



SHIRE OF TOODYAY COMPLAINTS REGISTER

Register of certain complaints of Minor Breaches resulting in findings under section 5.110(2)(a) that a minor breach has occurred. Published in accordance with section 5.121(3) of the *Local Government Act 1995*.

Name of Council Member s5.121(2)(a)	Complainant s5.121(2)(b)	Description of Breach and Date of Decision s5.121(2)(c)	Details of Penalty / Action s5.121(2)(d)
Cr Rosemary Madacsi	Mrs Chiley Luangala, Acting CEO	<p>SP 2020-030 - Date of Decision: 16/06/2020 (Order delivered 29 October 2020)</p> <p>The Local Government Standards Panel found that Councillor Rosemary Madacsi committed one minor breach under the Local Government Act 1995 (WA) and regulation 6 of the Local Government (Rules of Conduct) Regulations 2007 (WA) when she made comments on Facebook that disclosed information from a document marked confidential by the City's Acting Chief Executive Officer and from meetings that were held behind closed doors to discuss confidential matters</p>	Cr Madacsi to undertake the specified training within 4 months of this Order.
Cr Benjamin Bell	Mr Stan Scott, CEO	<p>SP 2019-046 – Date of Decision: 02/09/2020 (Order delivered 12 January 2021)</p> <p>The Local Government Standards Panel found that Councillor Benjamin Bell committed one minor breach under the Local Government Act 1995 (WA) and regulation 7(1)(b) of the Local Government (Rules of Conduct) Regulations 2007 (WA) when he made a Facebook Post that was intended to cause detriment to the Complainant.</p>	Cr Bell to apologise to Mr Stan Scott, fellow Councillors and the public. Notice of public censure to be published.
Cr Benjamin Bell	Mr Stan Scott, CEO	<p>SP 2019-010 – Date of Decision: 02/09/2020 (Order delivered 12 January 2021)</p> <p>The Local Government Standards Panel found that Councillor Benjamin Bell committed three minor breaches under the Local Government Act 1995 (WA) and regulation 7(1)(b) of the Local Government (Rules of Conduct) Regulations 2007 (WA) when he:</p> <ol style="list-style-type: none"> made a Facebook Post on 10 February 2019 in respect to minor breach findings against him; made a Facebook Post on 10 February 2019 in respect to use of legal representation by the Shire; and made a Facebook Post on 10 February 2019 in respect to Cr Therese Chitty. 	Cr Bell to apologise to Mr Stan Scott, Cr Therese Chitty, fellow Councillors and the public. Notice of public censure to be published. Cr Bell to undertake the specified training within 4 months of this Order.
Cr Benjamin Bell	Mr Stan Scott, CEO	<p>SP 2019-009 – Date of Decision: 02/09/2020 (Order delivered 12 January 2021)</p> <p>The Local Government Standards Panel found that Councillor Benjamin Bell committed one minor breach under the Local Government Act 1995 (WA) and regulation 7(1)(b) of the Local Government (Rules of Conduct) Regulations 2007 (WA) when he made a Facebook Post that was intended to cause detriment to the Complainant.</p>	Cr Bell to apologise to Mr Stan Scott, fellow Councillors and the public. Notice of public censure to be published.



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Cr Benjamin Bell	Cr Paula Greenway	<p>SP 2019-005 – Date of Decision: 14/05/2019 (Order delivered: 24 July 2019)</p> <p>The Local Government Standards Panel found that Cr Bell committed one minor breach of regulation 7(1)(b) of the Local Government (Rules of Conduct) Regulation 2007 when he made statements in an article in the December 2018 edition of the Toodyay Herald.</p>	Cr Bell to publicly apologise to the public, fellow Councillors and the Shire of Toodyay
Cr Benjamin Bell	Mr Stan Scott, CEO	<p>SP 2018-092 – Date of Decision: 22/03/2019 (Published 04 April 2019)</p> <p>The Local Government Standards Panel found that Councillor Benjamin Bell, a Councillor of the Shire of Toodyay, committed one breach of regulation 7(1)(b) of the Local Government (Rules of Conduct) Regulations 2007 (WA) when he published a Facebook post on 30 September 2018 relating to the allegation of Mr Stan Scott, the Chief Executive Officer of the Shire, commencing legal actions on behalf of the Shire.</p>	Cr Bell be publicly censured. Cr Bell publicly apologise to the Shire's CEO.
Cr Benjamin Bell	Mr Stan Scott, CEO	<p>SP 83 of 2018 - Date of Decision: 22/03/2019 (Published 4 April 2019)</p> <p>The Local Government Standards Panel found that Councillor Benjamin Bell, a Councillor of the Shire of Toodyay, committed one breach of regulation 7(1)(b) of the Local Government (Rules of Conduct) Regulations 2007 (WA) when he published various Facebook posts on 26 August 2018 relating to the actions of Mr Stan Scott, the Chief Executive Officer of the Shire, in relation to answering Cr Bell's questions and the Shire's budget.</p>	Cr Bell to be publicly censured. Cr Bell to publicly apologise to the Shire's CEO and Council. Cr Bell undertake the training specified in the Order by 30 September 2019.
Cr Benjamin Bell	Mr Stan Scott, CEO	<p>SP 65 of 2018 - Date of Decision: 22/03/2019 (Published 04 April 2019)</p> <p>The Local Government Standards Panel found that Councillor Benjamin Bell, a Councillor of the Shire of Toodyay, committed one breach of regulation 7(1)(b) of the Local Government (Rules of Conduct) Regulations 2007 (WA) when he published a Facebook post on 24 July 2018 relating to rate rises and Mr Stan Scott, the Chief Executive Officer of the Shire.</p>	Cr Bell to be publicly censured. Cr Bell to publicly apologise to the Shire's CEO, council staff, his fellow Councillors and the Shire.



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Cr Benjamin Bell	Mr Stan Scott, CEO	<p>SP 54 of 2018 - Date of Decision: 22/3/2019 (Published 04 April 2019)</p> <p>The Local Government Standards Panel found that Councillor Benjamin Bell committed one breach of regulation 7(1)(b) of the Local Government (Rules of Conduct) Regulations 2007 (WA) when he published a Facebook post on 18 May 2018 relating to the inclusion of questions in an Ordinary Council Meeting and Mr Stan Scott the Chief Executive Officer of the Shire as well as one of Cr Bell's fellow Councillors.</p>	Cr Bell to be publicly censured.
Cr Benjamin Bell	Mr Stan Scott, CEO	<p>SP 53 of 2018 – Date of Decision: 22/3/2019 (Published 04 April 2019)</p> <p>The Local Government Standards Panel found that Cr Bell committed one breach under the Local Government (Rules of Conduct) Regulations 2007 and regulation 7(1)(b) when he published a Facebook post and comments relating to Mr Stan Scott the Chief Executive Officer of the Shire and the acting CEO.</p>	Cr Bell to publicly apologise to the Shire's CEO and Acting CEO.
Cr Benjamin Bell	Mr Stan Scott, CEO	<p>SP 52 of 2018 – Date of Decision: 22/03/2019 (Published 04 April 2019)</p> <p>The Local Government Standards Panel found that Cr Bell committed one breach under the Local Government (Rules of Conduct) Regulations 2007 and regulation 7(1)(b) when he published a series of Facebook posts relating to Mr Stan Scot the Chief Executive Officer of the Shire.</p>	Cr Bell to publicly apologise to the Shire's CEO.
Cr Brian Rayner	Mr Larry Graham	<p>SP 011 of 2018 - Date of Decision: 26/04/2019 (Order delivered 24 July 2019)</p> <p>The Local Government Standards Panel found that Councillor Brian Rayner committed one minor breach of regulation 4 of the Local Government (Rules of Conduct) Regulations 2007 (WA) when made certain statement at the Ordinary Council meeting of 24 April 2018.</p>	Cr Rayner to publicly apologise to the Toodyay Progress Association.