

Councillor Conduct Register 2022-2023

Decision maker	Date of decision	Summary of complaint	Decision	Summary of the decision and reasons for the decision	Date of Complaint
Office of the Independent Assessor C/22/00475	12/07/2022	It was alleged that a councillor called neighbours of a business, unsolicited, to request they lodge complaints about the business. It was further alleged the councillor told the business a direction was given by council for the councillor to call the neighbours. It was also alleged the councillor informed neighbours the business would be closed down before the business was informed.	Complaint dismissed	The OIA dismissed this matter pursuant to section 150X(a)(ii) as the alleged conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. The councillor called a list of co-complainants on a matter raised with her and, based on advice from council's compliance staff, encouraged them to lodge their own complaints to the relevant section within council. The councillor had been notified in writing by a council officer that she could advise complainants of the outcome, before doing so.	12/08/2022
Office of the Independent Assessor C/22/00672	12/09/2022	It was alleged a councillor made a comment in a social media post that a person had mental health issues.	Complaint dismissed	The OIA dismissed this matter pursuant to section 150X(a)(ii) of the Local Government Act 2009 as the conduct complained about does not raise a reasonable suspicion of inappropriate conduct or misconduct. The OIA considered the conversations between the complainant and the councillor on Facebook. The councillor was amicably engaged in the social media posts with the complainant, until the conversation became a little heated. In response to one of the complainant's posts, the councillor did say the complainant appeared to have serious issues but did not reference mental health. While the comment was open to interpretation, the councillor's comments did not meet the threshold of inappropriate conduct or misconduct.	31/08/2022
Office of the Independent Assessor C/22/00434	12/09/2022	A councillor released information which they knew or should reasonably have known was confidential, in breach of section 171(3) of the Local Government Act 2009 (the Act), when they identified complainants in a Council compliance matter to the business owners subject of the complaint.	No further action	The OIA dismissed this matter pursuant to section 150Y(b)(i) of the Local Government Act 2009 as OIA investigators received conflicting versions from two parties to a conversation. There were no independent witnesses and no practical way to establish the veracity of either version.	01/07/2022

Office of the Independent Assessor C/22/00231	15/09/2022	Information received by the OIA from another government agency indicated a Councillor had failed to comply with the obligations imposed on them when they have a declarable conflict of interest by section 150EQ of the Local Government Act 2009 (the Act), and/or, the restrictions imposed by section 150EZ of the Act. It was suggested the declarable conflict of interest arose from a close personal relationship with a person involved with a property development project.	No further action	The OIA decided to take no further action pursuant to section 150Y(b) (iii) of the Local Government Act 2009 on the basis taking further action would be an unjustifiable use of resources because the person had only a minor involvement with the property development.	Unknown
Office of the Independent Assessor C/22/00780	02/12/2022	A councillor breached council's policy expenses reimbursement policy pertaining to council business-related vehicle use in 2022.	No further action	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.	11/10/2022
Office of the Independent Assessor C/22/00588	17/01/2023	It was alleged that a councillor breached the Acceptable Request Guidelines on three occasions.	No further action	After an 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 was reached on the basis of the nature of the requests, which were not fully captured in the Act or Council's Acceptable Request Guidelines. The requests were not assessed to reach the threshold of directions to council officers.	15/08/2022
Office of the Independent Assessor C/23/00170 C/23/00177 C/23/00178 C/23/00179	29/03/2023	It was alleged a councillor influenced a decision because of knowing the person involved.	Complaint dismissed	The OIA dismissed this matter pursuant to section 150X(a)(ii) of the Local Government Act 2009 (the Act) as the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. Enquiries made by the OIA found that the connections to the person involved do not reach the threshold of a close personal relationship within the meaning of the Act and would not constitute a conflict of interest.	15/03/2023

Office of the Independent Assessor C/19/00732, C/19/00734, C/19/00738, C/19/00763 & C/20/00481, C/20/00482 & C/20/00483	11/04/2023	It was alleged that on diverse dates between 2012 and 2017 (24 allegations), three councillors failed to declare a real or perceived conflict of interest during meetings of council wherein a party involved with the matter before council was a donor to the councillors' election campaigns.	Complaint dismissed	<p>The OIA decided to take no further action pursuant to section 150X(c)(ii) of the Local Government Act 2009 [the Act] on the basis that further action would be an unjustifiable use of resources on the basis of:</p> <ul style="list-style-type: none"> • The dates of the conduct • The time taken for a decision about [REDACTED] conduct. • The fact that the case against [REDACTED] was considered to be a stronger case. • The decision in relation to [REDACTED] operates to reinforce that the conflicts of interest should have been declared. 	30/08/2019; 5/09/2019; 3/07/2020
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