

# Councillor Conduct Register

## Office of the Chief Executive Officer



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 of the Councillor Conduct Tribunal relating to unsuitable conduct, inappropriate conduct, misconduct, corrupt conduct or a decision to take no further action against a Councillor. Full details available online:

Date of complaint	Subject Councillor <sup>1</sup>	Summary of Complaint	Decision Date	Summary of the decision and reason for the decision
20 July 2020	Not recorded	It was alleged that a Councillor engaged in misconduct by breaching the Council's Acceptable Request Guidelines (approved 24 June 2020) contrary to section 170A of the Local Government Act 2009 (the Act).	19 March 2021	Following an investigation, the Independent Assessor, decided to take no further action on the complaint pursuant to section 150Y(b)(iii) of the Local Government Act 2009 on the basis that to take any further action would be an unjustifiable use of resources. The breach in this case was of a technical nature.
06 March 2021	Not recorded	It is alleged that a councillor breached the Councillors Code of Conduct for Queensland when making inappropriate and disparaging comments about persons in a public forum.	Matter remains under investigation	

**Dismissed Complaints** about conduct of Councillors dismissed by the Independent Assessor.

Date of complaint	Subject Councillor <sup>2</sup>	Summary of Complaint	Decision Date	Summary of the decision and reason for the decision

<sup>1</sup> Included if Council or conduct tribunal determined the Councillor engaged in inappropriate conduct of misconduct, or where the Councillor agrees to their name being included in the register pursuant to section

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

09 July 2020	Not recorded	<p>It is alleged a Councillor in a meeting of a community group made comments that maligned current and former councillors of the North Burnett Regional Council when describing those councillors who had not worked for council previously as not knowing how council runs and that the former councillor for that area didn't know the community.</p> <p>It was further alleged that the Councillor after the meeting offered to write a petition to council for the community group relating to the decision of council to direct funding to a project and requesting that funding be redirected towards a different project in the community</p>	25 September 2020	<p>The Independent Assessor 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.</p> <p>The OIA considered the complaint, advice received from the witness to the alleged conduct and the Councillor response to the 150AA Notice. Whilst the alleged comments made by Councillor about the current and former councillors were unnecessary, they did not meet the threshold of inappropriate conduct.</p> <p>In relation to the second allegation it was established that Council had already received a petition from the community relating to the direction of funding to another town project.</p>
25 April 2020	Not recorded	<p>It was alleged that four councillors breached the Councillors Code of Conduct for Queensland when making inappropriate and disparaging comments about Council staff in the presence of an external facilitator present.</p>	1 May 2020	<p>The OIA decided to take no further action pursuant to section 150Y(b)(iii) of the Local Government Act 2009 [the Act] on the basis that taking further action would be an unjustifiable use of resources. The OIA has made the decision to provide a three-month amnesty to all first-time councillors and mayors in relation to allegations of inappropriate conduct and misconduct, except where the matter is serious. The councillors involved have been advised that had the amnesty not been in place this matter would have been assessed as potential inappropriate conduct based on a breach of the councillor code of conduct which requires councillors to treat council employees in a just and respectful manner.</p>
18 March 2020	Not recorded	<p>It is alleged a councillor was rude to members of the public who were campaigning for the local government elections</p>	15 April 2020	<p>The OIA dismissed this matter pursuant to section 50X(c)(ii) of the Local Government Act 2009 (the Act). Taken into account were the councillor's response to a notice issued by the OIA under section 150AA of the Act, the fact that the councillor was not re-elected.</p>

## ***Withdrawn<sup>3</sup> Complaints***

<b>Date of complaint</b>	<b>Subject Councillor<sup>4</sup></b>	<b>Summary of Complaint</b>	<b>Date Withdrawn</b>
28 October 2020	Not recorded	It is alleged a Councillor engaged in inappropriate conduct having regard to the Code of Conduct for Councillors in Queensland. The Behavioural Standard requires that a Councillor will treat people in a reasonable, just, respectful and non-discriminatory way.	13 January 2021

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<sup>3</sup> Suspected inappropriate conduct of a councillor in respect of which early resolution has been achieved, namely, that the matter has been resolved, and, as a consequence, pursuant to Council's *Investigation Policy*, the complaint has been withdrawn.

<sup>4</sup> Included where the Councillor agrees to their name being included in the register pursuant to section 150DZ(2) of the *Local Government Act 2009*.