

## Policy Details

<b>Directorate:</b>	Organisational Services
<b>Branch:</b>	Corporate Governance
<b>Responsible Manager:</b>	Corporate Governance Manager
<b>Date adopted:</b>	29/01/2020 (minute number 2/2020)
<b>Date for review:</b>	2 years from the date of adoption or date of last review
<b>Legislative basis:</b>	<i>Local Government Act 2009</i> <i>Local Government Regulation 2012</i>
<b>Related Documents - forms and procedures</b>	Caretaker Period Procedure (DM: 13345806) Code of Conduct for Staff (DM: 13269084) Code of Conduct for Councillors in Queensland (DM: 12536725)

### 1. Policy Purpose

The purpose of this policy is to provide appropriate standards and restrictions for Councillors and Council employees during the lead up to the local government quadrennial election.

### 2. Scope

This policy applies to all Councillors, employees and contractors working for Council regardless of whether they are permanent, temporary, full-time, part-time or casual. For the purposes of this policy, the term contractor includes on-hired temporary labour services (agency staff) and sub-contractors.

### 3. Policy Statement

#### Principles

Logan City Council is committed to transparent and accountable local government through compliance with both legislation and reasonable community expectations during a local government election period, known as the caretaker period.

This is based on the democratic principle that outgoing elected bodies should not use public resources for election campaigning, nor make decisions which may be unreasonable, inappropriate or unnecessarily bind an incoming Council.

#### Caretaker Period Procedure

All decisions made during the caretaker period must be made in accordance with the Caretaker Period Procedure (DM: 13345806).

### 4. Definitions

The following definitions apply to this Policy and to the Caretaker Period Procedure:

TERM	DEFINITION
Caretaker period	As defined in Section 90A of the <i>Local Government Act 2009</i> : (1) The caretaker period for a local government is the period during an election for the local government that— (a) starts on the day when public notice of the holding of the election is given under the Local Government Electoral Act, section 25(1); and (b) ends at the conclusion of the election.

TERM	DEFINITION
Councillor	All elected representatives including the Mayor
Election material	As defined in Section 90D of the <i>Local Government Act 2009</i> : Election material is anything able to, or intended to: <ul style="list-style-type: none"> <li>influence an elector about voting at an election;</li> <li>affect the result of an election.</li> </ul>
Employee	Any person employed directly by Logan City Council regardless of their employment status, and contractors undertaking duties on behalf of Council.
Major policy decision	As defined in Schedule 4 of the <i>Local Government Act 2009</i> : A decision: <ul style="list-style-type: none"> <li>about the appointment of a chief executive officer of the local government; or</li> <li>about the remuneration of the chief executive officer of the local government; or</li> <li>to terminate the employment of the chief executive officer of the local government; or</li> <li>to enter into a contract the total value of which is more than the greater of the following: <ul style="list-style-type: none"> <li>\$200,000;</li> <li>1% of the local government's net rate and utility charges as stated in the local government's audited financial statements included in the local government's most recently adopted annual report.</li> </ul> </li> <li>to establish an exception for obtaining quotes or tenders before entering into a contract such as a panel of pre-qualified suppliers or a panel of pre-approved suppliers;</li> <li>to make, amend or repeal a local law;</li> <li>to make, amend or repeal a local planning instrument under the <i>Planning Act 2016</i> (ie a planning scheme, a temporary local planning instrument or a planning scheme policy);</li> <li>to approve variation requests or change variation approvals under the <i>Planning Act 2016</i> that involve: <ul style="list-style-type: none"> <li>varying the category of development or category of assessment of consequential development;</li> <li>varying the assessment benchmarks or criteria for accepted development that would apply to consequential development</li> <li>facilitating development that would result in a greater demand on infrastructure than the demand anticipated in the Council's infrastructure plan</li> </ul> </li> </ul>

#### Document Control

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<b>Amendment History</b>			
<b>Version Number</b>	<b>Description of Change</b>	<b>Author / Branch</b>	<b>Date</b>
1.0	Original version	Corporate Governance	29 January 2020
2.0	Formatting amendments	Corporate Governance	3 February 2020