



Minister for Local Government,
Minister for Racing and
Minister for Multicultural Affairs

Our ref: MC18/1810

Your ref: A301376

18 APR 2018

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Mr Neil Laurie
The Clerk of the Parliament
Queensland Parliamentary Service
Parliament House
George Street
BRISBANE QLD 4000

Dear Neil

Thank you for your letter of 21 March 2018 regarding Petition No. 2875-18 lodged with the Legislative Assembly on 20 March 2018 about the current governance of the Logan City Council and the recent discontinuance of the contract of Chief Executive Officer (CEO), Ms Sharon Kelsey.

The employment of a CEO is a matter for the Council. Pursuant to section 194 of the *Local Government Act 2009* (the Act), a Local Government must appoint a qualified person to be its CEO and enter into a written contract of employment with that person.

While I cannot intervene in the employment matters of a Local Government, I did ask the Acting Director-General of the Department of Local Government, Racing and Multicultural Affairs to investigate whether the Council has followed due process in making its decision regarding the termination of Ms Kelsey. The Department has had access to select material provided by the Council in relation to its decision to terminate the CEO. At this point in time and based on the material, there are no identifiable, legal grounds for the State to intervene.

There is however, a current, ongoing, Crime and Corruption Commission (CCC) investigation, and this matter is also being considered, in depth, by the Queensland Industrial Relations Commission, it is appropriate that these processes are allowed to continue unimpeded.

Nonetheless, I will continue to monitor the performance of the Council, and if any information is obtained which shows that Council or Councillors are not performing their responsibilities properly, or are not complying with the Local Government Acts, I may take remedial action, if appropriate, in the circumstances at that time.

Transparency, integrity and accountability are foundational principles for the Partners in Local Government Agreement and our Government is progressing a suite of reforms in this area.

The reforms implemented in the Palaszczuk Government's first term in Government saw the introduction of Australia's first real-time electronic donation disclosure system to ensure that Queenslanders are fully informed when they go to the polls.

The Local Government (Councillor Complaints) and Other Legislation Amendment Bill 2018 was introduced to the Legislative Assembly on 15 February 2018, delivering on the Government's election commitment to re-introduce this important legislation to deal with Councillor complaints more effectively and to legislate for a mandatory code of conduct for Councillors.

The legislation will result in the establishment of the Office of the Independent Assessor which will, in essence, establish a new 'front door' for Councillor complaints. The Independent Assessor will have greatly increased investigative powers (when compared to the current system) and greater penalties will apply to breaches of the Act.

It will mean that the Chief Executive Officer of a Local Government is no longer placed in the invidious position of assessing complaints about Councillors and Mayors with whom they are required to work closely with.

On 6 March 2018, I introduced the Local Government Electoral (Implementing Stage 1 of Belcarra) and Other Legislation Amendment Bill 2018, which delivers on another of the Government's election commitments and provides for improved integrity and accountability.

Additionally, the Government has acted on a recommendation from the CCC that Queensland's Mayors and Councillors be given access to the advisory and public awareness functions of the Queensland Integrity Commissioner. In February 2018, Mayors and Councillors were included as designated persons under the *Integrity Act 2009*, providing them with access to an impartial source of advice that will enable them to serve their communities better.

The Government is utterly determined to see the good name of Local Government restored, protected and enhanced through improvements to transparency and accountability.

If you require any further information, I encourage you to contact Ms Kathy Parton, Deputy Director-General, Strategy, Governance and Engagement in the Department on 3452 6788 or by email at kathy.parton@dlgrma.qld.gov.au.

Yours sincerely



STIRLING HINCHLIFFE MP
Minister for Local Government,
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