

6.3. Election of Deputy Mayor

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ATTACHMENTS: Nil

PURPOSE:

To conduct an election for the position of Deputy Mayor, in accordance with Council's Deputy Mayor Policy. In accordance with the Local Government (General) Regulation 2005, the General Manager is the Returning Officer and this item will therefore be facilitated by the General Manager.

EXECUTIVE SUMMARY:

Council's Deputy Mayor Policy and Section 231 of the Local Government Act 1993 states that Council may elect a Deputy Mayor. The Policy provides that the Deputy Mayor will be appointed for a period from 1 October to 30 September, however the legislation provides that the Deputy Mayor may be elected for the Mayoral term or a shorter term.

Following the declaration of the poll for the 4 December 2021 Council elections, nominations were called for the position of Deputy Mayor.

Nominations must be in writing, in accordance with clause 2 of Schedule 7 of the Local Government (General) Regulation 2005 (The Schedule), a copy of which is attached to the previous report.

Nominations must be provided to the General Manager (via Governance or directly) prior to the commencement of the election. Councillors are encouraged to submit nominations in advance to ensure their validity is confirmed prior to the election. Schedule 7 governs the election of a mayor or deputy mayor by councillors. Schedule 7 governs the election of a mayor or deputy mayor by councillors.

By 1PM on Thursday 6 January 2022 1 nomination has been received for:

- Cr Godfrey Santer, nominated by Cr Shannon Welch and Cr Godfrey Santer

FINANCIAL IMPLICATIONS:

Nil.

RECOMMENDATION:

- 1. THAT** an election be held to elect a Deputy Mayor for the period 10 January to 26 September 2022.
- 2. THAT** Council determine the method of voting.
- 3. THAT** the Coordinator General, Planning Delivery and Local Government and the Secretary and Chief Executive Officer of Local Government New South Wales be advised of the election result.

LINK TO COMMUNITY STRATEGIC PLAN

The relationship with the Community Strategic Plan is as follows:

5. Our Civic Leadership

5.2 Council is well governed and customer focused

BACKGROUND

Section 231 of the Local Government Act 1993 states that:

- (1) The Councillors may elect a person from among their number to be the Deputy Mayor.*
- (2) The person may be elected for the mayoral term or a shorter term.*
- (3) The Deputy Mayor may exercise any function of the Mayor at the request of the Mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of Mayor.*
- (4) The Councillors may elect a person from among their number to act as Deputy Mayor if the Deputy Mayor is prevented by illness, absence or otherwise from exercising a function under this section, or if no Deputy Mayor has been elected.*

Council's *Deputy Mayor Policy* states:

4.4 Appointment - In accordance with Council's Code of Meeting Principles and Practices, the election of the Deputy Mayor (for the period 1 October to 30 September) will take place at the Council meeting held in September annually. Nominations for Deputy Mayor will close on the date advised by staff, the deadline related to the report deadline for the September meeting.

In line with Council's Open Government Policy, elections shall be conducted by open voting unless, at the meeting in which the election is to take place, Council resolves to hold a secret ballot. Should the Council resolve to hold a ballot, ballot papers will be distributed to Councillors. The ballot shall be conducted in accordance with Schedule 7 Part 2 of the Local Government (General) Regulation 2005.

CONSULTATION REQUIREMENTS

Community engagement is not required.

DETAIL

Council would normally consider the election of the Deputy Mayor at its September Ordinary Meeting and under the Deputy Mayor Policy the appointment would be made for a 12 month period (1 October to 30 September). Due to the delay of the local government election,

Council may wish to determine to appoint a Deputy Mayor for the mayoral term or a shorter term.

Nomination forms were distributed to all Councillors on 4 January 2021.

Election procedure

Part 3 of The Schedule 7 in the Regulations provides that if more than one councillor is nominated, the council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.

Council's Deputy Mayor Policy (clause 4.4) and past practice has been to elect the Deputy Mayor through open voting. In addition, the Office of Local Government identifies open voting is the most transparent method of voting and as the least bureaucratic method which reflects normal council voting methods.

The General Manager or his nominee, conducts the election as the Returning Officer (The Schedule, Part 3)

The result of the election (including the name of the candidate elected as Deputy Mayor) is:

- (a) to be declared to the Councillors at the council meeting at which the election is held by the Returning Officer, and
- (b) to be delivered or sent to the Secretary and the Chief Executive Officer of Local Government NSW. (The Schedule, Part 13)