

	POLICY NUMBER:	P22
	<b>CASUAL VACANCY ON COUNCIL</b>	
	CATEGORY:	COUNCIL POLICY
	SP CLASSIFICATION:	GOVERNANCE
	LG ACT 2019 REF:	Chapter 4, Part 4.2, Subdivision 2
	RESPONSIBLE OFFICER:	CHIEF EXECUTIVE OFFICER

### 1. PURPOSE

To provide clear direction for the filling of a casual vacancy on Council.

### 2. SCOPE

The Casual Vacancy on Council Policy to all elected members.

### 3. DEFINITIONS

Term	Definition
<b>By-election:</b>	Means a by-election mentioned in Chapter 8, Part 8.2 of the Local Government Act 2019.
<b>The Act:</b>	Means the Local Government Act

### 4. POLICY:

Pursuant to Section 50 of the Act a member of Council ceases to hold office if the person:

- (a) dies; or
- (b) is disqualified from office as a member of the Council under Section 47 of the Act; *or*
- (c) resigns by written notice given to the CEO

Pursuant to Section 54 of the Act, the following rules govern the filling of casual vacancies if a casual vacancy occurs:

- a) less than 18 months, but not less than 6 months, before the next general election – the council may, by vote of existing members, appoint a person to fill the vacancy until the next general election; or;

b) 6 months or less before the next general election – the council may, by vote of existing members:

- I. appoint a person to fill the vacancy until the next general election; or
- II. may leave the office vacant; or

18 months or more before the next general election – the council must hold a by-election

4.1 To co-opt a person Council shall:

- a) Seek expressions of interest from eligible persons by advertising on the Council website, social media page and in hardcopy format on the council and supermarket notice boards;
- b) Council shall consider the list of persons, plus any further names that may be added by Council and select one person to fill the vacancy.

4.2 In selecting a person Council shall give due consideration to:

- a) The eligibility for membership as per Section 46 of the Act;
- b) The length of residence in the community; and
- c) Demonstrated interest in community affairs.

Council may at its discretion ask potential persons to make a short presentation to Council as part of the selection process.

## 5. ASSOCIATED DOCUMENTS

P02 Appointment of Principal Member.

## 6. REFERENCES AND LEGISLATION

Local Government Act 2019.

Local Government (Electoral) Regulations 2021.

## 7. REVIEW HISTORY

<b>Date Approved:</b> 20/09/2016	<b>Approved By:</b> Moved: Cr Shenagh Gamble Seconded: President Peter Clee Vote: AIF	<b>Resolution No:</b> 2016/81	<b>Date for review:</b> Next Council election
<b>Date Approved:</b> 17/01/2017	<b>Approved By:</b> Moved Cr Shenagh Gamble Seconded: Vice President Brad Irvine Vote: AIF	<b>Resolution No:</b> 2017/07	<b>Date for review:</b> Next Council election
<b>Date Approved:</b> 19/10/2021	<b>Approved By:</b> Moved Vice President Tom Dyer Seconded: Cr Noeletta McKenzie Vote: AIF	<b>Resolution No:</b> 2021/186	<b>Date for review:</b> Next term of council