

Appointment of Deputy Lord Mayor

Tuesday, 28 November 2023
Council

Strategic Alignment - Enabling Priorities

Program Contact:
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Public

Approving Officer:
Michael Sedgman - Chief
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EXECUTIVE SUMMARY

Section 20 (4) of the *City of Adelaide Act 1998* states 'The Council may resolve to have a Deputy Lord Mayor in accordance with the provisions of the *Local Government Act 1999*.

It is the practice of the City of Adelaide to resolve to have a Deputy Lord Mayor to assist the Lord Mayor and the Council in the performance of their duties.

This report is presented to enable Council to resolve to have a Deputy Lord Mayor and then appoint a Council Member to the position for a period of 1 year.

RECOMMENDATION

THAT COUNCIL

1. Notes that Council has resolved to have the position of Deputy Lord Mayor for the 2022-2026 Council Term.
 2. Approves Councillor Martin continuing in the role of Deputy Lord Mayor until 31 December 2023..
 3. Appoints Councillor _____ to the position of Deputy Lord Mayor for the period commencing 1 January 2024 to 31 December 2024.
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IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Enabling Priorities Appointment of a Deputy Lord Mayor enhances Council's ability to continually improve our governance and maximise community benefit.
Policy	Code of Practice for Meeting Procedures.
Consultation	Not as a result of this report
Resource	Provision of administrative support is provided by the Council Liaison Officer.
Risk / Legal / Legislative	The <i>City of Adelaide Act 1998</i> and the <i>Local Government Act 1999 (SA)</i> contain the provisions utilised by Council to resolve to have a Deputy Lord Mayor. As per section 51(8) of the <i>Local Government Act 1999 (SA)</i> – 'If a person is to be chosen by the members of the council to fill an office under this section and the votes for two or more candidates for the office are equal, lots must be drawn to determine which candidate or candidates will be excluded'. If a Council Member is nominated for the position, and upon subsequent acceptance of the nomination by this Member, this particular Council Member is required to declare a material conflict of interest and vacate the Chamber before the matter is discussed and voted on. This is because the Member would receive an additional allowance depending on the outcome of the consideration of the matter.
Opportunities	Not as a result of this report
22/23 Budget Allocation	Council Members receive an annual allowance of \$30,385 The position of Deputy Lord Mayor receives an annual allowance of \$45,577.50.
Proposed 23/24 Budget Allocation	In accordance with the Remuneration Tribunal SA Determination No 3 of 2022, Allowances for Member of Adelaide City Council, there will be an annual increase to council member allowances. The increase was applicable from 12 November 2023 and will be adjusted in the 2024/25 budget as required.
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
22/23 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

1. At its meeting of 29 November 2022 Council resolved:

That Council

1. Approves, in the 2022-2026 term of office, having the position of Deputy Lord Mayor in accordance with section 20(4) of the City of Adelaide Act 1998.
 2. Approves the appointment of a Council Member to the position of Deputy Lord Mayor commencing 29 November 2022 and concluding on 30 November 2023.
 3. That Council appoints Councillor Martin to the position of Deputy Lord Mayor commencing 29 November 2022 and concluding on 30 November 2023
2. It is the practice of Council to appoint a Deputy Lord Mayor to assist the Lord Mayor and the Council in the performance of their duties.
3. The role of the Deputy Lord Mayor is to:
- 3.1. Represent the Lord Mayor if the Lord Mayor is unavailable to attend official duties from time to time, where appropriate, and subject to the availability of the Deputy Lord Mayor.
 - 3.2. Act in the role of Lord Mayor as Acting Lord Mayor when the Lord Mayor:
 - 2.2.1 has taken official leave of absence from Council;
 - 2.2.2 formally delegates in writing his or her responsibilities to the Deputy Lord Mayor;
 - 2.2.3 is overseas or interstate for an extended period of time; and
 - 2.2.4 is unable to discharge his or her duties due to illness or for any other reasons, subject to Council approval.
 - 3.3. Be the spokesperson of Council in the absence or unavailability of the Lord Mayor.
 - 3.4. Discuss the progress of Council decisions with the Chief Executive Officer to support the implementation of these decisions, in the absence or unavailability of the Lord Mayor.
 - 3.5. Preside at ordinary and special meetings of Council in the absence of the Lord Mayor; and exercise any other functions as Council may determine from time to time.
 - 3.6. The Council Member who hold the office of Deputy Lord Mayor shall be known and addressed as Deputy Lord Mayor at all times.
 - 3.7. Council may appoint an Acting Deputy Lord Mayor with respect to any extended period of absence of the Lord Mayor, when the Deputy Lord Mayor is Acting Lord Mayor.
4. The civic activities of a Council are an important part of community leadership and the development of community indemnity. The selection of a Councillor for the position of Deputy Lord Mayor has typically been for a period of 12 months.
5. During the first year of the 2022-2026 Council term, the position of the Deputy Lord Mayor has been undertaken by Councillor Martin – 29 November 2022 to 30 November 2023. Councillor Martin is eligible to be nominated again for the position of Deputy Lord Mayor.
6. This report is also seeking an extension of time for Councillor Martin's appointment as Deputy Lord Mayor until 31 December 2023.
7. If the extension is supported by Council, this will mean that any future Deputy Lord Mayor appointments will fall under the calendar year, being 1 January to 31 December.
8. On 5 July 2022, the Remuneration Tribunal of South Australia determined the allowances payable for members of the City of Adelaide. This was effective from the commencement of 2022-2026 Council term. The adjusted council member allowance effective from 12 November 2023 is:
- 8.1. Councillors - \$ 30,385 per annum
 - 8.2. Deputy Lord Mayor - \$45,577.50 per annum (1.5 times the annual allowance for Councillors of the City of Adelaide)
9. The level of allowance for the Deputy Lord Mayor recognises the additional role and function of this position and the role it plays in supporting the Lord Mayor and acting in the position when the Lord Mayor is on leave.

10. In accordance with section 51 (8) of the *Local Government Act 1999 (SA)* and the Code of Practice – Meeting Procedures (4.2 – Nominations to Positions)
 - 10.1. In the event of there being more nominations than required, an election by voting ballot of Council Members present will be undertaken to select a nominee.
 - 10.2. If the votes for two or more candidates for the office are equal, lots must be drawn to determine which candidate or candidates will be excluded.
 - 10.3. All elections for positions will be the subject to confirmation by way of a resolution of Council.
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ATTACHMENTS

Nil

- END OF REPORT -