

PUBLIC REGISTER COUNCILLOR COMPLAINTS

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
07/02/2024	C/23/00721	05/12/2023	Misconduct	Independent Assessor	05/02/2024	It was alleged a councillor breached the Code of Conduct for Councillors in Queensland in their use of Social Media.	The OIA dismissed this matter pursuant to section 150X(c)(ii) of the Local Government Act. On the basis that further dealing with the complaint would be an unjustifiable use of resources.
22/11/2023	CCT Ref: F21/13065 OIA Ref: C/19/01026	01/03/2021	Misconduct	Councillor Conduct Tribunal	21/11/2023	It is alleged that on 5 March 2021, Councillor James engaged in misconduct as defined in section 150L(1)(b)(i) of the Local Government Act 2009 (the Act), in that his conduct involved a breach of the trust placed in him as a councillor, either knowingly or recklessly, in that the conduct was inconsistent with local government principle 4(2)(c), being 'democratic representation, social inclusion and meaningful community engagement' and the responsibility of a councillor in section 12(3)(b) to provide high quality leadership to the local government and to the community.	The Tribunal has decided pursuant to s150AQ(1) that Councillor James Hansen has engaged in misconduct and has decided to make the following orders: a.Pursuant to section 150AR(1)(b)(ii) of the Act, Councillor Hansen is reprimanded; b.Pursuant to section 150AR(1)(b)(v) of the Act, that Councillor Hansen reimburse the local government for \$1,500 representing some of the costs arising from the councillor's misconduct.
14/11/2023	C/23/00650 C/23/00653	03/11/2023	Inappropriate Conduct/ Misconduct	Independent Assessor	14/11/2023	It was alleged a councillor used council resources for campaigning and personal gain by leaving a council pamphlet and business cards while door knocking.	The OIA dismissed this matter pursuant to section 150X(a)(ii) of the Local Government Act (the Act). On the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. Leaving business cards and council pamphlets is a standard and legitimate practice that is well within the boundaries of appropriate conduct for an elected official. This type of conduct may only be prohibited during a caretaker period as defined by section 90A of the Act. This period has not yet commenced.
06/11/2023	C/23/00632	27/10/2023	Inappropriate Conduct	Independent Assessor	03/11/2023	It was alleged a councillor breached the Code of Conduct for Councillors in Queensland by misleading the public and defaming a member of the public.	The OIA dismissed this matter pursuant to section 150X(b)(iii) as the complaint is lacking in substance. On the basis that the complainant stated that they neither possessed any evidence nor were they willing to share specific details.
29/09/2023	C/23/00566	27/09/2023	Inappropriate Conduct	Independent Assessor	29/09/2023	It was alleged a councillor engaged in inappropriate conduct when they wore a badge and made comments in relation to an upcoming national referendum.	The OIA dismissed this matter pursuant to section 150X(a)(ii) of the Local Government Act 2009 as the Councillor's actions are not inappropriate conduct or misconduct. All citizens have the right to express a view on current issues and it is appropriate for a councillor to foster awareness and engagement in the upcoming referendum.

22/09/2023	C/23/00501	30/08/2023	Inappropriate Conduct/ Misconduct	Independent Assessor	21/09/2023	It was alleged that a councillor attempted to influence a decision by another council for a matter in which the councillor had a conflict of interest.	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 chapter in the Act relating to conflicts of interest does not apply to a councillor seeking to influence the decision making of a different council.
07/09/2023	MBN23/809	n/a	Misconduct	Governor in Council	07/09/2023	Regarding the Councillor Conduct Tribunal's recommendation that the Minister suspend Cr Hansen from public office for a period of not less than one calendar month.	The Governor in Council has now considered the Minister's recommendation that Cr Hansen be suspended from office and today has made the <i>Local Government (Fraser Coast Regional Council - Suspension of Councillor) Amendment Regulation 2023</i> (the Regulation) which provides that from tomorrow, 8 September 2023, Cr Hansen is suspended from office as a councillor of the Fraser Coast Regional Council for one month with pay. The suspension will be in effect for one month, until the end of 7 October 2023.
04/08/2023	F21/4770 C/20/00563; C/20/00566; C/20/00599; C/21/00088 and C/21/00139	Various dates	Misconduct	Councillor Conduct Tribunal	04/08/2023	Allegation One It is alleged that between 31 July 2020 and 27 February 2021, Councillor James Hansen, a councillor of the Fraser Coast Regional Council, engaged in misconduct as defined in section 150L(1)(b) (i) of the Local Government Act 2009 (the Act), in that his conduct involved a breach of the trust placed in him as a councillor, either knowingly or recklessly, in that it was inconsistent with local government principle 4(2)(c), being 'democratic representation, social inclusion and meaningful community engagement', the councillor's responsibility to provide 'high quality leadership to the local government and community' (section 12(3)(b) of the Act) and the Code of Conduct for Councillors in Queensland, adopted on 4 August 2020. Allegation Two It is alleged that between 16 January 2021 and 26 January 2021, Councillor James Hansen, a councillor of the Fraser Coast Regional Council, engaged in misconduct as defined in section 150L(1)(b) (i) of the Local Government Act 2009 (the Act), in that his conduct involved a breach of the trust placed in him as a councillor, either knowingly or recklessly, in that it was inconsistent with local government principle 4(2)(c), being 'democratic representation, social inclusion and meaningful community engagement', the councillor's responsibility to provide 'high quality leadership to the local government and community' (section 12(3)(b) of the Act), and the Code of Conduct for Councillors in Queensland, adopted on 4 August 2020.	The Tribunal has decided pursuant to section 150AQ(1) of the Act that Councillor Hansen has engaged in misconduct and has decided to make the following orders: 1. Pursuant to section 150AR(1)(b)(ii) of the Act that Councillor James Hansen is reprimanded. 2. The Tribunal also makes a recommendation pursuant to section 150AR(1)(b)(xi) of the Act that the Minister suspend Councillor James Hansen from office for not less than one (1) calendar month.

						<p>Allegation Three</p> <p>It is alleged that between 29 January 2021 and 4 February 2021, Councillor James Hansen, a councillor of the Fraser Coast Regional Council, engaged in misconduct as defined in section 150L(1)(b)(i) of the Local Government Act 2009, in that his conduct involved a breach of the trust placed in him as a councillor, either knowingly or recklessly, in that it was inconsistent with local government principle 4(2)(c), being 'democratic representation, social inclusion and meaningful community engagement', the councillor's responsibility to provide 'high quality leadership to the local government and community' (section 12(3) (b) of the Act), and the Code of Conduct for Councillors in Queensland, adopted on 4 August 2020.</p>	
04/08/2023	C/23/00428	19/07/2023	Inappropriate Conduct	Independent Assessor	01/08/2023	<p>It is alleged a councillor has engaged in inappropriate conduct towards a resident by ignoring the residents request to have a charge levied under councils Revenue and Local Law removed.</p>	<p>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. Council advised it had been contacted by the resident on multiple occasions about the charge and that it had responded to those enquiries.</p> <p>The OIA noted that it is not the role of councillors to be involved in operational matters and the complainant should be dealing with relevant council officers.</p>
07/07/2023	C/23/00129 COM2022/23-064	03/03/2023	Inappropriate Conduct	Council	07/07/2023	<p>It was alleged Councillor Hansen breached section 150K(1)(a) of the Local Government Act 2009 (the Act) when he failed to carry out his responsibilities conscientiously and in the best interests of Council and the community by not attending meetings of external committees that he had been appointed to.</p>	<p>The OIA referred this matter to Council pursuant to section 150W(1)(b) of the Local Government Act 2009 (the Act) as the matter was reasonably suspected to be inappropriate conduct.</p> <p>Pursuant to 150AG(1)(a) of the Act, Council determined, on the balance of probabilities, that Councillor James Hansen has engaged in inappropriate conduct as per section 150AG(1)(a) of the Local Government Act in relation to the allegation that Cr Hansen has breached the behavioural standard in the Code of Conduct for Councillors in Queensland.</p> <p>The Council decided that even though Councillor Hansen has engaged in inappropriate conduct, as per section 150AH(1)(a) of the Local Government Act that no action be taken against the Councillor.</p>

21/06/2023	C/23/00313, C/23/00324 & C/23/00326	27/05/2023	Inappropriate Conduct	Independent Assessor	21/06/2023	It was alleged a councillor posted offensive material on their Facebook page.	<p>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 council resources.</p> <p>The material was a clip of old Australian television footage and while that footage is likely to be offensive to many who viewed it today, the footage and the manner it which was shared suggested that further dealing with this matter was not a justifiable use of resources.</p>
16/03/2023	C/23/00121	28/02/2023	Inappropriate Conduct	Independent Assessor	15/03/2023	It was alleged a councillor engaged in inappropriate conduct in relation to an information privacy breach.	<p>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.</p> <p>The OIA was advised by the complainant that the complaint did not relate to the councillor's conduct but rather council's handling of their information.</p>
01/03/2023	C/23/00103	21/02/2023	Inappropriate Conduct/Misconduct	Independent Assessor	01/03/2023	<p>A councillor was alleged to have made fun of another councillor at an ordinary meeting of council.</p> <p>It was further alleged the councillor made disrespectful social media posts.</p>	<p>The OIA dismissed this matter pursuant to section 150X(a)(ii) of the Local Government Act 2009 as the conduct is not inappropriate conduct or misconduct within the meaning of the Act.</p> <p>The comments made by a councillor at an ordinary meeting of council are the responsibility of the meeting chair to address if they were considered to amount to unsuitable meeting conduct.</p> <p>The social media posts were in the form of personal views on a topic, did not identify another councillor and did not meet the threshold of inappropriate conduct.</p>
28/02/2023	C/22/01173 C/22/01175 COM2022/23-043	22/12/2022	Inappropriate Conduct/Misconduct	Independent Assessor	17/02/2023	It was alleged that a councillor made comments on social media about recent police shootings that advocated or supported discredited conspiracy theories and were disrespectful to those who had lost their lives.	<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 Councillor disputed making the comments.</p> <p>Further the comments posted, while they may have been objectionable to many in the community, did not fall into the category of comments that were discriminatory based on race, gender or religion.</p>

15/02/2023	C/23/00067 COM2022/23-056	03/02/2023	Misconduct	Independent Assessor	14/02/2023	It is alleged a councillor has engaged in misconduct by making decisions on matters that have been influenced by resident and close friend of the councillor.	<p>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.</p> <p>OIA enquiries established that while the councillor had been approached by a resident in relation to the council business over an extended period of time there was no personal relationship and the councillor had not intervened in operational level decision-making on behalf of the resident.</p>
07/02/2023	C/22/00787 COM2022/23-026	04/11/2022	Inappropriate Conduct	Council	06/02/2023	It was alleged a councillor made a derogatory comment on the Fraser Coast Regional Council's Facebook page about a council employee, and that this conduct breached the <i>Code of Conduct for Councillors in Queensland</i> .	<p>The OIA referred this matter to Council pursuant to section 150W(1)(b) of the <i>Local Government Act 2009</i> (the Act) as the matter was reasonably suspected to be inappropriate conduct.</p> <p>Pursuant to 150AG(1)(a) of the Act, Council determined, on the balance of probabilities, that the allegation that on or about 25 September 2022 Councillor James Hansen, a Councillor of the Fraser Coast Regional Council, engaged in inappropriate conduct as defined in section 150K(1)(a) of the Local Government Act 2009 (the Act) in that his conduct involved a breach of the behavioural standards in the Code of Conduct for Councillors in Queensland has been sustained.</p> <p>Having found that the councillor engaged in inappropriate conduct, the Council made the following orders pursuant to section 150AG(1)(b) of the Act:</p> <p>a) An order reprimanding Councillor Hansen for the conduct; and b) An order that if Councillor Hansen engages in any further instance of inappropriate conduct relating to the use of social media, it will be treated as misconduct.</p>
29/11/2022	C/22/00833	18/11/2022	Inappropriate Conduct	Independent Assessor	28/11/2022	It was alleged a councillor did not respond when a resident wrote to them about an ongoing issue.	The OIA dismissed this matter pursuant to section 150X(a)(ii) of the Local Government Act (the Act) as the matter was an operational issue and the councillor was aware the CEO was dealing with the issue.
12/09/2022	C/22/00569	09/08/2022	Misconduct	Independent Assessor	12/09/2022	It is alleged a Councillor failed to update their register of interests in the approved form within 30 days of the end of the financial year.	<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>The decision was made after considering that the councillor promptly submitted their register of interests annual confirmation form shortly after the deadline and no changes were evident in their register.</p>

24/08/2022	C/22/00579 COM2022/23-014	11/08/2022	Inappropriate Conduct	Independent Assessor	23/08/2022	It was alleged a councillor failed to provide their updated Register of Interest on the approved form within the required 30 day period.	<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>The councillor had advised there was no change to their register within the 30 days but due to a weekend, provided the Register notice 2 days over the required date.</p>
09/06/2022	C/22/00350	30/05/2022	Inappropriate Conduct	Independent Assessor	08/06/2022	It was alleged that a councillor breached the Code of Conduct for Councillors in Queensland and engaged in inappropriate conduct when making public comments on social media.	<p>The OIA dismissed this matter pursuant to section 150X(c)(ii) of the Local Government Act 2009 (the Act) as I am satisfied that further dealing with the complaint or information would be an unjustifiable use of resources.</p> <p>The OIA also noted that other similar matters relating to the councillor's conduct were already being dealt with.</p>
17/05/2022	C/22/00268	03/05/2022	Inappropriate Conduct	Independent Assessor	16/05/2022	It is alleged a councillor had engaged in misconduct in a meeting of council when the councillor failed declare a conflict of interest in a matter relating to an agenda item.	<p>The OIA dismissed this matter pursuant to section 150X(c)(ii) of the Local Government Act 2009 as I am satisfied that further dealing with the complaint or information would be an unjustifiable use of resources.</p> <p>The matter before council was to ask council officers to provide a recommendation report which may in the future raise a declarable conflict of interest.</p> <p>The councillor has been advised that when the report is provided to council in the future, that they should consider declaring a conflict of interest at that time if the options advanced by the report may cause a reasonable person to consider that the councillor might not make a decision in the public interest.</p>
05/05/2022	C/22/00216	11/04/2022	Inappropriate Conduct	Independent Assessor	05/05/2022	It was alleged a Councillor was emailing a developer during an Ordinary Council Meeting in which the developer had a live application.	<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>The applicant prompted the communication by sending an email to all councillors just prior to the relevant meeting. One councillor responded to the email to clarify some issues. All communications were through council's email system and were, therefore, captured as 'public records' as defined by the Public Records Act 2002. Council's Standing Orders do not address communications between councillors and developers in such circumstances. A recommendation has been provided to council to consider reviewing the standing orders to clarify council's expectations in this regard.</p>

28/03/2022	C/22/00127	03/03/2022	Inappropriate Conduct	Independent Assessor	25/03/2022	It was alleged that a councillor took photographs of businesses that were affected by the recent floods and posted them to social media. It was alleged the councillor may have used their position as an elected member to gain access to the restricted site and the photographs shared sent the wrong message about the businesses.	<p>The OIA dismissed this matter pursuant to section 150X(c)(i) of the Local Government Act 2009 (the Act) on the basis that further dealing with the complaint would not be in the public interest.</p> <p>There had been a resolution reached in relation to this complaint which was initially raised with Council and the complainant advised the OIA they were satisfied with a response from council. It was also noted that since the matter was referred to the OIA, the photographs that the complainant took objection to had been removed from social media by the councillor.</p>
04/03/2022	C/22/00106	22/02/2022	Inappropriate Conduct	Independent Assessor	04/03/2022	It is alleged a councillor breached a policy of council.	The OIA dismissed this matter pursuant to section 150X(a)(ii) as no council policy was identified that was breached by identified conduct.
16/02/2022	COM2021/22-047 C/22/00070	03/02/2022	Inappropriate Conduct	Independent Assessor	15/02/2022	It was alleged that a councillor made inappropriate comments in an email response to a resident who had requested a meeting with the councillor to discuss concerns of residents in the local area.	<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>The councillor's comments were considered inappropriate in responding to a constituent/s who were seeking assistance from council on a matter affecting local residents and relevant to council business. However, given the receipt of a large number of other complaints involving conduct by the councillor of a similar or more significant nature, it would not be a justifiable use of resources for the OIA to proceed with this particular matter. It was noted that in this instance the councillor had indicated that it was their personal view and that council itself would continue to deal with the concerns of the residents.</p>
13/01/2022	COM2021/22-039 C/21/00887	21/12/2021	Inappropriate Conduct/Misconduct	Independent Assessor	12/01/2022	It was alleged that a councillor failed to declare a conflict of interest in relation to a matter before council, which the complaint raised could be detrimental to a development company. It was alleged the councillor would have an interest in the matter because they hold a position in a company that is also a developer in Queensland.	<p>The OIA dismissed this matter pursuant to section 150X(a)(ii) of the Local Government Act 2009 on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct.</p> <p>The nature of the councillor's alleged interest would not be sufficient to raise a conflict of interest in relation to the matter before council. A councillor who has or may have a registered development company would not automatically have a declarable conflict of interest in matters before council relating to applications by other developers unless there is a specific connection between the two.</p>

09/12/2021	COM2021/22-038 F19/9759	29/11/2019	Misconduct against Cr Hansen	Councillor Conduct Tribunal	06/12/2021	The Tribunal conducted a hearing to determine whether Councillor Hansen had engaged in misconduct arising from the comments he posted on his private Facebook profile regarding two consecutive terrorist mass shootings that occurred at the Noor Mosque and the Linwood Islamic Centre in New Zealand in March 2019.	<p>The Tribunal determined on the balance of probabilities, that the allegation, that on a date unknown between 14 March 2019 and 19 March 2019 Councillor James Hansen a Councillor of the Fraser Coast Regional Council, engaged in misconduct as defined in section 150L(1)(b)(i) of the Local Government Act 2009(the Act) in that his conduct involved a breach of the trust placed in him as a councillor, either knowingly or recklessly in that it was inconsistent with local government principle in 4(2)(c) of the Act, being 'democratic representation, social inclusion and meaningful community engagement' has been sustained.</p> <p>Having found that the councillor engaged in misconduct, the Tribunal makes the following orders :</p> <p>a) An order reprimanding the Councillor pursuant to section 150AR(1)(b)(ii) of the Act; and b) That the Councillor attend training to address the specific conduct which was the subject of the allegation pursuant to section 150AR(1)(b)(iii).</p> <p>Recommendation: The Tribunal recommends the training required by this order be in-service training to be arranged by the Local Government Division (Governance and Capability) within the Department of State Development Infrastructure, Local Government and Planning within 90 days or at the earliest available opportunity after that time period.</p>
03/11/2021	C/21/00671 C/21/00672 C/21/00673 C/21/00674 C/21/00675 C/21/00676 C/21/00677 C/21/00678 C/21/00679 C/21/00680 C/21/00681	14/10/2021	Inappropriate Conduct; Misconduct	Independent Assessor	02/11/2021	It was alleged that a councillor breached the trust placed in them as a councillor in that they failed to act on information reported to them in February 2021 that council officers provided false and misleading information to council in relation to a matter being considered by council.	<p>The OIA dismissed this matter pursuant to section 150X(b)(i) of the Local Government Act 2009 (the Act) on the basis that the complaint was frivolous, vexatious or improper.</p> <p>It was noted this complaint was directly related to a previous complaint by the same complainant which was dismissed by the OIA as it did not constitute inappropriate conduct or misconduct within the meaning of the Act.</p> <p>The issues raised are related to decisions made by council as an organisation and not by an individual councillor.</p> <p>The complainant had been advised by council in February 2021 and by the OIA in September 2021 that complaints about council decisions are dealt with by the Queensland Ombudsman if an outcome from council on the matter was not to their satisfaction.</p>
27/09/2021	COM2021/22-0020 C/21/00632	14/09/2021	Inappropriate Conduct; Misconduct	Independent Assessor	24/09/2021	It was alleged that a councillor has failed to demonstrate leadership and meet their obligations under the Act, by failing to deal with council officers having misled council decision making. It was alleged the decision made has maintained a local community unsustainable and the councillor has failed to remedy the situation.	<p>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 complaint referred to the performance and conduct of the councillor, however the issues raised related to a matter decided by council as a body and not by the councillor alone.</p>

14/09/2021	COM2021/22-0013 C/21/00547	19/08/2021	Inappropriate Conduct	Independent Assessor	09/09/2021	It was alleged that a councillor's proposed notice of motion in a council agenda paper contained false or misleading information that related to a development.	The OIA dismissed this matter pursuant to section 150X(c)(ii) as further investigation would be an unjustifiable use of resources. Enquiries by the OIA found that the proposed motion in the council agenda paper was inadvertently open to interpretation. The councillor amended the motion before the relevant meeting and unreservedly apologised for the issue.
18/08/2021	COM2021/22 - 0011 C/21/00490	30/07/2021	Inappropriate Conduct	Independent Assessor	17/08/2021	It is alleged a councillor provided false contact information to a venue owner who was manually checking the councillor into the venue using a tablet device to comply with the COVID health directive.	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 by a councillor. Enquiries made to the venue owner confirmed that the councillor provided his correct contact details.
30/06/2021	COM2020/21-0085 C/21/00420 AND C/21/00413	23/06/2021	Inappropriate Conduct	Independent Assessor	30/06/2021	It is alleged a councillor was disrespectful to a constituent when he sent a photo and comment to the constituent on social media It was further alleged that the Councillor has repeatedly pitted not for profit organisations against one another and does not liaise or consult with the community in his division	The OIA dismissed this matter pursuant to section 150X(a)(ii) of the Local Government Act 2009 (the Act) as conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. The OIA did not consider that the councillor's social media comment reached the threshold of inappropriate conduct or misconduct. In relation to the second allegation about the councillor's interactions with not for profit organisations and community consultation the complainant did not provide any evidence to support the allegation.
29/06/2021	COM2020/21-0020 and C/20/00738	20/10/2020	Inappropriate Conduct	Independent Assessor	25/06/2021	It is alleged that a Councillor used offensive, demeaning and misogynistic language in a social media post.	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 social media post in question did not make specific reference to the gender of any individuals and could be interpreted as an expression of political opinion. As such, the conduct was not considered to reach the threshold of gender discrimination.
09/06/2021	COM2020/21-0081 C/21/00332 and C/21/00333	20/05/2021	Inappropriate Conduct	Independent Assessor	07/06/2021	It is alleged a former councillor failed to declare conflicts of interest in matters before council when he was a councillor and should now self disclose these previous COI's It is alleged another former councillor failed to declare interests in matters council considered on projects that involved developers from whom he had received donations	The OIA dismissed this matter pursuant to section 150X(c)(ii) of the Local Government Act 2009 (the Act) as further dealing with the complaint or information would be an unjustifiable use of resources. In assessing the matter the OIA attempted to obtain further information from the complainant. The complainant did not respond to these requests. The OIA is therefore unable to form a view, based on broad nature of the allegations, whether there is a reasonable suspicion of misconduct.

17/05/2021	COM2020/21-0077 C/21/00265	19/04/2021	Inappropriate Conduct	Independent Assessor	17/05/2021	it was alleged that a councillor was using their position as a councillor to promote a relative's new business by posting about it on Facebook, where they would also share council related matters. It was further alleged that there are new government funded grants now on offer to provide funds for people in similar types of businesses.	<p>The OIA dismissed this matter pursuant to section 150X(a)(ii) of the Local Government Act 2009, on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct.</p> <p>The conduct as described, would not reach the threshold of inappropriate conduct at its highest. The OIA considered that the contents of the relevant posts provided with the complaint did not raise any concerns in relation to the language used and the material shared by the councillor.</p> <p>The complaint also referred to new government funding grants that were available to these types of businesses, however, the connection to the allegation outlined above was unclear as there were no further details to this aspect of the complaint. The complaint was made anonymously and the OIA was unable to contact the complainant to obtain more information.</p>
05/05/2021	COM2020/21-0049 C/21/00134	19/02/2021	Inappropriate Conduct	Independent Assessor	05/05/2021	A councillor was alleged to have used their private social media account to make inappropriate comments on a community page.	The OIA dismissed this matter pursuant to section 150X(c) (ii) of the Local Government Act 2009 as an unjustifiable use of resources due to the nature of the comments made.
04/05/2021	COM2020/21-0051 C/21/00047	28/01/2021	Inappropriate Conduct	Council	04/05/2021	It is alleged a councillor failed to attend meetings of Council that Council approves each month as relevant meetings which require the attendance and meaningful participation of all Councillors as per the Councillor Code of Conduct and Councillor Attendance Policy.	That Council decides that the Councillor has not engaged in inappropriate conduct as per section 150AG(1)(a) of the Local Government Act in relation to the allegation that the Councillor has breached the Code of Conduct by not attending mandatory meetings.
14/04/2021	COM2020/21-0062 C/21/00192	25/03/2021	Inappropriate Conduct	Independent Assessor	12/04/2021	It is alleged a councillor had approached a resident about a matter and would not leave the resident alone despite repeated warnings.	<p>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.</p> <p>The OIA noted there had been a misunderstanding about a council procedure and the complainant was upset about his inability to engage with council on an issue.</p> <p>The actions of a councillor in trying to assist the complainant were not appreciated by the complainant at the time.</p>
14/04/2021	COM2020/21-0060 C/21/00191	25/03/2021	Inappropriate Conduct	Independent Assessor	12/04/2021	It is alleged a councillor breached the Code of conduct for Councillors in Queensland when they failed to properly inform a resident about Council's procedure for those residents wanting to address the council about issues.	The OIA dismissed this matter pursuant to section 150X(a)(ii) of the Local Government Act (the Act) as the conduct did not reach the threshold of inappropriate conduct or misconduct within the meaning of the Act.

05/02/2021	COM2020/21-0036 C/21/00003	04/01/2021	Inappropriate Conduct	Independent Assessor	05/02/2021	It is alleged a councillor has engaged in inappropriate conduct when they contacted another councillor by mobile phone about a matter that was to be discussed in a meeting and pressured them.	The OIA decided to take no further action pursuant to section 150Y(b) of the Local Government Act 2009 on the basis that taking further action would be an unjustifiable use of resources. The tone and content of the telephone conversation between the two Councillors could not be independently verified.
22/12/2020	COM2020/21-0031 C/20/00195	07/12/2020	Misconduct	Independent Assessor	14/12/2020	It was alleged that a Councillor failed to declare an interest in the considerations of a 2019-2020 Discretionary Fund Application, in which a member of the management committee of the organisation that was successful in obtaining funding was an election donor to the Councillor.	The OIA dismissed this matter pursuant to section 150X(C) (ii) of the Local Government Act 2009 as an unjustifiable use of resources. As the alleged conduct occurred outside a council meeting, the OIA considered this matter on the basis that it either constituted 'influencing' a decision of council, or as a potential breach of policy. It was considered that in either case, it would be necessary to prove that the Councillor knew, or ought to have known, that the two donors were on the board. Due to the circumstances that the donors were not specified in the application and that the application was ultimately referred to a council meeting for a decision and the councillor was not present at the meeting and did not vote, the complaint was dismissed as further dealing with the matter would be an unjustifiable use of resources.
02/12/2020	COM2020/21-0024 C/20/00817	15/11/2020	Inappropriate Conduct	Independent Assessor	01/12/2020	It was alleged a Councillor put the interest of an advisory group that he chaired ahead of the residents in his electorate and in doing so has not conducted himself transparently or honestly.	The OIA dismissed this matter pursuant to section 150X(a)(ii) of the Local Government Act 2009 (the Act) as the conduct of the councillor does not raise a reasonable suspicion of inappropriate conduct or misconduct. The matter went before council over a number of meetings and a community consultation process was conducted. Council resolved to note the contents of the consultation report and resolved to implement a strategy that was consistent with its policy. The fact that the councillor was chair of an internal council advisory group on environmental issues did not give rise to a conflict of interest in respect of the councillors consideration of the matter of concern to the resident in this case.
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 councillors are entitled to use their council email accounts. The content of the email was not considered to constitute election material.
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.
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.
-	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.
-	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 & DEPBN17/30 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.
-		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 Dalglish	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.