

Councillor Conduct Register

The purpose of this register is to record the decisions/outcomes of investigations against Councillors under the *Local Government Act 2009*.

The local government must keep an up-to-date Councillor Conduct Register about the following matters:

- Orders made about the unsuitable meeting conduct of Councillors at local government meetings;
- Decisions about suspected inappropriate conduct of Councillors referred to the local government;
- Decisions about whether or not Councillors have engaged in misconduct made by the Councillor Conduct Tribunal;
- Complaints about the conduct of Councillors dismissed by the Independent Assessor; and,
- Decisions to take no further action in relation to the conduct of Councillors investigated by the Independent Assessor.

In accordance with s150E(b), this Register is to be published on Council's website and available for inspection by the public at Council.

Reference Number	Date of Complaint	Summary of Complaint	Decision	Outcome
C/23/00510	04 September 2023	It was alleged a councillor engaged in misconduct by misusing information and sharing council records with other council employees.	<p>The OIA dismissed this matter pursuant to section 150X(a)(ii) of the Local Government Act 2009 as the information provided did not raise a reasonable suspicion of inappropriate conduct or misconduct by a councillor.</p> <p>On approaching the complainant for further information, the complainant declined to provide further information.</p>	Dismissed
C/23/00257	12 May 2023	It was alleged that Cr Guthrie was related to a person who was subject to a council decision and failed to properly deal with the conflict of interest.	<p>The OIA dismissed this matter pursuant to section 150X(a)(ii) of the Local Government Act 2009 on the basis that the complaint did not raise a reasonable suspicion of inappropriate conduct or misconduct.</p> <p>Enquiries made by the OIA confirmed that the councillor was not related to the person who was subject to the council decision.</p>	Dismissed
C/22/00750	04 October 2022	It was alleged that a councillor failed to declare a prescribed or declarable conflict of interest at a council meeting, failed to update their register of interests annually, and was involved in a recruitment process that was not transparent.	<p>After investigation, the OIA dismissed this matter pursuant to section 150X(a)(ii) of the Local Government Act 2009 [the Act] on the basis that:</p> <ol style="list-style-type: none"> 1. The councillor did not have a prescribed or declarable conflict of interest at the relevant council meeting; 2. The councillor had complied with their obligations, but Council had not updated Council's website accordingly; and 3. The recruitment process was authorised by majority council vote and the appointment made by majority council vote. 	Dismissed
C/22/00761	7 October 2022	It was alleged that a councillor misused their power by having a decision of council changed.	The OIA dismissed this matter pursuant to section 150X(a)(ii) of the Local Government Act as this complaint related to administrative decisions by council that would not fall within the OIA's jurisdiction.	Dismissed

C/22/00751	04 October 2022	It was alleged that a councillor failed to declare a declarable conflict of interest at a deputation and participated in the matter.	The OIA decided to take no further action pursuant to section 150Y(b)(iii) of the Local Government Act 2009. It was considered that the councillor did have a declarable conflict of interest, and should have complied with section 150EQ(3) but it could not be demonstrated that at the time of the briefing the councillor was aware of their declarable conflict of interest in the matter as required by section 150EQ(1)(b). It was further considered whether the councillor had breached section 150EZ; but taking into account the evidence of another councillor then present as to the subject councillor's participation, it was not considered a justifiable use of resources to further deal with this matter.	Dismissed
C/20/00890	04 December 2020	It was alleged that a councillor had engaged in misconduct by failing to adhere to the local government principles in relation to good governance of and by local government and councillor responsibilities to provide high quality leadership and to participate in council meetings, policy development and decision making for the benefit of the local government area in relation to Council's consideration of the Organisational Structure.	The OIA dismissed this matter pursuant to section 150X(c)(ii) of the Local Government Act 2009 due to other similar relevant matters already being dealt with, therefore, this complaint was considered to be an unjustifiable use of resources to proceed.	Dismissed.
C/20/00930	22 April 2020	It was alleged that a councillor failed to declare a conflict of interest at an ordinary meeting of council and may have committed acts of reprisal	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 Local Government Act 2009 (the Act) on the basis that taking further action would be an unjustifiable use of resources. It was considered that the facts of this case may have raised prejudgement or apprehended bias rather than a personal interest giving rise to a conflict of interest. Further, it was considered that there was no evidence amounting to acts of reprisal.	Dismissed
C/21/00058 C/21/00096	30 January 2021 & 09 February 2021	It is alleged that at a meeting of council, a document was handed out to councillors by a council officer. The document related to a senior officer's presentation that was taking place at the time. It is alleged a councillor was witnessed tearing up a copy of the document while the presenter was speaking. It is alleged the councillor's actions were disrespectful.	The OIA dismissed the two complaints pursuant to Section 150X(a)(i) of the Act, on the basis that the conduct is being referred to the chairperson of the relevant meeting as the appropriate entity to deal with the matter as unsuitable meeting conduct.	Dismissed

C/20/01002	22 December 2020	It is alleged a councillor engaged in misconduct by submitting mileage reimbursement claims from inaccurate mileage logbook records.	The OIA dismissed this matter pursuant to section 150X(a)(ii) of the Local Government Act 2009 [the Act] as inappropriate conduct or misconduct has not occurred. During an investigation, the OIA sought and analysed relevant council records and did not identify evidence that would support the allegation.	Dismissed.
C/19/00813	16-Feb-22	<p>It is alleged that a Councillor was misusing their powers by exercising their extra responsibilities in relation to the production of a budget, to progress their own interests to the detriment of Council.</p> <p>It is alleged that a Councillor released confidential information relating to the council budget.</p>	<p>Following 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. The councillors actions resulted in the production of two separate council budgets in circumstances where the councillor knew that the councillor support for the councillors budget. Over a two year period these actions put Council and council staff to significant extra effort and expense.</p> <p>However, it is accepted that the councillor was relying on a strict interpretation of sections 12(4)(b) and section 107A of the Act. In late 2019, the legislation was changed, and section 12(4)(b) was omitted to prevent this situation from arising in the future. The period for which the conduct was alleged preceded this change.</p> <p>Following 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 was due to proof of similar statements being in the public domain before preparation of budget documents.</p>	Dismissed
C/19/01060	26 July 2018	That a councillor failed to declare a material personal interest in the matter.	The OIA dismissed this matter pursuant to section 150X(c)(ii) as, following a full investigation and a consideration of a response provided by the councillor under section 150AAA, the OIA considered that it was not a justifiable use of resources to continue dealing with the matter as there would not be reasonable prospects of success if the matter were to be referred to the Councillor Conduct Tribunal.	Dismissed

C/21/00684 C/21/00685 C/21/00686 C/21/00687 C/21/00689 C/21/00669 C/21/00670	14 October 2021	It was alleged that a councillor engaged in misconduct when they acted outside their responsibilities at three Council Meetings.	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. During an investigation, it became apparent that the conduct related to suspected systemic capacity issues, which would be better dealt with through training in this instance. That training was provided by the Department of State Development, Infrastructure, Local Government and Planning on 2 November 2022.	Dismissed
C/18/00181	03 December 2018	It was alleged that on 23 September 2018 Councillor McMullen shared a post on Facebook titled "meanwhile at Council today", the contents of which could reflect negatively on the reputation of the Council and demonstrate a lack of respect for fellow councillors and members of staff – specifically Council staff.	Having considered all the information involved, including Councillor McMullen's response - I reasonably suspect, pursuant to section 150W(b), that the complaint involves inappropriate conduct and hereby refer the conduct to Council to Local Government to be dealt with under Chapter 5A, Part 3, Division 5 of the Act.	Details to provided on Council's website as required by Section 181A and Council's internal website for the information of employees.
C/20/00844	20 November 2020	It was alleged a Councillor had provided confidential information to a member of the public.	The OIA decided to take no further action pursuant to section 150Y(b) (ii) of the Local Government Act 2009 on the basis that, following enquiries, there is insufficient information to properly investigate the conduct.	Dismissed
C/21/00403	21 June 2021	It was alleged a Councillor had engaged in misconduct by attempting to influence a decision-maker while the Councillor had a conflict of interest in the relevant 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, following an investigation, it was determined the communications were not with a decision-maker for the relevant matter.	Dismissed
C/21/00039	22 January 2021	It was alleged a Councillor had engaged in misconduct by improperly dealing with Council funded legal advice including by delaying the provision of the advice to other relevant Councillors. <i>Councillor name included as requested by Cr McMullen.</i>	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, following an investigation, taking further action would be an unjustifiable use of resources.	Dismissed
C/20/01115	24 November 2020	It was alleged a Councillor had failed to correctly deal with a declarable conflict of interest in relation to a Council employee matter. <i>Councillor name included as requested by Cr McMullen.</i>	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, following an investigation, taking further action would be an unjustifiable use of resources.	Dismissed
C/19/00375	3 April 2019	It is alleged that a Councillor was directing and influencing council staff and conducting council business from his personal business.	Following an investigation and a natural justice process, 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 is on the basis that a key witness required to prove the matters has indicated that they are no longer willing to assist. This would mean that the OIA would have to conduct further enquires and/or obtain further evidence in	Dismissed

			a form required by the Councillor Conduct Tribunal. Given the age of these matters, the considerable work that has already undertaken on these matters and the public interest in diverting further resources, the OIA determined not to proceed further with these matters on the basis to do so would be an unjustifiable use of resources.	
C/19/00225,	25 February 2019	It is alleged that a Councillor was failing to participate in council meetings, policy development, and decision making for the benefit of the local government area.	Following an investigation and a natural justice process, 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 is on the basis that a key witness required to prove the matters has indicated that they are no longer willing to assist. This would mean that the OIA would have to conduct further enquires and/or obtain further evidence in a form required by the Councillor Conduct Tribunal.	Dismissed
C/21/00737, C/21/00740, C/21/00742, C/21/00743, C/21/00744, C/21/00741	3 November 2021	It was alleged that councillors instigated or allowed harassing and bullying behaviour towards an officer by voting in support of a motion in relation to an employment matter. <i>The following councillors requested their names be recorded in the register: Cr McMullen Cr Guthrie</i>	The OIA dismissed this matter pursuant to section 150X(a)(ii) of the Local Government Act 2009 (the Act) on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. The motion was consistent with the terms of the officer's contract of employment.	Dismissed.
C/19/00696	15 August 2019	It was alleged that a Councillor failed to deliver on their responsibilities under the section 12(4)(e) of the Act by not conducting a performance appraisal on the Chief Executive Officer at least annually, in a way that is decided by the local government.	Following an investigation, the OIA decided to take no further action pursuant to section 150Y(b)(iii) of the <i>Local Government Act 2009</i> (the Act) on the basis that taking further action would be an unjustifiable use of resources. This was due to the contractual agreement stipulating that the performance review was a joint requirement of all councillors.	Dismissed
C/21/00473	22 July 2021	It was alleged that a councillor failed to declare a conflict of interest in a matter before council in July 2021, in relation to the installation of security cameras in the CBD, being within a five-minute walk to the councillor's home which could benefit the councillor. <i>Councillor name included as requested by Cr O'Neil</i>	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 does not consider that the proposed installation of security cameras in a CBD area, which may be within a five-minute walk to the councillor's home could reasonably give rise to a conflict of interest.	Dismissed

C/21/00449, C/21/00450	8 July 2021	<p>It was alleged two councillors, Cr O'Neil and Cr Hancock, during a Council meeting in speaking against a motion, released information that they knew or should have reasonably known was confidential to Council.</p> <p><i>Councillor names included as requested by Cr O'Neil and Cr Hancock.</i></p>	<p>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</p> <p>In reviewing the comments of both councillors the OIA did not consider the information in those comments were confidential to Council as they did not disclose any specific details that could reasonably be considered to be confidential about the matters they were considering.</p> <p>The articulation of the concerns/risks by both councillors on the matter was consistent with the Local Government principles in section 4(1) of the Act - To ensure the system of local government is accountable, effective, efficient and sustainable and in section 4(2)(a), (b)&(d) of the Act – Local Government Principles</p> <ul style="list-style-type: none"> (a) Transparent and effective processes, and decision making in the public interest (b) Sustainable development and management of assets and infrastructure, and delivery of effective services and (e) Good governance of, and by, local government <p>The CEO has been requested to consider whether the recording of the relevant decision in the minutes accords with section 254H(1)(b) of the Local Government Regulations.</p>	Dismissed
C/21/00404	21 June 2021	<p>It was alleged that a councillor, Cr McMullen, with a declarable conflict of interest in a matter, attempted to influence or discuss the matter with another person or persons who is/are participating in a decision of the local government by asking whether the matter would be considered as part of the agenda.</p> <p>Cr name included as requested by Councillor McMullen</p>	<p>The OIA determined to take no further action, pursuant to section 150X(a)(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, given the subject councillor's limited involvement.</p>	Dismissed
C/20/00834	29 May 2020	<p>It was alleged that a councillor had threatened a member of the public and suggested that member of the public break a local by-law.</p>	<p>The OIA dismissed this matter pursuant to section 150X(a)(ii). Following an investigation into the matter, the OIA considered that the evidence available did not support a reasonable suspicion that the councillor had engaged in inappropriate conduct or misconduct.</p>	Dismissed
C/21/00102	11 February 2021	<p>It was alleged, a councillor directed council staff to dig two graves despite extenuating circumstances around why the graves could not be dug, due to safety reasons and the machines not being</p>	<p>The OIA dismissed this matter pursuant to section 150X(a)(ii) of the <i>Local Government Act 2009</i>, on the</p>	Dismissed

		able to get close to the site. That an agreement was made between council and the customers, however, the councillor told the customer that it could be done and then forced council's hand to do the job, at great expense to council.	<p>basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct.</p> <p>Based on the information from council, the decision appeared to have been made by the relevant council officer and not the councillor.</p> <p>The information indicated that the councillor attempted to discuss the matter with the CEO first and then sent a communication to all councillors and attempted to arrange a special meeting to discuss the matter presented by the family of the deceased.</p>	
C/21/00125	11 February 2021	<p>It was alleged, a councillor, Cr McMullen, directed council staff to dig two graves despite extenuating circumstances around why the graves could not be dug, due to safety reasons and the machines not being able to get close to the site. That an agreement was made between council and the customers, however, the councillor told the customer that it could be done and then forced council's hand to do the job, at great expense to council.</p> <p><i>Councillor name included as requested by Cr McMullen</i></p>	<p>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. Based on the information from council, the decision appeared to have been made by the relevant council officer and not the councillor.</p> <p>The councillor submitted a customer service request in writing for consideration by the appropriate council staff and the OIA considered that the language of the councillor's email was not directive.</p>	Dismissed
C/21/00078	8 February 2021	<p>It was alleged, a councillor engaged in inappropriate conduct as follows, during a council ordinary meeting:</p> <ul style="list-style-type: none"> the councillor referred to another councillor by their first name. the councillor had an unfair advantage as they sent a text message to two council officers during a council ordinary meeting. <p>The councillor singled out another councillor on a decision passed by a majority of councillors and then claimed the other councillor placed them in a situation on how to vote in relation to the organisation structure.</p>	<p>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 nature of the complaint was unclear. It appeared to relate in part to unsuitable meeting conduct which is outside of the OIA's jurisdiction. It is the responsibility of the chairperson of the meeting to deal with such conduct during the meeting.</p> <p>The complaint was made anonymously and therefore the OIA could not obtain a better understanding of what was being alleged.</p>	Dismissed
C/20/00341, C/20/00931	15 January 2021	<p>During a meeting of council on 22 April 2020, a councillor, Cr McMullen, dealt with a matter, namely a staff member's contract be terminated. At that time the councillor had a personal interest in the matter, namely that the staff member had referred a complaint about their conduct to the OIA. The councillor did not declare that personal interest; and</p> <p>That in the above action, the councillor breached section 150AW of the Act, namely taking reprisal against a protected person.</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 it would be an unjustifiable use of resources to investigate the matter further.</p> <p>An investigation by the OIA did not locate sufficient evidence to prove reprisal. In relation to the conflict of interest, it was considered that the councillor's interest in the matter at the time of the particular meeting on</p>	Dismissed

		<i>Councillor name included as requested by Cr McMullen.</i>	22 April 2020 was more borderline, when considering the test applied by the High Court of Australia in <i>Ebner v Official Trustee in Bankruptcy</i> [2000] HCA 63: whether a reasonable person might consider if the councillor was able to decide the matter in public interest.	
C/20/00912	17 December 2020	It was alleged a councillor undertook inquiries and obtained information from council on behalf of a resident re the mechanism for turning an overpayment of rates into a donation to council; without disclosing that the resident was the councillor's mother.	<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 when the matter was brought before Council the councillor declared an interest in the matter and did not participate in the discussion or the vote.</p> <p>The councillor has been reminded of the local government principles and the potential scope of the influence provision in section 175I of the <i>Local Government Act 2009</i>. (as it then was)</p>	Dismissed
C/20/00864 C/20/00865 C/20/00866 C/20/00867 C/20/00868 C/20/00878 C/20/00879 C/20/00880 C/20/00881	14 December 2020	<p>It was alleged that at Council's ordinary meeting on 11 November 2020, a councillor (C/20/00866 – Cr Guthrie) was against a proposal under agenda item LC.4 'Offer of Sale of Cinema to Council'. That the councillor was involved in nothing but 'gamesmanship'. That if under-hand tactics weren't deployed some of the councillors would have voted to purchase the property as they seemed to be in favour of providing this facility for the community.</p> <p><i>Councillor name included as requested by Cr Guthrie.</i></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 issue raised was high-level and did not clearly identify which councillor it was referring to. The complaint did not provide any specific information to support the claim.</p>	Dismissed
C/20/00864 C/20/00865 C/20/00866 C/20/00881	14 December 2020	<p>It was alleged that a councillor (C/20/00866 – Cr Guthrie) did not have permission to place election signs at the front of the cinema. This councillor declared a conflict of interest in agenda item LC.4 'Offer of Sale of Cinema to Council' at ordinary meeting on 11 November 2020.</p> <p><i>Councillor name included as requested by Cr Guthrie.</i></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 were no further details available for the OIA to further assess this conduct.</p>	Dismissed
C/20/00868 C/20/00878 C/20/00879 C/20/00880	14 December 2020	It was alleged that a councillor (C/20/00879 – Cr McMullen) who did not declare any conflicts in agenda item LC.4 'Offer of Sale of Cinema to Council' at ordinary meeting on 11 November 2020, needs to review their actions.	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	Dismissed

		<i>Councillor name included as requested by Cr McMullen.</i>	<p>misconduct.</p> <p>There was no explanation provided with this statement, however it referred to the conduct of two other councillors</p>	
C/20/00868	14 December 2020	<p>It is alleged that a councillor had a 'prescribed conflict' in agenda item LC.4 'Offer of Sale of Cinema to Council' at ordinary meeting on 11 November 2020.</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>It was noted that the OIA had dismissed a previous complaint from the same complainant about the councillor's interest, on the basis that OIA inquiries had established that the interest did not exist at the time of the meeting on 11 December 2020.</p>	Dismissed
C/20/00880	14 December 2020	<p>It was alleged that Cr Taylor had posted confidential information on Facebook, relating to the offer to sell the cinema to council.</p> <p><i>Councillor name included as requested by Cr Taylor</i></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 had dismissed an anonymous complaint made about the councillor's Facebook post as the information was already publicly available as part of council's published minutes of meeting.</p>	Dismissed
C/20/00834	20 November 2020	<p>It was alleged that Cr Taylor released information confidential to council about a council decision on social media.</p> <p><i>Councillor name included as requested by Cr Taylor</i></p>	<p>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 on the part of the councillor.</p> <p>The information that was posted by the councillor on social media was consistent with information that was already publicly available in previously published Council Minutes.</p>	Dismissed
C/20/00818	15 November 2020	<p>It was alleged that a councillor failed to declare a conflict of interest in relation to a matter before Council on 11 November 2020.</p>	<p>The OIA dismissed this matter pursuant to section 150X(a)(ii) of the <i>Local Government Act 2009</i>, as does not raise a reasonable suspicion of inappropriate conduct or misconduct.</p>	Dismissed

			At the time of the Council meeting on 11 November 2020, the councillor no longer had an interest in the matter.	
C/20/00836 C/20/00837 C/20/00838 C/20/00839	15 November 2020	It was alleged that five councillors (C/20/00837 – Cr Birkett) had a declarable conflict of interest in a matter which was before council on 11 November 2020. <i>Councillor name included as requested by Cr Birkett.</i>	The OIA dismissed this matter pursuant to section 150X(a)(ii) of the Local Government Act 2009, as does not raise a reasonable suspicion of inappropriate conduct or misconduct. The relevant meeting minutes indicate that each of the councillors had declared conflicts of interests in relation to the matter and left the room. However, because of the declarations made by majority of councillors, council resolved to delegate the decision to the CEO. This is consistent with the terms of the Act.	Dismissed
C/19/00796	20 September 2020	The complaint related to a facebook comment made against a media article concerning the complainant.	The OIA dismissed the complaint pursuant to section 150 X(a)(ii) on the basis that the comment was not made by a councillor and was therefore outside the jurisdiction of the OIA.	Dismissed
C/20/00659	11 September 2020	It was alleged that two councillors both owned, or had family that owned or had interests in, commercial buildings and recently voted in a Council meeting to have the commercial rates reduced by up to 65% and did not declare their personal interest.	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 within the meaning of the Act. As the making or levying of rates and charges, or the fixing of a cost recovery fee by the local government comes under the definition of an 'ordinary business matter', there was no requirement for a declaration to be made pursuant to either section 175C (material personal interest) or section 175E (conflict of interest) of the Act.	Dismissed
C/20/00610	20 August 2020	It was alleged that a Councillor failed to declare a conflict of interest, or alternatively a material personal interest, during the Budget Submissions and Financial Planning meeting on 11 August 2020 at item C4 Gas Tariff Subsidy for Local Business.	The OIA dismissed this matter pursuant to section 150X(a)(ii) as the conduct did not amount to inappropriate conduct or misconduct as the matter under consideration was an ordinary business matter and no requirement to declare a real or perceived conflict of interest or material personal interest existed	Dismissed
C/20/00387	1 June 2020	It was alleged that a Councillor, Cr Geoff McMullen, breached Council's policies including the <i>Works in Road Reserves</i> , <i>Construction of Roads for Access to Property</i> and <i>Register of Roads Policy</i> when Council considered an application made by a	The OIA dismissed this matter pursuant to section 150X(a)(ii) of the Local Government Act 2009 as the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct by a councillor. The	Dismissed

		resident for a permit to occupy an unnamed section of Road at meetings. <i>Councillor name included as requested by Cr McMullen.</i>	complaint related to an administrative decision by Council - which is outside the jurisdiction of the OIA.	
C/20/00330	14 May 2020	It was alleged that on Wednesday 6 May 2020, a secret meeting was held in the Council building to discuss the budget.	The OIA dismissed this matter pursuant to section 150X(a)(ii) of the Local Government Act 2009. There is an expectation that Councillors can and should meet to discuss matters as long as 'decisions' are not made outside of council meetings.	Dismissed
C/20/00226	25 March 2020	It was alleged a councillor posted on social media advice to voters on how to vote in the Council election.	The OIA dismissed this matter pursuant to section 150X(a)(ii) of the Local Government Act 2009 as the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. The OIA considered the Queensland Electoral Commission would be better placed to assess the conduct in their jurisdiction under the Local Government Electoral Act.	Dismissed
C/19/00814	30 September 2019	It was alleged that in a media interview a councillor, Cr Geoff McMullen, did not clearly and accurately explain Council's decision in relation to a budget decision, despite having the opportunity to do so. <i>Councillor name included as requested by Cr McMullen.</i>	The decision was to take no further action pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> . An OIA investigator reviewed the audio recording of the councillor's interview and it was clear that the councillor did preface their comments with words like 'in my opinion' and did not purport to speak on behalf of Council.	Dismissed
C/19/00796	20 September 2019	The complaint related to a facebook comment made against a media article concerning the complainant.	The OIA dismissed the complaint pursuant to section 150 X(a)(ii) on the basis that the comment was not made by a councillor and was therefore outside the jurisdiction of the OIA.	Dismissed
C/19/00437	23 April 2019	It is alleged a Councillor may have made a financial gain by claiming reimbursement for travel/air flight tickets purchased with personal funds. It is also alleged that this resulted in accumulating frequent flyer points to be used for personal use.	The Office of Independent Assessor (OIA) dismissed the complaint pursuant to Section 150X (a)(ii) of the Local Government Act 2009 [the Act]. A review of the Maranoa Regional Council Expenses Reimbursement Policy permits the use of personal funds for Council Business and provides for a claim for reimbursement in accordance with the policy. The policy does not prohibit the accumulation of frequent flyer points or specify how they should be used if accumulated while on Council Business. The OIA has recommended that Council review the Expenses Reimbursement Policy in relation to	Dismissed

			Frequent Flyer points and consider any associated policy implications for credit card use.	
C/19/00071- 73	30 July 2018	It was alleged that councillors misused their authority in the award of a council contract and showed favoritism towards personal friends, former councillors and lobbyists in exchange for public support.	The OIA decided to dismiss the complaint pursuant to Section 150X(a)(ii) on the basis that the conduct does not constitute inappropriate conduct or misconduct. The information available did not raise a reasonable suspicion of a conflict of interest between the subject councillors and the successful tenderer.	Dismissed