

Module	<b>QLG – BUSINESS AND ECONOMIC DEVELOPMENT</b>
Jurisdictions	<b>QLD</b>
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## Module Application

The QUEENSLAND LOCAL GOVERNMENT – BUSINESS AND ECONOMIC DEVELOPMENT module informs Queensland local governments of their legislated legal obligations. The module also demonstrates effective practical advice and assistance to Queensland local governments implementing procedures and processes that will ensure compliance and regulatory accountability throughout all levels of the local government organisation.

To fulfil its purpose the module focuses on providing practical assistance to the Queensland local government intending to establish and maintain a robust foundational framework that determines;

- › How the organisation will function;
- › Who is the responsible decision maker;
- › What matters are relevant to the decision-making process; and
- › Whether the desired outcome has been achieved.

The Queensland local government, their employees and authorised individuals are all expected to be familiar with the broad landscape of legal obligations to which local governments are subject as well as more specific obligations relevant to particular sectors.

The QUEENSLAND LOCAL GOVERNMENT – BUSINESS AND ECONOMIC DEVELOPMENT module should be subscribed by all Queensland local government entities, their employees and authorised individuals. The aim of the module is to equip the subscriber with knowledge of their obligations and the skills they require to establish relevant systems and processes to ensure compliance throughout the local government organisation.

The Queensland local government is obligated to make business and economic planning decisions intended to provide a community that is ecologically sustainable and cooperate effectively with the local community, the state government, the federal government and the private sector.

The QUEENSLAND LOCAL GOVERNMENT – BUSINESS AND ECONOMIC DEVELOPMENT module assists Queensland local governments to navigate legal responsibilities related to business and economic development. It outlines the fundamental requirements that the local government must meet when exercising control over business and economic development.

The broad scope of the QUEENSLAND LOCAL GOVERNMENT – BUSINESS AND ECONOMIC DEVELOPMENT module is to provide the Queensland local government entity with answers to these questions;

- › What are our legal obligations?
- › From where are these legal obligations derived?
- › How can we ensure that we are complying with our legal obligations? and
- › What are the consequences if we do not comply with our legal obligations?

The QUEENSLAND LOCAL GOVERNMENT – BUSINESS AND ECONOMIC DEVELOPMENT module covers all legislated legal obligations of Queensland local government entities and demonstrates practical assistance and guidance to ensure that these obligations are complied with through the implementation and maintenance of best practice processes. The module also covers the role of the regulator and exemptions to the obligations, if applicable, and how they may or may not apply to the Queensland local government entity.

The module fulfils this objective by comprehensively covering three areas;

- › Legislation;
- › Obligations; and
- › Consequences.

1. The legislative and regulatory landscape from which the primary legal obligations are derived;

- › Australian Jobs Act 2013 (Cth);
- › Competition and Consumer Act 2010 (Cth);
- › Constitution of Queensland 2001 (QLD);
- › Environmental Protection Act 1994 (QLD);
- › Government Owned Corporations Act 1993 & Regulations 2014 (QLD);
- › Local Government Act 2009 & Regulations 2012 (QLD);
- › Planning Act 2016 (QLD);
- › Queensland Competition Authority Act 1997 & Regulation 2018 (QLD);
- › Queensland Industry Participation Policy Act 2011 (QLD);
- › Partners in Government Agreement (QLD);
- › Retail Shop Leases Act 1994 & Regulations 2016 (QLD);
- › Financial Accountability Act 2009 (QLD);
- › Corporations Act 2001 (Cth);
- › Economic Development Act 2012 (QLD);
- › Tourism and Events Queensland Act 2012 (QLD);
- › General Retention and Disposal Schedule (QLD);
- › Public Records Act 2002 (QLD); and
- › Taxation Administration Act 1953 (Cth).

2. The specific areas where business and economic development legal and regulatory obligations apply to the Queensland local government entity;

- › Grants and financial support;
- › Grants and subsidies programs;
- › Roads to recovery;
- › Grants commission;
- › Associations;
- › Regional grants and funding;
- › Applications; and
- › Partnerships with other agencies;
- › Development;
- › IT;
- › Queensland International Education and Training Partnership Fund;
- › Education and childcare;
- › Waterways;
- › Cultural development;
- › Regional;
- › Disaster management;
- › Heritage;
- › Environment; and
- › Promoting tourism.
- › Economic development;
- › Regional; and
- › Agricultural land audit.
- › Government owned corporations;
- › Establishing;
- › Charter and constitution;
- › Federal obligations;
- › Plan and statement of intent;
- › Reports and financial accountability; and
- › Employees and members.
- › Promotion of local government business and economic development;
- › Economic and social development;
- › Significant activities;
- › Marketing;
- › Export, trade and regional relocation; and
- › Public private partnerships.
- › Sustainability;
- › Environmental partnership initiatives;
- › Cities; and
- › Climate change.
- › Economic development department, strategy and participation;
- › Multicultural;
- › Competition, monopolies and consumer protection;
- › Access agreements and disputes;
- › Investigations; and
- › Trade.
- › Managing retail property leases;
- › Disclosures;
- › Standards;
- › Dispute resolution; and

- Community services partnering for the future.

3. If the Queensland local government has failed to meet its obligations to the community and state it may be required to communicate the failure to affected parties and take every reasonable step to prevent the failure happening again. Failing to uphold business and economic obligations may also result in the imposition of significant legal consequences. The penalties that apply to the local government are, in some cases, also applicable to authorised persons of the local government who permitted the offence to occur. Such penalties can include substantial pecuniary penalties as well as criminal penalties such as imprisonment. The range of consequences that may be imposed on an offending local government are discussed in detail in the QUEENSLAND LOCAL GOVERNMENT – BUSINESS AND ECONOMIC DEVELOPMENT module.

The QUEENSLAND LOCAL GOVERNMENT – BUSINESS AND ECONOMIC DEVELOPMENT module does not cover the rights or entitlements of individuals who have suffered damages or losses due to breaches of obligations by Queensland local governments. The module does not cover the process that an entity or an individual would follow to report or seek compensation for the breach or their loss.

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