

## 1. Heads of Power

*Local Government Act 2009*, Section 47 — Code of Competitive Conduct

*Local Government Regulation 2012*

Queensland Treasury - *National Competition Policy and Local Government Guideline*

Queensland Competition Authority – *Handbook for Competitive Neutrality Complaints (Local Government)*

## 2. Purpose

The purpose of this policy is to outline Aurukun Shire Council's (**Council**) commitment to complying with the *Local Government Act 2009*, specifically section 47, by applying the Code of Competitive Conduct to identified business activities. This ensures that Council conducts its business activities in a manner that promotes fair competition and public accountability.

## 3. Scope

This policy applies to all Council business activities that fall within the definition of a business activity under the Act, including but not limited to:

- Building certifying activities;
- Construction or maintenance of state-controlled roads;
- Any other identified activity prescribed by Council.

## 4. Policy Statement

Council is committed to ensuring that all applicable business activities are conducted in compliance with the Code of Competitive Conduct, by:

- Implementing full cost pricing, including relevant overheads;
- Clearly identifying and accounting for any Community Service Obligations (CSOs);
- Ensuring that Council's business activities do not benefit from net competitive advantages arising from public ownership.
- The Code will be applied to each business activity via resolution of Council and recorded in the minutes.

## 5. Competitive Neutrality Complaints

Any complaints regarding a potential breach of competitive neutrality will be managed in accordance with Council's complaints management framework and, where applicable, referred to the Queensland Competition Authority under their guidelines for investigating competitive neutrality complaints.

## 6. Roles and Responsibilities

- **Chief Executive Officer** – responsible for identifying business activities, applying the Code where required, and ensuring appropriate cost accounting and transparency measures are in place.
- **Finance and Governance staff** – responsible for implementing full cost attribution and reporting mechanisms.
- **All staff** involved in applicable business activities must ensure compliance with this policy and the Code.

## **7. Related Documents**

- Procurement Policy
- Complaints Management Policy
- Corporate Plan
- Operational Plan
- Delegations Register

## **8. Document Control**

This policy is to be reviewed annually or as required by changes in law or material changes in Council's business activities.

## **9. Policy Owner**

Director Corporate Services.