

THE CITY OF
GREATER GEELONG

COUNCILLOR CANDIDATE GUIDELINES

State and Federal Elections

VERSION:	V1
TYPE OF DOCUMENT:	Council Guidelines
APPROVER	Council
APPROVAL DATE:	24 February 2026
REVIEW DATE:	24 February 2030
RESPONSIBLE OFFICER:	Executive Director Corporate Services

<i>Revision</i>	<i>Date</i>	<i>Details</i>	<i>Authorised by:</i>
1	30 December, 2025	Document published	Chief Compliance & Integrity Officer

Contents

Introduction	4
Definitions	5
Guidelines	6
1. Councillor to Candidate – Expectations	6
2. Councillor Endorsement	6
3. Notification of Candidacy	7
4. Leave of Absence	7
5. Legal Advice	7
6. Comments on Council Issues	8
7. Use of Council Resources And Activities	8
8. Media and Publicity:.....	8
9. Successful Election.....	8
Implementation of these Guidelines	9
References	10
Appendix	11

Introduction

PURPOSE

These Guidelines set out the requirements that apply when a Councillor of the City of Greater Geelong stands as a candidate in a State or Federal election. The Guidelines promote high standards of integrity, transparency, and public confidence. They provide clear guidance to Councillors who are candidates on how to avoid any actual or perceived misuse of their position, influence, or Council resources.

The Guidelines complement and expand upon the obligations contained in the Model Councillor Code of Conduct, which replaced the Councillor Code of Conduct in October 2024. They form an important part of the City of Greater Geelong's governance framework. The Guidelines reinforce the separation between Council responsibilities and electoral activities and supporting ethical conduct, accountability, and good governance.

BACKGROUND

Under Australia's electoral framework, local government councillors, along with other eligible members of the community, may nominate as candidates for State or Federal elections. When doing so, a Councillor of the City of Greater Geelong continues to hold public office at the local government level and remains subject to all legislative and ethical obligations associated with that role.

The dual status of serving Councillor and electoral candidate gives rise to heightened governance risks, including conflicts of interest and the potential for confusion between Council responsibilities and campaign activities. Careful management of these risks is necessary to ensure Council decisions, information and resources are not inappropriately associated with, or perceived to support, electoral campaigns.

SCOPE

These Guidelines are designed to support a Councillor from the time they become a nominated candidate, or are taken to be a prospective Candidate, in a State or Federal election in accordance with the relevant electoral legislation administered by the Victorian Electoral Commission (VEC) or Australian Electoral Commission (AEC), until the time they cease to be a candidate under that legislation.

These Guidelines operate alongside, and do not replace, the Model Councillor Code of Conduct, the *Local Government Act 2020* (Vic) (the Act), and the *Local Government (Governance and Integrity) Regulations 2020*.

Councillors who are candidates in a State or Federal election remain bound by these legislative and integrity frameworks at all times, including during any period of approved leave of absence from Council duties.

These Guidelines do not apply to local government elections, which are governed by the Council's Election Period Policy.

Definitions

The following definitions apply to these Guidelines:

Term	Definition
City	The City of Greater Geelong organisation, led by the CEO.
City Officers	Includes employees, volunteers, and contractors.
Council	The City of Greater Geelong Council comprised of elected councillors and led by the Mayor.
Councillor	Councillor means a person who holds the office of member of a Council.
ELT	The Executive Leadership Team of the City, as constituted from time to time.
Election	State or Federal Election - this includes a by-election.
Prospective candidate	Prospective candidate means a person who becomes an endorsed candidate of a registered political party or publicly expresses an intention to run as an independent candidate for a State or Federal Election.
Nominated candidate	Nominated candidate means a person who nominates as a candidate for a State or Federal election through the relevant Electoral Commission.

GUIDELINES

1. COUNCILLOR TO CANDIDATE – EXPECTATIONS

- 1.1 To support public confidence, ethical decision-making, and the clear separation of Council responsibilities from electoral activities, the following best-practice governance guidance applies to Councillors of the City of Greater Geelong who are prospective or nominated candidates in a State or Federal election.
- 1.2 Consistent with contemporary governance standards, a Councillor who is a candidate is strongly encouraged to:
 - 1.2.1 Seek a leave of absence from Council in accordance with these guidelines, to minimise the risk of real or perceived conflicts between Council duties and campaign activities;
 - 1.2.2 Maintain a clear and appropriate separation between their role as a Councillor and their role as a candidate, ensuring Council decision-making, communications and authority are not associated with electoral campaigning;
 - 1.2.3 Proactively identify, avoid, and manage both actual and potential conflicts of interest arising from their candidacy;
 - 1.2.4 Declare any conflicts of interest or relevant interests that may arise in connection with their role as a candidate and their position as a Councillor, in accordance with legislative and governance requirements;
 - 1.2.5 Refrain from any misuse of their position as a Councillor, including the use of influence, access to information, or status associated with the office for electoral advantage;
 - 1.2.6 Ensure that Council resources are not used, or perceived to be used, to support their candidacy, including staff time, facilities, information, branding, or systems; and
 - 1.2.7 Continue to comply with all obligations under the Model Councillor Code of Conduct for the duration of their candidacy.

2. COUNCILLOR ENDORSEMENT

- 2.1 To uphold the political neutrality and maintain public confidence in the integrity of Council, Council is encouraged not to endorse, support, or oppose the candidature of any Councillor in a State or Federal election.
- 2.2 All Councillors are strictly required to:
 - 2.2.1 Refrain from using Council resources, facilities, communications, branding, or forums in any way that could be interpreted as promoting or opposing a candidate;
 - 2.2.2 Avoid any public statements or actions that may create the perception of Council endorsement or opposition; and
 - 2.2.3 Respect the impartiality of Council at all times, ensuring that Council business remains separate from individual electoral activities.
- 2.3 Non-compliance with these expectations may constitute a breach of the Model Councillor Code of Conduct and the Act.

3. NOTIFICATION OF CANDIDACY

- 3.1 As soon as practicable after a Councillor becomes a prospective or nominated candidate for a State or Federal election, the Councillor must notify the Mayor in writing.
- 3.2 Upon receipt of the notice, the Mayor will advise the other Councillors to ensure transparency across the Council, while respecting the Councillor's privacy regarding campaign matters.
- 3.3 To reinforce transparency and good governance, a Councillor should declare their intention to contest a State or Federal election at the next scheduled Council Meeting following notification. This declaration helps other Councillors manage potential conflicts of interest and supports the integrity of Council decision-making.

4. LEAVE OF ABSENCE

- 4.1 Councillors are strongly encouraged to apply for a leave of absence commencing no later than the date of nomination with the relevant electoral commission and concluding no earlier than the close of voting for the election:
 - 4.1.1 For State elections, the Victorian Electoral Commission (VEC) allows candidates to formally nominate until 15 days prior to election day.
 - 4.1.2 For Federal elections, the Australian Electoral Commission (AEC) allows candidates to formally nominate no less than ten days no more than 27 after writs are issued. This is generally between 23 to 31 days prior to election day.
- 4.2 Leave of absence ensures a clear separation between Council duties and campaign activities, reduces the risk of actual or perceived conflicts of interest, and reinforces public confidence in the impartiality and integrity of Council decision-making.
- 4.3 The application should be made:
 - 4.3.1 Immediately upon the date for the close of nominations being published, if at that date the Councillor has decided to nominate; or
 - 4.3.2 On the date the Councillor formally nominates, whichever occurs sooner.
- 4.4 Leave of absence must be requested at a Council Meeting in accordance with Council's Governance Rules. Council is expected to grant any reasonable request for leave.
- 4.5 While on an approved leave of absence, a Councillor must not attend Council Meetings, Delegated Committee Meetings, or Councillor Briefing Meetings in their capacity as a Councillor and must not otherwise act in the role of Councillor.
- 4.6 If a Councillor withdraws their nomination after leave has been granted, they may resume ordinary Council duties, provided they submit written notification to Mayor confirming their return. The Mayor is to advise all other Council members and the Chief Executive Officer in the event this occurs.

5. LEGAL ADVICE

- 5.1 Councillors are required to obtain their own legal advice, at their own expense, regarding the various issues associated with running as a candidate at a State or Federal election such as:
 - 5.1.1 A Councillors eligibility to be a Candidate;
 - 5.1.2 Conflicts of Interest, whether actual, perceived, potential or otherwise.

6. COMMENTS ON COUNCIL ISSUES

- 6.1 Councillors who are prospective or nominated candidates must clearly separate their role as a Councillor from their role as a candidate when commenting on Council matters.
- 6.2 Comments must not imply Council endorsement or use Council resources, branding, or staff to support a campaign.
- 6.3 Councillors are strongly encouraged to maintain separate social media accounts for their Council and candidate roles.
- 6.4 Failure to maintain this separation may breach the Act, including obligations to act with integrity, avoid misuse of position or information, and comply with the Model Councillor Code of Conduct.

7. USE OF COUNCIL RESOURCES AND ACTIVITIES

- 7.1 Councillors who are prospective or nominated candidates must not use Council resources for election purposes. This includes but is not limited to; office accommodation, Council facilities, vehicles, hospitality services, mobile phones and numbers, laptops, Council email addresses, photographs, computers, printers, and other Council-owned materials.
- 7.2 During Leave of Absence, all Council equipment and materials must either be returned to Council or retained but not used for the duration of the approved leave.
- 7.3 During any period of leave of absence, Councillors should activate out-of-office messages on Council email and voicemail that clearly advise of their leave and provide alternative contact points for Council matters.
- 7.4 Managing perceived conflicts, even where no direct expense occurs, Councillors should ensure campaign activity does not intersect with Council resources. Examples include:
 - 7.4.1 Responding to campaign-related emails received on a Council account only via a private email and directing future correspondence to the private account.
 - 7.4.2 Providing a non-Council contact number for campaign-related calls received on Council devices.
- 7.5 Councillors must not use Council meetings, events, networking opportunities, or other Council-related activities to advance their candidature.
- 7.6 Councillors must not leverage their official position, Council staff, or Council resources in any way to assist or support the election campaign of another Councillor.

8. MEDIA AND PUBLICITY:

- 8.1 The City will not provide media advice or assistance in relation to election issues or publicity concerning a Councillor who is a prospective or nominated candidate.
- 8.2 Council media releases will not refer to specific Councillors in their capacity as prospective or nominated candidates.

9. SUCCESSFUL ELECTION

- 9.1 A Councillor must resign from Council immediately upon being successfully elected to State or Federal Parliament. This requirement arises because under section 34(2)(a) of the Local Government Act 2020, a person is not qualified to be a Councillor if they are a member of Parliament.

Implementation of these Guidelines

MONITORING AND REPORTING

A Councillor is responsible for notifying the CEO of their candidacy in accordance with these guidelines.

The Chief Governance and Risk Officer are responsible for the monitoring of these guidelines.

ADVICE AND ASSISTANCE

The Responsible Officer is responsible for providing guidance on the application of these guidelines.

RECORDS

The City must retain records associated with these guidelines and its implementation in accordance with its Records Information Management Policy.

REVIEW

These guidelines will be reviewed by the Manager Council and Corporate Governance prior to a State or Federal election or State or Federal by-election.

References

Relevant Legislation

Commonwealth Electoral Act 1918 (Cth)

Commonwealth Electoral Regulations 2016 (Cth)

Electoral Act 2002 (Vic)

Electoral Regulations (Victoria)

Local Government Act 2020 (Vic)

Local Government (Governance and Integrity) Regulations 2020

Model Councillor Code of Conduct

Other Documents

Records Information Management Policy

Municipal Association of Victoria Policy Position – Candidature of Councillors State or Federal Elections

Appendix

Where a matter is identified as mandatory in these Guidelines, it reflects an obligation imposed by legislation or a binding statutory code. Matters identified as governance or best-practice guidance are included to support integrity, transparency, and public confidence and do not create enforceable obligations or expand Council's statutory powers.

MANDATORY LEGISLATIVE REQUIREMENTS VS GOVERNANCE GUIDANCE FOR FEDERAL AND STATE ELECTIONS

Area	Mandatory – Legislative Requirements (Must comply)	Legislative Basis (Indicative sections)	Governance & Best-Practice Guidance
When the Guidelines apply	A Councillor is taken to be a candidate only when defined as such under relevant VEC/AEC electoral legislation and remains a candidate until they cease to be a candidate under that legislation.	Electoral Act 2002 (Vic) – Part 8; Commonwealth Electoral Act 1918 (Cth) – Part XIV; VEC / AEC definitions and guidance.	Councillors may wish to consider early reputational and integrity risks once they publicly indicate an intention to stand for election, even if not yet formally a candidate.
Use of Council position	Councillors must not misuse their position to gain an advantage for themselves or others, as prohibited under the <i>Local Government Act 2020</i> and the Model Councillor Code of Conduct.	Local Government Act 2020 (Vic) Part 6, Division 1, s 123 (Improper use of position).	Councillors are encouraged to proactively separate Council duties from campaign activities to avoid confusion or perception of advantage.
Use of Council resources	Council resources must not be used for electoral or campaign purposes.	Local Government Act 2020 (Vic) Part 6, Division 1, ss 123–124; Model Councillor Code of Conduct (use of resources).	Councillors should exercise caution in the timing and manner of public communications to avoid perceived use of Council platforms for campaigning.
Conflicts of interest	Councillors must comply with all conflict-of-interest provisions under the <i>Local Government Act 2020</i> and the Model Councillor Code of Conduct.	Local Government Act 2020 (Vic) Part 6, Division 2, ss 127–131 (Conflicts of interest).	Councillors are encouraged to disclose and manage potential perceived conflicts, even where no declarable conflict exists.

Area	Mandatory – Legislative Requirements (Must comply)	Legislative Basis (Indicative sections)	Governance & Best-Practice Guidance
Conduct and behaviour	Councillors remain bound by the Model Councillor Code of Conduct at all times, including during any approved leave of absence.	Local Government Act 2020 (Vic) Part 6, Division 5, s 139; Part 2, Division 1, s 9 (Governance principles).	Councillors are encouraged to adopt higher standards of transparency and professionalism during election periods to maintain public confidence.
Leave of absence	Any leave of absence must be taken in accordance with legislative requirements, the Governance Rules and Council resolution.	Local Government Act 2020 (Vic) part 35, s 4 (Council must grant any reasonable leave of absence) Governance Rules part 3, s 3.13.	Councillors may choose to voluntarily step back from certain roles or activities to manage perceived conflicts or risks.
Communications and social media	Councillors must not publish or authorise material using Council resources that breaches electoral or other legislation.	Local Government Act 2020 (Vic) Division 9; Model Councillor Code of Conduct.	Councillors are encouraged to clearly distinguish personal or campaign communications from Council-related communications.
Compliance consequences	Breaches may result in investigation, sanctions, or penalties under relevant legislation or regulatory frameworks. These sanctions and penalties include fines and / or imprisonment.	Local Government Act 2020 (Vic); Model Councillor Code of Conduct.	Non-adherence may increase reputational, governance, or community trust risks but does not attract statutory sanctions.