



Hon Paul Lucas MP



Queensland
Government

Our ref: MC11/4463

Attorney-General
Minister for Local Government and
Special Minister of State

22 DEC 2011

Mr Neil Laurie
Clerk of the Parliament
Parliament House
George Street
Brisbane QLD 4000

Dear Mr Laurie

**Re: Petition received by the Queensland Legislative Assembly No. 1695-11 -
Bundaberg Regional Council**

I refer to the Queensland Parliament E-Petition regarding the Bundaberg Regional Council (BRC).

I note the contents of the petition and while I acknowledge the concerns, in Queensland, Local Governments are autonomous bodies charged with taking independent action on a wide range of matters necessary for ensuring the good rule and government of their areas. As the Minister for Local Government, I have limited powers under the *Local Government Act 2009* (the Act) to direct BRC in respect to the issues that you raise.

Ultimately, the final decision on any matter before BRC that is within its jurisdiction must rest with the majority of elected members, with Councillors being accountable to the community at the ballot box for the decisions and actions they take. This includes matters relevant to the employment of the Chief Executive Office (CEO).

BRC is the only body that can terminate the services of the CEO and I have no authority under the Act to direct any Council on this matter. Similarly, all BRC staff are under the leadership of the CEO and only he/she can take disciplinary action, including terminating a staff member, if deemed necessary and appropriate.

In Queensland, there is a legislative requirement that all Local Governments implement a complaints management process to improve their accountability and resolve complaints, including those about administrative actions of the Local Government.

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In accordance with this process, an affected person is entitled to make a formal complaint in writing to BRC at PO Box 3130, Bundaberg QLD 4670. BRC must appoint a complaints officer who is independent of the content of the complaint to conduct an investigation. Upon making a decision in relation to the complaint, the complaints officer is required to give the Local Government and the affected person notice of, and the reasons for, the decision.

If the affected person is dissatisfied with the outcome of BRC's investigation under its general complaints process, they have the option to have the decision reviewed by the Ombudsman. Complaints to the Ombudsman can be made in writing to GPO Box 3314, Brisbane QLD 4001, in person by appointment or by using the online complaint form which can be found at www.ombudsman.qld.gov.au. The Ombudsman's Office can also be contacted on 3005 7000 or toll free (outside Brisbane) on 1800 068 908.

If you require any further information, please contact Ms Tess Bishop, Principal Advisor, on 3224 4600 who will be pleased to assist.

I trust this information is of assistance.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Paul Lucas', with a long horizontal flourish extending to the right.

PAUL LUCAS MP
Attorney-General,
Minister for Local Government
And Special Minister of State