



COMPLAINTS AGAINST COUNCILLORS REGISTER

Date of Complaint	Councillor Name	Nature of Complaint	Action Taken
17/08/2017	Cr Peter Wells	Allegations Regarding Operation of Private Aerodrome	Letter – 28/08/2017 – Doc ID: 309332
20/12/2018	Various	It was alleged one or more Councillors had engaged in improper conduct in relation to decisions concerning the employment of Council staff and engaged in bullying and/or harassment of a Council employee.	The OIA decided to dismiss the complaint under s150X on the basis that, after an investigation, it could not be proven that any of the Councillors had engaged in conduct that constituted inappropriate conduct of misconduct.
30/04/2019	Cr Lyall (Jack) Bawden	It was alleged a Councillor improperly involved themselves in an operational Council decision due to a personal dislike for a third party external to Council.	The OIA dismissed the complaint pursuant to section 150X(a)(iii) as following an investigation, the information obtained did not raise a reasonable suspicion of inappropriate conduct or misconduct. There was no evidence of improper motives by the Councillor and their involvement in the matter was not improper.
19/09/2019		It is alleged that a Councillor's Form 2 - Register of Interest of a Councillor and their related persons published on the Council Website did not reflect assets referred to in the "Councillor Conflict of Interest at a meeting Register (1 July 2018 to 30 June 2019)" also published on the Council website.	The OIA dismissed the complaint pursuant to section 150X(a)(ii) as it was established that the Councillor had appropriately disclosed his interest in the correct form, but due to administrative error at the Council, this was not made available on the Council website. It is noted that the Council have advised that this will be rectified.



COMPLAINTS AGAINST COUNCILLORS REGISTER

Date of Complaint	Councillor Name	Nature of Complaint	Action Taken
12/12/2019		It is alleged a Councillor failed to maintain an accurate Register of Interest as required under Section 1718 of the Local Government Act 2009 (the Act),	<p>Following correspondence from the OIA, the CEO confirmed that the Councillor had corrected his Register of Interests and it was uploaded onto the Council website.</p> <p>Having received this confirmation, the OIA dismissed the complaint pursuant to Section 150X(c)(i) as further investigation of this matter was no longer in the public interest.</p>
11/02/2021	All Councillors	It is alleged all Councillors have interests in decisions relating to procurement processes at Council and that Council policies are not followed.	The OIA dismissed the complaint pursuant to section 150X(a)(i) of the Local Government Act 2009 (the Act) as the conduct has already been or is being, dealt with by another agency.
11/05/2022		It is alleged a Councillor engaged in inappropriate conduct and or breached Council's Acceptable Request Guidelines when he participated in an impromptu meeting with Council officers about a Council facility and its staff.	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. It was not clear whether the Councillor was present in their capacity as a Councillor, or whether they were present as a support person for a staff member in a private capacity.



COMPLAINTS AGAINST COUNCILLORS REGISTER

Date of Complaint	Councillor Name	Nature of Complaint	Action Taken
19/05/2022		It is alleged a Councillor directed a Council officer about a matter concerning the organisation of a charity event.	<p>After conducting inquiries into this matter on assessment the matter was dismissed 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.</p> <p>In the circumstances it was not considered that there was a clear direction as the matter involved decisions of a Council Advisory Committee who had not been formally reporting back to Council as required under Council's Advisory Committee Policy.</p>



COMPLAINTS AGAINST COUNCILLORS REGISTER

Date of Complaint	Councillor Name	Nature of Complaint	Action Taken
27 October 2022		<p>It was alleged a Councillor directed staff in a manner inconsistent with a resolution passed by Council.</p> <p>It was further alleged a second Councillor benefited from a Council resolution in which they had a prescribed conflict of interest.</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.</p> <p>The Councillor did not direct staff in relation to a resolution passed by Council. A further resolution by Council was the cause of the staff's activities.</p> <p>Further, the second Councillor declared a prescribed conflict of interest and left the meeting when the matter was discussed on the first occasion and was not present for the further resolution by Council.</p>



COMPLAINTS AGAINST COUNCILLORS REGISTER

Date of Complaint	Councillor Name	Nature of Complaint	Action Taken
5 December 2022		<p>During General Business in an Ordinary Council Meeting on 21 September 2022, a Councillor remained in the room when a motion was moved and is recorded as having voted in support of this motion despite having a prescribed conflict of interest.</p>	<p>The OIA decided to take no further action pursuant to section 150X(c)(ii) of the Local Government Act 2009 [the Act] on the basis that <i>dealing with the complaint would be an unjustifiable use of resources.</i></p> <p>Both mitigating and aggravating circumstances were identified and assessed against one another.</p> <p>While the Councillor had a prescribed conflict of interest and was recorded as having participated in a decision which they stood to benefit from, the motion was moved in general business, so the Councillor was unaware the matter was about to be raised.</p> <p>Further the Councillor immediately sought guidance about remaining in the room when the issue became apparent, although were incorrectly advised.</p> <p>While the Councillor did not speak or signal a vote they are considered to have</p>



COMPLAINTS AGAINST COUNCILLORS REGISTER

			<p>participated by means of their presence and are recorded as having voted in support of the motion.</p> <p>Relevantly however their recorded vote had no bearing on the outcome of the motion, and no further monetary benefit accrued to the Councillor as a result of this motion.</p>
--	--	--	--