

# Victorian Government Response to the **Geelong Citizens' Jury**

**VICTORIA**  
State  
Government

LOGIC

ASK

What do you think I need to get  
better care that I need?  
What do you think I need to get  
better care that I need?



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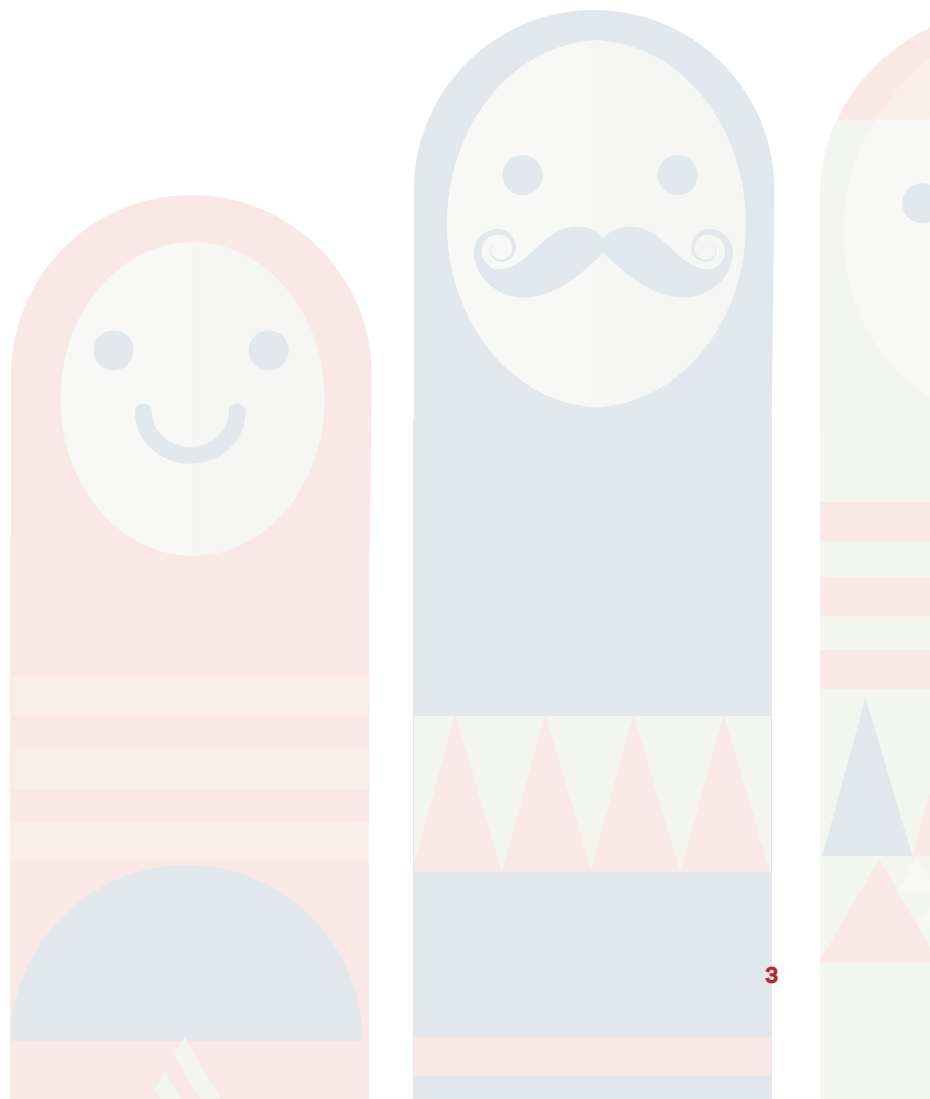
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# Foreword from the Minister for Local Government



The final recommendations and report of the Geelong Citizens' Jury on a new structure for the Greater Geelong City Council is an exciting achievement for local democracy. I am delighted to present the Victorian Government's response.

The elected Geelong Council was dismissed by the Victorian Parliament in April 2016. This was in response to the report from the Commission of Inquiry which found that the Council was dysfunctional and was not providing good government for the people of Geelong.

The jury was presented with a challenging task in responding to the question **"Our Council was dismissed. How do we want to be democratically represented by a future Council?"** Designing a Council structure that reflects both good governance and democratic representation requires hard choices. The jury has debated these decisions over many hours and made these hard choices by considering what is in the best interests of their community. They can be very proud of their effort in the service of their community.

The Victorian Government accepts the jury's "practical" recommendations. The Government also provides a level of support for the majority of the jury's "aspirational" recommendations about how to improve Greater Geelong's local democracy.

On behalf of the Victorian Government, I sincerely thank each of the 100 jurors on the Geelong Citizens' Jury who designed what the return of elected councillors for the City of Greater Geelong will look like. Their goodwill, effort and commitment to the democratic process and their desire to have a positive impact on the community in which they live, work and raise their families is to be commended.

The people of Greater Geelong and its many organisations and stakeholders also deserve thanks for playing an important role in this process by contributing their time, thoughts, ideas, community knowledge and expertise to the jury process. This input from the community ensured the jury were informed about what matters most for their community in arriving at their recommendations.

A final thank you must go to the newDemocracy Foundation and expert facilitators from MosaicLab for their professional and excellent support for the jury. They were key to ensuring this process and the jury's recommendations were independent of politics and grounded in genuine deliberative engagement.

This has been an innovative and exciting opportunity for the community to design the structure of their future Council - no other Victorian community has had the chance to do it in this way. The level of community engagement in this process and the quality of the recommendations from the jury are proof that local democracy can be enhanced through deliberative engagement with the community.

I look forward to implementing the jury's recommended Council structure in time for the people of Greater Geelong to elect their new Council on 28 October 2017.

A handwritten signature in dark ink, appearing to read 'Natalie Hutchins', written over a light blue grid background.

**Hon Natalie Hutchins MP**  
**Minister for Local Government**



# 1. Introduction

## What is a citizens' jury?

A citizens' jury is a randomly selected but representative group of citizens brought together to deliberate on complex issues by carefully considering expert information, a range of community views and different perspectives. The jury then presents their recommendations to Government about how to address those issues.

## Why was this project undertaken?

In April 2016, the Victorian Parliament passed legislation to dismiss the Greater Geelong City Council (the Council) and provide for the election of a new Council in October 2017. During the debate of this legislation, the Victorian Government committed to consult the Greater Geelong community about the structure of its future elected Council.

The dismissal of the Council was in response to the findings and recommendations of the independent Commission of Inquiry who found that the Council was dysfunctional and poorly governed. A panel of administrators was then appointed to act as the Council until a new Council is elected in October 2017.

“... We come up with a local government model that engages and incorporates true community consultation and input.” **Michael, juror**



“...Those who don't have a voice in politics are heard.” **Meryl, juror**

“... We can come to an agreement on what is best for Geelong.” **Peter, juror**



## Why a citizens' jury?

The Minister for Local Government selected a citizens' jury format as the approach to consult the community. A citizens' jury is an innovative way to involve everyday people in decision making. Citizens' juries bring together representative, random samples of citizens who are briefed in detail on the background and current thinking relating to a particular issue, asked to discuss possible approaches and/or solutions, and finally craft a set of agreed recommendations to address the issues at hand. Citizens' juries create a balance between experts and the public and support good public judgments as an input into effective decision-making.

"We make relevant and informed recommendations for the benefit of our community."

**Clare, juror**

The structure of a future elected Council is not a simple matter. The question of the best structure cannot be resolved through posing one or two basic questions and so is not amenable to a referendum. A citizens' jury enabled the community to be fully informed of the issues and options, to put forward its views and ideas and to deliberate and decide what it wants and expects from its future Council.

## Why is it important?

Greater Geelong has broken new ground with its citizens' jury. No other Victorian community has had the opportunity to influence its Council's structure in this way and to this extent. This was an incredible opportunity for the jury and other members of the Greater Geelong community to participate in and have their voice heard in a decision that will have an impact on the whole community and ultimately shape how they would elect their future Council.

"Everyone has a contribution to make regardless of education or political views." **Anonymous, juror**

"To have Geelong represented in a way that's best for the people." **Nikki, juror**

"Realising that there's a world outside myself ... that's the essence of democracy; it's not I person I vote, it's thinking outside yourself and it's doing the best for the community."

**Anonymous, juror**





## 2. Summary of the response from the Victorian Government





This response from the Victorian Government reflects the fulfillment of the commitment made by the Minister for Local Government to the Geelong Citizens' Jury.

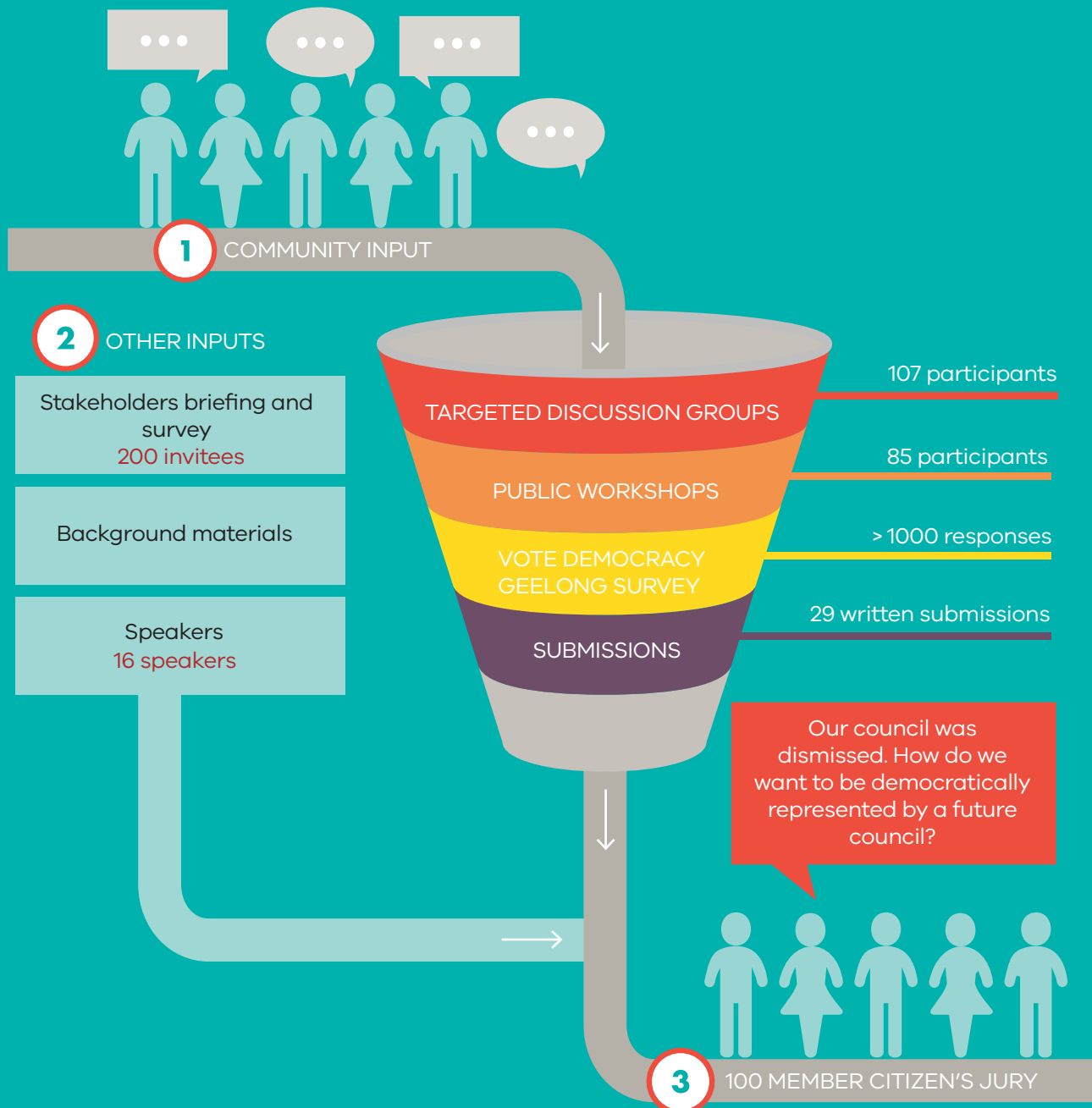
The Geelong Citizens' Jury made 13 recommendations in its Final Report. The table below summarises the Victorian Government's response to each of the jury's recommendations. The Victorian Government supports six recommendations (including both "practical" recommendations), supports-in-principle six recommendations and does not support one recommendation.

The level of support for recommendations reflects the number of parts of a recommendation the Government supports and the timing required for potential implementation. 'Support' reflects a recommendation that the Government fully supports and could be implemented in 2017; 'In-principle support' reflects recommendations that the Government partially supports and /or that could be implemented beyond 2017; and 'not support' reflects recommendations that will not be implemented at this time.

A more detailed response from the Victorian Government is provided in section 4.

Reference	Recommendation	Government response
PRACTICAL		
i.	Mayor elected by the Council from among the councillors. They should serve a 2 year term.	SUPPORT
ii.	Total of 11 councillors, elected from four wards encompassing: <ul style="list-style-type: none"> <li>the Bellarine coastal region (3 councillors)</li> <li>the Northern region (3 councillors)</li> <li>suburban Geelong (3 councillors)</li> <li>central Geelong (2 councillors)</li> </ul>	SUPPORT
ASPIRATIONAL		
iii.	Broadcasting Council Meetings through multiple media platforms, i.e. web, radio, podcast, etc.	SUPPORT
iv.	Facilitating Citizen Engagement	SUPPORT-IN-PRINCIPLE
v.	Citizens of Geelong Online Portal	SUPPORT
vi.	Compulsory knowledge acquisition and training for candidates and elected councillors	SUPPORT-IN-PRINCIPLE
vii.	Education of community to promote democratic processes	SUPPORT-IN-PRINCIPLE
viii.	Maximum size of Victorian municipalities	SUPPORT-IN-PRINCIPLE
ix.	Candidate and Councillor public information	SUPPORT-IN-PRINCIPLE
x.	Election process	SUPPORT-IN-PRINCIPLE
xi.	To prohibit developer financial and in-kind contributions to candidates and Council staff, consistent with other states' legislation.	NOT SUPPORT
xii.	Development of a Junior Council and appointment of a Junior Mayor	SUPPORT
xiii.	Greater administrative and advisory collaboration and support to Mayor, Deputy and Councillors	SUPPORT

Figure 1: Overview of the community engagement process





# 3. Overview of the engagement process and citizens' jury

## How did the community have its say?

Figure 1 outlines the community engagement process, including the citizens' jury.

### Stakeholder briefings (August 2016)

Approximately 200 representatives from key community organisations, interest groups and the media were invited to attend briefing sessions on 3 August to hear about and ask questions about the citizens' jury process. The stakeholders were key stakeholders known to Local Government Victoria (LGV) and the Council, including: former councillors and CEOs; key business and industry organisations including G21, Barwon Health, the Geelong Chamber of Commerce and the Committee for Geelong; key education organisations, including Deakin University and Gordon TAFE; key community organisations, including the Wathaurong Aboriginal Cooperative, Geelong Ethnic Community Council, Karingal, the Geelong Performing Arts Centre (GPAC), WILD (Women in Local Democracy), Bellarine Youth Activity Crew and Geelong One Fire Reconciliation Group; and key government organisations, including the Transport Accident Commission (TAC) and Barwon Water (Barwon Region Water Corporation). During the session, stakeholders were asked to nominate speakers for the jury's first meeting.

### Broad community engagement (September – October 2016)

The wider Geelong community was an important source of perspectives, ideas and information for the jury. Community members had at least three opportunities to participate and have their views considered by jury:

**1. Local events in September and October 2016** provided information and generated discussion, feedback and ideas about both practical and aspirational options for a future Council. This included **targeted discussion groups** for key communities of interest, including CALD, youth, women, etc. and **public workshops** held in four different locations across Greater Geelong, including an additional and dedicated workshop for the Bellarine Peninsula as requested by the community.

**2. The Vote Democracy Geelong survey** was a values-based survey by the makers of Vote Compass that enabled members of the community to identify their preferred structure for a future Council. The survey was open to all members of the community throughout September and October and was accessible through the Geelong's Citizen's Jury website and in hard copy at public libraries across Greater Geelong and the Council's Customer Service Centre on Brougham Street.

**3. Community submissions** could be provided in a variety of formats via the dedicated website throughout the consultation process which commenced in September 2016 and closed on 24 October 2016.

### Citizens' jury (29 October, 12 November, 26 November 2016 and 21 January 2017)

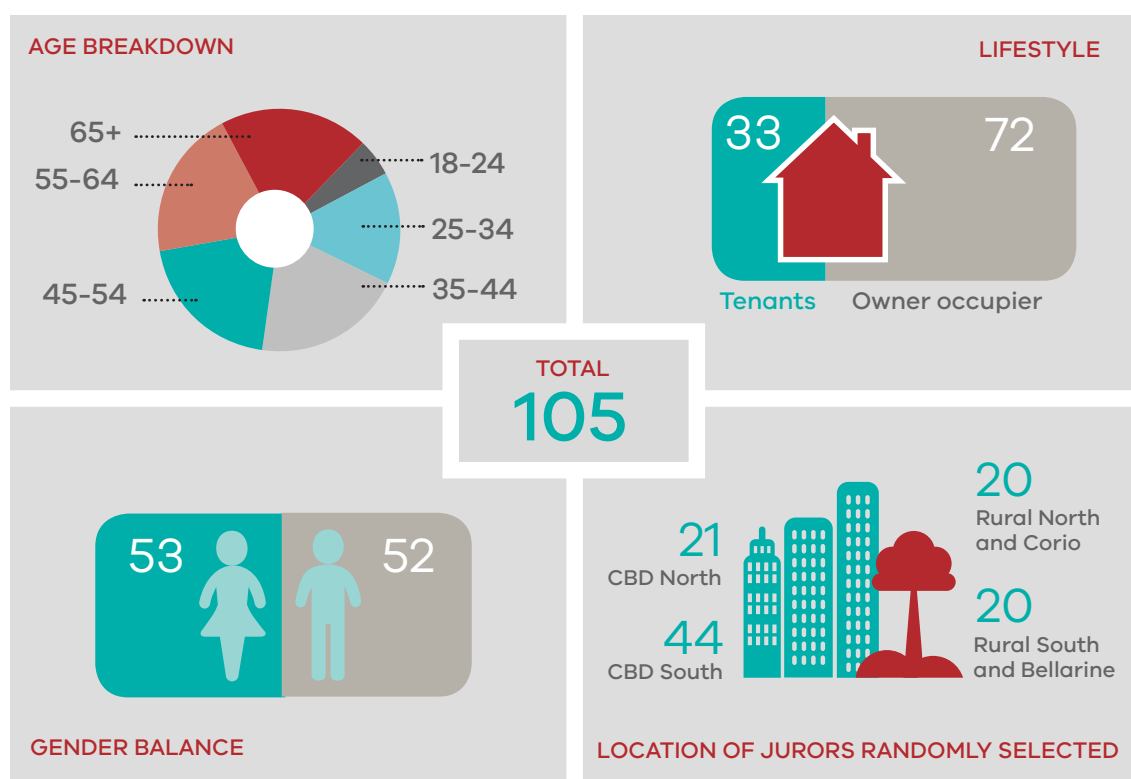
The jury met over four Saturdays and considered a range of materials to arrive at its recommendations and final report.

## Who was on the jury and how was it selected?

The newDemocracy Foundation (nDF), a non-partisan, not-for-profit research organisation specialising in deliberative and innovative approaches to democracy, was commissioned by LGV on behalf of the Minister for Local Government to design, select and oversee the jury. Invitations were sent to 15,000 randomly selected residential addresses across Greater Geelong asking for residents to register their interest to participate. One hundred members (105 including backups) were then randomly selected from this group using census data to ensure the final jury was representative of Greater Geelong in terms of gender, age and geography. Jurors were paid \$100 per day to cover their time and expenses.

Figure 2 provides an overview of the jury in terms of age, gender, geography and residential status.

Figure 2: Key characteristics of the jury





## What was the jury asked to do?

The jury was asked to consider the following question:

*Our council was dismissed. How do we want to be democratically represented by a future council?*



In responding to this question, the jury made two types of recommendations to the Minister:

1. **Practical** recommendations that reflect an electoral structure compliant with the Victorian local government legislative framework
2. **Aspirational** recommendations that might not be compliant with the Victorian local government legislative framework, including other ideas about how local democracy can be improved.

The **practical** recommendations were intended as a minimum requirement for the jury rather than a constrained scope. This was to provide an electoral structure in time for the October 2017 election. The practical recommendations covered:

- how the mayor is elected
- if a deputy mayor is needed, and if so, how they are elected
- the number of councillors
- whether the municipality should be unsubdivided or divided into wards
- if it is divided into wards, the ward structure (for example, single or multi-member wards and boundaries)

The jury had a very clear authority from the Minister. The Minister committed to:

1. **Table** the unedited jury report in Parliament;
2. **Submit to Cabinet** the outcomes of the jury's deliberations;
3. **Consider** aspirational recommendations in future reviews of local government legislation; and
4. **Respond** to the jury, including providing the Government's response.

## How did the jury arrive at its recommendations?

The jury considered a range of materials and deliberated over four Saturdays to arrive at its recommendations and Final Report, including:

1. A Background Paper prepared by LGV and the materials referenced in the paper;
2. A Supplementary Paper providing submissions from academics coordinated by nDF;
3. Community feedback (Vote Democracy Geelong survey responses, workshop feedback and written submissions) made during the community engagement stage in September and October 2016;
4. Presentations from speakers nominated during the Stakeholder Information Session in early August 2016;
5. Presentations from speakers nominated by the jury on Day 1; and
6. Additional information requested by the jury.

All of the written materials considered by the jury can be found in the library of the Geelong Citizens' Jury website.





## 4. Detailed Victorian Government response to each recommendation

### Introduction

The Government considered the Final Report and recommendations of the jury as promised by the Minister for Local Government at the beginning of the engagement process. It has given considerable weight to the recommendations made by the jury, especially in terms of the Council structure to apply for the election of a new Council in October 2017.

In responding to the jury, the Government is demonstrating where and how it will work to give effect to as many of the jury's recommendations as possible.

The response also acknowledges the role of the Victorian Parliament in passing legislation to implement any recommendations requiring legislative change, as well as the broad nature of some of the aspirational recommendations made by the jury.

This response reflects the Victorian Government's:

- understanding of the intent expressed by the jury in each of its recommendations;
- level of support for each of the jury's recommendations; and
- actions to address the jury's recommendations.

Where relevant, the response to each recommendation acknowledges:

- existing initiatives that support the recommendation;
- new legislation specific to Geelong;
- proposed reforms under the current review of the *Local Government Act 1989* which support the recommendation;
- where the Government will consider the recommendation as part of the current review of the *Local Government Act 1989* and / or opportunities to implement across the Victorian Local Government sector (with or without legislation); and
- opportunities for the Council to consider implementing the recommendation where legislative change is not required.

### Geelong's electoral structure – "Practical" recommendations

The jury recommended a mayor elected by and from among councillors to serve a two-year term and 11 councillors elected across four non-uniform multi-member wards. The jury's recommendation for the election of the mayor for Geelong has attracted intense coverage in the local media. Consultation on the mayoral election model for Geelong has consistently polarised the Greater Geelong community between a Councillor elected mayor and a directly elected mayor. This reflects the strong but different views in the community about what matters most, the trade-offs to be managed and that there is clearly no "right or wrong answer" on the best method for electing the mayor of Greater Geelong.

The randomly selected 100 member jury reached a consensus about the Council structure and the election of the mayor after hours of deliberation. The jurors were presented with a series of difficult and sometimes confronting choices and had to negotiate and reach a common view about what was best for their community. They undertook a detailed consideration of the merits of different mayoral election models and municipal structures to arrive at their recommendations.

The Victorian Government decided that the only clear and fair way forward on these contentious issues was to implement the jury's practical recommendations about a Council structure. Given the independence and deliberative rigour of the process, the Government is putting its trust in the informed judgments of the jury to settle a Council structure in time for the October 2017 election.

### Other ideas to improve local democracy - "Aspirational" recommendations

The jury made 11 recommendations about other ideas to improve its local democracy, including an alternative model for electing the mayor that is not currently in operation in Victoria. A number of these recommendations provided additional support for reforms proposed under the current Local Government Act Review and recommendations made by the Commission of Inquiry.

The Victorian Government's response to each of these recommendations is outlined on the following pages.



## RECOMMENDATION:

**Mayor elected by the Council from among the councillors.  
They should serve a 2 year term.**

The jury recommends that the mayor is elected by the Council from among the councillors. They should serve a 2 year term.

## GOVERNMENT RESPONSE: SUPPORT

### Action:

- **DRAFT a Bill to implement prior to the October 2017 election of a new Council.**

### Comment:

The Government has approved the preparation of a Bill to give effect to this recommendation.

The Commission of Inquiry recommended the positions of mayor and deputy mayor be directly elected to strengthen support to the mayor and enable a greater sharing of the workloads of office.

Consultation on the most appropriate mayoral model for Geelong has generally revealed preferences evenly divided between a councillor elected mayor and a directly elected mayor. This reflects the polarity of the issue, the differing views in the community and that ultimately, there is no right or wrong answer on the best mayoral model for Geelong. The jury reached a consensus about the issue after hours of deliberation and consideration of the merits of both mayoral models, including feedback from the broader Greater Geelong community.

The Minister for Local Government undertook the Geelong Citizens' Jury in good faith after the Government committed to undertake this consultation during the Parliamentary debate of the legislation to dismiss the previously elected Geelong Council. The reasonable way forward is to support and agree to implement the recommendation of the jury.

This support does not prevent a directly elected mayor model being introduced for the Geelong Council in the future. Under the reforms proposed as part of the Local Government Act Review, it is intended that provision be made for some Councils to move to an electoral model where the mayor and the deputy mayor are elected directly by voters in the same way as the Lord Mayor and Deputy Lord Mayor of the City of Melbourne. Where this occurs, the entire City of Melbourne electoral model will apply for the Council. Under a new Local Government Act, the decision to introduce this model will be up to the Minister, in certain circumstances.





## RECOMMENDATION:

### **Total of 11 councillors, elected from four wards encompassing:**

- **the Bellarine coastal region (3 councillors)**
- **the Northern region (3 councillors)**
- **suburban Geelong (3 councillors)**
- **central Geelong (2 councillors)**

The citizens jury agreed as a 'super majority' on a four ward structure, comprising of 11 councillors in total. We suggest these wards be divided into rough geographical areas, dependent on the electoral population of the areas. The proposed wards would encompass the Bellarine coastal region, the Northern region, suburban Geelong and central Geelong. The preferred distribution of councillors would be three in each ward except for central Geelong, which would have two.

## GOVERNMENT RESPONSE: SUPPORT.

### **Action:**

- **DRAFT a Bill to implement prior to the October 2017 election of a new Council.**

### **Comment:**

The Government has approved the preparation of a Bill to give effect to this recommendation. The jury's recommendation for non-uniform multi-member wards is consistent with the recommendation made by the Commission of Inquiry and the Victorian Electoral Commission (VEC) which was to replace the individual councillor ward electoral system with multi-councillor wards to share representative responsibilities.



## RECOMMENDATION:

**Broadcasting Council Meetings through multiple media platforms, i.e. web, radio, podcast, etc.**

### Rationale:

To provide a consistent flow of unedited data and information to the wider community in an open and transparent public forum. It also provides a platform for the community to refer back to, fostering a sense of involvement. This does not prevent physical attendance of meetings and minutes are available on the web. Portability of information and will include feedback forums. Holds councillors accountable to the code of conduct. This does not include closed/confidential meetings or items of a sensitive nature; voting will not be broadcast, only the results.

## GOVERNMENT RESPONSE: SUPPORT

### Action:

- **CONSIDER as part of the current Local Government Act Review.**
- **REFER to the Greater Geelong City Council for action.**

### Comment:

This recommendation is consistent with the Government's proposal through the review of the Local Government Act to enshrine transparency and accountability as overarching principles in a new Act. These principles will provide all Councils with the opportunity to use these forms of communication with their communities.

The proposed reforms under the Local Government Act Review will require Council meetings to be publicly transparent in that the decisions made should be readily accessible to anyone who would be reasonably expected to have an interest in it. It should also be apparent to members of the public how they can access transparent information and where it directly affects a person's rights, the person must be informed about how and where to access the information.

Broadcasting Council meetings through a multimedia platform is one method that Councils may use to make Council meetings publicly transparent.

Guidance material produced to support the reforms proposed under the Local Government Act Review will address this recommendation further.

Some Councils, including Alpine Shire Council, Moreland City Council and Kingston City Council already provide live broadcasts of their Council meetings. There is no impediment to the Greater Geelong City Council implementing this recommendation immediately. The Government encourages the Council to do so.



## RECOMMENDATION:

### Facilitating Citizen Engagement

#### Rationale:

Provide regular opportunities for community engagement through the use of citizens juries and committees under Section 86 (where appropriate) to advise Council, and review decisions and performance in areas of major spending and planning. They will also review the formation and adherence to the annual Council budget.

Citizens directly participating in Council processes.

Greater engagement assists well-informed decision making by Council and improves community confidence that Council is providing services in the best interests of all sections of the community.

Using citizens' juries and committees will improve Council transparency and accountability. It will also increase community knowledge about the role of Council and their decisions. The role of specific juries should be clearly defined.

The community consultation process will also include opportunities for submissions to Council juries and committees.

This engagement allows the community to liaise with councillors in delegated decision making on specific issues and may increase the pool of candidates for future Council roles.

## GOVERNMENT RESPONSE: SUPPORT-IN-PRINCIPLE.

#### Action:

- **CONSIDER as part of the current Local Government Act Review.**
- **REFER to the Greater Geelong City Council for action.**

#### Comment:

This proposal is consistent with two key proposed directions of *Act for the Future*, the Government's directions paper for a new Local Government Act:

- To require all Councils to undertake deliberative engagement with their communities in shaping Council plans and priorities
- To require all Councils to have audit and risk committees in place to ensure compliance with key policy and financial requirements.

Guidance material produced to support the reforms proposed under the Local Government Act Review can address this recommendation further.

There are a number of existing mechanisms that enable the community to review Council decisions and performance in areas of major spending and planning. This includes the requirement to produce an Annual Report and reporting against the mandatory performance indicators under the Local Government Performance Reporting Framework.

There is currently no impediment to the Greater Geelong City Council using deliberative engagement techniques such as citizens juries when it engages with its community. The Government encourages the Council to consider how it could implement this recommendation. Councils can also currently set up Section 86 committees to involve members of their communities in delegated decision-making processes.





## RECOMMENDATION:

### Citizens of Geelong Online Portal

Provide an online mechanism for citizen input and feedback to improve Councillor awareness of community values, issues and ideas.

#### Rationale:

For the purposes engendering community engagement and the sharing and discussion of new ideas, we would like to emulate the White House “We The People” program.

The “We The People” program is an online portal that allows members of the community to lodge ideas they wish to put to the administration. Any idea that receives at least a specific number of votes requires a formal response from the administration.

In a Geelong Council context, such a portal would allow members of the community to engage with Council on ideas that would not normally come to the attention of the Council.

Depending on the response to the idea, different actions might be triggered within Council.

For example, one thousand positive votes for the idea might require the Council to formulate a formal response to the idea. Five thousand positive responses might require the Council to take the idea to an appropriate community reference group.

A significantly large enough community response to an idea could trigger an idea to be fully considered before Council.

Essentially, this would be a mechanism that promotes community consultation between Council and community, and maintains the concept of the “citizens jury”, because everyone has the opportunity to be involved.

## GOVERNMENT RESPONSE: SUPPORT.

#### Action:

- **CONSIDER as part of the current Local Government Act Review.**
- **REFER to the Greater Geelong City Council for action.**

#### Comment:

There is no impediment to the Greater Geelong City Council implementing this recommendation immediately. The Government encourages the Council to do so.

The proposed reforms in the Local Government Act Review seek to strengthen community engagement and encourage greater community participation in Council strategic planning.

Establishing an online mechanism for community input is one method Councils may wish to use to involve people in Council decision making and encourage broader participation.

Should the Greater Geelong City Council implement this initiative, the Government will monitor progress to assess potential application of this model more broadly across the Victorian local government sector. This may be addressed in guidance material produced to support the reforms proposed under the Local Government Act Review.



## RECOMMENDATION:

### **Compulsory knowledge acquisition and training for candidates and elected councillors**

#### **Rationale:**

Free acquisition of knowledge and information for candidates around the role of becoming a councillor, including councillor role orientation, Council policies and processes to gain basic understanding of the responsibilities of the position.

Once a councillor is elected this should include mandated on-going/annual training or refresher as relevant for example; civic responsibilities, team/collaboration skills, financial management, strategic planning, governance, community stakeholder engagement, people management, etc.

All training to be accessible via flexible means (including part-time), such as online or hard copy form, etc.



## GOVERNMENT RESPONSE: SUPPORT-IN-PRINCIPLE.

### Action:

- **NOT SUPPORT compulsory training for candidates or councillors.**
- **SUPPORT opportunities for candidate and councillor training.**
- **SUPPORT opportunities for candidates to disclose training they have completed when completing the candidate questionnaire.**
- **REFER to the Greater Geelong City Council for action.**

### Comment:

Candidate knowledge and training is currently provided by peak organisations such as the Municipal Association of Victoria, the Victorian Local Governance Association and the Victorian Electoral Commission. This training is not compulsory.

Current candidate training initiatives include:

- The “GoWomenLG 2016” campaign to encourage more women to stand in the 2016 General Election (34% of all candidates were women; 38% of elected councillors were women and 40% of mayors in Victoria are now women)
- Training to prepare candidates for the councillor role provided by the Municipal Association of Victoria (undertaken by 41.7% of candidates in 2016 who completed the Candidate Questionnaire)
- Training to prepare candidates for the Councillor role provided by the Victorian Local Governance Association (undertaken by 19% of candidates in 2016 who completed the Candidate Questionnaire)

The Government supports provision of induction training for councillors. Training on matters such as the councillor conduct principles and councillor codes of conduct is best practice. Currently, training is offered to all councillors by local government peak bodies.

There are a range of difficulties associated with seeking to compel candidates and elected representatives to participate in such training. For example, it raises questions as to what constitutes appropriate ‘participation’ and what sanctions could be imposed for non-participation. Therefore the Government supports guidelines in relation to training to be collaboratively developed with local government peak bodies rather than mandated in legislation.

Most if not all Councils in Victoria provide some form of induction training for councillors. There is no impediment to the Greater Geelong City Council considering candidate training opportunities and its induction processes for new councillors in line with this recommendation. The Government encourages the Council to consider this in relation to the October 2017 election.





## RECOMMENDATION:

### Education of community to promote democratic processes

#### **Rationale:**

Accessible education should be provided to citizens to ensure the public is informed in matters of local government and to ensure democratic representation.

#### **Council:**

Information on roles, duties, powers, responsibilities and expectation of Council and councillors would help ensure a fair, equitable and democratic Council is appointed.

#### **Access to Councillors:**

The public should be made aware of how to contact and engage with their representative.

#### **Oversight of Council:**

Citizens should be provided information on all oversight bodies relevant to Council and councillors. This information should include contact details and scope and jurisdiction of the varying bodies. This would allow citizens to better report misconduct and abuses of power within the local government system.

#### **Diversity of Council:**

By providing education to members of the community, more opportunities will be available for members of the public to run for local Council thus increasing the diversity of Council candidates and councillors.

#### **Nomination and Election of Candidates and Councillors:**

The community should be informed about the nomination and electoral processes of councillors. This would allow the community to better democratically vote for their representative.

#### **Current Issues:**

Community members should be provided with information regarding current issues, before and during debate and deliberations. Citizens are entitled to be aware of Council decision making processes.

## GOVERNMENT RESPONSE: SUPPORT-IN-PRINCIPLE.

### Action:

- **CONSIDER as part of the current Local Government Act Review.**
- **REFER to the Greater Geelong City Council for action.**

### Comment:

Educating citizens about local government is a joint responsibility of the Victorian Government, Councils and peak bodies.

Like any Council, the Greater Geelong City Council has a responsibility to provide its community with useful information on local matters that supports meaningful community engagement with and participation in the Council and its processes.

Local Government Victoria provides extensive information about local government and Council performance, including through the **Know Your Council** website which allows community members to compare Council performance on 66 key indicators of Council performance and more recently through the **Discussion and Directions Papers** for the Local Government Act Review.

The Government recognises that there is a continuing challenge to provide accurate, contemporary information and education to promote local democracy in Victoria and is addressing some of these challenges through proposed reforms to the *Local Government Act 1989*. These proposed reforms provide that it should be apparent to members of the public how they can access transparent information about Council decisions and where it directly affects a person's rights, the person must be informed about how and where to access the information.

The proposed reforms under the Local Government Act Review will strengthen community understanding of Council operations by requiring information that the community would reasonably expect to have an interest in to be readily accessible and transparent. This will be supported through guidance material.

There is no impediment to the Greater Geelong City Council considering how it can make information about the Council and its processes more accessible to the local community. The Government encourages the Council to do so.



## RECOMMENDATION:

### Maximum size of Victorian municipalities

#### Rationale:

To minimise disparity of representation among different municipalities and to ensure Councils don't get too big.

To distinguish local level government from higher-level government, i.e. state etc.

Fewer larger multi Councillor wards, provide compromise between diversity of local representation and focus on municipality wide issues, ensuring strategic view of issues

This may occur by:

Proposed upper limit on number of councillors and resident/voter to Councillor ratio

- Maximum number of councillors per municipality be increased from 12 to 15 (including mayor)
- Maximum resident/ratepayer to Councillor ratio be limited
- If maximum resident/ratepayer to Councillor is exceeded, municipality to be subdivided
- If number of COGG councillors is increased to 15, then recommended ward structure is 5 wards of 3 councillors.

## GOVERNMENT RESPONSE: SUPPORT-IN-PRINCIPLE.

#### Action:

- **CONSIDER as part of the current Local Government Act Review.**

#### Comment:

The Government recognises the challenges of achieving reasonable resident/voter to councillor ratios when Victoria is experiencing significant population growth.

Rather than achieving this through the creation of new Councils, the Government's approach has been to propose – through the Local Government Act Review – an increase in the allowable band of councillor numbers per Council from 5-12 to 5-15.

The expectation is that a new upper limit of 15 councillors would apply in Councils with more than 250,000 residents.

Where 15 councillors are to be elected, it is proposed that a ward structure of five wards each with three councillors will be allowable if proposed reforms to the *Local Government Act 1989* are implemented.



## RECOMMENDATION:

### Candidate and councillor public information

#### Rationale:

To further develop Division 4 Form 2 Regulation 43 Candidate Questionnaire to include more information about each potential councillor so voters can make more informed decisions. It should also help to improve accountability of Council members.

These questions listed below are in addition to the existing questions already established within the existing candidate questionnaire Form 2 regulation 43.

These responses need to be supplied to the voters with the electoral voting forms (if at all possible) or else this information needs to be provided via a link to an online portal where it can be accessed with the voting papers.

These questions (plus those already in the candidate questionnaire) should be compulsory for candidates to complete.

1. Why would you like to be elected as a councillor / mayor?
2. What do you hope to achieve for your electorate?
3. What is your vision for Geelong?
4. Please provide details of any community service or charitable roles previously undertaken (if any)
5. Please provide details of any attributes or experiences (employed or otherwise) which may help prepare you to become a councillor
6. Are you affiliated with any 3rd party group? i.e Union, business or community group
7. What are you passionate about?
8. What are your areas of expertise?

Prior to elections, all candidates must disclose all relevant details that may impact their ability to provide transparent governance. Voters should be entitled to access all **relevant** details of candidates in order to inform the voting process. This will apply to elected councillors on an ongoing basis.

Relevant information may include significant assets, specific allegiances, business enterprises and connections. As per the client section process listed above.

## GOVERNMENT RESPONSE: SUPPORT-IN-PRINCIPLE.

### Action:

- **CONSIDER options to implement additional candidate questions in the Candidate questionnaire and provide candidate responses in voter ballot packs prior to the October 2017 election of a new Council.**
- **CONSIDER as part of the current Local Government Act Review.**
- **NOT SUPPORT a requirement for additional information about financial and other interests to be provided by candidates.**

### Comment:

At the 2016 Council General Elections, the Government introduced an opportunity for candidates to complete a template answering a series of questions relating to their experience and as well as any party endorsement.

Candidates were not required to respond but a 'nil response' was clear to voters. This information was made available on the VEC website (the Candidate Questionnaire).

This recommendation takes that initiative a step further by:

- Requiring more questions and more detailed questions be answered;
- Making the responses available in voter ballot packs that are posted to voters or via a link to an online portal where it can be accessed with voting papers; and
- Requiring candidates to provide information about their interests that might impact on the performance of their duties if elected as a councillor.

The Government will seek to implement this recommendation at the October 2017 Greater Geelong City Council election by including additional questions suggested by the jury. If the model is successful, the Government will consider adopting it for future Council elections in Victoria from 2020.

The Government supports interest returns to be provided only by elected councillors, as this additional information (such as detailed financial interests) has significant privacy implications that are unnecessary for candidates who are not elected to serve as councillors. This is consistent with the requirements for councillor disclosures of conflicts of interest.



## RECOMMENDATION:

### Election process

Conditions relating to the directly elected Mayor and Deputy Mayor model.

#### Rationale:

If, in the event of, a directly elected mayor, the following conditions must be met:

1. The mayor would need to have been a councillor prior to running for the mayoral role, with a minimum of one term
2. Pre-training of any potential mayor would need to occur as specified (a training/skills based course in local government at a minimum)
3. The election would occur at the same time as the councillors (so the community aren't voting for two separate elections)
4. A candidate must first nominate as a councillor and then may also nominate for a mayor or deputy mayor.
5. If the councillor picked as a popular choice through the whole of Geelong is not elected as a local councillor, they will **not** be mayor. The next most popular choice who is an elected councillor would become mayor.
6. The mayoral candidate would need to cap any spending for advertising to a nominated figure.

## GOVERNMENT RESPONSE: SUPPORT-IN-PRINCIPLE.

#### Action:

- **CONSIDER as part of the current review of the Local Government Act.**

#### Comment:

This recommendation places conditions around a return to direct election of the mayor and introduction of direct election for the deputy mayor should that Council structure be considered in the future.

The change to the electoral process in this recommendation proposes a process whereby a candidate can stand for election to the positions of both mayor and councillor (which is currently not allowed in Victoria) (*condition 4*) and the mayor is elected by the voters having first secured election as a councillor (*conditions 4 and 5*). It also introduces a requirement that to be eligible to serve as mayor, a candidate must have served at least one term as a councillor prior to election as the mayor (*condition 1*). The Government notes that the requirement for election as a councillor first before being eligible to be elected as mayor (*conditions 4 and 5*) reinforces and supports the intent underpinning the jury's practical recommendation for the election of the mayor.

Should the Government consider a future return to direct election of the mayor, it will consider the viability of the conditions described in this recommendation, noting that this model in this form has not been trialled in Australia before and would require careful testing to assess whether it can be achieved.



## RECOMMENDATION:

### **To prohibit developer financial and in-kind contributions to candidates and Council staff, consistent with other states' legislation**

#### **Rationale:**

If a developer/interest group funds a councillor's election campaign, or provides funds to Council staff, that councillor or staff member may feel an obligation to support the developer's building application. Also, councillors and staff should have a mandatory obligation to declare funding from any source.

## GOVERNMENT RESPONSE: NOT SUPPORT.

#### **Action:**

- **REVIEW analysis of returns from the 2016 local government elections as part of the current Local Government Act Review.**
- **SUPPORT mandatory senior Council staff declaration of interests that could give rise to a conflict of interest in the performance of their role.**

#### **Comment:**

Donations have not traditionally been a significant feature of Council elections in Victoria.

Current disclosure and conflict provisions are robust and there is no evidence of systematic corruption in Victorian Councils.

Previous efforts in other jurisdictions to implement donor-specific bans have been subject to challenge by the courts for impeding rights to political participation and have also been considered difficult to enforce.

In Victoria, conflicts arising from receipt of campaign donations have been managed through disclosure and conflict of interest requirements as part of a wider regime of disclosure and withdrawal from decisions that flow from the potential of conflicts that confer a benefit on councillors, their relatives and campaign donors. Sections 77 and 78 of the *Local Government Act 1989* set out the range of direct and indirect interests that may lead to a conflict.

It is currently mandatory for senior Council staff to complete declarations of interests (which include gifts and donations) that could give rise to a conflict of interest in the performance of their role.

The planning system has a range of safeguards, including that decisions are made by groups of councillors on transparent officer recommendations that are appealable to VCAT.

It is proposed that reforms under the Local Government Act Review will strengthen the transparency of donations by requiring councillors and Council staff to record gifts over a certain amount on a publicly available gift register.



## RECOMMENDATION:

### Development of a Junior Council and appointment of a Junior Mayor

#### Rationale:

Junior Councillors will be nominated from Years 10, 11, 12 students from local private and public schools.

The Junior Council will enable young people who might have otherwise not known or been interested in Council to experience civic and democratic processes.

They will be representative of Council wards.

Raising youth-specific issues with input into Council.

Junior Mayor to provide summary to Council periodically for decision-making.

Mandate for Junior Council should be clear.

## GOVERNMENT RESPONSE: SUPPORT.

#### Action:

- **REFER to the Greater Geelong City Council for action.**

#### Comment:

Many Victorian Councils have established junior Councils. This includes Indigo Shire Council, Moira Shire Council, Warrnambool City Council, Wellington Shire Council, Latrobe City Council, Alpine Shire Council, Gannawarra Shire Council, Moyne Shire Council, Melton City Council, Hindmarsh Shire Council, Corangamite Shire Council and Wangaratta Rural City Council.

There is no impediment to the Greater Geelong City Council implementing this recommendation immediately. The Government encourages the Council to do so.



## RECOMMENDATION:

### **Greater administrative and advisory collaboration and support to Mayor, Deputy and Councillors**

#### **Rationale:**

As per the commission of inquiry report, see below:

To build / develop a collaborative environment between the Mayor, the deputy, all councillors, the City of Greater Geelong, and the Vic. Govt. to ensure good governance.

If there is good strong administrative support underpinning the roles of the mayor and councillors it will enable greater efficiency and better outcomes for the City of Greater Geelong.

This could include undertaking an internal review of the existing expertise and skills available and utilising the people we have within the COGG offices, identifying the gaps in administrative and advisory requirements and building a support network.

Advisors could include but would not be limited to expert internal/ external staff/ consultants stakeholders and community feedback.

## GOVERNMENT RESPONSE: SUPPORT.

#### **Action:**

- **REFER to the Greater Geelong City Council for action.**

#### **Comment:**

The Commission of Inquiry into the Greater Geelong City Council made a number of recommendations to improve the governance and administrative practices at the Council which are reinforced by this recommendation from the jury. Three recommendations from the Commission of Inquiry relate to this recommendation from the jury:

- Strengthened support for councillors through secondment of experienced administrators as councillor liaison officers to coordinate administration support (recommendation 7);
- Provision of appropriate, experienced resources for the mayor and deputy mayor, commensurate with the resources available in comparable Councils (recommendation 9); and
- Establish a major transformational program to implement a thoroughgoing review of the organisation and its management (recommendation 2).

A panel of administrators was appointed to oversee the implementation of the eight Commission of Inquiry recommendations that were for Council action.

The administrators are making good progress to implement the recommendations for Council action in preparation for the return of an elected Council in October 2017.

## 5. Implementation of the jury's recommendations

You can find out more about the Geelong Citizens' Jury and the progress to implement the Government's responses to the jury's recommendations through the dedicated Geelong Citizens' Jury website at **[www.geelongcitizensjury.vic.gov.au](http://www.geelongcitizensjury.vic.gov.au)**.

The next step is to present a Bill to the Parliament of Victoria to put into place the jury's practical recommendations.

Information about the elections for the Greater Geelong City Council in October 2017, including ward boundaries, will be provided by the **Victorian Electoral Commission (VEC)** later this year.











# GEELONG CITIZENS' JURY

