfering with any material to be delivered by the VEC to a voter (Section 299)
- Asking for or receiving any benefit on an understanding that it will influence the person's election conduct, being voting, nominating, supporting or opposing any candidate or influencing preferences set out in the vote of a voter (Section 300(2))
- Giving, promising or offering any property or benefit in order to influence a person's election conduct, being voting, nominating, supporting or opposing any candidate or influencing preferences set out in the vote of a voter (Section 300(4))
- Hindering or interfering with the performance by any other person of any political right or duty relevant to an election (Section 301(1))
- Influencing, by violence or intimidation, influence the vote of a person at an election (Section 301(3))
- Interfering with or attempting to interfere with any voter marking their ballot paper (Section 301(7)).

Relevant links

Australian Bureau of Statistics

- <https://www.abs.gov.au/>
- <https://www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/5506.0Main+Features12018-19?OpenDocument>

Australian Local Government Women's Association

- <https://www.algwa.com.au/>

Australian Tax Office

- <https://www.ato.gov.au/Individuals/Income-and-deductions/Deductions-you-can-claim/Other-work-related-deductions/Election-expenses/>

CPA Australia

- <https://www.cpaaustralia.com.au/>
- <https://www.cpaaustralia.com.au/-/media/corporate/allfiles/document/professional-resources/public-sector/understanding-financial-reports-local-governments.pdf?la=en&rev=82ff988c5b96496c85d2dee589725f49>

Department of Health and Human Services

- <https://www.dhhs.vic.gov.au/coronavirus>

Know Your Council

- <https://knowyourcouncil.vic.gov.au/home>

Local Government Victoria

- <https://www.localgovernment.vic.gov.au/>
- <https://www.localgovernment.vic.gov.au/council-governance/candidate-training>
- https://www.localgovernment.vic.gov.au/_data/assets/pdf_file/0023/482423/Safe-Campaign-Guidelines-July-2020.pdf
- <https://www.localgovernment.vic.gov.au/council-governance/local-government-act-2020>

Municipal Association of Australia

- <https://www.mav.asn.au/>
- <https://www.mav.asn.au/news-resources/news/media-releases>
- <https://www.mav.asn.au/events/upcoming-events>
- <https://www.mav.asn.au/what-we-do/policy-advocacy/social-community/gender-equality>
- <https://www.mav.asn.au/what-we-do/policy-advocacy/social-community/gender-equality/women-in-local-government>
- http://www.mav.asn.au/_data/assets/pdf_file/0016/6721/Land-use-planning-in-Victoria-a-guide-for-councillors-Dec-2016.pdf
- https://www.mav.asn.au/_data/assets/pdf_file/0015/7404/Victorian-Local-Government-Womens-Charter.pdf

Stand for Council (Vic Councils)

- <https://www.viccouncils.asn.au/stand-for-council>
- <https://www.viccouncils.asn.au/stand-for-council/becoming-a-councillor>
- <https://www.viccouncils.asn.au/stand-for-council/being-a-councillor>
- <https://www.viccouncils.asn.au/stand-for-council/community-and-candidate-information-sessions>
- <https://www.viccouncils.asn.au/stand-for-council/key-dates-and-resources>

Victorian Auditor-General's Office

- <https://www.audit.vic.gov.au/>
- <https://www.audit.vic.gov.au/sites/default/files/2019-11/20191127-Local-Government-report.pdf>

Relevant links

Victorian Electoral Commission

- <https://www.vec.vic.gov.au/>
- <https://www.vec.vic.gov.au/candidates-and-parties/becoming-a-local-council-candidate>
- <https://www.vec.vic.gov.au/CandidatesAndParties/CandidateFormsAndHandbooks.html>

Victorian Legislation

- <https://www.legislation.vic.gov.au/as-made/acts/local-government-act-2020>
- <https://www.legislation.vic.gov.au/in-force/statutory-rules/local-government-electoral-regulations-2020/001>

Victorian Local Governance Association

- <https://www.vlga.org.au/>

Victorian Multicultural Commission

- <https://www.multiculturalcommission.vic.gov.au/>

Victorian Government

- <https://www.vic.gov.au/>



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