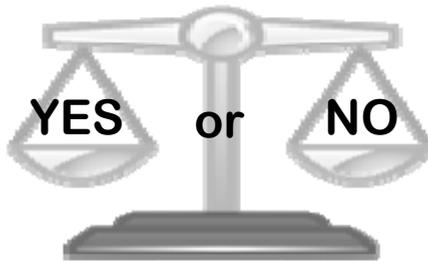




MOSMAN MUNICIPAL COUNCIL

**Council wants to know what you think on an
important question regarding
YOUR Council's future**

Popular Election of Mayor?



**Exercise your right to record your opinion at a
Referendum on 13 September 2008**

Remember voting is compulsory for the Election of Councillors
and the Referendum.

Electoral Office: 7-11 Spit Road, Mosman

**MOSMAN MUNICIPAL COUNCIL
CONSTITUTIONAL REFERENDUM
(Sections 15 & 16 of Local Government Act 1993)**

On Saturday 13 September 2008, Mosman Municipal Council will be holding a Constitutional Referendum on the following issue:

The Mayor of Mosman Council is currently elected by the Councillors.

Do you favour a change to the method whereby the Mayor is directly elected by the people without an increase in the number of Councillors from 9 including the Mayor?

A CONSTITUTIONAL REFERENDUM requires a YES or NO answer to the question. VOTING IS COMPULSORY FOR ALL RESIDENTS.

Outcome of Referendum

The majority decision on the question is binding on the Council and will apply from the next general election of the Council scheduled for 2012.

For and Against Cases

The case FOR and AGAINST the Referendum question is contained in this brochure to assist voters in making an informed decision.

Present Situation in Mosman

The present situation in Mosman Municipal Council is that:

The Mayor is elected annually by the Councillors from amongst his/her fellow Councillors.

The same or a different Councillor can be elected each year of the 4 year Council term.

QUESTION:

The Mayor of Mosman Council is currently elected by the Councillors.

Do you favour a change to the method whereby the Mayor is directly elected by the people without an increase in the number of Councillors from 9 including the Mayor?

YES CASE

- ▲ The position of Mayor, as the leader of Council should be determined directly by the voters with the Mayor accountable to residents.
- ▲ Popular election of the Mayor would give predictability about the style and direction of the Council leadership and stability to the office for a period of four years.
- ▲ The Mayor would be able to provide leadership, adhere to agreed strategic directions and influence long term planning and policy setting.
- ▲ Election of the Mayor by the people would remove the internal politics of Councillors each year during the time leading up to the election of Mayor.
- ▲ Popular election of Mayor would give residents an opportunity to consider Mayoral candidates' policies and vote accordingly.
- ▲ Popular election of Mayor would make the position of Mayor more accountable to residents.
- ▲ The possibility of a Mayor being elected "out of the hat" is avoided in the event of two or more Councillors receiving equal votes from their peers.

NO CASE

- ▲ The elected Council (Councillors) should determine the leader of their Council and not have a leader imposed upon them with whom they could be at variance or unable to work co-operatively or constructively.
- ▲ Other Councillors should have an opportunity to lead the Council.
- ▲ The positions of Prime Minister and Premier are not elected by popular vote.
- ▲ Councillors should retain the option of assessing the performance of their leader on an annual basis and be able to change that person if conflict develops or if the leader does not perform to expectation.
- ▲ A popularly elected Mayor and their planning and policy directions, views and actions may not have the support of a majority of the other Councillors.
- ▲ The longer term commitment creates the potential for greater cost of a by-election which must be held across the whole area if an extraordinary vacancy occurs in the office of a popularly elected Mayor.
- ▲ There would be nothing binding the Mayor to carry out the promises made as a Mayoral candidate in the lead up to the election.
- ▲ The voters would not be able to change an unsatisfactory Mayor before the next election.

If the question is **APPROVED**, then in 2012 electors will directly elect the Mayor during the election without an increase in the number of Councillors.

Mayor elected directly by Voters (Popularly Elected Mayor)

When a Council has a popularly elected Mayor, a person who is enrolled as an elector in the Council area may stand for election as:

- ▲ Mayor only, OR
- ▲ both as a popularly elected Mayor and as a Councillor.
If this happens, the votes for the Mayor are counted first. If the successful Mayoral candidate is also a candidate for Councillor, then his/her votes as a Councillor are not counted, and all those votes flow down to the next preference on the ballot papers.

If the question is **NOT APPROVED** the Mayor will be elected annually by the Councillors from the existing number of nine (9) Councillors.