

Complaint Investigation Summary Report

Ipswich City Council

February 2025

Reference number: C/24/00786

Date received from Council: 17 December 2024

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1. The subject Councillor

The Subject Councillor is Councillor Andrew Antonioli, Councillor for Division 3 Ipswich City Council.

Cr Antonioli has been a Councillor for 18 years commencing in 2000, serving as Ipswich Mayor from 2017-2018. Cr Antonioli was re-elected to Council at the Council Elections held in May 2024.

2. The Complaints – description of the alleged conduct

This investigation involves two allegations against Councillor Andrew Antonioli (the Councillor) of Ipswich City Council (the Council) that relate to an article published in the Ipswich Tribune on 2 October 2024, and an e-mail exchange between the Councillor and the CEO of the Council, Ms Sonia Cooper (the CEO) on 2 October 2024.

The article titled 'Food vans bite into CBD café takings' reported on concerns raised by Ipswich CBD restaurant owners about their loss of potential profits as a result of 'food trucks parked up' in the area during 'one of the busiest times of year'.

Allegation 1:

It is alleged that Councillor Antonioli engaged in a conduct breach pursuant to section 150K(1)(a) of the Local Government Act 2009 (Qld) [the Act], on the basis of a breach of behavioural standards 2.1 and 3.3 of the Code of Conduct for Councillors in Queensland. These breaches are said to arise as a result of comments the Councillor made, and that were published by the Ipswich Tribune on 2 October 2024, that were considered both derogatory to Council staff and diminished Council's standing, authority or dignity.

Allegation 2:

It is alleged that on 2 October 2024, in response to an e-mail from the CEO Ms Sonia Cooper to Councillor Antonioli, advising him about staff who were distressed as a result of his comments in the press and that the matter would be referred to the OIA, the Councillor responded in a disrespectful manner towards the CEO and Council 'administration'.

3. Facts established by the investigation

Allegation 1:

1. On 2 October 2024 the Ipswich Tribune published quotes allegedly from Councillor Antonioli in relation to alleged concerns from CBD restaurant owners regarding loss of trade due to the existence of mobile food trucks during the dinosaur display school holidays. Cr Antonioli is quoted as saying, amongst other quotes ... "What a slap in the face this is for our traders..."

"Council continues to overpromise and under deliver. We must devise a better strategy because the existing approach of using food vans is not helping traders who have signed leases and then must pay exorbitant rents to be there"

“The vans get pole position and the lion’s share of dollars spent, and that is not right”. “Plus, they block the view to the restaurants and cafes, so most people wouldn’t have known there were other food options.”

“Why would we even offer the traders a lease in the first place?”

“We have filled them with false hope and rolled out the red carpet, but then pulled the rug out from beneath them.”

“I am left scratching my head and wondering if anybody knows how to promote the Precinct; it’s like knocking your head against the brick wall.”

“The definition of insanity is doing the same thing repeatedly and expecting a different result: do our leasing arm and our events teams talk to one another because clearly we’re not getting it right”

2. The quotes in the Ipswich Tribune of 2 October 2024 are critical of two specific areas of Council involved with the organisation of the event and the leasing of properties in the precinct, namely the [REDACTED]
[REDACTED]
3. Managers and staff in Council areas that were mentioned in the quotes attributed to Cr Antonioli were upset, and in some cases distressed from the quotes.
4. The CEO was approached by leaders and [REDACTED]
[REDACTED] expressing their disappointment in the comments.
5. At interview, the CEO indicated that following the publishing of the article on 2 October 2024, she was approached by the [REDACTED] responsible for the areas mentioned in the article who advised that managers and staff in the areas were upset, and in some cases distressed, gutted and devastated by the article. The CEO met with the staff impacted by the article and apologised to them for the conduct of the Councillor and the impact on them, and said that the behaviour was clearly not acceptable. The CEO offered her support and expressed her appreciation for the work they had done and arranged counselling for staff impacted by the article.
6. The CEO advised Councillor Antonioli by e-mail on 2 October 2024 that she was required by legislation to refer the Councillor’s comments to the Office of the Independent Assessor (OIA) for assessment against the Queensland Councillor Code of Conduct, and that she had spent considerable time speaking with and consoling distressed staff members across two branches of the council team who had their work heavily criticised by the Councillor.
7. Cr Antonioli replied to the CEO’s e-mail on 2 October 2024 expressing his disappointment at the referral and stating that the “comments were not aimed at staff members but at the administration.” The e-mail further stated, “If only your concerns were for the mum and dad businesses that are suffering.”
8. [REDACTED] telephoned Cr Antonioli on 3 October 2024 and subsequently met with Cr Antonioli on 3 October 2024 to express disappointment at the quoted comments.

9. At interview on 15 January 2025, Witness [REDACTED] really disappointed and offended by the quotes in the article. Witness A said they called Councillor Antonioli and subsequently met with him on 3 October 2024. Witness A said that Councillor Antonioli was less apologetic on the phone and more defensive, however when they met straight after the phone call, the Councillor was more conciliatory. Witness A said that at the meeting, the Councillor was sorry that the people who were most offended [REDACTED] [REDACTED] are the people he does think a lot of and are well regarded.
10. At interview on 22 January 2025, Councillor Antonioli said the conversation with Witness A at their meeting on 3 October 2024 was conciliatory and he didn't think he was angry. He said at the meeting he was open to discussion, and he felt he was somewhat apologetic for the fact that he didn't mean to upset Witness A's staff. Councillor Antonioli said the conversation with Witness A was cordial and respectful at all times, but he can be emotional, and he was frustrated for the "mums and dads" who own businesses.
11. On 7 November 2024 at 11.45am, the CEO [REDACTED] met with Councillor Antonioli to discuss the approach to the use of food vans.
12. At interview on 30 January 2025, the CEO said that at the meeting on 7 November 2024, she explained to the Councillor the reasons that the Council uses food vans, which is to ensure that there's sufficient food offerings for the thousands of people that attend the event. The CEO said they worked through the issues and the Councillor asked questions. The CEO said the Councillor seemed genuinely understanding and accepting of the answers, acknowledging the challenges that Council grapples with in deciding which food vans, and how many, and the locations.
13. The CEO said the Council officers at the meeting of 7 November 2024 came up with some practical suggestions on how they could move forward including trying different approaches to the food vans. The CEO said they explained those approaches to the Councillor, and he thought they sounded reasonable. The CEO said that at the meeting, the Councillor acknowledged that the meeting was professional and constructive.
14. At interview on 5 February 2025, Councillor Antonioli said that the meeting with the CEO and [REDACTED] on 7 November 2024 at 11.45am was very professional and constructive with concessions on the part of the officers to do more for the traders, and also an offer from the Councillor to work with the officers to assist with improved communication with the traders.
15. At interview, on 22 January 2025 Cr Antonioli acknowledged that the quotes in the Ipswich Tribune article on 2 October 2024 are a... "fairly close resemblance to what I said so I'm not walking back on my words or saying that they're not accurate...They are relatively accurate to what I said... So, they may have been cut from three or four different discussion points."
16. At interview on 15 January 2025 and 30 January 2025, the CEO advised that on 29 November 2024 at 10am she had a phone conversation with Councillor Antonioli, and during that call, the Councillor said he was sorry for what he did (the quotes in the Tribune on 2 October 2024), and it wasn't the right thing to do, and he wouldn't do it again. The CEO said in that conversation that she suggested that the Councillor talk to her first if he feels frustrated over a matter rather than talking to a media outlet.

17. When this conversation was put to Councillor Antonioli at interview on 5 February 2025, The Councillor said he probably would have said to the CEO, he would be a bit more circumspect and perhaps he could handle that a little better next time.
18. Since his election and joining Council in May 2024, Cr Antonioli has been referred to the OIA on at least six occasions as far as Council is aware. On two previous occasions, 31 July 2024 and 23 August 2024, the OIA has made recommendations (relevant to this investigation) for Cr Antonioli to review and re-familiarise himself with the provisions of the Queensland Councillor Code of Conduct and his obligations as a Councillor to adhere to those provisions.

Allegation 2:

1. On 2 October 2024 the Ipswich Tribune published quotes allegedly from Councillor Antonioli in relation to alleged concerns from CBD restaurant owners regarding loss of trade due to the existence of mobile food trucks during the dinosaur display school holidays. The quotes specifically mention the leasing arm and events teams in Council.
2. Managers and staff were upset, and in some cases distressed at the quoted comments.
3. There had been no consultation by the Councillor with any staff in the Council prior to publication of the quotes in the Ipswich Tribune on 2 October 2024.
4. The CEO advised Councillor Antonioli by e-mail on 2 October 2024 that she was required by legislation to refer the Councillor's comments to the OIA for assessment against the Queensland Councillor Code of Conduct, and that she had spent considerable time speaking with and consoling distressed staff members across two branches of the council team who had their work heavily criticised by the Councillor. The e-mail reads:

"Good afternoon Councillor Antonioli

I note the front page and page 3 story in the Ipswich Tribune today in which you are quoted as having made comment in your role as a Division 3 Ipswich City Councillor.

I am writing just as a courtesy to let you know that I am required by legislation to refer your reported comments to the Office of the Independent Assessor for assessment against the Queensland Councillor Code of Conduct.

I have spent considerable time today speaking with and consoling distressed staff members across two branches of the council team who have had their work heavily criticised in public by an elected representative of the council that they serve and work for.

As you know, I am accountable for a physically and psychosocially safe workplace and the wellbeing of a number of staff members has been negatively impacted by your commentary that has been published to the community at large.

Regards, Sonia"

5. Cr Antonioli replied to the CEO's e-mail on 2 October 2024 expressing his disappointment at the referral. The e-mail reads:

"Sonia

That is disappointing as comments were not aimed at staff members but the administration. If only your concerns were for the mum and dad businesses that are suffering."

6. There are three aspects of the e-mail from Cr Antonioli dated 2 October 2024 which are relevant to this investigation, as follows:
 - a. The statement, “the comments were not aimed at staff members”.
 - b. The statement, “but the ‘administration’.”
 - c. The statement, “if only your concerns were for the mum and dad businesses that are suffering.”
7. The Councillor’s quotes in the Ipswich Tribune on 2 October 2024 are clearly critical of the staff members of the ‘leasing arm’ and the ‘events team’,
 - a. ... “I am left scratching my head and wondering if anybody knows how to promote the Precinct; it’s like knocking your head against the brick wall.”
 - b. “The definition of insanity is doing the same thing repeatedly and expecting a different result: do our leasing arm and our events teams talk to one another because clearly we’re not getting it right”
8. At interview on 7 January 2025, the CEO recalls that on some previous occasions, when the Councillor is referring to the ‘administration’, he has meant the Councillors rather than the staff members of Council.
9. When put to Cr Antonioli at interview on 22 January 2025, he clarified that what he meant by the term ‘administration’ was, he wasn’t critical of the staff that were at the bottom end of this delivery... it’s the guidance they get from above and particularly through the General Manager and the CEO.
10. When interviewed on 5 February 2025 regarding clarification of the term administration, Cr Antonioli confirmed that by administration he meant the officers at the pointy end of the organisation...the CEO and the GMs.
11. At interview on 30 January 2025, when asked how the comment regarding not caring for the mum and dad businesses made her feel, the CEO said she felt that the comment was generally disrespectful. She said that she was more concerned for the Councillor’s emotional state at the time, because she thought to disregard what she had said in the email, about the distress of staff, and to dismiss that and suggest that she didn’t care about the businesses, was disrespectful. The CEO was concerned at the Councillor’s perspective on the matter. The CEO said she took mild offence that the Councillor would suggest that she did not care about the businesses, which are Council’s lessees.

4. Natural justice afforded to the Councillor

Cr Antonioli was advised by letter dated 16 January 2025, that he would be required to attend an interview with the investigator at an agreed time. The Councillor was advised of the two allegations and requested to have with him at the interview any relevant meeting documents or workplace records of information relevant to the investigation. The Councillor was advised that he was entitled to a support person.

The Councillor was interviewed on 22 January 2025.

A copy of the transcript of the interview was provided to Cr Antonioli on 5 February 2025.

The Councillor was advised of the need for a second interview, and was interviewed a second time on 5 February 2025. A copy of the transcript of the second interview was provided to the Councillor on 10 February 2025.

In accordance with the Ipswich City Council Investigation Policy dated 28 November 2024, Cr Antonioli was provided with a copy of a Preliminary Statement of Findings on 14 February 2025, prior to the final report being lodged with Council. He was provided with an opportunity to respond in writing. The Councillor requested until close of business on Monday 24 February 2025. He was contacted by phone to see if he was going to respond on two occasions. On Thursday 27 February 2025, the Councillor was advised that as no response had been received, the Investigation Report and the Summary Investigation Report would be finalised and submitted to Council.

5. Summary of the findings

Allegation 1

Allegation 1, that Councillor Antonioli engaged in a conduct breach pursuant to section 150K(1)(a) of the Local Government Act 2009 (Qld) [the Act], on the basis of a breach of behavioural standards 2.1 and 3.3 of the code of conduct for Councillors in Queensland. These breaches are said to arise as a result of comments the Councillor made, and that were published by the Ipswich Tribune on 2 October 2024, that were considered both derogatory to council staff and diminished council's standing, authority or dignity,

is substantiated.

Allegation 2

Allegation 2, that on 2 October 2024, in response to an e-mail from the CEO Ms Sonia Cooper to Councillor Antonioli advising him about staff who were distressed as a result of his comments in the press and that the matter would be referred to the OIA, the Councillor responded in a disrespectful manner towards the CEO and council 'administration'

is substantiated.

6. Recommendation to Council

It is recommended that:

- a) This report be submitted to the Ipswich City Council for consideration, pursuant to section 150AG of the Act, as to whether or not the Councillor has engaged in a conduct breach; and if they are found to have so engaged, what action the local government will take to discipline the Councillor pursuant to section 150AH of the Act;
- b) Having analysed the material from this investigation, the findings are that **the two allegations are substantiated.**

1. If Ipswich City Council finds the Councillor has engaged in a conduct breach, the Council should take into account that the Councillor has spoken with the CEO and advised that, “he would be a bit more circumspect and ...perhaps he could handle that a little better next time.”
2. The Councillor has also had meaningful and professional conversations with the CEO and managers impacted by the quotes in the Tribune that have contributed to a better understanding of the issues and some positive changes to the use of food vans for events.
3. The Councillor has been referred to the OIA on previous occasions for similar behaviour with recommendations made that Cr Antonioli *“reviews and re-familiarises himself with the provisions of the Code of Conduct for Councillors in Queensland and his obligations as a councillor to adhere to those provisions.”*
4. If Council finds the Councillor has engaged in a conduct breach, the following disciplinary action under section 150AH LGA is recommended:
 - a) An order that the Councillor attend training or counselling addressing the Councillor’s conduct including at the Councillor’s expense
 - b) An order that if the Councillor engages in the same type of conduct again, it may be treated as misconduct

