

Adjourned Item - Council Meeting 22 April 2025 - Appointment of Deputy Lord Mayor

Tuesday, 13 May 2025

Council

Strategic Alignment - Our Corporation

Public

Program Contact:

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Approving Officer:

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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 (SA)'.

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

On 11 April 2025, orders in relation to the matter of Alexander Hyde v Electoral Commissioner of South Australia, Jing Li were made by the Court of Disputed Returns and consequently, the position of Deputy Lord Mayor of Adelaide is now vacant.

At its Special meeting held on 14 April 2025, Council resolved to refer the appointment to the position of Deputy Lord Mayor to the Council meeting scheduled for 22 April 2025, for the period commencing 23 April 2025 and until the first meeting attended by newly sworn in Central Ward Councillors. At the meeting of Council 22 April 2025, the item was adjourned as the matter, if progressed, would result in a loss of quorum.

This report is to enable Council to resolve to appoint a Council Member to the position of Deputy Lord Mayor.

RECOMMENDATION

THAT COUNCIL

1. Appoints Councillor _____ to the position of Deputy Lord Mayor for the period commencing 14 May 2025 and until the first meeting attended by newly sworn in Central Ward Councillors.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2024-2028 Strategic Plan	Strategic Alignment – Our Corporation Appointment of a Deputy Lord Mayor enhances Council's ability to continually improve our governance and maximise community benefit.
Policy	Code of Practice for Council Meeting Procedures
Consultation	Not as a result of this report.
Resource	Administrative support is provided by the Council Liaison and Administration Support Officer.
Risk / Legal / Legislative	The <i>City of Adelaide Act 1998</i> and the <i>Local Government Act 1999</i> (SA) contain the provisions utilised by Council to resolve to create the position of Deputy Lord Mayor. As per section 51(8) of the <i>Local Government Act 1999</i> (SA) – '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, because the Member would receive an additional allowance for the position of Deputy Lord Mayor.
Opportunities	Not as a result of this report.
24/25 Budget Allocation	The position of Deputy Lord Mayor receives an annual allowance of \$47,035.50.
Proposed 25/26 Budget Allocation	Periodic adjustments to the annual allowances as determined by the Remuneration Tribunal SA are expected in November 2025.
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report.
24/25 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 12 November 2024 Council resolved in part:

THAT COUNCIL

1. *Notes that Council has resolved to create the position of Deputy Lord Mayor for the 2022-2026 Council Term.*
2. *Appoints Councillor Elliott to the position of Deputy Lord Mayor for the period commencing 13 January 2025 and concluding on 31 December 2025.*
2. On 11 April 2025, in the matter of *Alexander Hyde v Electoral Commissioner of South Australia, Jing Li*, the Court of Disputed Returns made orders resulting in the serving Deputy Lord Mayor being removed from the office of Councillor of the Central Ward of the City of Adelaide.
3. At its Special meeting held on 14 April 2025, Council considered the Appointment of Deputy Lord Mayor and resolved:

THAT COUNCIL

1. *Notes that Council has resolved to create the position of Deputy Lord Mayor for the 2022-2026 Council Term.*
2. *Refers the appointment to the position of Deputy Lord Mayor to the Council meeting scheduled for 22 April 2025, for the period commencing 23 April 2025 and until the first meeting attended by newly sworn in Central Ward Councillors.*
3. *The Deputy Lord Mayor acts as Chair for the City Planning, Development and Business Affairs and Infrastructure and Public Works Committees until the first meeting attended by newly sworn in Central Ward Councillors.*
4. *That administration ensures coverage for external bodies until the first meeting attended by newly sworn in Central Ward Councillors.*
4. At the Council meeting held on 22 April 2025, the item was adjourned as the matter, if progressed, would result in a loss of quorum.
5. This report seeks to appoint a Council Member to the position of Deputy Lord Mayor to fill the vacancy.

Role and responsibilities

6. 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.
7. The role of the Deputy Lord Mayor is to:
 - 7.1. 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.
 - 7.2. Act in the role of Lord Mayor as Acting Lord Mayor when the Lord Mayor:
 - 7.2.1. has taken official leave of absence from Council;
 - 7.2.2. formally delegates in writing his or her responsibilities to the Deputy Lord Mayor;
 - 7.2.3. is overseas or interstate for an extended period of time; and
 - 7.2.4. is unable to discharge his or her duties due to illness or for any other reasons, subject to Council approval.
 - 7.3. Be the spokesperson of Council in the absence or unavailability of the Lord Mayor.
 - 7.4. 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.
 - 7.5. 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.
 - 7.6. The Council Member who holds the office of Deputy Lord Mayor shall be known and addressed as Deputy Lord Mayor at all times.
 - 7.7. 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.

8. The civic activities of a Council are an important part of community leadership and the development of community identity. The appointment of a Councillor to the position of Deputy Lord Mayor has typically been for a period of 12 months.
9. During the first year of the 2022-2026 Council term, the position of the Deputy Lord Mayor was undertaken by Councillor Martin – 29 November 2022 to 30 November 2023. Following a Council decision on 28 November 2023, Councillor Martin's appointment to Deputy Lord Mayor was extended until 31 December 2023.
10. Between 1 January 2024 and 12 January 2025, the position of Deputy Lord Mayor was undertaken by Councillor Snape.
11. Both Councillors Martin and Snape are eligible to be nominated again for the position of Deputy Lord Mayor.

Allowances

12. The current Council Member allowances are:
 - 12.1. Councillors - \$31,357 per annum
 - 12.2. Deputy Lord Mayor - \$47,035.50 per annum (1.5 times the annual allowance for Councillors of the City of Adelaide).
13. 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.
14. In accordance with section 51 (8) of the *Local Government Act 1999* (SA) and the Code of Practice for Council Meeting Procedures (Ballot Process):
 - 14.1. 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.
 - 14.2. 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.
 - 14.3. All elections for positions will be the subject to confirmation by way of a resolution of Council.
15. This report seeks a decision from Council on which Council Member will be appointed to the position of Deputy Lord Mayor from 23 April 2025 and until the first meeting attended by newly sworn in Central Ward Councillors.

ATTACHMENTS

Nil

- END OF REPORT -