

## RECORD OF WRITTEN COMPLAINTS ABOUT COUNCILLOR CONDUCT OR PERFORMANCE 2010 - 2018

Section 181A of the *Local Government Act 2009* states that the Chief Executive Officer must keep a record of all complaints received and the outcome of each complaint, including any disciplinary action or other action that was taken in relation to the complaint. Subsection (2) requires that the public may inspect the part of the record that relates to outcomes of the complaints at the local government's public office or on the local government's website.\*

This is a record of complaints received in the 2016-2020 Council term:

Councillor	Details of Complaint	Category	Referral	Notice Given	Outcome
Cr Nigel Waistell	Alleged breach of section 176 of the <i>Local Government Act 2009</i> by sending emails to external parties in January 2018.	Inappropriate Conduct	Department of Infrastructure, Local Government and Planning (Ref: DGBN18/1348; CC1718016)	30/11/2018	Sustained - Order of Reprimand
Cr Nigel Waistell	Alleged breach of section 176 of the <i>Local Government Act 2009</i> by giving instructions on four occasions to a local government employee between January and March 2018.	Inappropriate Conduct	Department of Infrastructure, Local Government and Planning (Ref: F18/5886;C/18/00063; CC1718017)	14/11/2018	Dismissed by the Conduct Review Panel under preliminary dealing with complaints before a hearing
Cr Nigel Waistell	Alleged breach of section 176 of the <i>Local Government Act 2009</i> by entering a property and investigating an overgrown allotment on 29 May 2016.	Inappropriate Conduct	Department of Infrastructure, Local Government and Planning (Ref: DGBN17/241)	24/03/2017	Sustained - Order of Reprimand
Cr Nigel Waistell	Alleged breach of section 176 of the <i>Local Government Act 2009</i> by attending a property without notice regarding a tree dispute on 13 April 2016.	Inappropriate Conduct	Department of Infrastructure, Local Government and Planning (Ref: MBN16/1038)	17/08/2016	Sustained - Order of Reprimand

This is a record of complaints received in the 2012-2016 Council term:

Councillor	Details of Complaint	Category	Referral	Notice Given	Outcome
Cr John Brent	Alleged breach of section 176 of the <i>Local Government Act 2009</i> by offensive comments made to members of the public on 05/01/2014.	Inappropriate Conduct	Department of Local Government, Community Recovery and Resilience (Ref: DGBN14/363)	13/05/2014	Sustained

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This is a record of complaints received in the 2010-2012 Council term:

Councillor	Details of Complaint	Category	Referral	Date of Complaint	Outcome
CR Derek Swanborough	Alleged misconduct- misleading and baseless comments on 'derekformayor' website regarding Council's audit function, breaching the principle of ethical and legal behaviour of councillors and local government employees (S4(2)(e) of the Local Government Act 2009)	Inappropriate Conduct	Department of Local Government, Community Recovery and Resilience (Ref: DGBN14/363)	01/09/2011	Referred to Department of Local Government and Planning. The Regional Conduct Review Panel found Cr Swanborough engaged in misconduct breaching the Local Government Act 2009. Cr Swanborough ordered to make an apology for this breach to the Scenic Rim Regional Council at the next General Meeting.
Cr Derek Swanborough	Alleged inappropriate conduct - harrassment, bullying and intimidation of a staff member	Inappropriate Conduct	N/A	09/08/2011	Conduct found to be inappropriate
Cr Derek Swanborough	Alleged inappropriate conduct - comments in media published in Beaudesert Times 20 April 2011	Inappropriate Conduct	N/A	25/05/2011	Conduct found to be inappropriate
Cr Derek Swanborough	Alleged inappropriate conduct - provision of information to a member of the public	Inappropriate Conduct	N/A	14/04/2011	Conduct found to be inappropriate

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Cr Derek Swanborough	Alleged breach of Councillor Code of Conduct - Comments in Tamborine Mountain News, 22 February 2011 - Library/Revitalisation Project	Inappropriate Conduct	N/A	25/02/2011	Referred to State as a repeat breach Regional Conduct Review Panel found conduct amounted to misconduct Cr Swanborough ordered to make an admission of error at next Council General Meeting
Cr John Brent	Alleged misconduct - public comments	Inappropriate Conduct	N/A	21/01/2011	Referred to State - Conduct not considered to be inappropriate - no further action taken.
Cr Derek Swanborough	Alleged inappropriate conduct - comments in media published in Beaudesert Times 3 November 2010	Inappropriate Conduct	N/A	03/11/2010	Conduct found to be inappropriate
Cr Derek Swanborough	Alleged inappropriate conduct - comments in media published in Tamborine Times 14 October 2010	Inappropriate Conduct	N/A	01/11/2010	Complaint not substantiated - no further action taken
Cr Derek Swanborough	Alleged inappropriate conduct - comments in the media published in Canungra Times August 2010	Inappropriate Conduct	N/A	11/08/2010	Conduct found to be inappropriate