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## Local Government Standards Panel

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Complaint Number	20250653
Legislation	<i>Local Government Act 1995</i>
<b>Complainant</b>	<b>Councillor Catherine Lezer</b>
<b>Respondent</b>	<b>Councillor Bruce Reynolds</b>
<b>Local Government</b>	<b>City of Perth</b>
Regulation	Regulations 17, 18 of the <i>Local Government (Model Code of Conduct) Regulations 2021</i>
Panel Members	Ms Erin Gauntlett (Presiding Member) Councillor Bronwyn Ife (Deputy Member) Ms Elanor Rowe (Deputy Legal Member)
Heard	1 October 2025 Determined on the documents
Outcome	No breach of Regulation 17 1 x breach of Regulation 18(1)(a)

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### FINDING AND REASONS FOR FINDING

Published 03 December 2025

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#### DEFAMATION CAUTION

The general law of defamation, as modified by the *Defamation Act 2005*, 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.



## Summary of the Panel's decision

1. The Local Government Standards Panel ("the Panel") found that Councillor Bruce Reynolds ("Cr Reynolds"), an elected member for the City of Perth ("the City") committed one breach under the *Local Government Act 1995* (WA) ("the Act") and Regulation 18(1)(a) of the *Local Government (Model Code of Conduct) Regulations 2021* ("the Regulations") when he described himself as "acting Lord Mayor" in promotional material in the run up to the 2025 Local Government Election.
2. The Panel found that Cr Reynolds had not breached Regulation 17 when he included eight images in the same promotional material.

## Jurisdiction and procedural fairness

3. The Act makes provision for the circumstances in which a council member commits a minor breach.<sup>1</sup>
4. On 22 August 2025, the Department of Local Government, Industry Regulation and Safety ("the Department") received a Complaint of Minor Breach Form ("Complaint") from the City of Perth's Complaints Officer, Michelle Reynolds. The Complaint was signed by Councillor Catherine Lezer ("the Complainant") and contained two allegations of breaches of the Regulations by Cr Reynolds.
5. On 26 August 2025, the Department advised Cr Reynolds of the Complaint and invited him to respond. On the 9<sup>th</sup> of September 2025, Cr Reynolds provided a response.
6. Under the Act the Panel is required to consider a complaint of a minor breach and make a finding as to whether the alleged breach occurred.<sup>2</sup> On 1 October 2025 the Panel convened to consider the Complaint.
7. The Panel:
  - (a) accepted the Department's advice, based on information from the Western Australian Electoral Commission, that Cr Reynolds was a councillor at the time of the alleged breaches, and was still a Councillor when the Panel met on 1 October 2025;
  - (b) was satisfied the Complaint had been made within six months after the alleged breaches were said to have occurred.
  - (c) was satisfied the Complaint had been dealt with in accordance with the administrative requirements in the Act for dealing with complaints of minor breaches<sup>3</sup>; and
  - (d) was satisfied that the Department had provided procedural fairness to Cr Reynolds.

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<sup>1</sup> Section 5.105 of the Act.

<sup>2</sup> Section 5.110(2)(a) of the Act.

<sup>3</sup> Sections 5.107, 5.108, 5.109 of the Act.



8. If a councillor has previously committed two or more minor breaches, the Panel may send the complaint to the Chief Executive Officer of the department assisting the relevant Minister at the time instead of considering the Complaint itself.<sup>4</sup> Cr Reynolds had not previously been found to have committed any breaches of the Regulations. Therefore, the Panel decided to not send the Complaint to the Chief Executive Officer of the Department.
9. Based on the information referred to above, the Panel found it had jurisdiction to determine whether Cr Reynolds had breached the Regulations in connection with the Complaint.

### **Panel's role**

10. The Panel is not an investigative body. It determines complaints of minor breaches solely upon the evidence presented to it.
11. Any finding, that a councillor has committed a minor breach, must be based on evidence from which it may be concluded that it is more likely than not that the breach occurred than that it did not occur (the required standard of proof).<sup>5</sup>
12. In order to find the allegation, proposition or conduct has been established, and where direct proof is not available, the Panel must be satisfied from the evidence that it is more probable than not that it has occurred. The Panel cannot make a finding that the alleged fact, proposition or conduct occurred if the evidence merely supports two or more conflicting but equally possible inferences.<sup>6</sup>
13. For a finding that a councillor has breached a particular regulation, the Panel must be satisfied that every element of the particular regulation has been established to the required standard of proof.

### **Regulation 17**

14. Regulation 17 provides:

***"17. Misuse of local government resources***

*(1) In this clause –*

***electoral purpose*** means the purpose or persuading electors to vote in a particular way at an election, referendum or other poll held under the Act, the Electoral Act 1907 or the Commonwealth Electoral Act 1918.

***resources of a local government*** includes –

*(a) local government property; and*

*(b) services provided, or paid for, by a local government.*

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<sup>4</sup> Sections 5.110(2)(b), 5.111(1) of the Act.

<sup>5</sup> Section 5.106 of the Act.

<sup>6</sup> *Bradshaw v McEwens Pty Ltd* (1951) 217 ALR 1, paragraph 5.



*(2) A council member must not, directly or indirectly, use the resources of a local government for an electoral purpose or other purpose unless authorised under the Act, or by the local government or the CEO, to use the resources for that purpose.”*

#### Elements of Regulation 17

15. The essential issues or elements which need to be satisfied in order for a contravention of Regulation 17 to have occurred are that it is more likely than it is not that:

- a. a Councillor directly or indirectly used;
- b. his or her local government’s resources;
- c. for the identified purpose or any other purpose;

without such purpose being authorised under the Act or by the council or the local government’s CEO.

#### **Regulation 18**

16. Regulation 18 provides:

##### ***“18. Securing personal advantage or disadvantaging others***

*(1) A council member must not make improper use of their office –*

*(a) to gain, directly or indirectly, an advantage for the council member or any other person; or*

*(b) to cause detriment to the local government or any other person.*

*(2) Subclause (1) does not apply to conduct that contravenes section 5.93 of the Act or The Criminal Code section 83.”*

17. The Panel decided that the alleged conduct was not conduct that contravened section 5.93 of the Act or section 83 of *The Criminal Code*.

#### Elements of Regulation 18

18. In order to find a breach of Regulation 18, the Panel must be satisfied to the required standard of proof that:

- (a) the person, the subject of the Complaint, engaged in the alleged conduct (first element);
- (b) the person, the subject of the Complaint, was a council member both at the time of the conduct and the time when the Panel makes its determination (second element);
- (c) by engaging in the conduct, the person, the subject of the complaint, made use of his or her office as a council member (in the sense that he



- or she acted in their capacity as a councillor, rather than in some other capacity) (third element);
- (d) when viewed objectively, such use was an improper use of the person's office as a council member in that it:
- (i) involved a breach of the standards of conduct that would be expected of a person in the position of a councillor, by reasonable persons with knowledge of the duties, power and authority of the councillor and the circumstances of the case; and
  - (ii) was so wrongful and inappropriate in the circumstances that it calls for the imposition of a penalty;
- (fourth element);
- (e) the person engaged in the conduct in the belief that:
- (i) [in the case of regulation 18(1)(a)] an advantage would be gained either directly or indirectly for the person or any other person; or
  - (ii) [in the case of regulation 18(1)(b)] detriment would be suffered by the local government or any other person. (fifth element).

*Fourth element - meaning of "to make improper use of....office"*

19. The Macquarie dictionary definition of "*improper*" is "*not in accordance with propriety of behaviour, manners, etc; unsuitable or inappropriate for the purpose or occasion; abnormal or irregular.*"<sup>7</sup> The Shorter Oxford dictionary definition is "*irregular, wrong; unsuitable, inappropriate; unbecoming, unseemly.*"<sup>8</sup>

20. Whether there is impropriety is to be assessed objectively: would a reasonable person with knowledge of the duties, powers and authority of a councillor, and all the circumstances of the particular case, form the view that the councillor had breached the standards of conduct expected of a councillor?<sup>9</sup> "*For behaviour to be improper it must be such that a right-thinking person would regard the conduct as so wrongful and inappropriate in the circumstances that it calls for the imposition of a penalty.*"<sup>10</sup>

21. Under the Act Panel members must have regard to the general interests of local government in Western Australia.<sup>11</sup> It is in the interests of local government that councillors are, and are seen to be, professional and respectful in their dealings with fellow councillors, local government employees and members of the public.

22. The meaning of "*improper*" must be considered in the context of relevant legislation, such as the Act and the Regulations, and other rules and standards

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<sup>7</sup> Macquarie Dictionary, Revised Third Edition.

<sup>8</sup> Shorter Oxford English Dictionary, Sixth Edition.

<sup>9</sup> *Ryan and Local Government Standards Panel* [2009] WASAT 154, paragraph 27, referring to *R v Byrnes* (1995) 183 CLR 501.

<sup>10</sup> *Hipkins and Local Government Standards Panel* [2014] WASAT 48, paragraph 9, referring to *Robbins v Harness Racing Board* [1984] VR 641.

<sup>11</sup> Section 5.122(3) of the Act, Schedule 5.1 of the Act, clause 8(6).



that apply to a councillor's role and conduct, such as the circumstances and context of the case.<sup>12</sup> All these provisions form part of the backdrop to the Regulations and give context to a complaint but the alleged conduct must also be judged in the particular circumstances.

23. Conduct can be improper even though the councillor's judgement is that it isn't improper. A councillor's use of his or her office can be improper even though the councillor is intending to benefit the local government, the council or the ratepayers and residents.<sup>13</sup>

Fifth element - meaning of "to gain directly or indirectly an advantage for the person or any other person" and "to cause detriment to the local government or any other person"

*Advantage*

24. "Advantage" is defined as "favouring a circumstance; something which gives one a better position ... benefit; increased well-being or convenience ... pecuniary profit ..."<sup>14</sup>
25. "To" in "to gain directly or indirectly an advantage" indicates that for this element to be established, a councillor must have intended to gain an advantage for themselves or another person.
26. For this element to be established, it is not necessary to find that the councillor's actions did, or reasonably could have, delivered the result sought.

*Detriment*

27. "Detriment" means loss, damage or injury.<sup>15</sup> It includes financial and non-financial loss and adverse treatment, such as humiliation, denigration, intimidation, harassment, discrimination and disadvantage. A person can suffer detriment through others thinking less favourably of them.<sup>16</sup>
28. For Regulation 18(1)(b) to be satisfied it is not necessary to show that the local government or the person concerned actually suffered detriment.<sup>17</sup> However, it is not enough to show that the local government or the person concerned suffered detriment or could have suffered detriment. The Panel must find that it is more likely than not that the councillor believed that his or her actions would cause detriment and intended to cause detriment.<sup>18</sup>
29. "To cause detriment" has been interpreted as meaning "in order to" or "for the purpose of" causing detriment, or "with the will to" cause detriment.<sup>19</sup> There can

<sup>12</sup> *Hipkins and Local Government Standards Panel* [2014] WASAT 48, paragraph 10.

<sup>13</sup> *Yates and Local Government Standards Panel* [2012] WASAT 59, paragraph 64, referring to *Treby* 2010.

<sup>14</sup> Shorter Oxford English Dictionary, Sixth Edition

<sup>15</sup> Macquarie Dictionary Revised Third Edition, 2001.

<sup>16</sup> *Ryan and Local Government Standards Panel* [2009] WASAT 154, paragraphs 31, 32.

<sup>17</sup> *Treby* 2010, paragraph 96, referring to *Chew v The Queen* 1992 CLR 626 (*Chew* 2010).

<sup>18</sup> *Re and Local Government Standards Panel* [2014] WASAT 111, paragraph 51, referring to *Australian Securities and Investments Commission v Australian Property Custodian Holdings Ltd* [2013] FCA 1342.

<sup>19</sup> *Chew* 2010.



be a finding of intent if, after considering all the evidence, the only reasonable inference is that the councillor intended to cause detriment.<sup>20</sup>

## **Substance of the Complaint**

### First Allegation – Images (alleged breach of Regulation 17)

30. In the run up to the 2025 Local Government Election, Cr Reynolds had distributed a promotional flyer (“Flyer”) that included eight photographs (“Photos”) owned by the City. A copy of the Flyer is attached (“Attachment 1”). It was alleged that he had thereby misused government resources.

### Second Allegation – Terminology (alleged breach of Regulation 18)

31. Also, in the Flyer Cr Reynolds had wrongfully referred to himself as being the City’s “*acting Lord Mayor*”. Elected members had been provided with legal advice confirming that the term “*acting Lord Mayor*” was not to be used.

## **Cr Reynolds’s Response**

32. On 5 September 2025, the Department requested comment on the allegations from Cr Reynolds. On 9 September 2025, Cr Reynolds submitted a Response in which he confirmed that he did not accept the information as detailed in the Complaint and denied that he had committed the alleged misconduct:

### First Allegation – Images (alleged breach of Regulation 17)

- a) Cr Reynolds denied that he had used City owned images. All of the Images had been taken on his personal mobile phone and published on his Instagram account. He had given clear and consistent instructions to his graphic designers that campaign materials must only use:
  - images from his personal Instagram account;
  - photographs taken by him personally at events; or
  - stock imagery (the same images that appeared on his social media).
- b) From time to time, the City’s photographs may have appeared visually similar to his own because Cr Reynold’s supporters had taken photos at the same event. However, Cr Reynold’s images were distinguishable.
- c) The only image where there could have been potential confusion was the Boonji Spaceman launch. In that instance, the City photographer took a photo with the Chief Executive Officer shortly before Cr Reynolds arrived. His own image (which appeared in his material) was taken separately, on his own phone, approximately five minutes later.

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<sup>20</sup> *Treby* 2010.



### Second Allegation – Terminology (alleged breach of Regulation 18)

- d) With regard to his use of the term “*acting Lord Mayor*”, Cr Reynolds had exercised care and had received advice from the WA Local Government Association (“WALGA”) that stated:

*“The Local Government Act does not identify the position of ‘Acting Mayor’ however WALGA appreciates that some Local Governments have chosen to use this designation; this is a local decision.”*

- e) The response from the City’s lawyer was framed more as an “*opinion piece*” rather than a strict interpretation of the Act.
- f) Cr Reynolds submitted that he had erred on the side of caution and transparency. Accordingly, in his communications he had described his role as “*acting Lord Mayor*” for clarity and public understanding, while also continuing to use his substantive title of “*Deputy Lord Mayor*”.
- g) Governance required clarity and precision. In the absence of any statutory prohibition, and with WALGA’s clear position, he had erred on the side of caution, consistency and transparency.
- h) Accordingly, in his communications, he had described his role as “*acting Lord Mayor*” for clarity to the community while also continuing to use his substantive title of Deputy Lord Mayor. That ensured the public was accurately informed of the functions he was performing while remaining consistent with his elected position.

### **Panel’s Consideration**

#### First Allegation – Images (alleged breach of Regulation 17)

33. It was alleged that Cr Reynolds had misused government resources in the run up to the 2025 Local Government Election when he had distributed a Flyer that included eight Photos owned by the City.
34. However, the Panel was not satisfied that Cr Reynolds breached his obligations under Regulation 17:
- a. None of the Photos could reasonably be deemed to be resources of the City. The Complainant had not provided any substantive evidence to support the allegation that the City owned the images referred to and the City had not asserted any ownership rights over them.
  - b. On the other hand, Cr Reynolds had expressly stated that he was in fact the owner of the Photos. Moreover, they were already in the public domain (they had been used on social media platforms).

### **Findings**

35. Accordingly, for the above reasons, the Panel finds that Cr Reynolds had not breached Regulation 17 in relation to the allegation made against him.



## Second Allegation – Terminology (alleged breach of Regulation 18)

36. The Panel finds that Cr Reynolds engaged in the conduct that is the subject of the Second Allegation, and that he was a councillor and was acting as a councillor at all relevant times. The first, second and third elements are established.

### *Whether Cr Reynolds acted improperly (fourth element)*

37. The Panel was satisfied that Cr Reynolds acted improperly:

- a) By way of background, on 11 March 2025, the City had issued a confidential *Current Issues Briefing Note* (“Briefing Note”) regarding the “*Clarification on issues following the 2025 State Election.*” Attached to the Briefing Note was legal advice (“Legal Advice”) from the City’s lawyers.
- b) The City anticipated that the former Lord Mayor was to be elected to State Parliament imminently and would be vacating the office of the Lord Mayor. Clarity was required as to what would happen next from a local government perspective. A report was to be presented to Council recommending that it seek the agreement of the Electoral Commissioner to allow the office of the Lord Mayor to remain vacant and for the election of a new Lord Mayor to be consolidated with the Ordinary Election to be held on 18 October 2025.
- c) During the vacancy, the Deputy Lord Mayor (Cr Reynolds) was expected to lead the Council and to perform the functions of the Lord Mayor. Alternatively, if Cr Reynolds was unable to perform any of the functions of the Lord Mayor, that responsibility would fall on Councillor Liam Gobbert (“Cr Gobbert”).
- d) The Briefing Note specifically addressed how Cr Reynolds and Cr Gobbert were to be referred to when they performed those functions:

How do we refer to the Deputy Lord Mayor and Councillor Gobbert when they are performing these functions?

- The Act requires that the City of Perth Lord Mayor is popularly elected, and it does not prescribe a position of ‘Acting Lord Mayor’. Therefore, the Deputy Lord Mayor will continue to be known as the Deputy Lord Mayor while he is performing the functions of the Lord Mayor to ensure consistency and support Council through the absence of its Lord Mayor.
- Likewise, Cr Gobbert was appointed by Council to perform the functions of the Lord Mayor in the absence of both the Lord Mayor and the Deputy Lord Mayor but was not elected as required to the position of Deputy Lord Mayor so will continue to be known as “Cr Gobbert” and not ‘Acting Deputy Lord Mayor’.
- In some instances, and for official documentation additional clarification will be provided as follows:
  - ‘the Deputy Lord Mayor performing the functions of the Lord Mayor while the Lord Mayor’s position is temporarily vacant’
  - ‘Councillor Gobbert, as appointed by Council under s.5.35(1) to perform the function of Lord Mayor’.
- Given the recent findings of 2 complaints of minor breach, assessed by the Local Government Standards Panel, relating to the misuse of titles it is important that the City is alive to and avoids even the perception of misuse of titles in any way.

- e) As per the Briefing Note, it was clear that Cr Reynolds was to continue to use the title of the position he was elected to ie “*Deputy Lord Mayor*. That was the position expressly stated in the legal advice on which the Briefing Note was based:



I agree with the comment that the appointment by the council of a councillor under s.5.35(1) to perform for a particular period of time the functions of Mayor does not have the effect of appointment of that person as Deputy Lord Mayor, or as Acting Lord Mayor. The Act does not say that the appointment has that effect, and I agree with your comment that the use of those titles is not supported by the provisions of the LG Act. S.5.35(1) provides only that a councillor appointed in the circumstances of s.5.35(1) would perform for a relevant time period the functions of Lord Mayor. I am not sure what if any convention applies in those circumstances, but in circumstances where ordinarily the signature of the Lord Mayor would be required on a document, and the person signing the document is a person appointed by the council under s.5.35(1), perhaps, instead of describing the signatory as the Acting Lord Mayor, the correct approach would be to describe the signatory as 'the Councillor appointed by Council under s.5.35(1) to perform the function of Lord Mayor'.

The fact that the LG Act does not use the term 'acting mayor' or 'acting deputy mayor', in my opinion is significant.

Where the Deputy Lord Mayor performs a function of the Lord Mayor while the position is vacant, in my opinion the title 'Deputy Lord Mayor' should be used rather than 'Acting Lord Mayor'. It may be necessary in some circumstances to elaborate with further words explaining that the Deputy Lord Mayor is performing the functions of the Lord Mayor while the Lord Mayor's position is temporarily vacant.

38. The Briefing Note was issued in March 2025 and sometime thereafter Cr Reynolds announced his decision to run for the position of Lord Mayor. Therefore, he was fully aware of the City's position that he (and others) should not use the terminology "*acting Lord Mayor*" in advance of distributing the Flyer.
39. Despite that, he clearly made a conscious decision to go against the City's position and legal advice when he referred to himself as "*acting Lord Mayor*" in the Flyer, including when he stated:

**We haven't just recovered - we're thriving.**

As your acting Lord Mayor, it's an honour to lead a Council that backs the events bringing our city together, from Boorloo to Barrack Square, East Perth to Crawley, because a capital city should feel alive all year round. Our strong working relationship with the State Government continues to deliver significant outcomes for Perth. Key joint initiatives include:

- The ECU Inner-City Campus, a \$853 million project that will bring over 10,000 students and staff to the CBD from 2026.
- The WACA Ground redevelopment, including a boutique stadium and a new 50-metre community pool, jointly funded by the City, State and Commonwealth Governments.
- The Perth Concert Hall renewal, enhancing one of our city's most treasured cultural venues.

As Acting Lord Mayor, I am committed to working constructively with Premier Cook and State Ministers to ensure these major investments succeed. These collaborations reflect how intergovernmental partnerships can deliver transformative outcomes for our city and community.

In his Response Cr Reynolds confirmed that he had used that terminology

40. Cr Reynolds chose to take a position on the issue of how he should be referred to that was inconsistent with that of the City. While in his Response, he referred to the fact that he had contacted WALGA, that does not alter the fact that councillors had been expressly advised on the correct terminology to be adopted during that particular period and provided with legal advice in relation to same.
41. Cr Reynolds had undermined the position of the City on the matter and he had also potentially caused confusion amongst local residents (who were being called upon to make an important decision) as to what his actual appointment / position



was as an elected member. Therefore, the Panel found that Cr Reynolds had crossed the line of impropriety.

*Whether Cr Reynolds intended to gain an advantage (fifth element)*

42. The Panel finds that Cr Reynolds intended to gain an advantage for himself when he acted as he did:

- a. He defied the legal advice and the City's adopted position on the matter by including the reference to him being "*acting Lord Mayor*" in the Flyer and distributing them after the Briefing Notice had been issued;
- b. The Flyer was distributed to the local community in the run up to the Local Government Election where Cr Reynolds was running for the position of Lord Mayor.
- c. By referring to himself as "*acting Lord Mayor*" electors may have reasonably understood that he had officially been appointed to that position (which did not exist).

**Panel's Findings**

43. Accordingly, for the above reasons, the Panel finds that Cr Reynolds had breached Regulation 18(1)(a) in relation to the Second Allegation.

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Erin Gauntlett (Presiding Member)

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Bronwyn Ife (Deputy Member)

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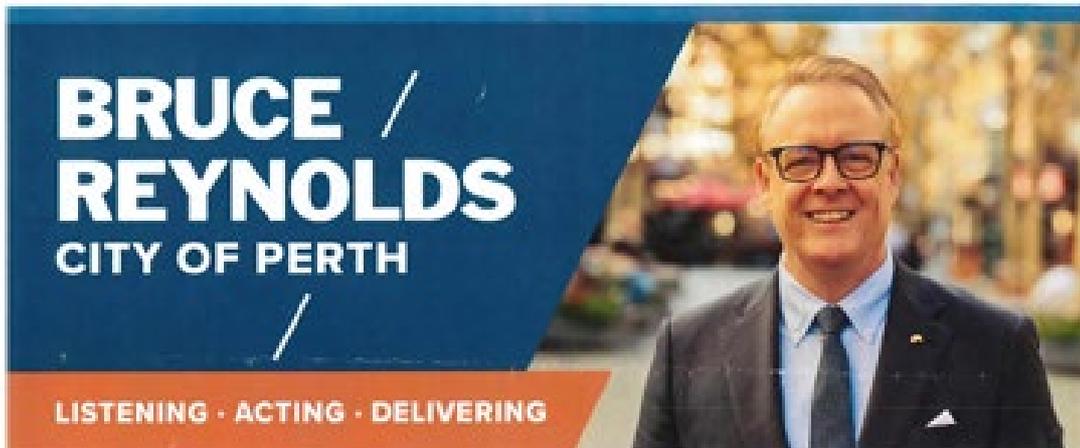
Elanor Rowe (Deputy Member)

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**Signing**



**“Attachment 1”**



Dear Residents,

**Our City has had a great start to 2025 - and you can feel the momentum building across our streets, parks and neighbourhoods.**

Last month's Economic Activity Report showed that visitors spent \$768 million in the City in the first quarter of the year; that's up 7% on last year and 45% above pre-COVID levels. Hotel occupancy was up 5% in April too, with a 17% increase in revenue.

We've seen thousands of people out enjoying city events, from the Anzac Day memorial service with over 50,000 commemorating the day to the Barrack St Markets and the HBF Run for a Reason and, of course our Boonji spaceman!

**We haven't just recovered - we're thriving.**

As your acting Lord Mayor, it's an honour to lead a Council that backs the events bringing our city together, from Boorloo to Barrack Square, East Perth to Crawley, because a capital city should feel alive all year round. Our strong working relationship with the State Government continues to deliver significant outcomes for Perth. Key joint initiatives include:

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- The WACA Ground redevelopment, including a boutique stadium and a new 50-metre community pool, jointly funded by the City, State and Commonwealth Governments.
- The Perth Concert Hall renewal, enhancing one of our city's most treasured cultural venues.

As Acting Lord Mayor, I am committed to working constructively with Premier Cook and State Ministers to ensure these major investments succeed. These collaborations reflect how intergovernmental partnerships can deliver transformative outcomes for our city and community.

The City is delivering a range of capital works and place-making projects to enhance public spaces and city life. **Supreme Court Gardens** will begin construction in early 2026, with a new stage, better drainage and accessibility. **Claisebrook Cove** is in detailed design to improve lighting, jetties and public amenity, while the **Perth Town Hall** will be revitalised with a focus on usability and heritage. Russell Square is set for its first major upgrade in 30 years, and a draft masterplan for **James Street, Northbridge** is now open for feedback at [engage.perth.wa.gov.au](https://engage.perth.wa.gov.au). Community EV charging stations are also being rolled out across the City. These projects highlight our commitment to renewal, sustainability and vibrant public spaces.

**Perth is on the right track.** As we build this momentum, I'm excited to be leading a Council that delivers the big events, the critical projects and the vibrant lifestyle that makes Perth the city we all know and love.

Warm regards,  
**Bruce Reynolds**  
Deputy Lord Mayor, City of Perth

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Get in touch at [hello@bruceforperth.com.au](mailto:hello@bruceforperth.com.au)



PERTH IS ON THE RIGHT TRACK!



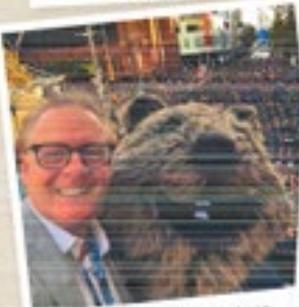
At the launch of Perth's very own Boonji Spaceman



With Deputy Premier Rita Saffioti and Federal MP for Perth, Pat Gorman at the WACA redevelopment topping out



Opening The Hub Elizabeth Quay co-working space



With 40,000 runners - and one quokka - announcing the City's \$105,000 contribution to the event



With Etsie and Grayham at Ruah's new Angela Wright Bennett Centre



Relaunching the Pan Pacific Perth CEO, General Manager Joel Cressy and Samantha Jade



With my council colleagues, Steve Welland and Liam Gobbert at the Budha's Birthday celebrations



WA Tree Festival with local mayors



Supporting Legacy Annual Arzac street appeal

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**BRUCE REYNOLDS**  
DEPUTY LORD MAYOR

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Stay in the loop with regular updates, behind-the-scenes insights, and opportunities to get involved in shaping the future of our community. Your input drives every step we take.

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## Local Government Standards Panel

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Complaint Number	20250653
Legislation	<i>Local Government Act 1995</i>
<b>Complainant</b>	<b>Councillor Catherine Lezer</b>
<b>Respondent</b>	<b>Councillor Bruce Reynolds</b>
Local Government	<b>City of Perth</b>
Regulation	Regulation 18 of the <i>Local Government (Model Code of Conduct) Regulations 2021</i>
Panel Members for Penalty Consideration	Ms Erin Gauntlett (Presiding Member) Ms Bronwyn Ife (Deputy Member) Ms Elanor Rowe (Deputy Member)
Heard	1 October 2025 Determined on the documents
Penalty Considered	13 January 2026
Outcome	Public Apology

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### DECISION AND REASONS FOR DECISION

Delivered 23 January 2026

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#### DEFAMATION CAUTION

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## Introduction

1. At its meeting on 1 October 2025, the Panel found that Councillor Bruce Reynolds (“Cr Reynolds”), a councillor for the City of Perth (“the City”), committed one minor breach under the Local Government Act 1995 (WA) (“the Act”) and Regulation 18 of the *Local Government (Model Code of Conduct) Regulations 2021* (“the Regulations”) when he described himself as “*acting Lord Mayor*” in promotional material in the run up to the 2025 Local Government Election (“Minor Breach”).
2. On 3 December 2025, the Panel published its Finding and Reasons for Finding (“Findings”) stating that Cr Reynolds had breached Regulation 18(1)(a). The Panel reviewed all the evidence presented to it and made the following observations:

*“37. The Panel was satisfied that Cr Reynolds acted improperly:*

- a) *By way of background, on 11 March 2025, the City had issued a confidential Current Issues Briefing Note (“Briefing Note”) regarding the “Clarification on issues following the 2025 State Election.” Attached to the Briefing Note was legal advice (“Legal Advice”) from the City’s lawyers.*
- b) *The City anticipated that the former Lord Mayor was to be elected to State Parliament imminently and would be vacating the office of the Lord Mayor. Clarity was required as to what would happen next from a local government perspective. A report was to be presented to Council recommending that it seek the agreement of the Electoral Commissioner to allow the office of the Lord Mayor to remain vacant and for the election of a new Lord Mayor to be consolidated with the Ordinary Election to be held on 18 October 2025.*
- c) *During the vacancy, the Deputy Lord Mayor (Cr Reynolds) was expected to lead the Council and to perform the functions of the Lord Mayor. Alternatively, if Cr Reynolds was unable to perform any of the functions of the Lord Mayor, that responsibility would fall on Councillor Liam Gobbert (“Cr Gobbert”).*
- d) *The Briefing Note specifically addressed how Cr Reynolds and Cr Gobbert were to be referred to when they performed those functions:*

How do we refer to the Deputy Lord Mayor and Councillor Gobbert when they are performing these functions?

- The Act requires that the City of Perth Lord Mayor is popularly elected, and it does not prescribe a position of ‘Acting Lord Mayor’. Therefore, the Deputy Lord Mayor will continue to be known as the Deputy Lord Mayor while he is performing the functions of the Lord Mayor to ensure consistency and support Council through the absence of its Lord Mayor.
- Likewise, Cr Gobbert was appointed by Council to perform the functions of the Lord Mayor in the absence of both the Lord Mayor and the Deputy Lord Mayor but was not elected as required to the position of Deputy Lord Mayor so will continue to be known as “Cr Gobbert” and not ‘Acting Deputy Lord Mayor’.
- In some instances, and for official documentation additional clarification will be provided as follows:
  - ‘the Deputy Lord Mayor performing the functions of the Lord Mayor while the Lord Mayor’s position is temporarily vacant’*
  - ‘Councillor Gobbert, as appointed by Council under s.5.35(1) to perform the function of Lord Mayor’.*
- Given the recent findings of 2 complaints of minor breach, assessed by the Local Government Standards Panel, relating to the misuse of titles it is important that the City is alive to and avoids even the perception of misuse of titles in any way.



- e) *As per the Briefing Note, it was clear that Cr Reynolds was to continue to use the title of the position he was elected to ie "Deputy Lord Mayor. That was the position expressly stated in the legal advice on which the Briefing Note was based:*

I agree with the comment that the appointment by the council of a councillor under s.5.35(1) to perform for a particular period of time the functions of Mayor does not have the effect of appointment of that person as Deputy Lord Mayor, or as Acting Lord Mayor. The Act does not say that the appointment has that effect, and I agree with your comment that the use of those titles is not supported by the provisions of the LG Act. S.5.35(1) provides only that a councillor appointed in the circumstances of s.5.35(1) would perform for a relevant time period the functions of Lord Mayor. I am not sure what if any convention applies in those circumstances, but in circumstances where ordinarily the signature of the Lord Mayor would be required on a document, and the person signing the document is a person appointed by the council under s.5.35(1), perhaps, instead of describing the signatory as the Acting Lord Mayor, the correct approach would be to describe the signatory as 'the Councillor appointed by Council under s.5.35(1) to perform the function of Lord Mayor'.

The fact that the LG Act does not use the term 'acting mayor' or 'acting deputy mayor', in my opinion is significant.

Where the Deputy Lord Mayor performs a function of the Lord Mayor while the position is vacant, in my opinion the title 'Deputy Lord Mayor' should be used rather than 'Acting Lord Mayor'. It may be necessary in some circumstances to elaborate with further words explaining that the Deputy Lord Mayor is performing the functions of the Lord Mayor while the Lord Mayor's position is temporarily vacant.

38. *The Briefing Note was issued in March 2025 and sometime thereafter Cr Reynolds announced his decision to run for the position of Lord Mayor. Therefore, he was fully aware of the City's position that he (and others) should not use the terminology "acting Lord Mayor" in advance of distributing the Flyer.*
39. *Despite that, he clearly made a conscious decision to go against the City's position and legal advice when he referred to himself as "acting Lord Mayor" in the Flyer, including when he stated:*

**We haven't just recovered - we're thriving.**

As your acting Lord Mayor, it's an honour to lead a Council that backs the events bringing our city together, from Boorloo to Barrack Square, East Perth to Crawley, because a capital city should feel alive all year round. Our strong working relationship with the State Government continues to deliver significant outcomes for Perth. Key joint initiatives include:

- The ECU Inner-City Campus, a \$853 million project that will bring over 10,000 students and staff to the CBD from 2026.
- The WACA Ground redevelopment, including a boutique stadium and a new 50-metre community pool, jointly funded by the City, State and Commonwealth Governments.
- The Perth Concert Hall renewal, enhancing one of our city's most treasured cultural venues.

As Acting Lord Mayor, I am committed to working constructively with Premier Cook and State Ministers to ensure these major investments succeed. These collaborations reflect how intergovernmental partnerships can deliver transformative outcomes for our city and community.

*In his Response Cr Reynolds confirmed that he had used that terminology*

40. *Cr Reynolds chose to take a position on the issue of how he should be referred to that was inconsistent with that of the City. While in his Response, he referred to the fact that he had contacted WALGA, that does not alter the fact that councillors had been expressly advised on the correct terminology to be adopted during that particular period and provided with legal advice in relation to same.*
41. *Cr Reynolds had undermined the position of the City on the matter and he had also potentially caused confusion amongst local residents (who were being called upon to make an important decision) as to what his actual appointment / position was as an elected member. Therefore, the Panel found that Cr Reynolds had crossed the line of impropriety.*



42. *The Panel finds that Cr Reynolds intended to gain an advantage for himself when he acted as he did:*
- a. *He defied the legal advice and the City's adopted position on the matter by including the reference to him being "acting Lord Mayor" in the Flyer and distributing them after the Briefing Notice had been issued;*
  - b. *The Flyer was distributed to the local community in the run up to the Local Government Election where Cr Reynolds was running for the position of Lord Mayor.*
  - c. *By referring to himself as "acting Lord Mayor" electors may have reasonably understood that he had officially been appointed to that position (which did not exist)."*

### **Jurisdiction and Law**

3. The Panel convened on 13 January 2026, to consider how it should deal with the Minor Breach. The Panel accepted the advice of the Department of Local Government, Industry Regulation and Safety ("the Department") that on this date there was no available information to indicate that Cr Reynolds had ceased to be, or was disqualified from being, a councillor.

### **Possible Sanctions**

4. Section 5.110(6) of 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*
    - (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).*



5. Section 5.110(6) is about penalty. The Panel does not have the power to review any finding of a breach. Under section 5.110(6)(a), the Panel may order that no sanction be imposed; not to reverse the finding of a breach, but to however indicate that in all the circumstances the relevant councillor should not be penalised further.
6. Sub-section 5.110(6)(b)(iv) (in respect of a monetary sanction) was introduced in 2019 to allow the Panel to require a councillor to personally bear the cost of dealing with a complaint, which in other circumstances, would be paid by the local government concerned. This ensures the cost of a breach is borne by the councillor individually and not simply passed onto the local government and therefore, ultimately, rate payers.

### **Cr Reynolds's Submissions**

7. 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>
8. By a letter dated 3 December 2025, Cr Reynolds was:
  - i. notified of the Panel's Finding of the Minor Breach;
  - ii. provided with a copy of the Panel's Findings; and
  - iii. offered an opportunity to make submissions as to how the Minor Breach should be dealt with under section 5.110(6) of the Act.
9. On the same day, the Department received a response ("Response") from Cr Reynolds. Cr Reynolds submitted:
  - a. No sanction should be imposed;
  - b. He had acted in good faith during an unusual leadership transition;
  - c. The legal advice provided was not categorical and left room for interpretation;
  - d. He had relied on sector guidance from WALGA in good faith;
  - e. There had been no detriment, confusion or community harm;
  - f. His record demonstrated a strong commitment to governance integrity; and
  - g. A sanction was unnecessary and would exceed what was proportionate.

### **Panel's Consideration**

10. The purpose of the imposition of a sanction under the Act is generally for the protection of the public and the maintenance of standards of council members. Furthermore, it reflects the disapproval of a contravention of the Regulations, dissuades councillors from other local governments from engaging in similar conduct and facilitates the maintenance of appropriate standards of behaviour by councillors. Guidance on the

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



factors which the Panel may consider in determining the appropriate penalty to impose, include, but are not limited to:

- 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. the likelihood or not of the councillor committing further breaches of the Act;
  - g. the councillor's personal circumstances at the time of the conduct, and at the time of imposing the sanction;
  - h. the 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.
11. Cr Reynolds's behaviour, the subject of the Minor Breach Finding, was considered a serious matter. When deciding what sanction to impose, the Panel must consider how the penalty will help to guide other councillors and dissuade them from engaging in similar conduct.
12. The Panel does not consider it appropriate to impose no sanction in relation to the Minor Breach, as this would indicate that it was so minor that no penalty is warranted.
13. In this case, the Panel finds it fair and reasonable that Cr Reynolds makes a public apology to the City, being the party who he acted improperly towards.
14. The standards of behaviour expected of elected members are of a generally higher standard than a member of the public, due to their prominent positions in the community. Cr Reynolds had undisputedly been provided with legal advice as to how to refer to himself during the vacancy of the Lord Mayor's position. However, despite that, he had made a conscious decision to go against the City's position and legal advice when he described himself as "*acting Lord Mayor*" in the Flyer which was distributed to the local community in the lead up to the Local Government Election.
15. Making a public apology is a significant sanction, being a personal admission by the individual of wrongdoing. It is a suitable and appropriate penalty when an elected member's conduct:
- a. adversely affects a particular individual or party; and / or
  - b. does not meet the standards other councillors seek to uphold.



16. An apology will go a little way to make amends for Cr Reynolds's conduct.

**Panel's Decision**

17. 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) of the Act, is that Cr Reynolds is ordered to make a public apology pursuant to subsection (b)(ii) in terms as set out in the attached Order.

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Erin Gauntlett (Presiding Member)

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Bronwyn Ife (Deputy Member)

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Elanor Rowe (Deputy Member)



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## ORDER

Delivered 23 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 Bruce Reynolds (“Cr Reynolds”), a councillor for the City of Perth, publicly apologise, as specified in paragraph 2 below, or failing compliance with paragraph 2, then paragraph 3 below.

#### Public Apology

2. At the ordinary council meeting first occurring after the expiration of 28 days from the date of service of this Order on him, Cr Reynolds shall:
  - a. attend the relevant ordinary council meeting;
  - b. ask the presiding person for his or her permission to address the meeting to make a public apology to the public;
  - c. make the apology immediately after Public Question Time or during the Announcements part of the meeting, or at any other time when the meeting is open to the public, as the presiding person thinks fit; and
  - d. address the Council and public as follows, without saying any introductory words before the address, and without making any comments or statement after the address:

“I advise this meeting that:

- i. A complaint was made to the Local Government Standards Panel, in which it was alleged that I contravened the *Local Government (Model Code of Conduct) 2021* when I described myself as “*acting Lord Mayor*” in promotional material in the run up to the 2025 Local Government Election.



- ii. The Panel found that by behaving in this manner I committed one breach of Regulation 18(1)(a) of the said Regulations.
- iii. I accept that I should not have acted in such a manner and I now apologise to the City for having done so.”

3. If Cr Reynolds 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:
- a. Cr Reynolds 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 “*Perth Now*” newspaper; and
  - b. the Chief Executive Officer of the City of Perth shall arrange for the following notice of public apology to be published in no less than 10-point print or font:
    - i. on the Facebook page of the City of Perth; and
    - ii. in an appropriate place on the website of the City of Perth; and
    - iii. in the next occurring issues of all City of Perth community and public newsletters (if any) (whether in electronic or print copy).

#### **PUBLIC APOLOGY BY COUNCILLOR BRUCE REYNOLDS**

A complaint was made to the Local Government Standards Panel, in which it was alleged that I contravened the *Local Government (Model Code of Conduct) Regulations 2021* when I described myself as “*acting Lord Mayor*” in promotional material in the run up to the 2025 Local Government Election.

The Panel found that by behaving in this manner I committed one breach of Regulation 18(1)(a) of the said Regulations.

I accept that I should not have acted in such a manner, and I now apologise to the City for having done so.

**Date of Order: 23 January 2026**



## 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."*