

INTERNAL ARBITRATION – Mornington Peninsula Shire Council (IAP 2026-7)

Applicants: Councillor David Gill, Councillor Kate Roper.

Respondent: Councillor Cam Williams

Arbiter: Noel Harvey OAM

DETERMINATION

Pursuant to s 147(1) of the Local Government Act 2020, I determine that Cr Cam Williams failed to comply with the *Model Councillor Code of Conduct* and make a finding of misconduct.

Allegations 1 and 2, are established and constitute breaches of clauses 1, 2 and 4 of the *Model Councillor Code of Conduct* set out in Schedule 1 to the *Local Government (Governance and Integrity) Regulations 2020*.

SANCTION

Pursuant to section 147(2)(b) of the *Local Government Act 2020*, I direct Cr Williams to provide an apology to the Mornington Peninsula Shire Council and specifically Crs Gill and Roper in relation to each of the behaviour that breached the *Model Councillor Code of Conduct*.

The apology must be provided in writing and read aloud by Cr Williams at the Council meeting immediately following the meeting at which my determination and reasons are tabled.

The apology should acknowledge Cr Williams' responsibility for his conduct and the impact that his public statements may have had upon Crs Gill and Roper and upon public confidence in the Council. In particular, the apology should address the inaccurate reference to IBAC in relation to Cr Gill and the inaccurate statement concerning the cost of the previous arbitration. The precise terms of the apology are a matter for Cr Williams, so that the apology remains his own genuine expression of acknowledgement and regret.

The apology is to be recorded in the minutes of that meeting.

Noel Harvey OAM
Arbiter

24th August 2026.

The Application

1. The Application dated 10 March 2026 made by Cr David Gill (appointed representative) and Cr Kate Roper, who sought a finding of misconduct against Cr Cam Williams relating to actions by the Cr Williams on 11 December 2025 and 13 December 2025.
2. The standards of conduct applicable to councillors are prescribed by the *Local Government (Governance and Integrity) Regulations 2020* and are set out in Schedule 1 - *Model Councillor Code of Conduct (the Model Code)* of the regulations.
3. A Directions Hearing was conducted on-line on 29 April 2026. In accordance with the directions made, both parties filed all materials and supporting evidence by 6 July 2026. The Hearing was subsequently held in the Mornington Peninsula Shire Council offices on 17 July 2026.
4. The Hearing was attended by Cr Gill and Cr Williams. No witnesses were called.
5. **Allegation 1 (13 December 2025):** Cr Williams gave an interview to the Somerville Times in which he allegedly disparaged multiple councillors, implied a coordinated "set-up" involving himself, other councillors, and the Mayor to publicly humiliate Cr Gill, and made a series of statements alleged to be misleading or false, including blaming Cr Gill for the Mayor missing meetings, accusing Cr Roper of leaking to media, disparaging Cr Patton's mayoral prospects, insinuating IBAC scrutiny of Cr Gill's motions without evidence, and made personal jabs at Cr Gill's competence and motives.

Alleged breach: Standards 1, 2, and 4 of the *Model Councillor Code of Conduct*.

6. **Allegation 2 (11 December 2025):** Cr Williams posted a "Council Watch" article and cartoon on his council Facebook page, depicting Cr Gill and other councillors throwing money around and mis-stating arbitration costs as "hundreds of thousands of dollars" against an "actual figure of \$1,800". The shared post also accused the councillors of running "stunts, personal vendettas and petty political games."

Alleged breach: Standards 1, 2, and 4 of the *Model Councillor Code of Conduct*.

7. Although the application alleged a number of breaches of the *Model Councillor Code of Conduct*, the focus of the hearing evolved as the hearing progressed.
8. Cr Williams accepted that he had exercised poor judgement, acknowledged that a number of his public statements were inappropriate, and expressed genuine remorse for the consequences of his actions.
9. As a result, the hearing was directed less to the question of whether misconduct had occurred and more to the appropriate response to that misconduct.
10. The principal issue for determination became the weight to be given to the seriousness of the conduct and its continuing impact, when balanced against Cr Williams' admissions, apologies and subsequent remedial actions, in determining an appropriate sanction.

Cr Gill's Submission

11. Cr Gill's submission was measured and largely centred on the impact of Cr Williams' conduct rather than simply the words themselves.

Public attack on fellow councillors

12. Cr Gill submitted that Cr Williams engaged in a sustained public attack on the integrity and reputation of several fellow councillors. He contended that, through the media interview and subsequent Facebook post, Cr Williams made a series of disparaging statements that attributed improper motives to other councillors without supporting evidence.

13. In particular, he alleged that Cr Williams publicly accused Cr Roper of leaking confidential information, suggested that Cr Gill was the subject of scrutiny by IBAC, and implied that a group of councillors had deliberately coordinated their actions to publicly humiliate him.
14. Cr Gill argued that these comments went beyond political disagreement or robust debate. He submitted that they were serious personal allegations that damaged the reputation of individual councillors and undermined public confidence in both the Council and local government generally.

Damage to public confidence

15. An element of Cr Gill's submission was that councillors have established internal processes available to raise concerns about the conduct of fellow councillors. He argued that, rather than use those processes, Cr Williams chose to raise his concerns publicly through the media and social media.
16. Cr Gill suggested that, in doing so, Cr Williams went beyond legitimate criticism or robust political debate. By publicly alleging improper conduct, questioning the integrity and motives of fellow councillors, and portraying Council processes as being influenced by personal vendettas and political gamesmanship, he argued that Cr Williams' conduct was capable of damaging the standing of individual councillors and diminishing public confidence in the Council.
17. Cr Gill submitted that the conduct not only affected those councillors directly identified but brought the Mornington Peninsula Shire Council into disrepute and diminished public trust in the integrity of local government more broadly. Cr Gill claimed this was inconsistent with the standards requiring councillors to act with integrity, respect and responsibility.

False statements

18. Cr Gill further submitted that Cr Williams made a number of public statements that were clearly inaccurate and caused significant reputational harm.
19. In particular, he referred to comments suggesting that the Independent Broad-based Anti-corruption Commission (IBAC) was examining Cr Gill's conduct, a statement he maintained was entirely false and implied corruption where no such investigation had ever existed.
20. Cr Gill also referred to statements by Cr Williams exaggerating the cost of a previous arbitration by suggesting it had cost "hundreds of thousands of dollars", when the actual cost was "approximately \$1,800". Cr Gill acknowledged that Cr Williams had since indicated these statements were made in error; however, he submitted that neither matter had been publicly corrected.
21. He argued that the absence of any specific public correction allowed the misinformation to remain in the public domain and contributed to the continuing reputational damage suffered by both individual councillors and the Mornington Peninsula Shire Council.

Facebook post

22. Cr Gill submitted that Cr Williams' decision to repost the *Council Watch* article and accompanying cartoon on his councillor Facebook page, reinforced and endorsed the views expressed in that publication.
23. He argued that the post portrayed selected councillors as recklessly wasting public money and pursuing personal vendettas, while ridiculing fellow councillors using inflammatory language and imagery.
24. Cr Gill suggested that, by republishing the material on a page clearly associated with his role as a councillor, Cr Williams adopted and gave credibility to allegations that were misleading and damaging.
25. In his view, the post contributed to the erosion of public confidence in the Mornington Peninsular Shire Council and further harmed the reputation of those councillors identified in the publication.

Intent

26. Cr Gill proposed that the conduct was not impulsive but reflected a deliberate course of action. He argued that Cr Williams had sufficient opportunity to consider the comments he made during the media interview, knowing that he was speaking with a journalist and that his remarks were likely to be published.
27. Similarly, he submitted that the reposting of the *Council Watch* article on Cr Williams' Facebook page was a deliberate decision intended to further disseminate the material to his social media followers.
28. Cr Gill argued that these circumstances indicated that the statements were made with the full knowledge of their likely impact on fellow councillors and the broader community.

Harm

29. Cr Gill submitted that the consequences of Cr Williams' conduct extended beyond personal offence.
30. He argued that the public allegations caused significant reputational damage to himself and other councillors, undermined working relationships within the Council, and had the potential to diminish public confidence in the integrity of local government.
31. He submitted that statements implying corruption, confidential information leaks and coordinated political conduct were particularly serious as they were made publicly by an elected councillor and were capable of influencing community perceptions of both the individual councillors concerned and the Mornington Peninsular Shire Council as an institution.
32. Cr Gill further contended that, because the statements remain publicly available and had not been specifically corrected, the reputational harm continued beyond the initial publication.
33. He also noted the material could easily have spread further through mainstream media.

Sanction sought

34. In relation to the appropriate outcome, Cr Gill submitted that the seriousness of the conduct warranted a significant sanction.
35. He proposed that, should a finding of misconduct be made, Cr Williams be suspended from the office of councillor for a period of between two and three months.
36. Cr Gill also submitted that Cr Williams should be required to provide a detailed public apology, together with individual apologies to each councillor directly affected by the statements.
37. He further suggested that any apology should specifically acknowledge the inaccurate statements made during the interview and clarify matters that had, in his view, caused ongoing reputational damage.

Cr Williams' response

Acceptance of Poor Judgement

38. Cr Williams acknowledged that, with the benefit of hindsight, aspects of his conduct had been inappropriate and accepted that he had exercised poor judgement.
39. He accepted responsibility for making statements that he now recognised should not have been made and expressed regret for the consequences of his actions.
40. During the hearing he described his actions as "two very stupid things" occurring within a short period and stated, "had he appreciated the likely consequences at the time, he would have acted differently".
41. He asserted that his conduct reflected errors of judgement rather than any deliberate intention to cause harm to fellow councillors.

Public Apologies and Remorse

42. Cr Williams submitted that he had acknowledged his mistakes at an early stage and had offered two apologies following the events giving rise to the application.
43. He maintained that those apologies were genuine expressions of remorse and were intended to acknowledge the hurt and disruption his comments had caused to fellow councillors and to the Mornington Peninsula Shire Council.
44. He reiterated his remorse during the hearing and advised that he deeply regretted the circumstances that had led to the arbitration.
45. I was provided with copies of the formal written apologies made by Cr Williams. The first was published on his councillor Facebook page on 16 December 2025, shortly after the events the subject of this application.
46. In that statement Cr Williams apologised for his comments to the Somerville Times and for sharing the related Council Watch post. He acknowledged that he "shouldn't have named councillors or speculated about their motives in public" and further accepted that "some of my comments were not accurate, and I regret that."
47. He also apologised for any impact his comments may have had on public confidence in the Council and its processes, confirmed that he had removed the Council Watch post, and undertook to be "more careful and measured in future when speaking publicly or to the media."
48. The same apology was subsequently repeated in an email sent to all councillors on 16 February 2026.
49. Cr Williams submitted that his apologies should be taken into account when considering both the seriousness of the conduct and the need for any sanctions.
50. Cr Williams accepted that certain statements made during the interview were inaccurate but maintained that they were mistakes made during the course of an informal conversation and were not intended to mislead the public or imply wrongdoing by other councillors.
51. In particular, he acknowledged that his reference to IBAC was incorrect, explaining that he had intended to refer to an earlier arbitration process rather than to the Independent Broad-based Anti-corruption Commission.
52. He similarly accepted that his comments regarding the cost of the earlier arbitration were inaccurate and explained that he had misspoken while attempting to recall the cost during the interview.

Nature of the Interview

53. Cr Williams submitted that the circumstances surrounding the interview were relevant to an assessment of his conduct. A copy of the recorded interview was made available to me.
54. He explained that he had returned a missed telephone call from the journalist and regarded the discussion as an informal conversation rather than a formal recorded interview. He advised that he was unaware for much of the conversation that it was being recorded, although he accepted that he understood his comments were likely to be reported publicly.
55. Cr Williams submitted that this context helped explain the conversational nature of some of his remarks and the inaccuracies that arose during the discussion, while acknowledging that it did not excuse the statements made.

Lack of Deliberate Intent

56. Cr Williams disputed the suggestion that he had deliberately set out to damage the reputation of fellow councillors or to undermine public confidence in the Mornington Peninsula Shire Council.

57. He maintained that he held no personal animosity towards Cr Gill or other councillors referred to during the interview and submitted that some comments attributed to him arose from the manner in which questions were posed by the interviewer and the conversational nature of the discussion.
58. While accepting that some of his comments were inappropriate, he denied that they were motivated by malice or formed part of any deliberate campaign to discredit individual councillors.

Subsequent Conduct and Rehabilitation

59. Cr Williams submitted that, following these events, he had taken active steps to ensure similar conduct would not occur again.
60. He advised that he had removed the Facebook post, participated in mediation and governance processes, undertaken further training, and reflected upon his responsibilities as a councillor when communicating publicly.
61. He submitted that these steps demonstrated genuine insight into his conduct and a commitment to improving his understanding of the standards expected of elected representatives.
62. He further submitted that there had been no repetition of similar conduct since these events occurred.

Position on Sanctions

63. While questioning that his conduct warranted a significant disciplinary response, Cr Williams submitted that any sanction imposed should take into account his admissions, expressions of remorse, apologies, and the positive steps he had taken following the incidents.
64. He argued that he had accepted responsibility for his errors, demonstrated insight into the impact of his conduct, and implemented changes to his approach to public communications.
65. In those circumstances, he submitted that the objectives of the *Model Councillor Code of Conduct* had largely been achieved through his acknowledgement of wrongdoing and subsequent behavioural change, and that any further sanction should be proportionate to those mitigating circumstances.

Issues for determination

66. During the hearing, Cr Williams acknowledged that he had exercised poor judgement and accepted responsibility for his actions. This considerably narrowed the matters I needed to determine. The main issue then became the appropriate sanction to be imposed.
67. Cr Williams acknowledged that a number of his public statements were inaccurate and expressed remorse for his conduct.
68. Against that, Cr Gill submitted that the reputational damage caused by the statements had not been remedied. Although Cr Williams had apologised generally for his conduct, the specific inaccuracies that had entered the public domain, particularly the references to IBAC and the exaggerated arbitration costs, had never been publicly corrected.
69. Cr Gill argued that the misinformation therefore continued to exist unchallenged, with the potential to cause ongoing damage to both individual councillors and the reputation of the Mornington Peninsula Shire Council.
70. The hearing highlighted the distinction between accepting responsibility for making inappropriate statements and taking effective steps to repair the consequences of those statements.
71. The weight to be given to Cr Williams' remorse, apologies and subsequent conduct, balanced against the continuing impact of the original publications, is a central consideration in determining the appropriate sanction.

Findings

72. Having considered the application, the evidence provided by both parties and the submissions made at the hearing, I am satisfied that Cr Williams' conduct failed to comply with the *Model Councillor Code of Conduct*.
73. In particular I am satisfied that Cr Williams failed to comply with:
Standard 1 (a) (e) ii – Performing the role of a Councillor, including the requirement to perform the role effectively and responsibly and to refrain from making public comments that could reasonably be perceived as official comments on behalf of the Council where he had not been authorised to do so;
Standard 2 (1) – Behaviours, by failing to treat fellow councillors with the dignity, fairness, objectivity, courtesy and respect required of a councillor; and
Standard 4 (1) (a) and (b) – Integrity, by failing to exercise reasonable care and diligence and to take reasonable steps to avoid conduct capable of diminishing public trust and confidence in the integrity of local government and bringing discredit upon the Council.
74. I am particularly concerned by the inaccurate statements concerning IBAC and the cost of the previous arbitration, together with the public comments concerning the motives and conduct of fellow councillors.
75. These statements went beyond robust political debate and, in my view, fell below the standards of behaviour and responsibility required of an elected councillor.
76. I therefore find that Allegations 1 and 2 are established and constitute misconduct for the purposes of the *Local Government Act 2020*.

Consideration of Sanctions

77. In determining the appropriate sanction, I have given weight to the fact that Cr Williams voluntarily apologised shortly after the events in question and subsequently repeated that apology to all councillors.
78. I accept that the apology was genuine and represented an early acknowledgement that his conduct had fallen below the standard expected of a councillor.
79. I also accept that he has since demonstrated insight into his conduct, undertaken further training and taken steps to ensure that similar circumstances do not arise again.
80. The earlier apology was, however, expressed in general terms.
81. While Cr Williams acknowledged that some of his comments were inaccurate and expressed regret for their impact, the apology did not specifically address the two matters I regard as particularly serious: the reference to IBAC in relation to Cr Gill and the inaccurate description of the cost of the previous arbitration. Those matters entered the public domain and, in my view, require a more specific public acknowledgement.
82. I am also conscious that the applicants did not regard the earlier apology as sufficient. They were entitled to take that view, particularly given the absence of any specific correction of the more serious statements.
83. Nevertheless, I consider it unfortunate that the apology and the steps taken by Cr Williams at that early stage did not provide a greater opportunity for the matter to be resolved without proceeding to arbitration.
84. In my view, greater recognition of Cr Williams' inexperience, together with an opportunity for him to address the deficiencies in his original apology, may well have enabled this matter to be resolved without the need for a formal arbitration hearing.
85. The continuation of the matter through the formal arbitration process has necessarily imposed additional cost upon the Council. I make that observation not to criticise any party for exercising the

rights available to them under the Act, but because balance is relevant when considering the appropriate outcome.

86. I am not satisfied that a suspension is warranted. Cr Williams has accepted full responsibility, apologised voluntarily, demonstrated remorse and taken remedial steps.
87. I consider that the remaining deficiency is best addressed by requiring an appropriate public apology which specifically acknowledges the impact on Crs Gill and Roper and addresses the inaccurate statements concerning IBAC and the cost of the previous arbitration.
88. Such an outcome recognises the seriousness of the misconduct while also giving appropriate weight to Cr Williams' early acceptance of responsibility and subsequent conduct.
89. It also ensures that the matters which were not specifically addressed in his earlier apology are now acknowledged and on the public record.

Noel Harvey OAM
Arbiter

24th August 2026.