



Council Policy

Caretaker Period



Caretaker Period

Policy scope

To provide guidance as to appropriate decision making of the Council during a caretaker period (electoral period), whilst balancing this with the need to not unnecessarily hinder Council from dealing with business as it arises. This Policy is in accordance with section 1.4A of the *Local Government Act 1995*.

Policy statement

Major Decisions

Council will not make any of the following decisions during a caretaker period unless extraordinary circumstances occur:

1. Any decision relating to the appointment, remuneration, or termination of employment, of the Chief Executive Officer, other than a decision to appoint an Acting Chief Executive Officer.
2. A decision relating to the final adoption of a Local Planning Scheme, or Local Planning Policy, (including amendments to these) where they propose significant changes in land use, development density or development standards.
3. Adoption of new or major changes to Council Policies, unless considered urgent.
4. A decision to enter into a contract with a value greater than 0.1% of the City's annual budgeted revenue (inclusive of GST) in the relevant financial year. (other than for the purposes of road works, road maintenance or drainage works)
5. A decision to spend funds for an additional purpose where the value of that expenditure exceeds \$50,000.

Extraordinary Circumstances

1. Where, during a caretaker period, the CEO determines that extraordinary circumstances apply, the CEO may submit a report on a major decision for council's consideration, subject to the report including a statement detailing why extraordinary circumstances apply.
2. Where, during a caretaker period, the CEO determines that extraordinary circumstances apply; the CEO may include matters relating to a major policy decision for elected member discussion at informal council meetings, forums, workshops or briefings.

Exceptions

1. Where a significant act is required to comply with the law, an order of a court of tribunal, or a contractual obligation arising from a contract entered into before the caretaker period.



Definitions and abbreviations

'Decision of Council' - any decision made by the Council at an Ordinary or Special meeting, or any decision made by a Committee or Officer of Council acting under the delegated authority of Council.

A Caretaker Period shall be from close of nominations, being 44 days prior to the Election Day in accordance with section 4.49(a) of the *Local Government Act 1995*, until the day after the day on which the returning officer declares the result of the relevant election, or in the event of an extraordinary election, as per section 1.4A(b)(ii) and (iii).

Extraordinary circumstances - a circumstance that requires council to make or announce a major decision during the electoral period because, in the CEO's opinion, delaying the decision or announcement to occur after the electoral period has reasonable potential to:

- a. incur or increase legal, financial and/or reputational risk; or
- b. cause detriment to the strategic objectives of the City of Fremantle.

| Responsibility and review information | |
|---|---|
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