



# 2024 LOCAL GOVERNMENT ELECTIONS - INFORMATION FOR ELECTED MEMBERS

## WHAT YOU NEED TO KNOW

- Election day will be on **Saturday, 16 March 2024**.
- The caretaker period starts on the day when the public notice of the holding of the election is given (Electoral Commission Queensland have provided an indicative date of Monday, 29 January 2024) and ends at the conclusion of the election (s90A of the *LGA*).
- Legislative restrictions are placed on Council and controlled entities of Council during the caretaker period.
- Relating to making or preparing an arrangement, list, plan or register that can be used to establish an exception to obtaining quotes or tenders when entering into a contract.
- To make, amend or repeal a Local Law.
- To make, amend or repeal a local planning instrument under the *Planning Act 2016* (i.e., a planning scheme, a temporary local planning instrument or a planning scheme policy).

## LEGISLATIVE RESTRICTIONS DURING THE CARETAKER PERIOD

During the caretaker period, Council is prohibited from making major policy decisions (s90B(1) of the *LGA*). 'Major policy decisions' are defined in schedule 4 of the *LGA* and include decisions:

- About the appointment, remuneration or termination of a chief executive officer.
- To enter into a contract greater than \$200,000 or 1% of Council's net rate and utility charges as stated in Council's audited financial statements included in Council's most recently adopted annual report (\$967,443), whichever is the greater.

## MAJOR POLICY DECISION SPECIFICS - PLANNING INSTRUMENTS AND APPROVALS

During the caretaker period, Council cannot make, amend or repeal planning instruments.

Council cannot approve development variation requests or change variation approvals that involve:

- Varying the category of development or category of assessment of consequential development.
- Varying the assessment benchmarks or criteria for accepted development that would apply to consequential development.
- Facilitating development that would result in a greater demand on infrastructure than the demand anticipated in the Council's

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infrastructure plan.

## NECESSARY MAJOR POLICY DECISIONS – MINISTERIAL APPROVAL

- If Council considers that, having regard to exceptional circumstances that apply, it is necessary to make the major policy decision in the public interest, Council may apply to the Minister for approval to make the decision (s90B(2) of the LGA).

## COUNCILLOR DISCRETIONARY FUND

- Councillors must not allocate the Councillor's discretionary funds to a community organisation for a community purpose, or for another community purpose during the period starting on 1 January 2024 and ending at the conclusion of the election (s202(1)(b) & (c) / s202(5)(b) of the LGR).
- Discretionary funds that were allocated before 1 January 2024 in accordance with legislative requirements may be distributed during the caretaker period.
- Councillors may allocate their discretionary funds for capital works of Council that are for a community purpose during the period starting on 1 January 2024 and ending at the conclusion of the election (s202(1)(a) of the LGR).

## HOW DOES THIS IMPACT COUNCIL OPERATIONS?

- Council should prepare for the caretaker period by planning to make major policy decisions (as defined in schedule 4 of the LGA) before the caretaker period starts or after the conclusion of the election.
- Adjustments to Council's Capital Program should be made by December 2023.
- All activities which do not require Council approval continue as per normal under delegated authority.

## MEDIA AND COMMUNICATIONS

- All media and communications will continue in accordance with the Council's Policies and Procedures.
- Specific protocols relating to media and communication during the caretaker period are outlined in Council's Caretaker Guideline CORP-GDS-035.

## COUNCILLOR SUPPORT, FACILITIES AND EXPENSES

- During the caretaker period, Councillors will continue to have access to administrative support, facilities and expenses reimbursement that are necessary to undertake their duties as elected representatives.
- Councillors must be cognisant of the purpose of utilising these facilities/resources.
- Any requests or activities that are, or could be, perceived to be electioneering will not be supported.
- Further detail is outlined in Council's Caretaker Guideline CORP-GDS-035.

## 2024 ORDINARY COUNCIL MEETING SCHEDULE

- Wednesday, 24 January 2024
- Wednesday, 28 February 2024
- Wednesday, 13 March 2024.

*\* Dates may change when resolved by Council in the December Ordinary Meeting*

## RESOURCES AVAILABLE

- Council's Caretaker Guideline CORP-GDS-035
- The Electoral Commission of Queensland (ECQ) website: [www.ecq.qld.gov.au](http://www.ecq.qld.gov.au)
- *Local Government Act 2009 (Qld) ('LGA')*
- *Local Government Regulation 2012 (Qld) ('LGR')*

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