



# MICC Councillor Conduct Register

This register records information as required under s150DX, 150DY and 150DZ of the *Local Government Act 2009*.

Complaint Reference Number	Date of Complaint	Date of Decision	Subject Councillor <i>(Not required where complaint dismissed or where decided the Councillor did not engage in inappropriate conduct or misconduct)</i>	Meeting Complaint Relates to <i>(where applicable)</i>	Summary of Complaint	Outcome of Decision/ Complaint	Reason for Decision
C18-00190	03/12/2018	17/12/2018	N/A	Ordinary Meeting 11/01/2017	<ul style="list-style-type: none"> <li>i. During the meeting the councillor dealt with the complainant in an inappropriate manner; and</li> <li>ii. That since the meeting a relative of the complainant, a Council employee, had been removed from their position.</li> </ul>	Complaint dismissed by the Independent Assessor.	The complaint is lacking in substance.
C18-00355	19/12/2018	14/02/2019	N/A	Ordinary Meeting 13/06/2018	It is alleged a councillor failed to declare a material personal interest or conflict of interest in a Council meeting held on 13 June 2018 when there were discussions and a vote on the reduction of a speed limit.	Complaint dismissed by the Independent Assessor.	The OIA delegate decided to dismiss the complaint on the basis they were satisfied that the relevant meeting agenda item involved an 'ordinary business matter'. Pursuant to the definition of material personal interests and conflicts of interest a councillor does not have to declare an interest for an 'ordinary business matter'. The councillor's conduct therefore did not constitute inappropriate conduct or misconduct
C19-00348	21/03/2019	13/05/2019	N/A	N/A	It is alleged that five councillors had failed to appropriately update records in their register of interests.	Complaint dismissed by the Independent Assessor	The OIA delegate for the independent assessor decided to dismiss the complaint pursuant to section 150X(c)(i) of the <i>Local Government Act 2009</i> . The councillors have updated their register of interests therefore it would not be in the public interest to proceed.
C18-00355	19/12/2018	16/05/2019	N/A	N/A	It is alleged that a councillor had failed to appropriately update records in their Register of Interests to show	Complaint dismissed by the Independent Assessor	The OIA delegate for the independent assessor decided to dismiss the complaint pursuant to section 150X(a)(ii) of the <i>Local Government Act 2009</i> . The councillor does not receive an income



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					income from a business interest.		from the interest. Therefore, the conduct does not constitute inappropriate conduct of misconduct.
C19-00440	29/04/2019	16/05/2019	N/A	N/A	It is alleged that a councillor removed comments made by the complainant from the council's Mount Isa City Council Facebook page then subsequently blocked them from the page altogether.	Complaint dismissed by the Independent Assessor	Council employees are responsible for moderating/administering the Council's Facebook page. 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.
C19-00516	15/05/2019	31/05/2019	N/A	N/A	It was alleged that a Council contract for the construction of a street bridge was unfairly awarded to an 'out of town' company that had no local connections to the Mount Isa region.	Complaint dismissed by the Independent Assessor	The OIA delegate made the decision to dismiss the complaint as it does not constitute inappropriate conduct or misconduct by a councillor or councillors and is outside the OIA's jurisdiction.
C19-00505	09/05/2019	12/06/2019	N/A	N/A	It was alleged a councillor: <ul style="list-style-type: none"> <li>Sold supplies from their personal business to a company that was successfully granted a Council contract; and</li> <li>Did not disclose financial transactions between their personal company and Council in the 'related party' section of their Register of Interests.</li> </ul>	Complaint dismissed by the Independent Assessor	The complaint was dismissed pursuant to section 150X(a)(ii) in that it did not raise a reasonable suspicion of inappropriate conduct or misconduct. This was on the basis that the subject company was not awarded a contract with Council. The information that founded the complaint was found to be inaccurate.
C/20/00036 C/20/00037	15/01/2020	29/01/2020	N/A	N/A	Allegations were raised against several councillors in relation to information not	Complaint dismissed by the Independent Assessor	The OIA dismissed this matter pursuant to section 150X(a)(ii) as the information provided did not raise a reasonable suspicion of



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					included in the Council's financial statements.		inappropriate conduct or misconduct by Councillors.
C/20/00309	07/05/2020	09/06/2020	N/A	N/A	It was alleged a councillor breached the Code of Conduct by misrepresenting events and bringing Council into disrepute after decisions were made during an internal meeting.	Independent Assessor decided to take no further action	The OIA decided to take no further action pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> (the Act) as the conduct as alleged did not raise a reasonable suspicion of inappropriate conduct or misconduct. This decision was made on the basis that it was not unreasonable for the councillor to ask for such decisions to be made by way of Council resolution.
C/20/00571 C/20/00572 C/20/00573 C/20/00574 C/20/00575 C/20/00576 C/20/00577	04/08/2020	02/12/2020	N/A	N/A	<p>It was alleged</p> <ul style="list-style-type: none"> <li>that on an unknown date, councillors directed the Chief Executive Officer (CEO) not to provide information to a Right to Information (RTI) applicant requesting financial information about the CEO and Councillors business dealings with the council, travel expenses and legal expenses.</li> <li>that on an unknown date, councillors directed senior managers to alter</li> </ul>	Complaint dismissed by the Independent Assessor	<p>Following an investigation, the OIA decided to dismiss the complaint pursuant to section 150X(a)(ii) of the <i>Local Government Act 2009</i> [the Act] on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct.</p> <p>There was no evidence that any councillor had directed or influenced council's response to the RTI application</p> <p>Enquiries disclosed that council had contracted an independent external agency to explore the issues relating to the allegations of recording false and misleading water statistics. This investigation did not identify any evidence of Councillors directing staff as alleged.</p>

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					water statistics to say that the water supply was safe when in fact it was unsafe.		
C/20/00298	30/04/2020	03/03/2021	N/A	N/A	It was alleged that a councillor engaged in misconduct by making a racist comment during an informal briefing meeting on Friday 24 April 2020.	Complaint dismissed by the Independent Assessor	The OIA dismissed this matter pursuant to section 150X(a)(i) of the <i>Local Government Act 2009</i> following an investigation. Other participants in the conversation were interviewed, but there was insufficient evidence to prove that the councillor had engaged in the misconduct alleged.
C/20/00545	30/06/2020	06/02/2021	N/A	N/A	It is alleged that a councillor released confidential information to the media regarding a complaint made to Council.	Independent Assessor decided to take no further action	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. A review of the actual information provided to the media shows that what was published was made up of high-level information provided by the subject councillor and assumptions made by the journalist, or reports made from other sources. There was no evidence to suggest that the councillor had released confidential information.
C/21/00183	17/03/2021	23/04/2021	N/A	N/A	It is alleged that a former councillor bullied council staff and directed a senior officer to appoint a close friend of the councillor's to mediate the complaints, which were dismissed.	Independent Assessor decided to dismiss the complaint	The OIA dismissed this matter pursuant to section 150X(a)(ii) of the <i>Local Government Act 2009</i> , on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. The complaint was made anonymously, so the OIA was unable to enquire directly with the complainant for more specific information.

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					It is alleged that at the direction of former councillor, a senior Council officer and alleged friend of the former councillor was also implicated for bullying.		In regard to the Councillor's alleged involvement in appointing a friend as a mediator of complaints made against them, inquiries undertaken by the OIA identified that the Councillor was not a party to that decision having declared a conflict of interest and left the decision-making forum.
C/21/00410 & C/21/00411	23/06/2021	30/06/2021	N/A	N/A	Both complaints alleged that a councillor had released information that was confidential to the local government to a previous councillor. The complainants believed that the information had been released because a document written by the subject councillor had the previous councillor's name as the 'author' of the document.	Independent Assessor decided to dismiss the complaint	The OIA dismissed this matter pursuant to section 150X(a)(ii) of the <i>Local Government Act 2009</i> .  Enquiries were made with Council, and it was ascertained that the previous councillor had nothing to do with writing the document. It was an administrative error by Council staff who used an old template document that still had the previous councillor's name on it.
C/21/00649	28/09/2021	01/10/2021	N/A	N/A	It is alleged a councillor breached the Acceptable Request Guidelines Policy of Council when speaking to a subcontractor on a Council project to take action about a safety issue.	Independent Assessor decided to dismiss the complaint	The OIA decided to take no further action pursuant to section 150Y(b) (iii) of the <i>Local Government Act 2009</i> [the Act] on the basis that taking further action would be an unjustifiable use of resources.  The OIA noted that the councillor spoke to the subcontractor in their capacity as an office holder in a sporting club about a Work Health and Safety issue that could impact the safety of those engaged in sporting activity. In these circumstances it was not considered a justifiable use of resources to deal with this matter as a potential breach of council's accept request guidelines by a councillor.



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C/21/00668	14/10/2021	02/11/2021	Cr Peta MacRae	N/A	It was alleged a councillor (Cr Peta MacRae) failed to declare an interest in a matter before Council, the interest was the councillor's partner's relationship to a party associated with the matter before Council.	Independent Assessor decided to dismiss the complaint	The OIA dismissed this matter pursuant to section 150X(c)(ii) of the <i>Local Government Act 2009</i> (the Act) as further dealing with this complaint would be unjustifiable use of resources.  On the information available to the OIA the relationship between the councillor and the interested party in a matter was too remote to raise a conflict of interest.
C/21/00710	26/10/2021	12/11/2021	N/A	N/A	It was alleged that a councillor made a statement which was defamatory of another councillor during a meeting between Council representatives and a private company.	Independent Assessor decided to dismiss the complaint	The OIA dismissed this matter pursuant to section 150X(a)(ii) of the <i>Local Government Act 2009</i> (the Act) on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct.  The statement was general in nature and no individuals or businesses were identified. It was made in a closed meeting between council and an external company. Further, it was open to those at the meeting to express an alternative view if they were concerned or in disagreement with the statement attributed to the councillor.
C/21/00762	14/11/2021	01/12/2021	Cr Michael Tully	N/A	It is alleged a councillor (Cr Michael Tully) improperly influenced a procurement process of a Council entity contrary to a procurement policy of Council.	Independent Assessor decided to take no further action	Following the initial inquiries, including an interview of the relevant Council officer a decision was made to take no further action pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> (the Act) on the basis the complaint did not raise a reasonable suspicion of inappropriate conduct or misconduct.



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C/21/00763	14/11/2021	01/12/2021	Cr Michael Tully	N/A	It is alleged a councillor (Cr Michael Tully) has taken retaliatory action against another councillor by lodging a complaint about the councillor.	Independent Assessor decided to take no further action	The OIA decided to take no further action pursuant to section 150Y(b)(iii) of the <i>Local Government Act 2009</i> (the Act) on the basis that the complaint did not raise a reasonable suspicion of inappropriate conduct or misconduct.
C/21/00829	28/11/2021	02/12/2021	Cr Peta MacRae	N/A	It is alleged a councillor (Cr Peta MacRae) conspired with a Council officer to have another councillor excluded from considering a matter before Council.	Independent Assessor decided to take no further action	No further action was taken pursuant to section 150Y(b) (i) of the <i>Local Government Act 2009</i> [the Act] on the basis the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct.  There was no evidence in the complaint to reasonably support any collusion between the councillor and the Council officer.
C/21/0086, C/21/00870	12/12/2021	23/12/2021	Cr Kim Coghlan	N/A	It is alleged a councillor (Cr Kim Coghlan) conspired with members of the community for Council to support and address a public health matter. It is further alleged that Councillor (Cr Kim Coghlan) or another councillor (Cr Peta MacRae) had provided advice to a social media group about Council's support of the public health matter.	Independent Assessor decided to take no further action	Following assessment of this complaint no further action is taken pursuant to section 150Y(b) (i) of the <i>Local Government Act 2009</i> [the Act] on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct.



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C/21/00882	16/12/2021	11/01/2022	N/A	N/A	It was alleged that as a result of information sourced from a confidential mediation between two councillors one of the councillors had made improper complaints.	Independent Assessor decided to dismiss the complaint	This complaint was dismissed pursuant to section 150X(b)(i) of the Local Government Act 2009 on the basis that the complaint is vexatious.
C/21/00804	17/11/2021	16/02/2022	Cr Peta MacRae	N/A	It was alleged that a councillor (Cr Peta MacRae) engaged in inappropriate conduct by breaching s150K(1)(b) of the Local Government Act 2009 and Council's Councillor Portfolio Policy when attending the Queensland Tourism Awards.	Council decided that the councillor did not engage in inappropriate conduct AND That no further action would be taken (OM07/02/22)	Councillors determined that the Local Government Principal (a) outlines transparent and effective process, and decision making in the public interest. Councillors did not receive a copy of the original complaint and it appears anonymous, vexatious, politically driven and a waste of rate payer's money.
C/21/00871	12/12/2021	16/02/2022	Cr Kim Coghlan	N/A	It was alleged that a councillor (Cr Kim Coghlan) engaged in inappropriate conduct by participating in media interviews without approval as required under Council's Media Policy.	Council decided that the councillor did not engage in inappropriate conduct AND That no further action would be taken (OM08/02/22)	Councillors determined that there was insufficient evidence provided to show that there was any breach by Cr Coghlan. Local Government Principal (a) outlines transparent and effective process, and decision making in the public interest. Councillors did not receive a copy of the original complaint and it appears anonymous, vexatious, politically driven and a waste of rate payer's money.
C/21/00479	25/07/2021	16/03/2022	N/A	N/A	It was alleged that a former councillor engaged in misconduct when they allegedly authorised a significant expenditure prior to a council resolution.	Independent Assessor decided to take no further action	The OIA decided to take no further action pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> [the Act] on the basis that the conduct does not constitute inappropriate conduct or misconduct, as evidence gathered during the investigation did not support the allegation.





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C/22/00159	18/03/2022	29/03/2022	N/A	17/03/2022	It is alleged a councillor engaged in inappropriate conduct in a council meeting.	Independent Assessor decided to dismiss the complaint	The OIA dismissed this matter pursuant to section 150X(a)(ii) of the <i>Local Government Act 2009</i> as the conduct as alleged did not reach the threshold of inappropriate conduct or misconduct.
C/22/00188	29/03/2022	27/04/2022	N/A	N/A	It was alleged that a Councillor had failed to comply with their responsibilities to conduct a performance appraisal.	The OIA decided t take no further action pursuant to section 150Y(b)(iii) of the <i>Local Government Act 2009</i> .	The OIA decided to take no further action as dealing with this complaint would be an unjustifiable use of resources.
C/22/00197 C/22/00198 C/22/00199 C/22/00200 C/22/00201 C/22/00202	4/04/2022	11/04/2022	Cr Phil Barwick, Cr Kim Coghlan, Cr George Fortune, Cr Peta MacRae, Cr Paul Stretton, Cr Mick Tully	30/03/2022	It is alleged councillors (Cr Phil Barwick, Cr Kim Coghlan, Cr George Fortune, Cr Peta MacRae, Cr Paul Stretton, Cr Mick Tully) engaged in inappropriate conduct after a meeting had been closed	Independent Assessor decided to take no further action	The OIA decided to take no further action pursuant to section 150Y(b) (iii) of the <i>Local Government Act 2009</i> [the Act] on the basis that taking further action would be an unjustifiable use of resources. The underlying issues are being addressed by the Department of State Development, Infrastructure, Local Government and Planning.
C/22/00189	31/03/2022	22/04/2022	N/A	30/03/2022	It is alleged a councillor breached a standing order during a meeting of the council.	Independent Assessor decided to take no further action	The OIA decided to take no further action pursuant to section 150Y(b) (iii) of the <i>Local Government Act 2009</i> [the Act] on the basis that taking further action would be an unjustifiable use of resources. The councillor was seeking formal advice on the issue, which was not readily available to them at the time of the meeting.



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C/22/00306	13/05/2022	17/05/2022	N/A	N/A	It is alleged a councillor engaged in inappropriate conduct when raising a potential conflict of interest held by a council officer when responding to a request from the officer	Independent Assessor decided to take no further action	<p>The OIA decided to take no further action pursuant to section 150Y(b) (i) of the <i>Local Government Act 2009</i> [the Act] on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct.</p> <p>The OIA noted that councillors have a statutory responsibility to raise whether a conflict of interest might exist on the part of another councillor and at least an ethical responsibility to do the same for council officers.</p>
C/22/00341	23/05/2022	01/06/2022	N/A	N/A	It is alleged a councillor has engaged in inappropriate conduct in a staffing issue	Independent Assessor decided to dismiss the complaint	<p>The OIA dismissed this matter pursuant to section 150X(c)(ii) of the <i>Local Government Act 2009</i> (the Act) as I am satisfied that further dealing with the complaint or information would be an unjustifiable use of resources. The allegations were related to matters currently being considered by another entity.</p>
C/22/00355 C/22/00356 C/22/00357 C/22/00358 C/22/00359	31/05/2022	14/06/2022	Cr George Fortune Cr Kim Coghlan, Cr Phillip Barwick Cr Peta MacRae, Cr Michael Tully	19/05/2022	It is alleged councillors put up a motion at a meeting which was an illegal motion.	Independent Assessor decided to take no further action	<p>The OIA decided to take no further action pursuant to section 150Y(b)(iii) of the <i>Local Government Act 2009</i> [the Act] on the basis that taking further action would be an unjustifiable use of resources.</p> <p>Enquiries identified that the councillor was acting on advice received from the Department of State</p>



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							Development, Infrastructure, Local Government and Planning.
C/22/00428 C/22/00429 C/22/00430 C/22/00431 C/22/00432 C/22/00433	03/07/2022	13/07/2022	Cr Kim Coghlan Cr Phillip Barwick Cr Peta MacRae Cr Mick Tully Cr Paul Stretton Cr George Fortune  Cr Mick Tully Cr Paul Stretton  Cr George Fortune Cr Paul Stretton  Cr Peta MacRae		<p>It was alleged that councillors failed to uphold the local government principles in matters relating to the provision of services, infrastructure, council financial accountability, and meeting conduct.</p> <p>It was alleged two councillors had permanently moved outside the council area and are not eligible to remain on council.</p> <p>It was alleged that two councillors have made racist comments in public.</p> <p>It was alleged a councillor has been publicly denigrating another councillor to residents.</p> <p>It was alleged that councillors conduct at meetings was unacceptable.</p>	Independent Assessor decided to dismiss the complaint	<p>The OIA dismissed this matter pursuant to section 150X(a)(ii) of the Local Government Act 2009 the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct within the meaning of the Act.</p> <p>In assessing the complaint, the OIA noted that the issues raised relating to administrative decision making and consultation were more relevant to the jurisdiction of the Queensland Ombudsman.</p> <p>The matter relating to the eligibility of councillors who allegedly have moved outside of the council area is not a councillor conduct matter and does not fall within the jurisdiction of the OIA. This has been referred as information to the relevant Department.</p> <p>The matters relating to councillors allegedly making racist comments or denigrating other councillors lacked detail and there were no reasonable further avenues of enquiry that could confirm or dispute the allegations. If a councillor breaches the code of conduct in a meeting this is potential "unsuitable meeting</p>



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			Cr Kim Coghlan Cr Phillip Barwick Cr Peta MacRae Cr Mick Tully Cr Paul Stretton Cr George Fortune				conduct" and under the Act must be dealt with by the Chair of the meeting in the meeting. The OIA has no jurisdiction over unsuitable meeting conduct.
C/22/00349	27/05/2022	20/07/2022	Cr Phillip Barwick	N/A	That Cr Phillip Barwick engaged in inappropriate conduct on two occasions when referring another councillor's behaviour as erratic and reckless.	Mount Isa City Council decided that Cr Barwick did engage in inappropriate conduct and that no further action will be taken against Cr Barwick	Councillors did not provide a reason as to why these decisions were made.
C/22/00482 C/22/00483 C/22/00484 C/22/00485 C/22/00486 C/22/00487	15/07/2022	15/08/2022	Cr Kim Coghlan Cr Phillip Barwick Cr Peta MacRae Cr Mick Tully Cr Paul Stretton Cr George Fortune  Cr Mick Tully Cr Paul Stretton  Cr George Fortune Cr Paul Stretton		It was alleged that councillors failed to uphold the local government principles in matters relating to the provision of services, infrastructure, council financial accountability, and meeting conduct.  It was alleged two councillors had permanently moved outside the council area and are not eligible to remain on council.  It was alleged that two councillors have made racist comments in public.	Independent Assessor decided to dismiss the complaint	The OIA dismissed this matter pursuant to section 150X(a)(ii) of the Local Government Act 2009 as further dealing with the complaint or information would be an unjustifiable use of resources.  This complaint is the same complaint made to the OIA on 3 July 2022 (C/22/00428, C/22/00429, C/22/00430, C/22/00431, C/22/00432, C/22/00433) and was referred to another agency, by the complainant, to deal with.

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			Cr Peta MacRae  Cr Kim Coghlan Cr Phillip Barwick Cr Peta MacRae Cr Mick Tully Cr Paul Stretton Cr George Fortune		It was alleged a councillor has been publicly denigrating another councillor to residents.  It was alleged that councillors conduct at meetings was unacceptable.		
C/22/00494	19/07/22	16/08/2022	Cr Kim Coghlan	N/A	It is alleged a councillor engaged in misconduct when the councillor failed to declare a declarable conflict of interest in a matter at a council meeting	Independent Assessor decided to dismiss the complaint	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. In making this decision, the OIA considered that the councillor did have a declarable conflict of interest in relation to the matter. The wording of section 150EQ(1)(b) however requires a councillor to have "become aware" that they have a declarable conflict of interest in a matter, in order for the obligations contained in the other parts of



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							<p>section 150EQ to be enlivened. The OIA has determined that the best course is not to proceed with any matter where section 150EQ(1)(b) creates significant evidentiary difficulties. I consider that this matter falls into that category and I am therefore satisfied that taking any further action in relation to this matter would be an unjustifiable use of resources.</p> <p>The OIA has however corresponded with the councillor to ensure the councillor is aware of this declarable conflict of interest moving forward.</p>
C/22/00570	08/08/2022	22/08/2022	N/A	N/A	It was alleged that a Councillor inappropriately had discussions with Council staff, breached the Acceptable Request Guideline by approaching staff directly, breached the Councillor Code of Conduct and breached the <i>Local Government Act 2009</i> in relation to confidentiality.	The OIA decided to take no further action pursuant to section 150Y(b)(iii) of the <i>Local Government Act 2009</i> .	The OIA decided to take no further action on the basis that further dealing with the complaint would be an unjustifiable use of resources.
C/22/00565 C/22/00573	04/08/2022	25/08/2022	Cr Mick Tully	N/A	It was alleged a councillor had engaged in inappropriate conduct against an owner of a business in Mount Isa.	Independent Assessor decided to dismiss the complaint	The OIA dismissed this matter pursuant to section 150X(a)(ii) of the <i>Local Government Act 2009</i> as the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. The matters raised related to



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							Council enforcement and application of its local laws
C/22/00561	04/08/2022	19/08/2022	N/A	N/A	It is alleged a councillor engaged in inappropriate conduct when the councillor potentially used a staff suggestion box to influence the actions of council officers	Independent Assessor decided to take 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] on the basis that the conduct was not inappropriate conduct or misconduct.
C/22/00619 C/22/00622	18/08/2022	06/09/2022	N/A	N/A	It was alleged a councillor breached the acceptable request guideline with council officers. It was also alleged that a councillor inappropriately used discretionary funds.	Independent Assessor decided to take no further action	The OIA decided to take no further action pursuant to section 150Y(b)(1) of the Local Government Act 2009 [the Act] on the basis that taking further action would be an unjustifiable use of resources. The issue arose due to a delayed notification to councillors about an issue, which created a sense of urgency to be dealt with. In the circumstances of this matter, it was considered unjustifiable to deal with this matter further.
C/22/00616 C/22/00620 C/22/00621 C/22/00623	18/08/2022	06/09/2022	N/A	N/A	It was alleged a councillor discussed the performance of a council officer with a member of the public. It was also alleged a councillor accused a council officer of fraudulent behaviour. Further, it was alleged a councillor directed staff and contractors, inappropriately involved themselves in operational activities and had an inappropriate conversation	Independent Assessor decided to take no further action	The OIA decided to take no further action pursuant to section 150Y(b)(1) of the Local Government Act 2009 [the Act] on the basis that the complaints did not raise a reasonable suspicion of inappropriate conduct or misconduct. The conduct complained of, in context, did not reach the threshold of inappropriate conduct. Further, the councillor did not direct staff but appropriately engaged in a discussion involving contractors about a decision that involved the councillor.



## MICC Councillor Conduct Register

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					with an employee. It was also alleged that a councillor made an inappropriate comment about staff meeting with organisation representatives.		
C/22/00495	19/07/2022	08/09/2022	Cr George Fortune	N/A	While assessing an unrelated matter information was identified that a councillor had failed to update their Register of Interests within 30 days of receiving a VIP ticket to the Mount Isa Rodeo 2021. The Independent Assessor raised an investigation based on this information	Independent Assessor decided to take no further action	This decision was made as the councillors register of interests has been updated with the missing gift/benefit. As the register is now correct and due to the relatively minor nature of the deficiency it was not considered to be a justifiable use of resources to progress the matter further
C/22/00117	25/02/2022	09/09/2022	N/A	N/A	It was alleged that: 1. A councillor attempted to influence the outcome of a disciplinary matter relating to another councillor while having a declarable conflict of interest in relation to that matter. 2. A councillor influenced a matter by Directing a senior officer to conduct an internal investigation into the same matter. 3. A councillor failed to update their register of interests to include hospitality received.	Independent Assessor decided to take no further action	Following an investigation, the OIA decided to take no further action pursuant to section 150Y(b)(iii) of the Local Government Act 2009 on the basis that taking further action would be an unjustifiable use of resources. The first two allegations were not capable of being substantiated as a matter of law, the third allegation could not be substantiated as a matter of fact.





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C/22/00170	22/03/2022	14/12/2022	Mayor Danielle Slade	N/A	It was alleged the councillor engaged in inappropriate conduct towards Council employees in comments made about them that was demeaning and caused embarrassment, stress and anxiety amongst staff.	<p>OIA referred complaint to Council to deal with. Council decided to take disciplinary actions under 150AH of the Local Government Act 2009</p> <ol style="list-style-type: none"> <li>1. An order that the councillor make a public admission that the councillor has engaged in inappropriate conduct</li> <li>2. An order reprimanding the councillor for the conduct</li> <li>3. An order that the councillor attend training or counselling to address the councillor's conduct, including at the councillor's expense</li> <li>4. An order that if the councillor engages in the same conduct again, it will be treated as misconduct</li> </ol>	<p>Council resolution OM22/12/22 states: That due to the impact of bullying Mount Isa City Council staff through denying access to the mayoral calendar and the negative outcomes from that action, the subject of complaints failed to treat the employees in a reasonable, just, respectful and non-discriminatory way. We the Council make the following disciplinary actions under section 150AH of the Local Government Act 2009 (Outcome of Decision/Complaint)</p>
C/22/01155 C/22/01157 C/22/01158	December 2022	17/01/2023	N/A Cr Mick Tully N/A Cr Peta MacRae	N/A	It was alleged that on 9 June 2022 at an informal briefing councillors engaged in bullying and harassment.	The OIA decided to take no further action pursuant to section 150Y(b)(i) of the Local	Having listened to a recording of the informal briefing the OIA found evidence of robust discussion between all parties Councillors are encouraged to communicate, have full and frank,



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C/22/01159 C/22/01160			Cr George Fortune			Government Act 2009 [the Act] on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct:	and if necessary robust but respectful conversations to work through areas of dispute and disagreement in the interests of the whole of the local government area – whose interests are paramount. While there is evidence of dysfunction, the OIA did not find evidence of conduct that would reach the threshold of inappropriate conduct or misconduct
C/22/01149 C/22/01150 C/22/01151 C/22/01152 C/22/01153 C/22/01154	December 2022	17/01/2023	N/A Cr Kim Coghlan Cr Mick Tully N/A Cr Peta MacRae Cr George Fortune	N/A	It was alleged that on 20 April 2022, at an informal meeting; councillors engaged in bullying or harassment by being aggressive and intimidating, making belittling or humiliating comments and making unjustified criticism or complaints; about another 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:	Having listened to a recording of the meeting in question the OIA found evidence of robust discussion between all parties. Councillors are encouraged to communicate, have full and frank, and if necessary robust but respectful conversations to work through areas of dispute and disagreement in the interests of the whole of the local government area – whose interests are paramount. While there is evidence of dysfunction, the OIA did not find evidence of conduct that would reach the threshold of inappropriate conduct or misconduct.
C/22/01161	December 2022	17/01/2023	N/A	N/A	It was alleged that on 28 March 2022 at an informal meeting a councillor engaged in bullying or harassment.	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:	Having listened to a recording of the informal meeting there was no reasonable evidence of councillor conduct within the meaning of the Local Government Act 2009.



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C/23/00008 C/23/00009 C/23/00010 C/23/00011	December 2022	17/01/2023	Cr Kim Coghlan Cr Peta MacRae Cr Mick Tully Cr George Fortune	N/A	It was alleged that on or about 12 December 2021 councillors engaged in bullying and harassment.	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:	There was no reasonable evidence of councillor conduct within the meaning of the Local Government Act 2009.
C/23/000014 C/23/000015	December 2022	17/01/2023	N/A Cr Peta MacRae	N/A	It was alleged that on 3 February 2022 two councillors spread misinformation or malicious rumours; and were aware of confidential information that they should not have had access to	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:	There was no reasonable evidence of councillor conduct within the meaning of the Local Government Act 2009. The confidential information referred to belonged to another organisation, not council.
C/23/00019	December 2022	17/01/2023	Cr Peta MacRae	N/A	It was alleged that on 21 December 2021, in relation to emails about an advisory Committee, a councillor engaged in bullying and harassment.	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:	Having reviewed relevant emails - taken objectively and on face value this appears to be a miscommunication and/or breakdown of communication.

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C/23/00020 C/23/00021	December 2022	17/01/2023	Cr Mick Tully Cr Peta MacRae	N/A	It was alleged that on 21/22 February 2022 two councillor's emails involved bullying and or harassment.	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:	Having reviewed relevant emails there was no reasonable evidence of councillor conduct within the meaning of the Local Government Act 2009. Amongst all parties there is a preparedness to think the worst of each other, misconstrue communications and unnecessarily copying third parties into communications.
C/23/00023	December 2022	17/01/2023	Cr Kim Coghlan	N/A	It was alleged that on 22 February 2022, a councillor made unjustified criticism or complaints and spread misinformation or malicious rumours.	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:	Having listened to a recording of the interaction in question there was no reasonable evidence of councillor conduct within the meaning of the Local Government Act 2009. The councillors conduct and statements were reasonable.
C/23/00024 C/23/00025	December 2022	17/01/2023	N/A Cr Kim Coghlan	N/A	It was alleged that on 2 March 2022, at a parliamentary inquiry, two councillors knowingly supplied false and misleading information.	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 councillors in question did not provide evidence on the identified subject, this was provided by a third councillor.

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C/23/00030 C/23/00031	December 2022	17/01/2023	N/A Cr George Fortune	N/A	It was alleged that on 30 March 2022, two councillors made comments in emails that constituted bullying and harassment.	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	Having reviewed relevant emails there was no reasonable evidence of councillor conduct. The councillors were responding to emails they were copied into.
C/23/00018	December 2022	17/01/2023	Cr Peta MacRae	N/A	It was alleged that on 15 February 2022, a councillor sent an email to all councillors and some staff that were bullying and or harassment.	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	Taken objectively and on face value this appears to be a miscommunication and/or breakdown of communication.
C/22/01162 C/22/01163 C/22/01164 C/22/01165 C/22/01166 C/22/01167	December 2022	17/01/2023	N/A N/A Cr Mick Tully Cr George Fortune Cr Peta MacRae Cr Kim Coghlan	30/03/2022	It was alleged councillors engaged in inappropriate conduct after a meeting had been closed that involved bullying and or harassment.	The OIA decided to take no further action pursuant to section 150Y(b)(iii) of the Local Government Act 2009 [the Act] on the basis that taking further action would be an unjustifiable use of resources.	This incident had previously been reported and dealt with. It was not considered a justifiable use of resources as there was some contention about whether the meeting has been closed or not. The OIA noted that all participants engaged in robust discussion.

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C/22/01168 C/22/01170 C/22/01171 C/22/01172	December 2022	17/01/2023	N/A Cr George Fortune Cr Peta MacRae Cr Mick Tully	N/A	It was alleged that on 3 August 2022, at a briefing session for a special council meeting, councillors engaged in bullying and or harassment.	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.	Having listened to a recording of the interaction It is considered that there was a better way for councillors to have dealt with the issues raised at this meeting however the majority councillors, while disagreeing on the issue, supported the right of another councillor to deal with the matter in a particular way.
C/23/00002 C/23/00003 C/23/00004 C/23/00005 C/23/00006	December 2022	17/01/2023	Cr Kim Coghlan Cr Mick Tully N/A Cr Peta MacRae Cr George Fortune	N/A	It was alleged that on 1 December 2021, during a mediation meeting, a councillors engaged in bullying and harassment.	The OIA decided to take no further action pursuant to section 150Y(b)(iii) of the Local Government Act 2009 [the Act] on the basis that taking further action would be an unjustifiable use of resources.	This complaint was about conduct during a mediation process. It is in the public interest for participants in a mediation process to be able to be open and frank conversations. Further, this meeting was moderated by a professional mediator
C/23/00007	December 2022	17/01/2023	Cr Kim Coghlan	N/A	It was alleged that on or about 12 December 2021, a councillor was spreading misinformation or malicious rumours when making unauthorised media comments.	The OIA decided to take no further action pursuant to section 150Y(b)(iii) of the Local Government Act 2009 [the Act] on the basis that taking further action would be an unjustifiable use of resources.	This complaint has previously been reported to the OIA and dealt with in C/21/00871. The OIA referred the complaint to the local government who has dealt with the matter in a particular way.
C/23/00012	20/12/2022	17/01/2023	Cr Mick Tully	N/A	It was alleged that on 15 December 2021, after the conclusion of an ordinary meeting, a councillor engaged in bullying and harassment.	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	The complaint did not give detail as to what was alleged to have been said by the councillor. Independent corroborating evidence was not available. The age of the incident and lack of supporting evidence, as well as the chance of an independent or impartial witness becomes more



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						that taking further action would be an unjustifiable use of resources.	difficult with age. Given these circumstances it was not considered to be a justifiable use of resources to investigate further.
C/23/00013	December 2022	17/01/2023	Cr Kim Coghlan	N/A	It was alleged that on 3 February 2022, at an informal briefing, a councillor displayed aggressive and intimidating conduct, made belittling or humiliating comments and unjustified criticism or complaints.	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.	While the alleged conduct had the potential to be inappropriate conduct, independent corroborating evidence was not available. The incident happened 11 months prior, and without further supporting evidence, the chance of an independent or impartial witness becomes more difficult with age. Given these circumstances it was not considered to be a justifiable use of resources to investigate further.
C/23/00016	December 2022	17/01/2023	Cr Peta MacRae	N/A	It was alleged that on 7 February 2022 a report was disseminated to other councillors and council staff that contained a letter from a councillor containing comments which constituted bullying and or harassment.	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.	Although statements made in the letter were strong, irrelevant and or apparently unsupported by any evidence; the letter was supplied to a person undertaking a statutory natural justice process. It would not be in the public interest to deal with a councillor's response to a natural justice process as a councillor conduct matter. The document was part of confidential information from an investigation which was forwarded by third parties, not the councillor, to other councillors and council staff.
C/23/00026	December 2022	17/01/2023	Cr Mick Tully	N/A	It was alleged that on 2 March 2022, at a parliamentary inquiry, a councillor knowingly supplied false and misleading information.	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.	While the transcript from the public hearing identified comments from the councillor that were not correct, there is no evidence that the councillor was aware that the information was incorrect at the time. The evidence was in part clarified by a subsequent witness.



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C/23/00029	December 2022	17/01/2023	Cr Peta MacRae	N/A	It was alleged that in October 2021, a councillor knowingly supplied false and misleading information at an association conference.	The OIA decided to take no further action pursuant to section 150Y(b)(iii) of the Local Government Act 2009 [the Act] on the basis that taking further action would be an unjustifiable use of resources.	This comment was allegedly made during an industry conference. It cannot be demonstrated that the councillor was aware the information was factually incorrect at that time.
C/21/00451	08/07/2021	24/10/2022	N/A	N/A	It was alleged that a councillor failed to deal with a declarable conflict of interest as required by section 150EQ of the Local Government Act 2009	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.	In making the decision the OIA considered that the councillor has previously left the room when the matter has been discussed and decisions made at ordinary council meetings and in this instance, there was no evidence to suggest the councillor actively engaged in the discussions when they remained in the room during council workshops in relation to the matter. The councillor has been advised however that further complaints relating to their failure to appropriately deal with the alleged interest will be investigated as potential misconduct.
C/22/00472	11/07/2022	18/11/2022	N/A	15/06/2022	It was alleged, a councillor failed to declare a conflict of interest in a matter before council, in relation to a gift received by the councillor and their spouse from council.	The OIA dismissed this matter pursuant to section 150X(c)(ii) of the Local Government Act 2009, on the basis that further dealing with the complaint would be an unjustifiable use of resources.	It was noted the councillor attended and performed an official function at the events attended by themselves and their spouse. The councillor had been provided legal advice prior to the relevant meetings that they did not have an interest that required declaration.



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C/22/00354	31/05/2022	10/02/2023	N/A	19/05/2022	<p>It was alleged that a councillor participated in a decision of council where they had a declarable conflict of interest that they failed to declare.</p> <p>This conflict was said to arise as a result of the decision of council affecting a related party to the councillor, as defined under section 150EP of the Local Government Act (the Act).</p>	<p>The OIA decided to take no further action in relation to the complaint pursuant to section 150Y(b)(i) of the Local Government Act (the Act).</p>	<p>No further action was taken pursuant to section 150Y(b)(i) of the Local Government Act 2009 (the Act).</p> <p>Following an investigation, it was not considered that the councillor had a conflict of interest in relation to the matter.</p> <p>A review of the relevant council meeting identified that procedures for declaring and managing conflicts of interest were not followed correctly and the remaining eligible councillors did not decide via resolution whether the councillor had a conflict of interest.</p>
C/23/0071	15/03/2023	06/04/2023	N/A	N/A	<p>It is alleged a councillor engaged in inappropriate conduct when the councillor interacted with a resident at a community function.</p>	<p>The OIA decided to take no further action in relation to the complaint pursuant to section 150X(c)(ii) of the Local Government Act 2009 (the Act)</p>	<p>The OIA dismissed this matter pursuant to section 150X(c)(ii) of the Local Government Act 2009 (the Act) on the basis that dealing with the complaint would be an unjustifiable use of resources. The councillor had sought to follow up with a member of the community about a council issue against a background of social media activity by the complainant to which a reasonable person might take offence</p>
C/23/00176	17/03/2023	11/04/2023	N/A	N/A	<p>It was alleged that a councillor had contacted the complainant's employer to raise issues about the complainant's social media usage.</p>	<p>The OIA dismissed this matter pursuant to section 150X(c)(ii) of the Local Government Act 2009 on the basis that further dealing with the complaint would be an</p>	<p>The OIA dismissed this matter pursuant to section 150X(c)(ii) of the Local Government Act 2009 on the basis that further dealing with the complaint would be an unjustifiable use of resources. The councillor contacted the employer because of the view that the post, related to a community event, could have caused reputational damage to the company</p>



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						unjustifiable use of resources.	because the company was a sponsor for the event.
C/23/00329	05/06/2023	26/06/2023	N/A	24/05/2023	It is alleged that a Councillor failed to treat the Chairperson with respect, courtesy, honesty and fairness and that their conduct adversely impacted the reputation of Council.	The OIA decided to take no further action pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> .	The OIA decided to take no further action as the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct within the meaning of the Act.
C/23/00328	05/06/2023	26/06/2023	N/A	24/05/2023	It was alleged that a Councillor behaved disrespectfully and in a manner which adversely impacted the reputation of Council.	The OIA decided to take no further action in relation to the complaint pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> .	The OIA decided to take no further action as the conduct did not raise a reasonable suspicion of inappropriate conduct or misconduct within the meaning of the Act.
C/23/00329	05/06/2023	26/06/2023	N/A	24/05/2023	It was alleged that a Councillor behaved disrespectfully and in a manner which adversely impacted the reputation of Council.	The OIA decided to take no further action in relation to the complaint pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> .	The OIA decided to take no further action as the conduct did not raise a reasonable suspicion of inappropriate conduct or misconduct within the meaning of the Act.
C/23/00327	05/06/2023	26/06/2023	N/A	24/05/2023	It was alleged that a Councillor behaved disrespectfully and in a manner which adversely	The OIA decided to take no further action in relation to the complaint pursuant to	The OIA decided to take no further action as further dealing with the complaint would be an unjustifiable use of resources. Conduct which may be a breach of the code of conduct which



## MICC Councillor Conduct Register

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					impacted the reputation of Council. It is also alleged that a Councillor acted in a threatening manner.	section 150Y(b)(iii) of the <i>Local Government Act 2009</i> .	occurs in an ordinary council meeting is potential unsuitable meeting conduct and not within the jurisdiction of the OIA to address.
C/23/00365	22/06/2023	03/07/2023	Cr Peta MacRae	N/A	It was alleged that a Councillor engaged in inappropriate conduct during a council workshop towards another Councillor.	The OIA decided to take no further action pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> .	The OIA decided to take no further action as the conduct did not raise a reasonable suspicion of inappropriate conduct or misconduct. The OIA considered that the incident was a dysfunctional exchange between two councillors to which both contributed. In the circumstances, it was not considered to be a matter that would fall into the statutory framework to be dealt with on a disciplinary basis.
C/23/00528 C/23/00529	13/09/2023	28/09/2023	N/A	N/A	It was alleged that multiple Councillors used disrespectful comments and aggressive behaviour towards another Councillor in an informal meeting.	The OIA decided to take no further action pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> .	The OIA decided to take no further action as the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. The councillors maintained a non-threatening tone throughout the interaction and did not engage in any unkind language towards another councillor.