

Register of Minor Breach Complaints

Date of Hearing	Name of Council Member whom the complaint is about	Name of the Person who made the complaint	Description of minor breach determined by standards panel	Details of action taken under section 5.110(6)
15 December 2021 (SP 2020-029)	Cr Michael Separovich	Don Green (former employee)	At its meeting on 7 April 2022, the Panel found that Councillor Michael Separovich (“Cr Separovich”), an elected member for the City of Cockburn (“the City”), committed one minor breach under the Local Government Act 1995 (WA) (“the Act”) and Regulation 20 of the <i>Local Government (Model Code of Conduct) Regulations 2021</i> (“the Regulations”) when he threatened the City’s Complaints Officer in relation to a minor breach complaint that was made against him by a member of the public.	Councillor Michael Separovich (“Cr Separovich”): <ol style="list-style-type: none"> 1. an elected member for the City of Cockburn, publicly apologise, as specified in paragraph 4 below, or failing compliance with paragraph 4, then paragraph 5 below: 2. be publicly censured, as specified in paragraph 6 below. 3. make the monetary payment set out in paragraph 7 below. <p><u>Public Censure</u></p> <ol style="list-style-type: none"> 6. Within the period of 29 days to 43 days from the day following the date of service of this Order on Cr Separovich, the Chief Executive Officer of the City of Cockburn shall arrange for the following Notice of Public Censure to be published, in no less than 10-point print or font:

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				<p>a. as a one-column or a two-column display advertisement in the first 15 pages of “The West Australian” newspaper;</p> <p>b. as a one-column or a two-column display advertisement in the first 10 pages of “Cockburn Gazette” community newspaper;</p> <p>c. in an appropriate place on the website of the City of Cockburn; and</p> <p>d. public newsletter (whether in electronic or print copy) (if any) in no less than 10 point font size.</p> <p><u>NOTICE OF PUBLIC CENSURE</u></p> <p>The Local Government Standards Panel has found that Councillor Michael Separovich, a Councillor for the City of Cockburn, breached Regulation 20 of the Local Government (Model Code of Conduct) Regulations 2021 when he threatened Mr Donald Mervyn Green, who at the time was the City’s</p>

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				<p>Complaints Officer, in relation to a minor breach complaint that was made against him by a member of the public.</p> <p>Councillor Separovich's conduct was wrongful and inappropriate and deserving of a penalty and, further, his comments were likely to cause detriment to Mr Green.</p> <p>The Panel censures Councillor Separovich for the breach of Regulation 20 of the Local Government (Model Code of Conduct) Regulations 2021.</p> <p>At the Ordinary Council Meeting held on 13 April 2023, Cr Separovich made the following public apology:</p> <p>A complaint was made to the Local Government Standards Panel, in which it was alleged that I contravened the Local Government (Model Code of Conduct) Regulations 2021 when I threatened the City's Complaints Officer in relation to a minor breach complaint that was made against me by a member of the public.</p>

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				<p>The Panel found that by behaving in this manner I committed one breach of Regulation 20 of the said Regulations.</p> <p>I accept that I should not have acted in such a manner, and I now apologise to Mr Donald Mervyn Green, for having done so.”</p> <p>LOCAL GOVERNMENT STANDARDS PANEL</p> <p><u>Monetary Penalty</u></p> <p>7. Within two (2) months of being advised of the sum total of the remuneration and le by the City in relation to the Complaint, Cr Separovich shall pay to the City that amount in full.</p>
	Former Councillor Lee-Anne Smith	Stephen Cain, (former CEO)	At its meeting on 24 June 2021, the Panel found that Councillor Lee-Anne Smith (“Cr Smith”), a councillor for the City of Cockburn (“the City”), committed two minor breaches under the <i>Local Government Act 1995 (WA)</i>	Having regard to the Findings, the matters set out herein, and the general interests of local government in Western Australia, the Panel’s decision on how the Minor Breach is to be dealt with under s5.110(6)(a) of the Act, is that no sanction is to be

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			<p>("the Act") and Regulations 7(1)(b) and 11 of the <i>Local Government (Rules of Conduct) Regulations 2007</i> ("the Regulations") when she:</p> <p>a. wrote remarks regarding the health of the Complainant on her Facebook Page on 5 November 2019 (one breach of Regulation 7(1)(b)); and</p>	<p>imposed against former Councillor Smith.</p>
<p>28 March 2021 (SP 2020-052)</p>	<p>Councillor Michael Separovich</p>	<p>Don Green, Director – Governance & Community Services</p>	<p>Councillor Michael Separovich, a councillor for the City of Cockburn, where it was alleged that he contravened the Local Government (Rules of Conduct) Regulations 2007 (WA) when he published a series of derogatory and disrespectful posts on Facebook that were highly inflammatory and provocative. The Panel found that by behaving in this manner he committed</p>	<ol style="list-style-type: none"> 1. Councillor Michael Separovich, a councillor for the City of Cockburn, publicly apologise, as specified in paragraph 6 below, or failing compliance with paragraph 6, then paragraph 7 below. 2. If Cr Separovich is ordered to make the same public apology (as specified in paragraph 6 or 7 below) by the Panel in relation to other Minor Breach matters for the same conduct, then the Public Apology is only to be made once (in all forms as

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			<p>one breach of Regulation 7(1)(b) of the said Regulations as his conduct was in breach of the City's Code of Conduct and was wrongful, inappropriate and deserving of a penalty. Furthermore his actions were likely to cause detriment to the parties involved.</p>	<p>specified in paragraph 6 or 7 below).</p> <ol style="list-style-type: none"> 3. Councillor Michael Separovich, a councillor for the City of Cockburn, be censured, as specified in paragraph 8 below. 4. If the same Notice of Public Censure (as specified in paragraph 8 below) is ordered to be published by the Panel in relation to other Minor Breach matters for the same conduct, then the Notice of Public Censure is only to be published once in each publication and on each forum. 5. Councillor Michael Separovich, a councillor for the City of Cockburn, make the monetary payment set out in paragraph 9. Public Apology 6. At the ordinary council meeting first occurring after the expiration of 28 days from the date of service of this Order on him, Councillor Michael Separovich ("Cr Separovich") shall: <ol style="list-style-type: none"> a. attend the relevant ordinary council meeting; b. ask the presiding member for his or her permission to

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				<p>address the meeting to make a public apology to the public;</p> <p>c. make the apology immediately after Public Question Time or during the Announcements part of the meeting, or at any other time when the meeting is open to the public, as the presiding person thinks fit; and</p> <p>d. address the Council and public as follows, without saying any introductory words before the address, and without making any comments or statement after the address:</p> <p>'I advise this meeting that:</p> <p>A complaint was made to the Local Government Standards Panel, in which it was alleged that I contravened the Local Government (Rules of Conduct) Regulations 2007 (WA) when I published a series of derogatory and disrespectful posts on Facebook that were highly inflammatory and provocative.</p>

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				<p>The Panel found that by behaving in this manner I committed one breach of Regulation 7(1)(b) of the said Regulations as my conduct was in breach of the City's Code of Conduct and was wrongful, inappropriate and deserving of a penalty. Furthermore, my actions were likely to cause detriment to the parties involved.</p> <p>iii. I accept that I should not have acted in such a manner and I now apologise to the City, the Council and the community, for having done so.</p> <p>7. If Cr Separovich fails to, or is unable to, comply with the requirements of paragraph 6 above in the required timeframe then, within the next 28 days following the ordinary council meeting referred to in paragraph 6 above:</p> <p>a. Cr Separovich shall cause the following notice of public apology to be published in the first 10 pages of the 'Cockburn Gazette' newspaper; and</p>

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				<p>b. the Chief Executive Officer of the City of Cockburn shall arrange for the following notice of public apology to be published:</p> <ul style="list-style-type: none"> i. on the Facebook page of the City of Cockburn; and ii. in an appropriate place on the website of the City of Cockburn; and iii. in the next occurring issues of all City of Cockburn community and public newsletters (if any) (whether in electronic or print copy). <p>Public Censure</p> <p>8. Within the period of 29 days to 43 days from the day following the date of service of this Order on Councillor Separovich, the Chief Executive Officer of the City of Cockburn shall arrange for the following Notice of Public Censure to be published: a. In The West Australian newspaper b. In Cockburn Gazette c. Public Notices on the website of City of</p>

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				<p>Cockburn d. In every City of Cockburn community and public newspaper (if any) (whether in electronic or print copy); and e. On the Facebook page of the City of Cockburn</p> <p>Notice of Public Censure</p> <p>The Local Government Standards Panel has found that Councillor Michael Separovich, a Councillor for the City of Cockburn breached regulation 7(1)(b) of the Local Government (Rules of Conduct) Regulations 2007 (WA) when he published a series of derogatory and disrespectful posts on Facebook that were highly inflammatory and provocative. Councillor Separovich's conduct was wrongful and inappropriate and deserving of a penalty and, further, his comments were likely to cause detriment to the City, the Council and community. The Panel censures Councillor Separovich for the breach of regulation 7(1)(b) of the Local Government (Rules of Conduct) Regulations 2007 (WA).</p>

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				<p>LOCAL GOVERNMENT STANDARDS PANEL</p> <p>Monetary Sanction</p> <p>9. Within two (2) months of being advised of the sum total of the remuneration and allowances payable by the City in relation to the Complaint, Cr Separovich shall pay to the City that amount in full.</p>
<p>1 February 2021 (SP 2020-042)</p>	<p>Councillor Michael Separovich</p>	<p>Don Green, Director – Governance & Community Services</p>	<p>Councillor Michael Separovich, a councillor for the City of Cockburn, where it was alleged that he contravened the Local Government (Rules of Conduct) Regulations 2007 (WA) when he published a series of derogatory and disrespectful posts on Facebook that were highly inflammatory and provocative. The Panel found that by behaving in this manner he committed one breach of Regulation 7(1)(b) of the said Regulations as his conduct was in breach of the City’s</p>	<ol style="list-style-type: none"> 1. Councillor Michael Separovich, a councillor for the City of Cockburn, publicly apologise, as specified in paragraph 5 below, or failing compliance with paragraph 5, then paragraph 6 below. 2. If Cr Separovich is ordered to make the same public apology (as specified in paragraph 5 or 6 below) by the Panel in relation to other Minor Breach matters for the same conduct, then the Public Apology is only to be made once (in all forms as specified in paragraph 5 or 6 below). 3. Councillor Michael Separovich, a councillor for the City of

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			<p>Code of Conduct and was wrongful, inappropriate and deserving of a penalty. Furthermore his actions were likely to cause detriment to the parties involved.</p>	<p>4. Cockburn, be censured, as specified in paragraph 7 below. If the same Notice of Public Censure (as specified in paragraph 7 below) is ordered to be published by the Panel in relation to other Minor Breach matters for the same conduct, then the Notice of Public Censure is only to be published once in each publication and on each forum.</p> <p>Public Apology</p> <p>5. At the ordinary council meeting first occurring after the expiration of 28 days from the date of service of this Order on him, Councillor Michael Separovich ("Cr Separovich") shall:</p> <ol style="list-style-type: none"> a. attend the relevant ordinary council meeting; b. ask the presiding member for his or her permission to address the meeting to make a public apology to the public;

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				<p>c. make the apology immediately after Public Question Time or during the Announcements part of the meeting, or at any other time when the meeting is open to the public, as the presiding person thinks fit; and</p> <p>d. address the Council and public as follows, without saying any introductory words before the address, and without making any comments or statement after the address:</p> <p>'I advise this meeting that:</p> <p>A complaint was made to the Local Government Standards Panel, in which it was alleged that I contravened the Local Government (Rules of Conduct) Regulations 2007 (WA) when I published a series of derogatory and disrespectful posts on Facebook that were highly inflammatory and provocative.</p>

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				<p>The Panel found that by behaving in this manner I committed one breach of Regulation 7(1)(b) of the said Regulations as my conduct was in breach of the City's Code of Conduct and was wrongful, inappropriate and deserving of a penalty. Furthermore, my actions were likely to cause detriment to the parties involved. I accept that I should not have acted in such a manner and I now apologise to the City, the Council and the community, for having done so.</p> <p>6. If Cr Separovich fails to, or is unable to, comply with the requirements of paragraph 5 above in the required timeframe then, within the next 28 days following the ordinary council meeting referred to in paragraph 2 above:</p> <ul style="list-style-type: none"> a. Cr Separovich shall cause the following notice of public apology to be published in the first 10 pages of the 'Cockburn Gazette' newspaper; and b. the Chief Executive Officer of the City of

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				<p>Cockburn shall arrange for the following notice of public apology to be published:</p> <ul style="list-style-type: none"> • on the Facebook page of the City of Cockburn; and • in an appropriate place on the website of the City of Cockburn; and • in the next occurring issues of all City of Cockburn community and public newsletters (if any) (whether in electronic or print copy). <p>Public Censure</p> <p>7. Within the period of 29 days to 43 days from the day following the date of service of this Order on Councillor Separovich, the Chief Executive Officer of the City of Cockburn shall arrange for the following Notice of Public Censure to be published:</p>

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				<p>a. In the West Australian newspaper b. In Cockburn Gazette c. Public Notices on the website of City of Cockburn d. In every City of Cockburn community and public newspaper (if any) (whether in electronic or print copy); and e. On the Facebook page of the City of Cockburn</p> <p>Notice of Public Censure</p> <p>The Local Government Standards Panel has found that Councillor Michael Separovich, a Councillor for the City of Cockburn breached regulation 7(1)(b) of the Local Government (Rules of Conduct) Regulations 2007 (WA) when he published a series of derogatory and disrespectful posts on Facebook that were highly inflammatory and provocative.</p> <p>Councillor Separovich's conduct was wrongful and inappropriate and deserving of a penalty and, further, his comments were likely to cause</p>

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				<p>detriment to the City, the Council and community.</p> <p>The Panel censures Councillor Separovich for the breach of regulation 7(1)(b) of the Local Government (Rules of Conduct) Regulations 2007 (WA).</p> <p>LOCAL GOVERNMENT STANDARDS PANEL</p>
<p>1 February 2021 (SP 2020-039)</p>	<p>Councillor Michael Separovich</p>	<p>Don Green, Director – Governance & Community Services</p>	<p>Councillor Michael Separovich committed one breach of Regulation 7(1)(b) of the Local Government (Rules of Conduct) Regulations 2007 (WA), as his conduct was wrongful, inappropriate and deserving of a penalty and, further, his actions were likely to cause detriment to the parties involved.</p>	<p>Councillor Michael Separovich, a councillor for the City of Cockburn, publicly apologise, as specified in paragraph 2 below, or failing compliance with paragraph 2, then paragraph 3 below:</p> <p>Public Apology</p> <p>2. At the ordinary council meeting first occurring after the expiration of 28 days from the date of service of this Order on him, Councillor Michael Separovich (“Cr Separovich”)</p> <p>a. attend the relevant ordinary council meeting;</p> <p>b. ask the presiding person for his or her permission to address the meeting to make a</p>

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				<p>public apology to the public; c. make the apology immediately after Public Question Time or during the Announcements part of the meeting, or at any other time when the meeting is open to the public, as the presiding person thinks fit; and d. address the Council and public as follows, without saying any introductory words before the address, and without making any comments or statement after the address.</p> <p>“I advise this meeting that:</p> <p>A complaint was made to the Local Government Standards Panel, in which it was alleged that I contravened the Local Government (Rules of Conduct) Regulations 2007 (WA) when I wrote an email to elected members that discredited staff members of the City and implied that they had not distributed an agenda for the Special Council Meeting planned for March 2020 in a timely manner.</p>

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				<p>The Panel found that by behaving in this manner I committed one breach of Regulation 10(1)(b) of the said Regulations as my conduct was wrongful, inappropriate and deserving of a penalty and, further, my actions were likely to cause detriment to the parties involved.</p> <p>I accept that I should not have acted in such a manner and I now apologise to staff of the City concerned for having done so.”</p> <p>3. If Cr Separovich fails to, or is unable to, comply with the requirements of paragraph 2 above in the required timeframe then, within the next 28 days following the ordinary council meeting referred to in paragraph 2 above:</p> <p>a. Cr Separovich shall cause the following notice of public apology to be published in no less than 10 point print, as a one-column or two-column display advertisement in the first 10 pages of the ‘Cockburn ‘Gazette’ newspaper; and</p> <p>b. The Chief Executive Officer of the City of Cockburn shall arrange for the following notice</p>

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				<p>of public apology to be published:</p> <ul style="list-style-type: none"> i. on the Facebook page of the City of Cockburn in no less than 10 point font size; and ii. in an appropriate place on the website of the City of Cockburn in no less than 10 point font size; and iii. in the next occurring issue of any City of Cockburn public newsletter (if any) (whether in electronic or print copy) in no less than 10 point font size; and iii. in an appropriate place on the website of the City of Cockburn in no less than 10 point font size; and iii. in the next occurring issue of any City of Cockburn public newsletter (if any) (whether in electronic or print copy) in no less than 10 point font size.

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				<p>PUBLIC APOLOGY BY COUNCILLOR MICHAEL SEPAROVICH</p> <p>A complaint was made to the Local Government Standards Panel, in which it was alleged that I contravened the Local Government (Rules of Conduct) Regulations 2007 (WA) when I wrote an email to elected members that discredited staff members of the City and implied that they had not distributed an agenda for the Special Council Meeting planned for March 2020 in a timely manner. The Panel found that by behaving in this manner I committed one breach of Regulation 71)(b) of the said Regulations as my conduct was wrongful, inappropriate and deserving of a penalty and, further, my actions were likely to cause detriment to the parties involved.</p> <p>I accept that I should not have acted in such a manner and I now apologise to staff of the City of Cockburn, for having done so.</p>

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1 February 2021 (SP 2020-033)	Councillor Michael Separovich	Don Green, Director – Governance & Community Services	Councillor Michael Separovich committed one breach under the Local Government Act 1995 (WA) (“the Act”) and regulation 17(1)(b) of the Local Government (Rules of Conduct)	<p>Councillor Michael Separovich, a member of the City of Cockburn, within four(4) months of the date of this Order, shall undertake:</p> <ol style="list-style-type: none"> <li data-bbox="1514 512 2069 735">(1) the training course for Elected Members ‘Serving on Council’ provided by WA Local Government Association (WALGA) for a period of fifteen(15) hours; or <li data-bbox="1514 767 2069 1023">(2) a training course with substantially similar learning outcomes provided by an alternative registered organisation for a similar duration, but at least twelve (12) hours.
13 July 2020 (SP 2019-085)	Councillor Michael Separovich	Don Green, Director – Governance & Community Services	Councillor Michael Separovich committed one breach of Regulation 10(1)(b) of the Local Government (Rules of Conduct) Regulations 2007 (WA) when he attempted to influence, by means of a threat, the conduct of a person who is a local government employee in their capacity as a local	<p>Councillor Michael Separovich, a councillor for the City of Cockburn, publicly apologise, as specified in paragraph 2 below, or failing compliance with paragraph 2, then paragraph 3 below: Public Apology</p> <ol style="list-style-type: none"> <li data-bbox="1514 1326 2069 1463">2. At the ordinary council meeting first occurring after the expiration of 28 days from the date of service of this Order on

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				<p>him, Councillor Michael Separovich (“Cr Separovich”)</p> <ol style="list-style-type: none"> a. attend the relevant ordinary council meeting; b. ask the presiding person for his or her permission to address the meeting to make a public apology to the public; c. make the apology immediately after Public Question Time or during the Announcements part of the meeting, or at any other time when the meeting is open to the public, as the presiding person thinks fit; and d. address the Council and public as follows, without saying any introductory words before the address, and without making any comments or statement after the address. <p>“I advise this meeting that:</p> <p>A complaint was made to the Local Government Standards Panel, in which it was alleged that I contravened the Local Government (Rules of Conduct) Regulations 2007 (WA) when I sent an email and used</p>

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				<p>a threatening tone towards a senior member of Council staff.</p> <p>The Panel found that by behaving in this manner I committed one breach of Regulation 10(1)(b) of the said Regulations as I attempted to influence, by means of a threat, the conduct of a person who is a local government employee in their capacity as a local government employee. iii. I accept that I should not have acted in such a manner and I now apologise to Mr Daniel Arndt for having done so.”</p> <p>3. If Cr Separovich fails to, or is unable to, comply with the requirements of paragraph 2 above in the required timeframe then, within the next 28 days following the ordinary council meeting referred to in paragraph 2 above:</p> <p>a. Cr Separovich shall cause the following notice of public apology to be published in no less than 10 point print, as a one-column or two-column display advertisement in the first 10 pages of the ‘Cockburn</p>

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				<p>'Gazette' newspaper; and b. The Chief Executive Officer of the City of Cockburn shall arrange for the following notice of public apology to be published:</p> <ul style="list-style-type: none"> i. on the Facebook page of the City of Cockburn in no less than 10 point font size; and ii. in an appropriate place on the website of the City of Cockburn in no less than 10 point font size; and iii. in the next occurring issue of any City of Cockburn public newsletter (if any) (whether in electronic or print copy) in no less than 10 point font size. <p>PUBLIC APOLOGY BY COUNCILLOR MICHAEL SEPAROVICH</p> <p>A complaint was made to the Local Government Standards Panel, in which it was alleged that I</p>

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				<p>contravened the Local Government (Rules of Conduct) Regulations 2007 (WA) when I sent an email and used a threatening tone to a senior member of Council staff.</p> <p>The Panel found that by behaving in this manner I committed one breach of Regulation 10(1)(b) of the said Regulations as I attempted to influence, by means of a threat, the conduct of a person who is a local government employee in the person's capacity as a local government employee.</p> <p><i>I accept that I should not have acted in such a manner and I now apologise to Mr Daniel Arndt for having done so.</i></p>
<p>29 January 2020 (SP 2019-077)</p>	<p>Councillor Lee-Anne Smith</p>	<p>(Former CEO) Stephen Cain</p>	<p>Councillor Lee-Anne Smith, a councillor for the City of Cockburn ('The City') committed 1 minor breach under the Local Government Act 1995 (WA) ('The Act') and regulation 7(1)9b) of the <i>Local Government (Rules of Conduct) Regulations 2007 (WA) (:the Regulations)</i></p>	<p>Councillor Lee-Anne Smith, a councillor for the City of Cockburn publicly apologise, as specified in paragraph 2, or failing compliance with paragraph 2 within the specified timeframe, then paragraph 3 shall apply:</p> <p><u>Public Apology</u></p> <p>2. On the ordinary council meeting of the City of</p>

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			<p>when, following a reasonable request, she did not remove material from Facebook relating to a petition that was put forward regarding the Bartram Road Footbridge ('the Minor Breach').</p>	<p>Cockburn first occurring after the expiration of 28 days from the date of service of this Order on her, Councillor Smith shall:</p> <ol style="list-style-type: none"> a. attend the relevant ordinary council meeting; b. ask the presiding person for his or her permission to address the meeting to make an apology to the public; c. make the apology immediately after Public Question Time or during the Announcements part of the meeting, or at any rother time when the meeting is open to the public, as the presiding person thinks fit; and d. address the Council and public as follows, without saying any introductory words before the address, and without making any comments or statement after the address: <p><i>I advise this meeting that:</i></p>

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				<p><i>i. A complaint was made to the Local Government Standards Panel, in which it was alleged that I contravened the Local Government (Rules of Conduct) Regulations 2007 (WA) when I did not remove material from a Facebook Page relating to a petition regarding Bartram Road Footbridge that incorrectly referred to the involvement of the Lions Club Australia.</i></p> <p><i>ii. the Panel found that I breached regulation 7(1)9b) of the said Regulations as my conduct in refusing a reasonable request to remove the material was improper and deserving of a penalty.</i></p> <p><i>iii. I accept that I should have removed the relevant material from Facebook upon request.</i></p> <p><i>iv. I now apologise to the Lions Club Australia, my fellow Councillors and the public</i></p> <p>3. If Councillor Smith fails to, or is unable to, comply with the requirements of paragraph 2 above in the required timeframe then, within the next 28 days following the ordinary</p>

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				<p>council meeting referred to in paragraph 3 above:</p> <p>a. Councillor Smith shall cause the following notice of public apology to be published in no less than 10 point print, as a one-column or two-column display advertisement in the first 10 pages of:</p> <ul style="list-style-type: none"> <i>i. the 'Cockburn City Herald' community newspaper; AND</i> <i>ii. the 'Cockburn Gazette' community newspaper; AND</i> <p>b. the Chief Executive Officer of the City of Cockburn shall arrange for the notice of public apology to be published:</p> <ul style="list-style-type: none"> <i>i. on the Facebook Page of the City of Cockburn in no less than 10 point font size; and</i> <i>ii. in an appropriate place on the website of the</i>

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				<p style="text-align: right;"><i>City of Cockburn in no less than 10 point font size; and</i></p> <p style="text-align: right;"><i>iii. be published in any City of Cockburn public newsletter (if any) whether in electronic or print copy (if any) in no less than 10 point font size.</i></p> <p>PUBLIC APOLOGY BY COUNCILLOR LEE-ANNE SMITH</p> <p><i>A complaint was made to the Local Government Standards Panel, in which it was alleged that I contravened the Local Government (Rules of Conduct) Regulations 2007 (WA) when I did not remove material from a Facebook Page relating to a petition regarding Bartram Road Footbridge that incorrectly referred to the involvement of the Lions Club Australia.</i></p> <p><i>the Panel found that I breached regulation 7(1)9b) of the said Regulations as my conduct in refusing a reasonable request to</i></p>

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				<p><i>remove the material was improper and deserving of a penalty.</i></p> <p><i>I accept that I should have removed the relevant material from Facebook upon request.</i></p> <p><i>I now apologise to the Lions Club Australia, my fellow Councillors and the public.</i></p>
<p>18 June 2019 (SP 2018-107)</p>	<p>Councillor Lee-Anne Smith</p>	<p>Stephen Cain, CEO</p>	<p>Councillor Lee-Anne Smith (“Cr Smith”), a Council member of the City of Cockburn (“the City”) committed one breach of regulation 7(1)(a) of the Local Government (Rules of Conduct) Regulations 2007 (WA) (“the Regulations”) when on 9 August 2019 she made false comments in an interview on ABC Radio Perth in respect to a notice of motion raised by her in relation to off-road motor vehicle use which was discussed (but not passed) at the Ordinary Council Meeting of 8 August 2019.</p>	<ol style="list-style-type: none"> 1. Councillor Lee-Anne Smith, a Councillor for the City of Cockburn publicly apologise to the Council and the City, as specified in paragraphs 2 and 3 below. 2. At the Ordinary Council meeting first occurring after the expiration of 28 days from the date of service of this Order on her, Councillor Smith shall: <ol style="list-style-type: none"> a. attend the relevant ordinary Council meeting; b. ask the presiding person for his or her permission to address the meeting to make a public apology to the public;

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				<p>c. make the apology immediately after Public Question Time or during the Announcements part of the meeting, or at any other time when the meeting is open to the public, as the presiding person thinks fit; and</p> <p>d. address the Council and public as follows, without saying any introductory words before the address, and without making any comments or statement after the address:</p> <p>I advise this meeting that:</p> <p>A complaint was made to the Local Government Standards Panel, in which it was alleged that I contravened the Local Government (Rules of Conduct) Regulations 2007 (WA) when I made false comments in an interview on ABC Radio Perth in respect to a notice of motion raised by me in relation to off road motor vehicle use which was discussed (but not passed) at the Ordinary Council Meeting of 8 August 2019.</p>

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				<p>The Panel found that by behaving in this manner I made improper use of my office as Councillor with the intention of advantaging myself thereby committing one breach of Regulation 7(1)(a) of the Local Government (Rules of Conduct) Regulations 2007.</p> <p>I accept that I should not have acted in such a manner and I apologise to the Council and the City for having done so.</p> <p>3. If Cr Smith fails or is unable to comply with the requirements of paragraph 2 above then within the next 28 days following the Ordinary Council meeting referred to in paragraph 2, she shall cause the following notice of public apology to be published in no less than 10 point print, as a one-column or two column display advertisement in the first 10 pages of the "Cockburn Gazette" newspaper</p>

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				<p>PUBLIC APOLOGY BY COUNCILLOR LEE-ANNE SMITH</p> <p>A complaint was made to the Local Government Standards Panel, in which it was alleged that I contravened the Local Government (Rules of Conduct) Regulations 2007 (WA) when I made false comments in an interview on ABC Radio Perth in respect to a notice of motion raised by me in relation to off road motor vehicle use which was discussed (but not passed) at the Ordinary Council Meeting of 8 August 2019.</p> <p>The Panel found that by behaving in this manner I made improper use of my office as Councillor with the intention of advantaging myself thereby committing one breach of Regulation 7(1)(a) of the Local Government (Rules of Conduct) Regulations 2007.</p> <p>I accept that I should not have acted in such a manner and I apologise to the Council and the City for having done so.</p>

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<p>15 March 2019 (SP 2018-60)</p>	<p>Dep. Mayor LeeAnne Smith</p>	<p>Stephen Cain, CEO</p>	<p>Dep Mayor Lee-Anne Smith of the City of Cockburn (“the City”), committed 2 minor breaches of Regulation 7(1)(b) of the Local Government (Rules of Conduct) Regulations 2007 (WA) (“the Regulations”) when at the Special Meeting of Council held 22 August 2018 she: a. falsely stated that Cr Chontelle Sands was the subject of two minor breach complaints and an investigation by the Department of Local Government, Sport and Cultural Industries (“the Department”); and</p> <p>b. she stated that Cr Chontelle Sands had lied about having an impartiality interest in respect to a matter previously considered by the Council; (together “the Minor Breaches”)</p>	<p>Dep Mayor Smith:</p> <ol style="list-style-type: none"> 1. make a public apology in terms of the attached Order; and 2. be publicly censured in terms of the attached Order

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		Stephen Cain, CEO	<p>Councillor Lee-Anne Smith (“Cr Smith”), the Deputy Mayor of the City of Cockburn (“City”), committed one breach of regulation 7(1)(a) of the Local Government (Rules of Conduct) Regulations 2007 (the Regulations) when she:</p> <ul style="list-style-type: none"> a. had discussions and made agreements with an applicant regarding a development application for the installation of electronic signage on land situated in the City; and b. drafted an alternative recommendation for the approval of the Development application and inclusion of certain development approval conditions proposed to be raised at the Ordinary Council Meeting of 10 May 2018. 	Undertake training ‘Serving on Council’