



Ordinary Council

LATE REPORTS

Business Paper

date of meeting: Wednesday 19 May 2021

location: Council Chambers
17 Burrawan Street
Port Macquarie

time: 5:30pm

Community Vision

A sustainable high quality of life for all

Community Mission

Building the future together
People Place Health Education Technology

Council's Corporate Values

- ★ Sustainability
- ★ Excellence in Service Delivery
- ★ Consultation and Communication
- ★ Openness and Accountability
- ★ Community Advocacy

Community Themes

- ★ Leadership and Governance
- ★ Your Community Life
- ★ Your Business and Industry
- ★ Your Natural and Built Environment

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Items of Business

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1 Leadership and Governance

What we are trying to achieve

A community that works together in decision making that is defined as ethically, socially and environmentally responsible.

What the result will be

We will have:

- A community that has the opportunity to be involved in decision making
- Open, easy, meaningful, regular and diverse communication between the community and decision makers
- Partnerships and collaborative projects, that meet the community's expectations, needs and challenges
- Knowledgeable, skilled and connected community leaders
- Strong corporate management that is transparent

How we will get there

- 1.1 Inform and engage with the community about what Council does using varied communication channels
- 1.2 Maintain strong partnerships between all stakeholders - local, state and federal — so that they are affective advocates for the community
- 1.3 Demonstrate leadership
- 1.4 Use innovative, efficient and sustainable practices
- 1.5 Ensure strong corporate and financial management that is transparent and accountable

Item: 09.14

Subject: DRAFT LOCAL GOVERNMENT ELECTIONS CARETAKER PERIOD
POLICY

Presented by: Chief Executive Officer, Dr Clare Allen

Alignment with Delivery Program

1.3.2 Build trust and improve Council's reputation through transparency, good decision making and living Council's Values.

RECOMMENDATION

That Council adopt the draft Local Government Elections Caretaker Period Policy.

Executive Summary

Council will be conducting Local Government elections on 4 September 2021 after they were delayed for 12 months due to the COVID-19 pandemic during 2020. Leading up to these elections, Council enters a 4 week caretaker period whereby a number of restrictions are placed upon Council with regard to its decision making capabilities. This policy ensures that the outgoing Council does not commit a new Council to any ongoing obligations or the integrity of the elections are affected by Council actions or decisions.

Discussion

A draft Local Government Elections Caretaker Period Policy has been developed to ensure:

- The Council, community and staff are aware of what can and cannot be done during the election (caretaker) period;
- Council complies with the election (caretaker) period provisions of the *Local Government (General) Regulation 2005 (the Regulation)*;
- Council complies with the Code of Conduct requirements with regard to elections;
- Council continues to provide high standards of service to the community; and
- Ensuring that Council decisions or actions do not advantage, or disadvantage, any candidate leading into an election.

This policy also commits Council during the (caretaker) period to:

- Avoid making significant new policies or decisions that could unreasonably bind a future Council; and
- Ensure that public resources, including staff resources, are not used in election campaigning or in a way that may improperly influence the result of an election, or improperly advantage existing Councillors as candidates in the election.

The draft policy addresses the requirements of the Local Government Act and Regulation with regard to the caretaker period prior to an election but goes further to address requirements under the Code of Conduct with regard to the use of Council resources by Councillors in an election period.

Options

Council may:

- Adopt the draft policy as presented
- Adopt an amended policy
- Take no action

Community Engagement and Internal Consultation

This draft policy has been reviewed by Council's Chief Executive Officer and Executive Team and was discussed in a briefing session with Councillors on 12 May 2021.

It is not proposed to publicly exhibit this draft policy as there is little impact on the community and much of the policy revolves around provisions of the Act, Regulation and Code of Conduct.

Planning and Policy Implications

There are no planning and policy implications in relation to this report.

Financial and Economic Implications

There are no financial and economic implications in relation to this report.

Attachments

1.  Draft Policy - Local Government Elections Caretaker Period Policy