

## 4.2 Election of the Mayor

REPORT BY THE GOVERNANCE COORDINATOR  
TO 12 JANUARY 2022 EXTRAORDINARY MEETING  
GOV400066, GOV400054, GOV400098

### RECOMMENDATION

#### That Council:

1. receive the report by the Governance Coordinator on the Election of the Mayor;
2. determine that the Ballot for the election of the Mayor be by Open Voting/ Ordinary Ballot/Preferential Ballot (delete two);
3. designate the General Manager as Returning Officer for the election with the election to be conducted by the General Manager and the Manager Customer Services and Governance; and
4. Elect the Mayor for the term of 2 years.

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### Executive summary

This report provides the direction to elect the Mayor for the period January 2022 to January 2024.

### Disclosure of Interest

Nil

### Detailed report

The Mayor is elected by the Councillors from among their number.

The Local Government Act 1993 provides that where the Mayor is elected by the Councillors from among their number, the election shall be held within 3 weeks of the ordinary election (Section 290 (1) (a)) and the Mayor shall hold office for two years (Section 230).

As provided by Clause 394 of the Local Government (General) Regulation 2005, the conduct of the election of the Mayor is governed by the provisions of Schedule 7 of that Regulation.

#### **Local Government (General) Regulation 2005 Requirements**

The Returning Officer for the election of the Mayor shall be the General Manager (or a person appointed by the General Manager). The General Manager has indicated that he will act as Returning Officer and that the Manager Customer Services and Governance will assist.

Nominations for the Mayor shall be in writing, but may be without notice, by two (2) or more Councillors (one of whom may be the nominee). 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 who is to announce the names of the nominees at the Council Meeting at which the election is to be held.

If only one candidate is nominated, that Councillor is elected.

When more than one candidate is nominated, the Council may, by resolution, decide whether the election shall be carried out by:

- a) Ordinary Ballot - Involving the marking of Ballot Papers - subsequent exclusion of one candidate; further voting and exclusions; repeated until two candidates only remain, final vote between remaining two candidates.
- b) Open Voting - Procedure identical to Ordinary Ballot, however, the voting is by show of hands or similar means, not a Ballot Paper.
- c) Preferential Ballot - The complete numbering of Ballot Papers in consecutive order of preference for all candidates, commencing with "1" as first preference.

### **Drawing of Lots**

If this becomes necessary, it shall be done by the Returning Officer.

In any case for the purpose of excluding a candidate, the candidate's name drawn shall be excluded. In any case for the purpose of electing a candidate, the candidate's name drawn shall be elected.

## Community Plan implications

<b>Theme</b>	<b>Good Governance</b>
Goal	Strong civic leadership
Strategy	Provide accountable and transparent decision making for the community

## Financial implications

Not applicable

TIM JOHNSTON  
GOVERNANCE COORDINATOR

SIMON JONES  
DIRECTOR COMMUNITY

16 December 2021

*Attachments:* 1. Role of Mayor.

**APPROVED FOR SUBMISSION:**

BRAD CAM  
GENERAL MANAGER

## Local Government Act 1993 No 30

Current version for 1 July 2020 to date (accessed 27 July 2020 at 12:06)

[Chapter 9](#) > [Part 2](#) > [Division 2](#) > Section 226

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### **226 Role of mayor**

The role of the mayor is as follows—

- (a) to be the leader of the council and a leader in the local community,
- (b) to advance community cohesion and promote civic awareness,
- (c) to be the principal member and spokesperson of the governing body, including representing the views of the council as to its local priorities,
- (d) to exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council,
- (e) to preside at meetings of the council,
- (f) to ensure that meetings of the council are conducted efficiently, effectively and in accordance with this Act,
- (g) to ensure the timely development and adoption of the strategic plans, programs and policies of the council,
- (h) to promote the effective and consistent implementation of the strategic plans, programs and policies of the council,
- (i) to promote partnerships between the council and key stakeholders,
- (j) to advise, consult with and provide strategic direction to the general manager in relation to the implementation of the strategic plans and policies of the council,
- (k) in conjunction with the general manager, to ensure adequate opportunities and mechanisms for engagement between the council and the local community,
- (l) to carry out the civic and ceremonial functions of the mayoral office,
- (m) to represent the council on regional organisations and at inter-governmental forums at regional, State and Commonwealth level,
- (n) in consultation with the councillors, to lead performance appraisals of the general manager,
- (o) to exercise any other functions of the council that the council determines.