

Fraser Coast Regional Council
Councillor Complaints Register

Last Updated: 19 October 2020

Entered on Register	Reference number	Complaint Received	Details of Complaint (Inappropriate Conduct; misconduct; corrupt conduct)	Decision Authority (Mayor, CCC, IA, Other)	Parties advised of Outcome	Summary of Allegation	Outcome
19/10/2020	COM2020/21-0018 C/20/00718	08/10/2020	Inappropriate Conduct	Independent Assessor	19/10/2020	It was alleged that a councillor failed to maintain an accurate Register of Interests.	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 the ROI has been updated and taking further action would be an unjustifiable use of resources.
09/10/2020	COM2020/21-0014 C/20/00679	22/09/2020	Inappropriate Conduct	Independent Assessor	06/10/2020	It was alleged that a councillor made comments on Facebook that the complainant found distressing and insulting. That the councillor should have addressed comments made by people privately and not as a councillor.	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 noted that the comments about the councillor, which preceded the councillor's posts, were also made publicly and related to the councillor's role as an elected official. In those circumstances it was considered that the councillor was entitled to address those comments in the same forum. The councillor did not use abusive, obscene or threatening language.
16/07/2020	COM2020/21-0003 C/20/00471	05/07/2020	Inappropriate Conduct	Independent Assessor	16/07/2020	It was alleged that a councillor had failed to respond to an enquiry relating to a compliance issue for a business operating at a property zoned for residential.	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 within the meaning of the Act. Council is the appropriate body to deal with customer service complaints. While the complaint did not reach the threshold of inappropriate conduct of a councillor.
01/04/2020	COM2019/20-0082 C/20/00194	19/03/2020	Inappropriate Conduct	Independent Assessor	01/04/2020	It is alleged a Councillor used their Council email account to contact other candidates in the Fraser Coast Regional Council Local Government 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 email was not electoral material, a councillor is entitled to use their council email account, and the use of emails is not an additional cost to the Council and would not constitute a breach of Section 90D of the Act.
30/03/2020	COM2019/20-0081 C/20/00198	19/03/2020	Inappropriate Conduct	Independent Assessor	30/03/2020	It is alleged a councillor emailed members of the public and then posted a copy of that email on social media.	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 as councillor are entitled to use their council email accounts. The content of the email was not considered to constitute election material.

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09/10/2019	COM2017/18-161	05/06/2018	Inappropriate Conduct	Mayor	04/10/2019	It was alleged that a Councillor used a Council facility without paying the applicable fee. It was alleged that a Councillor appeared to make implied threats to a member of staff.	The delegated decision maker determined that the complaint was not sustained and no further action be taken.
09/10/2019	COM2017/18-160	04/06/2018	Inappropriate Conduct	Mayor	04/10/2019	It was alleged that a Councillor gave a direction to a staff member.	The delegated decision maker determined that the complaint was not sustained and no further action be taken.
23/09/2019	COM2017/18-131	15/03/2017	Inappropriate Conduct	Mayor	23/09/2019	It was alleged a councillor made inappropriate comments in the media and engaged in inappropriate actions relating to the CEO at the time.	It was not able to be established on the balance of probability that the allegations amount to inappropriate conduct and therefore no further action be taken.
21/08/2019	COM2019/20-005	11/07/2019	Misconduct	Independent Assessor	21/08/2019	It was alleged a councillor engaged in misconduct by directing council staff	The Office of the Independent Assessor delegate made the decision not to take any further action in relation to the complaint pursuant to section 150Y(b)(i) of the Local Government Act 2009 as further inquiry identified that it was a council employee with the same Christian name, and not the councillor who directed council staff.
10/07/2019	COM2017/18-110	13/12/2017	Inappropriate Conduct	Mayor's Delegate	10/07/2019	It is alleged the Councillor directed comments at another Councillor that failed to uphold the required standard of respect under the Code of Conduct.	The delegated decision maker determined that the complaint was not sustained as the conduct complained of did not amount to inappropriate conduct.
10/07/2019	COM2017/18-128	19/11/2016	Inappropriate Conduct against Cr Light	Mayor's Delegate	10/07/2019	Made inappropriate statements in the Fraser Coast Chronicle regarding the conduct of another Councillor.	Order reprimanding the Councillor for inappropriate conduct.
10/07/2019	COM2017/18-129	22/02/2017	Inappropriate Conduct	Mayor's Delegate	10/07/2019	It is alleged the Councillor, used the media to make negative personal comments about another Councillor during a television broadcast, in breach of the Code of Conduct.	The delegated decision maker determined that the complaint was not sustained as the conduct complained of did not amount to inappropriate conduct.
10/07/2019	COM2017/18-130	17/03/2017	Inappropriate Conduct against Cr Light	Mayor's Delegate	10/07/2019	Made inappropriate comments in a pod cast interview regarding the conduct of other Councillors which breached the Councillor Code of Conduct.	Order reprimanding the Councillor for inappropriate conduct.
01/07/2019	COM2018/19-065	15/10/2018	Inappropriate Conduct against Cr Hansen	Mayor	28/06/2019	Made inappropriate and offensive comments directed at members of the community on Facebook.	Order reprimanding the Councillor for inappropriate Conduct.
01/07/2019	COM2018/19-054	04/10/2018	Inappropriate Conduct against Cr Hansen	Mayor	28/06/2019	Made inappropriate and discriminatory comments and shared inappropriate and discriminatory material on Facebook in June 2018.	Order reprimanding the Councillor for Inappropriate Conduct.
25/06/2019	COM2018/19-186 C/19/00377	02/04/2019	n/a	Independent Assessor	25/06/2019	It is alleged that a councillor failed to comply with an order of the Councillor Conduct Tribunal.	The Office of the Independent Assessor decided to take no further action pursuant to Section 150Y(b)(iii) on the basis that taking further action would be an unjustifiable use of resources. It was accepted that the failure to comply was inadvertent and the councillor rectified their failure to at a subsequent council meeting.

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29/05/2019	COM2018/19-179 C/19/0027 (Independent Assessor)	04/12/2018	n/a	Independent Assessor	28/05/2019	It is alleged the councillor made inappropriate comments about not approving an extension to a lease unless a specific person was removed from a position held within the relevant committee.	The Office of the Independent Assessor decided to dismiss the complaint pursuant to Section 150X(a)(ii) on the basis that the conduct does not constitute inappropriate conduct or misconduct. Inquiries undertaken did not substantiate the allegation.
15/05/2019	COM2018/19-175 C/19/00432-433 (Independent Assessor)	29/04/2019	n/a	Independent Assessor	14/05/2019	It was alleged that Councillors refused to answer documentation from the complainant or attend face to face meeting with the complainant. It was further alleged that a Councillor made defamatory accusations in relation to the complainant.	The Independent Assessor decided to dismiss the complaint pursuant to Section 150X(b)(i). The complaint was deemed to be vexatious on the basis of the complainant's long-standing history of complaints to Council regarding various ongoing issues at the complainant's property which substantive complaints Council had responded to. Further, the documentation available in relation to alleged defamatory accusations made by a Councillor did not raise a reasonable suspicion of inappropriate conduct or misconduct.
03/04/2019	COM2017/18-115 C18/00259 and C18/00260 (Independent Assessor)	07/12/2018	n/a	Independent Assessor	02/04/2019	A member of Council misused their authority to benefit other(s) when they influenced the awarding of a contract to a business operated by a family member. A member of Council misused their authority to benefit other(s) when they influenced the awarding of a contract to a business operated by a colleague's family member.	The Office of the Independent Assessor conducted a full investigation into the allegations. The investigation concluded there was no evidence to support the allegation and no evidence or any inappropriate conduct or misconduct by either Councillor.
25/02/2019	COM2018/19-058 COM2018/19-062 COM2018/19-063 COM2018/19-064 F19/1397 (Councillor Conduct Tribunal)	15/10/2018	Misconduct against Cr Hansen	Councillor Conduct Tribunal	25/02/2019	Made inappropriate and offensive comments in a conversation on the Tobruk dive site on another Councillor's Facebook page in October 2018.	The Councillor Conduct Tribunal make the following order: Pursuant to Section 150AR(1)(b)(i) of the Act, the Tribunal orders that Cr Hansen make a public admission that the councillor engaged in misconduct, at an ordinary meeting of the Fraser Coast Regional Council within one month of the receipt of the notice of this determination. Actioned by Cr Hansen at Ordinary Meeting No. 3/19 on Wednesday, 27 March 2019.
14/02/2019	COM2018/19-133 C/19/00108 (Independent Assessor)	01/02/2019	n/a	Independent Assessor	14/02/2019	It was alleged that a councillor failed to comply with the Council's complaint management policy by not being transparent in assessing a formal complaint in relation to a council officer	The Office of the Independent Assessor delegate decided to take no further action on this complaint on the basis that they were satisfied that no inappropriate conduct or misconduct was identified and the complaint could reasonably be said to be vexatious as per Section 150Y(b)(i) of the Local Government Act 2009.

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-	F17/10521	01/08/2017	Misconduct against Cr Chapman	RCRP	16/04/2018	Removed a parcel addressed to another Councillor from their mailbox, photographed the contents and then sent these photographs to another Councillor.	The Local Government Regional Conduct Review Panel made the following orders: Allegation 1 - An order that the councillor be counselled about the misconduct, and how not to repeat the misconduct. - An order that the councillor make an admission of error or an apology to the next council meeting. Allegation 2 - An order that the councillor make an admission of error or an apology to the next council meeting. - A recommendation to the Department's chief executive officer to monitor the councillor for compliance with the Local Government Act (particularly s 176(3) and s 4). - An order that the councillor pay to the local government an amount of 10 penalty units with 50 percent of this amount to be paid on or before 30 July 2018 and the balance to be paid on or before 31 December 2018. Allegation 3 - An order that the councillor be counselled about the misconduct, and how not to repeat the misconduct. - An order that the councillor make an error of admission or an apology to the next council meeting.
-	F17/6757 C/17/0069	referral to tribunal by DILGP	Three counts of misconduct against Cr Loft	RCRP	12/12/2017	1. Has received three orders reprimanding him for inappropriate conduct within the one year (5/12/2016, 28/03/2017 and 8/9/2017). 2. Has received three orders reprimanding him for inappropriate conduct within the one year (28/03/2017, 8/9/2017 and 27/09/2017). 3. Misrepresented the Director-General's views to the councillors.	The Regional Conduct Review Panel orders that Cr Loft be counselled about his misconduct and how not to repeat the misconduct and that such counselling be provided as part of the ongoing counselling currently underway with the Department. This counselling should specifically address how Cr Loft can fulfil the responsibilities of his role without breaching the Code of Conduct.
-	DGBN17/1172	01/12/2016	Inappropriate conduct against Cr Loft	DILGP	07/11/2017	Publicly criticising the previous CEO between January and March 2016.	The Director General issued two orders 1. Reprimand 2. Any repeat of the inappropriate conduct, that being public criticism of employees of the council, be referred to the Local Government Remuneration and Discipline Tribunal as misconduct.
-	DGDN17/1166	11/04/2017	Inappropriate conduct against Cr Loft	DILGP	06/11/2017	Made comments about previous CEO expenditure of funds in relation to the sports precinct in April/May 2017	No further action be taken in relation to the complaint.
-	DGBN17/1164	13/02/2017	Inappropriate conduct against Cr Loft	DILGP	02/11/2017	Made inappropriate and offensive comments to a Councillor in a briefing session in February 2017.	No further action be taken in relation to the complaint.
-	DGDN17/1611	01/12/2016	Inappropriate conduct against Cr Loft	DILGP	01/11/2017	Spoke on radio and criticised a number of Councillors in November 2016. Did not comply with the Public Interest Disclosure Policy in December 2016.	The Director General issued two orders 1. Reprimand 2. Any repeat of the inappropriate conduct of this nature will be referred to the Local Government Remuneration and Discipline Tribunal as misconduct.

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-	DGDN17/1611	01/12/2016	Inappropriate conduct against Cr Loft	DILGP	01/11/2017	Made provocative and offensive statements about the previous CEO. Publicly denigrating fellow Councillors in an open letter dated 28 November 2016.	No further action be taken in relation to the complaints as previous orders have been made.
-	DGBN17/888 3374291 3374293	15/05/2017	Inappropriate conduct against Cr Loft	DILGP	28/09/2017	Statements made to local media on two occasions (3/11/2016 and 1/12/2016) critical of Council's then CEO Lisa Desmond	The Director General issued two orders 1. Reprimand 2. Any repeat of the inappropriate conduct of this nature will be referred to the Regional Conduct Review Panel as misconduct.
-	DGBN17/995 3362273	26/06/2017	Inappropriate conduct against Cr Loft	DILGP	09/09/2017	Email to local media critical of Council report and Council staff	The Director General Issued two orders 1. Reprimand 2. Any repeat of the inappropriate conduct of this nature will be referred to the Regional Conduct Review Panel as misconduct.
-	F17/1777	16/12/2016	Misconduct against Cr Loft	DILGP	06/09/2017	Disclosed to external parties confidential information concerning the CEO employment contract	The Tribunal orders: 1. That Cr Loft pay a monetary penalty of \$1,000 2. That Cr Loft make a public apology for his misconduct at the next open meeting of Council he attends.
-	F17/1943	referral to tribunal by DILGP	Misconduct against Cr Loft	DILGP & RCRP	30/07/2017	Repeated inappropriate conduct (3 orders made within a year) which is taken to be misconduct	The panel orders 1. That Cr Loft be counselled on misconduct for a period of up to 6 months. 2. That Cr Loft make a public apology for his misconduct at the next open meeting of Council. 3. That Cr Loft pay a monetary penalty of \$1,500 to the Council within three months of date of this Order (by 26 October 2017).
-	3375909	09/06/2017	Inappropriate Conduct against Cr Chapman	Mayor	11/07/2017	Release of private information relating to Councillors and CEO.	Reprimand.
-	3315841	received by DILGP directly	Inappropriate Conduct against Cr Loft	DILGP	28/03/2017	Gave directions to a Council Officer beyond his powers regarding access to CEO mailbox.	1. Reprimand; 2. any repeat of the inappropriate conduct be referred to the Regional Conduct Review Panel as misconduct.
-	DGBN16/135 F17/558	20/01/2017	Inappropriate Conduct against Cr Light	Mayor		Was involved in four matters of inappropriate conduct arising from failure to comply with Council procedures as follows: 8/1/16 - failed to access Council information in prescribed manner; 20/1/16 - failure to give notice of documents to be tabled and questions to be raised re those documents; 20/1/16 - failure to respect fellow Councillors; 4/2/16 - criticised CEO, Mayor and Council in TV interview.	No disciplinary action taken by the Mayor (refer misconduct complaint against Cr Loft 8/05/17).
-	F17/558 & DEPN17/30 3381674	16/12/2016	Misconduct against Cr Loft	DILGP & RCRP	08/05/2017	Failed to consider and act on four inappropriate conduct findings against Councillor Light.	The Panel orders the complaint dismissed as misconceived.
-	F16/16187	09/12/2016	Misconduct against Cr Loft	DILGP & RCRP	29/06/2017	Attempted to influence and direct a Fraser Coast Tourism and Events (FCTE) employee to covertly provide him with information.	The Panel orders: 1. the employee be provided a written apology; 2. the Acting General Manager FCTE be provided a written apology; 3. the Chairman FCTE be provided a written apology; 4. an apology be provided to the Council at its next meeting.
-	3250882	01/12/2016	Inappropriate Conduct against Cr Loft	DILGP	-	Issued media statement publicly criticising Councillors.	1. Reprimand; 2. any repeat of the inappropriate conduct be referred to the Regional Conduct Review Panel as misconduct.

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-		31/05/2016	Misconduct against Cr Chapman	DILGP & RCRP	23/11/2016	Failure to declare conflict of interest.	The Panel orders: 1. to be counselled about misconduct; 2. make an admission of error to the next Council meeting relating to the need for understanding the importance of perceived conflicts of interest when operating in the public domain.
-		05/05/2016	Inappropriate Conduct against Cr Loft	DILGP	25/07/2016	Engaged in public criticism of Councillors in a Council meeting on 4 May 2016.	1. Reprimand; 2. any repeat of the inappropriate conduct of public criticism of Councillors Taylor and Sanderson when they have properly declared and dealt with a conflict of interest, be referred to a Regional Conduct Review Panel as misconduct.
-		15/11/2015	Inappropriate Conduct against Cr Everard	DILGP	12/05/2016	Created emails that were not factual and sent to the media.	Reprimand.
-		28/03/2015	Inappropriate Conduct against Cr Everard	Mayor	29/04/2015	Disclosed content of an email without approval	1. written apology to the complainant; 2. undertake training in the Code of Conduct for Councillors and the Queensland Information Privacy Act.
-	DGBN14/1402	7/06/2014 and 23/6/2014	Inappropriate Conduct against Cr Taylor	DILGP	-	Publicly criticising another Councillor.	Reprimand.
-		27/02/2014	Inappropriate Conduct against Cr Loft	Mayor	-	Disclosed information relating to a vacancy prior to position being publically advertised.	1. reprimand and apology to the complainant; 2. any repeat of the inappropriate conduct to be referred to the Department's Chief Executive as misconduct.
-		27/02/2014	Inappropriate Conduct against Cr Loft	Mayor	-	Sent email to external recipients re removal of tourism brochures	1. reprimand and apology to the complainant; 2. any repeat of the inappropriate conduct to be referred to the Department's Chief Executive as misconduct.
-		20/03/2012	Inappropriate Conduct against Cr Dagleish	Mayor	-	Made false statements relating to health of an election candidate.	1. reprimand and apology to be made to complainant. 2. any repeat of the inappropriate conduct to be referred to the Department's Chief Executive as misconduct.