

## My letter to CCC 1<sup>st</sup> Dec 23

In regard to my complaint to the CCC regarding Whitsunday Regional Council the matter according to the letter from the CEO Warren Bunker and the copy of the summary report from ANSIC (The investigator) has now been closed.

This process has been nothing less than farcical in my opinion on the following grounds.

In a meeting held yesterday with the CEO Warren Bunker, The Mayor Julie Hall, Garry Sweet from ANSIC and myself the following matters were raised by myself and several facts confirmed.

**It was confirmed that the first investigation made no reference to my CCC complaint in any shape or form.**

**The council failed to provide multiple documents to the investigator in order for him to investigate the matter.**

**The investigator had never seen my complaint or the referral from the CCC to council.**

**His request to interview myself as the complainant was denied by council.**

At my insistence I did meet with Garry Sweet on the 7th and 8th September.

It was confirmed at yesterday's meeting that this meeting was a courtesy only for me to ask questions, it formed no part of the investigation. This has now seemingly become investigation number two.

The council then engaged ANSIC to undertake a third investigation and the summary report from that investigation (Attached) was provided to myself along with a letter from the CEO considering the matter closed. (Also attached)

In the meeting yesterday I question a number of the statements in the summary report extract below:-

- ii) an email drafted by [REDACTED] and subsequently sent by [REDACTED] to Phil BATTY dated 21/04/2023 which inadvertently refers to the incorrect investigation (not related to the complaint of Phil BATTY); and
- (iii) an exchange of correspondence between [REDACTED] and Phil BATTY which inadvertently refers to the incorrect investigation (not related to the complaint of Phil BATTY); and
- (iv) the choice of methodology used by the PKF investigator to amend the first report dated 06/02/2023 instead of simply producing an addendum report which would have been dated 06/03/2023; and
- (v) the choice of terminology used within certain correspondence and documents which

referred to the questions asked by Phil BATTY as “new information” instead of “questions”

In relation to the first point this statement refers to the crux of my complaint in that the letter from [REDACTED] contained multiple false statements in the paragraph below (Previously provided to CCC)

For **clarification**, the mayor was provided with the draft version of the report on the 6th of February, then a meeting occurred between the Mayor and PKF to discuss the findings. Following the meeting the final report was provided to the mayor on the 9th of February, dated 9th of February.

I questioned each of the elements to this statement with the investigator, broken down below:-

“The mayor was provided with the draft version of the report on the 6th February”

Q-Was this statement inadvertently in relation to any other investigation? A- No

Q- Was a draft report sent to the Mayo on the 6th February? A- No

Q- So this is clearly a lie? A- It is incorrect, a draft report was not sent to the mayor.

This cannot be an inadvertent reference.

“Then a meeting occurred between the Mayor and PKF to discuss the findings”

Q- Was this statement inadvertently in relation to another investigation? A- No

Q- Did a meeting take place between the 6th and 9th February about my complaint and investigation? A- No

Q- Did a meeting take place between the Mayor and PKF between the 6th and 9th February about any other matter? A-No

Q- So this is also a lie? A- It is incorrect there was no meeting in relation to any investigation.

This cannot be an inadvertent reference.

“Following the meeting the final report was provided to the mayor on the 9th of February dated the 9th of February”

Q- Was there a final report issued to the mayor on the 9th February?

A- No

Q- Is there any final report in relation to my complaint dated the 9th February? A- No

On receipt of this initial statement on the 21st February 2023 I wrote to council pointing out that all these statements were false.

The reply from council dated 27th February doubled down on the letter of the 21st February stating that the statement were true, even pointing out references in my documents discovered under RTI to support this position.

The ANSIC summary report is now, once again, claiming that this was a second inadvertent reference to another investigation. The questions and answers above unequivocally show that this was again false and deliberate lies. The Investigator Garry Sweet agreeing that these second statements were incorrect in exactly the same way as the first letter.

On further discussion at yesterday's meeting it was the opinion of the investigator, contained in the summary report, that the changes to the report would not have made a difference to the penalty imposed on councillor. I would contest that had the report stated that that the councillor made multiple false statements to mitigate his actions then the council penalty, and certainly the public opinion of the councillors behaviour would have been totally different . Lying to mitigate inappropriate conduct would have serious consequences to the outcome.

Current investigations but the OIA and Ombudsman have stated so far that :-

Systemic Issues were found with council. (OIA)

██████████ conduct at the meeting was not appropriate (OIA)

██████████ should never have been allowed to address the meeting to mitigate his actions (OIA)

██████████ conduct was an accepted fact. (OMB)

Having instigated investigation which do not in any way consider the CCC complaint, indeed never providing either my letter from the CCC or the letter from CCC to council shows an absolute disregard of the process and the jurisdiction of the CCC.

Furthermore, engaging an investigator to investigate a complaint which in no was addressed any part of the complaint, refusing the investigators request to interview me as the complainant and

failing to provide any documents relating to the complaint is a blatant abuse of the process required by the CCC.

A finding of "inadvertent" references which now are agreed to be not correct is further abuse of the process.

I feel it is incumbent now on the CCC to take this matter in house and properly investigate my complaint and allegations to take away the council's ability to whitewash my very serious complaint.