

# CONFIDENTIAL

REPORT FOR:	<b>Operations Committee</b>		
MEETING DATE:	12 January 2015		
REPORT FROM:	Chief Executive Officer		
REPORT TITLE:	<b>Nominations for LGA President, Board Members &amp; Deputy Board Members</b>		
FILE NAME:	F15/125	RECORD NO:	AR15/804

<b>COMMUNITY VISION &amp; STRATEGIC PLAN OUTCOMES</b>
<p><b>6 We Achieve</b></p> <p>6.1 Strong leadership and a committed and focused workforce to effectively manage and progress the City.</p> <p>6.2 Excellent Work, Health &amp; Safety practices are implemented to provide a safe and appropriate environment for the whole of the community.</p> <p>6.3 We aim to provide good governance practices and compliance with all legislative requirements in delivery of services.</p> <p>6.4 The use of technology is maximised to ensure that records, data and information systems are maintained to a high standard.</p> <p>6.5 We use and manage our financial resources in the best interests of our community, now and for the future.</p>

## **PURPOSE**

This report provides Council with the opportunity to respond to an invitation from the Local Government Association of South Australia to submit nominations for President, Board Members and Deputy Board Members.

## **RECOMMENDATION**

### **Operations Committee recommends Council:**

1. Nominates ..... *(to be determined by Council)* for the position of LGA President.
2. Nominates ..... *(to be determined by Council)* for the position of Board Member or Deputy Board Member representing the Spencer Gulf Cities Region.

## **BACKGROUND**

The term of the current LGA President, Board Members and Deputy Board Members of the LGA Board will conclude at the LGA Board Meeting to be held on 1 May 2015.

For details in respect to the eligibility criteria for President, Board Members and Deputy Board Members please refer to ATTACHMENT A (AR14/41115).

**DISCUSSION**

The nomination of representatives to the LGA Board is a matter for Council decision.

**CONFIDENTIALITY PROVISIONS**

It is considered that pursuant to Section 90(3)(a) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this report is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being the personal information of those nominating for positions on the LGA Board.

It is considered necessary to discuss this report in confidence and Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because information is required to be discussed pertaining to each candidate and a decision made as to which candidate is to be supported by Council and prematurely disclosing such information does not support the nomination process.

**It is recommended that the confidential provisions remain in force until the appointments have been finalised and announced.**

**RISK MANAGEMENT****1: Financial/Budget**

n/a

**2: Legal/Policy**

n/a

**3: Environment/Planning**

n/a

**4: Community**

4.1 General  
n/a

4.2 OPAL Program  
n/a

**JOHN BANKS**

**08/01/2015**

Our Reference: 605195 / MS

18 December 2014

**COUNTRY CEOs**

Mr John Banks  
City Manager  
Port Augusta City Council  
PO Box 1704  
PORT AUGUSTA SA 5700



Dear John

**Call for Nominations for LGA President, Board Members & Deputy Board Members**

The term of the current LGA President, Board Members and Deputy Board Members of the LGA Board will conclude at the LGA Ordinary General Meeting to be held on 1 May 2015.

In accordance with clause 55 of the LGA Constitution (available at <https://www.lga.sa.gov.au/webdata/resources/files/LGA%20Constitution%20April%202014.pdf>), the LGA is required to call for nominations to fill these positions and, if necessary, to conduct an election.

Accordingly, I write to you in your capacity as the Chief Executive Officer of an Ordinary Member Council to invite nominations from your Council for the positions, firstly, of LGA President and, secondly, for the positions of Board Member(s) and Deputy Board Member(s) representing your Region.

**ELIGIBILITY CRITERIA FOR PRESIDENT**

Clause 57.1. of the Constitution requires that the President must:

- be a Councillor or Mayor of an Ordinary Member Council who has served as a Board Member on the LGA Board for at least 12 continuous months from the conclusion of the previous Ordinary General Meeting, being 11 April 2015, to the date of calling for nominations for President; and
- the office of President must be occupied on a rotational basis by a member of a 'country' Council (being any Council that is not a member of the Metropolitan Local Government Group) and then, a member of a constituent Council of the Metropolitan Local Government Group. Commencing in May 2015 a member of a 'country' Council is required to fill the office of President for a two year term.

I have enclosed for your information a list of the Board Members who are eligible to be nominated for President.

**ELIGIBILITY CRITERIA FOR BOARD MEMBERS AND DEPUTY BOARD MEMBERS**

Pursuant to clause 57 of the Constitution:

Call for Nominations for LGA President, Board Members & Deputy Board Members



- in order to be eligible for nomination as a Board Member or Deputy Board Member representing a Region, a person must be a member of a constituent Council of that Region;
- a Council may nominate one eligible person to act as a Board Member or Deputy Board Member from their own Council . However, only one member of a Council may be nominated for such office;
- a nomination (for President and a Board Member) may only be made by resolution of the Council and using the **enclosed** form. The form must be signed by both the candidate nominated by the Council to indicate his/her willingness to stand for election, and by you as the Chief Executive Officer of the nominating Council; and
- unless stated otherwise. A nomination to act as a Board Member includes a nomination to as a Deputy Board Member.

#### ELECTION OF PRESIDENT

Nominations for President (and any accompanying candidate information) must be addressed to me using the enclosed nomination form and envelope and must be received by **5.00pm on 13 February 2015**.

As the Returning Officer for the President Election, I am required to conduct a postal ballot if 2 or more persons are nominated for the office of President. If a ballot is required, the distribution of ballot papers to Councils will include any information provided by the candidates to the Returning Officer in accordance with the **attached requirements**, as specified in clause 64.2 of the Constitution. This information is to be provided by the candidate with the nomination form.

As per the LGA Constitution, if an election is required, a preferential voting system will be used being the system contained in the *Local Government (Elections) Act 1999*, commonly known as 'proportional representation'.

The following timetable will be adhered to:

Action	Responsibility	Due Date
Provision of nominations for President, Board Member/Deputy Board Members to the Returning Officer	CEO of Ordinary Member Council	By 5pm Friday 13 February 2015
Ballot Papers prepared (if required)	Chief Executive Officer of the LGA	by Thursday 19 February 2015
Ballot Papers poster to Councils	Chief Executive Officer of the LGA	Friday 20 February 2015
Closing date for receipt of votes	CEO of Ordinary Member Council	by 5pm Tuesday 7 April 2015
Vote count and (provisional) declaration		from Wednesday 8 April 2015

## ELECTION OF BOARD MEMBERS & DEPUTY BOARD MEMBERS

Nominations for Board Members or Deputy Board (and any accompanying candidate information) must be addressed to the **Executive Officer of your Region** using the enclosed nomination form and envelope and must be received by **5.00pm on 13 February 2015**.

If the number of nominations for Board Member and Deputy Board Member representatives of a Region (excluding the Metropolitan Local Government Group) exceeds the number of positions that are required to be appointed for that Region under clause 49 of the Constitution, the Region will determine which Board Members and Deputy Board Members it wishes to appoint.

In this case it will be necessary for each Council to liaise with the other constituent councils comprising its respective Region to determine which candidates will be appointed as the representatives of the Region. The Executive Officer of your Region will coordinate and work with you in relation to the nomination and appointment process.

Each Region is required to notify me of its determination regarding the persons the Region wishes to appoint as its Board Member and Deputy Board Member representatives on the LGA Board **no later than 5pm, 17 March 2015**.

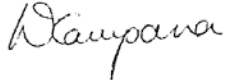
The following timetable will be adhered to:

Action	Responsibility	Due Date
Provision of Nominations (for Board Member/Deputy Board Members) to Executive Officer of the Region	CEO of Ordinary Member Council	By 5pm Friday 13 February 2015
Where the number of candidates exceed the positions available, a list of nominees and candidate details will be provided to CEOs of Ordinary Member Councils to facilitate the appointment process	Executive Officer of the Region	by Thursday 19 February 2015
Constituent Councils of Regions to liaise and determine who to appoint as its Board representatives	Executive Officer of the Region to coordinate	up to 16 March 2015
Regions to notify LGA of determination regarding Board Member and Deputy Board Member representatives	Executive Officer of the Region	by 5pm 17 March 2015

Extracts from the LGA Constitution in relation to the role and responsibilities of the President and other LGA Board Members are **attached** for your information.

If you have any queries in relation to the election process, please contact myself or Michael Stewart, Director of Finance and Corporate Services on 8224 2037.

Yours sincerely



Wendy Campana  
**Chief Executive Officer/Returning Officer**

Telephone: 8224 2022  
Email: [wendy.campana@lga.sa.gov.au](mailto:wendy.campana@lga.sa.gov.au)

Attachments:

- 1 List of Board Members eligible to be nominated as President
- 2 Nomination Form and envelope – President
- 3 Nomination Form and envelope – Board Member/Deputy Board Member
- 4 Returning Officer requirements for candidate information
- 5 Role & Responsibilities – President and Board Members (extract from LGA Constitution)
- 6 Councils in each Region

**Attachment 1**

**PERSONS ELIGIBLE FOR NOMINATION AS PRESIDENT**

Mayor Allan Aughey (Clare & Gilbert Valleys)  
Mayor Julie Low (Lower Eyre Peninsula)  
Mayor David Burgess (Mid Murray)  
Mayor Peter Hunt (Berri Barmera)  
Mayor Ann Ferguson OAM (Mt Barker)