

Election Caretaker Period Policy

1. PURPOSE

The purpose of this policy is to provide clear guidance on caretaker arrangements during the lead up to a local government election period and until a new Council is elected in accordance with Part 4 of the *Local Government Act 1993* (Tas).

2. OBJECTIVES

This policy outlines caretaker arrangements during the Caretaker Period to ensure:

- continuity of the routine service provision (business-as-usual) of the council
- decisions are not made which might inappropriately bind an incoming Council
- council officers remain impartial so that the public can have confidence that council business is carried out apolitically, and
- council resources are used appropriately.

3. SCOPE

This policy applies to Councillors and council officers for the duration of the Caretaker Period.

This policy does not apply to local government by-elections.

This policy, to the extent necessary, supersedes Council's Consolidated Meeting Procedures and any other council policy, for the duration of the Caretaker Period.

4. DEFINITIONS

The following definitions apply to this Policy:

Act	means the <i>Local Government Act 1993</i> (Tas.)
by-election	means an election to replace a councillor after the councillor's appointment becomes vacant
candidate	means a person officially registered to stand for election as a Councillor in a City of Clarence local government election, other than a by-election

Caretaker Period	means the period from the advertising of a notice of election in accordance with section 269 of the Act to the issue of a certificate of election in accordance with section 304 of the Act.
Chief Executive Officer	means the General Manager of the Council appointed pursuant to section 61 of the Act
council	means the Clarence City Council established pursuant to section 18 of the Act
council officer	means an employee of the council
Councillor	means a person currently elected as a Councillor of the Council
Council policy	means a council policy requiring Council approval
Declared Emergency	means an emergency declared under the <i>Emergency Management Act 2006</i> (Tas.)
election campaign	means the activities of candidates to win voter support in the period preceding an election and includes activities such as door knocking, bulk emails, production of signs and flyers, telephone canvassing, social media campaigns and advertising
Electoral Advertising	is as defined in the <i>Local Government Act 1993</i> (Tas.)
emergency	means a situation which, in the opinion of the Chief Executive Officer, requires council to activate emergency powers such as but not limited to activation of council's Business Continuity Recovery Plan or a similar situation
LUPAA	means the <i>Land Use Planning and Approvals Act 1993</i> (Tas.)
planning scheme	means the Tasmanian Planning Scheme
policy	means this policy
Strategic Plan	means the primary strategic document setting the long-term vision, goals and priorities for the City of Clarence

5. POLICY STATEMENT

5.1 Notification of the Caretaker Period

The Chief Executive Officer will notify Councillors, council officers and the public when the Caretaker Period begins and ends.

When advised by the Chief Executive Officer that the Caretaker Period has commenced, Councillors and council officers are required to take immediate action to ensure all activities, communications, and decision-making align with the Caretaker Period requirements outlined in this policy.

5.2 Restrictions during Caretaker Period

During the Caretaker Period the following restrictions will apply:

Workshops – Council will not hold any Councillor workshops other than if required as a result of an emergency.

Tenders - other than in an emergency, Council will not approve a tender where the tender value exceeds \$1 million and/or spans multiple years other than in accordance with prior approved delegations provided to the Chief Executive Officer or council officers.

Contracts – other than in an emergency, Council will not approve a contract where the contract for goods or services spans multiple years, other than in accordance with prior approved delegations provided to the Chief Executive Officer or council officers.

Planning Instruments – Council, acting as a Planning Authority, will not, of its own motion:

- a) initiate or prepare a draft amendment to the Local Provision Schedule of the Planning Scheme under LUPAA, or
- b) initiate the review of the Local Provision Schedule under LUPAA, or
- c) initiate or prepare a draft Special Local Provision Schedule under LUPAA, or
- d) initiate or withdraw a draft Local Provision Schedule under LUPAA.

By-Laws – Council will not make or amend an existing by-law.

Council policies – Council will not approve or renew any Council policies.

Strategies, projects and master plans – Other than as set out in Council's approved Annual Plan, Council will not consider, endorse or adopt any new strategy, strategic project, or master plan.

Strategic Plan - Council will not endorse, adopt or amend Council's Strategic Plan.

Adjustment of Council Estimates - Council will not make any adjustments to the approved Estimates in accordance with section 82(4) of the Act. This does not preclude the Chief Executive Officer making minor adjustments to the Estimates, within their delegation limit, in accordance with section 82(6) of the Act.

Grants and Benefits – to section 77 of the Act, other than funding through its Quick Response Grants Program, to community groups or individuals.

Use of council equipment– council supplied equipment must not be used to publish political material, and council branded material (including council logos) must not be used by Councillors or council officers in any manner that supports a candidate’s election campaign.

Council committees and groups – Council advisory committees and working groups will be paused.

Tenure of the Chief Executive Officer – Council will not appoint, terminate or renew the contract of employment for the Chief Executive Officer during the Caretaker Period. An Acting Chief Executive Officer may be appointed in accordance with section 61B of the Act, if required.

5.3 Business-as usual during Caretaker Period

During the Caretaker Period, council will continue the following business activities without restriction:

Ordinary functions - Councillors will continue to fulfil their functions as councillors in accordance with section 28 of the Act provided it does not conflict with Section 5.2 of this policy. Councillors may claim allowances and expenses as provided in accordance with the Councillor Allowances and Expenses Policy 2023 (or any successor to that policy).

Council supplied equipment - Councillors may use Council supplied equipment including laptop, internet and email throughout the Caretaker Period to carry out their functions as Councillors pursuant to section 28 of the Act provided such activities do not conflict with Section 5.2 of this policy.

Council meetings - ordinary Council meetings will be convened, with the Council considering agenda items which relate to the ordinary business of the Council other than those matters identified in Section 5.2 of this Policy.

Delegations - the Chief Executive Officer and Council Officers may exercise all functions and powers pursuant to a delegation, appointment and/or authorisation previously provided by Council, including the determination of development applications as a Planning Authority.

Capital works program - capital works projects previously approved by Council as part of the Estimates and which have tenders awarded prior to the Caretaker Period, regardless of their scale.

Invitations - the Mayor and Councillors may continue to accept invitations to attend community functions and may continue to correspond with constituents on matters related to the activities, or functions, of the Council.

Mayoral Functions - in accordance with section 27 of the Act, with the exception of section 27(1)(g), the Mayor will continue all of their functions including as the spokesperson for Council, carrying out the civic and ceremonial functions of the mayoral office. Additionally, if required, the Mayor will undertake duties required in accordance with an Emergency.

Deferral of Council decisions – normal business functions (business-as-usual) will be undertaken by council officers throughout the Caretaker Period provided they do not conflict with Section 5.2 of this policy.

Officer impartiality - council officers will take all steps to avoid any real or perceived support for a candidate in order to protect council's ability to impartially serve any incoming Council following an election.

6. RELATIONSHIP TO COUNCIL STRATEGIC PLAN

The following strategic objectives identified in the City of Clarence Strategic Plan 2025 – 2035 are relevant:

Focus Area 1 - Strategy and Delivery

- 1.2 - Leadership and good governance
- 1.4 - Effective policy and planning
- 1.6 - Responsible and Resilient management.

7. RELATED DOCUMENTS

The legislation and documents listed below form the framework to give effect to this policy.

Legislation (Acts, Regulations and By-Laws)

Emergency Management Act 2006 (Tas.)

Land Use Planning and Approvals Act 1993 (Tas.)

Local Government Act 1993 (Tas.)

Local Government (General) Regulations 2025 (Tas)

Local Government (Meeting Procedures) Regulations 2025 (Tas)

Council policy, plans, procedures, codes of practice and guidelines

Code of Conduct for Councillors

Code of Conduct Policy for Council Employees

Communication during a Caretaker Period Procedure

8. ADMINISTRATIVE ARRANGEMENTS

Approvals

Council	20 July 2026	Minute (Reference)	8.4.1
Review period	Minimum every 4 years		
Date 1	June 2027	Date 2	April 2030
Group Head	Ian Nelson Chief Executive Officer	ECM Reference	

Table of amendments

No.	Date	Brief Details