

TERM OF MAYOR AND DEPUTY MAYOR

Report Author: Governance Officer
Responsible Officer: Director Corporate Services
Ward(s) affected: (All Wards);

The author(s) of this report and the Responsible Officer consider that the report complies with the overarching governance principles and supporting principles set out in the Local Government Act 2020.

CONFIDENTIALITY

This item is to be considered at a Council meeting that is open to the public.

SUMMARY

The *Local Government Act 2020* (the Act) requires Council to determine by resolution whether the Mayor is to be elected for a one year or two year term. This must be done before the election of the Mayor takes place.

The term of office of the Mayor also applies to the election of the Deputy Mayor, whose office has been established by Council under section 20A of the Act.

This year, Council can only consider a one-year term for these appointments given the end of the term of all current Councillor positions at the date of the Local Government election scheduled in October 2024.

This report has been submitted for Council's consideration by the Chief Executive Officer in accordance with the requirements of sub-Rule 6.1 of Council's Governance Rules.

RECOMMENDATION

That, in accordance with the requirements of section 26(3) of the Local Government Act 2020, Council elect the Mayor and Deputy Mayor for a one (1) year term.

RELATED COUNCIL DECISIONS

On 8 November 2022, Council elected a Mayor and Deputy Mayor and determined both should serve a one-year term.

DISCUSSION

Purpose and Background

The purpose of this report is for Council to determine the term of office of the Mayor and Deputy Mayor, proposed as a one-year term.

Section 26(3) of the Act states:

“Before the election of the Mayor, a Council, other than the Greater Geelong City Council, must determine by resolution whether the Mayor is to be elected for a 1 year or a 2 year term”.

In accordance with section 27(2) of the Act, section 26 also applies to the election of a Deputy Mayor.

Council has traditionally elected the Mayor and Deputy Mayor for a one-year term.

Options and key issues considered

The recommendation for a one-year term has been prepared based on historical practice.

In addition, a one-year term is the only possible option given the Local Government Election scheduled for 2024. The Mayor and Deputy Mayor's positions (along with all Councillors) will become vacant at 6pm on election day, which falls on Friday 25 October 2024. In the event of an election year, the Mayoral term is shortened and ends on election day.

Following election day, the Council will operate without a complete complement of Councillors for a duration of three weeks or until a Declaration is issued. Subsequently, the Act mandates the appointment of a new Mayor no later than one month after the general election date. Council anticipates the next Mayoral election to take place no later than 10 December 2024.

Recommended option

Council to determine the term of office of the Mayor and Deputy Mayor, proposed as a one-year term.

FINANCIAL ANALYSIS

There are no financial implications arising from the recommendation in this report. Mayoral and Councillor allowances are paid in accordance with existing operating budgets.

The Victorian Independent Remuneration Tribunal sets the values of the allowances, including allowance categories, payable to Mayors, Deputy Mayors and Councillors.

The Mayor will receive an allowance of \$126,958 (per annum, pro rata, inclusive of superannuation) with an increase to occur 18 December 2023 to \$130,390 (per annum, pro rata, inclusive of superannuation). The Deputy Mayor will receive an allowance of \$63,480 (per annum, pro rata, inclusive of superannuation) with an increase to occur 18 December 2023 to \$65,195 (per annum, pro rata, inclusive of superannuation).

APPLICABLE PLANS AND POLICIES

This report contributes to the following strategic objective(s) in the Council Plan: High Performing Organisation.

RELEVANT LAW

This report has been prepared in accordance with the requirements of Section 26 of the Act.

SUSTAINABILITY IMPLICATIONS

There are no economic, social or environmental impacts associated with determining the term of the Mayor and Deputy Mayor.

COMMUNITY ENGAGEMENT

Not applicable.

COLLABORATION, INNOVATION AND CONTINUOUS IMPROVEMENT

Not applicable.

RISK ASSESSMENT

There are no risks associated with the recommendation in this report.

CONFLICTS OF INTEREST

No officers and/or delegates acting on behalf of the Council through the Instrument of Delegation and involved in the preparation and/or authorisation of this report have any general or material conflict of interest as defined within the *Local Government Act 2020*.

ATTACHMENTS TO THE REPORT

Nil