

Councillor Conduct Register 2020-2024 Council Term

On 3 December 2018 the *Local Government Act 2009* (the Act) was amended requiring Council to maintain and publish a Councillor Conduct Register under section 150DX. This replaced a requirement under section 181A to keep a record of written complaints about councillor conduct or performance.

The Councillor Conduct Register records matters set out in section 150DX(1) relating to unsuitable meeting conduct, suspected inappropriate conduct, decisions about misconduct, conduct complaints dismissed by the Office of the Independent Assessor (OIA), and decisions by the OIA to take no further action.

A Councillor's name is only included if the local government or Councillor Conduct Tribunal decided that the Councillor engaged in inappropriate conduct or misconduct, or where the Councillor agrees to their name being included in the register (section 150DY of the Act). Information about a complaint which may be part of a public interest disclosure under the *Public Interest Disclosure Act 2010* is not available for review in the public register.

This is a record of eligible complaints received for the 2020-2024 Council term (April 2020 - March 2024 - in date order with the most recent date listed first).

Council decisions about inappropriate conduct

APRIL 2020 TO MARCH 2024 COUNCIL TERM			
OIA Reference Number	Summary of Decision and Reason(s) for Decision Section 150DY(2) and (3)	Name of Councillor Section 150DY(3)(a)	Date of Decision Section 150DY(2)(c)
C/23/00048	<p>Council decided that during his term as a Councillor with Scenic Rim Regional Council, Councillor Derek Swanborough engaged in inappropriate conduct as defined under Section 150K(1)(a) of the Local Government Act 2009, through his actions on nine occasions in using his personal email account for the conduct of Council business, such actions being a breach of Standard of Behaviour 1.3 listed in the Code of Conduct for Councillors in Queensland.</p> <p>That, pursuant to Section 150AG(1) and 150AG(2) and 150AH(1)(b) and 150AH(2) of the Local Government Act 2009, the Council make the following Order, to issue a reprimand to former Councillor Swanborough for the conduct.</p> <p>The motion as amended, as follows:</p> <p>1. Pursuant to Section 150AG(1) and 150AG(2) and 150AH(1)(b) and 150AH(2) of the Local Government Act 2009, the Council make the following Order, that former Councillor Swanborough reimburse the Council for 30% of the costs arising from this investigation into the Councillor's inappropriate conduct; and</p>	Derek Swanborough	8 August 2023

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OIA Reference Number	Summary of Decision and Reason(s) for Decision Section 150DY(2) and (3)	Name of Councillor Section 150DY(3)(a)	Date of Decision Section 150DY(2)(c)
	2. Council note the investigation costs paid to Ray Burton Consulting to the amount of \$4,950 excluding GST.		
C/23/00041	<p>That Council, pursuant to sections 150AG and 150AH of the Local Government Act 2009, find that:</p> <p>1. Councillor McConnell did engage in inappropriate conduct for the words used when speaking to a Council employee at the Council Christmas function held on 9 December 2022; and</p> <p>2. Councillor McConnell did not engage in inappropriate conduct for the allegation regarding the provision of advice to members of the community facing compliance issues.</p> <p>That, under s.150AH of the Local Government Act 2009, an order that Cr McConnell make a public admission at the next available Ordinary Meeting that the Councillor has engaged in inappropriate conduct</p>	Jeff McConnell	18 July 2023
C/20/00919 and C/20/00870	<p>Complaints were made to the Office of the Independent Assessor about the conduct of Cr Derek Swanborough. The complaints related to similar conduct where it was alleged that the Councillor breached the Code of Conduct for Councillors in Queensland in his behaviour towards a council employee during Council meetings and via email.</p> <p>Council decided that Councillor Swanborough did engage in inappropriate conduct as defined in section 150AG of the <i>Local Government Act 2009</i>(LGA).</p> <p>In accordance with the <i>Local Government Act 2009</i>, section 150AH, the following orders are imposed:</p> <p>a) That the Councillor makes a public admission that the Councillor has engaged in inappropriate conduct.</p> <p>b) That such an admission must include, but not limited to, a statement that is to be read at the next available Ordinary Meeting acknowledging that the Councillor behaved inappropriately.</p> <p>c) That a reprimand be recorded against the councillor for the conduct.</p>	Derek Swanborough	11 October 2022

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OIA Reference Number	Summary of Decision and Reason(s) for Decision Section 150DY(2) and (3)	Name of Councillor Section 150DY(3)(a)	Date of Decision Section 150DY(2)(c)
	<ul style="list-style-type: none"> d) That if the councillor engages in the same type of conduct again it will be treated as misconduct. e) That Councillor Swanborough reimburse the local government for 30% of the costs of the investigation arising from this councillor's inappropriate conduct. 		
C/21/00218	<p>A complaint was made to the Office of the Independent Assessor about the conduct of Cr Derek Swanborough. The complaint alleged that the Councillor breached the Code of Conduct for Councillors in Queensland in his behaviour towards a Council employee. The allegation was that the Councillor made unfair and or discourteous comments regarding the Council employee in an email sent to a member of the public. Council decided that Councillor Swanborough did engage in inappropriate conduct as defined in section 150AG of the <i>Local Government Act 2009</i>(LGA).</p> <p>In accordance with the <i>Local Government Act 2009</i>, section 150AH, the following orders are imposed:</p> <ul style="list-style-type: none"> a) That the Councillor makes a public admission that the Councillor has engaged in inappropriate conduct. b) That such an admission must include, but not limited to, a statement that is to be read at the next available Ordinary Meeting acknowledging that the Councillor behaved inappropriately. c) That a reprimand be recorded against the councillor for the conduct. d) That if the councillor engages in the same type of conduct again it will be treated as misconduct. 	Derek Swanborough	11 October 2022

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OIA Reference Number	Summary of Decision and Reason(s) for Decision Section 150DY(2) and (3)	Name of Councillor Section 150DY(3)(a)	Date of Decision Section 150DY(2)(c)
C/21/00247	A complaint was made to the Office of the Independent Assessor about the conduct of a Councillor. The complaint alleged that the Councillor breached Council's Media Policy by making unauthorised comments in a media podcast by Voice of Real Australia titled "Beaudesert's heritage saleyard stands up to council bulldozing" in March 2021. That in accordance with the <i>Local Government Act 2009</i> , section 150AG, Council finds that the Councillor has not engaged in inappropriate conduct.	Derek Swanborough	11 October 2022
C/20/00809	Council decided that Councillor Swanborough did engage in inappropriate conduct as defined in section 150K(1)(a) of the <i>Local Government Act 2009</i> (LGA). The reason for the decision was that Council found that the Councillor occasionally failed to prepare for workshops, briefings and meetings adequately. The Council further found that the Councillor occasionally failed to engage with presentations or background introduction of issues, working on emails instead and that the Councillor occasionally misrepresented Mayor Christensen's comments. In accordance with section 150AH of the LGA Council imposed the following orders: <ol style="list-style-type: none"> 1) That the Councillor must attend training on Code of Conduct for Councillors in Queensland being held on Tuesday, 14 December 2021; and 2) That the Councillor must make a public admission at the next Ordinary Meeting being held on 18 January 2022, that he has engaged in inappropriate conduct. 	Derek Swanborough	7 December 2021
C/20/00809	Council decided that the Councillor did not engage in inappropriate conduct as defined in section 150K(1)(a) of the <i>Local Government Act 2009</i> (LGA). The reason for the decision was that Council found that on or about 22 April 2020, the allegation that the Councillor made inappropriate comments to another Councillor was not proven.	Derek Swanborough	7 December 2021

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APRIL 2020 TO MARCH 2024 COUNCIL TERM			
OIA Reference Number	Summary of Decision and Reason(s) for Decision Section 150DY(2) and (3)	Name of Councillor Section 150DY(3)(a)	Date of Decision Section 150DY(2)(c)
C/20/00723	Council decided that Mayor Christensen engaged in inappropriate conduct as defined in section 150K(1)(a) of the <i>Local Government Act 2009</i> (LGA). The reason for the decision was that Council found that in a meeting on 8 June 2020, Mayor Christensen stated that a participant was slow and that he would speak slower so that he could understand what he was saying. Council found these comments to contravene a behavioural standard outlined in the Councillor Code of Conduct. Pursuant to section 150AH of the LGA, Council ordered that no action be taken against Mayor Christensen.	Greg Christensen	21 September 2021
C/20/00808	Council decided that Councillor did not engage in inappropriate conduct as defined in section 150K(1)(a) of the <i>Local Government Act 2009</i> (LGA). The reason for the decision was that Council found that during an ordinary meeting of Council on 9 November 2020, the way in which the Councillor presented a petition to Council did not contravene the meeting standing orders.	Derek Swanborough	21 September 2021

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Tribunal decisions about misconduct or inappropriate conduct

APRIL 2020 TO MARCH 2024 COUNCIL TERM			
OIA Reference Number	Summary of Decision and Reason(s) for Decision Section 150DY(2) and (3)	Name of Councillor Section 150DY(3)(a)	Date of Decision Section 150DY(2)(c)
Not Available	The Tribunal has determined, on the balance of probabilities, that the allegation that on 9 March 2019, Councillor Nigel Waistell, a Councillor for the Scenic Rim Regional Council, engaged in misconduct as defined in section 150L(1)(c)(ii) of the <i>Local Government Act 2009</i> , in that his conduct contravened the Acceptable Requests Guidelines of the local government under section 170A of that Act, has been sustained. Pursuant to section 150AR(1) of the Act, the Tribunal orders that former Councillor Waistell is reprimanded for the conduct.	Nigel Waistell	26 May 2021

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Decisions to take no further action under section 150Y

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OIA Reference Number	Summary of Decision and Reason(s) for Decision Section 150DY(2)(a)	Name of Councillor Section 150DY(2)(b)*	Date of Decision Section 150DY(2)(c)
C/23/00583	It was alleged a Councillor misinformed the public in comments the councillor made in the media about a council matter. The 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 considered the Councillor's comments were their perspective on the matter, and did not consider the comments had reached the threshold of breaching a behavioural standard of the code of conduct.	Greg Christensen	17 October 2023
C/23/00513	It was alleged that a Councillor was giving directions to local government staff and directly got involved in operational issues. The 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 evidence of directing staff contrary to the Act or inappropriate involvement in operational issues was found.	Greg Christensen	27 September 2023
C/23/00366	It is alleged a councillor engaged in misconduct when the councillor failed to fully disclose a conflict of interest in a matter during a council meeting. 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 councillor had declared a declarable conflict of interest, albeit limited, in the matter. However, the OIA considered that there were other relevant personal interest that were not declared by the councillor. The eligible councillors had decided that the councillor not participate in the decision, despite the limited declaration.	Amanda Hay	6 July 2023
C/22/00762	A Councillor provided written comments in the media concerning Council initiatives which were alleged to be false and misleading.	Not Available	2 March 2023

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APRIL 2020 TO MARCH 2024 COUNCIL TERM			
OIA Reference Number	Summary of Decision and Reason(s) for Decision Section 150DY(2)(a)	Name of Councillor Section 150DY(2)(b)*	Date of Decision Section 150DY(2)(c)
	This matter was the subject of an OIA investigation. 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. This decision took into account the councillor's previous substantiated disciplinary history for like conduct, the stage that this investigation was at and a change in circumstances that reduced public interest considerations relating to any need for personal deterrence.		
C/23/00045	A councillor self-referred to the OIA information that they may have failed to declare or properly deal with a conflict of interest during a meeting of council. The OIA took no further action in this matter pursuant to section 150Y(b)(i) of the Local Government Act 2009. Enquiries by the OIA in considering a recording of the relevant meeting, minutes and associated documents did not identify that the councillor had a conflict of interest in the relevant matter.	Greg Christensen	23 February 2023
C/22/00789 C/22/00823 C/22/00863	That a Councillor with conflict of interest distributed a written statement prior to a council meeting that contained material that was false and/or misleading and may have influenced decision makers regarding matters to be considered during that meeting. 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. On viewing the relevant meeting, the OIA observed that there were a number of systemic capacity issues that occurred that would be better dealt with by way of intervention, training and/or guidance in the first instance. The OIA has corresponded with the Department of State Development, Infrastructure, Local Government and Planning with a view to this occurring. The OIA has also corresponded with council to advise of the issues and provided caution that any future similar conduct issues going forward may be dealt with on a disciplinary basis.	Derek Swanborough	21 December 2022
C/22/01123	A Councillor self-referred allegations about their conduct based on comments made by another councillor during a meeting of council.	Not Available	22 December 2022

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OIA Reference Number	Summary of Decision and Reason(s) for Decision Section 150DY(2)(a)	Name of Councillor Section 150DY(2)(b)*	Date of Decision Section 150DY(2)(c)
	<p>The 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.</p> <p>While the meeting contained robust discussion by the councillors, nothing that was said gave rise to a reasonable suspicion of inappropriate conduct or misconduct by the self-referring councillor.</p>		
C/22/00869	<p>It was alleged that a Councillor had utilised provisions of the Local Government Act to improperly gain political advantage and in doing so engaged in misconduct.</p> <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.</p> <p>Similar conduct was identified across all councillors and as it is a systemic issue of capacity and capability it is most appropriately addressed by the advisor appointed to Council.</p>	Not Available	15 December 2022
C/22/00574	<p>It was alleged that a councillor had engaged in misconduct by participating in a matter at a council meeting where the councillor had a declarable conflict of interest in matters to be decided, and that the councillor had made a false and misleading statement in raising a conflict of interest in relation to another councillor in deciding the matter.</p> <p>Following an investigation the OIA decided on the facts of this case 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. In relation to the first allegation, it was considered that the participation of the councillor was consistent with advice that the councillor received in the meeting from a council officer. In relation to the second allegation, it was considered that the councillor subsequently apologised and corrected the record at a council meeting.</p>	Derek Swanborough	29 November 2022

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OIA Reference Number	Summary of Decision and Reason(s) for Decision Section 150DY(2)(a)	Name of Councillor Section 150DY(2)(b)*	Date of Decision Section 150DY(2)(c)
C/22/00810	It was alleged that a councillor made false and/or misleading comments about another councillor in a local newspaper article. 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 further dealing with the matter would not be a justifiable use of resources. The councillor's comments in the media article were loosely based on circumstances that had occurred but were misguided and not fully accurate.	Derek Swanborough	28 November 2022
C/22/00821	It was alleged a councillor influenced the CEO and other executive officers' advice regarding what another councillor could present at an ordinary council meeting. The 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. Given the irregular circumstances it was clear why advice was sought and necessary. The councillor's conduct did not raise a reasonable suspicion of inappropriate conduct or misconduct within the meaning of the Act	Greg Christensen	24 November 2022
C/22/00786	A councillor self-referred allegations made against them in relation to conflicts of interest and complaints made. The OIA decided to take no further action pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> [the Act] on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. Councillors have a mandatory reporting obligation. No vexatious complaints have been made by the councillor.	Greg Christensen	7 November 2022
C/22/00781	It is alleged that a councillor did not follow due process during a meeting of the local government. 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.	Jeff McConnell	2 November 2022

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OIA Reference Number	Summary of Decision and Reason(s) for Decision Section 150DY(2)(a)	Name of Councillor Section 150DY(2)(b)*	Date of Decision Section 150DY(2)(c)
	This decision was made in consideration of the complexity of the matter being dealt with, the relative inexperience of the councillor in the role they were undertaking and that they corrected the situation at the time.		
C/22/00089	A councillor made false and/or misleading statements in respect of council's Growth Management Strategy significantly changing the application of the Scenic Rim Planning Scheme in respect of development applications in a particular area. 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. An investigation by the OIA found that while (contrary to the import of the councillor's statement) the Growth Management Strategy did not depart significantly in outcome from the planning scheme, differences in the way development applications may be assessed was possible.	Derek Swanborough	13 May 2022
C/20/00644	It was alleged that a councillor engaged in misconduct when they made false and misleading comments in relation to the clearing of remnant vegetation that were intended to reflect poorly on council. 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 taking further action would be an unjustifiable use of resources. In making this decision, the Independent Assessor considered that the comments appeared to be both misleading and intended to reflect poorly on council, but was not satisfied that the comments in all the circumstances would amount to a breach of the trust placed in the councillor, having regard to the authorities on breach of trust.	Derek Swanborough	11 May 2022
C/20/00686	It was alleged that a councillor engaged in misconduct when they made false and misleading comments when commenting on council's consultation with industry stakeholders in determining projects to be funded under disaster recovery funding. 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 taking further action would be an unjustifiable use of resources. While there was extensive evidence	Derek Swanborough	11 May 2022

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OIA Reference Number	Summary of Decision and Reason(s) for Decision Section 150DY(2)(a)	Name of Councillor Section 150DY(2)(b)*	Date of Decision Section 150DY(2)(c)
	of consultation that had been undertaken the councillor was able to provide evidence that there were some industry stakeholders who disputed they were consulted or that they agreed with the projects being funded and had communicated this to the councillor prior to the statements in question.		
C/21/00281	It was alleged that a Councillor engaged in inappropriate conduct by making public statements that were false and misleading, and critical of Council's performance; contrary to 3.3 of the Code of Conduct for Councillors in Queensland. 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 the statements were the opinion of the Councillor, were not demonstrably false and were not misleading to the extent that would warrant further dealing with this matter.	Derek Swanborough	7 April 2022
C/22/00096 C/22/00097 C/22/00098 C/22/00124	It was alleged: 1. that in requesting that the CEO raise a special meeting, four councillors communicated an opinion about conflicts of interests raised in relation to them and other councillors during a previous meeting of council. That the meeting request referred to a communication made by the councillors which was contrary to a resolution of council. 2. that despite having received additional legal advice from council about the request for a special meeting, the councillors proceeded with the request. The OIA took 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. Allegation 1 related to a matter previously reported to the OIA, on which no further action was taken on the basis that it would be an unjustifiable use of resources. In relation to allegation 2, OIA inquiries confirmed that the councillors were given two options regarding the meeting request and the councillors chose the option to 'proceed with the special meeting as soon as possible'. This allegation was not considered to amount to inappropriate conduct or misconduct.	Derek Swanborough Not Available Jeff McConnell Not Available	22 March 2022

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APRIL 2020 TO MARCH 2024 COUNCIL TERM			
OIA Reference Number	Summary of Decision and Reason(s) for Decision Section 150DY(2)(a)	Name of Councillor Section 150DY(2)(b)*	Date of Decision Section 150DY(2)(c)
	<p>The complaint also raised concerns about the timing of the councillors having sought legal advice in relation to the conduct of a councillor having fulfilled their obligation to report another councillor's conflict of interest and that the councillors may have indicated an intention to publish these matters. Councillors seeking advice on such matters would not be considered inappropriate and what they may or may not have intended to do with the outcome of the advice is conjecture which may well have turned on what the advice actually said.</p> <p>It was further noted, the Department and other legal representatives have since attended and assisted council on the process for dealing with conflict of interest matters in a meeting, consistent with the Act.</p>		
C/22/00142	<p>It was alleged a councillor influenced a process of council.</p> <p>The OIA decided to take no further action pursuant to section 150Y(b) (i) of the <i>Local Government Act 2009</i> [the Act] on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct.</p>	Not Available	15 March 2022
C/22/00006	<p>It was alleged that a councillor released confidential information of the local government, in comments made to the media. The information was said to be confidential as it was discussed in a closed session of a recent council meeting and related to the reasons for council's decision on a confidential matter.</p> <p>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.</p> <p>An independent witness advised that (the main reason reported in the media as the reasons for the decision) had not in fact been discussed or cited in the closed council meeting.</p>	Not Available	9 March 2022
C/20/00768	<p>It was alleged that a Councillor released confidential budget information during an ordinary meeting of council.</p> <p>Following an investigation the IA 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> (the Act) on the basis that taking further action would be an unjustifiable use of resources.</p>	Derek Swanborough	9 March 2022

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OIA Reference Number	Summary of Decision and Reason(s) for Decision Section 150DY(2)(a)	Name of Councillor Section 150DY(2)(b)*	Date of Decision Section 150DY(2)(c)
C/22/00094	<p>A councillor self-referred their own conduct to the OIA for independent assessment. It was alleged:</p> <ol style="list-style-type: none"> 1. that a councillor breached a resolution of council made at a recent ordinary meeting. 2. that the councillor was deliberately making unsubstantiated allegations of conflicts of interests and misused their role in a meeting for improper purposes’. <p>No further action was taken pursuant to section 150Y(b)(i) 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 has previously considered the matter provided in allegation 1 and had decided to take no further action due to a lack of clarity in the resolution. In relation to allegation 2 150EW of the Act places a positive obligation on councillors to report another councillor’s prescribed or declarable conflict of interest if an informing councillor “reasonably believes or reasonably suspects” that a relevant councillor has a conflict of interest. Section 150EX sets out the process to be followed by both the informing councillor and the relevant councillor in such circumstances and allows the eligible councillors in a meeting to make a decision about whether the reported interest gives rise to a conflict of interest. The purpose of sections 150EW and 150EX is to ensure that decision-making is transparent and in the public interest. There is no reasonable evidence to prove that the councillor engaged in these processes for any purpose other than to comply with legislation. In one of the matters which was raised over a number of meetings as further details about the interest became known, council had legal advice which supported the existence of a conflict of interest.</p>	Not Available	7 March 2022
C/22/00052 C/22/00053 C/22/00054	<p>It was alleged that:</p> <p>A group of councillors provided a fully signed ‘Request for special meeting’ which made reference to communication being made outside of council, which was alleged to have breached a resolution of council.</p> <p>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.</p>	Jeff McConnell	24 February 2022

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APRIL 2020 TO MARCH 2024 COUNCIL TERM			
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	<p>The communication made outside of council was made by one councillor only. The councillor should not have taken it upon themselves to write unilaterally to a party outside of council, arguably breaching a prior resolution of council.</p> <p>It is noted that the resolution in question had also not at that time been progressed as prescribed, for reasons subsequently provided to the OIA.</p> <p>It is noted however that the Department and council advisors have since worked with all councillors to progress consideration of relevant agenda items.</p>		
C/22/00051	<p>It was alleged that:</p> <p>A group of councillors provided a fully signed 'Request for special meeting' which made reference to communication being made outside of council, which was alleged to have breached a resolution of council.</p> <p>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.</p> <p>The communication made outside of council was made by one councillor only. The councillor should not have taken it upon themselves to write unilaterally to a party outside of council, arguably breaching a prior resolution of council.</p> <p>It is noted that the resolution in question had also not at that time been progressed as prescribed, for reasons subsequently provided to the OIA.</p> <p>It is noted however that the Department and council advisors have since worked with all councillors to progress consideration of relevant agenda items</p>	Derek Swanborough	24 February 2022
C/22/00010	<p>A councillor engaged in misconduct by breaching an order of the local government made under section 150AG of the <i>Local Government Act</i>.</p> <p>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. The councillor provided a medical certificate to address their absence when scheduled training was to be undertaken. An admission of inappropriate conduct by councillor was not considered to have been made transparently or in the spirit of the order however it was noted that, following a</p>	Derek Swanborough	23 February 2022

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	discussion, the form of the apology made by the councillor was accepted by the Chair of the meeting.		
C/21/00187	It was alleged a councillor had breached a council policy in comments to the media about a council project. 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.	Derek Swanborough	10 February 2022
C/22/00027 C/22/00029 C/22/00030	It was alleged that during a recent meeting of council, three councillors failed to properly consider all relevant information when making a decision in relation to a potential conflict of interest of another councillor. It was further alleged that the councillors conspired with another councillor to stifle the voting, so as to exclude another councillor from deliberations regarding the potential conflict of interest of another councillor. The OIA decided to take no further action pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> (the Act) on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. After review of the audio recordings and minutes of the relevant meetings it was considered that the councillors followed the correct procedure for dealing with conflicts of interest as set out in the Act. The Department of State Development Infrastructure Local Government and Planning has been asked to undertake further training with councillors at the Scenic Rim Regional Council based on these meetings in relation to what does and does not constitute a conflict of interest. There was insufficient cogent evidence to support an allegation that the councillors improperly conspired to stifle decision-making.	Jeff McConnell	10 February 2022
C/22/00026 C/22/00028	It was alleged that during a recent meeting of council, a councillor failed to properly consider all relevant information when making a decision in relation to a potential conflict of interest of another councillor. The OIA decided to take no further action pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> (the Act) on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct.	Not Available	27 January 2022

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APRIL 2020 TO MARCH 2024 COUNCIL TERM			
OIA Reference Number	Summary of Decision and Reason(s) for Decision Section 150DY(2)(a)	Name of Councillor Section 150DY(2)(b)*	Date of Decision Section 150DY(2)(c)
	After review of the audio recordings and minutes of the relevant meetings it was considered that the councillor acted in accordance with the requirements of the Act in relation to dealing with conflicts of interest considerations. There was no evidence to suggest that the councillor acted other than in accordance with those provisions.		
C/21/00890	It is alleged a councillor influenced the recording of an outcome on a council register. No further action was taken pursuant to section 150Y(b) (i) 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. Enquiries with Council found that the councillor had no involvement in the registry entry.	Not Available	17 January 2022
C/22/00016	It was alleged that a councillor contravened a resolution of the local government by not formally notifying a council officer of a decision made by council. No further action was taken pursuant to section 150Y(b)(i) 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.	Not Available	13 January 2022
C/22/00011	It is alleged a councillor had failed to declare a declarable interest in a matter that was discussed at a Councillor Workshop. It was further alleged the councillor had engaged in inappropriate conduct and breached the Code of Conduct for Councillors in Queensland when the councillor had signed a petition about a council facility. No further action was taken pursuant to section 150Y(b) (i) of the <i>Local Government Act 2009</i> [the Act] on the basis that the complaint did not raise a reasonable suspicion of inappropriate conduct or misconduct.	Derek Swanborough	13 January 2022
C/20/00893	It is alleged that a councillor engaged in misconduct by failing to declare a conflict of interest at a council workshop. Following an investigation the OIA decided to take no further action pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> [the Act] on the basis that the conduct does not constitute inappropriate conduct or misconduct. The matter under consideration during the workshop was too remote in relation to the councillor's interest.	Not Available	23 December 2021

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APRIL 2020 TO MARCH 2024 COUNCIL TERM			
OIA Reference Number	Summary of Decision and Reason(s) for Decision Section 150DY(2)(a)	Name of Councillor Section 150DY(2)(b)*	Date of Decision Section 150DY(2)(c)
C/20/00689	That a councillor made public comment relating to projects funded under state government disaster recovery funding that were alleged to be false and misleading. 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.	Derek Swanborough	6 December 2021
C/21/00738	It was alleged that a councillor failed to update their register of interests within 30 days of the sale of a property. 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. The councillor had updated their register of interests after the sale of the property, but approximately three weeks outside the 30 day requirement under section 201B of the Act.	Not Available	22 November 2021
C/20/00691	That a Councillor engaged in misconduct by making false and misleading statements on a Facebook page utilised by a Residents Group, concerning the Councillor's knowledge of a proposed name change to a public facility in the local government area. 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. While relevant council documents contained information on this issue, it was limited and only tangentially related to the motions being considered by council at the time. Witness versions did not identify that the relevant information was discussed in council. It was not established that the comment was knowingly or recklessly false and misleading.	Derek Swanborough	3 November 2021
C/21/00725	It is alleged a councillor has misused their position to make inappropriate comments in the media relating to a public health matter. The OIA decided to take no further action pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> [the Act] on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct.	Jeff McConnell	2 November 2021

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APRIL 2020 TO MARCH 2024 COUNCIL TERM			
OIA Reference Number	Summary of Decision and Reason(s) for Decision Section 150DY(2)(a)	Name of Councillor Section 150DY(2)(b)*	Date of Decision Section 150DY(2)(c)
	In considering the complaint the OIA reviewed the Councillors comments in the media and noted that he prefaces his comments as being his own views and that he does not purport to speak on behalf of council.		
C/20/00489	That a councillor made comments to a media outlet that were false and misleading in relation to a decision of council to purchase land. 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 as while the published comments of the councillor could reasonably be considered to be misleading they were not clearly false.	Derek Swanborough	1 September 2021
C/21/00210	That a councillor failed to correct their Register of Interests to record particulars that should be included such as a debt owed to them by a former employer. 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. The Councillor was alleged to have failed to maintain their register of interest when they removed an interest from their register under a belief that the requirement to list it had expired. The Councillor corrected the register when requested to do so by the Chief Executive Officer.	Derek Swanborough	4 August 2021
C/21/00434	It was alleged that a councillor may have breached council's Acceptable Request Guidelines Policy by requesting a copy of a document directly from a council officer. 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. The Council's Acceptable Request Guidelines Policy requires that requests by councillors for information must go to general manager level or higher. While in this instance the councillor directed their request to a lower level officer; the councillor also copied the relevant General Manager in the email request.	Not Available	14 July 2021

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APRIL 2020 TO MARCH 2024 COUNCIL TERM			
OIA Reference Number	Summary of Decision and Reason(s) for Decision Section 150DY(2)(a)	Name of Councillor Section 150DY(2)(b)*	Date of Decision Section 150DY(2)(c)
	The request was not actioned. It was also taken into account that the councillor had self-referred this matter to the OIA.		
C/21/00198	<p>It is alleged that a councillor has breached a council policy in relation to attendance of council meetings.</p> <p>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.</p> <p>The OIA considered that the meetings were workshop meetings, rather than ordinary meetings (which would require attendance under policy).</p> <p>The councillor had advised that they could not attend the relevant meetings, however, the councillor could have communicated in a more professional way.</p> <p>It was recommended that council consider adopting a clear policy outlining expectations and requirements going forward.</p>	Derek Swanborough	17 June 2021
C/21/00337	<p>It was alleged a councillor improperly arranged through a facebook administrator of the site Beauy Whispers to have the complainants comments removed from that site.</p> <p>The OIA decided to take no further action in relation to the complaint 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 with the meaning of the act.</p>	Not Available	11 June 2021
C/21/00370	<p>Allegation 1</p> <p>It is alleged a Councillor breached Council's Media Policy when he spoke to the media and made comments in a newspaper article about a proposal related to a neighbouring division</p> <p>Allegation 2</p> <p>It was further alleged that the Councillor in his 'Councillor Comment' to a news publication column made comments that showed a lack of respect to a fellow councillor and serves 13 August to damage the reputation of Council.</p>	Not Available	9 June 2021

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APRIL 2020 TO MARCH 2024 COUNCIL TERM			
OIA Reference Number	Summary of Decision and Reason(s) for Decision Section 150DY(2)(a)	Name of Councillor Section 150DY(2)(b)*	Date of Decision Section 150DY(2)(c)
	<p>The OIA decided to take no further action pursuant to section 150Y(b) (i) of the <i>Local Government Act 2009</i> [the Act] on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct.</p> <p>Allegation 1 It was not considered that the councillors comments were in breach of the Scenic Rim Regional Council Media Policy as drafted.</p> <p>Allegation 2 It was not considered that the comments made of another councillor reached the threshold of inappropriate conduct. They pertained to a matter of public interest and debate.</p>		
C/21/00306	<p>It is alleged a councillor breached the Code of Conduct for Councillors in Queensland by colluding with a member of the public to exclude a councillor from attending a private meeting.</p> <p>The OIA decided to take no further action pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> [the Act] on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct.</p> <p>The OIA confirmed that it was a closed private meeting, not a council organised meeting. The host of the meeting venue was interviewed and advised that he did not invite the councillor to the event as it would have politicised the event and distracted from his object in hosting the event.</p>	Not Available	28 May 2021
C/20/00871	<p>That a councillor participated in a decision of Council by discussing a matter at a Councillor and Senior Executive Workshop on 10 November 2020 while having a declarable conflict of interest on the basis of their former employment.</p> <p>The OIA decided to take no further action pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> [the Act] on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct.</p> <p>While it is not considered that the Councillor's participation in decision making to date in relation to this matter raises a reasonable satisfaction that the councillor had engaged in misconduct - ongoing council consideration of this matter; and particularly certain</p>	Derek Swanborough	28 May 2021

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APRIL 2020 TO MARCH 2024 COUNCIL TERM			
OIA Reference Number	Summary of Decision and Reason(s) for Decision Section 150DY(2)(a)	Name of Councillor Section 150DY(2)(b)*	Date of Decision Section 150DY(2)(c)
	strategies proposed under the matter may well raise a declarable conflict of interest on the part of the Councillor in the future.		
C/21/00276	<p>It was alleged that a councillor engaged in inappropriate conduct by 'replying all' to an email from a resident and included all other councillors, the CEO and various council officers, as well as the resident. It was alleged that the councillor's words in their email response were ill-informed and disrespectful to council officers who were fulfilling their duties in relation to a matter.</p> <p>The OIA decided to take no further action pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> [the Act] on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct.</p> <p>The resident's email made assumptions about the actions/inaction of council officers which were not informed. The email from the councillor however did not explicitly refer to council officers or take a position on the inaction alleged by the resident.</p>	Derek Swanborough	24 May 2021
C/20/00615	<p>That a councillor failed to declare a real or perceived conflict of interest when deciding on matters where a prior employer may benefit from the decision. This was alleged to have occurred during the ordinary Council meetings of</p> <ul style="list-style-type: none"> • 11 May 2020 • 25 May 2020 • 22 June 2020 • 6 July 2020 <p>The OIA decided to take no further action pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> [the Act] on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct.</p> <p>The connection between the matters under consideration and the councillors interest in the matter was indirect and too remote to give rise to a reasonable possibility of a conflict.</p>	Derek Swanborough	19 May 2021

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APRIL 2020 TO MARCH 2024 COUNCIL TERM			
OIA Reference Number	Summary of Decision and Reason(s) for Decision Section 150DY(2)(a)	Name of Councillor Section 150DY(2)(b)*	Date of Decision Section 150DY(2)(c)
C/21/00262	<p>It was alleged a councillor had breached a council policy in comments to the media about a council initiative.</p> <p>The OIA decided to take no further action pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> [the Act] on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. The OIA considered that, although the conduct appeared to be in conflict with one part of the media policy, another part of the policy appeared to permit a councillor to make comments to the media as long as the councillor made it clear the comments were their own personal views and not the official view of council.</p> <p>The OIA recommended review of SRRC media policy.</p>	Derek Swanborough	14 May 2021
C/21/00234 C/21/00246	<p>It is alleged that a councillor breached the Code of Conduct for Councillors in Queensland, in comments made to two news articles in April 2021. That the councillor public comments had caused a number of residents to voice their concerns with the negativity and demeaning insinuations towards council. The main subject of the article was a petition regarding council's use of councillor and executive workshops, The article also questioned a mayoral minute presented to a council meeting and questioned council's transparency.</p> <p>The main subject of the article was a petition regarding council's use of councillor and executive workshops, The article also questioned a mayoral minute presented to a council meeting and questioned council's transparency.</p> <p>In respect of the same articles, a second complaint was received that alleged that a councillor breached the Code of Conduct for Councillors in Queensland. That the councillor was stepping beyond the right to express an alternate view to a decision of council and has acted to bring council into disrepute. That the councillor breached their obligation to raise the conduct of other councillors with the OIA, if the councillor did believe that they had acted outside of proper process as the councillor has propagated publicly via these articles.</p> <p>It is further alleged, the councillor's comments are deliberately false and designed to propagate a negative perception of the operation of council and that the councillor is</p>	Derek Swanborough	10 May 2021

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APRIL 2020 TO MARCH 2024 COUNCIL TERM			
OIA Reference Number	Summary of Decision and Reason(s) for Decision Section 150DY(2)(a)	Name of Councillor Section 150DY(2)(b)*	Date of Decision Section 150DY(2)(c)
	<p>embarking on a misleading and defamatory public campaign. That the councillor should reasonably be aware that confidential workshops and briefings are an approved part of the workings of a local government and that council decisions are only made via the ordinary meeting process.</p> <p>The OIA decided to take no further action pursuant to section 150Y(b)(iii) of the <i>Local Government Act 2009</i> [the Act] in respect of both complaints on the basis that taking further action would be an unjustifiable use of resources. Council's committee structure has been considered and adopted by the majority of councillors. Whether that structure is compliant with the local government act and regulations is not a councillor conduct matter. Given the ongoing public commentary by one councillor however the OIA have requested a copy of any advice upon which the meeting framework was based and or input from the Department of State Development, Infrastructure Local Government and Planning. In the absence of that advice it is difficult for the OIA to form a view on whether the councillors ongoing behaviour in publicly raising these issues raises conduct issues.</p>		
C/21/00245	<p>A councillor self-referred their own conduct to the OIA, on the basis of an allegation raised in an email from a resident in March 2021, that council failed to act in relation to unapproved vegetation clearing at a property in the local government area. It was alleged the councillor should have become involved in managing the issue raised in the email from the resident.</p> <p>The OIA decided to take no further action pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> [the Act] on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct.</p> <p>There was no councillor conduct identified in the complaint. The issues raised related to an operational matter which would be the responsibility of a council officer and not that of a councillor. It is understood the relevant council officers have addressed the issues raised in the resident's email.</p>	Not Available	10 May 2021

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APRIL 2020 TO MARCH 2024 COUNCIL TERM			
OIA Reference Number	Summary of Decision and Reason(s) for Decision Section 150DY(2)(a)	Name of Councillor Section 150DY(2)(b)*	Date of Decision Section 150DY(2)(c)
C/21/00267	<p>A councillor self-referred their conduct, providing that they may have breached a policy of council when they interacted with council staff about a community event.</p> <p>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.</p> <p>The OIA noted that the councillor's direct engagement with council officers was on an issue that was time sensitive, the councillor had immediately made senior council officers aware of his actions, and self-referred the matter to the OIA. The councillor has no disciplinary history.</p>	Not Available	30 April 2021
C/21/00184	<p>It was alleged a Councillor provided access to the content of an internal email sent by the Mayor to fellow councillors, to a member of the public. The complainant provided that they reasonably suspected the Councillor provided this to the member of the public, who they are known to be associated with, on the basis that a Right to Information and Information Privacy Access Application (RTI application) was submitted to Scenic Rim Regional Council by the member of the public, under the <i>Information Privacy Act 2009</i>, which allegedly targeted this specific correspondence.</p> <p>The OIA decided to take no further action pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> (the Act) on the basis that the complaint did not raise a reasonable suspicion of inappropriate conduct or misconduct.</p>	Derek Swanborough	28 April 2021

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APRIL 2020 TO MARCH 2024 COUNCIL TERM			
OIA Reference Number	Summary of Decision and Reason(s) for Decision Section 150DY(2)(a)	Name of Councillor Section 150DY(2)(b)*	Date of Decision Section 150DY(2)(c)
C/21/00203	<p>It is alleged that a resident is concerned about a councillor using their role to bad mouth council. That the councillor advertised in the media about a community consultation meeting in March, at which the councillor had depicted signage that is well recognisable from their 2020 election campaign, showing a particular proposal for the division the councillor represents. It is alleged the councillor had not requested permission from council to use such signage for councillor related activities and that since the election, the councillor had not tabled their divisional proposal for consideration by council.</p> <p>The OIA decided to take no further action pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> [the Act], on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. The OIA considered that the councillor's position on the particular issue relating to their division is well known and that the councillor was elected on it. The complaint also raised that the councillor does not have permission to use their election campaign signage for councillor related activities. However, in the absence of a policy identified that this would be in breach of, the OIA does not consider it to reach the threshold of inappropriate conduct or misconduct.</p>	Derek Swanborough	21 April 2021
C/21/00171	<p>It is alleged, a councillor breached council's legal assistance policy and guidelines, by attempting to access council's legal assistance, in relation to a matter pertaining to the councillor and not the council.</p> <p>The following register entry was updated following recommendation from the OIA, dated 2 June 2021, to address potential misinterpretation of the reason for this decision as previously expressed. The OIA took no further action pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> [the Act] as the conduct alleged was not inappropriate conduct or misconduct. The OIA considered all the relevant information in relation to this matter, including advice from council that the decision in relation to the legal response was made independently by the CEO, not under the council's legal assistance policy, but under an existing delegation.</p>	Not Available	13 April 2021

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APRIL 2020 TO MARCH 2024 COUNCIL TERM			
OIA Reference Number	Summary of Decision and Reason(s) for Decision Section 150DY(2)(a)	Name of Councillor Section 150DY(2)(b)*	Date of Decision Section 150DY(2)(c)
C/21/00188	It is alleged a councillor breached a Council media policy. 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. It was considered the drafting of the media policy was not sufficiently clear on the point of non-compliance raised.	Not Available	6 April 2021
C/21/00013	On 23 December 2020 a media article was published where a councillor was quoted making comment that raised concerns of reprisal as defined under section 150AW of the <i>Local Government Act 2009</i> [the Act]. The OIA decided to take no further action pursuant to section 150Y(b)(ii) of the <i>Local Government Act 2009</i> on the basis that taking further action would be an unjustifiable use of resources as the intent to identify and thereby cause a detriment to complainants contrary to section 150AW was implied in the reporting, but not express. The councillor denied that it was their intent to identify and cause a detriment to complainant/s.	Derek Swanborough	22 March 2021
C/21/00012	On 22 December 2020 commentary written by a councillor was published by a media outlet that raised concerns of reprisal as defined under section 150AW of the <i>Local Government Act 2009</i> [the Act]. The OIA decided to take no further action pursuant to section 150Y(b)(ii) of the <i>Local Government Act 2009</i> on the basis that taking further action would be an unjustifiable use of resources as the intent to identify and thereby cause a detriment to complainants contrary to section 150AW was implied in the reporting, but not express. The councillor denied that it was their intent to identify and cause a detriment to complainant/s.	Derek Swanborough	22 March 2021

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APRIL 2020 TO MARCH 2024 COUNCIL TERM			
OIA Reference Number	Summary of Decision and Reason(s) for Decision Section 150DY(2)(a)	Name of Councillor Section 150DY(2)(b)*	Date of Decision Section 150DY(2)(c)
C/20/01003	On 17 December 2020 commentary written by a councillor was published by a media outlet that raised concerns of reprisal as defined under section 150AW of the <i>Local Government Act 2009</i> [the Act]. The OIA decided to take no further action pursuant to section 150Y(b)(ii) of the <i>Local Government Act 2009</i> on the basis that taking further action would be an unjustifiable use of resources as the intent to identify and thereby cause a detriment to complainants contrary to section 150AW of the Act was implied in the reporting, but not express. The councillor denied that it was their intent to identify and cause a detriment to complainant/s.	Derek Swanborough	22 March 2021
C/21/00120	It was alleged a councillor engaged in inappropriate conduct and breached the Code of Conduct for Councillors in Queensland when he failed to table an advice to the other councillors that was relevant to a matter Council was considering. The OIA decided to take no further action pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> [the Act] on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. The conduct outlined in the complaint was considered to be potential unsuitable meeting conduct and the chair of the relevant meeting, has the responsibility to deal with the conduct.	Derek Swanborough	8 March 2021
C/20/01108	It was alleged that a Councillor made a remark during a Council briefing session and that the remark was inappropriate due to racist overtones. 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. As part of the natural justice process, the OIA provided the Councillor with the details of the allegation and invited the Councillor to respond. The Councillor responded by admitting to making the comment but denied that there was any racist intent involved and providing an alternative explanation for making the comment.	Derek Swanborough	15 January 2021

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APRIL 2020 TO MARCH 2024 COUNCIL TERM			
OIA Reference Number	Summary of Decision and Reason(s) for Decision Section 150DY(2)(a)	Name of Councillor Section 150DY(2)(b)*	Date of Decision Section 150DY(2)(c)
C/20/00872	It is alleged that a councillor may have released information from a councillor and executive workshop to the general public, relating to a development proposed for a specified location in the region. 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 complaint did not raise a reasonable suspicion of inappropriate conduct or misconduct on the part of a councillor.	Derek Swanborough	24 December 2020
C/20/00825	It is alleged that a councillor made false claims at council's ordinary meeting on 9 November 2020 to make mischief and confuse the community as well as the media. 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 does not raise a reasonable suspicion of inappropriate conduct or misconduct. The view expressed by the councillor was articulated in a council meeting, and it was open for other councillors to express their own view on the matter, or the chair of the meeting to address the issue and/or deal with it as unsuitable meeting conduct.	Derek Swanborough	17 December 2020
C/20/00873	It is alleged a councillor may have disclosed confidential information to a member of the public who posted that information on social media. 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 does not raise a reasonable suspicion of inappropriate conduct or misconduct. There was no evidence in the complaint to support a reasonable suspicion that the subject councillor was responsible for the disclosure of the information from the councillor to the member of the public. It was further noted that there would be a number of council staff and other councillors who knew of the information that was apparently provided to the member of the public.	Derek Swanborough	16 December 2020

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APRIL 2020 TO MARCH 2024 COUNCIL TERM			
OIA Reference Number	Summary of Decision and Reason(s) for Decision Section 150DY(2)(a)	Name of Councillor Section 150DY(2)(b)*	Date of Decision Section 150DY(2)(c)
C/20/00807	A councillor self-referred their own conduct in relation to a contact made with a media outlet about an article published and their request that the author of the article retract statements considered by the councillor to be inaccurate. 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, as described in the self-referral, did not raise a reasonable suspicion of inappropriate conduct or misconduct on the part of the councillor.	Not Available	3 December 2020
C/20/00770	It is alleged that on 27 October 2020, a councillor, was overheard making disparaging comments about a member of the public as attendees were gathering for a council workshop. 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 OIA considered that one of the alleged comments was borderline inappropriate, it was not alleged that the comment was made in a formal, open or public forum.	Not Available	3 December 2020

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APRIL 2020 TO MARCH 2024 COUNCIL TERM			
OIA Reference Number	Summary of Decision and Reason(s) for Decision Section 150DY(2)(a)	Name of Councillor Section 150DY(2)(b)*	Date of Decision Section 150DY(2)(c)
C/20/00757	<p>It is alleged that during council's ordinary meeting on 12 October 2020, a councillor interrupted another councillor various times for each question, which borders on harassment, particularly in light of the fact that the interruptions and misinformation provided in lieu of allowing the other councillor's points to be heard meant that all the councillors were ill-informed prior to voting.</p> <p>The OIA decided to take no further action pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> [the Act] on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct.</p> <p>The OIA listened to the recording of the meeting in question, and considered that under section 12 of the Act, the Chair of a meeting has a responsibility to ensure that discussions remain focused on the issues that are relevant to the consideration of the matter.</p> <p>The OIA's view is that the interjections of the subject councillor were an attempt to have the other councillor remain focused on the matter that was presently before Council, and as such did not raise a reasonable suspicion of inappropriate conduct or misconduct under the Act.</p>	Not Available	30 November 2020
C/20/00863	<p>That councillors of the council have engaged in misconduct by breaching the trust placed in them to act ethically and legally when they engaged in behaviour that failed to respect democratic process and prevented the divisional councillor from carrying out their responsibilities.</p> <p>The OIA decided to take no further action pursuant to section 150Y(b)(ii) of the <i>Local Government Act 2009</i> on the basis that the information provided does not raise a reasonable suspicion of inappropriate conduct or misconduct.</p> <p>The information gathered establishes that the subject councillors did not take any action that prevented the divisional councillor from carrying out their duties or representing their constituents. Further, the OIA reasonably considers that democratic process was followed.</p>	Not Available	20 October 2020

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APRIL 2020 TO MARCH 2024 COUNCIL TERM			
OIA Reference Number	Summary of Decision and Reason(s) for Decision Section 150DY(2)(a)	Name of Councillor Section 150DY(2)(b)*	Date of Decision Section 150DY(2)(c)
C/20/00700	<p>It is alleged a Councillor at a meeting of council continues to question Council's policy around meeting processes for council to ensure that the meetings and decisions of Council are transparent to the public.</p> <p>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.</p> <p>It is acknowledged that a Councillor can have a different view as to the most appropriate and transparent process council should have to progress its business.</p> <p>It is similarly open to the majority of councillors who support the current meeting framework to address this issue on the record.</p>	Derek Swanborough	6 October 2020
C/20/00692	<p>That a councillor had breached the ethical standards and abused their position in the renaming of the Botanic Gardens and has been involved in bargaining with the Tamborine Mountain Botanic Gardens Inc in a closed meeting, without public discussion and without all councillors being present.</p> <p>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 does not raise a reasonable suspicion of inappropriate conduct or misconduct.</p> <p>There is sufficient information in the public domain to demonstrate that the decision to rename the Tamborine Mountain Botanic Gardens was a decision of the Membership of the TMBG at the Annual General Meeting and not a decision of Council.</p>	Not Available	6 October 2020

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APRIL 2020 TO MARCH 2024 COUNCIL TERM			
OIA Reference Number	Summary of Decision and Reason(s) for Decision Section 150DY(2)(a)	Name of Councillor Section 150DY(2)(b)*	Date of Decision Section 150DY(2)(c)
C/21/00346	<p>It is alleged a Councillor manipulated the Tamborine Mountain Botanic Gardens Inc (TMBGI) to ensure that another Councillor was not in attendance at the TMBGI 2020 Annual General Meeting (AGM). That the subject Councillor's invite to the meeting found its mark but the invitation to the other Councillor was 'lost'.</p> <p>It was alleged the subject Councillor proposed a change to the name of the Gardens without consulting with the local member for that division.</p> <p>It was further alleged that the TMBGI received an incentive payment from the subject Councillor.</p> <p>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 does not raise a reasonable suspicion of inappropriate conduct or misconduct.</p> <p>The invitations for the TMBGI's 2020 Annual General Meeting were organised by the President of the association and not by any Councillor.</p> <p>In relation to the Councillor allegedly proposing the name change for the Gardens, the President confirmed in a letter to the editor of Scenic News on 3 September 2020 that the decision was made by all of the members of the TMBGI, by way of a vote during the AGM, which did not involve any Councillor.</p> <p>With regards to the allegation that the TMBGI had received an incentive payment from a Councillor, there are no particulars provided by the complainant or other information available to the OIA to suggest that this was the case.</p>	Not Available	8 September 2020
C/20/00649	<p>It is alleged that an UNKNOWN Councillor had disseminated confidential information relating to the Tamborine Mountain Botanic Gardens from the closed session of Council's Ordinary Meeting on 17 August 2020 to a member of the public.</p> <p>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 while information referred to in a confidential report was released to a member or members of the public there was no direct evidence to identify the person responsible and undertaking further enquiries would not be a justifiable use of resources on the facts of this matter.</p>	Not Available	4 September 2020

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APRIL 2020 TO MARCH 2024 COUNCIL TERM			
OIA Reference Number	Summary of Decision and Reason(s) for Decision Section 150DY(2)(a)	Name of Councillor Section 150DY(2)(b)*	Date of Decision Section 150DY(2)(c)
C/20/00607 C/20/00612	It was alleged that a councillor had engaged in misconduct by breaching the local government principles and the provisions of the Local Government Regulation 2012 in relation to meeting procedures. 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 does not raise a reasonable suspicion of inappropriate conduct or misconduct. The complaint related to decisions of council rather than the specific conduct of a councillor.	Not Available	26 August 2020
C/20/00594	It was alleged that a Councillor had mismanaged the Scenic Rim Regional Council finances. 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 does not raise a reasonable suspicion of inappropriate conduct or misconduct by a councillor as defined by the Act. The complaint relates to decisions and administrative actions of the Council, rather than the conduct of a specific councillor. Administrative decisions of council do not amount to inappropriate conduct or misconduct by individual councillors.	Not Available	18 August 2020
C/20/00459	It was alleged, a Councillor provided misleading information to the public via letters to the local newspapers in April, May and June 2020, that the statements attack the credibility of other Councillors and the management of Council. 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. It is the OIA's view that there is no issue with Councillors providing information to their division and relaying Council decisions that affect the division. However, if there are any issues relating to Council processes or governance issues Councillors should be raising them for discussion in Council meetings, where other Councillors and Council officers are given the opportunity to respond, to address any issues or to explain why issues cannot be addressed.	Derek Swanborough	27 July 2020

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APRIL 2020 TO MARCH 2024 COUNCIL TERM			
OIA Reference Number	Summary of Decision and Reason(s) for Decision Section 150DY(2)(a)	Name of Councillor Section 150DY(2)(b)*	Date of Decision Section 150DY(2)(c)
	The OIA has strongly recommended this to the Councillor and cautioned the Councillor to take care when sharing information to the division, that in doing so, the Councillor does not undermine Council in the way issues are addressed.		
C/20/00490	<p>It was alleged that a Councillor was involved in allowing the illegal sale of untreated bore water to the local residents for more than a year and that Council constantly failed to meet its legal requirement as regulators to stop this activity.</p> <p>The OIA decided to take no further action pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> (the Act) on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct.</p> <p>There was no information provided in the complaint which suggested the Councillor had personally engaged in any conduct related to the illegal selling of untreated bore water to local residents. Also, that these matters do not fall within the responsibilities of Council as a local authority.</p> <p>If a water supplier was found to be selling untreated water as potable drinking water, this would be a matter for the Queensland Department of Health (DoH) to deal with. DoH sets out the minimum standards for potable drinking water. The licensing of bores to sell potable drinking water is the responsibility of the Department of Natural Resources, Mines and Energy.</p>	Not Available	27 July 2020
C/20/00395	<p>It was alleged that a Councillor failed to provide a copy of their completed register of interests within the 30-day period after taking office, as required in section 171B(2) of the <i>Local Government Act 2009</i> (the Act).</p> <p>The OIA decided to take no further action pursuant to section 150Y(b)(iii) of the Act, on the basis that taking further action would be an unjustifiable use of resource, because Information was received from Council confirming receipt of the Councillor's completed register of interest.</p>	Derek Swanborough	30 June 2020

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APRIL 2020 TO MARCH 2024 COUNCIL TERM			
OIA Reference Number	Summary of Decision and Reason(s) for Decision Section 150DY(2)(a)	Name of Councillor Section 150DY(2)(b)*	Date of Decision Section 150DY(2)(c)
C/20/00114	<p>It was alleged that evidence of pornographic material was found on an official email account.</p> <p>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 further action would be an unjustifiable use of resources.</p> <p>The decision was made on the basis that the material did not involve child exploitation material, the conduct occurred in 2012 and the person is no longer a Councillor.</p>	Not Available	24 June 2020
C/20/00324 C/20/00325 C/20/00326 C/20/00327 C/20/00328 C/20/00329	<p>It was alleged that six councillors authorised an unprecedented media statement by the Scenic Rim Regional Council on the eve of the local government polling day when it announced an Economic Stimulus Package that contained rate concessions and procurement priorities during the caretaker period.</p> <p>The OIA decided to take no further action pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> [the Act] in respect of each councillor on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct.</p> <p>A number of Councils across Queensland made similar announcements prior to the election due to the unfolding impact of COVID-19 on their council areas and ratepayers. While the act contains a prohibition on the making of major policy decisions during the caretaker period (section 90B), the announcements referred to did not fall within the definition of "a Major policy decision" in schedule 4 of the Act.</p>	Not Available	20 May 2020
C/20/00323	<p>It is alleged a Councillor engaged in inappropriate conduct in the lead up to the election by:</p> <ol style="list-style-type: none"> 1. directing abuse and or criticism towards a media outlet. 2. making an unauthorised election advertisement containing statements about rival candidates without basis. 3. releasing a statement on the eve of polling day allegedly in breach of section 90B of the <i>Local Government Act 2009</i>. <p>The OIA decided to take no further action pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> [the Act]</p>	Not Available	18 May 2020

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APRIL 2020 TO MARCH 2024 COUNCIL TERM			
OIA Reference Number	Summary of Decision and Reason(s) for Decision Section 150DY(2)(a)	Name of Councillor Section 150DY(2)(b)*	Date of Decision Section 150DY(2)(c)
	<p>The information about the Councillor's engagement with the media in (1) was very broad and did not give rise to a reasonable suspicion that the Councillor had engaged in inappropriate conduct.</p> <p>The conduct alleged in (2) is a matter for the Electoral Commissioner of Queensland and outside the jurisdiction of the OIA.</p> <p>In relation to (3) a number of Councils across Queensland made similar announcements prior to the election due to the unfolding impact of COVID-19 on their council areas and ratepayers.</p> <p>While the Act contains a prohibition on the making of major policy decisions during the caretaker period (section 90B), the announcements referred to did not fall within the definition of "a Major policy decision" in schedule 4 of the Act.</p>		

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Dismissed complaints under section 150X – section 150DZ

APRIL 2020 TO MARCH 2024 COUNCIL TERM				
OIA Reference Number	Date of Complaint Section 150DZ(1)(a)	Summary of Complaint Section 150DZ(1)(b)	Why the complaint was dismissed Section 150DZ(1)(c)	Name of Councillor Section 150DZ(2)*
C/23/00040	19 January 2023	It was alleged a councillor approached a council employee at a council run function and asked pointed questions about their operational activities in a manner that was considered to be overbearing.	The OIA dismissed this matter pursuant to section 150X(a)(ii) of the Local Government Act 2009 as the conduct does not constitute inappropriate conduct or misconduct. Following a review of the information provided, it was not considered that comments made by the councillor to the council employee reached the threshold of inappropriate conduct or misconduct on the facts of this matter	Derek Swanborough
C/22/00825	10 November 2022	It was alleged a councillor made comments that would damage another councillor's reputation.	The OIA dismissed this matter pursuant to section 150X(a)(ii) of the Local Government Act 2009 as the councillor's conduct was not considered to amount to inappropriate conduct or misconduct as define by the Act.	Not Available
C/22/00812 C/22/00815	3 November 2022	It was alleged a councillor damaged another councillor's reputation	The OIA dismissed this matter pursuant to section 150X(b)(i). Having regard to the nature of the complaint and the circumstances in which it was made the complaint was dismissed as vexatious	Not Available
C/22/00211	8 April 2022	It is alleged a councillor has engaged in misconduct and has failed to carry out the councillor's responsibilities under the <i>Local Government Act 2009</i> .	The OIA dismissed this matter pursuant to section 150X(a)(i) of the <i>Local Government Act 2009</i> as the allegations have already been made to the OIA and decisions previously made relating to the complaint.	Not Available
C/22/00154 C/22/00155	16 March 2022	It was alleged that at a recent meeting of council, three councillors made a decision	The OIA dismissed this matter pursuant to section 150X(c)(ii) of the <i>Local Government</i>	Jeff McConnell

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OIA Reference Number	Date of Complaint Section 150DZ(1)(a)	Summary of Complaint Section 150DZ(1)(b)	Why the complaint was dismissed Section 150DZ(1)(c)	Name of Councillor Section 150DZ(2)*
C/22/00156		for improper purpose, in relation to a conflict of interest declaration by another councillor on a confidential matter.	<p><i>Act 2009</i> (the Act) on the basis that further dealing with the complaint would be an unjustifiable use of resources.</p> <p>Under the Act it is open to councillors to manage the declared conflict of interest of another councillor by determining that a councillor may, notwithstanding their conflict of interest, stay in a meeting and participate in discussions and or the vote.</p> <p>Whether a councillor or councillors are acting dishonestly or impartially in the performance of their functions in such circumstances (including where the outcome may ultimately dictate what the majority decision will be) is difficult to prove.</p> <p>It is noted however that with the assistance of the Department and King and Company Solicitors all councillors worked through the issues raised and made a decision in relation to the matter at the meeting, what was arrived at was in a manner consistent with the Act.</p> <p>In the circumstances outlined above it is not considered to be a justifiable use of resources to further deal with this matter.</p>	
C/22/00143	11 March 2022	It was alleged that a councillor made false and baseless allegations and displayed inappropriate meeting behaviour towards other councillors during a recent council meeting.	<p>The OIA dismissed this matter pursuant to section 150X(b)(i) of the <i>Local Government Act 2009</i> (the Act) on the basis that the complaint is vexatious.</p> <p>Allegation 1:</p>	Greg Christensen

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OIA Reference Number	Date of Complaint Section 150DZ(1)(a)	Summary of Complaint Section 150DZ(1)(b)	Why the complaint was dismissed Section 150DZ(1)(c)	Name of Councillor Section 150DZ(2)*
		<p>It was further alleged the councillor attempted to exclude another councillor from participating in a future meeting in relation to a specific matter relating to that councillor's division.</p> <p>That the councillor based their assertions on a lack of comprehension of the content of Standing Orders.</p>	<p>It was considered to be clear that the councillor's comments were based on actions by other councillors that led to the matter before the council meeting. The nature of those actions was publicly available from the meeting agenda papers and the minutes of the relevant meeting. The councillor's comments were not considered to be inappropriate in the circumstances.</p> <p>Allegation 2:</p> <p>It was noted that a councillor was approved to take a leave of absence from a council meeting and council subsequently resolved to allow that councillor to participate via telephone to vote on a specific matter.</p>	
C/22/00126	2 March 2022	<p>It was alleged that a councillor released information that was confidential to the local government, which was provided to councillors in a confidential legal advice. It was alleged the councillor shared the information to the media and other external parties who then asked similar questions of council about the matter and the councillor also subsequently published the same information in a media statement.</p>	<p>The 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.</p> <p>The OIA noted that the information contained in the media article, which quoted the councillor, contained information that may have come from a confidential legal advice to councillors prior to 12 January 2022. However, the information in the media article was information that could easily have been deduced from council discussions that occurred during open council meeting on 12</p>	Derek Swanborough

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OIA Reference Number	Date of Complaint Section 150DZ(1)(a)	Summary of Complaint Section 150DZ(1)(b)	Why the complaint was dismissed Section 150DZ(1)(c)	Name of Councillor Section 150DZ(2)*
			January 2022. On that basis, and on considering local government principles that relate to transparent decision-making, the released information was not considered confidential to the local government.	
C/22/00107	22 February 2022	It was alleged a councillor A had engaged in misconduct by: a) making misleading comments about another councillor B's statements in a council meeting b) making comments intended to discredit reporting and scrutiny of council decisions.	The 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.	Not Available
C/22/00081	8 February 2022	It was alleged that a councillor was undemocratic and did not understand what was good for a division of the electorate and that the councillor used council resources to attempt to discredit other councillors.	The 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 referral did not raise a reasonable suspicion of inappropriate conduct or misconduct. The communication, which had been referred by the local government under Chapter 5A Division 2 of the Act, appeared to be more in the nature of an expression of political opposition than a councillor conduct complaint. The author subsequently confirmed that the communication had not been intended as a complaint.	Not Available
C/22/00080	8 February 2022	It was said that a councillor treated the local government as a personal fief, had introduced a negative culture and detrimental policies, had not delivered on election promises, allowed council staff to	The 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	Not Available

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OIA Reference Number	Date of Complaint Section 150DZ(1)(a)	Summary of Complaint Section 150DZ(1)(b)	Why the complaint was dismissed Section 150DZ(1)(c)	Name of Councillor Section 150DZ(2)*
		collude with developers and allowed council resources to be diverted on discrediting critics.	suspicion of inappropriate conduct or misconduct on the part of a councillor. The communication, which had been referred by the local government under Chapter 5A Division 2 of the Act, appeared to be more in the nature of an expression of political opposition than a councillor conduct complaint. The author subsequently confirmed that the communication had not been intended as a complaint.	
C/22/00074	7 February 2022	It was alleged that a councillor had allowed unethical practices between council staff and developers to occur on the councillors watch and that council staff had been allowed to usurp the role of councillors in approving some matters.	The 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. It is not the responsibility of councillors to manage local government employees. This is the role of council's Chief Executive Officer as prescribed in section 13(3)(b) of the Act. Such concerns should be raised with the CEO.	Not Available
C/22/00007	6 January 2022	It is alleged a councillor was involved in a company that unlawfully obtained funds from investors for a project.	The 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 on the part of a councillor.	Derek Swanborough
C/21/00717	27 October 2021	A self-referral was made by a councillor on the basis of a complaint received by the	The OIA dismissed this matter pursuant to section 150X(a)(ii) of the <i>Local Government</i>	Not Available

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OIA Reference Number	Date of Complaint Section 150DZ(1)(a)	Summary of Complaint Section 150DZ(1)(b)	Why the complaint was dismissed Section 150DZ(1)(c)	Name of Councillor Section 150DZ(2)*
		councillor in an email from a member of the public. The complaint related to the councillor encouraging local residents to follow a government health plan relating to COVID-19.	<i>Act 2009</i> (the Act) on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct.	
C/21/00708 C/21/00714	23 October 2021 and 26 October 2021	It is alleged a councillor misused his position when he made comments in the media about his own personal views on a public health issue.	The 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 considering the complaint the OIA reviewed the Councillors comments in the media and noted that he prefaces his comments as being his own views and that he does not purport to speak on behalf of Council. The Councillor also recommended individuals talk to their own doctor.	Jeff McConnell
C/21/00602	31 August 2021	It was alleged that an unnamed Councillor of SRRC engaged in 'extraordinarily inappropriate behaviour' by forwarding to a third party an email originated by the complainant, which resulted in the complainant receiving contact from the third party who was 'irate'. It was further alleged the behaviour of the Councillor may constitute misconduct given the email referred to a matter currently before the courts and the Councillor had provided information without authority.	The OIA dismissed this matter pursuant to section 150X(b)(i) of the <i>Local Government Act 2009</i> (the Act) on the basis that the complaint is considered to be vexatious. The complainant did not provide any further information as requested under section 150Q of the Act and the OIA was unable to form a view or make an informed decision about the alleged conduct of an unnamed Councillor. OIA enquiries identified that information provided by the complainant was false and/or misleading.	Not Available

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OIA Reference Number	Date of Complaint Section 150DZ(1)(a)	Summary of Complaint Section 150DZ(1)(b)	Why the complaint was dismissed Section 150DZ(1)(c)	Name of Councillor Section 150DZ(2)*
C/21/00570	21 August 2021	It was alleged: <ul style="list-style-type: none"> that a councillor is responsible for culture which seems to be designed to intimidate other councillors and ratepayers who question council methods, decisions and ethics. the councillor is a serial vexatious complainant. 	The OIA dismissed this matter pursuant to section 150X(b)(iii) of the <i>Local Government Act 2009</i> (the Act) on the basis that the complaint is lacking in substance. The complaint comprised of a number of general high-level statements or impressions without including any particulars of the complainant's direct knowledge or experience. Local government officials including councillors and council CEO have a mandatory obligation under section 150R of the Act, to report any conduct that may constitute inappropriate conduct or misconduct.	Greg Christensen
C/21/00506 C/21/00505	10 August 2021	<ol style="list-style-type: none"> It is alleged a councillor had provided manipulated information to a non-resident ratepayer about Council's planned infrastructure projects for a council area. It was also alleged a particular council area was disadvantaged in receiving new infrastructure projects as it did not have a councillor residing in the area. It is alleged another councillor may have been complicit in manipulating criteria to determine council's planned infrastructure project. 	<p>The 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.</p> <p>Disagreement with or grievances about council decision-making or priorities do not of themselves give rise to inappropriate conduct or misconduct within the meaning of the Act.</p> <p>There was no evidence that councillors manipulated information provided to the ratepayer.</p>	Not Available
C/21/00471	15 July 2021	An anonymous complaint was made relating to concerns with the conduct of a councillor who it was felt was undermining	The 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	Derek Swanborough

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OIA Reference Number	Date of Complaint Section 150DZ(1)(a)	Summary of Complaint Section 150DZ(1)(b)	Why the complaint was dismissed Section 150DZ(1)(c)	Name of Councillor Section 150DZ(2)*
		trust in council processes. The complaint also raised issues relevant to the conduct of a councillor before they were a councillor.	conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. The allegations raised were high level and there were no specific details provided to support the claims. Allegations relating to events that were alleged to have occurred before the councillor was elected were not within the OIA's jurisdiction to deal with.	
C/21/00409	23 June 2021	It was alleged, a councillor made a financial claim on the complainant's late mother's estate and requested a copy of the mother's Will. That the councillor had people from council's law firm harassing the complainant's family and their late mother's lawyers. It was alleged the councillor had the complainant's family blocked and posts regarding their family pet removed from a community website.	The 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 information that the matters relating to the complainant's late mother's estate are dealt with by Council and its legal representatives and not related to the councillor, therefore this conduct would not fall into the category of councillor conduct as defined in the Act. The second allegation had been previously received and separate outcome advice in relation to this complaint has previously been provided.	Not Available

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OIA Reference Number	Date of Complaint Section 150DZ(1)(a)	Summary of Complaint Section 150DZ(1)(b)	Why the complaint was dismissed Section 150DZ(1)(c)	Name of Councillor Section 150DZ(2)*
C/21/00400 C/21/00414 C/21/00415 C/21/00416 C/21/00417 C/21/00418 C/21/00419	18 June 2021	The complaint alleged that all Scenic Rim Regional Council councillors have supported, "the misuse of public resources in the lengthy preparation, submission and – in very few cases – an actual investigation by the OIA". And further, that the councillors' combined conduct was, "nothing short of vexatious and psychological harassment in the workplace". That the councillors were responsible for 'weaponising' the complaints process.	The OIA dismissed this matter pursuant to section 150X(b)(i) of the <i>Local Government Act 2009</i> (the Act) on the basis that it is considered to be vexatious. Councillors and CEO's have a statutory responsibility to refer complaints and/or information about the conduct of councillors to the OIA to be dealt with according to the Act. Due to the previous questionable complaint behaviour of this complainant and the lack of valid basis for making this complaint, the OIA dismissed this matter.	Greg Christensen Derek Swanborough Not Available Not Available Not Available Not Available Not Available
C/21/00382	11 June 2021	It is alleged a councillor was involved in the funding, procurement and production of pamphlets by a community organisation.	The 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. The OIA made enquiries with Council and a senior representative of the community organisation. Those enquiries found that the pamphlets were solely produced by the community organisation without any involvement of any councillor.	Not Available
C/21/00364	2 June 2021	It is alleged a councillor used his media column to criticise another councillor on their views relating to a proposed major change to divisional boundaries.	The 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.	Not Available

Councillor Conduct Register 2020-2024 Council Term

APRIL 2020 TO MARCH 2024 COUNCIL TERM				
OIA Reference Number	Date of Complaint Section 150DZ(1)(a)	Summary of Complaint Section 150DZ(1)(b)	Why the complaint was dismissed Section 150DZ(1)(c)	Name of Councillor Section 150DZ(2)*
			It was noted that the Councillor included that the views were their own personal views and not that of Council. The article was making comment on matters of public interest which had been subject to previous public debate by another councillor. The content of the article appeared to be providing contrary views on topics of public interest and did not meet threshold of amounting to inappropriate conduct or misconduct.	
C/21/00351	1 June 2021	A councillor made comments about budgetary matters in the media that were alleged to be false and misleading in respect of its particulars.	The OIA dismissed this matter pursuant to section 150X(c)(ii) of the <i>Local Government Act 2009</i> [the Act] as further dealing with this matter would be an unjustifiable use of resources. The statements appeared to be gross oversimplifications of complex budgetary matters but were not false or misleading to the extent that the conduct would amount to misconduct. Other elements of the comments amounted to opinion.	Derek Swanborough
C/21/00346	1 June 2021	It is alleged a councillor had breached the ethical standards and abused their position in the renaming of a public space.	The 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. There is sufficient information in the public domain to demonstrate that the decision to rename the public space was a decision of	Not Available

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			the membership of the community group at its Annual General Meeting and not a decision of Council.	
C/21/00252	13 April 2021	It is alleged that a councillor was not returning the complainant's phone calls in relation to an issue raised about a neighbourhood matter and the issue had not been addressed.	The 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 issue raised by the complainant with the councillor was an operational matter, which is outside of the councillor's responsibilities. OIA inquiries made with council confirmed that the councillor reported the issue for council officers to follow up in February 2021. Council officers attempted to contact the complainant to provide feedback/update.	Not Available
C/21/00157 C/21/00158 C/21/00159 C/21/00160 C/21/00161 C/21/00162 C/21/00163	4 March 2021	It is alleged the council continues to fight and spend money on things that its people do not want. That its decision process needs to be reviewed externally as they all tend to do what they want.	The 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 as defined by the Act. The complaint was about administrative processes of council did not identify any specific councillor conduct that is within the OIA's jurisdiction.	Not Available Derek Swanborough Not Available Not Available Not Available Not Available Not Available

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OIA Reference Number	Date of Complaint Section 150DZ(1)(a)	Summary of Complaint Section 150DZ(1)(b)	Why the complaint was dismissed Section 150DZ(1)(c)	Name of Councillor Section 150DZ(2)*
C/21/00090 C/21/00091 C/21/00092 C/21/00093 C/21/00094	9 February 2021	<p>The OIA raised matters against 5 Councillors, alleging that they, with knowledge that a councillor had a conflict of interest in relation to the agenda item, raised no issue with that councillor chairing and voting on the question of how a second councillors conflict of interest in relation to the same agenda item should be managed.</p> <p>It is further alleged that councillors resolved to allow one of the conflicted councillors to stay in the meeting but did not identify whether the councillor was entitled to vote. When the councillor (who had been absent for this resolution) proceeded to vote; only one councillor took issue with this.</p>	The OIA dismissed this matter pursuant to section 150X(c)(ii) as inquiries confirmed that the procedure followed was in accordance with advice that had been given to the councillors Legislation which affected significant changes to the conflict of interest framework and the procedure to be followed commenced on 12 October 2020. The OIA considers that the advice was incorrect, and the public interest is best served through training, rather than dealing with all councillors on a disciplinary basis.	Derek Swanborough Not Available Not Available Not Available Not Available
C/21/00051 C/21/00052 C/21/00053 C/21/00054 C/21/00055 C/21/00056 C/21/00057	28 January 2021	It is alleged all councillors of the Scenic Rim Regional Council failed to identify an error in council meeting minutes when voting on its accuracy.	<p>The OIA dismissed this matter pursuant to section 150X(a)(ii) of the Local Government Act 2009 (the Act) as the conduct of the councillors did not raise a reasonable suspicion of inappropriate conduct or misconduct.</p> <p>The OIA reviewed the confirmed Minutes of the 14 December 2020 against the livestream recording of that meeting and noted a small error between a declaration of a conflict of interest made by a Councillor and the record of that declaration that appeared in the minutes that were adopted</p>	Not Available Derek Swanborough Not Available Not Available Not Available Not Available Not Available

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APRIL 2020 TO MARCH 2024 COUNCIL TERM				
OIA Reference Number	Date of Complaint Section 150DZ(1)(a)	Summary of Complaint Section 150DZ(1)(b)	Why the complaint was dismissed Section 150DZ(1)(c)	Name of Councillor Section 150DZ(2)*
			by the full council meeting some four weeks later. Meeting minutes are not a transcript and if Councillors miss an error of a more minor nature this error will be taken to be administrative in nature and will not be dealt with as inappropriate conduct or misconduct. In the case of the councillor who made the declaration further inquiries were undertaken and the outcome of those inquiries did not support a reasonable suspicion that missing the error amounted to inappropriate conduct of misconduct.	
C/21/00043	24 January 2021	The OIA received a complaint alleging that a Councillor after declaring a conflict of interest in an agenda item, handed over the meeting to second councillor, who the first councillor knew to also have a conflict of interest in relation to the agenda item - to chair a discussion/ vote on how the first councillor's conflict of interest should be managed. It is further alleged that the first councillor should not have subsequently voted on the matter because the resolution of council (which was passed in the first councillors absence) allowed the first councillor to stay in the meeting, but was silent on whether the first councillor could vote.	The OIA dismissed this matter pursuant to section 150X(c)(ii) as inquiries confirmed that the Councillor was following advice given to the councillor about the procedure for managing conflicts of interest. Legislation which affected significant changes to the conflict of interest framework and the procedure to be followed commenced on 12 October 2020. The OIA considers that the advice was incorrect, and the public interest is best served in this case through training, rather than dealing with the matter on a disciplinary basis.	Not Available

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OIA Reference Number	Date of Complaint Section 150DZ(1)(a)	Summary of Complaint Section 150DZ(1)(b)	Why the complaint was dismissed Section 150DZ(1)(c)	Name of Councillor Section 150DZ(2)*
C/20/01107 C/21/00011 C/21/00042	22 December 2020 7 January 2020 24 January 2020	The OIA raised or received three complaints alleging that a Councillor chaired and voted on a matter related to the management of a second councillor's conflict of interest in relation to a particular agenda item when the first councillor also had a conflict of interest in relation to that agenda item. (The first councillor did not participate in the discussion or vote on the substantive agenda item).	The OIA dismissed this matter pursuant to section 150X(c)(ii) as inquiries confirmed that the Councillor was following advice given to the councillor about the procedure for managing conflicts of interest. Legislation which affected significant changes to the conflict of interest framework and the procedure to be followed commenced on 12 October 2020. The OIA considers that the advice was incorrect, and the public interest is best served in this case through training, rather than dealing with the matter on a disciplinary basis.	Not Available
C/20/00991	18 December 2020	A councillor self-referred a matter relating to alleged comments made on 27 October 2020 about a member of the public, after receiving correspondence from the member of the public's lawyer in relation to the same. The councillor disputes the comments were made in the form alleged.	The OIA has previously dismissed multiple complaints about the same matter with reasons. Consistently, no further action will be taken on this matter pursuant to section 150Y(b)(iii) of the <i>Local Government Act</i> .	Not Available

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OIA Reference Number	Date of Complaint Section 150DZ(1)(a)	Summary of Complaint Section 150DZ(1)(b)	Why the complaint was dismissed Section 150DZ(1)(c)	Name of Councillor Section 150DZ(2)*
C/20/00982 C/20/00985 C/20/00986 C/20/00987 C/20/00988 C/20/00989 C/20/00990	18 December 2020	It was alleged that one councillor had made comments about the complainant that were disparaging and or a threat to the complainant's well-being. It is alleged that the comments were made in the presence of other councillors who did not take issue with the comments.	<p>The OIA has previously considered and dismissed two identical complaints about the councillor who is alleged to have made the comments; including one from the same complainant in this matter.</p> <p>All of the current complaints were dismissed pursuant to section 150X(b) of the <i>Local Government Act 2009</i> (the Act) on the basis that the complaint was not made in good faith and or was vexatious.</p> <p>In this instance the complaint was made to council and referred to the OIA by council as required under the <i>Local Government Act 2009</i>. At the time of making the complaint the complainant was aware that the OIA had already received, assessed and dismissed a complaint about the councillor alleged to have made the comments.</p> <p>The complaint made to the council contained no new information in relation to the alleged comments and included information known by the OIA to be false and or misleading.</p> <p>The interpretation that a comment was a threat to the complainant's well-being was not considered to be a reasonable interpretation of the alleged comment.</p> <p>Given the OIA's decision to dismiss complaints in relation to the councillor who is alleged to have made the comments, it logically follows that the OIA does not</p>	<p>Greg Christensen Derek Swanborough Not Available Not Available Not Available Not Available Not Available</p>

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OIA Reference Number	Date of Complaint Section 150DZ(1)(a)	Summary of Complaint Section 150DZ(1)(b)	Why the complaint was dismissed Section 150DZ(1)(c)	Name of Councillor Section 150DZ(2)*
			consider that further action is warranted against councillors who were said to have been present for the comments. One of the councillors was in fact not present.	
C/20/00947	17 December 2020	It is alleged that at council's ordinary meeting on 14 December 2020, a councillor voted in favour of providing funding to a lobby group, despite half the council agreeing that the councillor should not take part in discussions because of a potential conflict of interest on their part.	The 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 on the part of the councillor. The councillor declared a declarable conflict of interest and left the meeting. In the councillor's absence, a majority of the remaining councillors (by deciding vote) passed a resolution to allow the councillor to participate in the meeting, notwithstanding the councillor's conflict of interest. This is a procedure for managing conflicts of interest available to eligible councillors pursuant to section 150ES (3)(b) of the Act.	Not Available

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OIA Reference Number	Date of Complaint Section 150DZ(1)(a)	Summary of Complaint Section 150DZ(1)(b)	Why the complaint was dismissed Section 150DZ(1)(c)	Name of Councillor Section 150DZ(2)*
C/20/00927	11 December 2020	<p>A councillor made the following comments about a member of the community; namely:</p> <ul style="list-style-type: none"> The person was, “born for facebook, a warrior with absolutely no accountability”. “the good news is that someone with such division won’t have a long life”, and <p>The complainant interpreted the latter comment as a threat to the safety of the person.</p>	<p>The OIA dismissed this matter pursuant to section 150X(c)(ii) of the <i>Local Government Act 2009</i> on the basis that further investigation of the complaint was an unjustifiable use of resources consistent with how the OIA dealt with an earlier identical complaint. One of the alleged comments was considered borderline inappropriate conduct however it was not considered a reasonable interpretation that it was the threat to the safety of a person. The comments were made in a closed group and not in a formal, open or public forum. The councillor disputed that the comments were reported accurately.</p>	Not Available
C/20/00754 C/20/00755	28 October 2020	<ol style="list-style-type: none"> It was anonymously alleged a councillor and a council officer met with a community organisation and threatened to obstruct their operations if they did not agree to a council proposal (C/20/00754). It was further alleged the councillor influenced the reporting arrangements for a council officer position (C/20/00754). It was alleged that a councillor told members of the community that they were directed by another councillor to agree with a decision relating to the community group (C/20/00755). 	<p>The OIA dismissed this matter pursuant to section 150X (b)(iii) of the <i>Local Government Act 2009</i> as lacking in substance. In its assessment of the anonymous complaint the OIA spoke to a council manager, who was nominated as organising/attending the relevant meeting with the councillor. The council officer did not support the allegation. In relation to the reporting arrangements for a council officer position. Inquiries identified that changes to reporting arrangements were put in place by council management and the councillor was not a party to that decision.</p>	Not Available

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			Due to the identified council manager's account, and the fact that the complaint was made anonymously, the third allegation could not be supported.	
C/20/00703	30 September 2020	That a Councillor has engaged in misconduct through their communication in email and written publications that were not factual and subsequently unfairly damaging to council.	The OIA dismissed this matter pursuant to section 150X(c)(ii) of the Local Government Act 2009 [the Act] as the statements made were more general and more specific statements are subject to investigation	Derek Swanborough
C/20/00664	15 September 2020	It is alleged that a Councillor made an election promise that residents would make substantial savings on their rates if the councillor was elected which has not been delivered to residents.	The OIA dismissed this matter pursuant to section 150X(a)(ii) 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. The OIA assessed the complaint and considered the relevant promise was made as an election candidate and not as a councillor. Conduct of election candidates is outside the jurisdiction of the OIA. The councillor contributed to media articles regarding rates, where the Councillor made the case for what the Councillor planned/hoped to achieve. However, such decisions are decisions of the local government, based on financial advice and not an individual councillor.	Derek Swanborough

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C/20/00580	7 August 2020	<p>It was alleged that a councillor</p> <ol style="list-style-type: none"> 1. was acting in a harassing manner towards staff and councillors 2. taking and getting work calls and emails on personal devices and email accounts 3. using RTI processes to access council information that was subsequently being reported in local media. 4. Made public commentary critical of council that was misleading on the basis it omitted relevant context and circumstances 	<p>After investigation, the OIA dismissed this matter pursuant to section 150X(c)(ii) of the Local Government Act 2009 as taking further action would be an unjustifiable use of resources.</p> <p>The complaint did not provide sufficient particulars to identify instances said to be misconduct so as to allow for detailed investigation to occur. The alleged misleading statements were only able to be investigated by conducting extensive and broad examinations not warranted in the circumstances.</p>	Derek Swanborough