

Resolution of Council

21 September 2020

Item 4.1

Election of Deputy Lord Mayor

Memorandum by the Chief Executive Officer

To Council:

Sections 231(1) and (2) of the Local Government Act 1993 (the Act) provide:

- (1) the councillors may elect a person from among their number to be the deputy mayor; and
- (2) the person may be elected for the mayoral term or a shorter term.

At the Council meeting of 9 September 2019, Councillor Jess Scully was elected Deputy Lord Mayor in accordance with the provisions of section 231 of the Local Government Act 1993 for a term commencing immediately and ending on the day appointed for the next ordinary election of Council.

Postponement of Local Government Elections

In March 2020, the Minister for Local Government announced that the September 2020 local government elections would be postponed to address the risks posed by the Covid-19 pandemic. The Local Government Act 1993 has been amended to confer on the Minister, a time-limited power to postpone council elections.

The official Order under the Local Government Act 1993 deferring the local government election from 12 September 2020 for twelve months was made on 12 June 2020. The NSW Government has announced that the local government elections will be held on 4 September 2021.

Accordingly, given the postponement of the local government election, it is appropriate that Council declare the office of Deputy Lord Mayor vacant to enable it to elect a Deputy Lord Mayor for a new term of office commencing immediately and ending on the day appointed for the next ordinary election of Council, currently scheduled to be held in September 2021.

Payment of Fees

Section 249(5) of the Act provides:

- (5) a council may pay the deputy mayor (if there is one) a fee determined by the council for such time as the deputy mayor acts in the office of the mayor. The amount of the fee so paid must be deducted from the mayor's annual fee.

On 5 June 2000, Council resolved to:

“Pay Councillors the maximum of the range (as determined annually by the Local Government Remuneration Tribunal) as a matter of standing policy.

Pay the Lord Mayor the maximum of the range (in addition to the fee as a Councillor) - as a matter of standing policy (less the Deputy Lord Mayor's fee).

Pay the Deputy Lord Mayor, in addition to the fee as a Councillor, an amount equal to 10 per cent of the mayoral fee actually paid to the Lord Mayor as a matter of standing policy.”

Call for Nominations

Nominations for the office of Deputy Lord Mayor are now invited. Nominations must be made in writing by two or more Councillors (one of whom may be the nominee). Nomination forms will be provided to Councillors.

Conduct of Election

Schedule 7 of the Local Government (General) Regulation 2005 provides the method of conducting an election for Deputy Lord Mayor (further details on election procedures will be provided to Councillors). The last time the Deputy Lord Mayor's position was contested the method of voting selected by the Council was open, exhaustive voting.

Recommendation

It is resolved that:

- (A) Council declare the office of Deputy Lord Mayor vacant effective immediately;
- (B) Council elect a Deputy Lord Mayor for a term commencing immediately following the election and ending on the day appointed for the next ordinary election of Council;
- (C) the method of voting be by open, exhaustive voting; and
- (D) the Chief Executive Officer conduct the election forthwith.

MONICA BARONE

Chief Executive Officer

Moved by the Chair (the Lord Mayor), seconded by Councillor Scully –

- (A) Council declare the office of Deputy Lord Mayor vacant effective immediately;
- (B) Council elect a Deputy Lord Mayor for a term commencing immediately following the election and ending on the day appointed for the next ordinary election of Council;
- (C) the method of voting be by open, exhaustive voting; and
- (D) the Chief Executive Officer conduct the election forthwith.

Carried unanimously.

At this stage of the meeting, the Chief Executive Officer, as Returning Officer, called on the Council Business Coordinator to assist with the conduct of the ballot.

The Council Business Coordinator announced that two duly completed, written nominations had been received, namely –

Councillor Jess Scully (nominated by the Lord Mayor, seconded by Councillor Thalís)

Councillor Angela Vithoulkas (nominated by Councillor Chung, seconded by Councillor Scott)

Councillors Scully and Vithoulkas in turn indicated acceptance of their nominations.

An election for the office of Deputy Lord Mayor was then conducted, in alphabetical order, and resulted as follows –

Councillor Scully – 5 votes

Councillor Vithoulkas – 5 votes

The Council Business Coordinator then explained the procedures to be followed where an equality of voting has occurred.

The names of Councillor Scully and Vithoulikas were subsequently deposited in the ballot box.

Upon one name being drawn from the ballot box, the Council Business Coordinator announced that Councillor Scully had been duly elected to the office of Deputy Lord Mayor in accordance with the provisions of section 231 of the Local Government Act 1993 for a term commencing immediately and ending on the day appointed for the next ordinary election of Council.

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