EXTRAORDINARY MEETING

MAYORAL ELECTION

25 SEPTEMBER 2013

LEICHHARDT MUNICIPAL COUNCIL

EXTRAORDINARY MEETING OF COUNCIL

NOTICE IS HEREBY GIVEN THAT AN **EXTRAORDINARY MEETING** OF THE
LEICHHARDT MUNICIPAL COUNCIL WILL BE HELD IN THE COUNCIL
CHAMBERS, LEICHHARDT TOWN HALL, 107 NORTON STREET, LEICHHARDT,
ON **WEDNESDAY 25 SEPTEMBER 2013 AT 7.00PM.**

Peter Gainsford
ACTING GENERAL MANAGER

17 September 2013

BUSINESS :

ITEM 1:   ELECTION OF MAYOR

ITEM 2:   ELECTION OF DEPUTY MAYOR

LEICHHARDT MUNICIPAL COUNCIL	
REPORT	
DIVISION:	GENERAL MANAGER
SUBJECT:	ITEM 1 ELECTION OF MAYOR
DATE:	17 September 2013
WORD PROCESSING REF:	

A nomination form for the position of Mayor is attached.

If you are nominating a Councillor for Mayor, please complete and return to the General Manager at, or before the meeting.

Also attached are Procedures for the Mayoral Election and Local Government Regulation information relating to the Mayoral Election.

PROCEDURES FOR MAYORAL ELECTION

1. Mayor opens meeting. Welcoming Councillors, distinguished guests and members of the staff.

2. Mayor indicates that the election will be conducted under the provisions of the Local Government Act and Regulations. It is necessary for the Council to determine the method of voting to be used for the election of Mayor and Deputy Mayor.

Under paragraph three of the regulations it states:

1. If only one Councillor is nominated that Councillor is elected.

2. If more that one Councillor is nominated, Council is to resolve whether the election is to proceed by;

    a) preferential ballot
    b) ordinary ballot
    c) open voting

Traditionally, this Council has conducted its election by open voting. If Council decided to conduct the election by preferential or ordinary ballot, then refer to the Regulations attached.

3. Mayor determines with Council the procedures and method of voting, ie: show of hands.

4. Mayor steps down and hands over to the General Manager to conduct the elections.

5. General Manager calls for nominations for Mayor.

    1) A Councillor may be nominated without notice for election as Mayor or Deputy Mayor.

    2) The nomination is to be made in writing by 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.

3) The nomination to be delivered or sent to the Returning Officer (General Manager).

4) The Returning Officer (General Manager) is to announce the names of the nominees at the meeting.

5) If only two nominations received, then it's a simple method of a show of hands for each person. Counting of the votes and declaration of the winner. If voting it tied, the one elected is to be chosen by lot.

6) If more than two nominations, call for votes and elimination of the person with the smallest number of votes.

7) Mayor takes up his or her seat. Mayor normally asks the General Manager to conduct the election of Deputy Mayor.

8) General Manager or Mayor then conducts the voting for Deputy Mayor in the same way as above, ie. call for nominations, voting, declare result.

9) All Councillors are given the opportunity to speak prior to the close of the meeting.

10) Mayor then invites all present to join them and Councillors for refreshments.

Schedule 7 Election of mayor by councillors

(Clause 394)

Part 1 Preliminary

1 Returning officer

The general manager (or a person appointed by the general manager) is the returning officer.

2 Nomination

(1) A councillor may be nominated without notice for election as mayor or deputy mayor.
(2) The nomination is to be made in writing by 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.
(3) The nomination is to be delivered or sent to the returning officer.
(4) The returning officer is to announce the names of the nominees at the council meeting at which the election is to be held.

3 Election

(1) If only one councillor is nominated, that councillor is elected.
(2) If more than one councillor is nominated, the council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.
(3) The election is to be held at the council meeting at which the council resolves on the method of voting.
(4) In this clause:

ballot has its normal meaning of secret ballot.

open voting means voting by a show of hands or similar means.

Part 2 Ordinary ballot or open voting

4 Application of Part

This Part applies if the election proceeds by ordinary ballot or by open voting.

5 Marking of ballot-papers

(1) If the election proceeds by ordinary ballot, the returning officer is to decide the manner in which votes are to be marked on the ballot-papers.
(2) The formality of a ballot-paper under this Part must be determined in accordance with clause 345 (1) (b) and (c) and (6) of this Regulation as if it were a ballot-paper referred to in that clause.

(3) An informal ballot-paper must be rejected at the count.

6 Count—2 candidates

(1) If there are only 2 candidates, the candidate with the higher number of votes is elected.
(2) If there are only 2 candidates and they are tied, the one elected is to be chosen by lot.

7 Count—3 or more candidates

(1) If there are 3 or more candidates, the one with the lowest number of votes is to be excluded.
(2) If 3 or more candidates then remain, a further vote is to be taken of those candidates and the one with the lowest number of votes from that further vote is to be excluded.
(3) If, after that, 3 or more candidates still remain, the procedure set out in subclause (2) is to be repeated until only 2 candidates remain.
(4) A further vote is to be taken of the 2 remaining candidates.
(5) Clause 6 of this Schedule then applies to the determination of the election as if the 2 remaining candidates had been the only candidates.
(6) If at any stage during a count under subclause (1) or (2), 2 or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.

Part 3 Preferential ballot

8 Application of Part

This Part applies if the election proceeds by preferential ballot.

9 Ballot-papers and voting

(1) The ballot-papers are to contain the names of all the candidates. The councillors are to mark their votes by placing the numbers "1", "2" and so on against the various names so as to indicate the order of their preference for all the candidates.
(2) The formality of a ballot-paper under this Part is to be determined in accordance with clause 345 (1) (b) and (c) and (5) of this Regulation as if it were a ballot-paper referred to in that clause.
(3) An informal ballot-paper must be rejected at the count.

10 Count

(1) If a candidate has an absolute majority of first preference votes, that candidate is elected.
(2) If not, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot-papers counted to him or her are transferred to the candidates with second preferences on those ballot-papers.
(3) A candidate who then has an absolute majority of votes is elected, but, if no candidate then has an absolute majority of votes, the process of excluding the candidate who has the lowest number of votes and counting each of his or her unexhausted ballot-papers to the candidates remaining in the election next in order of the voter's preference is repeated until one candidate has received an absolute majority of votes. The latter is elected.

(4) In this clause, *absolute majority*, in relation to votes, means a number that is more than one-half of the number of unexhausted formal ballot-papers.

11   Tied candidates

(1) If, on any count of votes, there are 2 candidates in, or remaining in, the election and the numbers of votes cast for the 2 candidates are equal—the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be elected.

(2) If, on any count of votes, there are 3 or more candidates in, or remaining in, the election and the numbers of votes cast for 2 or more candidates are equal and those candidates are the ones with the lowest number of votes on the count of the votes— the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.

Part 4 General

12   Choosing by lot

To choose a candidate by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the returning officer, the slips are folded by the returning officer so as to prevent the names being seen, the slips are mixed and one is drawn at random by the returning officer and the candidate whose name is on the drawn slip is chosen.

13   Result

The result of the election (including the name of the candidate elected as mayor or deputy mayor) is:

(a) to be declared to the councillors at the council meeting at which the election is held by the returning officer, and

(b) to be delivered or sent to the Director-General and to the Secretary of the Local Government and Shires Associations of New South Wales.

<u>NOMINATION FOR POSITION OF</u> **MAYOR**

We the undersigned Councillors of Leichhardt Council nominate

Councillor …………………………….. for the position of **MAYOR** for the period

commencing _____ September 2013.

PROPOSERS:

Councillor   …………………………   …………………………
              BLOCK LETTERS   **SIGNATURE**

Councillor   …………………………   …………………………
              BLOCK LETTERS   **SIGNATURE**

Councillor   …………………………   …………………………
              BLOCK LETTERS   **SIGNATURE**

I, the above nominated Councillor ……………………….. accept nomination for the position of **MAYOR**.

………………………..
SIGNATURE

<u>IMPORTANT NOTICE:</u>

The nomination will be declared invalid if it is not signed by at least two (2) Councillors as proposers, one of which can be the nominated person. The nominee must also sign as accepting the nomination.

LEICHHARDT MUNICIPAL COUNCIL	
REPORT	
DIVISION:	GENERAL MANAGER
SUBJECT:	ITEM 2 ELECTION OF DEPUTY MAYOR
DATE:	17 September 2013
WORD PROCESSING REF:	

A nomination form for the position of Deputy Mayor is attached.

If you are nominating a Councillor for Deputy Mayor, please complete and return to the General Manager at the meeting.

NOMINATION FOR POSITION OF
DEPUTY MAYOR

We the undersigned Councillors of Leichhardt Council nominate

Councillor ……………………………….. for the position of **DEPUTY MAYOR** for the

period commencing …….. September 2013.

PROPOSERS:

Councillor ………………………… ………………………….
                 BLOCK LETTERS   **SIGNATURE**

Councillor ………………………… ………………………….
                 BLOCK LETTERS   **SIGNATURE**

Councillor ………………………… ………………………….
                 BLOCK LETTERS   **SIGNATURE**

I, the above nominated Councillor ………………………….. accept nomination for the
position of **DEPUTY MAYOR**.

                      …………………………..
                      SIGNATURE

IMPORTANT NOTICE:

**The nomination will be declared invalid if it is not signed by at least two (2)
Councillors as proposers, one of which can be the nominated person. The
nominee must also sign as accepting the nomination.**