

## Notes of Meeting held at Lethgow City Council Administration Centre

Thursday, 17 May 2012

Mrs Sue Graves, Chair, Lethgow Tidy Towns Committee

The meeting commenced at 11:35 AM.

At the commencement of the meeting Mrs Graves was advised that Mr Stephen Blackadder had been appointed as the Sole Conduct Reviewer for the complaints and that I was assisting Mr Blackadder with his enquiries. If there were any issues with which she wished to talk directly to Mr Blackadder she was encouraged to so do.

The predominant purpose for the meeting was to offer Mrs Graves the opportunity to highlight any particular points in her complaint and for her to explain how clauses of the Code of Conduct had been breached.

Mrs Graves affirmed that the complaint had been submitted by her on behalf of the Tidy Towns Committee and that she was speaking on behalf of the committee. She indicated that the Tidy Towns Committee could be acknowledged as the complainant.

Mrs Graves stated that neither Councillor Fleehurst nor Councillor McGinnes had asked for a copy of the application and it was her opinion that the allegations made by the councillors were based on the judge's published report.

1. Mrs Graves was invited to explain how clauses of the Code of Conduct had been breached.

### Clause 4.2 - Leadership

Mrs Graves accepted that leadership did involve standing up for what one believed to be right but she believed that leadership involved checking facts, a willingness to discuss points of view and to display respect for others. Leadership did not involve being destructive and having no regard for others.

### Clause 4.8 - Respect

It was considered by Mrs Graves that respect had not been shown to her or the Tidy Towns Committee by the actions of the councillors particularly not discussing the details of the application with the committee or verifying facts before making false claims.

### Clause 5.1 General Conduct Obligations

It was a private gain for the councillors to get the council or the General Manager sacked. This was not ethical. All should be working for the future good of the community. It was right to disagree but not in the way it had been done.

### Clause 6.1 d - Abuse of Power

The allegations had been an abuse of power. It had been one sided with no discussion. The councillors had continued to use the judge's comments and when given knowledge they were not prepared to correct their allegations. They had used their profile as councillors to gain attention.

### Clause 6.1 e

Mrs Graves clarified that the complaint related to harassment and verbal abuse.

#### Clause 6.1 g - Prejudice in the provision of a service

Mrs Graves claimed that service to the community included the councillor providing personal service as well as council providing services.

2. It was indicated to Mrs Graves that a number of third party e-mails and newspaper articles had been provided as evidence. This material was obviously not factual evidence which could be readily accepted and she was invited to comment. Mrs Graves accepted that third party e-mails were not evidence but that she did have confidence in the ability of the Lithgow Mercury to accurately report.

3. "How much did we pay for this award". Mrs Graves indicated that since 1987 Lithgow had won over seventy awards due to the hard work of many community organisations making submissions and this accusation was an insult to those community groups.

4. Mrs Graves was asked to explain who and what was the source of information that was being challenged.

Mrs Graves admitted that she had made a mistake regarding the hospital showers. The hospital was utilising geo thermal technology for heating and the hospital had won a tidy towns award sometime in the region of 2000-2002.

She had contacted two senior officers of Council. She had spoken to Iain Stewart regarding bitumen reuse from profiling by the RTA and she accepted that the statement of 100,000 tonnes was her mistake and that council had achieved a lesser figure. Mr Stewart had spoken directly to the judge.

She had spoken to Andrew Muir in relation to the sewerage treatment plant and now accepted that the bio solids had not started at that point in time. Mr Muir had spoken directly to the judge.

The information in relation to the solar power heating of the pool had come from a member of the Tidy Towns Committee, who had been involved in the heating installation. She had missed the fact that it was now not operating.

Information had been received directly from Delta Electricity and Delta staff had spoken directly to the judge. It was not claimed that trees grew in Lithgow district.

Information in relation to the Furnace, Fire and Forge had been received from a Lithgow historian. Mrs Graves believed that council or Lithgow Museum had won an award. Information had been taken from the citation at the presentation of the award.

5. Any different claim between Ticehurst and McGinnes.

Mrs Graves was invited to clarify whether there was any different claim between Councillors Ticehurst and McGinnes. Mrs Graves indicated that there was no different claim and also made reference to a public statement by Cllr McGinnes in a newspaper advertisement of 20 August 2011.

6. General

Mrs Graves confirmed that the application for the National Award had not been signed by any party and in particular had not been read or signed by Council. She had forwarded an e-mail to one senior staff member, Suzanne Lallback but had received no reply before the submission was made. Mrs Graves advised that after being submitted Suzanne did indicate that the application seemed to be all right.

During the meeting Mrs Graves produced additional material which she had collected and which was dated post her original complaint. I indicated that this material would be unlikely to be able to be considered but that she should submit it to the general manager with a request that it be forwarded to Mr Blackadder as the reviewer and if it could not be considered she could give consideration to submitting the information as a further complaint. This information was also provided to the General Manager. The additional material was copied and is attached to the notes of this meeting.

Provided in the additional material was a copy of a Public Statement made by Keep Australia Beautiful Chairs, Richard Torbay and Ben Chambers stating that the complaint had been heard and assessed and that there are no substantial variations that would affect the overall result.

The meeting terminated at 12:40 PM.



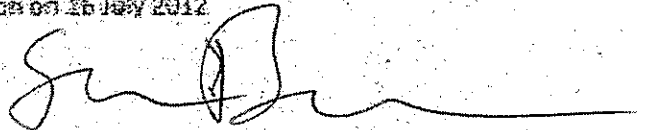
Record of Interview by Robert Ball

I consider this a true and accurate record of my interview with Mr Ball on 17 May 2012 and as verified with Stephen Blackadder by telephone conversation on 26 July 2012.



Mrs Sue Graves

16 July 2012



17/7/12