

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)
<p>11 November 2021 (SP 2020-029)</p>	<p>Former Councillor Lee-Anne Smith</p>	<p>Stephen Cain, (former CEO)</p>	<p>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> (“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>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 imposed against former Councillor Smith.</p>

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			<p>b. failed to declare an impartiality interest in respect to the performance appraisal process for the Chief Executive Officer of the City at each of:</p> <ul style="list-style-type: none"> i. the Ordinary Council Meeting of 4 November 2019; ii. the Ordinary Council Meeting of 4 December 2019; and iii. the Ordinary Council Meeting of 13 January 2020; <p>(together the “Minor Breaches”).</p>	

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<p>9 February 2021 (SP 2020-108)</p>	<p>Councillor Michael Separovich</p>	<p>Don Green, Director – Governance & Community Services</p>	<p>Councillor Michael Separovich committed one breach under the Local Government Act 1995 (WA) (“the Act”) and regulation 7(1)9b) of the Local Government (Rules of Conduct) Regulations 2007 (“the Regulations”) when he made deliberately antagonistic and offensive remarks on social media regarding the fatal shootings at a Black Lives Matter protest in the United States of America.</p>	<p>Councillor Michael Separovich,</p> <ol style="list-style-type: none"> 1. a councillor for the City of Cockburn, be publicly censured, as specified in paragraph 3. 2. a councillor for the City of Cockburn, make the monetary payment set out in paragraph <p>Public Censure</p> <ol style="list-style-type: none"> 3. 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, in no less than 10 point print or font: <ol style="list-style-type: none"> a. on the Facebook Page of the City of Cockburn; b. on an appropriate page of the website of the City of Cockburn; and c. be published in every City of Cockburn public or community newsletter (whether in electronic or print copy) (if any).

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				<p>NOTICE OF PUBLIC CENSURE</p> <p>The Local Government Standards</p> <p>Panel has found that Councillor Michael Separovich, a Councillor of the City of Cockburn, breached regulation 7(1)(b) of the Local Government (Rules of Conduct) Regulations 2007 (WA) when he made a Facebook Post that was deliberately antagonistic and offensive on social media in relation to the Black Lives Matter protests in the United States of America. Councillor Separovich's conduct was improper, in breach of the City's Code of Conduct and deserving of a penalty. 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>Monetary Sanction</p>

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				4. 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.

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15 January 2021 (SP 2020-103)	Councillor Michael Separovich	Don Green, Director – Governance & Community Services	Councillor Michael Separovich councillor for the City of Cockburn (“the City”), committed one minor breach under the Local Government Act 1995 (WA) (“the Act”) and regulation 7 of the Local Government (Rules of Conduct) Regulations 2007 (WA) (“the Regulations”) when he made comments that were deliberately antagonistic and offensive on social media in respect to the Black Lives Matter protests in the United States of America (“the Minor Breach”).	<p>The Local Government Standards Panel orders pursuant to section 5.110(6)(b)(iii), section 5.110(6)(b)(iv) and section 5.110(6)(c) of the Act that, in relation to the Minor Breach of regulation 7 of the Regulations, Cr Separovich:</p> <ul style="list-style-type: none"> a. undertake training as set out in paragraph 3; and b. make the monetary payment set out in paragraph 4. <p><u>Training</u></p> <ul style="list-style-type: none"> 3. Within 4 months of the date of this Order, Councillor Michael Separovich, a Councillor for the City of Cockburn, shall undertake: <ul style="list-style-type: none"> a. the training course for Elected Members ‘Effective Community Leadership’ provided by WA Local Government Association (WALGA) for a period of no less than 7.5 hours, attending either in person or via e-learning; or

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				<p>b. a training course with substantially similar learning outcomes provided by an alternative registered training organisation for a period of not less than 7.5 hours.</p> <p><u>Monetary Sanction</u></p> <p>4. 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>

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<p>9 February 2021 (SP 2020-102)</p>	<p>Councillor Michael Separovich</p>	<p>Don Green, Director – Governance & Community Services</p>	<p>Councillor Michael Separovich committed one breach under the Local Government Act 1995 (WA) (“the Act”) and regulation 7(1)9b) of the Local Government (Rules of Conduct) Regulations 2007 (“the Regulations”) when he made comments that were deliberately antagonistic and offensive remarks on social media regarding the fatal shootings at a Black Lives Matter protest in the United States of America.</p>	<p>Councillor Michael Separovich, a councillor for the City of Cockburn publicly apologise, as specified in paragraph 3, or failing to comply with paragraph 3, then paragraph 4 below shall apply.</p> <p>Councillor Michael Separovich, a councillor for the City of Cockburn, make the monetary payment set out in paragraph 5.</p> <p>Public Apology</p> <p>3. On the ordinary council meeting first occurring after the expiration of 28 days from the date of service of this Order on him, Councillor Separovich shall:</p> <ul 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

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				<p>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>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 made an offensive and derogatory Facebook Post.</p> <p>ii. The Panel found that I breached regulation 7(1)(b) of the said Regulations as my conduct was in breach of the City's Code of Conduct and deserving of a penalty.</p> <p>iii. I accept that I should not have engaged in the relevant conduct.</p>

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				<p>iv. I now apologise to my fellow Councillors and the public.'</p> <p>4. If Councillor Separovich fails to, or is unable to, comply with the requirements of paragraph 3 above THEN, within the next 28 days following the ordinary council meeting referred to in paragraph 3</p> <p>above, the Chief Executive Officer shall arrange for the following notice of public apology to be published in no less than 10 point print or font:</p> <ul style="list-style-type: none"> a. on the Facebook Page of the City of Cockburn; b. on an appropriate page of the website of the City of Cockburn; and c. be published in every City of Cockburn public or community newsletter (whether in electronic or print copy) (if any): <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</p>

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				<p>(WA) when I made an offensive and derogatory Facebook Post. The Panel found that I breached regulation 7(1)(b) of the said Regulations as my conduct was in breach of the City's Code of Conduct and deserving of a penalty. I accept that I should not have engaged in the relevant conduct. I now apologise to my fellow Councillors and the public</p> <p>Monetary Sanction:</p> <p>5. 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>

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25 March 2021 (SP 2020-057)	Councillor Michael Separovich	Don Green, Director – Governance & Community Services	<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.</p> <p>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 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>	<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 Cockburn, be censured, as specified in paragraph 7 below. 4. 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

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				<p>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; 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:

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				<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> <p>ii. 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>

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				<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 Cockburn shall arrange for the following notice of public apology to be published: <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 iv. in the next occurring issues of all City of Cockburn community and public newsletters (if any) (whether in electronic or print copy).

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				<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> <ol style="list-style-type: none"> 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>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</p>

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				<p>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> <p>LOCAL GOVERNMENT STANDARDS PANEL</p>

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25 March 2021 (SP 2020-055)	Councillor Michael Separovich	Don Green, Director – Governance & Community Services	<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.</p> <p>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 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>	<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 Cockburn, be censured, as specified in paragraph 7 below. 4. 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

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				<p>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; 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

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				<p style="text-align: right;">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> <p>ii. 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</p>

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				<p>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 Cockburn shall arrange for the following notice of public apology to be published: <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

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				<p style="text-align: right;">Cockburn community and public newsletters (if any) (whether in electronic or print copy).</p> <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> <ol style="list-style-type: none"> 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>Notice of Public Censure</p>

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				<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.</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>

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25 March 2021 (SP 2020-053)	Councillor Michael Separovich	Don Green, Director – Governance & Community Services	<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 Code of Conduct and was wrongful, inappropriate and deserving of a penalty. Further more his actions were likely to cause detriment to the parties involved.</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 specified in paragraph 6 or 7 below). 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

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				<p>once in each publication and on each forum.</p> <p>5. Councillor Michael Separovich, a councillor for the City of Cockburn, make the monetary payment set out in paragraph 9.</p> <p>Public Apology</p> <p>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:</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; 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

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				<p>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> <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</p>

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				<p>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> <p>b. the Chief Executive Officer of the City of Cockburn shall arrange for the following notice of public apology to be published:</p> <p>i. on the Facebook page of the City of Cockburn; and</p> <p>ii. in an appropriate place on the website of the City of Cockburn; and</p>

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				<p style="text-align: right;">iii. in the next occurring issues of all City of Cockburn community and public newsletters (if any) (whether in electronic or print copy).</p> <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 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>

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				<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> <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</p>

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				payable by the City in relation to the Complaint, Cr Separovich shall pay to the City that amount in full.
28 March 2021 (SP 2020-052)	Councillor Michael Separovich	Don Green, Director – Governance & Community Services	Councillor Michael Separovich, a councillor for the City of Cockburn, committed two minor breaches under the Local Government Act 1995 (WA) (“the Act”) and regulations 6(2)(a) and 7(1)(b) of the Local Government (Rules of Conduct) Regulations 2007 (WA) (“the Regulations”) when he disclosed information relating to a confidential minor breach complaint (“Minor Breaches”).	<p>The Local Government Standards Panel Orders that: Within four (4) months of the date of this Order, Councillor Michael Separovich, a member of the City of Cockburn, shall undertake:</p> <p>the training course for Elected Members ‘Serving on Council’ provided by the WA Local Government Association (WALGA) for a period of fifteen (15) hours; or</p> <p>a training course with substantially similar learning outcomes provided by an alternative registered training organisation for similar duration, but at least twelve (12) hours.</p>

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25 March 2021 (SP 2020-051)	Councillor Michael Separovich	Don Green, Director – Governance & Community Services	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 Code of Conduct and was wrongful, inappropriate and deserving of a penalty. Furthermore his actions were likely to cause detriment to the parties involved.	<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 Cockburn, be censured, as specified in paragraph 7 below. 4. 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

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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)
				<p>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; 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

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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)
				<p>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><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 published a series of derogatory and disrespectful posts on Facebook that were highly inflammatory and provocative.</i></p> <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. iii. I accept that I should not have acted in such a manner and I now apologise</p>

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				<p>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 5 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 b. the Chief Executive Officer of the City of Cockburn shall arrange for the following notice of public apology to be published: 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)</p>

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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)
				<p style="text-align: right;">(whether in electronic or print copy).</p> <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> <ul style="list-style-type: none"> 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>Notice of Public Censure</p> <p>The Local Government Standards Panel has found that Councillor</p>

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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)
				<p>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> <p>LOCAL GOVERNMENT STANDARDS PANEL</p>

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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)
25 March 2021 (SP 2020-047)	Councillor Michael Separovich	Don Green, Director – Governance & Community Services	<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.</p> <p>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 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>	<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 Cockburn, be censured, as specified in paragraph 7 below. 4. 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

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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)
				<p>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> <ul 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; 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

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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)
				<p>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> <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>

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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)
				<p>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> <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> <p>b. the Chief Executive Officer of the City of Cockburn shall arrange for the following notice of public apology to be published:</p> <p style="padding-left: 40px;">i. on the Facebook page of the City of Cockburn; and</p>

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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)
				<ul style="list-style-type: none"> 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>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> <ul style="list-style-type: none"> 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

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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)
				<p style="text-align: right;">newspaper (if any) (whether in electronic or print copy); and</p> <p style="text-align: right;">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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				LOCAL GOVERNMENT STANDARDS PANEL

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25 March 2021 (SP 2020-046)	Councillor Michael Separovich	Don Green, Director – Governance & Community Services	<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.</p> <p>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 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>	<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 specified in paragraph 6 or 7 below). 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

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				<p>once in each publication and on each forum.</p> <p>5. Councillor Michael Separovich, a councillor for the City of Cockburn, make the monetary payment set out in paragraph 9.</p> <p>Public Apology</p> <p>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:</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; c. make the apology immediately after Public Question Time or during the Announcements part of the meeting, or at any other time when the

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				<p>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> <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,</p>

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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)
				<p>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 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> <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 Cockburn shall arrange for the following notice of public apology to be published:

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				<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:</p> <ul style="list-style-type: none"> a. In The West Australian newspaper b. In Cockburn Gazette

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				<ul style="list-style-type: none"> 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>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 <i>likely to cause detriment to the City, the Council and community.</i></p>

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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)
				<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>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>

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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)
25 March 2021 (SP 2020-045)	Councillor Michael Separovich	Don Green, Director – Governance & Community Services	<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.</p> <p><i>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 Code of Conduct and was wrongful, inappropriate and deserving of a penalty. Furthermore his actions were likely to cause detriment to the parties involved.</i></p>	<ol style="list-style-type: none"> <li data-bbox="1512 359 2072 630">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. <li data-bbox="1512 646 2072 1029">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). <li data-bbox="1512 1045 2072 1220">3. Councillor Michael Separovich, a councillor for the City of Cockburn, be censured, as specified in paragraph 7 below. <li data-bbox="1512 1236 2072 1458">4. 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,

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				<p>then the Notice of Public Censure is only to be published once in each publication and on each forum. 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> <ul 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; c. make the apology immediately after Public Question Time or during the Announcements part of the meeting, or at any other time 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

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				<p style="text-align: center;">or statement after the address: when the meeting is open to the public, as the presiding</p> <p>I advise this meeting that: 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> <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>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>

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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)
				<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> <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> <p>b. the Chief Executive Officer of the City of Cockburn shall arrange for the following notice of public apology to be published:</p> <p>on the Facebook page of the City of Cockburn; and</p> <p>in an appropriate place on the website of the City of Cockburn; and</p> <p>in the next occurring issues of all City of Cockburn community and public newsletters (if any) (whether in electronic or print copy).</p> <p>Public Censure</p>

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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)
				<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> <ul style="list-style-type: none"> 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>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</p>

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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)
				<p>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 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> <p>LOCAL GOVERNMENT STANDARDS PANEL</p>

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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)
25 March 2021 (SP 2020-044)	Councillor Michael Separovich	Don Green, Director – Governance & Community Services	<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.</p> <p>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 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>	<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 Cockburn, be censured, as specified in paragraph 7 below. 4. 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

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				<p>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; 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

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				<p>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> <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>

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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)
				<p>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 Cockburn shall arrange for the following notice of public apology to be published: <p style="text-align: right;">on the Facebook page of the City of Cockburn; and</p>

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				<p>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> <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> <ol style="list-style-type: none"> 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

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				<p style="text-align: right;">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 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> <p>LOCAL GOVERNMENT STANDARDS PANEL</p>

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25 March 2021 (SP 2020-043)	Councillor Michael Separovich	Don Green, Director – Governance & Community Services	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 Code of Conduct and was wrongful, inappropriate and deserving of a penalty. Furthermore his actions were likely to cause detriment to the parties involved.	<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 Cockburn, be censured, as specified in paragraph 7 below. 4. 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

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				<p style="text-align: right;">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> <ul 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; 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

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				<p>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> <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>

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				<p>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> <ol 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 Cockburn shall arrange for the following notice of public apology to be published: <ul style="list-style-type: none"> • on the Facebook page of the City of Cockburn; and

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				<ul style="list-style-type: none"> • 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> <ol style="list-style-type: none"> 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

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				<p>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 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>

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				LOCAL GOVERNMENT STANDARDS PANEL

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<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 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> <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

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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)
				<p>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> <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>

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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)
				<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 of public apology to be published:</p> <p>i. on the Facebook page of the City of Cockburn in no less than 10 point font size; and</p>

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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)
				<ul style="list-style-type: none"> 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 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. <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</p>

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				<p>(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 2020-039)	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> <p>(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</p> <p>(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.</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 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> <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> <ul 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

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				<p>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 sent an email and used 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>

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				<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 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

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				<p style="text-align: right;">less than 10 point font size; and</p> <p style="text-align: right;">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> <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 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</p>

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				<p>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>

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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)
13 July 2020 (SP 2019-085)	Councillor Lee-Anne Smith	(Former CEO) Stephen Cain	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> 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').	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: <u>Public Apology</u> 2. On the ordinary council meeting of the City of Cockburn first occurring after the expiration of 28 days from the date of service of this Order on her, Councillor Smith shall: 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 other time when the

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				<p>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>I advise this meeting that:</i></p> <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 a the involvement of the Lions Club Australia.</i></p> <p>ii. <i>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>

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				<p>iii. <i>I accept that I should have removed the relevant material from Facebook upon request.</i></p> <p>iv. <i>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 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> <p>i. <i>the 'Cockburn City Herald' community newspaper; AND</i></p>

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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)
				<p style="text-align: right;"><i>II. the 'Cockburn Gazette' community newspaper; AND</i></p> <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 City of Cockburn in no less than 10 point font size; and</i> <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 style="text-align: right;">PUBLIC APOLOGY BY COUNCILLOR LEE-ANNE SMITH</p>

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				<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 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>

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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)
<p>29 January 2020 (SP 2019-077)</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; 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

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				<p>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> <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>

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				<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> <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</p>

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				<p>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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18 June 2019 (SP 2018-107)	Dep. Mayor LeeAnne Smith	Stephen Cain, CEO	<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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15 March 2019 (SP 2018-60)	Dep. Mayor Lee-Anne Smith	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’