

TITLE:	Elected Member Casual Vacancy		
DIVISION:	Council		
ADOPTED BY:	Council		
DATE OF ADOPTION:	21 April 2016	DATE OF REVIEW:	January 2018
MOTION NUMBER:	OC 75/16		
POLICY NUMBER:	CP000047		
AUTHORISED:	Chief Executive Officer		

THIS POLICY APPLIES TO:

All employees of the Barkly Regional Council and Elected Members

PREAMBLE

The aim of all policy is for Councillors to provide strategic input into the effective operational framework of the organisation under S.11 of the Local Government Act

SUMMARY

Section 39 of the *Local Government Act (the Act)* stipulates that Council shall have a policy on the filling of a casual vacancy that occurs within 18 months of the next general election.

DEFINITIONS

“**Casual Vacancy**” is defined as per section 39(1) of the *Local Government Act*.

POLICY STATEMENT

1. If a casual vacancy occurs within six months of the next general election Council shall not co-opt a person, provided the casual vacancy has not reduced membership of Council below four members.
2. If a casual vacancy occurs with more than six months and less than eighteen months until the next general election, Council will co-opt a person to fill the vacancy until the next general election.
3. To co-opt a person Council shall:
 - a) Ask the relevant Local Authority to submit a list of potential persons, without preference, to the Council within four weeks of the request being made;
 - b) Council shall consider the list of persons, plus any further names added by Council, and select one person.
 - c) Advertise in the local paper for expressions of interest for the vacancy.
- i. In selecting a person Council shall give due consideration to:
 - a. The eligibility for membership as per Section 36 of the *Act*;
 - b. The length of residence in the Ward;
 - c. Demonstrated interest in community affairs.
- ii. Council may at its discretion ask potential persons to make a short presentation to Council as part of the selection process.

LEGISLATION, TERMINOLOGY AND REFERENCES

Local Government Act
Local Government Electoral Regulations

EVALUATION AND REVIEW

Within six (6) months of new term of Council