

Councillor Conduct Register

In accordance with section 150DX of the *Local Government Act 2009* (the Act), Council must maintain and publish a Councillor Conduct Register.

Decisions made by Council or the Councillor Conduct Tribunal relating to unsuitable meeting conduct, inappropriate conduct, misconduct, corrupt conduct or a decision to take no further action against a Councillor. Full details available online: <https://www.dlgrma.qld.gov.au/local-government/governance/councillor-conduct-tribunal/decision-summaries.html>

Subject Councillor ¹	Summary of complaint	Summary of the decision and reasons for the decision
Cr Greg Barnes	It is alleged that on 21 January 2019, Councillor Barnes, a councillor of Bundaberg Regional Council, engaged in misconduct as defined in section 150L(1)(c)(iv) of the Act, in that the conduct contravened section 171(3), as it involved the release of information that the councillor knew, or should have reasonably known, was information confidential to the local government.	<p>Decision date: 19 February 2020 Decision maker: Councillor Conduct Tribunal</p> <p>The Tribunal has determined, on the balance of probabilities, that the allegation that, on 21 January 2019, Councillor Barnes, as a councillor of Bundaberg Regional Council, engaged in misconduct as defined in section 150L(c)(iv) of the <i>Local Government Act 2009</i>, in that the conduct contravened section 171(3), as it involved the release of information that the councillor knew, or should have reasonably known, was information confidential to the local government, has been sustained.</p> <p>The Tribunal orders:</p> <ul style="list-style-type: none"> • pursuant to section 150AR(1)(b)(i) of the Act, the respondent must make a public admission that he has engaged in misconduct, within 90 days of the date that a copy of this decision and orders is given to him by the Registrar; and • pursuant to section 150AR(1)(b)(iii) the respondent attend training or counselling to address the councillor's conduct at the expense of the Councillor within 90 days from the date of receipt of this order.

¹ Included if Council or conduct tribunal determined the Councillor engaged in inappropriate conduct or misconduct, or where the Councillor agrees to their name being included in the register pursuant to section 150DY(3) *Local Government Act 2009*

Subject Councillor ¹	Summary of complaint	Summary of the decision and reasons for the decision
Not recorded	<p>Allegation 1 alleges that on an unknown date between 17 May 2018 and 8 June 2018, a councillor of Bundaberg Regional Council, engaged in misconduct as defined by section 176(3)(b)(iii) of the Act (as applied at the time of the alleged conduct), in that he misused information or material acquired in or in connection with the performance of his councillor responsibilities, whether the misuse is for the benefit of the councillor or someone else.</p> <p>Allegation 2 withdrawn at the Tribunal's discretion in accordance with section 213 of the Act.</p> <p>Allegation 3 alleges that on 24 September 2018, a councillor of the Bundaberg Regional Council, engaged in misconduct as defined in section 176(3)(b)(ii) of the Act, in that the conduct constituted a breach of trust placed in him as a councillor.</p>	<p>Decision date: 19 February 2020 Decision maker: Councillor Conduct Tribunal</p> <p>Allegation 1: The Tribunal has determined, on the balance of probabilities, that the allegation that, between 17 May 2018 and 8 June 2018, a councillor of the Bundaberg Regional Council, engaged in misconduct as defined in section 176(3)(b)(iii) of the Act, in that he misused information or material acquired in or in connection with the performance of his councillor responsibilities, whether the misuse is for the benefit of the councillor or someone else, has not been sustained.</p> <p>Allegation 2: The Tribunal makes no finding on the basis that the Applicant withdrew this allegation.</p> <p>Allegation 3: The Tribunal has determined, on the balance of probabilities, that the allegation that, on 24 September 2018, a councillor of Bundaberg Regional Council, engaged in misconduct as defined in section 176(3)(b)(ii) of the Act, in that the conduct constituted a breach of trust placed in him as a councillor, has not been sustained.</p>

Dismissed complaints about conduct of Councillors dismissed by the Independent Assessor.

Date of complaint	Subject Councillor ²	Summary of complaint	Decision date	Statement about why the complaint was dismissed
8 December 2018	Not recorded	It was alleged that a councillor failed to declare a conflict of interest and or engaged in activities to subvert the Planning Act and Council meeting and resolution procedures to procure an outcome for a developer.	11 March 2019	The Office of the Independent Assessor delegate decided to dismiss the complaint pursuant to Section 150Y(b)(iii) of the <i>Local Government Act 2009</i> which states "...taking further action would be an unjustifiable use of resources". The councillor declared a conflict of interest.
10 March 2019	Not recorded	A councillor referred to a member of the public making false and misleading statements when quoted in a newspaper article published in 2015.	5 April 2019	The Office of the Independent Assessor delegate made the decision to dismiss the matter pursuant to Section 150X(a)(ii) of the <i>Local Government Act 2009</i> as the responses were factual and made in response to information that the member of the public had put into the public arena. The conduct therefore did not constitute inappropriate conduct or misconduct.
25 March 2019	Not recorded	It was alleged that a councillor had involvement in an investigation into the complainant's family business during 2018, and that the councillor's involvement may have contravened local government principles.	5 April 2019	The Office of the Independent Assessor decided to dismiss the complaint pursuant to section 150X(b)(iii) of the <i>Local Government Act 2009</i> on the basis that the complaint was lacking in substance. The complaint did not specify particular conduct by the councillor that could be inappropriate conduct or misconduct.
5 April 2019	Not recorded	It was alleged that a councillor made inappropriate comments on social media.	8 May 2019	The Office of the Independent Assessor delegate made the decision to dismiss the complaint as per Section 150X(a)(ii) of the <i>Local Government Act 2009</i> on the basis that the councillor's comments did not amount to a breach of the code of conduct and was not responsible for the inappropriate comments of other Facebook users as the councillor was not the administrator or moderator of the site on which these inappropriate comments were made.
27 January 2019	Not recorded	It is alleged that a Councillor took reprisal action against a Council employee.	16 May 2019	The Office of the Independent Assessor decided to take no further action in relation to the complaint pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> on the basis that the conduct did not constitute inappropriate conduct or misconduct. The individual named by the complainant as having faced reprisal action by the subject councillor did not corroborate the allegation.

² Included where the Councillor agrees to their name being included in the register pursuant to section 150DZ(2) *Local Government Act 2009*

Date of complaint	Subject Councillor ²	Summary of complaint	Decision date	Statement about why the complaint was dismissed
7 April 2019	Not recorded	It was alleged by the complainant that a councillor was involved in a conspiracy with a former councillor to unjustly damage the complainant's reputation.	17 April 2019	The Office of the Independent Assessor delegate dismissed the complaint based on the fact that it was based on uncorroborated hearsay. The complaint was dismissed under Section 150Y(b)(iii) of the <i>Local Government Act 2009</i> as it is considered to be an unjustifiable use of resources.
1 May 2019	Not recorded	It was alleged that a councillor made comments in a newspaper article which undermined elected representatives, fellow councillors and Council officers.	20 May 2019	The Independent Assessor made the decision to dismiss the complaint on the basis that it was frivolous and/or vexatious. This decision was made in accordance with Section 150X(b)(i) of the <i>Local Government Act 2009</i> .
11 March 2019	Not recorded	That a councillor engaged in misconduct by failing to declare a conflict of interest while participating in the recruitment and subsequent appointment of the Chief Executive Officer of the Bundaberg Regional Council in 2016.	22 May 2019	After completing an investigation there was no evidence of misconduct. That the councillor had in fact declared a conflict during the recruitment process and did not take part or vote on the matter at the subsequent council meeting where the Chief Executive Officer appointment was confirmed.
20 May 2019	Not recorded	It was alleged that a councillor did not declare a conflict of interest in relation to a matter and raised questions about the councillors attendance at a pre-lodgement meeting.	31 May 2019	The Office of the Independent Assessor delegate made the decision to dismiss the complaint on the basis that it was vexatious and/or frivolous. The councillor did not have a conflict of interest in relation to the matter and it was a matter of public record that they had not attended the pre-lodgement meeting.
30 March 2019	Not recorded	It was alleged that a councillor: <ul style="list-style-type: none"> • retaliated to a decision made by Council planning staff not to approve a development application by engaging in an act of misconduct by publicly stating they were part of a group that was plotting to dismiss Council planning staff; and • released confidential information regarding a Council proposal. 	10 June 2019	The Office of the Independent Assessor delegate made the decision to dismiss the complaint on the basis that it was not deemed to constitute inappropriate conduct or misconduct as per Section 150Y(b)(i) of the <i>Local Government Act 2009</i> .
29 May 2019	Not recorded	It was alleged that a councillor: <ul style="list-style-type: none"> • did not declare a conflict of interest at a council meeting. • as a Portfolio Councillor, the Councillor abrogated their responsibilities by failing to present agenda items at a council meeting. 	6 June 2019	The Office of the Independent Assessor delegate made the decision to dismiss the complaint The councillor did not have a conflict of interest in relation to the matter. Whilst it is generally the responsibility of the Portfolio Councillor to present agenda items, it is not a requirement that they must as part of their role.

Date of complaint	Subject Councillor ²	Summary of complaint	Decision date	Statement about why the complaint was dismissed
1 February 2019	Not recorded	It was alleged that a councillor failed to declare a conflict of interest at Council meetings as it was alleged that the councillor had an association with the applicant of development applications lodged with Council.	21 June 2019	The Office of the Independent Assessor delegate made the decision to dismiss the complaint on the basis that the conduct does not constitute inappropriate conduct or misconduct. The councillor's association with the applicant was historical and the nature, extent and significance of that association was not such that it could reasonably be said to give rise to a conflict of interest.
13 December 2018	Not recorded	It was alleged a councillor gained a benefit by using an overseas Council business trip to seek support from a Chinese developer for the councillor's personal business.	3 July 2019	The Office of the Independent Assessor delegate made the decision to take no further action pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> . After an investigation, there was no independent evidence found to support the allegation.
8 December 2018 12 December 2018 29 January 2019 11 March 2019	Not recorded	It was alleged that a councillor: <ul style="list-style-type: none"> • did not declare a conflict of interest at a council meeting. • tried to manipulate the voting process resulting in a deemed approval 	24 June 2019	After an investigation, the OIA delegate made the decision to dismiss allegation one after determining that there was no evidence to support that the councillor had a conflict of interest in relation to the matter. The OIA delegate made the decision to dismiss allegation two after determining there was no evidence to support that the Councillor tried to manipulate the voting process.
18 June 2019	Not recorded	It is alleged that a complaint made against a councillor was frivolous and intentionally mischievous, vexatious, reckless and malicious in nature.	2 July 2019	The Office of the Independent Assessor decided to take no further action pursuant to Section 150Y(b)(i) of the <i>Local Government Act 2009</i> on the basis that the conduct did not constitute inappropriate conduct or misconduct nor was it a matter that it was appropriate to raise a criminal investigation into a vexatious complaint.
1 July 2019	Not recorded	It was alleged that a councillor made comments to a group of residents, which were then quoted by a third party on a Facebook page. It was alleged the comments attributed to the councillor were in breach of the councillor code of conduct, as they undermined Council employees in relation to their decision to clear land in the Bundaberg Region.	19 July 2019	The Office of the Independent Assessor delegate made the decision to dismiss the complaint pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> on the basis that the complaint did not raise a reasonable suspicion of inappropriate conduct or misconduct.
13 December 2018	Not recorded	It was alleged that during the selection process and subsequent Council Meeting that resulted in an offer of a contract of employment for a senior position in the Bundaberg Regional Council, the councillor failed to comply with the requirement to inform Council of a real or perceived conflict of interest.	4 October 2019	After an investigation by the Office of the Independent Assessor, the alleged conduct did not raise a reasonable suspicion of inappropriate conduct or misconduct and no further action will be taken pursuant to section 150Y(b)(i).

Date of complaint	Subject Councillor ²	Summary of complaint	Decision date	Statement about why the complaint was dismissed
24 September 2019	Not recorded	It is alleged a councillor breached the Code of Conduct for Councillors when he made comments on Facebook that were dismissive of a member of the public who was considering running in the Local Government elections in 2020.	4 October 2019	The Office of the Independent Assessor dismissed the complaint pursuant to section 150X(c)(ii) of the Act on the basis that further dealing with the complaint was an unjustifiable use of resources. The comments made by the councillor were considered borderline, were removed shortly after by the councillor and could not be assessed against the entire conversation online.
16 October 2019	Not recorded	It was alleged that a Councillor declined a complainant's offer to pay for the relocation of a construction outside their property and that there was a lack of community consultation in relation to the building of a skate facility.	21 October 2019	The Office of the Independent Assessor dismissed the complaint pursuant to Section 150X(a)(ii) on the basis that the complaint did not raise a reasonable suspicion of inappropriate conduct or misconduct by a councillor but related to a council decision, which is outside the jurisdiction of the Office of the Independent Assessor.
27 May 2019	Not recorded	It is alleged that a councillor made a comment on a social media page that implied that another councillor was not proactive or engaged with their community.	17 June 2019	The Office of the Independent Assessor decided to take no further action on the complaint pursuant to section 150Y(b)(i) on the basis that the conduct does not constitute inappropriate conduct or misconduct. The comment made by the subject councillor did not make reference to another councillor and did not amount to a breach of the code of conduct. Further, on the basis that the subject councillor was not the administrator of the page, they were not considered responsible for the moderation of comments made by other users.
18 July 2019	Not recorded	It is alleged that on 18 August 2017 a Councillor had engaged a council employee to provide translation services to assist with business cards for his private business.	10 November 2019	The Office of the Independent Assessor resolved to take no further action pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> [the Act] on the basis that the email the Councillor sent to the council employee was sent after hours, the email identified the councillor's private business, the councillor offered to pay for the translation and made it clear that it was not a council project. The language used did not amount to a direction.

Date of complaint	Subject Councillor ²	Summary of complaint	Decision date	Statement about why the complaint was dismissed
4 September 2019	Not recorded	<p>It was alleged that a councillor:</p> <ul style="list-style-type: none"> • moderated a community Facebook page with a perceived bias, • openly admitted to removing Facebook posts that were debating a Council matter, • deleted Facebook posts debating a Council matter favouring one side of the debate and using their moderator powers to influence and 	5 November 2019	<p>The Office of the Independent Assessor determined that no further action be taken with the complaint pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> on the basis that the conduct does not constitute inappropriate conduct or misconduct.</p> <p>The comments made by the Councillor and the moderation undertaken by the Councillor were in keeping with the social media guidelines for Councillors in Queensland.</p>
19 November 2019	Not recorded	<p>It is alleged that a councillor breached the local government principles of transparent and effective processes, and decision making in the public interest in that he improperly influenced the cessation and employment of senior council staff.</p>	29 November 2019	<p>The Office of the Independent Assessor (OIA) dismissed the complaint pursuant to section 150X(a)(ii) of the <i>Local Government Act 2009</i> as the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. The OIA has previously investigated this matter and decided that it didn't raise a reasonable suspicion of inappropriate conduct or misconduct.</p>
7 November 2019	Not recorded	<p>It is alleged that a councillor failed to maintain and correct his register of interest to include a person on his Form 2 – Register of Interest of a councillor and their related person as per Section 171B of the <i>Local Government Act 2009</i> (the Act).</p>	6 December 2019	<p>The Office of the Independent Assessor dismissed the complaint pursuant to section 150X(a)(ii) of the <i>Local Government Act 2009</i> (the Act) as the conduct did not constitute inappropriate conduct or misconduct. On the facts of the present case the person identified was not a related person for the purposes of the Act.</p>
18 December 2019	Not recorded	<p>It is alleged that a councillor has been using Council resources to moderate social media pages to raise the councillor's profile for the upcoming elections.</p>	18 December 2019	<p>The Office of the Independent Assessor dismissed the complaint pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> as the conduct does not constitute inappropriate conduct or misconduct. The council resources were used for the councillor's official council social media page. It is not unusual for council staff to contribute to and to moderate official social media sites of mayors and councillor's and that this practice does not breach any current policy of council. This relates to councillor official duties social media sites, and not to personal or campaign social media sites.</p>
22 November 2019	Not recorded	<p>It was alleged that a councillor, without any consultation, had promised the building industry a \$5,000 incentive scheme.</p>	2 January 2020	<p>The Office of the Independent Assessor determined that no further action be taken with the complaint pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct.</p>

Date of complaint	Subject Councillor ²	Summary of complaint	Decision date	Statement about why the complaint was dismissed
28 December 2019	Not recorded	It is alleged that a councillor has been manipulative and has taken advantage of others prior to becoming a councillor.	15 January 2020	The Office of the Independent Assessor dismissed the complaint pursuant to section 150X(a)(ii) of the <i>Local Government Act 2009</i> as the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. The alleged conduct occurred prior to the councillor becoming a councillor and did not relate to the duties of a councillor.
13 January 2020	Not recorded	It is alleged three councillors released information that was confidential to council relating to a tender process of Council.	29 January 2020	The Office of the Independent Assessor dismissed the complaint pursuant to section 150X(a)(ii) of the <i>Local Government Act 2009</i> as the details included in the complaint were insufficient to raise a reasonable suspicion that inappropriate conduct or misconduct had been engaged in by any of the councillors concerned.
2 January 2020	Not recorded	It is alleged a councillor was verbally abusive towards a fellow councillor who was part of a council delegation.	30 January 2020	<p>The Office of the Independent Assessor (OIA) decided to take no further action pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> as the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct.</p> <p>The OIA conducted enquiries with other councillors who were present when the alleged incident occurred, who did not support the allegation.</p>
17 December 2019	Not recorded	It is alleged that a councillor engaged in intimidating and inappropriate behaviour towards a council employee	3 February 2020	The OIA decided to take no further action pursuant to section 150Y(b)(iii) of the <i>Local Government Act 2009</i> on the basis that taking further action would be an unjustifiable use of resources. The councillor had attempted to address a suspected issue directly with a council employee rather than refer the matter to the Chief Executive Officer to deal with. The Office of the Independent Assessor accepted that in doing so that Councillor considered that they were following an internal policy which may have applied in the situation.

Date of complaint	Subject Councillor ²	Summary of complaint	Decision date	Statement about why the complaint was dismissed
22 January 2020	Not recorded	<p>It is alleged that during a public presentation a councillor made a commitment to an industry sector without consulting other councillors.</p> <p>It was also alleged a councillor swore at an industry representative and threw something at him.</p>	4 February 2020	<p>The Office of the Independent Assessor (OIA) decided to take no further action pursuant to section 150Y(b)(iii) of the <i>Local Government Act 2009</i> on the basis that taking further action would be an unjustifiable use of resources.</p> <p>The OIA conducted enquiries with members of the public who witnessed the events who confirmed that the presentation contained only a proposal, and clearly not considered to be a commitment.</p> <p>In relation to the second allegation the other party involved in the incident did not confirm the details of the allegation.</p>
14 February 2020	Not recorded	It is alleged that a Councillor liked a Facebook post by a community group about the way council handled a particular matter and therefore could be seen as endorsing such comments made about Council.	26 February 2020	The Office of the Independent Assessor decided to take no further action pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> on the basis that the conduct did not meet the threshold for inappropriate conduct or misconduct.
4 February 2020	Not recorded	It was alleged a Councillor had an undisclosed relationship and undeclared perceived conflict of interest with a land developer that had a development application considered by Council.	28 February 2020	<p>The Office of the Independent Assessor decided to take no further action pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct.</p> <p>The complaint was provided to the Council by an unknown member of the public and further details were unable to be confirmed about the councillors alleged relationship to the land developer.</p>
11 December 2019	Not recorded	It was alleged that a councillor made numerous comments before they became a councillor regarding their desire to employ a person for a senior council role before that position was vacant and any merit-based selection process was undertaken.	24 March 2020	The Office of the Independent Assessor (OIA) had previously investigated this matter, but considered new information as part of this complaint. Taking into account the new information the OIA remains of the view that the matter should be dismissed pursuant to section 150X(a)(ii).
5 March 2020	Not recorded	It was alleged a Candidate for the local government election in 2020 has breached Electoral Commission Queensland guidelines by conducting a vote buying stunt and hoodwinking the public into supporting him by offering competition prizes for liking, sharing and commenting on his Facebook page.	24 March 2020	The Office of the Independent Assessor (OIA) dismissed this matter pursuant to section 150X(a)(ii) of the <i>Local Government Act 2009</i> (the Act) as the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct by a Councillor within the meaning of the Act; and is therefore outside the jurisdiction of the OIA.

Date of complaint	Subject Councillor ²	Summary of complaint	Decision date	Statement about why the complaint was dismissed
6 March 2020	Not recorded	It was alleged a Candidate for the local government election in 2020 bribed members of the public by offering competition prizes for liking, sharing and commenting on his Facebook page.	24 March 2020	The Office of the Independent Assessor (OIA) dismissed this matter pursuant to section 150X(a)(ii) of the <i>Local Government Act 2009</i> (the Act) as the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct by a Councillor within the meaning of the Act; and is therefore outside the jurisdiction of the OIA.
5 March 2020	Not recorded	It was alleged a Councillor engaged in misconduct when he said an untruth to a person who conducted research with the Complainant into the old history of Bundaberg. That the Councillor advised he was not aware of the 1870 River Chart which had offended this person and the complainant as she believed the councillor was in fact aware of the chart.	26 March 2020	<p>The Office of the Independent Assessor (OIA) decided to take no further action pursuant to section 150Y(b)(ii) of the <i>Local Government Act 2009</i>, as there was insufficient information to properly investigate the conduct or form an opinion about whether the conduct is, or may be, inappropriate conduct or misconduct.</p> <p>The decision was made on the basis that the allegation outlined in the complaint did not raise any reasonable issues of Councillor conduct and that the complaint seemed vexatious.</p> <p>The OIA's attempts to clarify the details of the allegation by phone with the Complainant and nominated witness were unsuccessful.</p>
29 March 2020	Not recorded	It is alleged a councillor contravened a directive in respect to how to vote cards at polling booths during the Bundaberg Regional Council Local Government elections.	3 April 2020	The Office of the Independent Assessor dismissed this matter pursuant to section 150X(a)(ii) of the <i>Local Government Act 2009</i> (the Act) as it did not raise a reasonable suspicion of inappropriate conduct or misconduct by a councillor as defined in the Act.
12 March 2020	Not recorded	A Councillor responded with the laughing emoji to a community member's inappropriate comment on the Councillor's Facebook page, about another candidate's election sign.	27 April 2020	The Office of the Independent Assessor decided to take no further action pursuant to section 150Y(b)(iii) of the <i>Local Government Act 2009</i> (the Act) on the basis that further dealing with these matters would be an unjustifiable use of resources. Noting that the Councillor the subject of these complaints was not re-elected at the recent local government election, and taking into consideration that any potential sanction the local government could impose under section 150AH of the Act would be limited.

Date of complaint	Subject Councillor ²	Summary of complaint	Decision date	Statement about why the complaint was dismissed
13 March 2020	Not recorded	A Councillor responded with the 'like emoji' to an inappropriate comment on the Councillor's Facebook page about the Mayoral Forum.	27 April 2020	The Office of the Independent Assessor decided to take no further action pursuant to section 150Y(b)(iii) of the <i>Local Government Act 2009</i> (the Act) on the basis that further dealing with these matters would be an unjustifiable use of resources. Noting that the Councillor the subject of these complaints was not re-elected at the recent local government election, and taking into consideration that any potential sanction the local government could impose under section 150AH of the Act would be limited.
19 March 2020	Not recorded	A Councillor responded with the 'like emoji' to an inappropriate comment on the Councillor's Facebook page, about another Councillor.	27 April 2020	The Office of the Independent Assessor decided to take no further action pursuant to section 150Y(b)(iii) of the <i>Local Government Act 2009</i> (the Act) on the basis that further dealing with these matters would be an unjustifiable use of resources. Noting that the Councillor the subject of these complaints was not re-elected at the recent local government election, and taking into consideration that any potential sanction the local government could impose under section 150AH of the Act would be limited.
23 March 2020	Not recorded	A Councillor responded with the 'like emoji' to an inappropriate comment about another Councillor on the Councillor's Facebook page. The Councillor failed to moderate their Facebook page, allowing these inappropriate comments that were derogatory and or offensive to remain on the page.	27 April 2020	The Office of the Independent Assessor decided to take no further action pursuant to section 150Y(b)(iii) of the <i>Local Government Act 2009</i> (the Act) on the basis that further dealing with these matters would be an unjustifiable use of resources. Noting that the Councillor the subject of these complaints was not re-elected at the recent local government election, and taking into consideration that any potential sanction the local government could impose under section 150AH of the Act would be limited.
23 March 2020	Not recorded	A Councillor misled the community by stating Councillors weren't informed about Council announcements and not consulted regarding relevant projects so the stories can be used by another Councillor for election campaign purposes.	27 April 2020	The Office of the Independent Assessor decided to take no further action pursuant to section 150Y(b)(iii) of the <i>Local Government Act 2009</i> (the Act) on the basis that further dealing with these matters would be an unjustifiable use of resources. Noting that the Councillor the subject of these complaints was not re-elected at the recent local government election, and taking into consideration that any potential sanction the local government could impose under section 150AH of the Act would be limited.

Date of complaint	Subject Councillor ²	Summary of complaint	Decision date	Statement about why the complaint was dismissed
26 March 2020	Not recorded	A Councillor responded with the 'like emoji' to an inappropriate comment made by a member of the public on the Councillor's Facebook post about the Mayor and the CEO.	27 April 2020	The Office of the Independent Assessor decided to take no further action pursuant to section 150Y(b)(iii) of the <i>Local Government Act 2009</i> (the Act) on the basis that further dealing with these matters would be an unjustifiable use of resources. Noting that the Councillor the subject of these complaints was not re-elected at the recent local government election, and taking into consideration that any potential sanction the local government could impose under section 150AH of the Act would be limited.
27 March 2020	Not recorded	A Councillor made false and misleading statements in public about the CEO and Council officers in relation to the clearing of trees at Elliott Heads.	27 April 2020	The Office of the Independent Assessor decided to take no further action pursuant to section 150Y(b)(iii) of the <i>Local Government Act 2009</i> (the Act) on the basis that further dealing with these matters would be an unjustifiable use of resources. Noting that the Councillor the subject of these complaints was not re-elected at the recent local government election, and taking into consideration that any potential sanction the local government could impose under section 150AH of the Act would be limited.
20 April 2020	Not recorded	It was alleged that a councillor made numerous comments before they became a councillor regarding their desire to employ a person for a senior council role before that position was vacant and any merit-based selection process was undertaken.	14 May 2020	The Office of the Independent Assessor (OIA) had previously investigated this matter, but considered new information as part of this complaint. Taking into account the new information the OIA remains of the view that the matter should be dismissed pursuant to section 150X(a)(ii) of the <i>Local Government Act 2009</i> .
26 May 2020	Not recorded	It was alleged that a councillor breached the Code of Conduct for Councillors in Queensland when responding to an internal email about the actions Council had undertaken in legal proceedings against a resident.	16 June 2020	<p>The Office of the Independent Assessor (OIA) decided to take no further action pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct.</p> <p>It was found that the Councillor's actions in the circumstances appeared to be reasonable and in the public interest.</p>

Date of complaint	Subject Councillor ²	Summary of complaint	Decision date	Statement about why the complaint was dismissed
17 June 2020	Not recorded	It is alleged that a former Councillor failed to fully comply with a notice issued under section 150CH of the <i>Local Government Act 2009</i> having omitted information in their original response and by doing so provided misleading information to an OIA investigator.	21 July 2020	The Office of the Independent Assessor (OIA) decided to take no further action pursuant to section 150Y(b)(ii) of the <i>Local Government Act 2009</i> on the basis that there is insufficient information to properly investigate the conduct or form an opinion about whether the conduct is, or may be, inappropriate conduct or misconduct. Information received by the OIA in relation to the matter was unable to be corroborated. The OIA also took into account that the Councillor is no longer a councillor.
19 December 2019	Not recorded	It was alleged that a Councillor engaged in misconduct pursuant to section 171(3) of the <i>Local Government Act 2009</i> by releasing confidential information to the media relating to an item discussed during the closed session of the ordinary meeting held on 17 December 2019.	11 August 2020	Following an investigation, the Office of the Independent Assessor decided to take no further action pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. While the information would ordinarily be considered information confidential to council, it was noted that there was already comments in the media made by council representatives, which alluded to information similar to that which was alleged to have been released by the Councillor.