

Governance Rule

Election of Mayor and Deputy Mayor

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*Unless replaced, this policy will still apply beyond the review date.

Related internal policies, procedures and guidelines	<ul style="list-style-type: none">• Councillor Code of Conduct• Code of Conduct for Members of Council Staff
Related legislation	<ul style="list-style-type: none">• <i>Local Government Act 2020</i>

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1. Election of Mayor and Deputy Mayor

1.1. Election of Mayor and Deputy Mayor

Subject to section 167 (determinations by a Councillor Conduct Panel) of the Act, a Councillor is eligible for election or re-election to the office of Mayor.

The Councillors must elect a Councillor to be the Mayor at a meeting specifically convened for the purpose and held in accordance with the Act as soon as possible after any vacancy in the office of the Mayor occurs.

The agenda for the meeting to elect the Mayor must include:

- a) the appointment of a temporary chairperson; and
- b) the election of the Mayor.

The Chief Executive Officer will be the first temporary Chairperson of the meeting at which the election of Mayor is to be conducted but will have no voting rights.

The Chief Executive Officer must invite nominations for a second temporary Chairperson. If there is only one nomination, the candidate nominated is deemed to have been elected. If there is more than one nomination, the Councillors present at the meeting must vote for one of the candidates by show of hands and the candidate receiving a majority of the votes must be declared to have been duly elected.

The second temporary Chairperson must invite nominations for the office of Mayor.

If there is only one nomination (which must be seconded), the candidate nominated is deemed to be elected until the next meeting held to elect the Mayor or the next general election (whichever happens sooner).

If there is more than one nomination (each of which must be seconded), a vote must be taken to elect one of the candidates by a show of hands. In the event of a candidate receiving an absolute majority*, that candidate is declared to have been elected.

In the event that no candidate receives an absolute majority, the candidate with the fewest number of votes is declared to be a defeated candidate. A further vote will then be taken for the remaining candidates by show of hands.

If one of the remaining candidates receives an absolute majority, he or she is duly elected. If none of the candidates receives an absolute majority, the process of declaring the candidate with the fewest number of votes a defeated candidate and voting for remaining candidates by a show of hands (or by such other method as Council determines) must be repeated until one of the candidates receives an absolute majority. That candidate must then be declared to have been duly elected.

The temporary Chairperson shall not have a second or casting vote.

If an absolute majority cannot be obtained at the meeting, the Council may resolve to conduct a new election at a later specified time and date.

** In the procedure for the election of the Mayor **absolute majority** means the number of Councillors which is greater than half the total number of the Councillors of a Council (Section 25(7) of the Act).*

1.2. Mayor to take Chair

After the election of the Mayor is determined, the Mayor must take the Chair.

The Mayor must take the Chair at all meetings of Council at which he or she is present, unless precluded from doing so because of a conflict of interest.

1.3. Absence of Mayor or Chairperson

If the Mayor is absent from a Council Meeting or is required to temporarily vacate the Chair under the Governance Rules, the Deputy Mayor, shall take the Chair. If the Deputy Mayor is absent from a meeting of Council, a temporary Chairperson shall be elected in accordance with the procedure for the election of the Mayor.

If the Chairperson of a delegated committee is absent from a delegated committee meeting or is required to temporarily vacate the Chair under the Governance Rules, then the temporary Chairperson shall be:

- a) the Mayor;
- b) the Deputy Mayor (if the Mayor is also absent); or
- c) if both the Mayor and Deputy Mayor are also absent, the delegated committee shall elect a temporary Chairperson in accordance with the procedure for the election of the Mayor.

1.4. Procedure for election of Deputy Mayor

To elect a Deputy Mayor, Council must follow the procedure for the election of Mayor with such adaptations as necessary.

The Mayor shall take the Chair for the election of a Deputy Mayor.

1.5. Removal of a 2 year term Mayor or Deputy Mayor

Council in accordance with section 23 of the Act may declare the office of Mayor vacant, if the motion is passed by a majority of at least three-quarters of all of the Councillors in office.