



COUNCILLOR CONDUCT REGISTER

A local government must keep a register about the following matters:

- orders made about the unsuitable meeting conduct of councillors at local government meetings
- decisions about suspected inappropriate conduct referred to the local government
- decisions made by the Councillor Conduct Tribunal about whether councillors engaged in misconduct
- decisions by the Independent Assessor about dismissed complaints
- decisions by the Independent Assessor to take no further action about a complaint

| No. | Councillor's Name | Date of Complaint | Summary and Category of Complaint (unsuitable meeting conduct, inappropriate conduct or misconduct) | Date of Decision | Summary of Decision | Reason for Decision | Decision Maker |
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| 1/2019 | | 24/01/2019 | It was alleged that a Councillor of Palm Island Aboriginal Shire Council used their position to bully people, engaged in nepotism and misuse of their authority. | 11/02/2019 | Dismissed - No Further Action | The OIA delegate made the decision to dismiss the complaint pursuant to Section 150X(b)(iii) of the Local Government Act 2009, on the basis that it was lacking in substance. | Office of the Independent Assessor (OIA) |
| 2./2019 | | 22/02/2019 | It was alleged that a councillor had connections with external contractors which do not appear to be transparent. It was further alleged that the Council leases accommodation to one of the external contractors at a cheap rate. It was also alleged that the councillors were receiving kickbacks. | 6/03/2019 | Dismissed - No Further Action | The OIA delegate made the decision to dismiss the complaint pursuant to Section 150X (c)(ii) of the Local Government Act 2009 [the Act], on the basis that further investigation the complaint would be an unjustifiable use of resources in circumstances where the complaint was anonymous and broad and further details could not be elicited. | Office of the Independent Assessor (OIA) |
| 3./2019 | | 22/02/2019 | It was alleged that a councillor engaged in corrupt conduct regarding contracts and recruitment. | 5/04/2019 | Dismissed - No Further Action | The OIA delegate made the decision to dismiss the complaint pursuant to Section 150X (a)(i) of the Local Government Act 2009 [the Act], i.e. the conduct has already been, or is being dealt with by another entity. | Office of the Independent Assessor (OIA) |
| 4./2019 | | 09/05/2019 | It is alleged that a councillors and other council employees colluded in the award of a contractor's camp tender to ensure that the complainant was not awarded the tender. | 28/05/2019 | Dismissed - No Further Action | The OIA dismissed on the complaint pursuant to Section 150X(a)(i) on the basis that the conduct has already been dealt with by the Crime and Corruptions commission. | Office of the Independent Assessor (OIA) |
| 5./2019 | | 24/04/2019 | It was alleged that a councillor was using the Council chambers as a campaign office and that a former | 11/06/2019 | Dismissed - No Further Action | The OIA delegate decided not to investigate the complaints pursuant to Section 150Q(3)(b). the OIA issued a notice pursuant to Section 150Q. | Office of the Independent Assessor (OIA) |

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| | | | <p>Councillor gained funding from the Land Trust for a private enterprise.</p> <p>It was alleged that a councillor convinced a council employee to give Council funds to a friend</p> <p>It was alleged that there are various conflicts of interest amongst Council employees.</p> <p>It was alleged that Councillors share confidential information to developers and have inside information in relation to business providing financial support to community groups.</p> | | | <p>Requesting further specific information due to the broad and non-specific nature of the original complaint. The response was similarly broad and non-specific.</p> <p>No further action was taken on the basis that the complaints did not include sufficient information to properly assess whether the subject councillors had engaged in appropriate conduct or misconduct.</p> | |
| 6./2019 | | 3/06/2019 | It was alleged that councillors appointed family members, and/or people they were connected with, to senior office management positions within Council. It was alleged that the staff appointed did not hold the relevant qualifications to be appointed those positions. | 18/06/2019 | Dismissed - No Further Action | The OIA dismissed the complaint pursuant to section 150X(a)(ii) on the basis that it did not give rise to a reasonable suspicion of inappropriate conduct or misconduct by the councillors due to a lack of further particulars. | Office of the Independent Assessor (OIA) |
| 7./2019 | | 9/05/2019 | It is alleged that a councillor bullied harassed and vilified a former employee of the council and used a council staff member to make a complaint about the former employee of their current employer. | 1/07/2019 | Dismissed - No Further Action | The OIA delegate dismissed the matter pursuant to S150X(a)(ii) as the conduct complained of does not constitute inappropriate conduct or misconduct. Insufficient detail was given to particularise the complaint and the conduct complained of occurred at a time before the council had adopted a Councillors Code of Conduct as such there were no councillor conduct standards to hold councillors accountable. | Office of the Independent Assessor (OIA) |
| 8./2019 | | 23/05/2019 | It is alleged that the Palm Island Aboriginal Shire Council does not display contracts over \$200,000 on the Council's website | 06/06/2019 | Dismissed - No Further Action | The OIA dismissed the complaint pursuant to Section 150X(a)(ii) on the basis that the conduct did not constitute inappropriate conduct or misconduct by a councillor. The complaint related to a council administrative issue and did not raise a reasonable suspicion of inappropriate conduct or misconduct of a specific councillor. The OIA did however share this information with the Department of Local Government Racing | Office of the Independent Assessor (OIA) |

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| | | | | | | and Multicultural Affairs and the CEO of the Palm Island Aboriginal Shire Council to address compliance with regulations. | |
| 9./2019 | | 7/07/2019 | It was alleged that a councillor had political immunity and was involved in corrupt conduct breaching Section 15 of the Crime and Corruption Act 2001. It was alleged that the allegations of corrupt conduct involved the councillor. | 19/07/2019 | Dismissed - No Further Action | The OIA delegate made the decision to dismiss this complaint pursuant to section 150X (b)(ii) on the basis that the complaint was not made in good faith. The complainant had previously lodged the same complaint with both the OIA and the CCC and both complaints had previously been dismissed. | Office of the Independent Assessor (OIA) |
| 10./2019 | | 10/05/2019 | It was alleged that a councillor received sitting fees to attend Land Trust meetings in contravention of legal advice; | 27/08/2019 | Dismissed - No Further Action | The OIA delegate made the decision to dismiss pursuant to section 150X (a) (i) and (ii) on the basis that the conduct has already been, or is being, dealt with by another entity, and/or the conduct does not constitute inappropriate conduct or misconduct. | Office of the Independent Assessor (OIA) |
| 11./2019 | | 16/12/2018 | It was alleged that a councillor awarded a council contract to a close friend without going through the necessary tender process | 17/12/2019 | Dismissed- No Further Action | The OIA decided to dismiss the complaint pursuant to section 150X (a) (ii) of the Local Government Act 2009 in that the conduct does not constitute inappropriate conduct or misconduct as defined by the Act. Following an investigation by the OIA the contract concerned was awarded to a local company after being raised at a council ordinary meeting and voted on by council. Council considered whether the contract should go out to the local community for an Expression of Interest. The view of council was that the applicant had the specific knowledge needed and was best resourced to execute the contract. There was no information to suggest the councillor had anything more than a professional relationship or a relationship based on friendships with other family members. On that basis it was considered the councillor had no personal interest in the matter to the extent it would affect their ability to deal with the matter in the public interest. | Office of the Independent Assessor (OIA) |
| 12./2019 | | 26/06/2019 | It was alleged that a Councillor used their power and position to obtain federal money to benefit a resident for the purchase of a business asset. It is | 11/02/2020 | Dismissed- No further Action | The OIA dismissed this matter pursuant to section 150X (a)(ii) of the Local Government Act 2009, that the conduct did not raise a reasonable suspicion of inappropriate | Office of the Independent Assessor (OIA) |

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| | | | further alleged that the Councillor used their position to assist relatives obtain jobs with the Palm Island Aboriginal Shire Council without going through the correct recruitment process. | | | conduct or misconduct within the meaning of the Act. Enquires established that neither Council nor the Councillor had any input into the allocation of the federal funding. The Councillor was not involved in the recruitment of any relatives. | |
| 13./2019 | | 7/08/2019 | It was alleged a Councillor had been intimidating and abusive in their communications with a State government employee | 27/04/2020 | Dismissed- No Further Action | The OIA decided to take no further action pursuant to section 150Y(b) (ii) of the Local Government Act 2009 [the Act] on the basis there was insufficient information to form an opinion about whether the inappropriate conduct or misconduct had occurred. | Office of the Independent Assessor(OIA) |
| 14./2021 | | | It was alleged that there was an organised arrangement between councillors, including a current council, the Palm Island Economic Development Corporation, and the successful tenderer in relation to the award of a tender. | 27/01/2021 | Dismissed- No Further Action | The OIA decided to take no further action pursuant to section 150Y(b)(i) of the Local Government Act 2009 (the Act) as the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct on the basis that the subject councillor was not serving on the Council during the period in which the tender appears to have been awarded. | Office of the Independent Assessor(OIA) |