

# Councillor Conduct Register

Section of the Local Government Act 2009	Date of complaint Section 150DZ(1)(a)	Summary of complaint Section 150DZ(1)(b)	Reason(s) the complaint was dismissed Section 150DZ(1)(c)	Summary of the decision and Reason(s) for the decision Section 150DY(2)(a)	Councillor name Section 150DY(2)(b); Section 150DY(3)	Date of decision Section 150DY(2)(c)	Decision maker (meeting chairperson and/or agency)
150DX(1)(d)	03/12/2018	40,000 signatures on a petition to cease works at Black Swan Lake not considered. Excluded water test results from assessment. Breach an unspecified exemption from 2008.	<ul style="list-style-type: none"> <li>Does not identify any inappropriate conduct or misconduct within the meaning of the LGA and as such does not fall within the jurisdiction of the OIA; and,</li> <li>Has already been, or is being, dealt with by another entity, the Crime and Corruption Commission.</li> </ul>				
150DX(1)(d)	04/12/2018	Environmental concerns.	<ul style="list-style-type: none"> <li>Does not identify any inappropriate conduct or misconduct within the meaning of the LGA and as such does not fall within the jurisdiction of the OIA; and,</li> <li>Has already been, or is being, dealt with by another entity, the Crime and Corruption Commission.</li> </ul>				
150DX(1)(d)	04/12/2018	40,000 signatures on a petition not considered. Disallowed a motion by a councillor to cease works at Black Swan Lake.	<ul style="list-style-type: none"> <li>Does not identify any inappropriate conduct or misconduct within the meaning of the LGA and as such does not fall within the jurisdiction of the OIA; and,</li> <li>Has already been, or is being, dealt with by another entity, the Crime and Corruption Commission.</li> </ul>				
150DX(1)(d)	04/12/2018	Council was leasing public land at Black Swan Lake to the Turf Club for \$1 per year for ten years. Council have provided an exemption to truck companies in 2008 in relation to fauna, flora and cultural heritage. Some councillors had pledged to save the lake. Environmental concerns.	<ul style="list-style-type: none"> <li>Does not identify any inappropriate conduct or misconduct within the meaning of the LGA and as such does not fall within the jurisdiction of the OIA; and,</li> <li>Has already been, or is being, dealt with by another entity, the Crime and Corruption Commission.</li> </ul>				
150DX(1)(d)	04/12/2018	Conflicts of interest of some Councillors in relation to the Turf Club and the Gold Coast Show. Breaches of development approval. Lack of consultation with the community.	<ul style="list-style-type: none"> <li>Does not identify any inappropriate conduct or misconduct within the meaning of the LGA and as such does not fall within the jurisdiction of the OIA; and,</li> <li>Has already been, or is being, dealt with by another entity, the Crime and Corruption Commission.</li> </ul>				
150DX(1)(d)	04/12/2018	Council disregarded constituents who opposed Black Swan lake development. The way in which a councillor's motion to cease works at the site was dismissed.	<ul style="list-style-type: none"> <li>Does not identify any inappropriate conduct or misconduct within the meaning of the LGA and as such does not fall within the jurisdiction of the OIA; and,</li> <li>Has already been, or is being, dealt with by another entity, the Crime and Corruption Commission.</li> </ul>				

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150DX(1)(d)	05/12/2018	Environmental concerns. Concerns about conflicts of interest and relationships between council and developers. Overdevelopment. Petition signed by 40,000 people disregarded.	<ul style="list-style-type: none"> <li>Does not identify any inappropriate conduct or misconduct within the meaning of the LGA and as such does not fall within the jurisdiction of the OIA; and,</li> <li>Has already been, or is being, dealt with by another entity, the Crime and Corruption Commission.</li> </ul>				
150DX(1)(d)	03/12/2018	Use of dirty fill at the Black Swan Lake site. Diverse conflicts of interest.	<ul style="list-style-type: none"> <li>Does not identify any inappropriate conduct or misconduct within the meaning of the LGA and as such does not fall within the jurisdiction of the OIA; and,</li> <li>Has already been, or is being, dealt with by another entity, the Crime and Corruption Commission.</li> </ul>				
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150DX(1)(d)	04/12/2018	Environmental concerns. Concerns about transparency of business dealings between council and property developers on the Gold Coast.	<ul style="list-style-type: none"> <li>Does not identify any inappropriate conduct or misconduct within the meaning of the LGA and as such does not fall within the jurisdiction of the OIA; and,</li> <li>Has already been, or is being, dealt with by another entity, the Crime and Corruption Commission.</li> </ul>				
150DX(1)(d)	06/12/2018	Concerns about the haste with which works are progressing. Environmental concerns. Conflict of interest.	<ul style="list-style-type: none"> <li>Does not identify any inappropriate conduct or misconduct within the meaning of the LGA and as such does not fall within the jurisdiction of the OIA; and,</li> <li>Has already been, or is being, dealt with by another entity, the Crime and Corruption Commission.</li> </ul>				
150DX(1)(d)	04/12/2018	Environmental concerns. Conflict of interests.	<ul style="list-style-type: none"> <li>Does not identify any inappropriate conduct or misconduct within the meaning of the LGA and as such does not fall within the jurisdiction of the OIA; and,</li> <li>Has already been, or is being, dealt with by another entity, the Crime and Corruption Commission.</li> </ul>				
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150DX(1)(d)	03/12/2018	Corruption. Exemption being exploited.	<ul style="list-style-type: none"> <li>Does not identify any inappropriate conduct or misconduct within the meaning of the LGA and as such does not fall within the jurisdiction of the OIA; and,</li> <li>Has already been, or is being, dealt with by another entity, the Crime and Corruption Commission.</li> </ul>				
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150DX(1)(d)	09/12/2018	A councillor continually bullied anyone who discussed the 'licence' for the Aquis Turf Club and advised that is was a 'right to occupy'.	<ul style="list-style-type: none"> <li>Has already been, or is being, dealt with by another entity, the Crime and Corruption Commission; and,</li> <li>Does not constitute inappropriate conduct or misconduct.</li> </ul>				
150DX(1)(d)	07/12/2018	A complaint concerning council's decision to fill Black Swan Lake and a comment that a councillor should be "made more accountable".	<ul style="list-style-type: none"> <li>Has already been, or is being, dealt with by another entity, the Crime and Corruption Commission; and,</li> <li>Does not constitute inappropriate conduct or misconduct.</li> </ul>				
150DX(1)(d)	09/12/2018	The filling of Black Swan lake in Bundall is killing wildlife and the CEO had not responded to emailed concerns.	<ul style="list-style-type: none"> <li>Has already been, or is being, dealt with by another entity, the Crime and Corruption Commission; and,</li> <li>Does not constitute inappropriate conduct or misconduct.</li> </ul>				
150DX(1)(d)	04/12/2018	A councillor falsely told the media that the water in Black Swan Lake was toxic. It is further alleged that wildlife is being harmed by the dumping that is occurring at the Black Swan Lake.	<ul style="list-style-type: none"> <li>Has already been, or is being, dealt with by another entity, the Crime and Corruption Commission; and,</li> <li>Does not constitute inappropriate conduct or misconduct.</li> </ul>				

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150DX(1)(d)	04/12/2018	The CCC is investigating circumstances surrounding conflicts of interest with the Gold Coast Turf Club, including certain councillors. It was further alleged that there were other unspecified conflicts surrounding decisions, including about the Gold Coast Show. There was no consultation with local indigenous families prior to relevant decisions being made and there were breaches committed during development approval by Council when the new development application was prepared and submitted.	<ul style="list-style-type: none"> <li>• Has already been, or is being, dealt with by another entity, the Crime and Corruption Commission; and,</li> <li>• Does not constitute inappropriate conduct or misconduct.</li> </ul>				
150DX(1)(d)	04/12/2018	A councillor was previously an office bearer in the Gold Coast Turf Club and was involved in the vote in relation to the leasing of the area known as Black Swan Lake. It is further alleged that wildlife is being harmed by the dumping that is occurring at the Black Swan Lake.	<ul style="list-style-type: none"> <li>• Has already been, or is being, dealt with by another entity, the Crime and Corruption Commission; and,</li> <li>• Does not constitute inappropriate conduct or misconduct.</li> </ul>				
150DX(1)(d)	07/12/2018	The state government had not stepped in to stop the filling of the Black Swan Lake by the Gold Coast City Council.	<ul style="list-style-type: none"> <li>• Has already been, or is being, dealt with by another entity, the Crime and Corruption Commission; and,</li> <li>• Does not constitute inappropriate conduct or misconduct.</li> </ul>				
150DX(1)(d)	03/12/2018	A councillor claims Black Swan Lake is toxic, but workers are not wearing protective work wear.	<ul style="list-style-type: none"> <li>• Does not identify any inappropriate conduct or misconduct within the meaning of the LGA and as such does not fall within the jurisdiction of the OIA; and,</li> <li>• Has already been, or is being, dealt with by another entity, the Crime and Corruption Commission.</li> </ul>				
150DX(1)(d)	03/12/2018	Black Swan Lake – Corruption, violations against order.	<ul style="list-style-type: none"> <li>• Does not identify any inappropriate conduct or misconduct within the meaning of the LGA and as such does not fall within the jurisdiction of the OIA; and,</li> <li>• Has already been, or is being, dealt with by another entity, the Crime and Corruption Commission.</li> </ul>				
150DX(1)(d)	04/12/2018	Allegations relating to the works at Black Swan Lake, in particular that a councillor had a potential conflict of interest in relation to the matter due to financial involvement with the Gold Coast Turf Club. Further expressed concerns about the councillor stating that the lake was toxic and the welfare of the wildlife.	<ul style="list-style-type: none"> <li>• Does not identify any inappropriate conduct or misconduct within the meaning of the LGA and as such does not fall within the jurisdiction of the OIA; and,</li> <li>• Has already been, or is being, dealt with by another entity, the Crime and Corruption Commission.</li> </ul>				
150DX(1)(d)	12/12/2018	Concerns that council was not considering the welfare of wildlife at Black Swan Lake.	<ul style="list-style-type: none"> <li>• Does not identify any inappropriate conduct or misconduct within the meaning of the LGA and as such does not fall within the jurisdiction of the OIA; and,</li> <li>• Has already been, or is being, dealt with by another entity, the Crime and Corruption Commission.</li> </ul>				

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150DX(1)(d)	08/12/2018	A councillor lied in a public forum in 2016 in saying that Black Swan Lake would be preserved and has now allowed its destruction.	<ul style="list-style-type: none"> <li>Has already been, or is being, dealt with by another entity, the Crime and Corruption Commission.</li> </ul>				
150DX(1)(d)	11/12/2018	Councillors had extremely strong connections with the Gold Coast Turf Club at a time of granting a licence at a price of one dollar per year. The council decision to fill Black Swan Lake was damaging to the environment.	<ul style="list-style-type: none"> <li>Has already been, or is being, dealt with by another entity, the Crime and Corruption Commission.</li> </ul>				
150DX(1)(d)	07/12/2018	A councillor breached value 3 of the Councillors Code of Conduct, through a posting on his Facebook page, by focusing on only one of the two reasons why the CEO decided to not allow a proposed motion for the full Council meeting being held on 7 December 2018. The motion related to an issue with Black Swan Lake works.	<ul style="list-style-type: none"> <li>Has already been, or is being, dealt with by another entity, the Crime and Corruption Commission.</li> </ul>				
150DX(1)(d)	12/12/2018	A councillor was not eligible to run for the division because the councillor did not live in that division.	<ul style="list-style-type: none"> <li>The complaint is lacking in substance</li> </ul>				
150DX(1)(e)	12/12/2018	During a council meeting a councillor: <ul style="list-style-type: none"> <li>Refused a question from another councillor</li> <li>Refused to accept a procedural motion</li> <li>Threatened another councillor</li> </ul>		To take no further action pursuant to section 150Y(b)(i) of the Local Government Act 2009.  The conduct is not inappropriate conduct or misconduct within the meaning of the Act and as such does not fall within the jurisdiction of the OIA.	Mayor Tom Tate	20/12/2018	Office of the Independent Assessor
150DX(1)(d)	17/12/2018	Concerns about the environmental damage being done by works at the Black Swan Lake and that a councillor referred to it as a 'toxic borrow pit' when it was not toxic. It was further alleged that the same councillor broke an election promise to save Black Swan Lake. A number of councillors were members of the Turf Club. Coastal Tippers was contracted to do some of the works when that company is linked to the Chairman of the Turf Club.	<p>One or more of the following applies:</p> <ul style="list-style-type: none"> <li>The complaint does not identify any inappropriate conduct or misconduct as defined by the Act and is not within the jurisdiction of the OIA; or</li> <li>The OIA has already dealt with another complaint of a similar nature; or</li> <li>The complaint has been, or is being, dealt with by another entity, the Crime and Corruption Commission.</li> </ul>				
150DX(1)(d)	17/12/2018	During a council meeting a councillor displayed inappropriate meeting conduct by cutting off Mr Ashton, who was providing advice to Council on the works at Black Swan Lake, and telling him to sit down.	<p>One or more of the following applies:</p> <ul style="list-style-type: none"> <li>The complaint does not identify any inappropriate conduct or misconduct as defined by the Act and is not within the jurisdiction of the OIA; or</li> <li>The OIA has already dealt with another complaint of a similar nature; or</li> <li>The complaint has been, or is being, dealt with by another entity, the Crime and Corruption Commission.</li> </ul>				

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150DX(1)(d)	10/12/2018	A councillor misled the public and not considered public concerns in relation to works at Black Swan Lake.	One or more of the following applies: <ul style="list-style-type: none"> <li>The complaint does not identify any inappropriate conduct or misconduct as defined by the Act and is not within the jurisdiction of the OIA; or</li> <li>The OIA has already dealt with another complaint of a similar nature; or</li> <li>The complaint has been, or is being, dealt with by another entity, the Crime and Corruption Commission.</li> </ul>				
150DX(1)(d)	15/12/2018	A councillor breached local government standards of behaviour in saying 'I don't know what they're dreaming or what they're smoking' when referring to public claims that there were black swans at the lake.	One or more of the following applies: <ul style="list-style-type: none"> <li>The complaint does not identify any inappropriate conduct or misconduct as defined by the Act and is not within the jurisdiction of the OIA; or</li> <li>The OIA has already dealt with another complaint of a similar nature; or</li> <li>The complaint has been, or is being, dealt with by another entity, the Crime and Corruption Commission.</li> </ul>		Mayor Tom Tate		
150DX(1)(d)	17/12/2018	A councillor stated that the land at the Black Swan Lake was needed for the Gold Coast Show when the Gold Coast Show was no longer held at the site.	One or more of the following applies: <ul style="list-style-type: none"> <li>The complaint does not identify any inappropriate conduct or misconduct as defined by the Act and is not within the jurisdiction of the OIA; or</li> <li>The OIA has already dealt with another complaint of a similar nature; or</li> <li>The complaint has been, or is being, dealt with by another entity, the Crime and Corruption Commission.</li> </ul>				
150DX(1)(e)	13/12/2018	A councillor breached the External Communication Policy by making a false statement in a media release.		To take no further action pursuant to section 150Y(b)(iii) of the Local Government Act 2009.  The statement was technically accurate and further action would be an unjustifiable use of resources. <sup>1</sup>	Mayor Tom Tate	24/12/2018	Office of the Independent Assessor
150DX(1)(d)	08/12/2018	With respect to the Black Swan Lake works, councillors: <ul style="list-style-type: none"> <li>did not follow protocols</li> <li>did not take the wishes of the community into consideration</li> <li>failed to consult with the community</li> <li>failed to consult indigenous elders with concerns about the lake area containing burial sites</li> </ul>	The conduct complained of: <ul style="list-style-type: none"> <li>does not amount to a suspicion of inappropriate conduct or misconduct; or</li> <li>it has already been, or is being, dealt with by another entity the Crime and Corruption Commission.</li> </ul>				
150DX(1)(d)	10/12/2018	A councillor breached provisions of the Local Government Act 2009 in the wording of an email.	The information provided to the Assessor did not show that the councillor was involved in the email. The email was sent by an employee.		Mayor Tom Tate		

<sup>1</sup> Amended on 17 January 2018 at the request of the Independent Assessor to more accurately reflect the reason for the decision made on 24 December 2018.

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150DX(1)(d)	13/12/2018	<ul style="list-style-type: none"> <li>A councillor breached his duty to constituents with regards to transparent governance and effective community engagement.</li> <li>Council exercised discretion to allow the development of unsuitable activities in residential areas</li> <li>Council regularly approved developments in excess of height limits without community consultation</li> </ul>	The jurisdiction of the OIA deals with complaints about Councillor conduct, whereas the subject of the complaint was a series of decisions made by the local government in relation to development approvals.				
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150DX(1)(d)	13/12/2018	<ul style="list-style-type: none"> <li>A councillor breached his duty to constituents with regards to transparent governance and effective community engagement.</li> <li>Council exercised discretion to allow the development of unsuitable activities in residential areas</li> <li>Council regularly approved developments in excess of height limits without community consultation</li> </ul>	The jurisdiction of the OIA deals with complaints about Councillor conduct, whereas the subject of the complaint was a series of decisions made by the local government in relation to development approvals.				
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150DX(1)(d)	24/12/2018	A councillor banned an individual from the councillor's social media site.	Dealing with the complaint would not be in the public interest, and it would be an unjustifiable use of resources. There was evidence that the banned individual used threatening language to the councillor prior to the banning.		Mayor Tom Tate		

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Section of the Local Government Act 2009	Date of complaint Section 150DZ(1)(a)	Summary of complaint Section 150DZ(1)(b)	Reason(s) the complaint was dismissed Section 150DZ(1)(c)	Summary of the decision and Reason(s) for the decision Section 150DY(2)(a)	Councillor name Section 150DY(2)(b); Section 150DY(3)	Date of decision Section 150DY(2)(c)	Decision maker (meeting chairperson and/or agency)
150DX(1)(e)	21/12/2018	A councillor misused his authority by formally counselling another councillor regarding an event involving the other councillor.		To take no further action pursuant to section 150Y(b)(i) of the Local Government Act 2009. <ul style="list-style-type: none"><li>The complaint did not identify inappropriate conduct or misconduct.</li><li>At the time of the alleged inappropriate conduct there was no relevant policy or code of conduct regulating such conduct. The outcome of this complaint may have been different if the current Councillor Code of Conduct was in operation at the time.</li></ul>		22/01/2019	Office of the Independent Assessor
150DX(1)(d)	15/01/2019	A councillor lied in a statement to the media about their alleged involvement in a major fraud prior to the councillor's election.	<ul style="list-style-type: none"><li>Dealing with the complaint would be an unjustifiable use of resources.</li><li>The subject of the media report, and the comments attributed to the councillor, predated and/or were unrelated to the councillor's responsibilities.</li><li>The media report indicated that the matter has been brought to the attention of the Queensland Police.</li></ul>		Mayor Tom Tate		
150DX(1)(e)	04/02/2019	A councillor knowingly misled the public in claiming that the actions of another councillor breached code of conduct provisions, when there was no code of conduct in place at the time of the actions.		To take no further action pursuant to section 150Y(b)(iii) of the Local Government Act 2009. <ul style="list-style-type: none"><li>There was no code of conduct applicable to the other councillor's actions. Upon investigation it was found that even if there were a code of conduct in place, the actions complained of were more serious than a code of conduct breach, and the councillor had already been penalised for those actions by the regulatory body.</li><li>Taking further action would be an unjustifiable use of resources.</li></ul>		06/02/2019	Office of the Independent Assessor
150DX(1)(e)	31/01/2019	An abuse of power occurred when a councillor issued a reprimand and statement of reasons against another councillor because the councillor who issued the reprimand: <ul style="list-style-type: none"><li>was not the decision-maker and was not authorised to deal with the matter; and</li><li>was aware that the correct authority had already dealt with the matter.</li></ul>		To take no further action pursuant to section 150Y(b)(i) of the Local Government Act 2009. <ul style="list-style-type: none"><li>At the time the councillor issued the reprimand there was no code of conduct applicable to the councillor's actions, therefore the conduct did not breach a standard at the time it happened.</li><li>The conduct is not misconduct.</li></ul>	Mayor Tom Tate	14/02/2019	Office of the Independent Assessor
150DX(1)(d)	11/02/2019	All councillors failed to consider public objections to the work at Black Swan Lake, including licence conditions for the Gold Coast Turf Club, flood mitigation concerns, and environmental impacts.	<ul style="list-style-type: none"><li>The complaint related to decisions of Council rather than the individual conduct of councillors.</li><li>The complaint does not identify any inappropriate conduct or misconduct within the meaning of the Local Government Act 2009 and as such does not fall within the jurisdiction of the OIA.</li></ul>				
150DX(1)(d)	30/01/2019	Nine current councillors and four former councillors engaged in inappropriate conduct or misconduct when they voted in favour of a redevelopment approval in 2013.	<ul style="list-style-type: none"><li>The complaint relates to historical matter that was investigated by other agencies and/or has been the subject of action in the Planning and Environment Court.</li><li>Further investigation of the complaint is not a justifiable use of resources.</li></ul>				
150DX(1)(d)	15/02/2019	A councillor stated in a local newspaper that a member of the public made racist comments online.	The complaint is lacking in substance.		Mayor Tom Tate		

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150DX(1)(d)	26/02/2019	A councillor claimed to have self-funded their election campaign, but received a \$10,000 donation from a developer.	<ul style="list-style-type: none"> <li>The donation was declared to the Queensland Electoral Commission.</li> <li>There was no clear evidence about where or when the comment about self-funding was made.</li> <li>Further dealing with the complaint would be an unjustifiable use of resources.</li> </ul>				
150DX(1)(d)	15/02/2019	During a council meeting three councillors were part of an offensive and inappropriate discussion in respect of another councillor.	<ul style="list-style-type: none"> <li>The conduct does not constitute inappropriate conduct or misconduct as defined in the Local Government Act 2009.</li> <li>The conduct is potentially unsuitable meeting conduct which is outside the jurisdiction of the OIA. The chairperson of the meeting deals with unsuitable meeting conduct.</li> </ul>				
150DX(1)(d)	15/02/2019	During a council meeting a councillor made an inappropriate comment.	<ul style="list-style-type: none"> <li>The conduct does not constitute inappropriate conduct or misconduct as defined in the Local Government Act 2009.</li> <li>The conduct is potentially unsuitable meeting conduct.</li> </ul>		Mayor Tom Tate		
150DX(1)(e)	31/12/2018	A councillor failed to disclose a conflict of interest involving an employee working in the councillor's office. It was alleged the employee was previously employed by a person connected to a development proposal.		<p>To take no further action pursuant to section 150Y(b)(i) of the Local Government Act 2009.</p> <ul style="list-style-type: none"> <li>There was no evidence of a recent connection between the employee and the previous employer.</li> <li>The councillor took action to remove the employee from the development proposal.</li> <li>There was no conflict of interest on the part of the councillor.</li> <li>The conduct was not inappropriate conduct or misconduct.</li> </ul>	Mayor Tom Tate	19/03/2019	Office of the Independent Assessor
150DX(1)(d)	08/12/2018	The complaint related to the conduct of a single councillor and alleged elections donations received prior to the councillor's election to council had been omitted from the councillor's register of interests	The OIA decided to take no further action about the conduct of the councillor pursuant to Section 150(c)(i) of the Local Government Act 2009 on the basis it would not be in the public interest to continue the investigation as the councillor promptly amended their register of interests when the issue was raised with them and the election donations had been declared publicly on the Electoral Commission of Queensland website since 2016.				
150DX(1)(e)	01/04/2019	It is alleged that during a media interview on 28 March 2019, a councillor made comments regarding complaints lacking substance and ongoing disputes between the councillor and regulatory authorities.		<p>To take no further action pursuant to section 150Y(b)(i) of the Local Government Act 2009.</p> <p>The OIA decided to take no further action on the basis that the comments made by the councillor did not constitute inappropriate conduct or misconduct within the meaning of the Local Government Act 2009.</p>	Mayor Tom Tate	12/04/2019	Office of the Independent Assessor
150DX(1)(d)	04/04/2019	It was alleged that a councillor made inappropriate comments in the media about investigations being undertaken by the Queensland Crime and Corruption Commission.	The OIA delegate made the decision to dismiss the complaint as per Section 150X(a)(ii) of the Local Government Act 2009, i.e. the conduct does not constitute inappropriate conduct or misconduct.		Mayor Tom Tate		

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150DX(1)(e)	04/04/2019	It was alleged that a councillor posted confidential Council information on their councillor Facebook page		No further action is taken pursuant to Section 150Y(b)(i) of the Local Government Act 2009, i.e. that the conduct does not constitute inappropriate conduct or misconduct.  The OIA delegate recorded a decision to take no further action on this complaint as preliminary assessment identified that the councillor in question obtained written consent from the relevant senior council employee to publish the information in question.		17/04/2019	Office of the Independent Assessor
150DX(1)(d)	04/04/2019	It is alleged that Councillors used executive powers to 'black star' an application for the construction of a building, resulting in no Impact Assessment being carried out, and the Councillors not acting in the best interests of the community.	The OIA dismissed the complaint pursuant to section 150X(a)(ii) on the basis that the conduct did not constitute inappropriate conduct or misconduct. Additional information obtained by the OIA indicated that the application was not subject to a 'black star' status at the time of going to Council.				
150DX(1)(d)	17/04/2019	A councillor met with a member of the public to discuss the installation of a CCTV camera opposite the individual's residence.	<ul style="list-style-type: none"> <li>The conduct does not constitute inappropriate conduct or misconduct as defined in the Local Government Act 2009.</li> <li>The complaint related to the installation of the CCTV camera and privacy concerns, rather than the conduct of the councillor.</li> </ul>				
150DX(1)(b)	16/01/2019	Two separate complaints were received about the conduct of a Councillor that used the word 'frivolous' in a media statement. It was alleged the use of this word was contrary to the behavioural standards expected of a councillor.		Pursuant to section 150AG of the Local Government Act 2009, the Local Government decided the councillor did not engage in inappropriate conduct as defined in section 150K of the Local Government Act 2009, i.e. that the conduct did not breach a behavioural standard.  The councillor used the word 'frivolous' in the context of its ordinary meaning and not in the context of the legal meaning. The statement by the councillor was not directed at the complainants, but rather was in reference to the number of complaints dismissed because they were not deemed inappropriate conduct or misconduct.		14/05/2019	Council of the City of Gold Coast.  Council meeting held on 14 May 2019. Decision G19.0514.028
150DX(1)(d)	04/04/2019	The complaint was exclusively against all councillors of the City of Gold Coast who failed in their duty to instruct the executive administration of the Council to undertake a genuine review of the matter (MBBP) and report back to Council. Councillors also individually abrogated their responsibilities under the Local Government Act and the Crime and Corruption Act. (MBBP refers to the Main Beach Bathing Pavilion).	The complaint was dismissed by the Independent Assessor as vexatious pursuant to section 150X(b)(i) of the Local Government Act 2009. The essentially same, or similar, complaint had been made to various entities over a period since at least 2012 and had been dealt with on numerous occasions.				
150DX(1)(d)	01/05/2019	It was alleged that two Councillors failed to personally respond to correspondence sent by the complainant on 5 February 2019 and 7 February 2019 relating to a complaint about breaches of Codes and Planning schemes.	The Councillors were sent advice from a council staff member that the staff member would deal with the letter dated 5/2/19 and the letter on 7/2/19 was only cc'd to the councillors. The conduct did not raise a reasonable suspicion of inappropriate conduct or misconduct pursuant to the Local Government Act 2009.		Mayor Tom Tate was one of the Councillors		

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150DX(1)(e)	03/05/2019	It was alleged a councillor failed to update their Register of Interests within 30 days of interests arising.		The OIA decided to take no further action about the conduct of the councillor pursuant to section 150Y(b)(iii) of the Local Government Act 2009  The interests involved gifts from a close relative, the gifts were valued at less than \$5,000 and there was no ongoing financial benefit to the councillor arising from the gifts.		14/06/2019	Office of the Independent Assessor
150DX(1)(b)	04/12/2018	A Councillor deleted an online comment and blocked access to the page.		Pursuant to section 150AG of the Local Government Act 2009, the Local Government decided the councillor did not engage in inappropriate conduct as defined in section 150K of the Local Government Act 2009, i.e. that the conduct did not breach a behavioural standard.  The Council accepted the report handed down by the CCT that formed the view that a conclusion might be drawn, that if the Council accepted the evidence presented and analysed in the report, and that there is insufficient evidence for the Council to decide that the Councillor has engaged in inappropriate conduct.	Mayor Tom Tate	13/06/2019	Council of the City of Gold Coast.  Council meeting held on 13 June 2019. Decision G19.0613.075
150DX(1)(b)	04/12/2018	A Councillor deleted a Facebook question and blocked user access to the page.		Pursuant to section 150AG of the Local Government Act 2009, the Local Government decided the councillor did not engage in inappropriate conduct as defined in section 150K of the Local Government Act 2009, i.e. that the conduct did not breach a behavioural standard.  The Council accepted the report handed down by the CCT that formed the view that a conclusion might be drawn, that if the Council accepted the evidence presented and analysed in the report, and that there is insufficient evidence for the Council to decide that the Councillor has engaged in inappropriate conduct.	Mayor Tom Tate	13/06/2019	Council of the City of Gold Coast.  Council meeting held on 13 June 2019. Decision G19.0613.076
150DX(1)(b)	04/12/2018	A Councillor, on Channel 7 news, made a statement about members of the public that oppose works at Black Swan Lake.		Pursuant to section 150AG of the Local Government Act 2009, the Local Government decided the councillor did not engage in inappropriate conduct as defined in section 150K of the Local Government Act 2009, i.e. that the conduct did not breach a behavioural standard.  The Council accepted the report handed down by the CCT that formed the view that a conclusion might be drawn, that if the Council accepted the evidence presented and analysed in the report, and that there is insufficient evidence for the Council to decide that the Councillor has engaged in inappropriate conduct.	Mayor Tom Tate	13/06/2019	Council of the City of Gold Coast.  Council meeting held on 13 June 2019. Decision G19.0613.077
150DX(1)(d)	18/06/2019	It was alleged that during a council meeting on 13 June 2019 a number of councillors breached the code of conduct in that they failed to act in the best interests of the community by finding the a Councillor had not engaged in inappropriate conduct.	The OIA dismissed the complaint as the conduct did not amount to inappropriate conduct or misconduct. The decision was a council decision, which is not within the jurisdiction of the OIA.				