

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

Ref	Subject Councillor ¹	Summary of complaint	Summary of the decision and reasons for the decision
C/19/00182	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.	Decision date: 19 February 2020 Decision maker: Councillor Conduct Tribunal 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 Local Government Act 2009, 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. The Tribunal orders: • 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



Ref	Subject Councillor ¹	Summary of complaint	Summary of the decision and reasons for the decision
C/18/00250 & C/18/00298	Not recorded	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. Allegation 2 withdrawn at the Tribunal's discretion in accordance with section 213 of the Act. Complaint received: 26 October 2018 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.	Decision date: 19 February 2020 Decision maker: Councillor Conduct Tribunal 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. Allegation 2: The Tribunal makes no finding on the basis that the Applicant withdrew this allegation. 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 section176(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.
C/19/01100	Cr Helen Blackburn	Complaint received: 21 November 2019 It is alleged that a Councillor inappropriately endorsed a public comment on Facebook in relation to another Councillor. It is alleged that by posting, the conduct is a breach of the Code of Conduct for Councillors in Queensland, namely section 3.2.2 Treat people in a reasonable, just, respectful and non-discriminatory way.	Decision date: 25 February 2020 Decision maker: Council The Office of the Independent Assessor (OIA) referred the matter to Council to investigate as suspected inappropriate conduct. The subject Councillor accepted the inappropriate conduct occurred and agreed to resolve the matter through early resolution in accordance with Council's Councillor Complaints Investigation Policy. The Councillor and complainant agreed to the outcome of a public apology, at an Ordinary Meeting held 25 February 2020, which was accepted by Council, stating: On the 19th of November 2019 I announced on my personal Facebook page that I would be running for Mayor of the Bundaberg Regional Council at the local government election in March this year. On the 20th of November a person I do not wish to name responded to my post by providing a comment which may have been interpreted as offensive. I responded to the comment by selecting the like thumbs up emoji and posted thanks. I provided this response to indicate appreciation to what I believed to be a message of support. My actions were referred to the OIA for investigation. I apologise if my actions have been interpreted as derogatory.



Ref	Subject Councillor ¹	Summary of complaint	Summary of the decision and reasons for the decision
C/20/00258	Not recorded	Complaint received: 17 April 2020 It was alleged that on 15 April 2020, the Councillor	Decision date: 25 January 2022 Decision maker: Council
		engaged in inappropriate conduct by breaching the Council's Media Relations Policy when making a statement to the Bundaberg News Mail concerning	The Office of the Independent Assessor (OIA) referred the matter to Council to investigate as suspected inappropriate conduct in accordance with Council's Councillor Complaints Investigation Policy.
		the cost of COVID-19 measures to Council without authorisation from the Mayor.	Following consideration of an independent investigation report, Council decided that the Councillor had not engaged in inappropriate conduct as defined in section 150K(1)(b) of the <i>Local Government Act 2009</i> by breaching Council's Media Relations Policy (CP-3-009, version 1 as in force at that time) when making a statement to the Bundaberg NewsMail concerning the cost of the COVID-19 measures to Council without authorisation from the Mayor.
C/22/00843	Not recorded	Complaint received: 24 November 2022	Complaint withdrawn.
C/22/00790	Cr Wayne Honor	Complaint received: 15 October 2022	Decision date: 24 April 2023 Decision maker: Council
			Council determined that Councillor Honor breached the Code of Conduct for Councillors in Queensland when he inaccurately indicated on meeting attendance sheets that he had received meeting agenda papers for Council meetings on 5 September 2022, 12 September 2022, 21 September 2022 and 27 September 2022 when he had not.
			Council made an order that no action be taken against Councillor Honor.
C/20/00113	Not recorded	Complaint received: 17 February 2020	Decision date: 22 August 2023 Decision maker: Councillor Conduct Tribunal
		It was alleged that a former Councillor had engaged in	
		misconduct when making a pubic statement to the media and comments on social media.	The Tribunal determined, on the balance of probabilities, the allegation that between 12 February 2020 and 17 February 2020, a former councillor engaged in misconduct pursuant to section 150L(1)(b)(i) of the <i>Local Government Act</i> 2009 (Qld), in that their conduct involved a breach of the trust placed in them as a councillor, either knowingly or recklessly, in that their conduct was inconsistent with the local government principles in section 4(2)(e) 'ethical and legal behaviour' of councillors and local government employees' has not been sustained.
C/20/00517 & C/20/00736	Not recorded	Complaint received: 2020	Decision date: 19 October 2023 Decision maker: Councillor Conduct Tribunal
		It was alleged the Councillor acted without authority by the local government when approving an increase to the CEO's salary and motor vehicle allowance.	Allegation 1 - The Tribunal has determined, on the balance of probabilities, that the allegation that on or around 2 May 2018, the Councillor engaged in misconduct pursuant to section 176(3)(b)(ii) of the Local Government Act 2009 (Qld), in that they breached the trust placed in them as a councillor, in that they failed to uphold the local government principles contained in sections 4(2)(a) and 4(2)(d) of the Act, being transparent and effective processes, and decision-making in the public interest, and good governance, has not been sustained.



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

Ref	Date of complaint	Subject Councillor ²	Summary of complaint	Decision date	Statement about why the complaint was dismissed
C/18/00227	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 Local Government Act 2009 which states "taking further action would be an unjustifiable use of resources". The Councillor declared a conflict of interest.
C/19/00282	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.
C/19/00349	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 Local Government Act 2009 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.
C/19/00395	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.
C/19/00392	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 Local Government Act 2009 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.
C/19/00431	27 January 2019	Not recorded	It is alleged that a lor 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.
C/19/00493	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 Local Government Act 2009.

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



Ref	Date of complaint	Subject Councillor ²	Summary of complaint	Decision date	Statement about why the complaint was dismissed
C/19/00084	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.
C/19/00518	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 prelodgement meeting.
C/19/00532	29 May 2019	Not recorded	It was alleged that a Councillor: 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.
C/19/00367	30 March 2019	Not recorded	It was alleged that a Councillor: • 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 Local Government Act 2009.
C/19/00536	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.
C/19/00109	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.



Ref	Date of complaint	Subject Councillor ²	Summary of complaint	Decision date	Statement about why the complaint was dismissed
C/18/00295 C/18/00354 C/18/00090 C/18/00283	8 December 2018 18 December 2018 29 January 2019 11 March 2019	Not recorded	It was alleged that a Councillor: 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.
C/18/00317	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 Councillors 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.
C/19/00573	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 Local Government Act 2009 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.
C/19/00609	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.
C/18/00316	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).
C/19/00804 & C/19/00822	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 section150X(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.
C/19/00869	16 October 2019	Not recorded	It was alleged that a Councillor declined a complaint'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.



Ref	Date of complaint	Subject Councillor ²	Summary of complaint	Decision date	Statement about why the complaint was dismissed
C/19/01028	4 September 2019	Not recorded	It was alleged that a Councillor: 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 stifle debate on a Council matter.	5 November 2019	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. 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.
C/19/01059	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 Local Government Act 2009 [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.
C/19/01092	19 November 2019	Not recorded	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.	29 November 2019	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.
C/19/01055	7 November 2019	Not recorded	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</i> 2009 (the Act).	6 December 2019	The Office of the Independent Assessor dismissed the complaint pursuant to section 150X(a)(ii) of the Local Government Act 2009 (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.
C/19/01117	27 November 2019	Not recorded	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.	18 December 2019	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.
C/19/01105	22 November 2019	Not recorded	It was alleged that a Councillor, without any consultation, had promised the building industry a \$5,000 incentive scheme.	2 January 2020	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.



Ref	Date of complaint	Subject Councillor ²	Summary of complaint	Decision date	Statement about why the complaint was dismissed
C/20/00011	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 Local Government Act 2009 as the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. The alleged conduct occurred prior to the Councilor becoming a Councillor and did not relate to the duties of a Councillor.
C/20/00023, C/20/00024 & C/20/00025	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.
C/20/00010	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	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. The OIA conducted enquiries with other Councillors who were present when the alleged incident occurred, who did not support the allegation.
C/19/01174	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.
C/20/00049	22 January 2020	Not recorded	It is alleged that during a public presentation a Councillor made a commitment to an industry sector without consulting other Councillors. It was also alleged a Councillor swore at an industry representative and threw something at him.	4 February 2020	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. 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. In relation to the second allegation the other party involved in the incident did not confirm the details of the allegation.
C/20/00106	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.



Ref	Date of complaint	Subject Councillor ²	Summary of complaint	Decision date	Statement about why the complaint was dismissed
C/20/00090	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	The Office of the Independent Assessor decided to take no further action pursuant to section 150Y(b)(i) of the Local Government Act 2009 on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. 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.
C/20/00144	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.
C/20/00145	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.
C/19/01156	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).
C/20/00152	9 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	The Office of the Independent Assessor (OIA) decided to take no further action pursuant to section 150Y(b)(ii) of the Local Government Act 2009, 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. 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. The OIA's attempts to clarify the details of the allegation by
					phone with the Complainant and nominated witness were unsuccessful.
C/20/00221	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.



Ref	Date of complaint	Subject Councillor ²	Summary of complaint	Decision date	Statement about why the complaint was dismissed
C/20/00175	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 Local Government Act 2009 (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.
C/20/00181	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 Local Government Act 2009 (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.
C/20/00196	19 March 2020	Not recorded	A Councillor responded with the 'like emoji' to an inappropriate comment on the Councillor' 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 Local Government Act 2009 (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.
C/20/00208	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. 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.
C/20/00217	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 Chief Executive Officer.	27 April 2020	The Office of the Independent Assessor decided to take no further action pursuant to section 150Y(b)(iii) of the Local Government Act 2009 (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.



Ref	Date of complaint	Subject Councillor ²	Summary of complaint	Decision date	Statement about why the complaint was dismissed
C/20/00222	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 Local Government Act 2009 (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.
C/20/00275	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 Local Government Act 2009.
C/20/00371	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	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. It was found that the Councillor's actions in the circumstances appeared to be reasonable and in the public interest.
C/20/00425	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 Local Government Act 2009 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.
C/19/01185	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 Local Government Act 2009 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.



Ref	Date of complaint	Subject Councillor ²	Summary of complaint	Decision date	Statement about why the complaint was dismissed
C/20/00709	30 September 2020	Not recorded	It was alleged that a Councillor influenced the employment of a Council officer due to previous associations with the officer. It was further alleged a Councillor failed to declare a conflict of interest in a matter in a Council meeting in 2017, the nature of the conflict was the alleged donations provided by the proponent of the matter that Council considered and other associations to which the Councillor had with the proponent of the matter.	12 October 2020	The Office of the Independent Assessor (OIA) dismissed this matter pursuant to section 150X(c)(ii) of the Local Government Act 2009 that further dealing with both complaints would be an unjustifiable use of resources. The first allegation about the alleged influence on the employment of a Council officer had previously been investigated by the OIA and was dismissed. The second allegation was dismissed as the OIA reviewed information on the Electoral Commission of Queensland register of electoral donations and there was no link to the applicant of the matter which Council considered. As the complaint was made anonymously further clarification and enquiries could not be made.
C/20/00711	1 October 2020	Not recorded	It was alleged that a Councillor misled the public in March 2020 when he commented on another Councillor's election commitments on social media about Council communication strategies with residents.	12 October 2020	The Office of the Independent Assessor dismissed this matter pursuant to section 150X(c)(ii) of the <i>Local Government Act 2009</i> as I am satisfied that further dealing with the complaint would be an unjustifiable use of resources. The Councillor's comments were not unequivocal and they were entitled to change their view on Council communication strategies with residents as circumstances changed, including the impact of COVID 19.
C/20/00710	1 October 2020	Not recorded	It is alleged that a Councillor lied throughout their election campaign to the residents of Bundaberg, in a Facebook publication.	27 October 2020	The Office of the Independent Assessor (OIA) dismissed this matter pursuant to section 150X(c)(ii) of the <i>Local Government Act 2009</i> , on the basis that further dealing with the matter would be an unjustifiable use of resources. The complaint, provided a copy of what appears to be edited snapshots. Having regard to the two statements allegedly made by the Councillor during the election period, the OIA is not satisfied that these statements could be proven to either be false or misleading, and notes that post also made some clarifying statements.
C/20/00716	6 October 2020	Not recorded	It was alleged that a Councillor failed to declare a conflict of interest in relation to the Councillor's relationship with the Chief Executive Officer (CEO), prior to the CEO being appointment, and in the decision made in the December 2017 Council meeting.	4 November 2020	The Independent Assessor dismissed this matter pursuant to section 150X(b)(i) of the Local Government Act 2009, on the basis that the complaint is vexatious. The Office of the Independent Assessor (OIA) dismissed the complaint as vexatious on the basis that the OIA has previously undertaken an investigation in relation to the matter and determined to take no further action. The OIA has previously dismissed a closely related complaint from the same complainant (received after the investigation was undertaken) and relating to the same selection process. Detailed reasoning was provided.



Ref	Date of complaint	Subject Councillor ²	Summary of complaint	Decision date	Statement about why the complaint was dismissed
C/20/00764	2 November 2020	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.	23 November 2020	The Office of the Independent Assessor (OIA) delegate made the dismiss the complaint pursuant to section 150X(a)(ii) of the Local Government Act 2009 on the basis that the conduct does not constitute inappropriate conduct or misconduct. The Councillor's association with the applicant had previously been investigated by the OIA and was found to be 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.
C/20/00741	21 October 2020	Not recorded	It was alleged that a Councillor breached privacy laws by passing on information to the tenant of a property, instead of advising the owner.	24 November 2020	The Office of the Independent Assessor (OIA) decided to take no further action pursuant to section 150Y(b)(i) of the Local Government Act 2009, on the basis that the conduct did not reach the threshold of inappropriate conduct or misconduct. The OIA agreed that the Councillor should have engaged primarily with the legal owner of the property. However where a visit to the property was required, then the tenant may be engaged directly. Also the Councillor was responding to the tenant's email, directly sent to him on 1 October 2020.
C/20/00795	5 November 2020	Not recorded	It is alleged that a Councillor was involved in the employment process for the current CEO when they had a long-standing relationship with the CEO, which goes back to earlier years and is a matter of history and public knowledge.	3 December 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> as the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. In assessing the complaint, the OIA considered a previous investigation undertaken into the same matter. This investigation did not identify a pre-existing relationship between the Councillor and the CEO, that could reasonably be said to give rise to a conflict of interest – having regard to the established conflict of interest test. Further, following a full review of the recruitment paperwork and interviews with panel members, there was no evidence to support that the selection process was not undertaken on a merit basis.
C/20/00803	5 November 2020	Not recorded	It is alleged that a Councillor was involved in the employment process for the current CEO when they had a long-standing relationship with the CEO, which goes back to earlier years and is a matter of history and public knowledge.	3 December 2020	The Office of the Independent Assessor (OIA) dismissed this matter pursuant to section 150X(a)(ii) of the Local Government Act 2009 as the conduct did not raise a reasonable suspicion of inappropriate conduct or misconduct. The OIA considered a previous investigation undertaken into the same matter which found that the Councillor had declared a conflict of interest based on a previous more significant professional association, as part of the selection process and also declared a conflict of interest when the selection report was considered by Council, and did not vote on the CEO's appointment when it was before Council.



Ref	Date of complaint	Subject Councillor ²	Summary of complaint	Decision date	Statement about why the complaint was dismissed
C/20/00737	20 October 2020	Not recorded	That a Councillor failed to declare a conflict of interest in relation to a development application, when the Councillor had previously declared a conflict of interest and his commercial interests still existed.	24 December 2020	Following an investigation the Office of the Independent Assessor (OIA) dismissed this matter pursuant to section 150X(a)(ii) of the <i>Local Government Act 2009</i> as the conduct did not raise a reasonable suspicion of inappropriate conduct or misconduct.
C/20/00853	24 November 2020	Not recorded	It is alleged that a Councillor failed to declare a conflict of interest in relation to a development application (DA) that was before Council at its ordinary meeting on 24 November 2020. That the Councillor received a donation in 2012 from a developer, who may be connected to the application of the DA.	24 December 2020	The Office of the Independent Assessor (OIA) dismissed this matter pursuant to section 150X(a)(ii) of the Local Government Act 2009, on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. A donation made in 2012 is neither a prescribed or declarable conflict of interest and therefore the interest did not exist at the time of Council's meeting. Further any link between the applicant on the development application and the developer who donated to the Councillor in 2012 is not clear and is disputed.
C/20/00898	8 December 2020	Not recorded	It was alleged that a Councillor engaged in misconduct when he made false and misleading statements at a meeting when they stated if re-elected you would ensure that rates for the agricultural industry would not be increased higher than the CPI regardless of the Valuer Generals valuation.	3 February 2021	The Office of the Independent Assessor (OIA) dismissed this matter 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.
C/20/00900	8 December 2020	Not recorded	It was alleged that a Councillor engaged in misconduct when they supported statements of another Councillor Councillor at a meeting that, if re-elected they would ensure that rates for the agricultural industry would not be increased higher than the CPI regardless of the Valuer Generals valuation.	3 February 2021	The Office of the Independent Assessor (OIA) dismissed this matter 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.
C/21/00136	19 February 2021	Not recorded	It is alleged a Councillor had lied to a resident and had failed to respond to repeated calls from the resident despite messages being left about an ongoing problem outside the resident's house.	9 March 2021	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 the conduct did not reach the threshold of inappropriate conduct or misconduct within the meaning of the Act. The Councillor did respond to the resident when the Councillor had received new information to communicate.
C/21/00138	22 February 2021	Not recorded	It is alleged a Councillor has spoken to other Councillors about staffing matters at Council and investigations by other agencies potentially breaching legislative confidentiality provisions.	8 March 2021	The Office of the Independent Assessor (OIA) decided to take no further action pursuant to section 150Y(b)(i) of the Local Government Act 2009 (the Act) on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. The OIA noted that the conversations between the Councillor and two other Councillors and was not a public conversation.



Ref	Date of complaint	Subject Councillor ²	Summary of complaint	Decision date	Statement about why the complaint was dismissed
C/21/00137	22 February 2021	Not recorded	It is alleged: That during a phone call in January 2021, a Councillor advised another Councillor that they were going to meet with residents from the other Councillor's division, about an issue related to the residents' house. That the Councillor displayed inappropriate behaviour when approached by the other Councillor about the issue.	29 March 2021	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> (the Act) on the basis that taking further action would be an unjustifiable use of resources. This decision was made on the basis that there were conflicting accounts from both parties involved about the nature and timing of the conversation and the purpose of it. There were also no independent witnesses to clarify the issue and support either version.
C/21/00172	10 March 2021	Not recorded	It is alleged that after a phone conversation in January 2021, a Councillor falsely alleged to the Office of the Independent Assessor (OIA) that another Councillor had engaged in intimidatory and inappropriate behaviour, in an attempt to try and stifle the other Councillor from carrying out their duties as a Councillor.	29 March 2021	The OIA 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 taking further action would be an unjustifiable use of resources. This decision was made on the basis that there are conflicting accounts from both parties about the nature and timing of the conversation and the purpose of it. There are also no independent witnesses to clarify the issue and support either version.
C/21/00251	13 April 2021	Not recorded	A Councillor self-referred to the Office of the Independent Assessor that they had used their Council supplied email address to respond to an email received from an external party that related to a private matter and not Councillor duties.	21 April 2021	The Office of the Independent Assessor (OIA) decided to take no further action pursuant to section 150Y(b) (i) of the Local Government Act 2009 on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. The complaint related to the Councillor replying to an email sent to their Council email address from an external party. Whilst it is not encouraged that Councillors use Council email accounts for personal business, the incident reported would not reach the threshold of inappropriate conduct or misconduct.
C/21/00217	5 April 2021	Not recorded	It is alleged a Councillor used Council resources to assist with his election campaign during the caretaker period for the March 2020 Local Government Elections	22 April 2021	The Office of the Independent Assessor (OIA) dismissed this matter pursuant to section 150X(a)(ii) of the Local Government Act 2009 (the Act) as the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct within the meaning of the Act.
C/20/00856	25 November 2020	Not recorded	Complaint received that a Councillor engaged in misconduct by failing to declare conflicts of interest at Council meetings.	6 May 2021	The Office of the Independent Assessor (OIA) dismissed the complaint pursuant to section 150X(a)(ii) on the basis the complaint is a duplicate of an earlier complaint received by the OIA which is under investigation.



Ref	Date of complaint	Subject Councillor ²	Summary of complaint	Decision date	Statement about why the complaint was dismissed
C/21/00264	16 April 2021	Not recorded	It is alleged that a Councillor engaged in unethical conduct by attempting to poach senior staff from another like business in Bundaberg.	14 May 2021	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. In assessing this complaint the OIA noted that the conduct, as described, did not occur in the Councillor's capacity as a Councillor, but rather related to the operation of their personal business, which would not come within the meaning of Councillor conduct under the Act.
C/21/00266	19 April 2021	Not recorded	It is alleged that a Councillor made a public statement in April 2021 which contained false and misleading information.	17 May 2021	The Office of the Independent Assessor (OIA) dismissed this matter pursuant to section 150X(c)(iii) of the <i>Local Government Act 2009</i> , on the basis that further dealing with this matter would be an unjustifiable use of resources.
C/20/00733	18 October 2020	Not recorded	It is alleged that a Councillor engaged in misconduct when: They failed to disclose on their register of interests, a commercial relationship with a business who provide their own business access to two carpark spaces. They failed to disclose this relationship during a Council meeting in April 2020, when a petition regarding car parking was considered by Council.	28 June 2021	The Office of the Independent Assessor (OIA) dismissed this matter pursuant to section 150X(c)(ii) of the Local Government Act 2009 (the Act), on the basis that further dealing with the complaint would be an unjustifiable use of resources. It was noted that at the Council meeting, the Councillor had declared an interest in the relevant agenda item and had left the room and therefore would not have participated in the discussion on this matter. The Councillor also had corrected their register of interest when they became aware of the omission in October 2020. Given that the register was updated to include the interest in the car spaces, and considering the nature of the interest, it was considered that further dealing with the complaint would be an unjustifiable use of resources.
C/21/00452	9 July 2021	Not recorded	It was alleged that a Councillor: 1. breached Council's Media Relations Policy by speaking to media without authorisation. 2. breached the code of conduct for Councillors in Queensland, by undermining the Chief Executive Officer publicly twice, attempting to direct the Chief Executive Officer and bringing Council into disrepute. 3. breached the trust placed in them as an elected member, by failing to be impartial in their conduct towards a Council officer. It was alleged that a person indirectly related to the Council officer was a rival candidate against the Councillor at the 2020 local government elections.	26 July 2021	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), on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. The OIA considered that the conduct as alleged, does not reasonably appear to be impartial, but rather asking reasonable questions about a governance matter. Further the subject Councillor was not the only Councillor who raised questions in relation to the matter.



Ref	Date of complaint	Subject Councillor ²	Summary of complaint	Decision date	Statement about why the complaint was dismissed
C/21/00600	20 August 2021	Not recorded	It was alleged that a Councillor lied about rate decreases and misled the public in relation to dog registration and implementing massive new rates and fines, with no extra services.	15 September 2021	The Office of the Independent Assessor dismissed this matter pursuant to section 150X(a)(ii) of the <i>Local Government Act</i> 2009 (the Act) on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. The issues raised related to matters that would be decided by Council as a body and not by the Councillor alone. It also referred to the performance of Council which is not Councillor conduct within the meaning of the Act.
C/21/00596	25 August 2021	Not recorded	It was alleged that a Councillor may have failed to declare a conflict of interest in relation to a development application before Council at a meeting in 2019. It was also raised that despite considerable effort, the complainant was unable to obtain a copy of a report that should have been completed as part of the project. That instead of the Councillor providing a copy of the report directly to the complainant, the Councillor referred them somewhere else for a copy.	17 September 2021	The Office of the Independent Assessor (OIA) dismissed this matter pursuant to section 150X(a)(ii) of the Local Government Act 2009 (the Act), on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. The minutes of Council's meeting confirmed that in compliance with the Act the Councillor declared a prescribed conflict of interest in the relevant matter and left the meeting. Although the Councillor did not provide the report directly to the complainant, the Councillor did refer them to where they could obtain a copy. The OIA did not consider this unreasonable.
C/21/00597	30 August 2021	Not recorded	It was alleged that a Councillor failed to deal with a complaint about a senior officer of Council raised with the Councillor by a member of the public. It was alleged that when the matter was raised with the Councillor, the Councillor provided an unsatisfactory response to the complainant.	20 September 2021	The Office of the Independent Assess (OIA) dismissed this matter pursuant to section 150X(a)(ii) of the <i>Local Government Act 2009</i> (the Act) on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. OIA enquiries did not identify any evidence that the Councillor received the complaint as alleged. However, it was established that a complaint of the same nature was received by Council and was dealt with by the relevant area of Council in accordance with Council's complaints management policy.
C/21/00576	24 August 2021	Not recorded	It was alleged that a former Councillor of the Bundaberg Regional Council had misused information acquired as a Councillor in a private commercial role.	20 September 2021	The Office of the Independent Assessor (OIA) decided to take no further action pursuant to section 150Y(b)(i) of the Local Government Act 2009 (the Act) on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. No misuse of information acquired as a Councillor was apparent based on the information available.
C/21/00607	3 September 2021	Not recorded	It was alleged that a Councillor deliberately misled the community by making a false statement as to why they voted against the Council budget during a Council meeting. That at a later community meeting, the Councillor was said to have provided a different reason.	21 September 2021	The Office of the Independent Assessor (OIA) decided to take no further action pursuant to section 150Y(b)(i) of the Local Government Act 2009 (the Act) on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. The two explanations given by the Councillor were found to be factually correct and not inconsistent with each other. The comments were, therefore, not considered to be misleading.



Ref	Date of complaint	Subject Councillor ²	Summary of complaint	Decision date	Statement about why the complaint was dismissed
C/21/00546	19 August 2021	Not recorded	 It was alleged that a Councillor: started an online defamation campaign against others. bullied and vilified others on social media. deleted a comment by a member of the public that was made in response to a social media post by the Councillor. converged with members of parliament which creates an image that Council is only aligned to one particular political party. failed to disclose departmental budget figures when the Councillor was asked several times for them. 	21 September 2021	The Office of the Independent Assessor (OIA) dismissed this matter pursuant to section 150X(a)(ii) of the Local Government Act 2009 on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. In relation to allegations 1, 2 and 4, the OIA considered that the allegations were broad in nature and lacked specific details. There were either no details provided to support the allegations or it was unclear what specific conduct was alleged to have been committed by the Councillor. In relation to allegation 5, the complainant was advised to make a request directly to Council if they wish to find out the cost of a particular matter as budget information is information that may be confidential to the local government. In relation to allegation 3, the OIA considered that there was insufficient evidence to support the allegation.
C/19/01184	19 December 2019	Not recorded	It was alleged that a Councillor breached Council's Acceptable Request Guidelines. It was further alleged that a Councillor breached the trust placed in them as a Councillor when they attempted to pressure a Council employee to decide a matter in a particular way.	24 September 2021	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> (the Act) following a full investigation and on the basis that taking further action would be an unjustifiable use of resources. In making that decision, the OIA considered witness accounts from various Council employees and a formal response from the subject Councillor. It considered that given the terms of the acceptable request guidelines regarding the provision of advice as opposed to information, the context provided by the Councillor, and conflicting accounts, that there were no reasonable prospects of a successful prosecution before the Councillor Conduct Tribunal.
C/21/00711	26 October 2021	Not recorded	A Councillor self-referred their conduct in that they had shared information that could be considered confidential to the local government during a council briefing session.	2 November 2021	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 in circumstances where a breach was more borderline and the Councillor had demonstrated integrity by self- referring the matter.
C/21/00726	2 November 2021	Not recorded	It is alleged a Councillor breached a Council policy when providing comments to a media outlet about research undertaken by a group unrelated to Council.	9 November 2021	The Office of the Independent Assessor (OIA) dismissed this matter pursuant to section 150X(c)(ii) of the <i>Local Government Act 2009</i> . The Councillor provided comment on a matter which was not a Council matter.



Ref	Date of complaint	Subject Councillor ²	Summary of complaint	Decision date	Statement about why the complaint was dismissed
C/20/00570	6 August 2020	Not recorded	It was alleged that a Councillor had failed to declare an interest in a matter during a Council ordinary meeting on 28 July 2020.	10 November 2021	Following an investigation the Office of the Independent Assessor (OIA) decided to take no further action pursuant to section 150Y(b)(iii) of the Local Government Act 2009 on the basis that taking further action would be an unjustifiable use of resources. Taking into account the potential interests identified it was not considered that the matter would have reasonable prospects of success if referred to the Councillor Conduct Tribunal.
C/21/00755	10 November 2021	Not recorded	It is alleged a councillor breached Council's Media Policy when the councillor used the councillor's email address and signature block to provide comments to a media outlet about research undertaken by a group unrelated to Council.	19 November 2021	The complaint was dismissed pursuant to section 150X(a)(ii) of the Local Government Act 2009 as the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. The intent of Council's Media Policy is to deal with councillors engagement with the media about Council matters. The Policy states Under Scope – This policy applies to all aspects of Council's operations and is relevant to all staff, Councillors and Council Advisor. The councillor's comments in this matter were his personal views about research undertaken by a third party organisation, which matter did not relate to any aspect of the council's operations.
C/21/00815	22 November 2021	Not recorded	It is alleged a Councillor has blocked residents from commenting on the Councillors' official social media page and limited their ability to comment on local government issues.	3 December 2021	The Office of the Independent Assessor (OIA) dismissed this matter pursuant to section 150X(b)(i) of the <i>Local Government Act</i> 2009 as I am satisfied that the complaint is vexatious.
C/22/00064	1 February 2022	Not recorded	It is alleged a Councillor engaged in misconduct by breaching a policy of Council with the intention to cause detriment to another Councillor It is alleged a Councillor has colluded with a public officer in another agency in relation to other conduct matters.	8 February 2022	The Office of the Independent Assessor (OIA) decided to take no further action pursuant to section 150Y(b)(i) of the Local Government Act 2009 on the basis that based on the information contained in this complaint, the complaint did not raise a reasonable suspicion of inappropriate conduct or misconduct by a Councillor.
C/21/00377	9 June 2021	Not recorded	It was alleged that a Councillor disclosed information that they knew, or should reasonably have known, to be information that was confidential to the local government.	10 March 2022	Following an investigation and a natural justice process the Office of the Independent Assessor dismissed this matter pursuant to section 150X(c)(i) of the Local Government Act 2009 on the basis that further dealing with the complaint would not be in the public interest. The Councillor disputed that they had released confidential information. The alleged release was captured in minutes but not recorded. Proceeding with this matter was not in the public interest as it could not be reasonably excluded that the Councillors comments were inaccurately captured in the minutes.



Ref	Date of complaint	Subject Councillor ²	Summary of complaint	Decision date	Statement about why the complaint was dismissed
C/22/00144	14 March 2022	Not recorded	A councillor self-referred to the Office of the Independent Assessor (OIA) by way of a copy of a document, which included allegations about the councillor's conduct.	16 March 2022	The 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 alleged did not raise a reasonable suspicion of inappropriate conduct or misconduct. The conduct alleged had previously been investigated and dismissed by the OIA, with reasons for those decisions being communicated to all parties involved.
C/22/00185	28 March 2022	Not recorded	It was alleged that a Councillor had, over a number of years, breached the <i>Protection of the word "Anzac' Regulations 1921.</i>	20 April 2022	The OIA dismissed this matter pursuant to section 150X(a)(i) of the Local Government Act 2009 on the basis that the matter had been referred to the Department of Veterans' Affairs who has administrative and enforcement responsibility for the Regulation.
C/22/00208	7 April 2022	Not recorded	It is alleged a Councillor engaged in misconduct when the Councillor failed to declare a declarable conflict of interest in a matter in a Council meeting.	19 April 2022	The Office of the Independent Assessor (OIA) decided to take no further action pursuant to section 150Y(b)(iii) of the Local Government Act 2009 on the basis that taking further action would be an unjustifiable use of resources. This matter was a self-referral by the Councillor on the basis that this was an inadvertent failure. There was no evidence to suggest that this Councillor's action were otherwise done knowingly. Proof of a failure to declare a declarable conflict of interest under sections 150EQ (2) and (3) arguably requires proof that a Councillor was "aware" of their declarable conflict of interest (as opposed to the circumstances leading to it) at the time the obligation to
C/22/00229	19 April 2022	Not recorded	It was alleged that a Councillor had improperly applied information obtained from a Council database to their own personal use.	5 May 2022	declare the declarable conflict of interest arose. The Office of the Independent Assessor (OIA) dismissed this matter pursuant to section 150X(a)(ii) of the <i>Local Government Act 2009</i> . OIA enquiries established that there is no electronic footprint of data being removed or copied from Council's electronic databases.
C/21/00407	7 May 2022	Not recorded	It is alleged that a Councillor engaged in misconduct by breaching Council's Expenses Reimbursement Policy (Policy No CP-3-038) by using Council facilities for private social media purposes.	28 June 2022	The Office of the Independent Assessor (OIA) dismissed this matter pursuant to section 150Y(b)(iii) of the <i>Local Government Act 2009</i> . After investigation, it was found that the Councillor used the social media pages for Council business and community engagement purposes. It was not considered to be a justifiable use of resources to deal with this matter further, given that a Councillor's responsibilities would include meaningful community engagement and representing the residents of the whole of the local government area.



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C/22/00387	16 June 2022	Not recorded	It is alleged a Councilllor engaged in misconduct by misusing the Council's acceptable request guidelines to obtain access to a document which was confidential according Queensland parliamentary standing orders.	27 June 2022	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</i> 2009.
C/22/00439	4 July 2022	Not recorded	It was alleged that a Councillor attempted to have confidential information released by asking a question of the Chief Executive Officer.	13 July 2022	The Office of the Independent Assessor (OIA) decided to take no further action pursuant to section 150Y(b)(i) of the Local Government Act 2009 on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. The confidential information was not released and the Chief Executive Officer correctly pointed out the information was
C/22/00442	4 July 2022	Not recorded	It was alleged a Councillor failed to update their register of interests to record volunteering to support a federal election campaign.	20 July 2022	confidential. The Office of the Independent Assessor (OIA) dismissed this matter pursuant to section 150X(a)(ii) as the complaint did not raise a reasonable suspicion of inappropriate conduct or misconduct. There is no requirement for a Councillor to declare voluntary assistance for a federal election campaign.
C/22/00635	22 August 2022	Not recorded	It is alleged a Councillor engaged in misconduct when the councillor improperly released a resident's private information to the Queensland Police Service.	1 September 2022	The Office of the Independent Assessor (OIA) dismissed this matter 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. Evidence was provided to the OIA that the councillor had not released the information to the Queensland Police Service.
C/22/00688	6 September 2022	Not recorded	It was alleged that a Councillor sent police to question a minor to intimidate a resident.	16 September 2022	The Office of the Independent Assessor dismissed this matter pursuant to section 150X(a)(ii) of the Local Government Act 2009.
C/22/00440	4 July 2022	Not recorded	A Councillor has failed to update their register of interests within the required timeframe, in accordance with section 201B of the <i>Local Government Act</i> 2009 (the Act).	12 September 2022	The Office of the Independent Assessor (OIA) dismissed this matter pursuant to section 150X(c)(i) of the Act. It was not considered to be in the public interest to proceed further with this matter because of the relatively short time frame of non-compliance, and it was accepted that the situation arose as an error of belief, rather than conscious act of non-compliance.
C/22/00647, C/22/00648, C/22/00649, C/22/00650, C/22/00651, C/22/00652, C/22/00653, C/22/00654	25 August 2022	Not recorded	It is alleged Councillors engaged in inappropriate conduct in a meeting of Council when they failed to enforce the Councils Standing Orders for Meeting Policy in relation to the meeting conduct of another Councillor.	16 September 2022	The Office of the Independent Assessor (OIA) dismissed this matter pursuant to section 150X(c)(i) of the <i>Local Government Act 2009</i> (the Act) as further dealing with this complaint would not be in the public interest. It was not considered appropriate to deal with an alleged omission to take a point of order in a meeting on a disciplinary basis.



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C/22/00643, C/22/00646, C/22/00655, C/22/00659, C/22/00662, C/22/00704	24, 25 (2), 28 and 29 August 2022 and 14 September 2022	Not recorded	It is alleged a Councillor engaged in unsuitable meeting conduct towards another Councillor during a meeting of Council. It is alleged the Councillor also engaged in inappropriate conduct in a Council meeting relating to a Council Policy.	16 September 2022	The Office of the Independent Assessor (OIA) dismissed this matter pursuant to section 150X(c)(ii) of the Local Government Act 2009 (the Act) I dismissed the complaint because further dealing with this complaint would be an unjustifiable use of resources. After viewing a live stream copy of the relevant meeting, the OIA did not consider that the Councillor's conduct towards the other Councillor reached the threshold of misconduct. The second aspect was a technical breach of the standing orders however, the circumstances of the breach did not justify taking the matter further.
C/22/00730	21 September 2022	Not recorded	It is alleged a Councillor has engaged in inappropriate conduct by blocking a resident's email access to the Councillor's email address.	21 September 2022	The Office of the Independent Assessor (OIA) dismissed this matter 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. Information received by the OIA identified that the Councillor was not aware of the situation and was not responsible. The OIA's jurisdiction relates to Councillor conduct, which does not appear to be the case with this matter.
C/22/00671	30 August 2022	Not recorded	A Councillor is alleged to have engaged in misconduct by giving an undertaking that they would provide a Council contract to a person if they disclosed details about someone who was making malicious allegations concerning the Councillor.	5 October 2022	The Office of the Independent Assessor (OIA) dismissed this matter pursuant to section 150X(b)(i) of the <i>Local Government Act 2009</i> as vexatious. The complainant had submitted a substantially similar complaint to the OIA one year prior, which was dismissed as not raising a reasonable suspicion of inappropriate conduct or misconduct.
C/22/00715	16 September 2022	Not recorded	It is alleged a Councillor engaged in misconduct when the Councillor realised or received a benefit in 2022 from a 2016 Council Decision.	5 October 2022	The Office of the Independent Assessor (OIA) dismissed this matter pursuant to section 150X(b)(i) of the Local Government Act 2009 as I am satisfied that the complaint is vexatious. The complainant had previously received outcome advice after an OIA investigation into the 2016 Council decision. The benefit was received from an entity that had no involvement in the 2016 decision and there was no evidence the councillor had any subsequent involvement in a decision relating to the entity.
C/22/00748	28 September 2022	Not recorded	It was alleged a Councillor misled fellow Councillors at an Ordinary Council meeting.	5 October 2022	The Office of the Independent Assessor (OIA) decided to take no further action pursuant to section 150Y(b)(i) of the Local Government Act 2009 on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. The Councillor corrected the information later during the same meeting and it related to access to a software system that had only been implemented two months prior.



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C/22/00718	16 September 2022	Not recorded	It was alleged a Councillor treated other Councillors inappropriately at a 2020 Ordinary meeting.	6 October 2022	The Office of the Independent Assessor (OIA) dismissed this matter pursuant to section 150X(a)(ii) of the <i>Local Government Act 2009</i> as the complaint was vexatious. A review of a recording of the relevant meeting (approximately 2.5 years ago) did not support the allegations.
C/22/00033	19 January 2022	Not recorded	It was alleged that a Councillor had contravened a Council policy and misused information which was accessible to Councillors.	28 October 2022	Following an investigation, the Independent Assessor decided on the facts of this case 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. This decision was arrived at in relation to the alleged breach of the Council policy having regard to the particular facts of the matter.
C/22/00870 C/22/00864	2 December 2022	Not recorded	It is alleged a Councillor had engaged in misconduct as an executive of an incorporated association and that the Councillors performance of this role was in conflict with their duties as a Councillor.	12 December 2022	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 within the meaning of the Act. The Councillor's executive role in the incorporated association is not a Council appointed role. The complainant was referred to relevant agencies who regulate areas of potential concern to the complainant.
C/22/00873	9 December 2022	Not recorded	It was alleged a Councillor had engaged in misconduct as an executive of an incorporated association and other community organisations and that the Councillor's performance of this role was in conflict with their duties as a Councillor.	21 December 2022	The Office of the Independent Assessor (OIA) dismissed this matter pursuant to section 150X(a)(ii) of the Local Government Act 2009 (the Act) as the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct within the meaning of the Act. The Councillor's executive role in the incorporated association or any other community organisation is not a Council appointed role. Generally speaking, being a Councillor and the executive of an incorporated association or community group in a private capacity is not a conflict of interest; but conflicts of interest would be required to be declared if the incorporated association became an interested party in Council decision-making. There was no evidence of any matter coming before Council that related to the respective community organisations.
C/22/00905	7 December 2022	Not recorded	It is alleged a Councillor engaged in inappropriate conduct when the Councillor requested information about a matter from Council under Council's acceptable request guidelines	13 December 2022	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 complaint does not raise a reasonable suspicion of inappropriate conduct or misconduct.



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C/23/00183	22 March 2023	Not recorded	It was alleged a Councillor had engaged in inappropriate conduct when the Councillor posted information about a Council matter on social media.	4 April 2023	The Office of the Independent Assessor (OIA) decided to take no further action pursuant to section 150Y(b)(i) of the Local Government Act 2009 on the basis the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. The OIA reviewed the social media post and considered that it was not misleading, but outlined the Councillor's view about a decision on a significant Council project.
C/23/00186	24 March 2023	Not recorded	It is alleged a Councillor influenced other Councillors in a decision before council by discussing the matter outside Council meetings.	17 April 2023	The Office of the Independent Assessor (OIA) decided to take no further action pursuant to section 150Y(b) (i) of the Local Government Act 2009 on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. The influence provision in the Act (section 150EZ) only applies if a councillor has a conflict of interest. The Councillor did not have a conflict of interest.
C/23/00219	18 April 2023	Not recorded	It is alleged a Councillor has engaged in misconduct by breaching a policy of Council relating to the use of Council provided facilities when applying as an executive member of an organisation for a Council funding program.	20 April 2023	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. The breach identified was technical in nature and did not result in Council incurring any expense on the Councillors behalf.
C/23/00222	21 April 2023	Not recorded	It was alleged a Councillor had not properly updated their register of interest within the prescribed time period.	2 May 2023	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. The register of interests was updated with the wrong document. When the Councillor became aware, they updated correctly and advised of the breach.
C/23/00468	17 August 2023	Not recorded	It is alleged that a councillor blocked comments from a member of the public on social media and used language that was offensive within a Facebook post.	1 September 2023	The Office of the Independent Assessor (OIA) dismissed this matter pursuant to section 150X(a)(ii) as the conduct did not meet the threshold of inappropriate conduct.
C/23/00611	19 October 2023	Not recorded	It is alleged a councillor engaged in inappropriate conduct towards a member of the public.	2 November 2023	The complaint contained insufficient detail to properly assess or investigate the matter. Pursuant to section 150Q the complainant was requested to provide further stated information within a reasonable period. The complainant did not comply with this notice. Consequently this matter will not be further investigated pursuant to section 150Q(3) of the Local Government Act 2009.



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C/23/00627	27 October 2023	Not recorded	It was alleged a councillor used language that was harassing, intimidating to a radio interviewer during a media interview.	3 November 2023	The OIA dismissed this matter pursuant to section 150X(a)(ii) of the Local Government Act (the Act). A recording of the conversations before and during the interview were reviewed by the OIA. The councillor's responses to the interviewer did not reach the threshold of breaching the Act.
C/23/00646 & C/23/00647	2 November	Not recorded	It is alleged a councillor engaged in inappropriate conduct when making comments at a community meeting	15 November 2023	The OIA dismissed this matter pursuant to section 1500X(c)(ii) of the Local Government Act 2009 (the Act), I am satisfied that further dealing with the complaint would be an unjustifiable use of resources. The OIA confirmed details of the councillors conduct with an independent witness who confirmed the councillor had made comments in the meeting. However, the OIA considered the comments whilst borderline, did not reach the threshold of inappropriate conduct given the context of the comments.