

POLICY

TITLE:	FILLING CASUAL VACANCIES		
DIVISION:	COUNCIL		
ADOPTED BY:	COUNCIL		
DATE OF ADOPTION:	OCTOBER 2020	DATE OF REVIEW:	OCTOBER 2025
MOTION NUMBER:	OC 97/20		
POLICY NUMBER:	CP 47		
LEGISLATIVE REF:	Sections 54 and 65(3) of the Local Government Act 2019.		

PURPOSE:

This policy outlines how casual vacancies for the position of an ordinary member and an elected Mayor may be filled.

1. CASUAL VACANCY – ORDINARY MEMBER

Council will fill casual vacancies in the office of an ordinary member as follows:

Date vacancy occurs	Action	Section of the <i>Local Government Act 2019</i>
18 months or more before the next general election.	Council will hold a by-election to fill the vacancy.	54(2)(c)
Less than 18 months, but not less than 6 months, before the next general election.	Council will appoint a person to fill the vacancy until the next general election (in accordance with clause 2 of this policy).	54(2)(a)
6 months or less, before the next general election.	Council may leave the office vacant OR Council may appoint a person to fill the vacancy until the next general election (in accordance with clause 2 of this policy).	54(2)(b)(i) 54(2)(b)(ii)

2. Filling the office of an ordinary member

As soon as practicable after the casual vacancy occurs in the office of an ordinary member, the CEO will advertise the vacancy for appointment by publishing in a local newspaper, on the council website, and on council noticeboards in the community.

The advertisement will:

- (a) invite applications from electors who are:

- (i) eligible under section 46 of the Act; and
 - (ii) enrolled in the relevant ward; and
- (b) invite applicants to provide either a written statement (1 page) or video submission (3 minutes) that outlines why the person wants to be a council member and the qualities they would contribute to the Council; and
- (c) advise that the written statement or video submission of the applicant may be made public by the Council.

The closing date for applications will be 14 days from the date the advertisement is published in the local newspaper and on the council website.

As soon as practicable after the closing date, the CEO will provide copies of all applicant statements to all council members. At the next ordinary council meeting following the closing date, the matter is to be included as an agenda item for Council's consideration.

When appointing a person to be a council member, Council will give due consideration to:

- (a) the person's level of community involvement;
- (b) the person's suitability for the role; and
- (c) any other relevant matters.

Council will decide the appointment by resolution, with official commencement to the office of ordinary member to take place 7 days after the date of the resolution.

The CEO is to ensure the successful applicant is advised of their appointment to Council and that an induction to the position is undertaken as soon as practicable.

If council finds that there are no suitable candidates, or no applications are received then the casual vacancy will be readvertised, and the applications will be open for another 14 days.

3. Casual vacancies – Mayor

As election is the basis for filling the office of the *Mayor*, Council will fill casual vacancies in the office of the *Mayor* as follows:

Date vacancy occurs	Action	Section of the <i>Local Government Act 2019</i>
18 months or more before the next general election.	Council will hold a by-election to fill the vacancy in the office of the <i>Mayor</i> .	65(3)(a)
Less than 18 months, but more than 3 months, before the next general election.	Council may appoint an existing council member to be the <i>Mayor</i> , by vote of existing members (in accordance with clause 4 of this policy).	65(3)(b)(i)
	Council may hold a by- election to fill a vacancy in the office of the mayor.	65(3)(b)(ii)
3 months or less before the next general election.	Council may appoint an existing council member to be the <i>Mayor</i> , by vote of existing members (in accordance with clause 4 of this policy).	65(3)(c)(i)

	Council may hold a by- election to fill a vacancy in the office of the mayor.	65(3)(c)(ii)
	Council may leave the office of the mayor cant	65(3)(c)(iii)

4. Appointing a Mayor

The matter of appointing a person to fill a casual vacancy in the office of the Mayor is to be on the agenda at the next ordinary council meeting after the vacancy occurs. At the ordinary council meeting, Council will, by vote of existing council members, resolve to:

- (a) appoint an existing council member to fill the vacancy in the office of the Mayor until the next general election; and
- (b) for the appointment to commence immediately.

The vacancy in the office of the ordinary member will be filled in accordance with clause 2 of this policy

5. Evaluation and Review

Within six (6) months of a new term of Council.