Milking it: how Crs Neoh and Gaston can be councillors AND wanna-be MPs

Description

Former Warrnambool mayor, Warrnambool City Council and ALP candidate Kylie Gaston in full campaign mode. Image: Kylie Gaston ALP for South West Facebook page.

By Carol Altmann

Here is a legal loophole that is so big, you could drive a truck through it: you can be a local councillor **AND** run for parliament at the same time.

That is, of course, unless your council draws up a policy that says you can't.

The Warrnambool City Council has no such policy.

This is why former Warrnambool mayor Kylie Gaston could announce way back *in May* that she was running for Labor at the next state election on November 24 which, at that time, was still six whole months away.

And it is why former Warrnambool mayor Michael Neoh could announce this week that he will run as an ~~Liberal~~ ~~National~~ Independent at the same election, which is still two months away.

Neither he nor Cr Gaston have to step aside.

In fact, technically, they don't have to step aside until nominations for the state election close on November 8. (Independent nominations close on November 9, so Cr Neoh gets an extra day).

That is another six weeks away.

> Having attempted Liberal preselection in 2015, then running as a National candidate, Cr Michael Neoh is now running as an independent in the 2018 state election.

The current Local Government Act allows this, largely because it still hasn't caught up with the modern way of doing things, where loads of wanna-be MPs are launching their political careers via the grassroots of local councils.

> **There is nothing wrong with a person running for local council with a view to bigger things – that's called ambition – but there is a massive conflict of interest when you decide to run for a state election *and* hold on to your council spot.**

When are you speaking to the media as a councillor? When are you speaking as a candidate? Do the public spot the difference? (I doubt it).

And how can your council profile, all of the free publicity and the behind-the-scenes-access to council business not be anything but a massive boost in an election campaign?

Michael Neoh has been in this territory before, back in 2015, when he ran as an ~~Independent~~ ~~Liberal~~ National candidate while still Mayor of Warrnambool.

The council didn't ask him to step aside, so he didn't.

Here is what Cr Neoh said to me in an email at the time:

"I have a campaign car that I use and also non-council equipment.

I am following the MAV policy in regards to taking leave of absence and I do not use mayoral invited functions to campaign.

If I meet with stakeholders outside of Council duties and as a candidate, I make it very clear that I am an election candidate and are not representing council."

Having seen Cr Neoh get away with it, Cr Gaston has since been following the same map, with her Labor-Party-emblazoned car parked in the WCC carpark while she performs, as Cr Neoh did in 2015, her council duties.

> **Again, neither Cr Gaston nor Cr Neoh are breaking any rules or laws, they are simply doing what they are allowed to get away with.**
>
> **Like any savvy politician, they are milking every opportunity to maintain their public profiles, and the council is a perfect platform.**

The Victorian Local Government Association is on to this.

It put out eight guidelines for councils, asking that they develop their own rules to manage councillors who run for state or federal parliament.

The guideline that nails it is this: **"The taking of leave of absence immediately after nominating as a candidate until the conclusion of the election campaign".**

Simple, huh?

Don't expect the councillors themselves to suggest the Warrnambool City Council write such a policy. Two of our seven already benefit from *not* having such a thing in place.

It is up to ratepayers – again – to say this is not good enough, that we are not interested in subsidising councillors' political aspirations and that we want their mind firmly on the job of running our council, not how they can move on from it.

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Date Created
2018/09/21
Author
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