
Election Period Policy

Version no.6

Approval date: 29/06/2026

Review date: 29/06/2030

Document control

Responsible GM	Nathan Kearsley	
Division	Organisational Performance	
Last updated (who and when)	Manager Governance, Alba Elling	2026

Document history			
Version	Authority	Date	Description of change
1	Council	21 March 2016	Compliance with <i>Local Government Act 1989</i> Section 93B.
2	Council	07 April 2020	Compliance with <i>Local Government Act 1989</i> Section 93B.
3	Council	07 September 2020	Compliance with <i>Local Government Act 2020</i>
4	Council	04 March 2024	Compliance with <i>Local Government Act 2020</i>
5	N/A	25 July 2024	Administrative update to correct appendix listing
6	Council	29 June 2026	Review informed by draft Model Election Period Policy and MAV Guidelines.
References		Refer to sections 14 and 15 of this Policy	
Next review date		29/06/2030	
Published on website		Yes	
Document reference no.		2827031	

1. Purpose

This Election Period Policy (Policy) informs and supports Council to conduct its business during the election period in a lawful, fair, and transparent manner, consistent with section 69 of the *Local Government Act 2020* (Act).

2. Objectives

The Policy protects the integrity of the electoral process by:

- preventing decisions, actions or communications that could be perceived as influencing voters or conferring an advantage to election candidates, including sitting Councillors; and
- providing clear guidance to Councillors, Council staff and the community on how Council will manage its operations during this time, including the use of resources, communications, decision-making and public engagement.

The Policy supports good governance, promotes public confidence and reinforces Council's commitment to ethical and accountable conduct throughout the election period.

3. Scope

This Policy applies during:

- local government general elections;
- local government by-elections; and
- state, federal and other elections where Council resources, facilities or communications may be used inappropriately.

This Policy applies to:

- All Councillors (whether or not they are candidates);
- Council staff; and
- Contractors and volunteers.

4. Accountability and responsibility

4.1 Councillors

At all times, including during an election period, Councillors perform their civic duties and engage with the community in their official capacity. Councillors must always comply with the Act, the Model Councillor Code of Conduct, and this Policy.

Councillors must be mindful of their obligations under sections 123 and 124 of the Act, which prohibit the misuse of position or information. A breach of section 123, which includes using Council resources or influence for electoral advantage, is a serious offence and may attract significant penalties, including imprisonment. Councillors must not use their position to improperly influence staff, access Council information or use Council resources in support of any election campaign or candidacy.

4.2 Chief Executive Officer

The Chief Executive Officer (CEO) will ensure, as far as possible, that:

- all Councillors and officers are informed of the application of this Policy at least 30 days prior to the commencement of an election period;
- all Councillors and officers are supported in the application of this Policy during an election period; and
- matters of Council business requiring prohibited decisions or significant decisions are scheduled outside election periods in accordance with the Act and this Policy.

4.3 Council officers

Council officers are expected to maintain impartiality by avoiding making any comment or expressing an opinion, in any context which is public or may become public, in relation to candidates, potential candidates or matters that may influence an election.

This obligation applies in any context where the officer may be reasonably identified as a Council employee or representative. Officers must exercise caution when using personal social media accounts and are strongly discouraged from engaging with candidate hosted online media platforms.

Where a close associate of an officer (such as a family member) is standing as a candidate, the officer must ensure they comply with all conflict of interest requirements under the Act and Council's Conflict of Interest Policy.

4.4 Council officers as candidates

Council officers who intend to stand as candidates for election must resign prior to registering as a candidate. Under section 34(2)(d) of the Act, a person is not qualified to be a Councillor of a Council while they are a member of that Council's staff.

5. Decision-making during election periods

5.1 Prohibited Decisions

During an election period for a general election or by-election, Council must not make a decision that:

- would enable the use of Council's resources in a way that is intended to influence, or is likely to influence, voting at the election.

During an election period for a general election, Council must not make a decision that:

- relates to the appointment or remuneration of a CEO but not to the appointment or remuneration of an Acting CEO;
- commits the Council to expenditure exceeding one per cent of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year;
- the Council considers could be reasonably deferred until the next Council is in place; or
- the Council considers should not be made during an election period.

Organisational Performance

Approved: 29/06/2026 | Review: 29/06/2030

5.2 Significant Decisions or decisions to be avoided

Significant Decisions should be avoided during a general election period.

Without limiting the generality of the definition of a Significant Decision, a decision is to be taken to be a Significant Decision if it:

- approves or amends the Council Plan;
- adopts or amends any policy that the Council is required to adopt under the Act;
- adopts or amends the Governance Rules;
- makes or amends a local law;
- approves a budget or revised budget;
- approves the borrowing of money;
- approves entering into a contract that requires significant funding in future financial years;
- approves a matter that will have significant impacts on Council's income or expenditure;
- declares general rates, municipal charges, service rates and charges or special rates and charges;
- exercises a power, duty or function prescribed for the purposes of section 11(2) of the Act;
- exercises any power to participate in any beneficial enterprise under section 110 of the Act;
- allocates community grants or other direct funding to community organisations;
- is a major planning scheme amendment;
- is the sale or purchase of land and/or discontinuance of a road; or
- it is of a politically sensitive nature.

5.2 Considerations for officers with delegated authority

Most Council decisions are not made at meetings of the Council. Significant decision-making power is formally delegated to officers, and the decision of a delegate is a decision of the Council.

Because a delegate's decision is the same as a Council decision, the same constraints that apply to decisions made in Council and Council Delegated Committee meetings apply when delegates make decisions. Delegates should therefore carefully consider when exercising their powers during an election period.

Should a delegate be required to make a decision under delegation in the ordinary course of Council business during an election period, the delegate must consider the following:

- Whether the decision is prohibited, significant or should be avoided.
- The urgency of the issue (that is, can it wait until after the election period?).
- Any financial repercussions if it is deferred.
- Whether the decision is likely to be controversial or influence voters.
- Whether it is in the best interests of Council.

The restriction on the making of decisions is not intended to delay the routine making of administrative and operational decisions by members of Council staff under delegation.

Officers must consult with the CEO where there is any uncertainty about the appropriateness of a decision or action, prior to proceeding. The CEO is responsible for managing and monitoring potential breaches.

6. Meetings

6.1 Council, Delegated Committee and Community Asset Committee Meetings

During an election period for a general election or by-election, the following modifications will be made to the conduct of Council, Delegated Committee and Community Asset Committee meetings:

- Councillors will limit their discussion during debate to the topic under consideration and must not raise issues that contain or relate to electoral matter.
- No officer report will be presented to Council during the election period unless it contains an express statement by the CEO that a decision on that matter would not be contrary to this policy.

During an election period for a general election:

- Items of general business, notices of motion and any comparable agenda items will be suspended.
- Councillor delegate reports, or equivalent reporting mechanisms, will be suspended.

6.2 Annual Report

It is a requirement of the Act (Section 100) that Council's annual report be presented by the Mayor at an open Council meeting held, in the year of a general election, on a day not later than the day before election day.

6.3 Council advisory committees

Except for the Audit and Risk Committee and Project Reference Groups, the operation of Council advisory committees, working groups and similar committees shall be suspended upon the commencement of an election period ahead of a general election.

6.4 Council representation on external committees

Where a Councillor has been appointed to an external committee or board it is expected that they will attend meetings of the committee or board during an election period.

A Councillor must not attend an external committee or board meeting, where they are a Councillor representative, in their capacity as a candidate. A Councillor must be mindful of their obligations under this Policy, and not conduct any electoral campaigning activities at the meeting.

6.5 Councillor briefings

Councillor Briefing sessions will continue throughout an election period. However, the CEO will review each draft Briefing session agenda and remove any material considered contrary to the requirements of this Policy.

7. Publications and consultation

7.1 Council publications

In accordance with section 304 of the Act, Council must not print, publish or distribute or cause, permit or authorise to be printed, published or distributed, any electoral material during an election

period unless it only contains information about the election process or is otherwise required in accordance with, or under, any Act or regulation.

During the election period for a general election, Council will restrict Councillor details on the Council website to Councillor names, the ward they represent (where applicable) and their contact details.

For the avoidance of doubt, this Policy does not prevent candidates from publishing their own campaign material from their own funds outside Council, and not bearing any reference or inference that such material is from Council or supported or endorsed by Council and nor bearing any Council identification (such as logos or similar). Candidates must ensure that such publications comply with the requirements of the Act.

Council may choose to implement an internal certification process as a risk-mitigation measure, to help ensure that material is not inadvertently published during the election period that may be perceived as electoral matter. The design and operation of such a process is at the discretion of the CEO.

During a by-election, Council may make necessary adjustments to the publication and distribution of materials which, while not containing electoral matter, may still be undesirable. For example, Council may defer some non-essential media content relating to the relevant ward until after the by-election.

7.2 Public consultation and engagement

Community engagement is an integral part of Council's policy development process and operations, however, there are concerns that consultation undertaken close to a general election may become an issue in itself and influence voting.

Council events in the lead up to an election can also raise concerns over the potential use of sitting Councillors using them for electioneering purposes.

If consultation must be undertaken or an event held during this time, the Council must explain to the community the special circumstances making it necessary and how the risks influencing the election will be mitigated or prevented.

Therefore, during an election period no public consultation under the Community Engagement Policy (as per section 55 of the Act), or under section 223 of the *Local Government Act 1989*, will be conducted.

Only consultation for the purpose of planning permit applications and operational issues such as canvassing residents' views on small-scale traffic treatments, installation of single trees and the like will be allowed as they are operational in nature and are unlikely to impact the conduct of the election.

- Civic events will cease during an election period for a general election.
- No election material or active campaigning is to be conducted at Council sponsored events.

8. Media and social media

The CEO (or their delegate) is the official spokesperson during the election period for an election.

Councillors must not use their role to make media comments or representations that could be seen as electioneering for themselves or any other candidate.

Councillors may continue to engage with the media as candidates but not on behalf of Council or using Council resources.

Councillors who are candidates in an election must not use their official Council-affiliated social media accounts for electioneering or campaign purposes during the election period. Councillor candidates may establish separate, clearly identified campaign social media accounts for election-related communications.

The only new material published on Council's websites or social media sites during an election period for a general election will be:

- the agenda and minutes for any Council meeting, meeting of a Council delegated committee or meeting of a Council community asset committee;
- the annual report; and
- key service disruption information.

Information already published on the website will be reviewed to ensure it does not include anything that might be seen as likely to influence the election.

9. Use of Council resources

The use of Council resources by a Councillor in a way that is intended to or is likely to affect the result of an election is prohibited and constitutes a breach of section 304 of the Act. These restrictions apply at all times, not just during an election period, regardless of whether such use comes at no cost to Council.

The following are not permitted:

- use by a candidate of a Council-provided computer for the preparation of any campaign material other than publicly available computers in libraries or community facilities;
- use of a Council-provided mobile telephone for campaign-related calls, messages, emails, photographs or social media. While receipt of communications cannot be controlled, candidates must not encourage campaign-related communication by this means;
- use of photographs in any campaign material taken by Council staff or by photographers engaged by Council; and
- use of Council administrative facilities such as offices, meeting rooms, support staff, hospitality services, equipment and stationery in connection with any election campaign.

Reimbursements of Councillors' out-of-pocket expenses will only apply to costs incurred in the performance of normal Council duties, and not to expenses that could be perceived as supporting or being connected with a candidate's election campaign.

No Council livery, including logos, publications, letterheads or other Council branding may be used for or linked in any way to a candidate's election campaign.

Council telephone numbers and email addresses are not to be used in candidate election material.

Council officers must not assist in the preparation of candidate election material.

Council officers must not provide candidates with access to databases, contact lists, property accounts, email addresses or any other information that would assist in the distribution of election material. Any such Council information already in the possession of candidates is subject to the provisions of the *Privacy and Data Protection Act 2014* and must not be used for electoral purposes.

10. Access to information

Councillors shall continue to receive information necessary to fulfil their existing role as a Councillor during the election period.

Neither Councillors nor candidates will receive information or advice from Council staff that might be perceived to support election campaigns and there shall be complete transparency in the provision of all information and advice during the election period. Information and briefing material prepared by staff during the election period will only relate to factual matters or to existing Council services. Such information will not relate to policy development, new projects or matters that are the subject of public or election debate or might be perceived to relate to a candidate's election campaign.

No other information other than what would normally be made available to any member of the general public upon request is to be provided to a Councillor.

No information other than what would normally be made available to any member of the general public upon request is to be provided to a candidate who is not a Councillor.

10.1 Information Request Register

An Information Request Register will be maintained by the CEO during the election period. The Information Request Register will record all requests relating to electoral matters and non-routine information requests made by Councillors and candidates, along with the responses provided. To ensure transparency and equal access, where a request for information is granted, the response will be published on Council's website and made available to all candidates and the public.

11. Election signage on Council land

Election signage on Council land will be managed in accordance with Council's relevant Local Law.

12. External elections

This section is applicable to any Councillor seeking election to the Parliament of Australia, the Parliament of Victoria, another Australian state or territory government, a local government in another state or territory of Australia or any level of government outside Australia. These are collectively referred to in this section as an 'external election'.

Councillors must ensure there is a clear and demonstrable distinction between their obligations to Council and their personal interests as a candidate, or as a member of a political party, prior to and during an external election.

A Councillor who is a prospective candidate or a nominated candidate for an external election must:

- maintain an appropriate separation between their dual roles;
- differentiate between their role as an external election candidate and their role as a Councillor when making public comment;
- avoid potential and actual conflicts of interest;
- not misuse their position as a Councillor;
- not use Council resources or activities to support their candidacy; and
- continue to observe the standards of conduct in the Model Councillor Code of Conduct and the Councillor and Staff Interaction Policy.

12.1 Notification of Candidacy

As soon as practicable after becoming a prospective or nominated candidate for an external election, a Councillor must notify the CEO in writing.

Upon receiving this notification, the CEO will advise all other Councillors.

Following notification to the CEO, the Councillor must also declare their intended or actual candidacy at the next Council meeting.

12.2 Leave

A Councillor must request a leave of absence during the period commencing on the date of their nomination with the relevant electoral commission (or equivalent) and concluding on the day of the close of voting for that election.

The application must be made as soon as practicable after the Councillor nominates.

An application for leave by a Councillor in these circumstances must not be unreasonably refused by the Council.

During the period commencing on the date of their nomination with the relevant electoral commission (or equivalent) and concluding on the day of the close of voting for that election, a nominated candidate must:

- not attend Council meetings, meetings of Council delegated committees or meetings of a Community Asset Committee;
- not act in their capacity as a Councillor; and
- return all Council equipment and materials if requested to do so by the CEO.

12.3 Resignation

A Councillor must resign immediately if they are successful in an external election.

13. Definitions

Term	Definition
Act	<i>Local Government Act 2020</i>
Election	Local Government general election or a by-election.
Election period	Period of time prior to an election that starts at the time that nominations close on nomination day and ends at 6:00pm on election day.
Election material	An advertisement, handbill, pamphlet or notice that contains electoral matter, but does not include an advertisement in a newspaper that is only announcing the holding of a meeting.
Electoral matter	Matter which is intended or likely to affect voting in an election but does not include any electoral material produced by or on behalf of the election manager for the purposes of conducting an election. Without limiting the generality of the definition of electoral matter, matter is to be taken to be intended or likely to affect voting in an election if it contains an express or implicit reference to, or comment on: • the election; or • a candidate in the election; or • an issue submitted to, or otherwise before, the voters in connection with the election.
Prohibited decision	Has the same meaning as it has in section 69 of the Act, as follows: <i>(2) An election period policy must prohibit any Council decision during the election period for a general election that—</i> <i>a) relates to the appointment or remuneration of the Chief Executive Officer but not to the appointment or remuneration of an Acting Chief Executive Officer; or</i> <i>b) commits the Council to expenditure exceeding one per cent of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year; or</i> <i>c) the Council considers could be reasonably deferred until the next Council is in place; or</i> <i>d) the Council considers should not be made during an election period.</i> <i>(3) An election period policy must prohibit any Council decision during the election period for a general election or a by-election that would enable the use of Council's resources in a way that is intended to influence, or is likely to influence, voting at the election.</i>

Term	Definition
Significant decision	A decision that: • may unreasonably bind an incoming council and could reasonably be made after the election; or • significantly affects the municipal community.

14. Related Documents

Related Council Policies, Frameworks and Procedures.

Related document title	Location / document number / hyperlink
Audit and Risk Committee Charter	Council's website
Community Engagement Policy	Council's website
Conflict of Interest Policy	ECM 2139282
Councillor and Staff Interaction Policy	ECM 2284580
Customer Behaviour Policy	Council's website
Election Period Policy Guidelines	ECM 2997023
Governance Rules	Council's website
Media Policy	Council's website
Privacy Policy	ECM 2319453
Social Media Policy	Council's website
Staff Code of Conduct	ECM 1366403

15. Reference Documents

- [Local Government Act 2020](#)
- [Local Government \(Governance and Integrity\) Regulations 2020](#)
- [Model Councillor Code of Conduct](#)
- [Guidance on the Model Councillor Code of Conduct](#)
- [Freedom of Information Act 1982](#)
- [Privacy and Data Protection Act 2014](#)
- [MAV Guidelines - Candidature of councillors in state and federal elections 2021](#)

16. Evaluation and Review

This Policy will be reviewed prior to each election (generally four years) and/or by-election and/or on request of Council in the event of significant changes to legislation applicable to of the Policy.

17. Appendices

Nil

Organisational Performance
Approved: 29/06/2026 | Review: 29/06/2030