

Administrative Action Complaints

Local governments must have a process for dealing with Administrative action complaints (AACs) and must report them in their Annual Report.

AACs are defined broadly under [section 268 of the *Local Government Act 2009*](#) (LGA) and [section 250 of the *City of Brisbane Act 2010*](#). Most types of complaints received by Councils are likely to be an ACC (except where a local government handles statutory complaints such as complaints about councillor conduct or complaints about competitive neutrality).

A decision to issue a penalty infringement notice (PIN) is an administrative action of the local government. Therefore, a complaint about a PIN is an AAC.

Process for managing complaints

Local governments must have a process for resolving AACs, from when they are received to when they are resolved. The process must:

- cover all AAC matters
- respond quickly and efficiently to complaints in a fair and objective way
- include criteria to be considered when assessing whether to investigate a complaint
- inform the affected person of the decision about the complaint and the reasons for the decision.

Each local government is required to:

- keep records about all AACs
- ensure the public can inspect the complaints management process, including the policy and procedure documents
- identify trends in complaints and monitor the effectiveness of the complaint's management process
- report on AACs in the annual report.

Streamlined processes for parking fines and other PINs

Requests for a review of parking fines and other PIN notices must be included in the complaints management policy and managed as an AAC. Local governments are encouraged to:

- ensure complaints are responded to before the matter is lodged with the State Penalties Enforcement Registry (normally 30 days after the PIN is issued); and
- dispense with other normal internal review processes where possible, given that the complainant may elect to have the matter heard by the Magistrate's court if they are dissatisfied with the decision of the local government about their complaint.

However, where someone raises concerns regarding the process used in issuing a PIN, it may still be sound practice to offer an internal review. This provides an option to resolve the matter quickly, rather than through the Magistrates Court.

The streamlined procedures should be part of the local government's complaints management policy and must still comply with recording and annual reporting obligations.

Annual reports

The following must be reported in the local government's annual report:

- the number of AACs made for the year
- the number of AACs resolved by the complaints management process
- the number of AACs not resolved by the complaints management process
- the same information about AACs made in the previous financial year.

The above information about AACs must cover all complaints about or requests to review PINs.

However, councils may also consider publishing additional details of ACCs about PINs in the annual report to differentiate between them and other types of AACs.

For further information please contact the Department of State Development, Infrastructure, Local Government and Planning through the Regional Offices listed below:

Southern region

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Visit: PO Box 15009, City East, Queensland 4002

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Email: southern@dsligp.qld.gov.au

Northern region

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Visit: Ground Floor, 445 Flinders Street, Townsville QLD 4810

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