



SUSPECTED CONDUCT BREACH

INVESTIGATION REPORT

Pursuant to s 150AE of the *Local Government Act 2009*
and the Tablelands Regional Council Investigation Policy.

INVESTIGATOR:

[REDACTED]

LOCAL GOVERNMENT:

TABLELANDS REGIONAL COUNCIL

COUNCILLOR:

COUNCILLOR KEVIN CARDEW

OIA REFERENCE:

C/26/00057

REPORT DATE:

21 MAY 2026

INTRODUCTION

1. The Tablelands Regional Council (the **Council**) received a referral from the Office of the Independent Assessor (**OIA**) pursuant to Chapter 5A, Part 3, Division 5 of the Local Government Act 2009 (the **Act**). The referral relates to Councillor Kevin Cardew in his capacity as an elected Councillor of the Council.
2. I have been appointed by the Council to investigate and report on the subject-matter of the OIA referral as required by s 150AF of the Act and pursuant to the Tablelands Regional Council Investigation Policy (the **Investigation Policy**). This is my report as required by s 150AE(2) (d) of the Act and the Investigation Policy.
3. I recommend that the Council find that Councillor Kevin Cardew **did engage in a conduct breach** in respect of his failure to adhere to Council's voting requirements for the "Australia Day Awards".
4. I recommend that the Council find that Councillor Kevin Cardew **did not engage in a conduct breach** in respect of his interaction with [REDACTED] on 23 January 2026.
5. I recommend that Council consider undertaking facilitated mediation to determine agreed standards of behaviour for interactions between Councillors and Councillors and senior staff.
6. These issues are discussed more fully below. Unless the context indicates otherwise, all statements of fact in this report are findings that I have made. Those findings have been made based on the material provided by Council and the Office of the Independent Assessor (OIA) and meetings with and additional information obtained during interviews with Councillor Cardew.

THE INVESTIGATION PROCEDURE

7. On 26 April 2026, I again formally advised Councillor Cardew of the full details of the referral notice and gave him an opportunity to provide a written statement or meet to provide any oral comments or evidence.
8. On 29 April 2026, I met with Councillor Cardew via Microsoft Teams to advise him of my appointment as the investigator for the purposes of the Act and the Investigation Policy.
9. During and after my 29 April 2026 meeting with Councillor Cardew he provided me with additional information and context.
10. When a suspected conduct breach is investigated, the Act and the Investigation Policy require that the relevant Councillor be given the preliminary findings of the investigation and an opportunity to give evidence or a written submission about the suspected conduct and the preliminary findings.
11. On 11 May 2026, I sent Councillor Cardew the Statement of Preliminary Findings. I invited Councillor Cardew to give me any evidence or any written submissions which he wanted me to consider by 15 May 2026.
12. On 11 May 2026, Councillor Cardew informed me that he did not wish to provide any further evidence or written submissions with respect to this investigation. I do not form any adverse views arising from Councillor Cardew decision not to provide evidence or submissions.
13. In this investigation, I have sought to conform with the rules of procedural fairness. I am not aware of any circumstance that might cause my role to be affected by an apprehension of bias or any relevant conflict of interest. I am satisfied that Councillor Cardew had a full and fair opportunity to be heard with respect to the issues arising in the investigation.
14. Having regard to the nature of the issues and the material available to me, I interviewed Councillor Cardew on 29 April via telephone and Microsoft Teams.
15. Having regard to the nature of the issues and the material available to me, I held several follow up telephone conversations with Councillor Cardew for clarifications relating to the investigation.
16. My findings are based on the Material provided to me by Council, the OIA and interviews with Councillor Cardew, [REDACTED] and [REDACTED]. I have considered in full even though I may not have referred to or described every document or interaction within the material or every part of every document.

BACKGROUND

17. On 22 February 2024, a Code of Conduct for Councillors in Queensland (the **Code of Conduct**) was approved for the purposes of s 150D of the Act.¹³
18. Queensland local government elections were held on 16 March 2024. Councillor Cardew was declared elected to the Council.
19. The Code of Conduct applies to Councillor Cardew.
20. On 12 March 2026, the OIA wrote to Councillor Cardew regarding certain allegations about his conduct, including
21. **Alleged conduct breach 1** “Councillor Cardew failed to adhere to the prescribed Council voting requirements for judges on the “Australia Day Awards” panel.
22. Details of the conduct and complaint relevant to this referral of suspected conduct breaches to the local government are extracted from the notification as follows:
23. Each year, Tablelands Regional Council holds the ‘Australia Day Awards’ event (the ‘Event’) in recognition of outstanding achievements of community members in the categories of Citizen and Young Citizen of the Year, Community Event of the Year, Community Service, Sports Supporter, Junior Sports, Senior and Junior Cultural.
24. This involves a judging panel consisting of Councillors and [REDACTED] casting their votes in relation to the nominees in each category.
25. The results of the judging panel culminate in the announcement and issue of an award in each category to the victorious nominees at a ceremony held on Australia Day, 26 January.
26. On 12 January 2026, [REDACTED] met with the event’s judging panel, which consisted of four Councillors and [REDACTED]. During this meeting, [REDACTED] outlined the voting process, explaining that each judge was required to complete a ‘Judging Sheet’ (‘Sheet’) that scored each nominee in every category on a scale from 1 to 5 (1 = poor, 2 = fair, 3 = good, 4 = very good, 5 = outstanding). It was emphasised that a score of zero was not permitted and would be treated as invalid.
27. The nominee with the highest total score would be declared the winner for that category.
28. Voting sheets were distributed, and [REDACTED] provided further guidance on the judging responsibilities, including the requirement to appropriately manage any conflicts of interest.

29. When the completed judging sheets were collected, it was identified that Councillor Cardew's sheet had been completed incorrectly. In each category, he failed to score all nominees, leaving required fields blank and scoring only one or two nominees. As the scoring system did not permit a score of zero and required each nominee to receive a score between 1 and 5, his entries caused anomalous and unfair outcomes in all but one category when tallied with the votes of his peers.
30. On 16 January 2026, during a phone call with [REDACTED], Councillor Cardew was advised that he had voted incorrectly and was asked to correct his Sheet, but the Councillor refused.
31. On 20 January 2026, during a meeting of [REDACTED], concerns about Councillor Cardew's voting practices were raised directly with him, and he was again asked to correct his Sheet in accordance with the required process.
32. He declined stating, "You can only have one winner". At 7:47am on 22 January 2026, [REDACTED] emailed Councillor Cardew, advising that due to his irregular voting—which resulted in unfair outcomes and altered the winners in all but one category—his votes would be removed to ensure fairness.
33. [REDACTED] also noted that because the incorrect results had already been provided to the media under embargo, Council was required to contact the media to correct the results prior to publication.
34. After receiving [REDACTED] email, and before the commencement of Council's Ordinary Meeting, Councillor Cardew attended [REDACTED] office and challenged the decision to remove his votes.
35. **Alleged conduct breach 2** "Councillor Cardew's manner during his interaction with [REDACTED] was described as forceful, aggressive, and intimidating, and included a threat to report the CEOs actions to the Crime and Corruption Commission (CCC).
36. An audio recording of this meeting was provided to me by Councillor Cardew.
37. [REDACTED] was unaware the meeting was being recorded.
38. His manner was described as forceful and aggressive, and issued a threat to report [REDACTED] actions to the Crime and Corruption Commission (CCC).
39. Following this interaction with [REDACTED], Councillor Cardew had further interactions with [REDACTED] and [REDACTED].
40. Before addressing each of the details of the complaint, the subject of this investigation, it is appropriate that I outline my understanding of the relevant legal framework.

LEGAL FRAMEWORK

41. This investigation and my assessment of Councillor Cardew conduct is governed by the Act. The purpose of the Act is set out in s 3:

The purpose of this Act is to provide for—

- (a) the way in which a local government is constituted and the nature and extent of its responsibilities and powers; and
- (b) a system of local government in Queensland that is accountable, effective, efficient and sustainable.

42. Section 4(1)(a) of the Act states that, to ensure the system of local government is accountable, effective, efficient and sustainable, Parliament requires anyone performing responsibilities under the Act to do so in accordance with the “local government principles”.

43. Section 4(2) states that the “local government principles” are as follows:

- (a) transparent and effective processes, and decision-making in the public interest; and
- (b) sustainable development and management of assets and infrastructure, and delivery of effective services; and
- (c) democratic representation, social inclusion and meaningful community engagement; and
- (d) good governance of, and by, local government; and
- (e) ethical and legal behaviour of Councillors, local government employees and Councillor advisors.

44. Under s 150D of the Act, the relevant Minister must make a Code of Conduct that sets out the standard of behaviour for Councillors in performing their functions as Councillors. The standard set out in the Code of Conduct is known as a “behavioural standard” (s 150C). A contravention of that behavioural standard is known as a “conduct breach” (s 150K).

45. To determine if Councillor Cardew engaged in a “conduct breach”, his conduct must be assessed against the standards in the Code of Conduct.

46. The purpose of the Code of Conduct is:

The Code of Conduct sets out the principles and standards of behaviour expected of Councillors and mayors when carrying out their roles, responsibilities and obligations as elected representatives for their communities. By adhering to the behaviours set out below, Councillors will increase public confidence in local government and their decisions.

47. The Code of Conduct states that it “provides a set of values that describe the types of conduct Councillors should demonstrate to ensure their compliance with the local government principles”. One such value is that, in “representing and meaningfully engaging with the community, Councillors will ... show respect to all persons”.
48. The Code of Conduct sets out three particular standards of behaviour, which are summarised as the “three Rs”: Responsibilities, Respect, and Reputation. The Code of Conduct states:

Each standard of behaviour includes, but is not limited to, several examples to guide Councillors in complying with the Code of Conduct when carrying out their role as elected officials. Councillors are to understand and comply with the following standards of behaviour as set out in the Code of Conduct listed below.

49. Relevantly, Standard 1 in the Code of Conduct states that Councillors are to: Carry out RESPONSIBILITIES consciously and in the best interests of the local government and the community

50. The non-exhaustive examples given for Standard 1 include:

1.2 Respect and comply with all policies, procedures and resolutions of local government

51. Standard 2 in the Code of Conduct states that Councillors are to:

Treat people in a reasonable, just, RESPECTFUL and non-discriminatory way

52. The non-exhaustive examples given for Standard 2 include:
- 2.1. Treat fellow Councillors, local government employees and members of the public with courtesy, honesty and fairness
 - 2.2. Not use abusive, obscene or threatening language (either oral or written) or behaviour towards other Councillors, local government employees or members of the public
53. Standards of reasonableness, respect, courtesy, responsibility and upholding public confidence are important, although somewhat amorphous. The question of whether conduct fails such standards cannot be considered in a vacuum; it is a highly contextual question.
54. The Standards in the Code of Conduct and the obligations under the Act, in summary, my view is that:
- (a) The Code of Conduct should be understood according to the plain meaning of its language and should be applied having regard to all relevant facts and circumstances.
 - (b) The purpose of the Standards in the Code of Conduct is to uphold “public confidence in local government and their decisions”, consistently with the Act’s purpose of providing a system of local government that is accountable, effective, efficient and sustainable.
55. That is the approach I have applied to the issues arising in this investigation and my assessment of the conduct under consideration.

AUSTRALIA DAY AWARDS JUDGING PANEL

(Alleged conduct breach 1)

56. The OIA wrote to the Council's CEO on 12 March 2026 with a referral breach notice requiring Council to undertake an investigation into the complaint in accordance with Councils Investigation policy and the Queensland Local Government act.

57. The details of the complaint (Alleged conduct breach 1) are

"It is alleged that between 11 January 2026 and 23 January 2026, Councillor Cardew engaged in conduct, which if proven, may amount to a conduct breach as defined in section 150K(1)(a) of the Act, on the basis the conduct contravened behavioural standard 3 and/or 3.3 of the Code of Conduct for Councillors in Queensland

3. Ensure conduct does not reflect adversely on the REPUTATION of the local government

3.3 At all times strive to maintain and strengthen the public's trust and confidence in the integrity of the local government and avoid any action which may diminish its standing, authority or dignity.

Councillor Cardew failed to adhere to the prescribed voting requirements of the event despite having performed the role correctly the previous year, and he refused to correct his voting irregularities once informed, which skewed results in favour of his preferred nominees which unfairly altered the outcomes in all but one award category.

To ensure the awards process was ethical and fair, [REDACTED] intervened and rescinded his votes to ensure the integrity of the awards were maintained.

The results from the panel's initial votes had already been provided to the media under embargo and trophies had been engraved. Council had to contact media outlets to ensure that only the accurate results were published in addition to sourcing new trophies for the correct winners once Councillor Cardew's votes were excluded from further consideration.

The correction to what was otherwise a clear and simple voting process appears to have cost the Council time, resources, financially and potentially reputationally.

58. In this case I am guided additionally by standard of behaviour 1 of the Code of Conduct for Councillors in Queensland,
- 1 Carry out RESPONSIBILITIES consciously and in the best interests of the local government and the community.
59. The non-exhaustive examples given for Standard 2 include:
- 2.3. Respect and comply with all policies, procedures and resolutions of the local government.
60. I consider the instructions provided to the judging panel and further explanations provided to Councillor Cardew during the process to be ‘policy’ (at least practice) and procedure that should have been respected by all Councillors, including Councillor Cardew.
61. During my meetings with Councillor Cardew he admitted not to correctly following the required process.
62. His additional supporting information in relation to this referral provided to me during the investigation relates to,
- His limited education in mathematics and a misunderstanding of the statistical implications of his scoring decisions.
 - He acted with best intentions.
 - He was not provided with clear and concise written instructions as to how to correctly complete his scoring.
 - Other Councillors on the panel also allegedly had to amend their scoring sheets during the process.
63. Based on all of the evidence provided from the OIA, Council and interviews with [REDACTED] at Council, **I am of the opinion** that Councillor Cardew’s alleged failure to score the Australia Day Awards nominations correctly is a conduct breach of standard of behaviour 1 of the Code of Conduct for Councillors in Queensland.

64. Councillor Cardew has advised me of his remorse for his failure to score the Australia Day Awards in accordance with Councils requirements and displayed a willingness to make a formal apology for his actions.

██████████ AND COUNCILLOR CARDEW MEETING (Alleged conduct breach 2)

65. The OIA wrote to Council's CEO on 12 March 2026 with a referral breach notice requiring Council to undertake an investigation into the complaint in accordance with Council's Investigation Policy and the Queensland Local Government Act.
66. The details of the complaint (Alleged conduct breach 2) are

It is alleged that on 22 January 2026, at approximately 9:00am, Councillor Cardew engaged in conduct, which if proven, may amount to a conduct breach as defined in section 150K(1)(a) of the Act, on the basis the conduct contravened behavioural standard 2 and/or 2.1 of the Code of Conduct for Councillors in Queensland

2. Treat people in a reasonable, just, RESPECTFUL and non-discriminatory way

2.1 Treat fellow Councillors, local government employees and members of the public with courtesy, honesty and fairness.

67. Councillor Cardew's manner during his interaction with ██████████ was described as forceful, aggressive, and intimidating, and included a threat to report ██████████ actions to the Crime and Corruption Commission (CCC), despite there being no reasonable indication that the conduct would meet the definition of corrupt conduct. ██████████ documented the incident in an email ██████████ sent to colleagues shortly after the interaction at 9:16am, and in a further email sent the following day at 12:43pm on 23 January 2026.
68. During my interview with Councillor Cardew he advised me of and provided me with a copy of an audio recording of the full meeting/interaction with ██████████.
69. This additional evidence did not support the details of allegation 2 as referred by the OIA to Council.

70. Both parties to the interaction appeared to be flustered and abrupt with each other. Not to excuse either party but it was not surprising in the context of the timing of the interaction being shortly after Councillor Cardew was advised that his votes in the Australia Day Awards were to be formally excluded from the process and the fact that both were on their way to a Council meeting.
71. Allegation 2 in the OIA referral stated “.... included a treat to report [REDACTED] actions to the CCC, despite there being no reasonable indication that the conduct would meet the definition of corrupt conduct....”.
72. This was not supported by Councillor Cardew’s evidence.
73. Therefore, based on all of the evidence provided from the OIA, Council, interviews with [REDACTED] and [REDACTED] at Council, and the additional evidence provided by Councillor Cardew, **I am of the opinion** that this allegation 2 is not substantiated and Councillor Cardew’s alleged interaction with [REDACTED] were **not a conduct breach**.

RECOMMENDATION TO COUNCIL

OIA Reference: C/26/00057

74. (Alleged conduct breach 1)

75. I recommend that the Council find that Councillor Kevin Cardew **did engage in a conduct breach** in respect of his failure to adhere to Council's voting requirements for the "Australia Day Awards".

76. (Alleged conduct breach 2)

I recommend that the Council find that Councillor Kevin Cardew **did not engage in a conduct breach** in respect of his interactions with [REDACTED] on 23 January 2026.

77. I recommend that Council consider undertaking facilitated mediation to determine agreed standards of behaviour for interactions between Councillors and Councillors and senior staff.

78. I recommend that this report be submitted to the Council for consideration, pursuant to s 150AG of the *Local Government Act 2009*, as to whether or not Councillor Kevin Cardew engaged in a conduct breach; and, if he is found to have so engaged, what action the Council will take to discipline Councillor Kevin Cardew pursuant to s 150AH of that *Act*.

CONSIDERATION OF DISCIPLINARY ACTION

79. If the Council, upon consideration of this matter, finds that Councillor Cardew did engage in a conduct breach, relevant factors to consider may include:

80. Councillor Cardew's further explanation

- His admission to not following the correct process.
- His limited education in mathematics and a misunderstanding of the statistical implications of his scoring decisions.
- He was allegedly not provided with clear and concise written instructions as to how to correctly complete his scoring.
- Other Councillors on the panel also had to amend their scoring sheets during the process.
- His remorse and willingness to offer an apology for his actions.

81. If the Council finds that Councillor Cardew engaged in a conduct breach, s150AG(1)(b) of the *Local Government Act 2009* requires the Council to decide what action under s 150AH it will take to discipline Councillor Cardew, Section 150AH states:

For section 150AG(1)(b), the local government may—

- (a) order that no action be taken against the councillor; or
 - (b) make 1 or more of the following orders—
 - (i) an order that the councillor make a public apology, in the way decided by the local government, for the conduct;
 - (ii) an order reprimanding the councillor for the conduct;
 - (iii) an order that the councillor attend training or counselling to address the councillor's conduct, including at the councillor's expense;
 - (iv) an order that the councillor be excluded from a stated local government meeting;
 - (v) an order that the councillor is removed, or must resign, from a position representing the local government, other than the office of councillor;
- Example—*
- The councillor is ordered to resign from an appointment representing the local government on a State board or committee.
- (vi) an order that if the councillor engages in the same type of conduct again, it will be treated as misconduct;
 - (vii) an order that the councillor reimburse the local government for all or some of the costs arising from the councillor's conduct breach.