

Module	QLG – EVENTS AND RECREATION
Jurisdictions	QLD
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Module Application

The QUEENSLAND LOCAL GOVERNMENT – EVENTS AND RECREATION 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 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 ensure that any public events and recreation activities that it manages, administers or coordinates are carried out safely and in accordance with legislation designed to protect and safeguard public and environmental health, safety and amenity.

The local government has the ability to hold public events and recreational activities within the local government area on a large scale (such as fundraising runs and community market stalls) as well as to own and operate recreational infrastructure for community benefit and enjoyment (such as public swimming pools, cycling courses and sports facilities). The main role and obligation of the local government in administering and authorising public events and recreation is to ensure that the safety of people attending events and participating in activities is supported and the health of the environment is protected.

The QUEENSLAND LOCAL GOVERNMENT – EVENTS AND RECREATION module assists Queensland local governments to navigate legal responsibilities related to events and recreation. It outlines the fundamental requirements that the local government must meet when exercising control over events and recreation within the local government area.

The broad scope of the QUEENSLAND LOCAL GOVERNMENT – EVENTS AND RECREATION 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 – EVENTS AND RECREATION 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;

- › Work Health and Safety Act 2011 (QLD);
- › Civil Liability Act 2003 (QLD);
- › Environmental Protection Act 1994 & Regulation 2008 & Regulation 2019 (QLD);
- › Environmental Protection (Noise Policy) 2008 & 2019 (QLD);
- › Local Government Act 2009 (QLD);
- › Recreation and Management Act 2006 (QLD);
- › Recreation Areas Management Regulation 2017 (QLD);
- › Disability Discrimination Act 1992 (Cth);
- › Disability (Access to Premises – Building) Standards 2010 (Cth);
- › Trademarks Act 1995 (Cth);
- › Anti-Discrimination Act 1991 (QLD);
- › Criminal Code Act 1899 (QLD);
- › Explosives Act 1999 & Regulations 2017 (QLD);
- › Forestry Act 1959 (QLD);
- › Liquor Act 1992 (QLD);
- › Nature Conservation Act 1992 (QLD);
- › Nature Conservation (Protected Areas Management) Regulation 2006 (QLD);
- › Planning Act 2016 (QLD);
- › Police Powers and Responsibilities Act 2000 (QLD);
- › Public Health Act 2005 & Regulation 2018 (QLD);
- › Safety in Recreational Water Activities Act 2011 (QLD);
- › Security Providers Act 1993 (QLD);

- › Security Providers (Crown Controller Code of Practice) Regulation 2008 (QLD);
- › Tobacco and other Smoking Products Act 1998 (QLD);
- › Waste Reduction and Recycling Act 2011 (QLD);
- › Working with Children (Risk Management and Screening) Act 2000 (QLD);
- › Local Law No.1 (Administration) 2010 (QLD);
- › Building Act 1975 (QLD);
- › Major Events Act 2014 (QLD); and
- › Major Events (Motor Racing Events) Regulation 2015 (QLD).

2. The specific areas where events and recreation legal and regulatory obligations apply to the Queensland local government entity;

- › Conducting events in recreation areas;
- › Permits and approvals;
- › Organised events;
- › Commercial activities;
- › Restricted access areas;
- › Abandoned property and unauthorised structures and works;
- › Keeping records and information; and
- › Temporary structures.
- › Major events;
- › Traffic and transport management;
- › Authorised persons;
- › Official logos and titles; and
- › Carrying out works.
- › Health, safety and amenity at public events;
- › Crowd control and security;
- › Smoking and alcohol;
- › Crime prevention;
- › Accessibility;
- › Risk management and emergency response plan;
- › Waste management;
- › Onsite staff and volunteers;
- › Traffic and transport control;
- › Noise restrictions and fireworks;
- › Electricity, fire and hazardous materials;
- › Drinking water;
- › Publications, films and computer games;
- › Lighting for sports fields; and
- › Gas safety.
- › Sponsorships and grants for public events;
- › Outback events;
- › Queensland destination events; and
- › Sponsorship.
- › Recreational water activities and facilities;
- › Health and safety;
- › Incident notification;
- › Creating shade at facilities; and
- › Bathing reserves.
- › Management of recreational infrastructure and recreational areas;
- › Wildlife landscape control; and
- › Design of walking tracks.

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 events and recreation 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 – EVENTS AND RECREATION module.

The QUEENSLAND LOCAL GOVERNMENT – EVENTS AND RECREATION 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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