



GOVERNMENT OF
WESTERN AUSTRALIA

Local Government Standards Panel

NOTICE OF PUBLIC CENSURE

The Local Government Standards Panel has found that Councillor Michael Smart, a Councillor of the Shire of Augusta Margaret River, breached:

- a. regulation 7(1)(a) of the *Local Government (Rules of Conduct) Regulations 2007 (WA)* by improperly sending sensitive information to a person who was interested in bidding for work on a boat ramp within the Shire;
- b. regulation 8(b) of the *Local Government (Rules of Conduct) Regulations 2007 (WA)* by using the Shire's email system to send the sensitive information to the person and to communicate with him about an estimated price for the proposed works on the boat ramp; and
- c. regulation 9(1) of the *Local Government (Rules of Conduct) Regulations 2007 (WA)* by communicating with the person about the price for proposed works on the boat ramp, which amounted to performing a task that contributed to the Shire's administration.

In engaging in this conduct, Councillor Smart made improper use of his office as a council member.

The Panel censures Councillor Smart for the breaches of regulation 7(1)(a), regulation 8(1) and regulation 9(1) of the *Local Government (Rules of Conduct) Regulations 2007 (WA)*.

**LOCAL GOVERNMENT
STANDARDS PANEL**