



Local Government Victoria  
PO Box 500  
MELBOURNE VIC 3002

Dear Sir/Madam,

The Committee for Geelong (CfG) is delighted to be provided with the opportunity to lodge a submission to the review of the Local Government Act 1989.

Please note that the CfG's submission is not confidential and we therefore give consent for it to be made public.

Thank you for taking the time to review our submission and we look forward to hearing from you soon.

Yours faithfully,

A handwritten signature in black ink that reads 'Rebecca Casson'. The signature is fluid and cursive, with the first letter 'R' being particularly large and stylized.

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## COMMITTEE FOR GEELONG

### SUBMISSION

#### Review of the Local Government Act 1989

18 December 2015

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## EXECUTIVE SUMMARY

### 1. **Modernisation of Victorian local government is needed and welcomed**

The Committee for Geelong (CfG) welcomes a review of the *Local Government Act 1989 (Act)*. Our expectation is that modernised legislation will substantially enhance the scope for the City of Greater Geelong (CoGG) to play a major leadership role in our transforming city as it faces significant and complex challenges. As an independent advocate for Geelong, the CfG has a history of achieving genuine results by actively looking at ways to solve problems and confront challenges. Following extensive consultation with our members, this submission concentrates on aspects of local government leadership and representation - all issues the CfG has considered, reviewed and addressed over recent years.

### 2. **Recognise Geelong is Victoria's second city**

Geelong is recognised as Victoria's second City in the Plan Melbourne Discussion Paper (October 2015) and considered to be an Australian second-tier city. Second-tier cities are defined as those situated outside capitals that make a significant contribution to the performance of the national economy. It is therefore important to understand the significance of Geelong's leadership to both the state and national economy. A review of the *Act* is a mechanism through which the Victoria State Government could set the policy direction for second-tier cities by framing local leadership policies and providing scope for improving Geelong's directly elected mayoral model and its representational structure.

### 3. **Give councils general competence powers; attract and train competent councillors**

Geelong needs a council that effectively delivers the local day-to-day services that a modern society requires, articulates a shared vision for the future and delivers on local and regional priorities that strengthen the overall economy. To achieve this, the CfG supports a power of general competence for councils as outlined in the discussion paper. This would be accompanied by a clear statement in the new *Act* that defines the role and responsibilities of modern day councillors. A generic job description for councillors, prescribed in the *Act*, should become part of the nomination and election process and councillors should be required to undertake appropriate induction and ongoing training programs on role, relationships, governance and skills. The *Act* should also contain a strengthened code of conduct with enforceable sanctions and penalties that would be applied against councils and councillors for misconduct.

### 4. **Retain and build on Geelong's directly elected mayor model**

The CfG has consulted members, examined the literature and explored the arguments for and against this concept and concluded that it is firmly in favour of a directly elected mayor. As a result of implanting the directly elected mayor system onto an existing 12 single councillor ward structure, the introduction of this process for Geelong has had an unstable start. The CfG

therefore encourages the Victoria State Government to institutionalise a strong local leadership model as detailed in this submission.

## **5. Go further – directly elect mayor and deputy mayor as a team**

The CfG still holds the view it advocated in 2011, that the mayor and deputy mayor should be elected as a team, as is the case of the City of Melbourne.

## **6. Combine higher expectations of the mayor with appropriate powers and resources**

The CfG supports the mayoral model advocated by Sansom (2012) which he describes as the ‘semi-executive’ mayor – one with more responsibilities and greater authority than is generally the case at present. This model would still remain subject to a ‘separation of powers’ between the political realm of policy and strategy on the one hand, and the management realm of administration and program implementation on the other.

The attributes and qualities of the individuals who are directly elected as mayor and deputy mayor, and their understanding of the roles that are to be performed, will largely determine the success of the CoGG. The role, expectations and attributes of the mayor should be laid out in a prescribed job description as detailed in this submission.

## **7. Make the mayor and councillors accountable as a team**

The CfG believes that accountability to the constituency would be enhanced if candidates in mayoral teams articulated their vision, policy platform, programs and plans for their four-year term. The mayor, deputy mayor and all those councillor candidates in the team would prosecute their manifesto and, if elected, could have a majority and a clear mandate. Voters could then judge the performance of the mayor, deputy mayor and the council against its policies, programs and plans over the four-year term.

## **8. There are better options for Geelong than a 12 ward representational structure**

The CfG observes that the 12-councillor ward structure has not delivered wide community of interest benefits as it only serves a geographical community of interest, giving a clear weighting to residential voters. Significant non-geographical community of interest sectors such as the agriculture, tourism and retail sectors and, for example, community groups representing the aged, people with a disability and the culturally and linguistically diverse are not well represented. This has resulted in the voices of these important interest sectors being indistinct and constrained. The CfG also believes that a 12 ward structure potentially facilitates parochialism that inhibits the opportunity for a broad, whole-of-municipality approach to the identification of strategic issues, the development of regional projects and broad-based decision



making. The CfG advocates the consideration of three alternative options which it believes would offer fairer and more inclusive representation for the Geelong community. An overview of the options are presented below.

### **8.1. An un-subdivided municipality has considerable merit**

An un-subdivided municipality, whereby the Proportional Representation voting system (PR) is applied, increases the prospects of candidates representing the wider interests of Geelong and is more likely to be a successful model.

In an un-subdivided municipality, the CfG would favour a CoGG structure of seven (7) members in total, comprising:

- The mayor and deputy mayor, both directly elected, and
- Five councillors elected from the municipal district as a whole.

### **8.2. A 'hybrid model' could be an effective structure for Geelong**

Given the large size and population distribution of the municipality, the CfG has sympathy for the view that some measure of geographical representation is warranted and would support a 'hybrid model' – in an attempt to balance the interests of all. After a three year term, CoGG's hybrid model (then called the 'dual voting system') was discontinued in 2001. Its trial was during a transitional and unstable period of Victorian local government and therefore should not be precluded under proposed legislation and be available as an option for consideration now.

Under a hybrid model, the CfG's preferred structure for CoGG is nine (9) members in total, comprising:

- The mayor and deputy mayor, both directly elected
- Four councillors elected from four geographically delineated wards (4 x 1)
- Three councillors elected from the municipal district as a whole (1 x 3).

### **8.3. Fairness and equity scores well in some multi-councillor ward models**

The key advantage of multi councillor wards is that the PR voting system required in multi councillor wards delivers enhanced fairness and equity outcomes that are generally absent under a single councillor ward structure based on full preferential voting. The CfG sees merit in a municipality being divided into an odd number of wards with the same odd number of councillors being elected from each ward, a concept preferred by the Proportional Representation Society of Australia, Victorian-Tasmanian Branch (PR Society), because the full value of the votes of a higher percentage of voters is used in multi councillor wards to elect a representative.

Under this concept, the CfG would favour a structure for CoGG of eleven (11) members in total, comprising:

- The mayor and deputy mayor, both directly elected
- Nine councillors, 3 elected from each of 3 geographically delineated wards (3 x 3).

Working to a concept proposed in the 2013 Electoral Review Panel chaired by Petro Georgiou (Georgiou Panel) which advocated restricting the availability of some ward structures, but contrary to the PR Society's view, would still allow an even number of

wards with an even number of councillors being elected in each ward. The CfG would advocate consideration of multi councillor ward structures including:

CoGG comprising of ten (10) members in total, comprising:

- The mayor and deputy mayor, both directly elected
- Eight councillors, 2 elected from each of 4 geographically delineated wards (2 x 4).

Or

CoGG comprising of twelve (12) members in total, comprising:

- The mayor and deputy mayor, both directly elected
- Ten councillors, 2 elected from each of 5 geographically delineated wards (2 x 5).

## **9. Do not restrict representational structures – increase them**

The CfG does not support a reduction in available ward structures as advocated by the Georgiou Panel. It believes the Victorian Electoral Commission (VEC) should be given access to a full range of ward structure options. It agrees with the Georgiou Panel's view that it is desirable for ballot counting systems for local government elections to be consistent with those used for federal and state elections. It therefore supports the Georgiou Panel's view for a widening of the voting system choices for local council elections, including the use of optional preferential voting in single member wards and partial preferential voting in multi member wards and un-subdivided councils, if and when these methods are introduced at other levels of government.

The CfG understands the merit of having representational structures that satisfy, and can be shown to satisfy, fairness and equity tests and favours a situation where the legislation allows a full range of ward structures and voting systems being available to the VEC when it undertakes electoral reviews. When making recommendations, the VEC will decide whether to test its recommendations against approved fairness and equity tests and, where departures are proposed, the reasons for the departures should be justified.

## **10. Do more for Geelong, now**

Given the transformation of Geelong, our city needs strong and strategic leadership. There is a sense of urgency that has been driven by Susan Halliday's report, which found that the atmosphere at CoGG has compromised the capacity for appropriate governance. Geelong's progress appears distracted by the internal conflict and our city is not in a position to operate at optimum levels under these conditions. In this context, the CfG supports the Victoria State Government in taking a courageous leadership role on this issue and fast-tracking changes to the *City of Greater Geelong Act 1993* prior to the 2016 local government elections.

## **11. Conclusion**

This submission has sought to express expectations, identify trends that have worked in other jurisdictions and offer some creative suggestions on how local government and electoral representation can be improved in Geelong. The system can be enhanced, and the CfG is hopeful

that an amended structure together with better governance will create a quality council and lead to stability in Geelong. Given this, the CfG looks forward optimistically to the outcomes of the review of the *Act*.


## 12. Recommendations

In summary, for the CoGG, the CfG would like to see a new Local Government Act with features and provisions which allow for:

- 12.1. A council with broader powers, including a power of general competency, to enable the council to respond to wide ranging community needs;
- 12.2. An improvement in the quality and competence of councillors through:
  - 12.2.1. Councillors having a prescribed job description,
  - 12.2.2. Councillors being required to undertake high quality induction and ongoing training programs in role, relationships, governance and relevant skills (e.g. Australian Institute of Company Directors course),
  - 12.2.3. A strengthened and enforceable Code of Conduct which includes provisions for sanctions and dismissal for misconduct or poor performance.
- 12.3. The directly elected mayor concept to be retained;
- 12.4. The concept to be expanded to include a directly elected deputy mayor;
- 12.5. The mayor to exercise enhanced powers, with increased authority and resources;
- 12.6. Consideration and assessment of a wide range of representational models to elect a council which adequately, fairly and effectively represents all sectors of the Geelong community;
- 12.7. Immediate improvement of the directly elected mayoral system and the representational structure i.e. not wait until after the 2016 local government elections

## 13. Contact Details

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# SUBMISSION - REVIEW OF THE LOCAL GOVERNMENT ACT 1989

## 1. Introduction

The Committee for Geelong (CfG) is pleased to lodge a submission to the Victoria State Government's review of the *Local Government Act 1989* (*Act*).

Please note that the CfG's submission is not confidential and we give permission for it to be published.

The CfG is an independent, member-based organisation that advocates for the best overall long-term outcomes for Geelong. Our members represent the broad political spectrum and a breadth of industry both by sector and size. We work with members, leaders, stakeholders and governments to provide strategic leadership and influence to leverage the economic potential of the region to make Geelong a world-class place.

As an independent advocate for Geelong, the CfG has a history of achieving genuine results by actively looking at ways to solve problems and confront challenges. For many years, the CfG has led the discussion on Geelong's directly elected mayoral model and has provided a range of submissions on this topic. In addition, the CfG has also led the debate on the possible (ward) structure of the CoGG. Throughout 2015, the CfG has extensively consulted with members about potential changes to the *Act*. This has included seeking views on Geelong's directly elected mayoral model and the governance of the CoGG, a member briefing with The Hon. Natalie Hutchins, Minister for Local Government, together with a workshop (in collaboration with Geelong Chamber of Commerce) independently facilitated to seek members' views on the review of the *Act*.

Geelong, now more than ever, needs strong civic, economic, social and environmental leadership to meet the complex challenges of an Australian economy in transition and a second-tier city transforming. The CfG believes that modernised legislative powers for the CoGG (CoGG), increased powers for the directly elected mayor and a sound, broad-based and creative representational structure will significantly enhance the scope for the CoGG to play a major leadership role in shaping Geelong's future well-being and prosperity. Therefore, the CfG welcomes the Victoria State Government's intention to carry out a wide ranging modernisation of the *Act* aimed, as the Minister for Local Government states; "to bring it into the 21<sup>st</sup> century and give communities the strong, accountable and efficient councils that they deserve."

Given the CfG's participation, observations and experience over the years, our organisation has a legitimate role, and a considerable responsibility, to forthrightly contribute its thoughts and opinions to this review. This submission does not address all aspects of the review as outlined in the Victoria State Government's discussion paper. Rather it concentrates on three aspects which the CfG has addressed and considered on the basis of its experience over several years, namely:

- i. **The powers and responsibilities of the CoGG** - CfG wants Geelong to have a council with wide discretionary powers to allow it to do what has to be done.

- ii. **The expectations, role and powers of the directly elected mayor** - CfG wants Geelong to have a council with strong, pro-active leadership at its head.
- iii. **An adequate, fair and effective representational structure for Geelong** - CfG wants Geelong to have a council made up of high calibre people, representative of diverse community interests.

The CfG is open minded as to whether legislative arrangements for CoGG are in a separate Act of Parliament, as at present, or contained within a revised *Act*. Designers should be able to produce a comprehensive single Act, ensuring that diversity and special circumstances are taken into account. However, if there is any risk that a single Act would attract a lowest common denominator outcome, i.e. not allowing any councils to have a directly elected mayor, the CfG would favour retention of a separate Act in order to achieve and secure suitable arrangements, as described in this submission, for local government in Geelong.

The CfG holds a very strong view that the present local government arrangements in Geelong must change. It is possible that the review of the *Act* will provide a vehicle for constructive change in the longer term, but there is also a strongly held view that change is required urgently.

## 2. **The importance of leadership in a second-tier city: the case of Geelong**

Over the last few years, the CfG has been advocating for the implementation of a second-tier city policy for Geelong, and the nation. Second tier cities are defined as those situated outside capitals that are sufficiently important to affect the performance of the national economy (Parkinson et al. 2012). Geelong is Victoria's second largest city and is considered, by the CfG, to be significant to the performance of the national economy. In this context, it is vital to understand the importance of Geelong's leadership to both the state and national economy.

The CfG acknowledges that the Victoria State Government now formally recognises Geelong as Victoria's second city in its Plan Melbourne Discussion Paper 2015. Accordingly, the reference to Geelong as Victoria's second city will be incorporated into Plan Melbourne 2016.

While some may not like the term 'second city' or 'second-tier city', this is the vernacular used in academic literature. However, the term does not imply that these cities are less important than capital cities, or that they are second rate. Although alternative terminology suggestions to describe second-tier cities are welcome by the CfG, our position is clear: given the specific and significant changes in our city, Geelong – and other second-tier cities in Australia - should be treated differently to smaller regional cities.

There is much discourse highlighting that the emerging importance of second-tier cities has placed them 'back on the academic scene', for example, Champion (2015), Agnoletti et al. (2014) and Camagni and Capello (2015). Champion (2015) specifically argues that both academic and policy attention has been shifting towards medium-sized and smaller cities. Parkinson et al. (2012) contend that, 'although city government matters in second-tier cities, city governance

matters more.’ Most importantly for Geelong, Parkinson et al. cite that local leadership, and favourable policy settings for city leadership, are vital to driving change in second-tier cities.

In England, second-tier cities are represented by the 'Core Cities Group', an alliance of England's eight largest city economies outside London, together with Glasgow and Cardiff (Cities 2015). With the exception of Regional Capitals Australia, there is no similar group in Australia. However, together with Geelong, other cities in Australia such as Newcastle, Wollongong, Cairns and the Gold Coast, could qualify for an Australian 'core cities' group, such as that developed in England.

The absence of a second-tier city policy for Australia has created some challenges for Geelong, including a lack of leadership, co-ordination and limited resources. For example, our local government has been forced into short-term, unco-ordinated approaches to resolve acute problems because they have a limited leadership structure and scarce resources to develop longer term structural solutions. A national second-tier city policy could unify local stakeholders and set out how industry, residents, social enterprises and all levels of government should work together to maximise social, cultural and economic potential. As Geelong transforms, this type of policy would give confidence to those living outside our region who may have long-held erroneous assumptions about our city. This is particularly important for investors who are often guided by strong government policy to make decisions.

It is clear from the literature that the success of a second tier city is based on key factors such as consistent entrepreneurial and visionary leadership, together with a well-defined model of citizen involvement. Therefore, given the right circumstances – such as effective local leadership, second-tier cities can lift national economic performance (Parkinson et al. 2012). Acknowledging that long term underinvestment in second-tier cities presents risks of national economic underperformance, some countries are pro-actively developing explicit policies for their second-tier cities. Given this evidence, the CfG believes that a strong second-tier city policy for the largest city economies (outside of the major cities in each State) will greatly benefit Australia into the future. In this context, it is important that the Victoria State government embraces a second-tier city policy for Geelong and leads the way. By doing so, the Victoria State Government will have the opportunity to create the inaugural policy direction for second-tier cities in our nation. Acknowledging the importance of effective local leadership policies by making improvements to Geelong's directly elected mayoral model is a major part of this work.

The declining trust in politicians is a very relevant issue, and experience with various national political institutions shapes the change in attitudes towards local political institutions (Commission 2012). Tormey (2015) uses the metaphor 'zombie democracy' to describe a society that appears to have stopped questioning itself. However, with the rise of anti-politics in an era of political disaffection significantly influencing the proliferation of new political 'protest parties', independents and celebrity politicians, this could be a global sign of an uprising against perceived zombie democracy. In this context, it is vital that all parties understand that the directly elected mayoral system for Victoria's second largest city is important.

## 3. The powers and responsibilities of councils and councillors

### 3.1. Powers for the Council

There is a strong desire within the community of Geelong to have a council that will not only effectively deliver the local day-to-day services that a modern society requires, but will also articulate a shared vision for the future and deliver on local and regional priorities that strengthen the overall economy. Where major projects are identified for the Geelong region, it is imperative for CoGG to have the power to act and a council leadership with the ability to form strategic alliances and mobilise coalitions of support so that these projects are brought to fruition.

In designing a new *Act* the task is to frame a set of normative, enabling and general competence powers that would give scope for a council to perform the role as stated above. The CfG will not go as far as offering a categorisation of powers but makes the observation that, from the Victoria State Government's point of view, it would be desirable - perhaps essential - to know that all councils will deliver a specific set of services and undertake a specific set of tasks. Legislation could prescribe these services and tasks so that is clear that councils are responsible for them. Perhaps **what** functions and responsibilities councils are expected to carry out can be prescribed, **how** they are carried out need not be prescriptive.

But councils also need a wide discretionary power and this could be assigned through a power of general competence so that councils can respond to community demands and expectations. The CfG does not have a view on how this power could be extended beyond what is already assigned through the existing Charter enacted in 2003, which gives councils a wider scope to undertake functions than had been possible under previous local government legislation.

### 3.2. Role and responsibilities of councillors

The CfG acknowledges existing sections in the *Act* that specify the role of councillors and considers that this should be improved. Wider powers for councils should be accompanied by a clear statement in the modernised *Act* that defines the role and responsibilities of councillors. Strengthening the *Act* in this way seeks to improve the quality of councillors. The *Queensland Local Government Act 2009, Section 12*, provides a good example and sets out the role of councillors as follows:

- 1** *A councillor must represent the current and future interests of the residents of the local government area. (CfG would not confine it to 'residents' but 'all sections' of the local government area)*
- 2** *All councillors of a local government have the same responsibilities, but the mayor has some extra responsibilities.*
- 3** *All councillors have the following responsibilities:*
  - (a) Ensuring the local government*
    - (i) discharges its responsibilities under this Act; and*
    - (ii) achieves its corporate plan; and*
    - (iii) complies with all laws that apply to local government.*



- (b) Providing high quality leadership to the local government and the community.*
- (c) Participating in council meetings, policy development and decision-making, for the benefit of the local government area.*
- (d) Being accountable to the community for the local government's performance.*

An elaboration of this definition could be inserted in the *Victoria Act* and developed into a generic job description for councillors that would become part of the nomination process. In addition, greater emphasis should be applied to the *Victoria Act* ensuring councillors do 'represent the local community in decision-making' and 'contribute to the strategic direction of the council'.

### **3.3. Councillor training**

Upon election, councillors should be required to undertake appropriate role and skills training - including training in team building - with an emphasis on inter-councillor relationships and councillor-officer relationships. The training also needs to focus on the strategic elements of the role and the need for integrity that is in line with community expectations. The training needs therefore to be formalised, well-structured and tailored to the specific needs of councillors in fulfilling the role.

The Australian Institute of Company Directors (AICD) 'Company Directors Course', or other like training course by an independent body, could be tailored to meet the needs of councillors. In addition, all councillors should be required to continue role and skills training throughout the duration of their tenure to ensure this is kept up to date and front of mind. The *Act* is the bedrock of the local government system, and it must not only be workable as the 'rules of the game' but it must be capable of attracting high calibre, civic minded and competent people into the game.

### **3.4. Councillor code of conduct**

The CfG acknowledges existing sections in the *Act* regarding councillor code of conduct. However, the *Act* is unclear as to what the consequences are for non-compliance under these provisions. The CfG believes the *Act* should contain clearer sanctions and penalties that would be applied against councils and councillors for misconduct. A more stringent expectation should be placed on the ethical behaviour of elected councillors in line with the requirements imposed in other states. This includes clearer consequences for not abiding by the code of conduct.

For example, the New South Wales (NSW) Local Government Act requires every council to adopt a code of conduct that incorporates the provisions of a model code of conduct. Failure by a councillor to comply with the standards of conduct prescribed under the code constitutes misconduct and penalties can be imposed. In Queensland, the Crime and Misconduct Commission in July 2013 published 'The Councillor Conduct Guide' which is a practical advisory resource to guide the ethical behaviour of councillors. Given recent events involving bullying allegations within the CoGG, one of the clauses in the Queensland guide is relevant:

“A councillor (including the mayor) must not, under any circumstances, give a direction to a staff member and only the mayor may give a direction to the Chief Executive Officer (CEO) or senior executive employees. This includes ‘requests’ framed in such a way that staff interpret them as instructions, or that seem to be an attempt to exert improper influence over a process or a decision. The purpose of the provision is to enhance working relationships between staff and councillors by providing a framework for constructive interactions.”

A strengthened and enforceable code of conduct, which includes provisions for sanctions and dismissal for misconduct or poor performance, is essential to ensure effective governance and legitimacy.

## **4. The expectations, role and powers of the directly elected mayor**

### **4.1. A literature review**

The CfG has been a courageous advocate for improvements to Geelong’s local government and directly elected mayoral model. The CfG has undertaken extensive research over many years and can demonstrate that views on this issue are based on consultation and sound evidence. This section sheds light on what is said in the literature about directly elected mayoral models, with a specific focus on Australia.

According to Grant, Dollery and Kortt (2015), leadership arrangements in Australian local government have commanded increasing attention, and scholarly interest in Australian local government leadership proceeds apace. However, compared to other developed democracies, there is very little literature on directly elected mayors in Australia (Commission 2012) (Grant, Dollery & Gow 2011) and it appears that there is limited research and discussion of political governance in Australian local government (Sansom 2012).

#### **4.1.1. Directly elected mayors - the Australian Context**

Australia has the advantage of a federal system of government that allows different jurisdictions the opportunity of pursuing different policies for directly elected mayoral models, which has resulted in a diverse range of discourse (Grant, Dollery & Kortt 2015). This includes studies on local government systems of Australia (Power, Wettenhall & Halligan 1981); local democracy, local government trends, efficiency and reform (Dollery & Marshall 1997), (Worthington & Dollery 2002), (Grant, Dollery & Gow 2011) (Grant, Ryan & Kelly 2015); the relationship between mayors and their appointed counterparts (Sansom 2012), together with an assessment of the benefits of direct mayoral election (Grant, Dollery & Kortt 2015). In addition, a paper by Martin and Aulich (2012) on the political management of Australian local government has explored the roles and relationships between mayors and CEOs and highlights the need for the development of a more robust research project on this subject. Finally, there is limited international attention on Australian local government and the directly elected mayoral process (Commission 2012).

Sansom (2012) highlights a substantial variation in the way mayors are elected in Australia. He also emphasises the roles that mayors are expected to play differs both between and within states. Sansom highlights, while the direct election of mayors is compulsory or available by choice in all states except Victoria, the directly elected mayoral system operates in less than 40% of all Australian councils. In the councils of Australia's capital cities, legislation requires that the mayor be directly elected and largely operate under a strong mayoral system. Mayors are also directly elected in Queensland and Tasmania, the CoGG and 'municipal' councils in the Northern Territory. However, some of these operate the weak directly elected mayoral model.

Elsewhere in Australia, the mayor can be directly elected or elected first among equals. In NSW, direct election must first be approved by voters through a referendum and most mayors are therefore elected first among equals. In Tasmania, the mayor and deputy mayor are directly elected for a two-year term (and half the councillors similarly stand for election every two years). In Western Australia the mayor can either be elected first among equals or be directly elected for a period of four years. (Martin & Aulich 2012). In Victoria, with the exception of Melbourne and Geelong, all mayors are elected first among equals as there is no system of direct election through referendum.

Sansom (2012) concludes:

'Whilst in Australia there is some evidence of a trend towards 'stronger' mayors, specification of the responsibilities and authority of mayors varies greatly both within and between the states and Northern Territory, but apart from Queensland, attitudes to the role of mayors could fairly be described as ambivalent. There is an apparent reluctance to institutionalise strong local leadership through the office of mayor, and only in Tasmania, Western Australia and the City of Adelaide are mayors specifically tasked with that responsibility.'

Local government in Queensland has been characterised by popularly elected municipal leadership exercising a broader range of powers than in other Australian jurisdictions (Grant, Dollery & Kortt 2015). The introduction of directly elected mayors in Queensland was first proposed in 1915 as an element to the Labor Party's overall plan 'to make local government more responsive to the community as a whole' (Tucker et al. 1981) (Grant, Dollery & Kortt 2015). Queensland is therefore, historically, the only Australian state where mayors have been directly elected for all local government areas.

In their study on the 2012 Queensland local government elections, Grant, Dollery and Kortt (2015) assessed the merits of directly electing mayors in Australian local government. They contend that the emergence of the 'novice mayor' phenomenon, through the 2012 Queensland election, sheds a different light on the question of directly elected mayors. Citing evidence from the Local Government Association of Queensland (LGAQ), Grant, Dollery and Kortt point to an emergence of extremely high turnover rates of both mayors and councillors in the 2012 elections. This

resulted in a significantly higher proportion of 'corporate knowledge' lost from the ranks of councillors in 2012 compared with 2008 and 2004.

Grant, Dollery and Kortt highlight that the 2012 elections generated 44 new mayors (60.3 percent), comprised of only 13 sitting councillors and 31 new to elected office in local government. The long-term consequences of this loss of 'institutional memory' requires further examination, and specifically the extent to which the directly elected mayoral system was responsible. It may be that other factors, such as the rise in anti-politics, could have led to this result. For example, Grant, Dollery and Kortt cite the prominence of 'the idea that an 'outsider' directly elected by popular vote will be in a better position to 'fix' the perceived problems of an individual local government area. It is also possible the 'increased authority conferred upon directly elected mayors of considerably larger and financially more empowered councils may have a greater intrinsic appeal to a broader range of people' (Grant, Dollery & Kortt 2015). This aspect may have encouraged 'new blood' to enter into the local government system, and assured their success over those 'rusted on' councillors.

Given the Queensland result, Grant, Dollery & Kortt argue that directly elected mayors should not be legislatively mandated across Australian local government jurisdictions. However, as there is a lack of comparative research on this issue, particularly in other Australian states, this argument requires further investigation. This aspect is of particular importance to the Geelong case. As highlighted by Sansom (2012), legislation to further enhance the role and authority of Queensland mayors, and to introduce a directly elected mayor for the CoGG, appear to reflect a growing belief that more effective civic leadership is needed, and can be seen as emblematic of a broader shift in that direction.

#### **4.1.2. Is the directly elected mayoral system suitable for good governance?**

Throughout the discourse on directly elected mayors there is debate about strong and clear democratic structures that enables effective leadership, versus the necessary use of effective leadership skills in a weak structure. Some contend that directly elected mayors can make a difference, while others believe it is less about how a mayor is elected and more about leadership styles. The following sections highlight discourse on mayoral skills versus directly elected mayoral systems, together with arguments found in the literature 'for' and 'against' the directly elected mayoral model.

##### **4.1.2.1. The arguments for the directly elected mayoral model**

Copus (2004a) contends that: 'Whilst personality and strength of character no doubt have an impact on the ability of any mayor to carry out his or her policies, the structural location of power and the ability to make certain political decisions is what tips the balance to either mayor or council'. This aspect is particularly important when considering the data collected by the Warwick Commission (2012) which suggests that the directly elected mayoral model may provide a valuable alternative for re-invigorating some local government areas. In addition, Sansom (2012) argues that directly

elected mayors increase the democratic legitimacy of local governments and results in the incumbents obtaining a 'personal mandate', which enables them to 'appeal directly to constituents.'

Wollmann (2005) argues that directly elected mayors are democratically legitimated and politically accountable. Depending on the structure, those mayors possessing a combination of political legitimacy and administrative clout, have the opportunity to become the key local networker and to exercise a pivotal role in horizontal as well as vertical coordination of cities. Wollmann contends that, since the introduction of directly elected mayors in Germany, there has been a professionalisation of mayoral positions.

Early concerns that the direct election of mayors may invite 'wild populists and mavericks to seek mayoral positions' have been unsubstantiated. Wollmann claims that the absence of pertinent formal requirements for candidates to become mayor has resulted in the improvement of the perception and performance of directly elected mayors. Specifically, Wollmann cites many of those seeking and occupying a mayoral position in smaller and middle-sized towns are college graduates, while those in cities of more than 50,000 inhabitants are increasingly law school graduates. In 20 percent of the larger towns - those with more than 20,000 inhabitants - the mayors are not members of a political party, whereas in the (many) smaller towns over half of the mayors are non-partisan (Wollmann 2005).

Wollmann argues that the right of local citizens to directly elect the mayor has significantly changed the power relations of local political actors: citizens, council and the mayor. While the German local government of representative democracy put the council at centre stage in local decision-making, and limited the role of local citizens to elect the council, the traditional rules of the game have been changed by the introduction of the direct election as an important element of direct democracy. Wollmann contends that the direct election of mayors has strengthened the accountability of the mayor to the local electorate.

By virtue of direct election, the mayor can be singled out as one local leader whose political responsibility is clearly identifiable and who accordingly can be called to account. The underlying premise of the decision to do without clear-cut qualification requirements - i.e. endorsement from political parties or professional qualifications - in Germany was that the positions of the mayors are essentially political and should therefore be open to anybody (Wollmann 2005).

McKinlay (2012) argues that directly elected mayors are more accountable and can stimulate action. They can galvanize action and get things done, reaping praise when they get it right but a direct target for blame when

things go wrong. Martin (2008) contends that directly elected mayors result in greater community empowerment. Arguments in support of this include the right of electors to know who was responsible for taking and implementing major decisions, the importance of empowering a single voice and the benefit of having a single point for decision-making.

Martin and Aulich (2012) contend that, based on interviews conducted on the emerging role of mayors in Australia, there is evidence to suggest that a mayor elected by popular vote has a stronger role in relationship to the CEO than if elected by the council. Given that the role between mayor and CEO is essential to the success of the effective running of the council and its operations, this is a key point. Sansom (2012) contends that, 'even though mayors may not enjoy specific additional powers, and may sometimes find themselves in a minority within the elected council, a personal mandate may enable them to appeal directly to constituents.

This mandate can enable mayors to represent a diverse range of community interests, to work more effectively with central governments, business and other key partners, and to exercise more influence within the council organisation, both in negotiations with other councillors and with senior management. However, when a directly elected mayor does not have executive powers, it can prove difficult for them to effect change and implement the mandate as directed by public vote.'

In an attempt to ascertain what impact directly elected mayors have on service delivery, Dhillon (2006) highlights that many local authorities in England with directly elected mayors have received positive endorsements. These include significant improvements on street scene, crime and liveability issues. Dhillon also contends that directly elected mayors with a direct democratic mandate from the electorate could exercise the authority to pull partners together and deliver integrated, joined-up delivery. For example, the directly elected mayor of Lewisham suggested he had the freedom to act independently of the council as a service provider and his role is widely accepted amongst the local partners in his area. In addition, the directly elected mayor of Watford reported that her mandate gave her moral authority when trying to bring together public and private partners to get agreement for a new hospital (Dhillon 2006).

As a figurehead, a directly elected mayor can also raise the profile of an area and provide a focal point for businesses and other key stakeholders, with the benefit of attracting inward investment. For example, the first directly elected mayor of Hartlepool noted how the local business community viewed him as having the influence and leadership to drive the local economy when he was elected. Meanwhile, the mayor of Doncaster remarked that "the directly elected mayoral system provided the dynamism

and decisiveness that business people wanted when investing” (Dhillon 2006).

Thomson (2012) argues that, while not all directly elected mayors have been successful, there are signs many have been able to achieve significant results. Importantly, the opportunity that the directly elected mayoral model provides for independent-minded candidates not wedded to party dogma and process to secure their party's nomination does offer the chance not only to challenge de-facto one party rule in particular areas, but promote genuine policy innovation in all areas. Thomson also contends that, with their significant personal mandate, directly-elected mayors play a key role as a figurehead for their locality, both in terms of attracting inward investment and the ability to co-ordinate the interests of disparate groups across an area.

A directly elected mayor is one way to develop and enforce co-ordination and most of the mayors interviewed by Elcock (2008) claimed success in doing this. Directly elected mayors argued that they had ‘made a difference’, in particular by speeding up their authority’s decision-making processes and improving co-ordination. Elcock highlighted one mayor who declared that he is ‘responsible and that makes you speed things up’. He also contends that directly elected mayors attach greater importance to their role in representing their authorities both to local business and other organisations and to national and supra-national government agencies, up to and including international commissions. This role was especially important in areas that had suffered industrial decline, where directly elected mayors were required to play a leading part in securing new investment and encouraging regeneration schemes that would make them more attractive to local and outside investors. This aspect of industrial decline is a key element in the case of Geelong.

Grant, Dollery and Kortt (2015) argue that that voters may have a perception that ‘an ‘outsider’ directly elected by popular vote will be in a better position to ‘fix’ the perceived problems of an individual local government area.’ This aspect indicates that celebrities may continue to have more appeal with voters than those ‘rusted on’ in the local government system. Nevertheless, it is clear from the literature that whatever the system, a mayor’s role - whether directly elected or not - rests largely on their ability to cultivate relationships with the council and higher levels of government. Without an ability to foster positive relationships, a mayor cannot constructively influence stakeholders or the constituency.

#### **4.1.2.2. The arguments against the directly elected mayoral model**

Martin and Aulich (2012) found that facilitative leaders are more likely to be successful and effective regardless of the structure in which they work.

They argue that the method of election of the mayor (either by direct public vote or a vote by peers) was not a significant factor in the effectiveness of mayors. Moreover, the requirements of leadership do not differ between directly elected mayors and those appointed by their peers, especially in terms of handling key community and organisational issues.

Sansom (2012) also argues that there are many mayors who, regardless of their method of election, exercise considerable authority and provide forceful leadership, irrespective of the precise wording of legislation. It could be argued, therefore, that leadership skills are more relevant to effect change regardless of democratic processes. Kemp (2006) contends that indirect election avoids personality politics and ensures leaders have the necessary local government experience to be effective.

There is evidence to suggest that the lack of formal powers does not necessarily preclude the emergence of effective mayors, and the New Zealand model provides many examples of strong and effectual civic leadership based on the mayor's popular mandate and personal qualities (Sansom 2012). In addition, even when a strong mayoral structure is in place, it is not always guaranteed that the directly elected mayor will exhibit effective leadership, resulting in a weak mayor operating within a strong mayoral model (Wilder 2015).

Elcock (2008) contends that some mayors' allegiance roles relate very much to the national political parties that can control local authorities. This aspect is important in the case of Geelong. With the focus being solely on CoGG's directly elected mayors, the entrenched behaviour of existing councillors - many aligned to political parties - appeared to cause some difficulty in everyone adjusting to the new system. However the lack of ethnographic studies to specifically examine this issue limits a full understanding of this.

Grant, Dollery and Kortt (2015) contend that, if a new directly elected mayor is charged with 'responsibility for (amongst other functions) providing a 'vision' for a local area, overseeing councillor roles, supervising the appointed executive, and liaising with other types of governance, it is difficult to envisage a novice mayor undertaking these roles with any degree of competence. It needs hardly be stressed that this would disappoint their constituents and, possibly, undermine the legitimacy of local government more generally.'

Some of those opposed to the popular election of the mayor of Geelong pointed to the dangers of personality politics and the potential for candidates with greater resources to 'buy' the mayoralty. There were also concerns that the mayor might veer 'out of control', running a purely



personal agenda, or conversely that there could be gridlock between the mayor and an opposing majority of councillors (Sansom 2012). It is evident that there has been some of this gridlock within CoGG.

Regardless of the arguments 'for' and 'against' the directly elected mayoral model, public expectations are very high that a directly elected mayor can perform miracles. Satisfying those expectations will continue to prove very difficult. This is especially so when it is not clear in advance what the powers of a mayor will be (Commission 2012). Given this, it is important to be clear on the powers for the mayor of CoGG. Verheul (2010) argues that 'people want leaders who contribute to the formation of a community's identity, who have a clear vision and who give direction'. While Martin and Aulich (2012) claim that 'connective' leadership is important to enable leaders to keep their communities together in an ever more complex environment. Due to the lack of comparative data on mayoral skills versus directly elected mayoral systems, there is no certain result and more research is required in this area. However, it is apparent that both aspects play an important role in the directly elected mayoral process for Geelong.

#### **4.1.3. Holding directly elected mayors accountable: the recall motion**

When the direct election of mayors in Germany was adopted in the 1990s, it was accompanied by a recall provision through which the mayor could be removed from office at any time by means of a local referendum. Wollmann (2005) highlights that this system has significantly strengthened and enlarged the political empowerment of citizens. A recall motion is deemed to be passed, if the yes votes find a majority among the voters and reach a certain threshold of all eligible citizens. If this occurs, the mayor is obliged to resign, and a new mayoral election is held (Scheffold & Neumann 1996). This direct democratic mechanism of recall as a last resort for calling the mayor to account has been introduced in most federal States (Länder). While it did initially result in the replacement of a few directly elected mayors, with the media commenting on the new local sport of citizens 'playing skittles with the mayors', once the formulae was amended, the process was improved.

The Japanese approach is similar: *Article 178 of the Japanese Local Autonomy Law* notes that a vote of no-confidence in the local government leader by the local assembly (66% quorum and 75% of those present) automatically dissolves the assembly itself after ten days. In effect, a system of Mutually Assured Destruction (MAD) ensures a level of collective sacrifice that inhibits game playing by political parties (Warwick Commission 2012).

#### **4.2. Retain the directly elected mayor for Geelong and improve it**

The key point in favour of a directly elected mayor is that he/she is directly and clearly accountable to the electors of the whole municipality. The literature provides ample evidence that a directly elected mayor can use their democratic legitimacy to speak and negotiate on behalf of the whole community.

It is also argued that directly elected mayors significantly enhance the visibility of the mayor's office by:

- The enduring nature of the position over a term of several years
- The greater capacity for continuity and delivery over the several year term
- The attention that the local community and media focus on the individual in that position.

Sansom (2012) notes that directly elected mayors are appointed in New Zealand, Queensland and Tasmania 'and all the mayors interviewed in those jurisdictions affirmed the value and importance of having a personal mandate.' The paper goes on to state:

*"Even though mayors may not enjoy specific additional powers, and may sometimes find themselves in a minority within the elected council, a personal mandate was seen to enable them to appeal directly to constituents, to represent a diverse range of community interests, to work effectively with central governments, business and other key partners, and to exercise more influence within the council organisation, both in negotiations with other councillors and with senior management."*

In 2011 the Victoria State Government took a positive step towards improving local government in Geelong by implementing its policy to allow for the direct election of a mayor. The stated aim was to have a directly elected mayor at the head of CoGG, to provide strong drive and leadership, to increase the prospects of major initiatives being promoted, processed and delivered across a broad economic, social and environmental agenda.

In its submission at the time, the CfG argued that it would be a high-risk strategy to simply imbed a directly elected mayoral system on to the existing representational structure of 12 single councillor wards. To optimise the prospects of success, the CfG argued that a fresh start was highly desirable. This would have enabled mayoral candidates, and the successful incumbent, to have a level of confidence that the structure they were to preside over had been designed with a view to it achieving a good balance between corporate efficiency and democratic representativeness - and that it had been designed to suit the new governance model. The model advocated by the CfG was not adopted. Instead, the directly elected mayoral position was 'bolted on' to the existing structure, arguably leaving any incumbent in the mayoral position with a diminished opportunity to be effective.

One observation on the CoGG system seems to be pertinent. A directly elected mayor can claim to have a mandate, but without some legislative authority and powers, the mayor is severely constrained. In the case of Geelong, under the existing structure, there are 12 other councillors from single member wards who also can claim that they have a mandate. The directly elected mayor needs to be **more** than first among equals. This point is argued further below.

Given the comprehensiveness of the *Act's* review, it is expected that 'modernising' changes will be proposed. The CfG believes that there is a strong case for building on, and

enhancing, the **special** arrangements that have been put in place for CoGG, especially in respect of the direct election of the mayor.

There is evidence in the literature to indicate that, once a community has experienced a directly elected mayoral system, they appear reluctant to revert to previous systems. For example, Doncaster in the UK, took the opportunity of the 2012 referenda to re-test public opinion on the direct mayoral elections they had already introduced in 2001. The result of the referenda indicated strong community support to retain the directly elected mayoral system.

As Geelong transforms, now is not a time to retreat to the days of internal council politics determining the leader of our city. Evidence from around the world shows that a good directly elected mayoral model can lead to success but, unfortunately, Geelong does not have a good model. It is vital that, in order to move our city forward, CoGG needs an improved directly elected mayoral model.

#### **4.3. Go further – directly elect the mayor and deputy mayor as a team**

In its 2011 submission, the CfG proposed the election of a mayor and deputy mayor as a team, as happens in the City of Melbourne. However, the Victoria State Government did not adopt this concept. Section 11C (1) of the CoGG Amendment Act 2012 provides that the council must elect a councillor to be a deputy mayor.

The CfG still holds the view that the mayor and deputy mayor should be elected as a team. The CfG particularly endorses the value of mutual support with such a team. It should be easier to attract the interest of a 'good candidate' to stand as mayor if he/she knew they were taking on the task with a known partner and ally.

In selecting an appropriate candidate for deputy mayor, consideration is likely to be given to broadening the electoral base of the mayoral candidate. It is noted that, in the Melbourne City Council elections, teams sometimes blend candidates of different political affiliations, thus reducing the direct party political influence in the election process. The CfG believes that teams are also often balanced in gender terms and this would provide greater gender equity in the case for Geelong.

A precedent is set in Victoria with the dual model used for the City of Melbourne. The CfG supports this model for Geelong and notes the provisions set out in Section 15 of the City of Melbourne Act 2001. The CfG believes that these provisions should guide new arrangements for Geelong:

“15. Joint nominations for Lord Mayor and Deputy Lord Mayor

(1) A candidate for the office of Lord Mayor or Deputy Lord Mayor at a general election must nominate for the office jointly with another person.

- (2) The notice of candidature must specify which of the 2 candidates nominating is seeking election as Lord Mayor and which of the candidates is seeking election as Deputy Lord Mayor.
- (3) A person may only nominate once for election either to the office of Lord Mayor, or to the office of Deputy Lord Mayor, at an election.”

The CfG also supports Section 11 (1) of the CoGG Amendment Act 2012 stating that a person who is a candidate for election as the mayor is not eligible to be a candidate for election as a councillor if the elections are conducted at the same time. If a deputy mayor is to be directly elected, this provision should be extended to cover the deputy mayor as well.

When considering the advantages and disadvantages of the mayor/deputy mayor being prevented from standing as a councillor, the CfG believed that it came down to the relative weight put on two issues: would the risk that failed mayor/deputy mayor candidates on the Council being disruptive be a greater or lesser concern than mayor/deputy mayor candidates being prevented from also standing as ordinary councillors being a waste of talent?

On balance, the CfG gave greater weight to the concern that failed mayor/deputy mayor candidates could be disruptive as ordinary councillors. The CfG also holds the view that serious candidates wanting to provide leadership in the mayor/deputy mayor positions would be unlikely to want to hedge their bets by standing for both positions.

On this question, the CfG also notes the provision in Section 16 of the City of Melbourne Act, 2001 preventing the mayor and deputy mayor from standing for election as a councillor.

#### **4.4. Expectations of the mayor**

The success of local government leadership in Geelong will largely depend on the attributes and qualities of the individuals who are directly elected as mayor and deputy mayor and their understanding of the roles that are to be performed.

Whether it is through legislation or some other means, the expectations and attributes of the mayor and the requirements of the role should be laid out in a job description similar to the manner in which a job description is provided for a chief executive position.

##### **4.4.1. Expectations of mayoral candidates**

The CfG believes that accountability to the constituency would be enhanced if candidates in mayoral teams articulated their vision, policy platform, programs and plans for their four-year term - much the same as happens in State Government.

This would leave the way open for the mayor and deputy mayor, in tandem, to run as the leaders of a team, and might be extended to include candidates contesting ordinary councillor positions across the municipality. The mayor, deputy mayor and

all those candidates in the team would prosecute the manifesto and, if elected, could have a majority and a clear mandate.

Voters could then judge the performance of the mayor, deputy mayor and the Council against its policies, programs and plans over the four-year term.

#### **4.4.2. Expectations of the mayor in office: role and responsibilities**

The CfG agrees with the Municipal Association of Victoria's (MAV) key mayoral roles as follows:

**Leader of council** - the mayor presides over council meetings and ensures they are conducted in accordance with local laws and established conventions and protocols. The mayor promotes high standards of democratic governance and chairs meetings efficiently, firmly and fairly. If a vote is tied, the mayor has the casting vote.

**Enhancer of good governance** - the mayor is a symbol of democratic leadership to the communities, council and council staff. Creating political stability within the elected council and ensuring effective and respectful communication between councillors and the chief executive officer are part of the mayor's role.

**Builder of external and media relations** - developing and maintaining relationships with stakeholders including, other councils, state and federal governments, community and business groups, and the media is part of the mayor's role. The mayor also acts as the council's public spokesperson to communicate its role, decisions and activities, and promote council and community interests.

**Promoter of civic and institutional pride** - the mayor serves as the council's social, cultural, political and business ambassador by presiding over key civic functions, maintaining a presence within the municipality and ensuring that the council is appropriately represented at relevant and important occasions. Formal visitors and delegations to the municipality are welcomed by the mayor. The mayor also presides over local citizenship ceremonies; opens exhibitions, events, demonstrations and ceremonies; presents awards; and visits schools and community groups.

**Supporter and engager with the community** - promoting community development, defending communities against external threats and displaying public leadership in times of disaster are also part of the mayor's role. The mayor is accessible, visible and approachable.

**Facilitator of the governing process** - the mayor leads the whole council by facilitating the participation and inclusion of all councillors and ensuring effective communication and respectful relationships. The mayor heals rifts among colleagues and minimises the political isolation of any councillor. The mayor puts

the interests and harmony of the council above his or her own and takes ultimate public responsibility for the council's performance.

In addition, the CfG offers the following leadership areas for the mayor:

### **Mayor as leader of the council**

This internal leadership role involves:

- Setting up an effective governance structure within the scope of the legislation
- Presiding over the decision-making structures of the Council
- 'Managing' the councillors to form them into a team (working on the relationships and cohesion between the councillors)
- Providing motivation and leadership to the administration so they gain a strong sense of what is important (not managing the staff, which is the CEO's role).

### **Mayor as leader in the community**

This external leadership role provides scope for the mayor to use the position:

- To bring people together around a specific vision for the future
- To act as a catalyst for finding best solutions to issues
- To aid co-ordination and cohesion
- To effectively position the Council in its strategic relationships with the Commonwealth Government, State Government, key agencies and institutions, community organisations and stakeholders.

### **Mayor as a leading figurehead (or spokesperson)**

The mayor is spokesperson for the Council, making public statements, which project a positive image of the Council (and his/her own image) whether it is in the media or speaking on public platforms in Australia or abroad.

### **Personal attributes of the mayor**

Provided the mayor has relevant leadership skills and attributes, experience in local government is not a necessary prerequisite. However, the mayor will possess most, if not all, of the following personal attributes:

- Absolute integrity, both personal and professional
- A record of high achievement, including as a leader
- Demonstrated qualities of leadership, drive and commitment
- Good public speaking ability
- Socially at ease, articulate, diplomatic and politically astute
- A good listener
- Adept and confident in handling the media
- The ability to master complex briefs and to argue a case coherently
- The ability to act as a spokesperson in Australia and abroad
- An understanding of the needs and aspirations of various sections of the community.

#### 4.5. Modernise the authority and powers of the mayor

The CfG supports the retention of a directly elected mayor for Geelong but with more power and authority, who, when supported by a group of councillors with a 'big picture' focus can contribute strongly to the economic and social well-being of Geelong, its citizens and its business enterprises.

Two sources are quoted to demonstrate that the case for increased powers is not radical and indeed is being considered and successfully implemented in other jurisdictions.

Sansom (2012) argues that in some Australian states the role of mayor has not been updated so that it interacts with other wide ranging reforms that have occurred in local government.

The discussion paper states:

*"The functions of mayors should be updated and recodified to match other changes that have occurred in Australian local government. Except in Queensland, the structures and norms of political governance have largely failed to keep pace with the expanded functions of local government, and especially the growing expectation that councils will act more strategically to reflect and represent the needs and aspirations of their communities, and ensure sound management of community assets. These goals cannot be achieved unless the political arm of local government has the capacity to discharge its responsibilities effectively alongside those of management."*

Sansom looks at the overseas experience on this subject and explores an Australian model which he describes as the 'semi-executive' mayor – one with more responsibilities and greater authority than is generally the case at present, but who remains subject to a 'separation of powers' between the political realm of policy and strategy on the one hand, and the management realm of administration and program implementation on the other.

The Sansom discussion paper states:

*"What emerges strongly from the literature and international discourse is a perceived need for what has been described as local 'facilitative leadership' or 'place-based leadership' grounded in local government and, in particular, the office of mayor. It is argued that more effective civic leaders are required in order to, among other things:*

- *Engage the community and other local stakeholders in formulating a strategic vision and supporting plans*
- *Secure political support within the body politic for the adoption and concerted consistent implementation of strategic plans and associated budgets*
- *Maintain ongoing partnerships with others involved in implementation, especially sound inter-government relations in which the local voice is heard and respected."*

Drawing on observations from overseas, Sansom advocates an Australian model which he describes as the 'semi-executive' mayor – one with more responsibilities and greater authority than is generally the case at present, but one who remains subject to a 'separation of powers' between the political realm of policy and strategy on the one hand, and the management realm of administration and program implementation on the other.

The CfG has not formed a firm view on the extent of increased powers and authority that should be granted to the mayor of the CoGG, but it clearly needs to be more than it is at present. One possibility would be to replicate the Melbourne system in Geelong.

In addition, the mayor's office should have appropriately qualified and experienced personnel to provide a high level of advisory and administrative support. This could be similar to the support available to the lord mayor and deputy lord mayor of Melbourne where the chief of staff, along with support staff, works closely with the offices of the chief executive officer (CEO), councillor support, directors and managers to ensure an effective relationship exists to support the functionality of the council. As per the relevant provision in the *Act, Section 94a*: "The CEO is responsible for appointing, directing, managing and dismissing council staff." Therefore, staff in the lord mayor's office are employed by the corporation and they report to the CEO. The CfG believes that alternative models should also be considered, such as the arrangements for Auckland, New Zealand, where the mayor has independent staff who all report to the mayor and not the CEO of Council.

In addition, Auckland is an example where the mayor is the head of the Auckland Council's governing body and provides overall leadership to other elected members and the organisation.

Pursuant to *section 9 of the Local Government (Auckland Council) Act 2009*, the mayor has enhanced responsibilities:

- To articulate and promote a vision for Auckland
- To provide leadership for the purpose of achieving objectives that will contribute to that vision.

The role of the mayor also includes:

- Leading the development of council plans (including the long-term plan and the annual plan), policies, and budgets for consideration by the governing body
- Ensuring there is effective engagement between the Auckland Council and the people of Auckland, including those too young to vote.

To undertake these roles, the mayor has a number of powers, including to:

- Establish processes and mechanisms for the Auckland Council to engage with the people of Auckland, whether generally or particularly (for example, the people of a cultural, ethnic, geographic, or other community of interest)
- Appoint a deputy mayor
- Establish committees of the governing body (the mayor is a member of each committee of the governing body)
- Establish and maintain an appropriately staffed office of the mayor
- Appoint the chairperson of each committee of the governing body and, for that purpose, the mayor:
  - May make the appointment before other members of the committee are determined
  - May appoint himself or herself.



The Auckland model would be a useful guide in prescribing the role and powers for the mayor of the CoGG.

The CfG agrees with Sansom's view that the mayor's powers and responsibilities should be articulated either by statute or some other means so that the 'rules of the game' are clear. It also agrees that, in cases where the mayor has considerable power and authority, the mayor must represent accurately the policies and decisions of the council in performing his or her function.

The Sansom discussion paper supports a number of the arguments put forward by the CfG in its 2011 submission leading up to the implementation of the Victoria State Government's directly elected mayor policy. No doubt the Sansom discussion paper will serve to inform the designers of the new Local Government Act.

It is the CfG's firm belief that the implementation of legislation strengthening the mayor's role as the centrepiece of arrangements is essential for modernised local government in Geelong. The directly elected mayor concept should be retained and creatively built upon to improve the capacity and performance of local government in Geelong.

## 5. An adequate, fair and effective representational structure for Geelong

**Adequate representation** is generally interpreted as a sufficient number of representatives:

- Relative to the number of electors
- To provide various interests and sectors within the electorate with an opportunity of representation within the council membership
- To effectively fulfil the legislative and community requirements of the role.

**Fair representation** is generally interpreted as requiring:

- A democratic election process
- An equality of representation for electors
- That the system does not favour any interest group or geographic location, but all electors are provided with an equal opportunity for representation.

**Effective representation** is achieved when councillors:

- Demonstrate a capacity for strategic decision making
- Play a collective leadership role
- Work towards the advancement of the community as a whole, rather than represent small pockets or narrow interests.

### 5.1. Current legislative arrangements

#### 5.1.1. For Victorian councils

Under current legislation Victorian councils may have one of five ward structures:

- Un-subdivided councils, where the councillors are elected by all the voters in the municipality;

- Councils divided into single-member wards, where one councillor is elected in each ward;
- Councils divided into uniform multi-member wards, where the same number of councillors are elected in each ward;
- Councils divided into non-uniform multi-member wards, where the number of councillors elected in each ward is not the same;
- Councils divided into a mix of single and multi-member wards.

*(Note: The Georgiou Electoral Review recommended that the practice of allowing the two last mentioned electoral structures within one municipality be discontinued. If this recommendation was legislated it would mean that of the five existing ward structures currently available, only three would continue:*

- *Single-member wards*
- *Unsubdivided councils*
- *Uniform multi-member wards.*)

Currently, council elections are held using a preferential system of voting, where voters have to number the candidates in order of preference. The *Act* specifies two systems for counting the votes. For elections in single-member wards, the ballot counting system used is the full preferential system. For elections in multi-member wards and un-subdivided councils, the ballot counting system used is the proportional representation system. Voting systems are discussed in more detail later in this submission.

### 5.1.2. For the City of Greater Geelong

The *CoGG Amendment Act 2012* prescribes a reconstitution of the council from 2016 viz.

- “8(1) from the general election, to be held in 2016, the council consists of –
- (a) A mayor elected to represent the CoGG as a representative of the municipal district as a whole; and
  - (b) Not fewer than 4, and not more than 11, councillors elected –
    - (i) To represent the municipal district as a whole; or
    - (ii) To represent wards into which the municipal district is divided.”

Neither the provisions of the *CoGG Amendment Act 2012*, nor the provisions of the *Local Government Act 1989* allow for the consideration of a model where a number of councillors are elected from across the whole municipality and a number elected from wards – what might be termed a ‘hybrid model’, or in the past has been called ‘the dual voting system’.

In section 5.3.3 the CfG argues that the ‘hybrid model’ should be available for consideration by the VEC when reviewing electoral arrangements and if not able to be made available for the VEC’s 2015 review it should become available to the VEC when conducting future reviews through appropriate provisions in the new Local Government Act.

## **5.2. Recent and current representational structures used in Greater Geelong**

CoGG was created following the Local Government reform in 1993. The first CoGG election in 1995 used a 12 single member ward structure. In 1997, the then Minister for Local Government announced that the CoGG would adopt the 'dual voting system' that had been introduced into the City of Melbourne in 1996. In Greater Geelong, the structure adopted was five councillors elected at large representing the whole municipality and four councillors from four geographical wards. The first election using this structure was held in March 1998.

In 2000, the council reviewed the arrangements and considered three options: retaining the current system, a 12 ward structure with single members and a two tiered system with 12 councillors. The 12 single member ward structure was adopted and councillors were elected on this basis in 2001.

The 'dual voting system' gives voters two votes – one vote for the candidates seeking to be elected 'at large' for the whole municipality and one vote for the ward candidates, using proportional representation in the 'at large' election and exhaustive preferential voting in single ward elections. It was argued at the time that the dual system was adopted in an endeavour to find a balance between the needs of local communities and the governance needs of a capital city. Further, while a ward structure might satisfy the needs of local communities it did not satisfy the needs of a city with economic and social demands for the wider community.

The Victorian Electoral Commission (VEC) last reviewed ward structures in Geelong in 2008, reporting on 12 May 2008. It recommended 12 single councillor wards and this structure still exists.

## **5.3. There are better options for Geelong than a 12 ward representational structure**

In the following sub-sections, the CfG outlines what it sees as the shortcomings on the 12 single member ward structure. It advocates consideration of three alternative options, which it believes would offer fairer and more inclusive representation for the Geelong community.

### **5.3.1. The 12 single member ward structure has serious shortcomings**

While there may be a concern that removing the single member ward structure will create a paucity of representation to constituents, the CfG believes that a better system for Geelong can be achieved. Although the ward based approach may be simpler for the community to understand, and it may be considered that Government structures can become complicated with a mixture of wards, Geelong's single member ward system still requires improvement. In its 2008 review, the VEC considered that no single-councillor ward structure could be drawn that effectively captured the communities of interest within the CoGG and that in any single-councillor model, some boundaries must be drawn arbitrarily,

thereby dividing communities of interest such as Clifton Springs and Drysdale and inappropriately combining others such as the rural voters and those in the outskirts of urban Geelong. It also acknowledged that there would always be difficulty in determining the ideal boundaries under any of the models, largely due to the geographic composition, perceived communities of interest and the need to meet the legislative requirements.

Despite its reservations, the VEC came to the conclusion, and recommended, that a structure with twelve single-councillor wards was most likely to provide the best balance against the criteria it considered for the electoral representation review and was satisfied that its 12 x 1 structure would provide the best opportunity for fair and equitable electoral representation to voters of the CoGG.

In light of the VEC's deliberations, and the difficulty it had in reaching its conclusions in 2008, the CfG holds the view that the 12-councillor structure has not delivered the community of interest benefits sought by the VEC in 2008. Largely this is because the only community of interest served by a 12 ward structure is a geographical community of interest and this gives a clear weighting to residential voters. Significant non-geographical 'community of interest' sectors such as the agriculture, tourism and retail sectors and, for example, community groups representing the aged, people with a disability and the culturally and linguistically diverse are not well represented in a 12 ward structure. The CfG also believes that a 12 ward structure potentially facilitates parochialism that limits the opportunity for a broad, whole-of-municipality approach to the identification of strategic issues, the development of regional projects together with broad-based decision making.

'Mirror representation', as cited in the 2013 Local Government Electoral Review discussion paper, states that more effective representation occurs when specific groups in a society are represented according to their ratio in the community. Representatives should, as closely as possible, represent the shades of opinion, the interests, and diversity of the community at large.

The Proportional Representation Society of Australia, Victorian-Tasmanian Branch (PR Society), an organisation which rigorously studies representational structures and voting systems, claims that the preferential voting system used in single member wards limits the proportion of effective votes cast for a candidate, and thereby generates a high proportion of 'wasted' votes. It can also allow minority groups to achieve control of a council at the expense of majorities. In its submission to the VEC's current electoral review on the CoGG it states:

"Single-councillor ward electoral systems exaggerate majorities, particularly quite small majorities, and as a consequence lead to under representation of quite large majority viewpoints and a distortion of the community's views. Such under-representation

inevitably leads to an increase in the level of dissatisfaction with local government. It may also lead to an unhealthy interest in the exact configuration of boundaries rather than service the interests of the community as a whole. Proportional representation, on the other hand, provides the best opportunity for the widest variety of community opinion to be represented on Council.”

Tellingly the PR Society adds:” Proportional representation does not reduce geographically based communities of interest, but single-councillor ward systems arbitrarily and unnecessarily destroy any non-geographical communities of interest.”

### **5.3.2. An un-subdivided municipality has considerable merit**

An un-subdivided municipality appeals to the CfG, because it is capable of accommodating non-geographical community of interest sectors as described above in 6.3.1. Under the present 12-ward structure the voices of important interest sectors are indistinct and constrained.

In its 2008 review, the VEC considered an un-subdivided municipality but ruled it out because it:

- Recognised that there are a number of distinct communities of interest within the municipality, including established and new residential areas, vast rural areas to the north, commercial and retail precincts, as well as significant coastal locations
- Noted the large and rapidly growing number of voters in the city
- Believed it would be extremely difficult for candidates to canvass all of the electors if the municipality were un-subdivided
- Believed it may lead to an unreasonably large number of candidates on ballot papers.

An un-subdivided municipality may, in the opinion of the VEC, have some drawbacks. However it is a good way in which sectors of interest within the community at large can assemble voting support in sufficient numbers to give candidates representing those sectors a reasonable chance of succeeding in an election to become a councillor.

An un-subdivided municipality, together with the proportional representation system of voting, increases the prospects of candidates representing sector constituencies being successful. In part, this is because successful candidates only have to receive a quota of votes, not a majority as in preferential voting, and their chances of obtaining the quota are enhanced if they can gain voting support across the whole municipality. This level of support is quite difficult to achieve in a geographically prescribed ward.

In an un-subdivided municipality, the CfG would favour a Geelong council of seven members in total, comprising:

- The mayor and deputy mayor, both directly elected,
- Five councillors elected from the municipal district as a whole.

### 5.3.3. A 'hybrid model' could be an effective structure for Geelong

Although CfG can see considerable merit in an un-subdivided municipality, given the large size and population distribution of the municipality, it has sufficient sympathy for the view that there is a need to ensure some measure of geographical representation that it is prepared to support a 'hybrid model' – in attempt to balance the interests of all.

The fact that CoGG's 'dual voting system' was discontinued in 2001 after just one term should not preclude it from being allowed as a model that is available for consideration by the VEC when reviewing council electoral arrangements. Its trial in Geelong followed shortly after six Geelong councils had been merged into one, and in a period of local government transitional instability in Victoria, and its discontinuation in Geelong was decided by the council itself, not by the independent VEC.

Theoretically its historical origins should not invalidate the dual system as a legitimate democratic electoral system. In practice, its politicised introduction has tainted the system and makes consideration of it in isolation of its origins inadequate.

The CfG has concluded that a 'hybrid model' would certainly be superior to the present 12 single ward structure, and would support a model with four councillors elected from four geographically delineated wards (4 x 1), plus three councillors elected from across the municipal district as a whole (1 x 3).

A measure of confidence is gained in the 'hybrid model' (or what South Australia refers to as the 'mixed model') with the experience of the City of Adelaide. Granted, it is a much smaller area than Geelong, but it has been applied in the City of Adelaide since 2007 and was recommended to continue following an Electoral Representation Review in 2013.

Currently there are 12 councillors elected as follows:

- The lord mayor elected by the electors for the whole municipal area
- Four councillors elected as representatives of the municipality as a whole and
- Seven councillors elected as representatives of three defined wards – 2 wards x 2, 1 ward x 3.

In explaining the reasons for making the recommendation, the draft report on the proposed Adelaide structure states:

“The election of councillors from the council area as a whole is the only councillor composition that ensures the fundamental democratic principle of one vote one value.....”

“The inclusion of the election of some councillors as representatives of wards incorporates the desirability of reflecting communities of interest of an economic, social, regional and other kind and improves the perceived feasibility of communication between electors affected by the proposal and their elected representatives.”

The CfG considers that, with the new heightened awareness in Geelong of the mayoral system, the VEC’s deliberations could easily lead to a different conclusion than the one drawn in 2008. The CfG believes that the legislation and/or the criteria used by the VEC in determining electoral representation should allow for a ‘hybrid model’ to be considered and, if appropriate, recommended.

**Under a hybrid model the CfG’s preferred structure for Geelong Council is nine members in total, comprising:**

- The mayor and deputy mayor, both directly elected
- Four councillors elected from four geographically delineated wards (4 x 1)
- Three councillors elected from the municipal district as a whole (1 x 3).

#### **5.3.4. Fairness and equity scores well in some multi-councillor ward models**

While both multi councillor wards and single councillor wards allow for direct representation of geographic areas and direct accountability of ward representatives, the key advantage of multi councillor wards is that the proportional representation (PR) voting system used in multi councillor wards delivers enhanced fairness and equity outcomes that are generally absent under a single councillor ward structure. Under PR, the full value of the votes of a higher percentage of voters is used in multi councillor wards to elect a representative.

Other favourable benefits claimed by the PR Society for multi councillor wards with an odd number of wards and the same odd number of councillors in each ward include:

- As councillors are required to vote on all issues before the council, they are thus given a compelling motive to become equally informed about all such issues rather than tending to confine their knowledge to a small localised ward
- Citizens have the maximum choice of councillors to approach in order to discuss matters of concern to them
- Ward boundary decisions, which can be, or perceived to be, invidious, are less likely to be required, and boundaries are less likely to require the periodic re-adjustment, which can be quite contentious, to cater for changes in relative enrolment numbers
- Citizens do not become uncertain or confused about which ward they are in
- Unopposed councillors being returned is less likely so a more active democratic culture develops.

When considering the fairness and equity of representation from multi councillor wards, there is some variation between views held by the PR Society and the views expressed in the Georgiou Electoral Review Report. The PR Society prefers a municipality being divided into an odd number of wards with the same odd number of councillors being elected from each ward, as it claims that this ensures that the majority of councillors have been elected by the affirmative votes of an absolute majority of voters in each ward. It claims that wards electing an even number of councillors is a poor use of PR because the anomaly may arise that one candidate might win 65% of the vote and another just 35% yet the two would have equal representation. In its preliminary submission to the current VEC review, the PR Society strongly urges the VEC not to recommend any electoral districts with an even number of councillors. It states: "Only by having an odd number of councillors elected in each ward can the important democratic principle that majority support should lead to majority representation be maintained."

On the other hand Georgiou, as mentioned earlier in this submission, advocates reducing the available representational structures on the grounds of fairness and equity. However, under Georgiou's proposal, structures which would allow an even number of wards with an even number of councillors being elected in each ward would still be permitted.

**If the rules were changed to reflect the PR Society's concept of fairness and equity (i.e. an odd number of wards with same odd number of councillors) the CfG would favour a structure for Geelong Council of eleven members in total, comprising:**

- The mayor and deputy mayor, both directly elected
- Nine councillors, three elected from each of three geographically delineated wards (3 x 3)

**Working to the Georgiou concept of fairness and equity (i.e. allowing even numbers of wards and even numbers of councillors) the CfG would advocate consideration of multi councillor ward structures including:**

**A Geelong Council of ten members in total, comprising**

- The mayor and deputy mayor, both directly elected
- Eight councillors, two elected from each of four geographically delineated wards (2 x 4)

Or

**A Geelong Council of twelve members in total, comprising:**

- The mayor and deputy mayor, both directly elected
- Ten councillors, two elected from each of five geographically delineated wards (2 x 5).



The CfG understands the merit of having representational structures that satisfy, and can be shown to satisfy, fairness and equity tests. However, as argued in the next section, the CfG favours a situation where the legislation allows a full range of representation structures being available to the VEC when it undertakes reviews. When making recommendations it would then be up to the VEC to test its recommendations against approved fairness and equity tests and where departures are proposed, the reasons for the departures should be fully explained.

## 5.4. Do not restrict representation options – increase them

### 5.4.1. Allow for a full range of ward structures

The most recent examination of electoral processes in Victoria was carried out by the previous State Government with a Review Panel chaired by Petro Georgiou.

Basing their considerations on the questions:

- Is the principle of ‘one vote, one value’ protected?
- Is each councillor elected to any given council elected with the same proportion of voter support?

the Panel recommended that the practice of allowing two electoral structures within one municipality should be discontinued, including municipalities that consist of:

- Both single- and multi-member wards
- Multi-member wards with different numbers of councillors in each ward.

If implemented this would mean that of the five existing ward structures currently available, only three would continue:

- Single-member wards
- Un-subdivided councils
- Uniform multi-member wards.

The Panel also recommended that the maximum number of councillors be 15 and councils should only be made up of six, nine, 12 or 15 councillors, based on a simple distribution against voter numbers. Under this scenario the Panel’s recommendation, if implemented, would limit the number of structural choices to the following:

Number of councillors	Electoral structure
6	single-member wards two wards with three councillors three wards with two councillors un-subdivided
9	single-member wards three wards with three councillors un-subdivided
12	single-member wards six wards with two councillors four wards with three councillors three wards with four councillors two wards with six councillors un-subdivided

15	single-member wards five wards with three councillors three wards with five councillors un-subdivided
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The CfG does not support this restrictive view. There are presently 15 councils in Victoria with a non-uniform number of councillors in multi member wards and another 15 with a mix of single and multi-members wards. The popularity of these models has increased over recent years suggesting that the VEC regards them and has recommended them believing them to be workable and appropriate, even though they 'offend' the fairness and equity test applied by Georgiou. If these councils are operating effectively, including rating well on community satisfaction surveys, there is a pragmatic case for them to be able to be considered in any review of electoral arrangements by the VEC.

Rather than reduce the number of structures available the CfG believes the VEC, when reviewing electoral processes, should be given access to a full range of options. When a review is scheduled the brief given to the VEC should be as simple as:

Councillors numbering between 5 and 12 (or any revised span prescribed in the new Act) should be elected:

- Either by the electors of the whole municipality; or
- From wards as electoral divisions; or
- A mixture of both.

#### 5.4.2. Allow a full range of voting systems

At present, all Victorian council elections are held using a preferential system of voting, where voters have to number the candidates in order of preference. The *Act* specifies two systems for counting the votes. For elections in single-member wards, the ballot counting system used is the full preferential system. For elections in multi-member wards and un-subdivided councils, the ballot counting system used is the proportional representation system. Votes in single-member ward elections are counted using a full preferential method, like that used for single-member electorates in federal and state elections.

For elections in multi-member wards and un-subdivided councils, a proportional representation system is used to count the votes. This is the method used for Australian Senate and Victorian Legislative Council (upper house) elections. Under proportional representation, a candidate needs to obtain a specific quota of votes to be elected. The quota is calculated by dividing the total number of formal votes by the number of vacancies plus one, and then adding one vote.

The Georgiou Panel took the view that it is important that the voting and ballot counting systems for local government elections are consistent with those used

for federal and state elections to minimise voter confusion. It stated: *“In the past, the introduction of optional or partial preferential voting for local government elections has been made difficult by the voting systems at higher levels of government. If proposed reforms at the federal and state levels were carried through, it would make the use of partial preferential voting for multi-member elections in local government viable.”*

It went on to recommend that, should the Victoria State Government adopt the recommendations of the Victorian Electoral Matters Committee and introduce **optional preferential** voting for Victorian Legislative Assembly elections, it should also introduce it for voting in local government elections in single-member wards. It also recommended that, if the Senate moves to a **partial preferential** voting system for those voting below the line, thereby making the voting system consistent with that of the Victorian upper house, the Victoria State Government should also introduce partial preferential voting for local government elections in multi-member wards and un-subdivided councils.

The Panel's report explained these systems as follows:

*“Optional preferential voting differs from full (or exhaustive) preferential voting in requiring voters to indicate a first preference only, while still allowing them to indicate more than one preference if they wish.*

*Partial preferential voting would require voters to express a number of preferences equal to the number of councillor vacancies.*

*The major advantage of optional preferential voting is that it permits voters to express their political opinion, while preserving the voting choices available to them under full preferential voting. It also reduces the incentives for candidates to engage in preference deals with their competitors in order to maximise their chances of being elected. Optional preferential voting also reduces voting informality. The major risk with optional preferential voting is that it can regress into an effective first-past-the-post method if most voters choose not to exercise their option to include preferences.”*

The CfG supports this widening of voting system choice. Consistent with the widening of choice for ward structures, the widening of voting systems should be available to the VEC when undertaking reviews in order to maximise the opportunity for effective arrangements to be recommended and implemented.

The CfG recognises that designing electoral representation is not an exact science and relies on considered experimentation, careful review and fresh implementation. Recent history shows that even voting systems used in Commonwealth elections, designed to be fair and equitable, can be exploited.

## 6. Do more for Geelong, now

Given the transformation of Geelong, our city needs strong and strategic leadership. There is a sense of urgency that has been driven by Susan Halliday's report, which found that the atmosphere at council level has compromised the capacity for appropriate governance. Geelong's progress appears distracted by the internal conflict and our city is not in a position to operate at optimum levels under these conditions. In this context, the CfG supports the Victoria State Government in taking a courageous leadership role on this issue and fast-tracking changes to the *City of Greater Geelong Act 1993* prior to the 2016 local government elections.

## 7. Conclusion

This submission has sought to express expectations, identify trends that have worked in other jurisdictions and offer some creative suggestions on how electoral representation and local government can be improved in Geelong. The time is right for Geelong and the CfG seeks immediate change in our local government, and specifically, the directly elected mayoral system. The system can be improved and we are hopeful that an amended structure and better governance will create a quality council and lead to stability in Geelong. Given this, the CfG looks forward optimistically to the outcomes of the review process.

## 8. Recommendations

In summary, for the CoGG, the CfG would like to see a new Local Government Act with features and provisions which allow for:

- 8.1. A council with broader powers, including a power of general competency, to enable the council to respond to wide ranging community needs;
- 8.2. An improvement in the quality and competence of councillors through:
  - 8.2.1. Councillors having a prescribed job description,
  - 8.2.2. Councillors being required to undertake high quality induction and ongoing training programs in role, relationships, governance and relevant skills (e.g. AICD course),
  - 8.2.3. A strengthened and enforceable Code of Conduct which includes provisions for sanctions and dismissal for misconduct or poor performance.
- 8.3. The directly elected mayor concept to be retained;
- 8.4. The concept to be expanded to include a directly elected deputy mayor;
- 8.5. The mayor to exercise enhanced powers, with increased authority and resources;
- 8.6. Consideration and assessment of a wide range of representational models to elect a council which adequately, fairly and effectively represents all sectors of the Geelong community;
- 8.7. Immediate improvement of the directly elected mayoral system and the representational structure i.e. not wait until after the 2016 local government elections.

## 9. Contact Details

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