

## ITEM 2 ELECTION OF DEPUTY LORD MAYOR

Council may elect a Deputy Lord Mayor who would assume all the duties and powers of the Lord Mayor in their absence. The Local Government (General) Regulation 2021 outlines the process for electing a Deputy Lord Mayor which is outlined in this report.

### RECOMMENDATION

- 1 Council elect a Deputy Lord Mayor for a term determined by the Council.
- 2 Council determine whether the method of election for the Deputy Lord Mayor is by open voting, ordinary ballot or preferential ballot.
- 3 Council proceed to conduct the election of Deputy Lord Mayor in accordance with the determined method and the requirements of the Local Government (General) Regulation 2021.

### REPORT AUTHORISATIONS

Report of: Michelle Martin, Manager Governance + Customer Service (Acting)  
Authorised by: Todd Hopwood, Director Corporate Services - Connected + Engaged City (Acting)

### ATTACHMENTS

There are no attachments for this report.

### BACKGROUND

A Deputy Lord Mayor assumes all the duties and powers of the Lord Mayor at the request of the Lord Mayor, or if the Lord Mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the Office of Lord Mayor.

Section 231 of the *Local Government Act 1993* (the Act) provides for Councillors to elect a person from among their number to be the Deputy Lord Mayor. The person may be elected for a maximum period that is equal to the term of the Lord Mayor or a shorter term as resolved by Council.

Clause 394 of the *Local Government (General) Regulation 2021* (the Regulation) stipulates that '*if a Mayor or Deputy Mayor is to be elected by the Councillors of an area, the election is to be in accordance with Schedule 7*'. Council is therefore required to conduct the election of Deputy Lord Mayor in accordance with this Schedule.

### PROPOSAL

The process to be followed in the election of the Deputy Lord Mayor in accordance with Schedule 7 of the Regulation is as follows:

- A Councillor is to be nominated in writing by two or more Councillors, one of whom may be the nominee, and the nomination is not valid unless the nominee has indicated consent to the nomination in writing.
  - The nomination is to be delivered or sent to the Returning Officer.
  - The General Manager has nominated Council's Governance and Risk Manager to be the Returning Officer for the election of the Deputy Lord Mayor.
  - The General Manager, or a person appointed by the General Manager, is the Returning Officer for the election and that person is to announce the names of the nominees at the Council meeting at which the election is to be held.
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- Should more than one Councillor be nominated, Council is to resolve at the meeting at which the election is to be held whether the election is to proceed by way of open voting (i.e. a show of hands) ordinary ballot or preferential ballot.
- Ordinary or preferential ballots are secret ballots and all Councillors will need to be in physical attendance in the meeting if the election is to be held by way of an ordinary or preferential ballot.
- Open ballots can be undertaken remotely where a council is conducting its meetings by audio visual link, or if an individual Councillor/s is attending via audio visual link.
- Counting will be conducted in accordance with Parts 2 or 3 of Schedule 7, depending on the method adopted by Council.

The term of the Deputy Lord Mayor will need to be determined by Council. As all elections for Deputy Lord Mayor must follow the requirements of the Act and Regulations in relation to elections of mayors, Council will need to be cognisant of s290(1) of the Act when determining the term of the Deputy Lord Mayor.

Section 290(1)(b) of the Act states that an election of a mayor (or deputy mayor), if it is not the first election of the term, nor an election to fill a casual vacancy, must occur during the month of September. As such Council has the following options in determining the initial Deputy Mayor term:

- Initial term for the period up to September 2022, which will result in additional terms from September 2022 to September 2023 and September 2023 to September 2024 to be filled by future elections
- Initial term for the period up to September 2023, which will result in an additional term from September 2023 to September 2024 to be filled by a new election
- Term for the entire Council term, i.e. for the period up to September 2024

## CONSULTATION AND COMMUNICATION

This report has been prepared in accordance with the provisions of the *Local Government Act 1993* and the *Local Government (General) Regulation 2021*. Councillors will receive separate notification of this election together with a nomination form prior to the meeting occurring.

## CONCLUSION

Council may elect a Deputy Lord Mayor to exercise the functions of the Lord Mayor at the request of the Lord Mayor, or if the Lord Mayor is prevented by illness, absence or otherwise from exercising the function, or if there is a casual vacancy in the Office of Lord Mayor.

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