

TERM OF MAYOR AND DEPUTY MAYOR

Report Author: Governance Officer
Responsible Officer: Chief Executive Officer
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 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 9 November 2021, 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

While the option exists for Council to determine that the Mayor and Deputy Mayor term of office be two years, the recommendation for a one year term has been prepared to reflect custom and practice.

It should be noted that the office of both the current Mayor and Deputy Mayor becomes vacant at the time and on the day of the election of the next Mayor and Deputy Mayor, or as otherwise described in sections 20 and 22 of the Act.

A failure by Council to determine the term of the Mayor and Deputy Mayor means that the election of a new Mayor and Deputy Mayor cannot proceed. Should this occur, section 20B of the Act provides for Council to appoint a Councillor to be the Acting Mayor for a period specified by the Council, or until such time as the Office of the Mayor is properly appointed into.

The Act requires the next election of the Mayor and Deputy Mayor to be held on a day to be determined by Council that is as close to the end of the approved term as is reasonably practicable.

Recommended option and justification

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

FINANCIAL ANALYSIS

The Victorian Independent Remuneration Tribunal (the Tribunal) made a Determination, effective 18 November 2021, setting the values of the allowances, including allowance categories, payable to Mayors, Deputy Mayors and Councillors.

The Mayor will receive an allowance of \$119,316 (per annum, pro rata, inclusive of superannuation) with an increase to occur 17 December 2022 to \$122,630 (per annum, pro rata, inclusive of superannuation); and the Deputy Mayor will receive an allowance of \$59,658 (per annum, pro rata, inclusive of superannuation) with an increase to occur 17 December 2022 to \$61,315 (per annum, pro rata, inclusive of superannuation).

The allowance paid to Councillors, as determined by the Tribunal, will be \$35,972 (per annum, pro rata, inclusive of superannuation) with an increase to occur 17 December 2022 to \$37,010 (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.

No regional, state or national plans and policies are applicable to the recommendation in this report.

RELEVANT LAW

This report has been prepared in accordance with the requirements of section 26 of the Local Government Act 2020.

SUSTAINABILITY IMPLICATIONS

Economic Implications

There are no economic impacts associated with determining the term of the Mayor and Deputy Mayor.

Social Implications

There are no social impacts associated with determining the term of the Mayor and Deputy Mayor.

Environmental Implications

There are no environmental impacts associated with determining the term of the Mayor and Deputy Mayor.

COMMUNITY ENGAGEMENT

Not applicable

COLLABORATION, INNOVATION AND CONTINUOUS IMPROVEMENT

Not relevant

RISK ASSESSMENT

There are no risks associated with the recommendation in this report. The term of the Mayor and Deputy Mayor can be determined by choosing one of the two options available in section 26(3) of the Act prior to an election for the new Mayor and Deputy Mayor taking place.

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

There are no attachments to this report.