

GO3 – Caretaker Provisions during Local Government Election Period

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255943 TRIM 3745-3

EXECUTIVE SUMMARY

- The purpose of this report is to highlight caretaker provisions for the Local Government Election period.
- It is recommended Council note the caretaker period commences on Friday 12 August 2016 and ends on Saturday 10 September 2016.

REPORT

Local Councils are expected to assume a caretaker role during the election period to ensure that major decisions are not made which would limit the actions of an incoming Council.

The Local Government (General) Regulation 2005 sets out in Clause 393B the requirement that the Council, the General Manager or any other delegate of the Council (other than a Joint Regional Planning Panel or the Central Sydney Planning Committee) must not exercise the following functions during the four weeks preceding an ordinary election (caretaker period):

- Entering into any contract or undertaking involving an expenditure or receipt by the Council of an amount equal to or greater than \$150,000 or 1% of the Council's revenue from rates in the preceding financial year (whichever is the larger). 1% of Wollondilly Shire Council's revenue from the preceding year (2015/2016) is estimated to be \$254,000 at the time of writing this report.
- Determining a controversial development application, except where a failure to make such a determination would give rise to a deemed refusal, or such a deemed refusal arose before the commencement of the caretaker period. The term "controversial development application" is defined as one for which at least 25 persons have made submissions by way of objection.
- Appointing or renewing the appointment of the General Manager or terminating their employment. (This does not include the appointment of an acting or temporary General Manager).

The caretaker period for the September 2016 Ordinary Local Government Elections commences on Friday 12 August 2016 and ends on Saturday 10 September 2016.

CONSULTATION

- Office of Local Government
- Manager - Financial Services

Report of Governance to the Ordinary Meeting of Council held on Monday 18 July 2016

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FINANCIAL IMPLICATIONS

This matter has no financial impact on Council's adopted budget or forward estimates.

ATTACHMENTS

There are no attachments to this report.

RECOMMENDATION

That Council note the caretaker period commences on Friday 12 August 2016 and ends on Saturday 10 September 2016.