



# **BUSINESS PAPER**

## **Special Council Meeting Friday, 24 April 2026**

**I hereby give notice that Special Council Meeting will be held on:**

**Date: Friday, 24 April 2026**

**Time: 4:45 PM**

**Location: Winton Shire Council Board Room**

**Louise Knol  
Chief Executive Officer**



<b>1</b>	<b>Acknowledgement of Country .....</b>	<b>3</b>
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- 1      ACKNOWLEDGEMENT OF COUNTRY**
  - 2      APOLOGIES**
  - 3      DECLARATION OF PECUNIARY INTEREST AND CONFLICT OF INTEREST**

### 3 DECISIONAL REPORTS

#### 3.1 BY-ELECTION TO FILL A COUNCILLOR VACANCY

**File Number:** 204741  
**Author:** Louise Knol, Chief Executive Officer  
**Authoriser:** Louise Knol, Chief Executive Officer  
**Attachments:** Nil  
**Meeting Date:** 24 April 2026

#### Corporate and Operational Plan Consideration

Stream	Sub Stream	Organisational Responsibility	Strategy/Planning Area
5 - Making It Happen	Governance	Chief Executive Officer	By-election to fill a Councillor vacancy

**Budget Reference:** Operational budget for 2025-2026 and potentially 2026-2027. This will be dependent on the timing of the election. Costing has not been provided by the Electoral Commission of Queensland (ECQ) at this time.

#### SUMMARY

A vacancy has arisen in the office of Councillor due to the resignation of Cr Frank Standfast and Council is now required to determine the appropriate next steps to fill that vacancy in accordance with legislative requirements including the *Local Government Act 2009*, the *Local Government Electoral Act 2011*, and Electoral Commission of Queensland and Ministerial advice.

#### RECOMMENDATION

That Council receive the report.

That Council:

- (a) Determines that the Councillor vacancy be filled by way of a by-election in accordance with the *Local Government Act 2009*;
- (b) Requests commencement of the by-election process by the Electoral Commission of Queensland, with Council's preference that the by-election be conducted by postal ballot (which will be determined by the Minister on recommendation by the Electoral Commissioner); and
- (c) Notes that the cost of the by-election is not known and that this advice will be provided by the Electoral Commission of Queensland.

#### REPORT

Cr Frank Standfast tendered his resignation to the Mayor on 16 April 2026 with the date of resignation effective 30 April 2026. The resignation was formally accepted and acknowledged by the Mayor which included a public statement.

The legislative framework for filling the vacancy of a councillor is set out in Division 3 of the *Local Government Act 2009*. Section 166 (1) (b) provides that if the office of a councillor becomes vacant during the middle of the local government's term, the vacancy must be filled by a by-election. The middle of the local government's term is defined in Section 161(4) - *The middle of the local government's term is the period of 24 months that— (a) starts on the first anniversary of the last quadrennial elections; and (b) ends on the day before the third anniversary of the last quadrennial elections.*

Division 3 of the *Local Government Electoral Act 2011* provides for the arrangements for local government elections. Section 45AA (1) provides that a local government may apply to the Electoral Commissioner to make a written recommendation to the Minister that a poll is conducted by postal ballot for all or a part of division of the local government's area.

The local government must fill the vacant office within 2 months after the office becomes vacant in accordance with the *Local Government Act 2009* Section 163(3).

The cost of the by-election is unknown at this time. The ECQ has advised that they will provide Council with a cost estimate in coming weeks. Generally, a postal vote is more cost effective (estimated 10-20% cost savings) than polling stations which have costs associated with polling station staffing and vote counting.

The Chief Executive Officer has confirmed that the Winton community members have access to mail service via Australia Post whether that be direct mail delivery, a post office box or over the counter pick up.

In addition to cost savings, a postal vote can provide a convenient voting option for electors, reduce reliance on physical polling place arrangements, and assist participation where electors are dispersed or travel distances are significant as is the case with the Winton community.

## **RISK MANAGEMENT**

This matter is considered Risk Level Medium 10 (Likelihood Possible with Moderate Consequences). Key risks to be managed with the by-election process include costs, statutory compliance and communication.

