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## Local Government Standards Panel

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| Complaint Number   | 20250637   |
| Legislation        | <i>Local Government Act 1995</i>   |
| <b>Complainant</b> | <b>Chief Executive Officer Brent Bailey</b>  |
| <b>Respondent</b>  | <b>Councillor Rosemary Glasfurd</b>  |
| Local Government   | <b>Shire of Dandaragan</b>   |
| Regulation         | Regulation 20<br>of the <i>Local Government (Model Code of Conduct) Regulations 2021</i><br>Regulation 34D<br>of the <i>Local Government (Administration) Regulations 1996</i> |
| Panel Members      | Mrs Emma Power (Presiding Member)<br>Mr Ethan Redshaw (Member)<br>Mr Peter Rogers (Member)   |
| Heard              | 25 August 2025<br>Determined on the documents  |
| Finding            | 2 x breaches of Regulation 20(4)<br>1 x breach of regulation 34D   |

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### **FINDING AND REASONS FOR FINDING** Delivered 15 October 2025

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#### **DEFAMATION CAUTION**

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## Summary of the Panel's decision

1. On 25 August 2025, the Panel found that Councillor Rosemary Glasfurd a councillor of the Shire of Dandaragan (**"the Shire"**) did commit a minor breach pursuant to:
  - a. the *Local Government Act 1995 (WA)* (**"the Act"**) and Division 4 and Regulation 20 of the *Local Government (Model Code of Conduct) Regulations 2021* (**"the Regulations"**); and
  - b. the Act and Regulation 34D of the *Local Government (Administration) Regulations 1996* (**"the Administration Regulations"**),when she made various comments in respect to Shire staff involvement in a proposed strategy regarding differential rates, at the Special Council Meeting of 9 July 2025 as further set out in paragraph 17 below.

## The Panel's Role

2. Under section 5.110(2) of the Act the Panel is required to consider a minor breach complaint and make a finding as to whether the alleged minor breach occurred.
3. The Act and the *Local Government (Administration) Regulations 1996* provide for the circumstances in which a council member commits a minor breach.
4. Section 5.105(1) of the Act provides that a council or committee member commits a minor breach if the council or committee member contravenes a rule of conduct. Division 4 of the Regulations sets out the rules of conduct for council members and candidates.
5. Regulation 34D of the *Local Government (Administration) Regulations 1996* also provides that the contravention of a "*local law as to conduct*" is a minor breach pursuant to the Act.
6. The Panel may make a finding that a councillor has committed a minor breach of the Act and Regulations based on evidence from which it may be concluded that it is more likely that the alleged breach occurred than it did not occur.<sup>1</sup>
7. In order to find a breach, it must be established that each element of the relevant Regulation is more likely than not to have been breached or met.
8. In considering whether a minor breach is established the Panel must consider:
  - a. all evidence provided and, where there are conflicting circumstances, inferences or evidence, must come to a reasonable conclusion that any circumstance, inference or evidence relied upon is more likely than not to have occurred or be accurate<sup>2</sup>; and

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<sup>1</sup> Section 5.106 of the Act

<sup>2</sup> *Bradshaw v McEwans Pty Ltd* (1951) 217 ALR 1



- b. the seriousness of any allegation made, as well as the gravity of the consequences flowing from a particular finding<sup>3</sup>.
9. The Panel does not possess investigative or supervisory powers.<sup>4</sup> The Panel makes decisions about complaints regarding minor breaches solely upon the evidence presented to it and, where appropriate, materials in the public domain or published by the relevant local authority's website.
10. It is the responsibility of both complainants and respondents to provide the Panel with all information they wish the Panel to consider when making its determination.
11. The Panel also must have regard to the general interests of local government in Western Australia<sup>5</sup>.
12. The Panel is obliged to give notice of the reasons for any finding it makes under section 5.110(2) of the Act.

### **Jurisdiction and Procedural Fairness**

13. On 28 July 2025 the Panel received a complaint from Mr Brent Bailey acting as complaints officer of the Shire ("**the Complaints Officer**"). The same enclosed a Complaint of Minor Breach Form dated 25 July 2025.
14. In the complaint form, the Complainant alleges that Cr Glasfurd has breached regulation 20 of the Regulations and regulation 34D of the Administration Regulations when she made various comments in respect to Shire staff involvement in a proposed strategy regarding differential rates, at the Special Council Meeting of 9 July 2025 as further referred to in paragraph 17 below (together "**the Complaint**").
15. The Panel convened on 25 August 2025 to consider the Complaint.
16. The Panel:
  - a. accepted the advice of the then Department of Local Government, Sport and Cultural Industries, now the Department of Local Government, Industry Regulation and Safety ("**the Department**") that, based on information published on the Western Australian Electoral Commission's website, Cr Glasfurd was:
    - i. elected to the Council of the Shire in October 2021 for a term expiring in October 2025; and
    - ii. a Councillor when the Panel met on 25 August 2025;
  - b. was satisfied the Complaint was made within six months after the alleged breach occurred<sup>6</sup>;

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<sup>3</sup> Briginshaw v Briginshaw (1938) 60 CLR 336

<sup>4</sup> Re and Local Government Standards Panel [2015] WASC 51 (at paragraph 24)

<sup>5</sup> Section 8(6) of Schedule 5.1 of the Act

<sup>6</sup> Section 5.107(4) and 5.109(2) of the Act



- c. was satisfied that the Shire's Complaints Officer had dealt with the Complaint in accordance with the administrative requirements in the Act for dealing with complaints of a minor breach<sup>7</sup>;
- d. was satisfied the Department had provided procedural fairness to Cr Glasfurd; and
- e. found it had jurisdiction to consider the Complaint.

### **The Specifics of the Complaint**

- 17. The Complainant provided the following comments and arguments which were provided by a third party (being an employee of the Shire) in respect to the Complaint as summarised by the Panel:
- 18. For convenience the Panel has referred to the party who made the original complaint (under Division 3) of the Regulations to the CEO as "the Complainant" in this decision.
  - a. The Complaint is writing to formally express concern and disappointment over the remarks made by Cr Glasfurd during the Special Council Meeting held on Wednesday, 9 July 2025 ("**SCM**").
  - b. As an accountant and Acting Executive Manager for the Corporate team of the Shire of Dandaragan, and a key contributor to the differential rate proposal under discussion, the Complainant found Councillor Glasfurd's comments not only inappropriate and personally distressing but also damaging to the Complainant's professional reputation.
  - c. During the SCM, which was attended by more than 20 members of the public, Councillor Glasfurd described the proposal as:

*"Fundamentally unfair, grossly inequitable and lacks both imagination and effort..."*
  - d. She also asserted that Administration had failed to inform ratepayers:

*"...the double whammy of the Council Administration not informing ratepayers of these proposals..."*
  - e. Despite the Shire President's intervention, Cr Glasfurd continued to make accusatory and dismissive remarks toward staff, implying incompetence, carelessness, and a lack of transparency. These comments extended beyond critique of the proposal and directly impugned the professionalism and work ethic of the officers involved..
  - f. In addition to the content of Cr Glasfurd's remarks, the tone and manner in which they were delivered conveyed an even deeper level of hostility and disdain. Communication in a public forum involves more than words alone, non-verbal

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<sup>7</sup> Section 5.107 and 5.109 of the Act



cues such as tone, emphasis, volume, body language, and delivery all contribute to the overall message received by those present.

- g. Rather than remain seated and speak in turn, Councillor Glasfurd chose to walk to the lectern to deliver her written remarks, a theatrical and confrontational choice that signalled a deliberate intent to amplify the impact of her words. Her tone throughout was forceful, dismissive, and aggressive, with particular phrases emphasised in a manner that heightened their accusatory nature. These deliberate choices in delivery served to publicly shame and belittle staff rather than foster constructive dialogue, and they significantly compounded the reputational damage caused by the content of her speech.
- h. As a professional, the Complainant takes pride in conducting her work with accuracy, integrity, and diligence. The rate modelling and communication strategy in question were developed in accordance with legislative requirements and endorsed processes, discussed and refined through multiple councillor workshops and briefing sessions.
- i. Publicly characterising the work as lacking in effort, imagination, and fairness is not only inaccurate, but professionally harmful. The suggestion that staff engaged in a “*mean-spirited cash grab*” is particularly offensive and contrary to the values and responsibilities the Complainant upholds in her position.
- j. It is also important to note that Councillor Glasfurd’s comments were not spontaneous or made in the heat of the moment, but rather delivered from a pre-prepared written statement, which she read aloud during the meeting. This indicates a clear intent to criticise and publicly undermine staff, rather than an emotional reaction or lapse in judgment. The deliberate and pre-meditated nature of her remarks, targeting the preparation of the proposal, the process to deliver the proposal, and implicitly the professionalism of the officers involved, elevates the seriousness of the conduct and further erodes confidence in a respectful and constructive working relationship between Council and staff.
- k. However, the impact of Cr Glasfurd’s remarks extends beyond the personal verbal insults. They undermine trust between staff and Council and foster a culture of fear where officers may feel reluctant to contribute openly or confidently to important strategic processes. Public accusations of incompetence or misconduct, particularly when unfounded, can have lasting effects on staff morale, retention, and the public’s perception of the organisation’s integrity.
- l. There is also a significant personal reputational risk posed by such statements. As a qualified finance professional, the perception of bias, laziness, or lack of rigour in the Complainant’s work can adversely impact not only her internal credibility but also future professional opportunities. These are not trivial consequences, and Cr Glasfurd respectfully ask that the severity of this matter be acknowledged in your response.



- m. Given that the damage to the Complainant's professional standing occurred publicly, in front of community members and recorded on the public record, the Complainant believes the remedy must also be public and proportionate.
- n. The Complainant requests that Councillor Glasfurd be asked to:
  - i. Formally retract her comments during a public meeting of similar standing to the one held on 9 July, ideally in the presence of community members who attended or were impacted by her original statements;
  - ii. Offer a public apology acknowledging that her remarks unfairly and inaccurately represented the work of Shire officers;
  - iii. Submit to a formal investigation for a potential breach of the Regulations, specifically:
    - A. Section 9 (Personal integrity) – which requires Council members to treat local government employees with respect and courtesy, and
    - B. Section 10 (Relationship with local government employees) – which prohibits behaviour that could undermine an employee's reputation or cause them embarrassment, humiliation, or distress; and
  - iv. Individually contact each member of the public who attended SCM in writing to clarify that her statements were not an accurate reflection of the staff's professional conduct or effort, and to offer her retraction and apology to those individuals.
- o. Taking these steps publicly is important, not only to restore the Complainant's professional reputation, but to send a clear message that Council values and protects its staff from undue personal attack or public disparagement.
- p. The Complainant remains committed to working collaboratively with elected members and the community, and she sincerely hope a that this matter can be resolved in a constructive, transparent, and respectful manner.

### **The Respondent's Response**

- 19. By an email dated 14 August 2025, Cr Glasfurd provided a response to the Complaint.
- 20. Cr Glasfurd denies that she has committed any minor breach.
- 21. Cr Glasfurd provided the following comments and arguments regarding the Complaint:
  - a. Cr Glasfurd response is absolutely no to both complaints.
  - b. Cr Glasfurd stands by everything she said and has nothing to add.



## **PANEL'S CONSIDERATION**

### **REGULATION 20**

22. Regulation 20 regulates councillors' interactions with local government employees:

**“ 20. Relationship with local government employees**

(1) *In this clause —*

***local government employee*** means a person —

(a) *employed by a local government under section 5.36(1) of the Act;*  
*or*

(b) *engaged by a local government under a contract for services.*

(2) *A council member or candidate must not —*

(a) *direct or attempt to direct a local government employee to do or not to do anything in their capacity as a local government employee; or*

(b) *attempt to influence, by means of a threat or the promise of a reward, the conduct of a local government employee in their capacity as a local government employee; or*

(c) *act in an abusive or threatening manner towards a local government employee.*

(3) *Subclause (2)(a) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.*

(4) *If a council member or candidate, in their capacity as a council member or candidate, is attending a council or committee meeting or other organised event (for example, a briefing or workshop), the council member or candidate must not orally, in writing or by any other means —*

(a) *make a statement that a local government employee is incompetent or dishonest; or*

(b) *use an offensive or objectionable expression when referring to a local government employee.*

(5) *Subclause (4)(a) does not apply to conduct that is unlawful under The Criminal Code Chapter XXXV.”*

23. The Panel considers the allegations fall under regulation 20(4)(a) and 20(4)(b) of the Regulations.



### **Elements of Regulation 20(4)(a)**

24. To make a finding of a minor breach of regulation 20(4)(a) of the Regulations the Panel must be satisfied that it is more likely than not that:
- a. Cr Glasfurd was a councillor at the time of the alleged breach and was acting in her capacity as a councillor at the time of the alleged conduct;
  - b. Cr Glasfurd was attending a council meeting, committee meeting or other organised event at the time of the alleged conduct; and
  - c. Cr Glasfurd made a comment that stated or imply that the government employee was incompetent or dishonest.

### **Elements of Regulation 20(4)(b)**

25. To make a finding of a minor breach of regulation 20(4)(b) of the Regulations the Panel must be satisfied that it is more likely than not that:
- a. Cr Glasfurd was a councillor at the time of the alleged breach and was acting in her capacity as a councillor at the time of the alleged conduct;
  - b. Cr Glasfurd was attending a council meeting, committee meeting or other organised event at the time of the alleged conduct; and
  - c. Cr Glasfurd used an offensive or objectionable expression when referring to a local government employee.

### **Panel Consideration - Regulation 20(4)(a)**

Cr Glasfurd was a councillor and was acting in her capacity as a councillor at the time of the alleged conduct

26. Cr Glasfurd was a councillor at the time of the alleged breach and at the time the Panel considered the Complaint.
27. Cr Glasfurd and was attending and acting in her capacity as a councillor at the relevant Special Council Meeting.
28. This element is met.

Cr Glasfurd was attending a council meeting, committee meeting or other organised event at the time of the alleged conduct

29. The relevant conduct occurred at the Special Council Meeting of 9 July 2025 .
30. This element is met.

Regulation 20(4)(a) - The comments made state or imply that the government employee was incompetent or dishonest



31. The relevant comments by Cr Glasfurd related to a policy/strategy of the Shire which related to rates, specifically differential rates (**“the Strategy”**).
32. The Panel notes that in the context of the speech and comments given by Cr Glasfurd her comments directly related to *“the Administration”* which the Panel finds to the required standard is a reference to one or more government employees as defined in the Regulations (including the Shire staff that prepared and contributed to the Strategy documentation as well as the Chief Executive Officer).
33. The specific comments made by Cr Glasfurd were as follows
  - a. that the Strategy was:

*“Fundamentally unfair, grossly inequitable and lacks both imagination and effort...”*

**“Comment 1”**); and
  - b. that the “Administration” had failed to inform ratepayers of:

*“...the double whammy of the Council Administration not informing ratepayers of these proposals...”*

**“Comment 2”**); and
  - c. Cr Glasfurd referred to the Strategy as *“mean-spirited cash grab”* (**“Comment 3”**).
34. It is alleged that the relevant Comments imply incompetence, carelessness and a lack of transparency by Shire staff.
35. The Panel notes that the issue of how differential rates are calculated and charged is expressly prescribed by legislation.
36. It is established on the evidence provided that:
  - a. the Strategy regarding differential rates:
    - i. had been extensively discussed in multiple prior Council workshops and forums;
    - ii. had been formally endorsed by Council for public comment; and
    - iii. was the subject of an advertising schedule via mailing lists, local newspaper publication and by various other public methods; and
  - b. submissions regarding the Strategy were sought from rate payers.
37. Further, although the Shire staff may have prepared the initial Strategy for evaluation, the formal review and adoption of the Strategy was a Council function, not an administrative one.
38. In those circumstances Cr Glasfurd should have been well aware that:
  - a. the Strategy was created in accordance with statutory requirements; and
  - b. that Council had adopted the Strategy for review.



39. In respect to Comment 1 the Panel finds that there is no other reasonable interpretation of that Comment that Cr Glasfurd intended to state that the Shire staff had acted in an incompetent manner.
40. By stating that the Strategy:
  - a. was “*Fundamentally unfair, grossly inequitable*” Cr Glasfurd was clearly implying that the Strategy had not been prepared properly and that Shire staff had not acted to ensure that the Strategy was fair and equitable to all parties; and
  - b. “*lacks both imagination and effort*” Cr Glasford is clearly stating that “the Administration” had not created the Strategy with due research or care.
41. Therefore, the Panel finds to the required standard that Comment 1 expressly stated that Shire staff were incompetent and had not undertaken their role correctly.
42. With respect to Comment 2, it is clear that this Comment expressly suggests that Shire staff had not adequately arranged for the Strategy to be advertised for comment.
43. It may have been correct that some ratepayers had not heard about the rating Strategy, however, the Administration clearly had a set and relatively wide net of public advertising and it is not necessarily reasonable to expect that every single ratepayer be sent individual correspondence, or that Shire staff were responsible to ensure every ratepayer would have then read the correspondence sent to them, or seen the public notifications as to the issue.
44. The Panel finds to the required standard that Comment 2 implied that Shire staff were incompetent by failing to inform ratepayers of the Strategy, when this was clearly untrue.
45. In respect to Comment 3 to refer to the rating of mines in the Strategy as a “*mean-spirited cash grab*” by the Administration was a clear implication that the Shire staff had acted dishonestly in creating the Strategy.
46. In particular, the words “*cash grab*” has the connotation of an action undertaken in a greedy manner, for the sole reason of making money without reference to ethics, concerns or consequences.
47. The Panel finds to the required standard that Comment 3 implied that Shire staff were dishonest.
48. To be clear, Cr Glasfurd was permitted to speak against the adoption of differential rates. It is her express role and prerogative as an elected member to speak for or against matter before Council in order to represent the interests of ratepayers in her electorate.
49. What was not acceptable in this case was to blame “the Administration” for the results of the Strategy (which was prepared in accordance with statutory requirements) or to imply that Shire staff had not properly undertaken their role when creating or disseminating the Strategy.
50. This element is met.



### Conclusion

51. The elements required to find a breach of regulation 20(4)(a) of the Regulations have been met.

### **Panel Consideration – Regulation 20(4)(b)**

#### Cr Glasfurd was a councillor and was acting in her capacity as a councillor at the time of the alleged conduct

52. Cr Glasfurd was a councillor at the time of the alleged breach and at the time the Panel considered the Complaint.
53. Cr Glasfurd and was attending and acting in her capacity as a councillor at the relevant Special Council Meeting.
54. This element is met.

#### Cr Glasfurd was attending a council meeting, committee meeting or other organised event at the time of the alleged conduct

55. The relevant conduct occurred at the Special Council Meeting of 9 July 2025 .
56. This element is met.

#### Regulation 20(4)(b) – Cr Glasfurd used an offensive or objectionable expression when referring to a local government employee

57. The State Administrative Tribunal has previously considered that the word “offensive” in the context of the Regulations and the same can be taken to mean:
- “giving, or liable to give, offence; displeasing; annoying; insulting”; and
  - “causing offence or displeasure; irritating ... and insulting”.<sup>8</sup>
58. “Objectionable” is defined as:
- “used to describe people or things that you dislike or oppose because they are so unpleasant or wrong”<sup>9</sup>; and
  - Undesirable, Offensive<sup>10</sup>.
59. The State Administrative Tribunal has further found that in order to make a finding that a particular comment is offensive or objectionable, there must be evidence provided to support the contention that a *reasonable person* would find the relevant

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<sup>8</sup> *Hargreaves and Local Government Standards Panel [2008] WASAT 300 at 18*

<sup>9</sup> “Objectionable.” Cambridge Dictionary, <https://dictionary.cambridge.org/dictionary/english/objectionable> Accessed 1 June 2021

<sup>10</sup> “Objectionable.” Merriam-Webster.com Dictionary, Merriam-Webster, <https://www.merriam-webster.com/dictionary/objectionable> Accessed 31 May. 2021.



comment to be offensive or objectionable or that such a description was recognised in common usage<sup>11</sup>.

60. In this case the Panel considers that only Comment 3 properly falls under this provision and that Comment 1 and Comment 2 do not contain what would objectively be considered an “*offensive or objectionable*” expression.
61. The Panel, as noted above, finds that Cr Glasford’s reference to “*the Administration*” was a reference to one or more government employees as defined in the Regulations.
62. In respect to Comment 3, the Panel reiterates its comments above.
63. The words “*cash grab*” are an established saying which has a particular and well known connotation being “*the greedy pursuit of an opportunity for making money especially when done without regard for ethics, concerns, or consequences*”<sup>12</sup>.
64. To refer to the actions of the Shire staff in creating the Strategy as a “*cash grab*” (especially where the Strategy simply followed statutory requirements) was more likely than not to be considered both personally insulting to those staff members as well as to be considered objectively offensive and objectionable.
65. This element is met.

#### Conclusion

66. The elements required to find a breach of regulation 20(4)(b) of the Regulations have been met.

#### Regulation 34D

67. Regulation 34D of the Administration Regulations reads:

“(1) *In this regulation —*

“**local law as to conduct**” means a local law relating to conduct of people at council or committee meetings.

(2) *The contravention of a local law as to conduct is a minor breach for the purposes of section 5.105(1)(b) of the Act.*”

68. Section 5.105(1)(b) of the Act states as follows:

“A council member commits a minor breach if he or she contravenes

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<sup>11</sup> *Hodsdon and Local Government Standards Panel [2019] WASAT 49*

<sup>12</sup> “Cash grab.” Merriam-Webster.com Dictionary, Merriam-Webster, <https://www.merriam-webster.com/dictionary/cash%20grab>. Accessed 25 Sep. 2025.



(b) *a local law under this Act, contravention of which the regulations specify to be a minor breach.*"

69. To make a finding of a minor breach of regulation 34D of the Administration Regulations the Panel must be satisfied, to the required standard, that:
- Cr Glasfurd was a councillor at the time of the alleged breach and the time of the determination;
  - the conduct occurred during a council or committee meeting; and
  - Cr Glasfurd breached a valid provision of a local law as to conduct being the *Shire Of Dandaragan Local Government (Council Meetings) Local Law 2019* ("**the Meeting Local Law**").

Cr Glasfurd was a Councillor at the relevant times

70. Cr Glasfurd was a councillor at the time of the alleged breach and at the date the Panel considered the Complaint.

71. This element is met.

The conduct occurred at a council or committee meeting

72. The relevant conduct occurred during the Special Council Meeting of 9 July 2025.

73. This element is met.

Cr Glasfurd breached a valid provision of the *Shire of Dandaragan Local Government (Council Meetings) Local Law 2019*

74. It is an essential element to find a minor breach of Regulation 4 that the breach is of a "*local law relating to conduct of people at council or committee meetings*".

75. This has two requirements being that:

- the same is a "local law", being the formal gazetted meeting procedures or standing orders local law<sup>13</sup> (the Meeting Local Law is such a law); and
- the relevant Meeting Procedure clause breached must relate to "conduct" rather than being concerned as to procedure.

76. In this case the relevant clause of the Meeting Local Law to be section 8.14 which provides as follows:

**" 8.14 Adverse reflection**

- (1) *A Member is not to reflect adversely on a decision of the Council except on a motion that the decision be revoked or changed unless the meeting resolves, without debate, that the matter before the meeting cannot otherwise be adequately considered.*

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<sup>13</sup> See *Ryan and Local Government Standards Panel* [2009] WASAT 154 and *Steck and Local Government Standards Panel* [2011] WASAT 117.



- (2) *A Member is not –*
- (a) *to reflect adversely on the character or actions of another Member or officer; or*
  - (b) *to impute any motive to a Member or officer,*  
*unless the meeting resolves, without debate, that the question then before the meeting cannot otherwise be adequately considered.*
- (3) *A Member is not to use offensive or insulting expressions in reference to any Member, officer or other person.”*
77. The State Administrative Tribunal has previously established that a local government’s standing orders/meeting procedures that refer to the prohibition on an elected member’s conduct in terms substantially similar to provision 8.14 relates to “conduct” for the purposes of Regulation 34D (then regulation 4 of the *Local Government (Rules of Conduct) Regulations 2007*)<sup>14</sup>.
78. To make a finding that this provision has been breached, the comments by Cr Glasfurd must either:
- a. reflect adversely on the character or actions of another member or Shire employee;
  - b. to impute any motive to a member or Shire employee; or
  - c. use an offensive or insulting expression in reference to another member, Shire employee or any other person.
79. The Meeting Local Law defines “officer” as “*an employee as defined in the Act or another person engaged by the local government in a contractual relationship*”.
80. As noted above, the Panel finds that Cr Glasford’s reference to “*the Administration*” was a reference to one or more government employees as defined in the Regulations.
81. There is no definition of “*adverse reflection*” in the Meeting Local Law, Act or Regulations.
82. “*Adverse*” is defined as “*acting against or in a contrary direction or Hostile*”<sup>15</sup>.
83. The Panel considers that the use of the word “adverse” requires a higher level of negativity than mere disapproval or disagreement.
84. In respect to the word “reflection”, the Panel has taken this word in its common usage, and in the context of the Act, to mean “*consideration of some subject matter, idea, or purpose*”<sup>16</sup>.

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<sup>14</sup> *Treby and Local Government Standards Panel* [2009] WASAT 224

<sup>15</sup> “Adverse.” Merriam-Webster.com Dictionary, Merriam-Webster, <https://www.merriam-webster.com/dictionary/adverse>. Accessed 5 Aug. 2020.

<sup>16</sup> “Reflection.” Merriam-Webster.com Dictionary, Merriam-Webster, <https://www.merriam-webster.com/dictionary/reflection>. Accessed 5 Aug. 2020.



85. Therefore, a council member will reflect adversely upon the actions of another member or employee if the council member makes a remark or observation that relates to any thing done by the other member, and the remark or observation would be perceived by a reasonable person as tending to lower a person in the estimation of his or her fellow persons by making them think less of him or her<sup>17</sup>.
86. A council member will “*impute a motive*” to another member or Shire employee if the council member attributes to that party a goal or object for acting or not acting in the manner that the other member or employee acted or did not act<sup>18</sup>.
87. The word “offensive” has been considered by the Panel above in paragraphs 58 and 60.
88. “Insulting” is defined as “*giving or intended to give offense : being or containing an insult*”<sup>19</sup>.
89. In this case the Panel considers that:
- a. in Comment 1, the use of the phrase “*lacks both imagination and effort*” reflected adversely on the actions of the Shire employees who assisted in preparation of the Strategy;
  - b. Comment 2:
    - i. reflected adversely on the actions of the relevant Shire employees; and
    - ii. was generally hostile towards Shire employees,  
as it suggested they did not undertake their role correctly in properly informing ratepayers about the Strategy; and
  - c. in Comment 3 the expression “*mean-spirited cash grab*”:
    - i. reflected adversely on both the character and actions of on the relevant Shire employees by suggesting they were greedy and unethical; and
    - ii. imputed to the relevant Shire employees a false motive of attempting to gain money in an underhanded and unethical fashion; and
    - iii. was both personally and objectively offensive and insulting to the relevant Shire employees.
90. Given the above, the Panel finds to the required standard that Cr Glasfurd did breach:
- a. clause 8.14(2)(a) of the Meeting Local Law;
  - b. clause 8.14(2)(b) of the Meeting Local Law; and
  - c. clause 8.14(3) of the Meeting Local Law.

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<sup>17</sup> Local Government Standards Panel SP 30 of 2008

<sup>18</sup> Local Government Standards Panel SP 30 of 2008

<sup>19</sup> “Insulting.” Merriam-Webster.com Dictionary, Merriam-Webster, <https://www.merriam-webster.com/dictionary/insulting>. Accessed 2 Oct. 2025.



91. This element is met.

Conclusion

92. The elements required to find a breach of regulation 34D of the Regulations have been met.

**PANEL'S FINDINGS**

- 93. Cr Glasfurd did commit a breach of Regulation 20(4)(a) of the Regulations and therefore did commit a minor breach.
- 94. Cr Glasfurd did commit a breach of Regulation 20(4)(b) of the Regulations and therefore did commit a minor breach.
- 95. Cr Glasfurd did commit a breach of Regulation 34D of the Administration Regulations and therefore did commit a minor breach.

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Emma Power (Member)

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Ethan Redshaw (Deputy Member)

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Peter Rogers (Member)

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**Signing**



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## Local Government Standards Panel

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| Complaint Number      | 20250637   |
| Legislation           | <i>Local Government Act 1995 (WA)</i>  |
| <b>Complainant</b>    | <b>Chief Executive Officer - Mr Brent Bailey</b>   |
| <b>Respondent</b>     | <b>Councillor Rosemary Glasfurd</b>  |
| Local Government      | <b>Shire of Dandaragan</b>   |
| Regulation            | Regulation 34D<br><i>of the Local Government (Administration)<br/>Regulations 1996</i><br>Regulation 20<br><i>of the Local Government (Model Code<br/>of Conduct) Regulations 2021</i> |
| Panel Members for     | Ms Erin Gauntlett (Presiding Member)   |
| Penalty Consideration | Ms Emma Power (Member)<br>Mr. Peter Rogers (Member)  |
| Heard                 | 25 August 2025<br>Determined on the documents  |
| Penalty Considered    | 10 November 2025   |
| Outcome               | Public Censure and Public Apology  |

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### DECISION AND REASONS FOR DECISION

Delivered 12 January 2026

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#### DEFAMATION CAUTION

The general law of defamation, as modified by the *Defamation Act 2005 (WA)*, applies to the further release or publication of all or part of this document or its contents. Accordingly, appropriate caution should be exercised when considering the further dissemination and the method of retention of this document and its contents



## Introduction

1. At its meeting on 25 August 2025, the Panel found that Councillor Rosemary Glasfurd, a councillor for the Shire of Dandaragan (**“the Shire”**), committed a breach under:
  - a. the *Local Government Act 1995 (WA)* (**“the Act”**) and Division 4 and Regulation 20 of the *Local Government (Model Code of Conduct) Regulations 2021* (**“the Regulations”**); and
  - b. the Act and Regulation 34D of the *Local Government (Administration) Regulations 1996* (**“the Administration Regulations”**),when she made various improper comments in respect to Shire staff involvement in a proposed strategy regarding differential rates, at the Special Council Meeting of 9 July 2025 (**“the Minor Breach”**).

## Jurisdiction and Law

2. The Panel convened on 10 November 2025 to consider how it should deal with the Minor Breach.
3. The Panel accepted the advice of Department of Local Government, Industry Regulation and Safety (**“the Department”**) that on this date there was no available information to indicate that Cr Glasfurd had ceased to be, or was disqualified from being, a councillor.
4. If the Panel finds that a councillor has committed a minor breach, it must give the councillor an opportunity to make submissions to the Panel about how it should deal with the breach under section 5.110(6).<sup>1</sup>
5. By a letter dated 15 October 2025, Cr Glasfurd was:
  - a. notified of the Panel’s finding of the Minor Breach;
  - b. provided with a copy of the Panel’s Finding and Reasons for Finding; and
  - c. offered an opportunity to make submissions as to how the Minor Breach should be dealt with under section 5.110(6) of the Act.

## Possible Sanctions

6. Section 5.110(6) of the *Local Government Act 1995 (WA)* (**“the Act”**) provides that the Panel is to deal with a minor breach by:
  - (a) *ordering that no sanction be imposed; or*
  - (b) *ordering that —*
    - (i) *the person against whom the complaint was made be publicly censured as specified in the order;*

*or*

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<sup>1</sup> *Local Government Act 1995 (WA)*, s 5.110(5).



- (ii) *the person against whom the complaint was made apologise publicly as specified in the order;*  
*or*
  - (iii) *the person against whom the complaint was made undertake training as specified in the order;*  
*or*
  - (iv) *the person against whom the complaint was made pay to the local government specified in the order an amount equal to the amount of remuneration and allowances payable by the local government in relation to the complaint under Schedule 5.1 clause 9;*  
*or*
- (c) *ordering 2 or more of the sanctions described in paragraph (b)."*

### **Cr Glasfurd's Submissions**

7. By an email dated 28 October 2025 the Department received a response from Cr Glasfurd.
8. Cr Glasfurd submitted the following comments as summarised by the Panel:
  - a. At the Special Council Meeting held on 9th July 2025, Cr Glasfurd spoke strongly and emotionally about the proposed Differential Rating Strategy because she had been approached by a number of very angry and concerned ratepayers and asked to attend an impromptu urgent meeting they had organised. They were very concerned and felt that the proposed new rating strategy for windfarms hosts and mining leases on their properties was fundamentally unfair and inequitable.
  - b. Cr Glasfurd's comments reflected the depth of feeling within the community. As an elected member, Cr Glasfurd has a responsibility to represent those concerns, particularly where residents or businesses believe they have not been adequately consulted or informed about changes that could significantly affect them financially. In this instance, not one of the affected ratepayers had been personally notified in writing of the proposed amendments and the financial effects on those local businesses were potentially severe.
  - c. Cr Glasfurd felt it was her duty to raise those issues publicly and ensure that they were properly considered by Council.
  - d. Cr Glasfurd acknowledges that her tone and choice of words were passionate and may have come across more strongly than intended. Cr Glasfurd regrets if this caused distress or was perceived as a personal criticism of Shire Staff. That was never Cr Glasfurd's intent. Cr Glasfurd holds great respect for the professionalism and dedication of the Shire's administration team and value the vital role they play in supporting Council and the community.
  - e. Cr Glasfurd's contribution was motivated by fairness, equity and transparency not by any personal criticism and was consistent with her duty to act in the best interests of ratepayers. Cr Glasfurd is not usually outspoken at Council Meetings, so her strong reaction was probably unexpected in hindsight.



- f. Cr Glasfurd put words to paper that morning in a highly emotive manner. She was under pressure from her electors. They expected Cr Glasfurd to voice their angst and as the meeting proceeded many electors addressed the special meeting in a highly emotive accusatory manner.
- g. The whole meeting should have been delayed and rescheduled to allow for adequate consultation. Otherwise, Council is perceived to not be acting in transparent and accountable manner to electors.
- h. Going forward, Cr Glasfurd will continue to advocate strongly for her community while ensuring her language remains focused on policy and process rather than individuals. Cr Glasfurd remains committed to constructive and respectful engagement with both Council colleagues and shire staff.

### **Panel's Consideration**

9. Section 5.110(6) is about penalty. The Panel does not have the power to review any finding of a breach.
10. The Panel may order under section 5.110(6)(a), that no sanction be imposed, not to reverse the Panel's finding of a breach, but to indicate that in all the circumstances the relevant councillor should not be penalised further.
11. Guidance as to the factors which the Panel may consider in determining the appropriate penalty to impose include, but are not limited to, the following:
  - a. the nature and seriousness of the breaches;
  - b. the councillor's motivation for the contravention;
  - c. whether or not the councillor has shown any insight and remorse into his/her conduct;
  - d. whether the councillor has breached the Act knowingly or carelessly;
  - e. the councillor's disciplinary history;
  - f. likelihood or not of the councillor committing further breaches of the Act;
  - g. personal circumstances at the time of conduct, and of imposing the sanction;
  - h. need to protect the public through general deterrence and maintain public confidence in local government; and
  - i. any other matters which may be regarded as aggravating conduct or mitigating its seriousness<sup>2</sup>.
12. The Panel notes that Cr Glasfurd has accepted that her conduct was not appropriate in the circumstances but that she asserts that the matter was highly emotive and that she was speaking on behalf of her constituents in accordance with her statutory role.
13. Although this was a matter that Cr Glasfurd, and various local parties, clearly felt strongly about, depth of feeling does not excuse the conduct and it was simply not appropriate to refer to Shire's administrative staff in an offensive and objectionable manner or to accuse them of wrongdoing.

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<sup>2</sup> *Chief Executive Officer, Department of Local Government and Communities and Scaffidi [2017] WASAT 67 (S)*



14. A councillor is able to meaningfully participate in the good government of the persons in the district and to duly, faithfully, honestly and with integrity fulfil the duties of the office for the people in the district according to his or her best judgment and ability, without reflecting adversely upon the character or actions of, or imputing any motive to, another member or an officer of the local government. Indeed, good government requires courtesy amongst those elected to govern<sup>3</sup>.
15. The Panel considers Cr Glasfurd's conduct to be serious as she recklessly placed the blame for an unpopular Council proposal on the actions of the administrative staff without having any justification for doing so.
16. If Cr Glasfurd felt that:
  - a. the public should have been further consulted; and/or
  - b. the differential rates strategy (which had been endorsed by Council for public comment) should not be adopted,then these issues could have been raised with Council in the Special Meeting without adverse reflection on the Shire's administrative staff.
17. In these circumstances, the Panel considers that the appropriate sanctions are that Cr Glasfurd:
  - a. is publicly censured; and
  - b. provides a public apology.
18. A censure is a public statement of disapprobation of a councillor's conduct. This is an appropriate penalty in this case to send a message to the community and other councillors, that Cr Glasfurd's conduct was improper and that the conduct was deserving of a serious penalty.
19. The Panel further considers that, as the conduct was public in nature, insulting and had the potential to make the public think less of the Shire's staff, that it is appropriate that Cr Glasfurd make a public apology.
20. Making a public apology is a significant sanction, being a personal admission by the individual of wrongdoing<sup>4</sup>. It is a suitable and appropriate penalty when a councillor's conduct:
  - a. adversely affects particular individuals<sup>5</sup>; and/or
  - b. does not meet the standards other councillors seek to uphold.
21. In this case, the Panel considers it is not necessary for Cr Glasfurd to be further sanctioned to bear to cost of the Shire's costs in respect to the minor breach complaint.

### **Panel's decision**

22. The Panel orders pursuant to section 5.110(6)(b)(i), section 5.110(6)(b)(ii) and section 5.110(6)(c) of the Act that, in relation to the Minor Breach of regulation 20 of the Regulations and regulation 34D of the Administrative Regulations, Cr Glasfurd:
  - a. be publicly censured in terms of the attached Orders; and

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<sup>3</sup> *Treby and Local Government Standards Panel* [2009] WASAT 224 at 19

<sup>4</sup> *Treby and Local Government Standards Panel* [2010] WASAT 81 (Pritchard J).

<sup>5</sup> *Treby and Local Government Standards Panel* [2010] WASAT 81 [127] (Pritchard J).



- b. publicly apologise as specified in the attached Orders.
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### Signing

A handwritten signature in cursive script, appearing to read 'Erin Gauntlett'.

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Erin Gauntlett (Presiding Member)

A handwritten signature in cursive script, appearing to read 'Emma Power'.

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Emma Power (Member)

A handwritten signature in cursive script, appearing to read 'Peter Rogers'.

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Peter Rogers (Member)



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## ORDER

Delivered 12 January 2026

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### DEFAMATION CAUTION

The general law of defamation, as modified by the *Defamation Act 2005 (WA)*, applies to the further release or publication of all or part of this document or its contents. Accordingly, appropriate caution should be exercised when considering the further dissemination and the method of retention of this document and its contents

### THE LOCAL GOVERNMENT STANDARDS PANEL ORDERS THAT:

1. Councillor Rosemary Glasfurd, a councillor for the Shire of Dandaragan:
  - a. be **publicly censured** as specified in paragraph 2 below; and
  - b. **publicly apologise** as specified in paragraph 3 OR failing compliance with paragraph 3 within the specified timeframe, then paragraph 4 shall apply.

### Public Censure

2. Within the period falling between 29 days to 43 days from the day following the date of service of this Order on Councillor Rosemary Glasfurd the Chief Executive Officer of the Shire of Dandaragan shall arrange for the following Notice of Public Censure to be published, in no less than 10 point print or font:
  - a. on the Facebook Page, and any other social media page or account, of the Shire of Dandaragan (if any);
  - b. on an appropriate page of the website of the Shire of Dandaragan; and
  - c. in every Shire of Dandaragan public or community newsletter (whether in electronic or print copy) (if any).



### NOTICE OF PUBLIC CENSURE

The Local Government Standards Panel has found that Councillor Rosemary Glasfurd, a Councillor of the Shire of Dandaragan breached regulation 34D of the *Local Government (Administration) Regulations 1996* and regulation 20 of the *Local Government (Model Code of Conduct) Regulations 2021 (WA)* when, at the Special Council Meeting of 9 July 2025 she made various comments which:



1. improperly and incorrectly implied that the administrative staff of the Shire of Dandaragan were incompetent and dishonest;
2. were offensive and objectionable towards the administrative staff of the Shire of Dandaragan; and
3. adversely reflected on the actions of the administrative staff of the Shire of Dandaragan.

The Panel censures Councillor Rosemary Glasfurd for the breach of regulation 34D of the *Local Government (Administration) Regulations 1996* and regulation 20 of the *Local Government (Model Code of Conduct) Regulations 2021 (WA)*

**LOCAL GOVERNMENT  
STANDARDS PANEL**

**Public Apology**

3. On the ordinary council meeting of the Shire of Dandaragan first occurring after the expiration of **28 days** from the date of service of this Order on him, Councillor Rosemary Glasfurd shall:
  - i. attend the relevant ordinary council meeting;
  - ii. ask the presiding person, or acting presiding person, for his or her permission to address the meeting to make a public apology to the public;
  - iii. 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
  - iv. 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:

"I advise this meeting that:

- i. A complaint was made to the Local Government Standards Panel, in which it was alleged that I contravened Regulation 34D of the *Local Government (Administration) Regulations 1996* and Regulation 20 of Division 4 of the *Local Government (Model Code of Conduct) Regulations 2021* when, at the Special Council Meeting of 9 July 2025 I made certain comments which:
  - a. improperly and incorrectly implied that the Shire's administrative staff were incompetent and dishonest;



- b. were offensive and objectionable towards the Shire’s administrative staff; and
- c. adversely reflected on the actions of the Shire’s administrative staff.
- ii. I acknowledge that I should not have made the relevant comments and that the same were inaccurate and improper.
- iii. I now apologise to the Shire’s administrative staff, the Shire and my fellow councillors.”

4. If Councillor Rosemary Glasfurd fails to, or is unable to, comply with the requirements of paragraph 3 above in the required time frame THEN, within the next **28 days** following the ordinary council meeting referred to in paragraph 3 above the Chief Executive Officer of the Shire of Dandaragan shall arrange for the notice of public apology to be published:
- a. on the Facebook Page and any other social media pages of the Shire of Dandaragan in no less than 10 point font size; and
  - b. in an appropriate place on the website of the Shire of Dandaragan in no less than 10 point font size; and
  - c. in the next occurring issue of any Shire of Dandaragan public newsletter (if any) whether in electronic or print copy) in no less than 10 point font size.

**PUBLIC APOLOGY BY COUNCILLOR ROSEMARY GLASFURD**

A complaint was made to the Local Government Standards Panel, in which it was alleged that I contravened Regulation 34D of the *Local Government (Administration) Regulations 1996* and Regulation 20 of Division 4 of the *Local Government (Model Code of Conduct) Regulations 2021* when, at the Special Council Meeting of 9 July 2025 I made certain comments which:

- a. improperly and incorrectly implied that the Shire’s administrative staff were incompetent and dishonest;
- b. were offensive and objectionable towards the Shire’s administrative staff; and
- c. adversely reflected on the actions of the Shire’s administrative staff.

I acknowledge that I should not have made the relevant comments and that the same were inaccurate and improper.

I now apologise to the Shire’s administrative staff, the Shire and my fellow councillors.

**Appeal**

5. In the event that, prior to the date for compliance with the above Orders, Councillor Rosemary Glasfurd:



- a. commences an appeal the decision of the Standards Panel to the State Administrative Tribunal in accordance with section 5.125 of the *Local Government Act 1995*; and
- b. notifies the Complaints Officer of the Shire of Dandaragan of such appeal in writing,  
THEN:
- c. compliance with such Orders may be delayed until the State Administrative Tribunal has made a finding in respect to the decision; and
- d. such Orders may be amended by an order of the State Administrative Tribunal.



## NOTICE TO THE PARTIES TO THE COMPLAINT

### RIGHT TO HAVE PANEL DECISION REVIEWED BY THE STATE ADMINISTRATIVE TRIBUNAL

The Local Government Standards Panel (the Panel) advises:

- (1) Under section 5.125 of the *Local Government Act 1995* the person making a complaint **and** the person complained about each have the right to apply to the State Administrative Tribunal (the SAT) for a review of the Panel's decision in this matter. In this context, the term "decision" means a decision to dismiss the complaint or to make an order.
- (2) By rule 9(a) of the *State Administrative Tribunal Rules 2004*, subject to those rules an application to the SAT under its review jurisdiction **must be made within 28 days** of the day on which the Panel (as the decision-maker) gives a notice [see the Note below] under the *State Administrative Tribunal Act 2004 (SAT Act)*, section 20(1).
- (3) The Panel's ***Breach Findings and these Findings and Reasons for Finding – Sanctions***, constitute the Panel's notice (i.e. the decision-maker's notice) given under the *SAT Act*, section 20(1).

**Note:**

- (1) This document may be given to a person in any of the ways provided for by sections 75 and 76 of the *Interpretation Act 1984*. [see s. 9.50 of the *Local Government Act 1995*]
- (2) Subsections 75(1) and (2) of the *Interpretation Act 1984* read:
  - "(1) Where a written law authorises or requires a document to be served by post, whether the word "serve" or any of the words "give", "deliver", or "send" or any other similar word or expression is used, **service shall be deemed to be effected by properly addressing and posting (by pre-paid post) the document as a letter to the last known address of the person to be served, and, unless the contrary is proved, to have been effected at the time when the letter would have been delivered in the ordinary course of post.** [Bold emphases added]
  - (2) Where a written law authorises or requires a document to be served by registered post, whether the word "serve" or any of the words "give", "deliver", or "send" or any other similar word or expression is used, then, if the document is eligible and acceptable for transmission as certified mail, the service of the document may be effected either by registered post or by certified mail."
- (3) Section 76 of the *Interpretation Act 1984* reads:

"Where a written law authorises or requires a document to be served, whether the word "serve" or any of the words "give", "deliver", or "send" or any other similar word or expression is used, without directing it to be served in a particular manner, service of that document may be effected on the person to be served —

  - (a) by delivering the document to him personally; or
  - (b) by post in accordance with section 75(1); or
  - (c) by leaving it for him at his usual or last known place of abode, or if he is a principal of a business, at his usual or last known place of business; or



- (d) *in the case of a corporation or of an association of persons (whether incorporated or not), by delivering or leaving the document or posting it as a letter, addressed in each case to the corporation or association, at its principal place of business or principal office in the State.”*