
TRANSCRIPT OF MORNING PROCEEDINGS

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INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION

MELBOURNE

TUESDAY, 17 MARCH 2020

(24th day of examinations)

BEFORE THE HONOURABLE ROBERT REDLICH QC

Counsel Assisting: Mr Michael Tovey QC
Ms Amber Harris
Mr Tam McLaughlin

OPERATION SANDON INVESTIGATION

PUBLIC EXAMINATIONS PURSUANT TO PART 6 OF THE INDEPENDENT
BROAD-BASED ANTI-CORRUPTION COMMISSION ACT 2011

*Every effort is made to ensure the accuracy of transcripts.
Any inaccuracies will be corrected as soon as possible.*

1 COMMISSIONER: Before the end of today I'll make an
2 announcement about the future of the public hearings in
3 Sandon. Yes, Ms Harris.

4 <AMANDA JANE STAPLEDON, recalled:

5 <EXAMINED BY MS HARRIS, continued:

6 Ms Stapledon, before we adjourned yesterday we played a call
7 between you and Mr Aziz discussing the influence that
8 Mr Ablett had over Ms Crestani; do you recall?---I do
9 recall.

10 And it's your evidence that you were of the view that Mr Ablett
11 could influence Ms Crestani. That's right, isn't
12 it?---Yes, certainly could present good ideas and consider
13 issues in council that she was agreeable to.

14 Your evidence yesterday was - - -

15 COMMISSIONER: Ms Stapledon, can I just remind you you are
16 still on oath?---Yes.

17 You really need to think very carefully about every answer that
18 you give. I must tell you quite frankly I'm troubled by a
19 number of pieces of evidence that you gave yesterday which
20 we will have to return to. But I do ask you to be very
21 careful in answering questions?---Yes, sir.

22 MS HARRIS: Your evidence was that it was your view that
23 Mr Ablett could influence Ms Crestani?---Correct.

24 And that is your view or it certainly was back in 2018, wasn't
25 it?---Correct.

26 And you sought to use that influence to secure her vote in
27 relation to the H3 matter, didn't you?---I enquired if
28 Ms Crestani was supportive of that idea.

29 You sought to use Mr Ablett's influence over Ms Crestani to

1 secure her vote, didn't you? You either did or you
2 didn't?---I don't believe so. I did enquire what her
3 position was and I did state that I believed Mr Ablett
4 could influence Ms Crestani.

5 Why was that important, whether or not he could influence
6 Ms Crestani?---Well, I'm going on the transcripts of
7 the - - -

8 No, I'm asking you. Back in 2018 when the matter of the H3 was
9 being considered, why was it important whether or not
10 Mr Ablett could influence Ms Crestani?---On other matters,
11 including that one - - -

12 No, just that one. I'm asking about H3. Why was it important
13 whether or not Mr Ablett could influence Ms Crestani's
14 vote?---I think for the reason - because I don't remember
15 the conversation - - -

16 I'm not asking about a conversation?---Okay. I'm not sure how
17 to answer that.

18 COMMISSIONER: If you accept that the inference from that
19 conversation is that you were expressing your position,
20 namely that you were pursuing the question of whether or
21 not Mr Ablett would be able to influence Ms Crestani's
22 vote, the question is why would you be doing that?---My
23 recollection was that I also added on matters of
24 importance, so it wasn't just specific to that.

25 Yes?---And normal process in council is that you do speak to
26 your fellow councillors about different issues and you do
27 talk about, amongst yourself, who might be or who might
28 not be supportive of a particular issue. So I agree
29 because I was conflicted I shouldn't have been talking

1 about that. But I don't see anything too unusual about
2 that discussion if I didn't have a conflict of interest.
3 But even if you didn't have a conflict of interest, of what
4 concern was it to you whether or not Mr Ablett could
5 influence Ms Crestani?---Just to repeat what I said
6 before, within council it was not unusual to be speaking
7 to your fellow councillors about where other councillors
8 might sit on a particular issue.
9 Yes, but you were talking in generalities here?---Yes.
10 About whether or not Mr Ablett could influence Ms Crestani on
11 important issues?---Yes.
12 Why was that of interest to you?---Because it was the topic
13 that we were talking about at - - -
14 Why? What are you doing concerning yourself with whether or
15 not Mr Ablett can influence Ms Crestani on important
16 matters? Why were you involved in that at all? I thought
17 that the principles of integrity which govern councillors'
18 behaviour is that each councillor should impartially
19 decide questions that come before council?---And I'm very
20 respectful of that, but - - -
21 Well, it doesn't sound like it?---If I can just reiterate, when
22 there is an issue coming up you do speak to your fellow
23 councillors. You do also speak amongst yourselves as to
24 who might be and who might not be supportive.
25 But you were talking in generalities about the question of
26 Mr Ablett being able to influence Ms Crestani on important
27 matters. Why? Why were you involved in such a
28 question?---Mr Aziz spoke to me about Ms Crestani's
29 position and that was my statement, sir, and it was for

1 the reasons that I have just explained and that is around
2 I guess it's strategy, strategic and talking about where
3 people sit, councillors sit on a particular issue or
4 issues in general. That's the best answer I can give you.
5 So what we have here is in relation to those important issues
6 of which Mr Woodman or Watsons were interested, both you
7 and Mr Ablett are in a conflict of interest situation and
8 yet to the extent that those important matters concern
9 Woodman or Watson interests, both you and Mr Ablett are
10 focused on the question whether Ms Crestani can be
11 influenced. Why would you be doing that?---Would I be
12 able to hear that conversation again, please?

13 Of course?---Thank you.

14 MS HARRIS: It's tab 129, please, exhibit 193, Commissioner.

15 COMMISSIONER: While you're doing that, Ms Harris, for the
16 record the conversation between Ms Stapledon and Mr Aziz
17 of 18 December 2018 will be exhibit 192 and the last
18 conversation played yesterday between Mr Aziz and
19 Ms Stapledon of 30 October 2018 is exhibit 193.

20 #EXHIBIT 192 - Recorded conversation between Ms Stapledon and
21 Mr Aziz of 18 December 2018.

22 #EXHIBIT 193 - Recorded conversation between Mr Aziz and
23 Ms Stapledon of 30 October 2018.

24 MS HARRIS: Thank you, Mr Commissioner.

25 (Audio recording played to the Commission.)

26 MS HARRIS: You wanted to listen to that again?---I did. Thank
27 you very much.

28 And you would agree, wouldn't you, that when you say that "She
29 would listen to Geoff when it comes to important matters

1 of voting", you thought that Ms Crestani would fall in
2 line with what Geoff Ablett told her?---I used the word
3 "listen" not "influence" and there's a big difference.
4 Yesterday you agreed in your evidence that it was your view
5 Mr Ablett could influence Ms Crestani?---That's why
6 I asked to listen to the recording again, because I wanted
7 to be sure about what the words were in that conversation
8 and now I can see clearly I was talking about "listening"
9 not "influencing".

10 So is it now your evidence - - -

11 COMMISSIONER: Is it your evidence that it was never your
12 belief that Mr Ablett could influence Ms Crestani; is that
13 your evidence?---No, it's not. That could have been
14 possible.

15 What is your evidence?---My evidence is that that conversation
16 speaks about listening - - -

17 Never mind that conversation. I'm asking you about your state
18 of mind?---Well, I think she would listen - - -

19 Is it your belief that Mr Ablett could not influence
20 Ms Crestani?---No, not at all. I believe he possibly
21 could.

22 Yes.

23 MS HARRIS: That he could influence Ms Crestani?---Yes, he
24 could.

25 And you sought to use that influence that Mr Ablett had over
26 Ms Crestani to secure her vote for the H3, didn't you?
27 It's not on the transcript, Ms Stapledon. I'm asking
28 you - - -?---I'm looking back to - no, it wasn't my
29 intention. It was my view that Ms Crestani, who I did

1 find very difficult to talk to about issues, might listen
2 to Geoff, and that's what councillors do all the time.
3 Councillors talk to each other and try and convince them
4 that their idea is a good one.

5 Why did you want her to listen to Geoff in relation to the
6 H3?---I didn't want her to listen to Geoff. I made a
7 statement that she might listen to Geoff or that she will
8 listen to Geoff.

9 And that was important because you wanted her vote in relation
10 to the H3, didn't you?---I wasn't going to be in the room.

11 You wanted her to support Mr Aziz?---Well, it was suggested
12 that she might listen to him about important matters and
13 I need to stick to that because I was speaking in general
14 terms. It was a cause of frustration for me that when
15 I was presenting ideas to Ms Crestani she often didn't
16 support them and I sometimes felt that was in contrast to
17 when Mr Ablett presented ideas to her she did.

18 In relation to the H3, Mr Aziz was putting forward a motion
19 that was favourable to John Woodman's interests, wasn't
20 he? It's not on the screen?---He told me he was putting
21 through a motion that was going to bring about a solution.
22 Now, whether he was just playing me at where my interests
23 were and that's about getting a good outcome for the
24 community, he told me he felt he had a solution. There
25 were a few potholes in the solution, but there was a
26 solution that would bring about a good outcome for the
27 community.

28 And did you understand that solution to favour the interests of
29 Mr Woodman?---I understood that Mr Rowe wouldn't have been

1 happy with that solution or wouldn't be entirely happy
2 with that solution. That's what I understood.
3 That wasn't my question. I didn't ask about Mr Rowe?---Sorry.
4 I'm sorry. I understood that it was a solution for the
5 best outcome for the community. That's what I understood.
6 Did you understand that it favoured Mr Woodman's
7 interests?---I would have to go back through the
8 transcript again of that conversation when - - -
9 I'm not asking about a conversation?---I don't recall.
10 I'm asking about your understanding of the
11 recommendation?---I don't recall. I can only say to you
12 that I understood that Mr Aziz was putting this forward to
13 me because he knew that I wanted a good outcome for the
14 community, and that's what I understood that solution,
15 proposed solution, was going to bring.

16 And you were discussing with Mr Aziz at some point in time the
17 fact that with Mr Ablett's help you could secure
18 Ms Crestani's support in relation to Mr Aziz's motion,
19 weren't you?---I was saying that Ms Crestani might listen
20 or would listen to Mr Ablett.

21 And that was important for the H3 because Mr Ablett supported
22 Mr Woodman's interests in the H3, didn't he?---No. I was
23 theoretically crunching the numbers. I shouldn't have
24 been doing it. That's what I was doing, and that was very
25 common on an issue, is that you would actually discuss
26 with other councillors where councillors sat on a
27 particular issue.

28 COMMISSIONER: Yes, Mr Bongiorno?

29 MR BONGIORNO: I'm sorry.

1 COMMISSIONER: That's all right. Don't apologise.

2 MR BONGIORNO: I perceive that there is a disconnect between
3 Ms Harris's questions and the witness's answers. The
4 witness seems to be answering by reference to the actual
5 phone call, whereas as I apprehend it Ms Harris's
6 questions are more general than that. If that could be
7 clarified.

8 COMMISSIONER: Yes, certainly.

9 MR BONGIORNO: Thank you.

10 COMMISSIONER: Make that clear, please, Ms Harris.

11 MS HARRIS: My questions were relating to - I thought I did
12 make it clear?---I'm sorry.

13 My question was related to the motion, to your understanding of
14 the motion and Mr Aziz's motion that he was going to be
15 moving, not in relation to a telephone call?---Okay. At
16 that stage I don't believe I'd seen the motion and I don't
17 recall it at this stage.

18 COMMISSIONER: Do you understand, Ms Stapledon, that the entire
19 thrust of Counsel Assisting's questions to you is
20 suggesting to you you are under the influence of
21 Mr Woodman and Watsons during a large part of your period
22 in office as a councillor. Did you understand that was
23 the overall thrust?---I understand that, sir.

24 Yes. And in support of that hypothesis, that idea, counsel is
25 now exploring with you how it came about that you were
26 wanting to advance an idea which benefited Mr Woodman in
27 relation to H3 when you had a conflict of interest when
28 you, as you indicated yesterday, knew that if you had a
29 conflict of interest it was not just a matter of absenting

1 yourself from a council meeting, but that you shouldn't be
2 trying to influence other councillors, and here you are in
3 the middle of this process heavily engaged in trying to
4 influence other councillors when you had a conflict of
5 interest. What are you doing?---I believe Mr Aziz was the
6 one that presented the idea and driving it, not myself.
7 He may well have. But what are you doing?---I shouldn't have
8 been doing it, sir.

9 But why are you doing it when you knew that not only did you
10 have a conflict of interest but, as you unmistakably said,
11 that means you shouldn't be trying to influence other
12 councillors?---Well, I wasn't - sir, just to put my point
13 forward, I wasn't trying to influence other councillors,
14 but I was discussing who might, who might listen to other
15 councillors.

16 Why? Why?---I should not have been doing it.

17 But why are you doing it?---I think there are three reasons,
18 sir, and I thought about this last night.

19 Yes?---Three reasons were I think I was trying to play at big
20 boys politics and wasn't doing a very good job at it.

21 I feel that I was also really trying to work with Mr Aziz
22 and shouldn't have, I should have put the brakes on. He's
23 very forceful when he's got ideas about things. And
24 I think I had a terrible sense of judgment, and I don't
25 believe my values were aligned with my behaviours.

26 I thought about that long and hard last night.

27 Is that, you think, because it was the environment in which you
28 were then working, that there was a disconnect between
29 your values and your behaviours?---On this occasion I do.

1 But it's not just this occasion. We have looked at - -

2 -?---Sorry, during that period, yes, I do.

3 Might the environment in which you were then working, I mean

4 not just you but the way other councillors were also

5 behaving and the level at which you were interacting, not

6 just you but other councillors were interacting with

7 Mr Woodman and his interests, might all of that have

8 contributed to a particular environment in which one would

9 lose sense of where the line had to be drawn?---Yes, sir.

10 MS HARRIS: And this is a situation where not only you have a

11 conflict of interest, but you are aware that Mr Ablett has

12 a conflict of interest?---Yes.

13 And you are trying to use him to influence Ms Crestani, aren't

14 you?---No, but I did consider last night that it did

15 include that issue and I should have thought of that.

16 But, no, as I wish to reiterate, I was talking about

17 Ms Crestani listening to Mr Ablett, not influencing and

18 not specifically on that issue, but certainly inclusive of

19 it and I should have thought about that as well.

20 Did you have any conversations with Ms Crestani about the H3

21 and how to vote?---Not to my knowledge. I would have

22 thought that highly unlikely because she was very big on

23 conflicts of interest. There was a time when we both

24 attended a meeting together to do with Cranbourne West but

25 I don't know that it was the H3, and I realised

26 that - I think it was more around the green wedge and

27 Cranbourne West was mentioned in it and I actually ended

28 up excusing myself from that meeting because I thought it

29 was too close to the conflict that I had.

1 What did you mean by your comment "she was big on conflict of
2 interest"?---She would constantly ask me, "Don't you have
3 a conflict with this? Don't have you a conflict with
4 that?" And this is something that the Commissioner has
5 mentioned. There was a time during my mayoralty, because
6 of that, I did suggest to governance that we hold a
7 conflict of interest course or workshop so that we could
8 understand conflicts better and unfortunately because of
9 the busyness of everybody that meeting didn't eventuate.
10 I think we were going to have it - - -

11 So Ms Crestani was someone who was aware of the conflict of
12 interest situation?---Yes.

13 And was trying to make sure that your obligations under the
14 Local Government Act were being discharged?---Correct.

15 COMMISSIONER: You'd consistently declared a conflict of
16 interest over the years in relation to Woodman/Watsons
17 whenever issues would come up on council motions that
18 involved them; is that correct?---I'm sorry, sir?

19 Is that correct?---Could I have that question again?

20 You consistently declared a conflict of interest over
21 Woodman/Watson issues if they came up before the
22 council?---As we discussed yesterday, sir, in the early
23 part I stepped out of the room for votes.

24 But you did, as we've learned, on numerous occasions you did
25 actually declare a conflict of interest in relation to an
26 issue, a planning issue, where you understood that Watsons
27 or Woodman had an interest?---Correct.

28 Although we've looked at what you actually did
29 declare?---Mm-hm.

1 So Mr Aziz would have been aware also then that you had a
2 conflict of interest when it came to Woodman/Watson
3 issues?---Yes, I feel very disappointed that I didn't
4 remind him of that.

5 But he knew that, didn't he?---He knew that.

6 So what was he doing talking to you about involving
7 you?---I thought about that again last night. He
8 shouldn't have been, but that's not to negate my
9 responsibility. I should have said to him, "Sam, I'm
10 conflicted and we can't talk about this."

11 So, if I'm in a position of public trust and someone makes a
12 call to me asking me to do something which I know is
13 inconsistent with my obligation, isn't one of the
14 questions I would ask myself, "Why is that person calling
15 on me?" Did you ever do that in relation to Mr Aziz? Did
16 you ever ask yourself, "Why is Aziz coming to me to
17 involve me in this process when I've got a conflict of
18 interest?"?---I should have done that, sir.

19 But you didn't. You didn't ask yourself that. I don't mean on
20 this particular occasion, but you never asked yourself why
21 he was turning to you for assistance?---It was wrong on
22 his part, wrong on mine, but I will say this, and it's no
23 excuse but if I could offer it.

24 Yes?---Mr Aziz is very forceful and once he sets his mind to
25 something it is sometimes better to say "yes", not
26 necessarily doing it, but saying "yes", get him off the
27 phone and letting him think everything is okay.
28 Otherwise, you know, it can be an unpleasant working
29 environment. There was a number of occasions that we had

1 those problems.

2 MS HARRIS: That call that we just listened to, that wasn't the
3 only occasion there was conversation between you and
4 Mr Aziz about using Mr Ablett's influence over
5 Ms Crestani, was it?---You obviously know something that
6 I don't. I can't answer that.

7 Was this a regular topic of conversation between you and
8 Mr Aziz?---I would hope not.

9 During the H3 matter?---I can't recall. I'm happy to be
10 enlightened.

11 Could we play tab 233, please. This is the following day,
12 31 October 2018. This is a clip of a phone call between
13 you and Mr Aziz?---Yes.

14 COMMISSIONER: Is this an exhibit, Ms Harris?

15 MS HARRIS: No, Mr Commissioner.

16 (Audio recording played to the Commission.)

17 MS HARRIS: So there you indicate to Mr Aziz that as long as
18 Ms Crestani - sorry, as long as Mr Ablett has
19 Ms Crestani's ear and not Mr Rowe, she won't vote down
20 important issues?---That issue.

21 That issue?---Mmm.

22 So by "that issue" you mean the H3; is that right?

23 COMMISSIONER: You were aware, Ms Stapledon, that Mr Ablett had
24 a close relationship with Mr Woodman?---I was, sir.

25 When did you first come to know that that was so,
26 approximately?---Maybe 2010, approximately. Maybe a bit
27 earlier.

28 So when you talk here and in the other conversation about
29 Mr Ablett - Ms Crestani, rather, listening to Mr Ablett on

1 important issues, is that because you thought Mr Ablett
2 was an exceptionally clever councillor who would usually
3 make the right decisions in relation to issues coming
4 before the council or why is it you selected Mr Ablett as
5 the person that Ms Crestani should listen to?---As
6 I reiterated before, because Mr Ablett and Ms Crestani had
7 a close working relationship together and she did listen
8 to him on a lot of matters.

9 Only because they had a close relationship, not because you
10 thought Mr Ablett was a particularly valuable councillor
11 for Ms Crestani to be guided by?---I did think Mr Ablett
12 was a good councillor, but I also believe that Ms Crestani
13 has a mind of her own and I think I have indicated that
14 before. So I think she would listen to Mr Ablett and then
15 she would make her own mind up.

16 So you were conscious that Mr Ablett also had a conflict when
17 it came to Woodman - - -?---Yes.

18 Watson issues?---Yes.

19 What's going on here?---It's really bad.

20 So here are you. You have a conflict. You know you have a
21 conflict. You know that "I can't be talking to other
22 councillors to try and influence them in relation to such
23 an issue." Mr Aziz has got knowledge that you have a
24 conflict and he's working on you to be involved.

25 Mr Ablett has got a conflict and you are telling Mr Aziz
26 that Ablett's got Ms Crestani's ear when he shouldn't.

27 What's going on?---My values were not in line with my
28 behaviours or my behaviours were not in line with my
29 values, sir, and I'm bitterly disappointed in myself.

1 Yes, Ms Harris?

2 MS HARRIS: And this is, in this call, you are expressing to
3 Mr Aziz the fact that Mr Ablett could influence
4 Ms Crestani to vote against Mr Rowe; that's right, isn't
5 it?---Not against Mr Rowe because I felt that the two
6 councillors, being Mr Aziz and Mr Rowe, were as passionate
7 about these issues as each other.

8 You wanted Ms Crestani to vote with Mr Aziz, didn't you? I'm
9 asking generally, not about the conversation. That was
10 your position, wasn't it?---I guess I was favouring that
11 recommendation because of the community outcome.

12 And then that's what this call is referring to, getting
13 Mr Ablett to ensure or speak with Ms Crestani about voting
14 with Mr Aziz. That's right too, isn't it?---That's
15 correct.

16 I tender the call.

17 #EXHIBIT 194 - Recorded conversation between Mr Aziz and
18 Ms Stapledon, 31 October 2018.

19 MS HARRIS: And voting with Mr Aziz was voting in favour of
20 Mr Woodman's interests in relation to the H3, wasn't
21 it?---Not in my view.

22 No?---It was voting in that community outcome that I keep
23 referring to. It would expediate the outcome of that
24 particular issue and it would allow better access for the
25 community. They were starting to really become concerned
26 and impacted by the delay.

27 It would also ensure that the greater cost fell with Dacland,
28 wouldn't it?---I don't recall that, I'm sorry. And
29 certainly I wouldn't be looking to give favour one way or

1 the other and certainly not detrimental impact to one
2 person or another.

3 COMMISSIONER: In your opinion was Mr Rowe a good
4 councillor?---Yes, I think we had a very good council in
5 general, but Mr Rowe was very good at the issues that he
6 was passionate about and this was one of them.

7 Did you have any reason at any stage to doubt his
8 integrity?---I wondered why he was so attached to the
9 issue, but I also wondered why Mr Aziz was so attached to
10 the issue. As I indicated yesterday, I tried to sit above
11 that, shouldn't have, but I tried to sit above it and get
12 an outcome because I could see two councillors that were
13 vehemently opposed to one issue having different views and
14 I saw that involving the council officers and I saw that
15 impacting the community.

16 MS HARRIS: Once the H3 matter had gone before council three
17 times, that's two times in September, once in October, it
18 was your view, wasn't it, that Ms Crestani should chair
19 the next meeting?---I have a vague recollection of a phone
20 call from Mr Aziz, but I don't know if I've got that
21 right. I had thought about that over Christmas.

22 It was your view that Ms Crestani should chair the next meeting
23 in relation to the H3, wasn't it?---I need to clarify
24 that. You're asking me with knowledge - - -

25 I'm asking what your view was?---And I'm saying I can't
26 accurately remember that, but I have a faint recollection
27 that that might have been the case.

28 What would be the purpose of Ms Crestani chairing that
29 meeting?---Well, one might have been to win favour, to try

1 to get along with her, and another might have been about
2 her position on that matter.

3 What does that mean, "her position on the matter"?---That she
4 was supportive of the recommendation that would bring
5 about a good community outcome.

6 And the fact that at that point in time, that is following the
7 three meetings, there was a divided council, wasn't
8 there?---In what way, sorry?

9 Well, there wasn't agreement between councillors on the
10 vote?---No, it was pretty close, I believe, or there were
11 two of us, maybe three out of the room.

12 It was pretty close, wasn't it, and so it became quite crucial
13 who took the chair, didn't it?---Well, it would have been
14 in terms of strategy.

15 And was it part of the strategy that Ms Crestani take the chair
16 so she would have a casting vote?---Well, it depends which
17 meeting it was because there was a meeting when the other
18 deputy mayor, who would have been the default - it would
19 have been out of two deputy mayors - was not at that
20 meeting. So I'd need to look and check if in fact the
21 other deputy mayor was at that meeting.

22 But was it part of the strategy that you and Mr Aziz were
23 discussing that Ms Crestani take the chair so she would
24 have a casting vote?---Again, I'd need to look at when
25 that meeting was and who was present.

26 Do you not have a recollection of discussing with Mr Aziz a
27 strategy along those lines?---Vaguely.

28 So you do have a recollection?---Vaguely. I need
29 clarification. One time - - -

1 What's your vague recollection?---My vague recollection is, and
2 I just need to say it is vague, I thought about it over
3 Christmas, it was just one of those things that popped up
4 in my head, or it might have been before Christmas, but
5 one is that I got a phone call from Mr Aziz asking or
6 suggesting that Ms Crestani should take the chair.

7 I might have that wrong, but that's my vague recollection.

8 That it was his suggestion?---To the best of my recollection.

9 Because according to you and Mr Aziz there was a right outcome
10 and a wrong outcome on this matter, wasn't
11 there?---I believe - I shouldn't have, but I believe that
12 outcome that was being put forward would have the best
13 community outcome.

14 So there was a right outcome in your view and a wrong
15 outcome?---I wouldn't have called the other outcome a
16 wrong outcome. I would have called the outcome that
17 I thought was the best one was the one that was going to
18 deliver a community outcome in a more timely manner.

19 So you wouldn't use the words "right outcome"?---Best outcome?

20 I wouldn't have thought of it in those terms. I would
21 have thought that this particular outcome would have
22 delivered a community benefit in a more timely manner than
23 the other.

24 Could we play the call behind tab 161, please? It's not an
25 exhibit, Mr Commissioner.

26 COMMISSIONER: How are you feeling, Ms Stapledon?---I'm fine
27 thank you, sir. I'm sorry.

28 (Audio recording played to the Commission.)

29 MS HARRIS: If we go back to the top of that page, you can see

1 that it was in fact your suggestion, wasn't it, to put
2 Ms Crestani in the chair?---It certainly was.
3 And then you discuss Tim. Is that Tim Jackson?---Yes.
4 Possibly taking the chair, but you wanting Rosie to do it and
5 Mr Aziz saying, "There's a development opportunity and the
6 right outcome," and you agree it's about the right
7 outcome?---Correct.
8 So you did have a view on what the right outcome
9 was?---Clearly.
10 And that in order to achieve that you needed to put Ms Crestani
11 in the chair; that's correct, isn't it?---It certainly
12 looks that way.
13 I tender the TI.
14 COMMISSIONER: But, Ms Stapledon, the thrust of what you are
15 saying there in lines 1 to 3 is that you were giving
16 Mr Aziz what he wanted; namely, "Put Rosie in the chair
17 and then you, Mr Aziz, are going to be able to talk to her
18 about how you think it should play out"?---I believe I was
19 going to talk to her about the chair.
20 "We need to put Rosie in the chair then, though, because
21 she - you would be able to talk to her about, you know,
22 how you think it should play out." That's a glaring
23 example of you wanting to do whatever Mr Aziz would
24 want?---Yes, sir.
25 "Put Rosie in the chair and then you can tell her how you want
26 this to play out"?---I was driving that one.
27 Not good, is it?---Not good.
28 MS HARRIS: I tender that call, Mr Commissioner.
29 COMMISSIONER: Yes, that will be exhibit 195.

1 #EXHIBIT 195 - Recorded conversation between Ms Stapledon and
2 Mr Aziz, tab 161.

3 MS HARRIS: Did you have any conversation with Ms Wreford about
4 Ms Crestani and your relationship with
5 Ms Crestani?---Potentially. Not one that I recall. We
6 are talking about two years ago and I'm finding this very
7 difficult to remember. I would take - as mayor I would
8 take on average between 30 and 50 calls a day. This is
9 not the only issue that was on my mind. In fact this was
10 an issue that I wanted to resolve so I could move on with
11 the things that were important to me as mayor and were
12 important to my fellow councillors. I am not just
13 focusing on this issue. So I can't answer that question
14 for you, but I'm happy to respond if you were able to tell
15 me that you know of a conversation I had.

16 Do you have a recollection of Ms Wreford speaking with you
17 about making an effort with Ms Crestani?---Yes, sorry,
18 yes, I do.

19 Because her vote was very important?---I don't recall her
20 saying her vote was very important. Well, actually, she
21 did say in order to - because I did speak to her about
22 division in the council, division on matters of voting and
23 she did say, "Well, try and work with Ms Crestani so that
24 you have a stronger alliance," and that's what happens on
25 council. It comes down to the numbers. There's no other
26 explanation for it. You need to be able to either form a
27 strong relationship or have an understanding between the
28 councillors so that you can approach them and talk to them
29 about a particular issue.

1 Was that strong alliance in terms of needing her vote for
2 certain matters?---All matters. It's important to all
3 councillors to be able to get support for issues.
4 Is that a conversation you recall having with
5 Ms Wreford?---I do recall having a conversation around
6 that, yes.
7 I want to return to something we were discussing yesterday,
8 that is your meeting with Mr Woodman in relation to being
9 mayor?---Yes.
10 Excuse me for a moment. Did you have a discussion with him
11 during that meeting in October about who you intended to
12 vote for as mayor?---Well, I was going to vote for myself.
13 Did you have any discussion about your intention to vote for
14 Mr Rowe as mayor?---I certainly had - there was a period
15 of time that I felt that Mr Rowe might be a good choice
16 for mayor, yes.
17 Did you have that discussion with Mr Woodman?---I'm not sure
18 what I said to Mr Woodman in relation to that.
19 I think - I know that Mr Rowe and I had had a discussion
20 about the mayoralty and our agreement was that I would
21 stand for mayor, he would stand for mayor, and if we did
22 the numbers at the end, that we would support each other
23 depending on who had the most numbers. So whether
24 I talked to Mr Woodman about that, I don't know.
25 In your conversations with Mr Woodman, not just on that day but
26 in other conversations, was it apparent to you that
27 Mr Woodman wasn't necessarily a big fan of Mr Rowe?---No,
28 I understand he wasn't a supporter of Mr Rowe.
29 Do you have a recollection of Mr Woodman trying to talk you out

1 of voting for Mr Rowe?---That could have occurred. That's
2 highly likely.

3 Do you have a recollection of it?---Vaguely. I'm doubting
4 myself because you're asking me these questions and my
5 recollection isn't great, but it is highly likely.

6 Do you think that would be appropriate, that Mr Woodman, who
7 has matters before council, is involving himself or
8 discussing with you who you should and shouldn't vote for
9 for mayor?---Was he instructing me or was he making a
10 suggestion?

11 Perhaps you can answer my question first. Do you think it's
12 appropriate?---It wouldn't be appropriate, no.

13 Could we play tab 46, please. I can indicate, Ms Stapledon,
14 you're not a party to this conversation, but I'd like you
15 to listen to it because I have a question for you about
16 it?---Of course.

17 If I can indicate, Commissioner, it's a conversation between
18 Mr Woodman and Ms Schutz on 14 November 2018.

19 COMMISSIONER: This is an exhibit, I take it.

20 MS HARRIS: It's not.

21 COMMISSIONER: It's not?

22 MS HARRIS: No.

23 (Audio recording played to the Commission.)

24 MS HARRIS: You can see, Ms Stapledon, this is a phone call
25 between two people that have no idea that their phone is
26 being intercepted and Mr Woodman is making the comment to
27 Ms Schutz that he stepped in and prior to him stepping in
28 you were going to vote for Mr Rowe, or for Gary. Does
29 that assist with whether or not you might have had the

1 conversation with Mr Woodman along those lines?---I can
2 answer you that I was going to vote for me. So I can't
3 vote for Mr Rowe if I'm voting for me.

4 And you didn't have a conversation then with Mr Woodman about
5 voting for Gary?---Clearly there was one. I don't
6 remember what was said, but I was voting for me.

7 Would you agree that this call or the snippet of this call, the
8 clip of this call, certainly gives the impression that
9 Mr Woodman feels he can influence the composition - sorry,
10 influence the vote in relation to mayor?---It certainly
11 does.

12 COMMISSIONER: Can I just take you to lines 94-5, where there's
13 a reference there to Ms Serey and "Inga on her back".

14 Who's Inga?---Ms Peulich.

15 And what's her role in relation to the council?---Ms Peulich is
16 the person I was referring to that I believe was committed
17 to derailing mine and other campaigns, State campaigns, in
18 relation to council. Sorry, sir.

19 Just so I understand that, this is your earlier evidence about
20 there being factions that made your election - your stand
21 for State parliament difficult?---Yes.

22 And she was one of those opposed to you, was she?---Very.

23 Yes. I'm sorry, go on?---Thank you. Ms Peulich is closely
24 aligned to Ms Serey and at one stage Mr Rowe. I don't
25 know how that stands now, but certainly Ms Serey and
26 Ms Peulich are very closely aligned.

27 How do you know that?---Ms Serey speaks about Inga often. They
28 are seen out working together in State matters together
29 and often comes and sits on Ms Serey's table. Certainly

1 was there for the night she was voted in as mayor.
2 So did Ms Peulich have any role to play at the council?---Some
3 would say that she provided advice to Ms Serey from time
4 to time.
5 Was that because of anything Ms Serey told you? How did you
6 know that that might be happening?---That was a
7 conversation between councillors. That was a pretty
8 standard conversation.
9 It was a discussion that took place often, did it?---Yes.
10 And what was Ms Peulich's position at that time?---At one time
11 she was the upper house member for the south-eastern
12 metropolitan region and then she lost her seat and then
13 she was just still heavily involved in politics.
14 Yes, thank you.
15 MS HARRIS: Would you agree that it's concerning that a
16 property developer or a person with matters before council
17 seems to think they can step in and influence who becomes
18 mayor?---I think it's concerning and I think it's a bit
19 delusional.
20 You don't think that that occurred, that Mr Woodman influenced
21 who became mayor?---I believe he had the ear of two
22 people, and that was Mr Ablett and Mr Aziz, and certainly
23 we had our discussions, but I was voting for me on this
24 occasion.
25 And you sought his, that is Mr Woodman's, assistance to
26 influence Mr Aziz's vote?---As I said yesterday, if
27 I could repeat, I attended that meeting to clarify - - -
28 No, no, if you could answer my question. That's right, isn't
29 it?---No. No, he offered.

1 COMMISSIONER: Ms Harris, just let the witness finish.

2 MS HARRIS: Yes?---Thank you. I'm sorry, I don't mean to
3 frustrate you. He offered, from my recollection. As best
4 I can recall, he offered to speak to Mr Aziz. It should
5 have been at that point that I said "no". But the whole
6 intention of that meeting was to clarify a statement that
7 Mr Aziz had made that Mr Ablett had said that Mr Woodman
8 was supporting him for another year as mayor.

9 Yes, but you didn't seek to dissuade Mr Woodman from
10 interfering, did you?---I did not. He offered to speak to
11 Ms Wreford, to speak to Mr Aziz and, as I indicated
12 earlier, they had a close relationship. No, I didn't.

13 COMMISSIONER: Could I just ask you, you said a moment ago you
14 understood Mr Woodman had the ear of Mr Ablett and
15 Mr Aziz?---Yes.

16 How long did you believe - when did you first realise that that
17 was the case?---Well, I certainly know they had a
18 relationship over the Cranbourne West issue . They, you
19 know, did meet with Mr Woodman to discuss the merits of
20 that rezoning, so I suppose it was way back in, I think,
21 2013 at a guess.

22 Yes. So that expression "he had their ear", so you'd known
23 since 2013/14 that Mr Woodman had access to Aziz and
24 Ablett for them to listen to what he wanted?---I knew that
25 he was in contact with them, yes.

26 MS HARRIS: You were answering questions earlier about
27 Ms Peulich - is it "Peulic" or "Peulich"?---Peulich.

28 Did she have a relationship with Ms Serey outside of
29 politics?---Yes. Ms Serey actually was dating her son for

1 a very long time and I don't believe that's the case now
2 but certainly there is - did you say outside of politics?
3 Yes?---I think politics is her life, so I'm not sure that
4 there's too much of the social outside of - - -
5 So your understanding is that Ms Serey was dating Ms Peulich's
6 son?---Yes. At some stage, yes.
7 We heard yesterday that when you were arranging to meet with
8 Mr Woodman on 17 October you had discussed meeting
9 somewhere out of the way?---Mm-hm.
10 Did you often meet with Mr Woodman outside of council?---I have
11 had meetings with Mr Woodman outside of council.
12 Was it often?---Once or twice a year, I would think. I would
13 think.
14 You explained yesterday that the reason that you wanted to meet
15 out of the way was because you didn't want to discuss
16 aspects of the mayoral vote anywhere that you might have
17 been seen. Was there any other occasion or were there
18 other occasions where you felt the need to meet with
19 Mr Woodman out of the way?---Well, certainly at different
20 locations, yes, and if I could give you one example. The
21 one where I met him to discuss the 2014 election, I met
22 him in the city because that was convenient. He was
23 working in the city, I was going to an event, and where we
24 met was next door to that event.
25 Any other occasions that you would meet out of the way?---Yes,
26 there was another time that I met with him in Mornington
27 where his office is and that was because I was en route to
28 visit my mum in Rosebud. So, convenience was mainly the
29 reason. But would I have necessarily been meeting with

1 him at council? I'm not sure. But it isn't unusual for
2 councillors to meet developers at council and other
3 places.

4 When you described then the meeting at Mornington, that sounded
5 as though it was more, as you indicated, for
6 convenience?---Yes.

7 There was no particular reason why you would seek to meet with
8 Mr Woodman away from anybody seeing you; is that
9 correct?---On one occasion, no, it was purely convenience.
10 The other occasion was when I had nominated for
11 pre-selection for the 2018 State election I had asked to
12 meet with Mr Woodman, which I did. I didn't ask for
13 anything, but I was doing a little bit of - if I could use
14 the term market research. I had been meeting with my
15 friends, my family, to see what they thought about my
16 pre-selection and I did discuss it with him and his words
17 to me were, "Why would you want to do that? After what
18 you experienced in 2014, why would you want to do that?"
19 So I came away from that thinking, "Well, I don't
20 have - I clearly don't have his support. I don't have my
21 parents' support. I don't have my friends' support
22 because they didn't want to see me get hurt," and that was
23 the reason for that meeting.

24 COMMISSIONER: Could I just interrupt here to ask you: you say
25 that it was common for councillors to meet with
26 developers?---Did I say "common"?

27 What did you say?---Sorry, that it wasn't unusual. I think
28 they are the words I used.

29 Yes. If you wouldn't mind, Ms Harris, I would just like to

1 take the witness to the various protocols which applied to
2 council. (To witness.) Could you look at 4422, please?
3 If you might go back to the heading first, 4418? So, this
4 is the Casey councillors briefing as to a guide to town
5 planning applications. If you then go to 4422, under the
6 heading there, would you look at those, "If approached by
7 an applicant, councillors are recommended to"; do you see
8 that?---Yes.

9 And (d), "Do not place yourself in an actual or perceived
10 conflict of interest by appearing to be an advocate for or
11 against a proposal." Then if you wouldn't mind going to
12 4426. Could you read (a), (b) and (c)?---Yes, I'm reading
13 it, sir.

14 Were you aware of that briefing note, that approach to planning
15 issues?---Could you tell me what date that briefing
16 note - - -

17 Yes, I think that's November 2016?---2016. I don't recall that
18 particular document, sir, but I'm sure that I was given a
19 copy of it if I wasn't at the briefing.

20 Yes. And in particular the caution, "It would be unwise to
21 have any meetings without planning officers
22 present"?---Yes, sir.

23 I take it from what you've told us that that requirement was
24 time-honoured in the breach, wasn't it?---I'm sorry, sir?

25 That wasn't something, a practice that was followed by you or
26 other councillors?---Correct.

27 They didn't require council officers to be present?---Correct.

28 Does that say something about the level of governance that was
29 taking place at the council during this period?---Yes,

1 sir.

2 That nobody was enforcing that?---Who should be enforcing it?

3 Is it self - - -

4 That's a good question. Who should be enforcing governance of

5 councillor integrity? Who should be enforcing

6 that?---I would have thought we should have regulated

7 ourselves.

8 Councillors first and foremost, but then the council also has a

9 governance section, and the CEO. That really should be a

10 combined effort by all of you, shouldn't it?---Sir, in the

11 early days we used to have fabulous meetings, I think

12 I mentioned them to you, briefings, and we would have

13 Maddocks come along, talk about governance, give us

14 scenarios so that it made it real and we understood what

15 they were talking about. That did drop off later on. I'm

16 not being critical of that, but it did drop off later on.

17 But I still believe it came down to us.

18 Yes. All right. Then can I ask you to look - there's an

19 earlier protocol, 4428, and this is an earlier version.

20 This is one which - - -?---2007.

21 It was approved by the councillors in July 2007?---Mm-hm.

22 If you just go down under "Principles". "The councillors'

23 approach to planning issues should be open, transparent

24 and there should be an avoidance of conflict of interest."

25 Again, was this a protocol that you became aware of once

26 you became councillor?---I would imagine it would have

27 been in our pack. But, sir, I can't confirm. I don't

28 remember reading that, no.

29 But again it's clear that there wasn't the vigorous attention

1 to compliance with this protocol either, was there?---Sir,
2 I would have appreciated the scenarios that I spoke about
3 with Maddocks and it was something that I spoke to the
4 monitor about.

5 Yes?---Just those examples, because you can do a lot of
6 reading. I cannot tell you we're a really busy council.
7 At times our papers can be that thick. So there's a lot
8 of reading in terms of the agenda, there's a lot of
9 readings in briefings and a lot of time spent in council.
10 We're very busy. Sorry, to get to the point, it would
11 have been really helpful for those examples because they
12 actually resonate in your mind like the Winky Pop that
13 I spoke about, which was an example used about a
14 conflict - was it an apprehended bias, I think, has always
15 stuck in my mind, so those other examples would have been
16 very helpful. But that doesn't diminish my responsibility
17 to do the right thing.

18 I think both of these protocols are exhibits?

19 MS HARRIS: Yes. The first one, Commissioner, is exhibit 177
20 and the second referred to is 181.

21 COMMISSIONER: Thank you. And finally could I ask you to look
22 at page 4430. This is a further protocol?---Okay.

23 Updated as at October 2017. Do you see the purposes
24 there?---Yes, I do.

25 And then would you look at 4431? Again, you'll see the third
26 bullet point?---Yes, sir.

27 So that wasn't a requirement that was being observed, was
28 it?---By the governance team, do you mean?

29 No, by councillors?---By councillors, yes, that's correct.

1 And you mentioned a few moments ago that you knew that Ablett
2 and Aziz were talking to Mr Woodman about the rezoning of
3 Cranbourne West?---Well, were in contact. Certainly from
4 2013 I knew that Mr Ablett was talking to Mr Woodman, as
5 I'd had one meeting as well, and then - - -
6 That's the meeting you've told us about around early
7 2014?---No, 2013.
8 Right?---Yes, there were two meetings. One was with officers
9 and one was not. I don't recall when both of those were,
10 but they were in 2013 when I was mayor.
11 Yes?---And I knew that Mr Aziz was talking to Mr Woodman about
12 planning matters, yes.
13 Between 2013 and 2018 you were aware that Mr Aziz and Mr Ablett
14 from time to time were talking to Mr Woodman about the
15 rezoning issue?---I can confirm that I know that they both
16 were talking to Mr Woodman from time to time. In terms of
17 the planning applications, I can only confirm Mr Aziz,
18 because I think Mr Ablett - - -
19 Mr Aziz was talking to Mr Woodman about the rezoning
20 issue?---I believe so. Oh, yes, definitely. But
21 Mr Ablett, in relation to Mr Ablett I think I wasn't sure
22 what he was doing because he was conflicted.
23 Did you at any time understand that Mr Aziz was seeking to have
24 a council officer present when he was talking to
25 Mr Woodman about the rezoning?---I'm not aware of that,
26 sir, not one way or the other.
27 Because Mr Aziz has actually given evidence that he was aware
28 of this requirement that you shouldn't talk to developers
29 about planning issues before the council without a council

1 officer present?---He said he was aware of it?

2 Yes. But it's not something that was ever discussed at council
3 to reinforce the importance of this requirement?---Not
4 that I recall. But I do remember as a candidate one of
5 the people that was running as a candidate as well, he was
6 actually a councillor at the time, had said, "Never meet
7 with developers." Now, whether you class Mr Woodman as a
8 developer or a town planner is debatable, but I think town
9 planner should actually be included in that as well.

10 Do you think there's a real distinction to be made between
11 meeting the developer or a lobbyist who's seeking to
12 present the developer's argument? Is there a distinction
13 of substance between the two?---I think they should be
14 thrown in as well, so that would be three things that
15 would come to mind.

16 Thank you.

17 MS HARRIS: In relation to the meetings that you had with
18 Mr Woodman away from council or away from the normal
19 areas, were those matters about council matters
20 ever?---They weren't specific. We might have talked about
21 the lay of the land in terms of council. That's not
22 unusual because we do that actually with community
23 members, how things are going at council, what's
24 happening. The thing we probably talked about most was
25 politics in general and there was one thing he was very
26 passionate about, Mr Woodman was very passionate about,
27 was a green corridor running from Melbourne down to the
28 Mornington Peninsula or something of the like, so that's
29 actually creating green spaces. I was very interested in

1 his ideas on that, had had that conversation from time to
2 time. So that's my recollection of our conversations.
3 I did not meet with him to provide information or to
4 discuss anything that I might be conflicted with, no.
5 So nothing that you'd be conflicted in?---I did not meet with
6 him with that specific purpose, no.
7 COMMISSIONER: And I think you've told us - just confirm this
8 if you wouldn't mind - you say you never had any
9 discussions with Mr Woodman from 2013 to 2018 about the
10 rezoning issue, Cranbourne West?---Yes, I know what you're
11 talking about, sorry.
12 I might be wrong, but isn't that what you told us
13 yesterday?---I don't remember saying that and I don't
14 think I'd be that definite. I'm concerned that my memory
15 isn't as good as it should be, but it was a few years ago.
16 I think you'll find you did say that yesterday?---Okay. I said
17 I never. Did I use the word "never"?
18 I think you just said, "I didn't speak with him after
19 2013"?---It certainly wasn't my intention.
20 MS HARRIS: When you say that wasn't your intention, I just
21 want to clarify was it not your intention to give that
22 evidence or was it not your intention to speak to
23 Mr Woodman about the Cranbourne rezoning?---Sorry, I can't
24 remember saying "never", but, I'm sorry, I'll have to
25 accept that.
26 COMMISSIONER: But you think you're plainly now of the view you
27 might well have spoken to him at some stage during that
28 five-year period?---I'm not sure, and that's why I'm not
29 committing myself to it.

1 MS HARRIS: Mr Commissioner, if I could indicate that last
2 protocol you showed the witness was exhibit 175.

3 COMMISSIONER: The third protocol?

4 MS HARRIS: Yes.

5 COMMISSIONER: Yes, thank you.

6 MS HARRIS: Could we play tab 145, please?

7 COMMISSIONER: The last one you played of 14 November - - -

8 MS HARRIS: That's already an exhibit, sir.

9 COMMISSIONER: That's an exhibit?

10 MS HARRIS: No, sorry, I'm wrong about that, Mr Commissioner.

11 It's not an exhibit.

12 COMMISSIONER: It will be exhibit 196.

13 #EXHIBIT 196 - Recorded conversation between Mr Woodman and

14 Ms Schutz on 14 November 2018.

15 MS HARRIS: Thank you. Tab 145 is an exhibit, sir. It's

16 exhibit 50.

17 (Audio recording played to the Commission.)

18 MS HARRIS: If we can go back up to the top, please. The date

19 of that was 23 January 2019?---Thank you.

20 Is there any reason at that time why Mr Woodman would be

21 suggesting that you meet out of the way where no one knows

22 you? Sorry, it's line 11. Thank you.

23 COMMISSIONER: Before you answer that, Ms Stapledon, is it not

24 clear from this conversation and all of the others that

25 have been played to you where you're making arrangements

26 to meet with Mr Woodman that you both recognise that you

27 should try and meet at places where you won't be known by

28 others that are there?---Yes, sir.

29 And is that because at least in some sense it would not be

1 desirable that you be seen to be meeting with
2 Mr Woodman?---From my point of view that would be right.
3 And why is that?---Well, he was very disliked by the prior CEO.
4 I'm sorry?---He was very disliked by the prior CEO.
5 Yes?---And because probably in the back of my mind I did think
6 maybe I shouldn't be meeting with these issues on hand.
7 Why? Why would that be at the back of your mind?---Well,
8 I knew I was conflicted on some matters that he was
9 connected with.
10 And why would he be concerned not to meet you where people
11 know?---You'd have to ask him that. I can't - - -
12 You've got no idea why he - you're as one. You're both
13 thinking the same way about it. You never discussed with
14 him why it would not be a good idea for you to be seen
15 talking to each other? It just happened that you both
16 thought the same way but you never discussed with him why
17 you shouldn't be seen talking to each other?---Of that,
18 I don't know, sir . I think we were just very agreed that
19 that's what we should do and from my point of view it was
20 for the reasons that I've just stated.
21 MS HARRIS: During that meeting did you have any conversations
22 about the C219 rezoning?---Cranbourne West?
23 Yes?---I'm not sure if that meeting took place. I think it
24 might have been - there was a meeting that was cancelled
25 early in that year. You would know that better than me.
26 I haven't got my diary in front of me.
27 But as you sit there now, can you think of a reason why in
28 January 2019 you and Mr Woodman would want to meet out of
29 the way where no one knows you?---I would have wanted to

1 meet with Mr Woodman to discuss how things were going in
2 terms of the interaction between officers and business
3 people and developers. There was a significant divide at
4 that time. It was something that I had spoken - can
5 I elaborate?

6 Yes?---Spoken to Mr Patterson about, our CEO, and he was
7 already up on top of things before I even really got to
8 put any suggestions forward, and what he was doing was
9 holding a meeting once a month with developers who had big
10 issues on the table in terms of things that were
11 happening, to make sure that everything was running
12 smoothly, and that actually took the requirement for
13 anybody to come to us because other developers did come to
14 us and there were a number of issues that were of concern
15 to me and others.

16 But that was a concern amongst council - - -?---Yes.

17 Council staff. You have indicated the CEO knew about it. You
18 were mayor at this time, weren't you?---I was.

19 That's a perfectly legitimate reason to meet with a party,
20 isn't it?---It is.

21 Why would you need to meet secretly where no one knows
22 you?---I suppose it was habit that we met out of the way.

23 So then when you say "habit", it had clearly happened on more
24 than the two occasions I've taken you to?---Well, I also
25 cited one in the city where we met, and there was going to
26 be another meeting. I thought that one was this date in
27 the city. But that's why I suspect that one might have
28 been cancelled and then rescheduled for the city,
29 I suspect, and that one didn't go ahead either.

1 Would that be an appropriate time for the morning break,

2 Mr Commissioner?

3 COMMISSIONER: Yes, certainly. You go off and have a good

4 break, Ms Stapledon. We'll see you at 20 to 12?---Thank

5 you.

6 (Short adjournment.)

7 COMMISSIONER: Yes, Ms Harris.

8 MS HARRIS: Ms Stapledon, I want to take you back to something

9 we discussed yesterday and that was Mr Woodman's

10 contribution in relation to Blairlogie?---Yes.

11 You indicated that Mr Woodman had said to you that he'd be keen

12 to support such a program and you sent him an invoice,

13 "and from there I don't recall any further interaction on

14 the matter." Why was it that you were invoicing

15 Mr Woodman for that?---I think because I had his contact

16 details it was suggested - well, I think I offered to send

17 him the invoice at a board meeting.

18 So you were on the board in relation to Blairlogie, were

19 you?---I believe I was at that time, yes.

20 Did you hold any particular position?---Not as - general

21 committee member.

22 To the best of your recollection that was the only assistance

23 Mr Woodman provided with Blairlogie, was

24 it?---I believe - my understanding is that he paid that

25 sum of money in two parts. That's as much as I know.

26 And can you remind me what the sum of money was?---Between 15

27 to 20,000. I can't recall what the amount was, no.

28 I can't recall the amount of the invoice, I should say.

29 I don't know about the other parts.

1 Was it usually you that would send invoices in relation to
2 Blairlogie, not just to Mr Woodman but to anybody?---No.
3 That's right.
4 That was not usually you?---No, that's right. Yes.
5 And who would usually do that?---I have no idea. It would have
6 been a staff member or it might have been Carolyn, the
7 CEO.
8 Was it simply because you had a pre-existing relationship with
9 Mr Woodman that you took that upon yourself?---I think
10 because I had his email address, yes.
11 Sorry, I missed that?---I had his email address and we had
12 discussed it, yes.
13 When you discussed it with Mr Woodman, did you discuss an
14 amount?---That I can't recall.
15 Did Mr Woodman have any relatives attending the Blairlogie
16 facility?---Not that I'm aware of.
17 Were you his only connection then to Blairlogie?---No,
18 Mr Woodman had visited Blairlogie on a matter of pro bono
19 to look at whether the site at Blairlogie could be
20 developed for accommodation.
21 When was that?---It would have been possibly 2016, I think.
22 No, 2015.
23 And was there an ongoing involvement by Mr Woodman in that
24 matter?---I believe he handed the baton of that matter to
25 Ms Schutz. I think he visited twice, at the most.
26 And what became Ms Schutz's role in that matter?---Ms Schutz
27 was looking at the planning aspects about whether
28 accommodation could be provided in a green wedge zone, and
29 I believe the advice she provided was that it couldn't.

1 And what became of that project?---Well, that project was
2 shelved because of that. You can't build something if
3 you're not allowed to.

4 As a result of Mr Woodman's contribution to Blairlogie, were
5 there reduced fees then for people having young people
6 attend that facility?---It certainly was reduced - it was
7 fees that were set at a certain amount and wouldn't have
8 been the normal amount, correct. But Mr Woodman wasn't
9 the only other contributor, I understand. There were
10 others.

11 Just so I'm clear, was it the case that due to Mr Woodman and
12 others making a contribution, the fees for those attending
13 were subsidised?---I think "reduced" is a better word.
14 I can't describe what subsidised might look like other
15 than to say that it was - I think we were paying \$15 a day
16 which wouldn't have covered the costs of the carer.

17 So, but for Mr Woodman's contribution, those fees would have
18 been higher; is that correct?---And others. I believe
19 there were other contributors as well.

20 So, but for the contributions, the fees would have been
21 higher?---Or they might have found another sponsor. But
22 if that weren't possible, probably the program might not
23 have eventuated.

24 We discussed yesterday that you didn't declare a conflict of
25 interest in relation to Mr Woodman's involvement in
26 Blairlogie. That's right, isn't it?---I didn't, that's
27 right.

28 Other than Mr Woodman's contribution to Blairlogie and his
29 contribution to your State and local government elections,

1 did he make any other financial contribution to you or
2 your family?---No, absolutely not.

3 Over your time as councillor, have you had periods of
4 unemployment?---I have.

5 What assistance did Mr Woodman provide to you during those
6 periods of unemployment?---Nothing.

7 Ms Schutz gave evidence before this Commission that it was her
8 understanding that Mr Woodman provided you with \$15,000
9 during a period of unemployment. Is that true?---That is
10 absolutely not true. I think she was referring to the
11 contribution to Blairlogie.

12 I see. In relation to the donations to your State election
13 campaign in 2014, other than Mr Woodman, was there any
14 other - was there a donation from anybody else that had a
15 matter before council at that time?---There was an amount
16 from a Mr Carpenter. He had contributed \$1,000 and at
17 that time there wasn't a matter before council but there
18 certainly did become a matter before council some months
19 later.

20 What matter was he involved in?---Brompton. There was a matter
21 with some land that he owned, Brompton, which became - it
22 was called Brompton Lodge.

23 Yes?---So it was a matter to do with, from memory, to do with a
24 road.

25 When do you say that first came before council?---At a later
26 stage, past his contribution in that same year,
27 I understand. I can't remember the month.

28 In 2014?---Yes.

29 Did you declare a conflict of interest in relation to Brompton

1 Lodge?---I believe I did on that one, yes.

2 COMMISSIONER: When did you first declare that you had a
3 conflict of interest in relation to Brompton Lodge?---When
4 the matter came before council or a few days beforehand.
5 I believe I sent an email.

6 What period are you talking about now?---I think - - -
7 Brompton Lodge occupied the council's attention for the best
8 part of 10 years?---Over what period, could I ask, sir?

9 Well, Mr Carpenter's donation to you was in June 2014?---Okay.
10 When did you first declare that you had a conflict of interest
11 in relation to Brompton Lodge?---Well, I have an email
12 that could clarify that, but I think it was at that time.

13 MS HARRIS: Did Mr Woodman have an interest in Brompton
14 Lodge?---At some stage I believe he did, yes.
15 What was that interest?---Well, probably town planning, I would
16 imagine.

17 When did you become aware of that?---It would have been
18 prior - I can't give you a date, I'm sorry, but it was
19 when that development was being considered.

20 Around the time you declared an interest in relation to
21 Mr Carpenter; is that what you're - - -?---No, I wouldn't
22 have said it was then. I thought it was prior.

23 Prior to 2014?---Yes.

24 And when that matter came before council, that is the Brompton
25 Lodge matter, you didn't make a declaration of conflict of
26 interest in relation to Mr Woodman, did you?---No.
27 I believed he was no longer involved. That was my
28 understanding then, so that must be what - sorry.

29 When do you understand he stopped being involved in that

1 matter?---I can't answer that. I don't know.

2 Prior to the break you gave evidence that indicated you were

3 aware that Mr Woodman and Mr Tyler didn't get along very

4 well?---Yes, that's right.

5 Was there an event that caused an issue between the two of

6 them?---Yes, there was. It was in that meeting - one of

7 the meetings I referred to where I did call upon Mr Tyler

8 and council officers to discuss the rezoning of - I think

9 it was the rezoning of Cranbourne West, yes, so that was

10 in the executive room at council.

11 And when approximately was that?---It was 2013 during my

12 mayoral year, first mayoral year.

13 And what in particular caused an issue between Mr Woodman and

14 Mr Tyler?---I don't know. It was a very strange

15 situation. I had asked Mr Tyler if the meeting could take

16 place. He was very agreeable. He actually walked into

17 the meeting quite hostile and I've never seen Mr Tyler

18 like that before, and that meeting was cut very short.

19 Was Mr Tyler opposed to the rezoning?---It would have appeared

20 that way, yes.

21 How did he make that apparent to you?---By his body language

22 and his actions, yes.

23 Did he discuss it with you?---Later that night he did.

24 And what did he say about it?---He used the words "it looked

25 corrupt" and I disagreed with that because I was actually

26 holding that meeting with council officers and himself.

27 I failed to see how that would be looking corrupt. He

28 didn't really expand and tell me why he didn't agree with

29 the planning - the rezoning, but they were his words at

1 the time.

2 Did he say what in particular looked corrupt?---No, they were
3 his words, and I did reply and say that I didn't think
4 that that was a fair statement, and I think that was what
5 ended the conversation soon after.

6 COMMISSIONER: No one asked him to provide particulars of what
7 must be a quite extraordinary allegation for a CEO to make
8 to councillors? No one asked for - - -?---He made it to
9 me. I don't know if he made it to other councillors.
10 Look, I might have. But I think he was very aware how
11 disappointed I was with his statement. And I was also
12 aware that he was very much in support of the officer's
13 recommendation. So I didn't feel the need to ask him
14 about that.

15 Have you finished with Brompton Lodge?

16 MS HARRIS: Yes, Commissioner.

17 COMMISSIONER: Can I just ask you a couple of questions about
18 that. Could you look first at page 2570? This is an item
19 on the agenda, Ms Stapledon, for - if you just go up
20 immediately above the page 2570 you will see it's for the
21 council meeting of 5 February. Just go up above that
22 heading?---What year, please?

23 Immediately above the heading 7.5, item 7.5?---2019.

24 5 February 2019, and then if you go down to item 7.6, please,
25 that's the consideration of the infrastructure agreement
26 for Brompton Lodge. Then if you go down, please, you'll
27 see "Declarations of interest" and you see there a
28 declaration of interest by you?---Yes, sir.

29 I'll come back to that in a moment. Then would you look at the

1 minutes, please - the agenda, rather, for - no, my
2 apologies, the minutes of the council meeting of 16 April
3 2019, page 2591. It will be up the page, my apologies.
4 Going up the page, thank you, until we get to the item.
5 Keep going. So item 7.10, "Land acquisition 785
6 Cranbourne-Frankston Road", do you see that?---Yes, I do.
7 And you declared a conflict of interest. What planning issue
8 does that relate to? Is that also Brompton
9 Lodge?---That's not Brompton Lodge, sir, or is it?
10 Actually it might be Brompton Lodge, sir. Sorry.
11 Yes, all right. Just remember that. That's item 7.10. Then
12 I want to turn to the conflict of interest that you
13 registered on those two days, February and April 2019.
14 Could you go, please, to page 4525? If you go up the
15 page, please, until we get - just stop there. That's your
16 email to the CEO and copying in the governance officer for
17 that item in February, 7.6. Can we have a look at the
18 conflict you declared? So we are in February of this
19 year. This is even following the Age article?---Yes.
20 February, I'm sorry, 2019?---Yes.
21 This is following the Age - and you are still omitting to
22 declare the primary reason for your conflict, namely the
23 contributions that Mr Woodman had made to your
24 campaign?---Yes, sir.
25 Then if we can go, please, to the conflict of interest
26 declaration for the item in April we just went to, 4527.
27 Now, this is your email in relation to that item. Do you
28 see that you are now providing additional reasons for your
29 conflict?---Yes, I do.

1 Leaving aside the error in the date, it was not 2015, it was
2 2014, but what's the additional consideration there that
3 you've added, "And having been in association with the
4 developer in recent times"?---My thoughts were that he
5 was, and then I thought perhaps he wasn't associated
6 because that piece of work had been done. This is
7 Mr Woodman I'm referring to.

8 You're speaking about Mr Woodman/Watsons?---Yes, I am.

9 So what's the association that you're having with
10 Mr Woodman/Watsons in recent times?---I'm talking about
11 the association that he had with the development of
12 Brompton Lodge, association with the developer. That
13 would be Wolfdene.

14 Yes, but this is what gives rise to your conflict; right? You
15 are referring there to something about your association
16 with the developer in recent times, are you not, which
17 gives rise to the conflict?---I'm talking about the
18 association with Watsons, who have had an association with
19 Wolfdene.

20 Yes?---And I believed I'm talking about had an association in
21 recent times with that developer, so I was being cautious
22 and getting out of the room and not voting on the matter.

23 I'm sorry, so you're speaking there of Watsons having an
24 association with the developer in recent
25 times?---I believe they were the town planner - - -

26 Is that what you're saying there?---Yes.

27 Is that what you mean to be saying?---Yes, yes.

28 But I don't follow. Did you have any reason to think that
29 Watsons' relationship with Woodman was only of recent

1 times? You knew that Mr Woodman and Watsons' interests
2 were inseparable, didn't you?---Yes, yes.

3 So what is the reference there to "association with a developer
4 in recent times"?---The reference is Mr Woodman and
5 Watsons as the town planner with the developer Wolfdene.

6 Who's having the association in recent times?---Mr Woodman and
7 Watsons with the developer Wolfdene. So my understanding
8 was that Watsons were the town planner for that
9 development. That was pretty well settled at that time,
10 from my understanding, but I didn't want to leave anything
11 questionable. I got out of the room and - - -

12 Are you sure you're not talking about your association with the
13 developer in recent times?---No, because I've never
14 considered him a developer.

15 Who? Didn't consider who?---Mr Woodman. I knew him to be a
16 town planner. That's exactly what I mean.

17 Yes, Ms Harris. I will mark the two sets of minutes,
18 5 February '19 and 16 April '19, exhibit 198 and 199.

19 #EXHIBIT 198 - Minutes of 5 February 2019.

20 #EXHIBIT 199 - Minutes of 16 April 2019.

21 COMMISSIONER: And I will mark the emails of Ms Stapledon to
22 Mr Patterson of February '19 and April '19, 200 and 201.

23 #EXHIBIT 200 - Email from Ms Stapledon to Mr Patterson,
24 February 2019.

25 #EXHIBIT 201 - Email from Ms Stapledon to Mr Patterson, April
26 2019.

27 MS HARRIS: Returning then to the topic of Mr Tyler, was it
28 your view that he created - that is Mr Tyler - obstacles
29 in relation to planning decisions that related to

1 Mr Woodman?---Could I have that question again?
2 Did Mr Tyler create obstacles in planning decisions that
3 related to Mr Woodman?---I wouldn't have said so.
4 I believe he actually was vehemently against the rezoning
5 and he made that very clear, and that that's his perfect
6 right.
7 Were there other matters that Mr Woodman and Mr Tyler clashed
8 on other than the C219?---There might have been. I can't
9 recall them at this stage, but it is likely.
10 Mr Woodman - sorry, Mr Tyler definitely disliked
11 Mr Woodman because of the issues that were involved.
12 Did he have a conversation with you about his dislike for
13 Mr Woodman?---Not so much conversation as comments that he
14 would make about Mr Woodman if there was a matter.
15 I can't recall what they are, but I was very - no
16 mistaking how he felt about Mr Woodman.
17 Did Mr Woodman discuss with you how he felt about
18 Mr Tyler?---There may have been that conversation.
19 I don't recall it, but there may well have been, yes.
20 Did Mr Woodman ever express to you a desire to get rid of
21 Mr Tyler as CEO?---Not to me he didn't.
22 To anybody else that you're aware of?---Because I in the early
23 days I did see some newspaper articles, I understand that
24 there might have been a conversation between Mr Ablett and
25 Mr Woodman, but I'm only going by the newspaper articles.
26 Was it your view that Mr Tyler had it in for
27 Mr Woodman?---I would say you wouldn't want to cross
28 Mr Tyler. Could he still be objective when it came to
29 planning matters? I believe he could. But I don't think

1 he was happy with anything that was going on that
2 Mr Woodman was involved in.

3 Was it your opinion that Mr Tyler had it in for
4 Mr Woodman?---No, I couldn't say that, no.

5 That wasn't your view?---Certainly not one that I recall.
6 You would recall if you had a view, wouldn't you? That's
7 something you'd recall, if you had a view on Mr Tyler
8 having it in for Mr Woodman, wouldn't you?---I can't
9 recall.

10 As you sit here now, do you think that Mr Tyler had it in for
11 Mr Woodman?---I would have said what I said before. He
12 wasn't happy with anything Mr Woodman was doing. That was
13 my observation.

14 So is that, no, that you don't think that he had it in for
15 him?---I just can't answer that question. I can only say
16 that I don't believe that he was happy with anything that
17 Mr Woodman was doing. I do believe he had the capacity to
18 look at it impartially and that was his position.

19 Was there any bad blood between Mr Tyler and
20 councillors?---Certainly in the last two years, yes, there
21 was.

22 What about between you and Mr Tyler?---That became very
23 frustrating, the relationship became very frustrating.

24 What was the cause of the change in relationship?---I was a
25 great supporter of Mr Tyler's, an enormous amount of
26 respect for him, so I need to preface that. But in the
27 last two to one year prior to his departure he developed
28 an absence of memory about issues. He is well known to
29 remember dates, times, events, detail, and that's why

1 I found not reading the Ombudsman report highly unusual.
2 He had a great brain and he really had his finger on the
3 pulse. I saw that slipping. There were lots of absences.
4 He had had two really serious bike accidents that had put
5 him in hospital. We were all very concerned about him.
6 We had spoken to him about his cycling, saying that it was
7 risking his health. And he'd had an episode - it wasn't
8 an aneurysm, but it was something in that vein that took
9 him off to hospital and from that time onwards I noticed a
10 significant increase in what I would call an antagonistic
11 demeanour. So I had to - every conversation, it didn't
12 matter how simple it was, every conversation with Mr Tyler
13 was a battle, the simplest of things, and I would have to
14 go into his office and say, "I know you're going to say no
15 but" and I still had to put my case forward. So, my
16 thoughts were at that time there's one of two things:
17 because it had escalated after we re-signed his contract,
18 that he was either looking for an early departure or he
19 had significant issues, health issues relating to either
20 the accidents or that episode that I spoke about. So
21 I was very concerned about Mr Tyler.

22 COMMISSIONER: Did you talk to Mr Ablett about Mr Tyler's
23 situation?---I did. Well, we actually talked about - the
24 councillors talked to each other about it and I sent
25 Mr Ablett an email.

26 And did you see a draft of the letter that Mr Ablett was going
27 to send Mr Tyler?---I believe I might have seen a draft,
28 yes, and I believe my email contributed to what he
29 compiled, from memory.

1 And who prepared that draft, Ms Stapledon? Who prepared the
2 letter that was sent to Mr Tyler which set out Mr Tyler's
3 failings and suggested that Mr Tyler should stand
4 down?---Would it have been Mr Ablett?

5 I'm asking what your knowledge is?---I don't know that I have
6 that knowledge, sir. I would imagine that it was
7 Mr Ablett.

8 What did he tell you about how he had come to prepare that
9 letter?---I have no recollection of that. I just know
10 that he asked me to send him information in relation to
11 Mr Tyler that I had discussed with him.

12 And you saw a draft of the letter, though, before it went to
13 Mr Tyler?---I have a vague recollection of reading that.
14 It was expressed in - it was couched in parts in legal
15 terminology, wasn't it?---Perhaps.

16 You don't remember?---No.

17 MS HARRIS: At what point in time do you say that the
18 relationship declined between Mr Tyler and
19 councillors?---I'd say there was a two-year period prior
20 to his departure, with a massive escalation at the time
21 that we renewed his contract or soon after.

22 So he departed in early 2018, is that right?---Yes.

23 So would it be from early 2016 that - - -?---I can only give
24 you a period of time, two years and then one.

25 So what role did you play in Mr Tyler's
26 departure?---I supported us talking to Mr Tyler and
27 considering his departure. I felt that we didn't - we had
28 approached him. Apparently there was a meeting with
29 Mr Ablett and Mr Smith, and they had gone to see Mr Tyler

1 to discuss the issues, and Mr Tyler apparently was quite
2 hostile, as I'd imagine would be the case, and apparently
3 the matters that were raised with Mr Tyler were
4 unresolvable. He wasn't prepared to resolve them. And
5 they were significant.

6 Was it your view he should go?---I really wanted him to address
7 the issues but, yes, in the end it was my view that he
8 should depart. I felt that he was no longer listening to
9 his employers, being us, and there was one issue in
10 particular that was so serious that he just could not come
11 back and give me a good explanation as to why it occurred
12 and what was being done to prevent it from happening
13 again; rather, he wanted to prove a point and that was the
14 frustrating thing about Mr Tyler at that time, was he was
15 so busy proving a point, "No, that's not correct," and
16 he'd pick me up all the time. He should have been a
17 lawyer, really, he was really articulate in that area, but
18 he wanted to prove a point at all times and he missed the
19 point altogether and that was about what he should be
20 doing as CEO to fix issues that we were bringing to him.

21 And what was the issue in particular that you were raising with
22 him?---It's a little bit long, so can I - - -
23 Sure?---Thank you. The first issue was that we were locked out
24 of Bunjil Place, we only had one place to go, and that
25 resonated throughout the whole building. So I'm happy to
26 expand on that later if you'd like me to. But the issue
27 at hand is around a contractor who had attended Bunjil and
28 was locked in a room. It was part of the theatre. He was
29 attending the air conditioning and because of this

1 absolutely manic locking of everything, no one had access,
2 this poor man hit his head on an air conditioning duct or
3 something of that type and he was bleeding. He was trying
4 to get out. He couldn't get out. There was no one there
5 in attendance with him and he tried to call the numbers he
6 was provided and no one answered. So, he phoned his
7 father. His father happened to have - his father's wife,
8 which is his mother, happened to know me, so she rang me.
9 So, I tried to contact - I think the first step was to
10 contact the Bunjil staff, couldn't; tried to contact Mike,
11 couldn't, Mr Tyler; tried to contact some directors,
12 couldn't, and I believe they were in a conference, so I
13 sent an email. I sent an email to Mike and I cc'd others
14 just so that if Mike was really uncontactable, that others
15 would know and would know that this man needed to be let
16 out of that room and to seek medical attention. Mike rang
17 me up and instead of sounding concerned about this man and
18 his situation or perhaps a little concerned about the fact
19 that he couldn't get out of the room, he berated me for
20 sending the email, said, "Don't you ever send me an email
21 like that again." So, the mop-up of that was he didn't
22 come back to me with a response - he might have sent me an
23 interim email but I can't be clear about that, but he
24 didn't come back to me with a mop-up. I would have
25 expected that he'd come back, "Amanda I've looked into
26 this." You know, "We've identified some issues. We've
27 put in some checks and measures so it doesn't happen again
28 and I believe the patient is okay." Instead, I followed
29 him up and he with a clenched jaw said to me - or was it

1 that occasion? Actually, I'll backtrack. It was either
2 by email or - no, it was in person and his only answer
3 was, "By the man, that man wasn't seriously injured and he
4 didn't have to get to the doctors straight away," or words
5 to that effect, and I found that incredibly unempathetic
6 and lacking in a sense of duty for the role that he held.
7 Is that what kicked off your desire to have him
8 removed?---I didn't have a desire to have him removed. In
9 fact I'm sorry he went. Not in retrospect but at the time
10 I was very sorry, but it became obvious through us being
11 locked out of Bunjil Place, which was absolutely absurd,
12 and then that situation and there might have been another
13 one at the end, but also that conversation that Mr Ablett
14 and Mr Smith had with Mr Tyler and there had been
15 absolutely no room for negotiation. He was just bunkering
16 down. I just didn't feel that we had an option.
17 In relation to having Bunjil Place locked down - - -?---Locked
18 out. We were locked out, yes.
19 It was the case, wasn't it, that you could access the council
20 area but not the council officers; is that the
21 situation?---Yes, it is, and it was one that was decided
22 without any engagement with us. Can I expand on that?
23 Yes?---Thank you. We had come from a situation, the council
24 officers, where we could actually access officers. There
25 was an understanding that we only talk to managers and
26 directors, which we respected. But because of - according
27 to Mr Tyler - an incident where a councillor was offering
28 sweets to an officer, he had made a decision - this is
29 retrospect - but he had made a decision that we weren't to

1 have any access to Bunjil, but he failed to tell us.
2 Governance failed to tell us. So when we arrived at
3 Bunjil we would walk in through the admin area, so that's
4 where the CEO's office is, that's where the mayor's office
5 is and the admin staff, and we would walk into the council
6 area. If we were in the council area and there was a fire
7 where we'd walked through, we had absolutely no way of
8 getting out. We couldn't get out through the function
9 area, which is also the council chamber, and we couldn't
10 get out of the emergency exit at that time. That did
11 change later. There were absolutely no - there was no
12 fire plan on the wall. We called an emergency meeting
13 because it was so serious and Mr Tyler was at that
14 meeting. He made no contribution. But the governance
15 officer of that time or director made the statement that
16 we weren't considered stakeholders, and I found that
17 staggering. So that was - that did change, not
18 immediately. We got access to the end door that I spoke
19 about, that it was the exit. We did get access to that so
20 if there was a fire you could get out. But it wasn't
21 until Mr Dalton, the interim CEO, came in that we got
22 access to the breakout room downstairs. So we didn't go
23 upstairs.

24 COMMISSIONER: Irrespective of the measures of the system which
25 Mr Tyler put in place, can you tell us what were the
26 reasons given by Mr Tyler for why he wanted to limit
27 councillors' access to council officers? What were his
28 reasons?---The only one I knew of was that there was a
29 councillor who had offered sweets to an officer in the old

1 building.

2 That's the only explanation he ever proffered?---That's the
3 only one I was across.

4 You never heard the suggestion that there were particular
5 councillors who were seeking to influence council officers
6 in relation to planning matters?---I heard that, but
7 I think that might have been at a later time and not from
8 Mr Tyler.

9 Who did you hear that from?---Well, I actually heard
10 "bullying". I didn't hear "influence". I heard the word
11 "bullying".

12 Yes. By?---Mr Dalton. He was the interim CEO.
13 He told you about that, did he?---Well, he told us as a
14 council.

15 What did he say?---He said that there were concerns that there
16 was - I think I'm confusing that a little bit with the ban
17 that was placed on Mr Woodman and Ms Schutz. I can't
18 answer that correctly, but I was aware.

19 That was a ban that was imposed by Mr Dalton, was it not?---It
20 was. I think I might be confusing the two. So I can't
21 recall, but I do know that there was concern about
22 pressure being applied to officers.

23 Can you tell us where that knowledge comes from?---If
24 I recollect - - -

25 You can't remember at the moment?---That's right, at the
26 moment.

27 But you do know that it was said that was part of Mr Tyler's
28 reasons for precluding councillors from access?---I don't
29 recall him saying that ever.

1 No, no, you heard that from some other source?---No, no,
2 I recall that - sorry, I recall that there was an
3 allegation that there was bullying occurring by
4 councillors with officers, not - sorry, it didn't pertain
5 to the departure of Mr Tyler.
6 Sorry, so you heard that there was an allegation of
7 councillors - - -?---Yes, I'm sorry.
8 Seeking to influence council officers on planning matters.
9 When did you hear that?---Bullying, sir.
10 Bullying?---Yes.
11 Right. When did you hear that?---I don't recall that. I don't
12 recall when, but I do recall it.
13 But is that of recent times?---Yes, yes. It would have been
14 Bunjil Place times, not times in the old offices where
15 there might have been a plan to - sorry.
16 MS HARRIS: You would understand that under the Local
17 Government Act it's the responsibility of the CEO to
18 manage or coordinate interactions between council officers
19 and councillors. That's part of his role, isn't
20 it?---Yes, absolutely.
21 So it was well within his remit, if he thought there were
22 inappropriate interactions occurring, to take actions to
23 stop that; that's right, isn't it?---Well, I disagreed
24 with him because I don't recall him raising them.
25 But regardless of whether he raised them?---Yes.
26 If that was his view, he was well entitled to take actions to
27 stop that interaction, wasn't he?---He may well be
28 entitled to do it, but I think it created the very us and
29 them that we had and it was creating a dysfunctional

1 council. We were very untrusting of the officers to a
2 certain degree. There were reports coming that we didn't
3 feel had adequate information in them, and there was a
4 passive hostile environment in relation to some directors
5 and managers and councillors, and I can tell you I never
6 intentionally ever wanted to upset a council officer.
7 I respected their views and tried to work very hard with
8 them. I thought it was a very unfortunate situation when
9 we had such a great working relationship at the other
10 building that we would then have this great divide. I was
11 very strongly opposed to the decision that was made. It
12 might have been his right to make it, but it was also my
13 right to have that view.

14 What role did Megan Schutz play in the removal of
15 Mr Tyler?---I have absolutely no idea, other than a couple
16 of things I've seen in the paper.

17 COMMISSIONER: Did you talk to Mr Woodman about the problems
18 Mr Tyler was creating?---I might have mentioned it at our
19 meeting post that Mr Tyler was gone. I might have
20 mentioned it. I don't recall, but it is possible. But
21 certainly it wasn't - it wasn't prior to Mr Tyler going.
22 Absolutely not. I didn't want Mr Tyler to go.

23 And did Mr Woodman express any view about Mr Tyler's
24 departure?---He probably would have said he was happy
25 about it, I would imagine.

26 Why would he have been happy about it?---Well, because of
27 the - I would imagine the animosity between the two.

28 Apart from anything else, Mr Tyler made no secret of the fact
29 that he was opposed to the rezoning of Cranbourne

1 West?---Absolutely.

2 Is that right?---Correct.

3 So presumably Mr Woodman would have been happy for that reason

4 too?---Well, it's a possibility, but I can't answer for

5 Mr Woodman.

6 MS HARRIS: Was it your view that Mr Woodman or Heath Woodman

7 were treated differently in council by Mr Tyler?---I did

8 have that view, yes. I personally had that view. But

9 I also felt that that extended to others, not just them,

10 and if I could give you an example. Would you mind if

11 I refrain from mentioning who that group is? Is that

12 okay?

13 Yes, go ahead?---There was another developer that had two

14 parcels of land, one in one area and one not so far away,

15 and a decision had been made by officers not to allow them

16 to proceed with the development. There were reasons given

17 and it was the view of the councillors or those involved

18 that that could have easily proceeded if we were able to

19 come to some compromise, and that's the role of the

20 council, is to be able to find a way forward when things

21 get stuck. Council officers often adhere to the rules and

22 regulations, as they should, and councillors try and get

23 things unstuck when there's red tape that need not be

24 there, in their opinion. So that was going to impact a

25 significant number of employees and it went against the

26 very view that council had about promoting, supporting and

27 growing employment. So, I believe Mr Ablett stepped in on

28 this occasion, but it was something I was definitely

29 across, and that got unstuck and that issue was resolved.

1 But that was just one example. I was privy to
2 meetings where - and these are council officers that
3 I respect highly - but they were passively hostile, they
4 would sit in their chairs like this, "No, can't do that,
5 no," and they would actually push very hard on what they
6 believed should be the outcome when not always was their
7 position legislative, due to planning, it could be simply
8 a point of view. So there were some significant issues,
9 not just with Mr Woodman. But, as I said earlier,
10 I thought Mr Patterson's actions were outstanding. He
11 actually brought together, with the strategic planning
12 team, a meeting with the developers every month that had
13 big issues on the table, and that just resolved all those
14 issues.

15 So how is it that you say that the Woodmans were treated
16 differently?---Well, could I say this. I think that they
17 were - my view at the time was that they were not - there
18 was hostility between the officers and the Woodmans.
19 I would say that's fair.

20 Were they treated differently in your view by
21 Mr Tyler?---Again, I think they weren't treated fairly at
22 times and I extend that to the other examples that I have
23 stated to you, so it depended on who it was. I felt that
24 there was - I think, my view, and it may be right or it
25 may be wrong, that the officers were given some kind of
26 leeway to really drive their own views on things rather
27 than sticking to legislation, planning, those sorts of
28 things at times.

29 So is it your evidence that that pressure came from

1 Mr Tyler?---I don't believe pressure came from Mr - I'm
2 not saying pressure came from Mr Tyler, but I think at
3 best it was allowed and at worst it may have been
4 encouraged. I don't know that for sure.

5 Who was it that ultimately spoke to Mr Tyler about leaving as
6 CEO?---I believe it was Mr Ablett and Mr Smith, both
7 councillors at the time.

8 COMMISSIONER: What's your view, Ms Stapledon, as someone who
9 has been at local government level for some considerable
10 time, about the importance of the CEO having a level of
11 independence from the council?---I think Mr Patterson and
12 Mr Dalton gave us a great example of that, but with
13 Mr Tyler I wouldn't have said he had a level of
14 independence. I'd say he was very much involved in the
15 day-to-day running of the council, not inappropriately,
16 but I'd say the relationship was - again, why I was
17 surprised he didn't read the Ombudsman report because he
18 read everything. He was across everything, he had a great
19 memory and he worked closely with councillors.

20 That he didn't read the Ombudsman's report of 2015, that came
21 as a surprise to you?---Yes, very much so.

22 So I take it you were conscious of the fact that after the
23 Ombudsman's report nothing was implemented at council to
24 address any of the possible issues underlying that report?

25 No?---I don't know. I don't know.

26 Do you think it's appropriate that councils be able to sack the
27 CEO?---Well, we are allowed. It's under the - - -

28 Do you think it's appropriate?---I think it would come to
29 a - do I think it appropriate? Yes, I do. And on this

1 occasion, as sad as I was about it, I felt that we were
2 just - it was a battleground in the end. It was terrible.
3 The culture within the place between the officers and the
4 councillors was appalling and you could single out a
5 single issue like the bullying, but it wasn't just that
6 because there were some of us that didn't bully. There
7 were some of us that really wanted a strong and healthy
8 relationship with the officers, but you could just tell
9 that they felt that they were driving the council and
10 that's what really stuck in my gullet, is I felt that we
11 weren't allowed to make the decisions that we wanted to
12 freely. We felt that the officers were either not
13 providing enough information, were giving us last minute
14 reports to make significant decisions on, and it's like we
15 weren't, as I said to you before - sorry, as I mentioned
16 before - we were not considered stakeholders. Why would
17 that be? It's extraordinary. And so there was probably
18 two things running in parallel: the problems that the
19 officers were perceiving around the bullying and maybe the
20 planning issues, but there was something else going on as
21 well, and there was this great divide and it was a
22 terrible culture at that time. So we had officers
23 approaching us as councillors saying, "We never see you
24 anymore. Why is that?" So they were feeling abandoned
25 because they did enjoy the fact that they had - even if
26 it's pass in the corridor, "Hi, how are you going, how are
27 things," because we used to be able to just walk straight
28 into the other building and we'd pop into the one of the
29 directors' or the manager's office and ask a question.

1 That was quite allowed. If Mr Tyler was so concerned at
2 that time that he implemented it when we moved into
3 Bunjil, why did he not implement it in the old building?
4 Why did he not discuss it with councillors? I think one
5 of the things that really frustrated me was that the CEO's
6 office and our admin staff's area was only - it was
7 nominal. There was this new style of working where they
8 would work anywhere they wanted to in the officers' area.
9 So if I turned up and there was no admin, no CEO, I would
10 have to ring and make a time to see the admin staff. So
11 I would be waiting. I will give an example is I came in
12 and I waited 20 minutes to see my council support officer.
13 It was an untenable situation. And we just felt totally
14 blind-sided that that took place without discussion,
15 because he knew that - Mr Tyler that we would push back.
16 And we just didn't rate. We were just given no
17 consideration at all. And yet we were the ones who put
18 our political roles on the line in a council election year
19 and voted - hang on, that's not quite right. Sorry,
20 leading up to a council election it was well under way
21 about plans for Bunjil Place, that could have actually
22 seen us wiped out of council because of the amount;
23 \$125 million. We had to go out and sell it to the
24 community, which I did with Mr Dalton in my mayoral year,
25 and then subsequent mayors after that. But we
26 actually - there were two reasons for Bunjil Place and
27 that was because we wanted to bring all the staff together
28 and we also wanted to provide a central heart for the
29 community which we didn't have. But we were prepared to

1 put our political roles on the line for that, and we felt
2 absolute - well, I did, I just could not believe it.
3 I felt absolutely betrayed that we were treated in such a
4 way. It was awful.

5 I think we follow how you feel?---Sorry.

6 MS HARRIS: Could we play tab 146, please.

7 (Audio recording played to the Commission.)

8 MS HARRIS: If we can go back to the first page at line 13,
9 Mr Aziz indicates that, "He could not have done it without
10 us." Is that "he" referring to Mr Ablett?---What line
11 number, please?

12 So 13 at the end?---Sorry. Thank you.

13 "Because of the Mike Tyler thing he could not have done it
14 without us. I mean, he didn't even have the guts"; is
15 Mr Aziz referring to Mr Ablett?---Yes, I believe he was,
16 yes.

17 And you have indicated that - perhaps I will ask you a
18 different way. What did you do? When he says, "He
19 couldn't have done it without us," what assistance did you
20 provide Mr Ablett?---I attended a VLGA mayors and deputy
21 mayors event and I actually ran into a lady there that was
22 talking about the role of the CEO, because we were - were
23 we coming up for a council - no, but, anyway, we were
24 there for that reason; I was there. And I actually
25 introduced that person to council - or to Mr Ablett who
26 helped us navigate through the hiring the new CEO. But,
27 I'm sorry, I'm not answering your question. I believe
28 that we were able to talk to those councillors who were
29 doubtful, and Mr Aziz was one of them, in asking Mr Tyler

1 to leave. So I think he's referring to the fact that we
2 got together as a team and talked about the merits of
3 having Mr Tyler remain or asked to go.

4 Over the page at line 19 Mr Aziz says, "He would not have been
5 able to do any of it without our help." Who was part of
6 that group that helped Mr Ablett?---I wouldn't have said
7 it was a group. It was a number of councillors that had
8 the same view. So in answer to your question I believe
9 that there were a number of people that felt that way.
10 There would have been Mr Smith, myself, Mr Aziz, and
11 I can't quite recall the others but clearly - - -
12 Mr Ablett obviously?---Yes, Mr Ablett, yes. As it was, it
13 didn't come down to a vote.

14 You seemed to be quite concerned that you didn't get any credit
15 for your role?---I wasn't looking for credit, just to be
16 clear. But when it came time for Mr Ablett to lobby for
17 his next term as mayor, which would have been his fourth
18 term, one of the things that he was promoting was the work
19 that he single handedly did to get rid of Mr Tyler.
20 I didn't believe we got rid of Mr Tyler. I believe we had
21 no alternative but to negotiate with him to exit.
22 I wouldn't like to say we got rid of him, because I still
23 regret that we did not have an opportunity to give him the
24 farewell that he truly deserved.

25 But if you look at line 20 that indicates you say, "Yep, yep,
26 and we got no credit"?---Mm-hm.
27 That seems to imply you were quite annoyed about that?---Hurt.
28 Hurt that you got no credit?---Hurt, because I was providing a
29 lot of information to Mr Ablett, all very fair and

1 reasonable, about the role of the CEO, what they should be
2 doing, and also to provide that letter that I sent to
3 Mr Ablett in relation to my concerns with Mr Tyler.
4 At line 30 Mr Aziz says, "It's not worth it, and you got the
5 prize you wanted." What did you understand him to be
6 referring to?---He will be talking about the mayoralty.
7 Sorry?---He will be talking about the mayoralty.
8 What's that got to do with Mr Tyler leaving?---Could I just
9 read that again?
10 Yes?---Could we go up a little bit, please? And a little bit
11 further? Thank you. Could I alter what I had to say just
12 slightly, please? I think the "working behind the scenes
13 and come up with - we also got no credit. Rex came up and
14 said, 'Well, look, what Geoff did'" - I think I was also
15 referring to the appointment of our new CEO, Mr Patterson,
16 because that's really where I did work very closely with
17 Mr Ablett.
18 So you say the reference to, "You got the prize you wanted" - -
19 -?---That's the mayoralty.
20 Is in relation to getting Mr Patterson?---No, no.
21 Sorry, I misunderstood you?---I'm sorry. I believe when I'm
22 saying, "We got no credit" - - -
23 Yes?---That was for the process of the exit of Mr Tyler and the
24 appointment of the new CEO, because that was the one thing
25 that Mr Ablett was saying he really was giving him the
26 impression or certainly Rex, Mr Flannery, was giving us
27 the impression that he claimed sole responsibility or sole
28 credit for that.
29 In terms of the comment that "you got the prize you wanted",

1 you say that's in reference to you becoming mayor?---Yes.
2 What is the connection between your role in Mr Tyler leaving
3 and you becoming mayor?---There is none. I think what
4 Mr Ablett and Mr Aziz was doing was saying, "Move on. You
5 are mayor now. You can put that behind you." That's what
6 I interpret that as. There's absolutely no connection
7 between Mr Tyler leaving and me becoming mayor.

8 I tender the phone call, Commissioner.

9 COMMISSIONER: What's the date of it, please?

10 MS HARRIS: 29 December 2018 between Mr Aziz and Ms Stapledon.

11 COMMISSIONER: Exhibit 202.

12 #EXHIBIT 202 - Recorded telephone call between Mr Aziz and
13 Ms Stapledon on 29 December 2018.

14 MS HARRIS: Ms Stapledon, we spoke in depth about the Hall Road
15 matter and the fact that there was a division in council
16 between the councillors and their voting. Was that an
17 example of a voting bloc?---No, we didn't have voting
18 blocs. I have heard that term used for our council. Very
19 often our voting would change, as do alliances. There
20 might be matters that, say, Mr Rowe and I would agree on
21 in terms of Hall Road. There were definitely people that
22 voted in one direction and the other, but it wasn't a
23 voting bloc that would be consistent with other issues.

24 Did voting blocs exist in the Casey Council?---No, I don't
25 believe so. I think it might have in prior terms, but
26 certainly not in this term, no.

27 Looking in, do you think it would be open for an observer to
28 think that there was certainly a perception of voting
29 blocs?---I think perceptions are open to the

1 interpretation of the individual. I don't know
2 what - I wasn't an outsider looking in, so I can't answer
3 that question for you.

4 Ms Schutz gave evidence that there seemed to be a voting bloc
5 between Sam Aziz, Mr Ablett, you and Mr Smith?---On what
6 issues, if I could ask?

7 I'm just putting this question to you?---Yes, okay.

8 Would you agree that you as four councillors would often unite
9 on matters?---There might have been times when we were
10 like-minded on issues, but there was not an agreement that
11 we vote in bloc.

12 Commissioner, could I seek a five-minute break at this stage?

13 I can indicate that I certainly don't have much longer
14 with this witness.

15 COMMISSIONER: Yes, very well. I take it there's some prospect
16 you might have completed your examination.

17 MS HARRIS: There is some prospect of that, yes.

18 COMMISSIONER: Very good. We will adjourn for five minutes.

19 (Short adjournment.)

20 MS HARRIS: Just one final matter, Ms Stapledon. You indicated
21 when I was asking you questions about the treatment of
22 Mr Woodman by Mr Tyler that there were other developers
23 you felt weren't being treated appropriately - my word not
24 yours. Why is it that you didn't want to mention who that
25 is?---Just out of respect for them, not for any particular
26 reason.

27 What development does it relate to?---The Avenues. There was a
28 development with Brown Property Group.

29 And is it the Grant Property Group that you were referring

1 to?---Yes, it was, if you need that information. And
2 Beachwood Homes were another one that had some difficulty.
3 Any others?---There were in general businesses and residents
4 that I would take to see officers that I found were
5 treated I wouldn't say disrespectfully but it wasn't as
6 cordial as it could have been. But one in particular was
7 with the Homemaker Centre. I can't remember what they are
8 called now, but they were - the people that owned the
9 Homemaker Centre at Cranbourne North, they had applied to
10 get a couple of containers. They were going to wrap them
11 and they were going to use that as promotional - to be
12 able to promote their events and what was coming up and
13 who they were.

14 Yes?---That was going to save them about \$230,000. It was a
15 lot of money. So the officers' view was that it had to be
16 a big billboard, one dimensional, and it was going to cost
17 them so much more to do when they could have had these
18 containers, wrapped them, looked really nice. It came
19 down to their view, not anything to do with our local
20 board, not anything to do with planning or legislation.
21 So that's an example I will give you, is sometimes it was
22 very much about their ideology or their view about things
23 that really did impose on our businesses, and that's why
24 I felt that we were there to stand up for them to make
25 sure that the red tape was busted and that they got
26 treated fairly.

27 I don't have any more questions, Mr Commissioner.

28 COMMISSIONER: Ms Stapledon, would it be particularly onerous
29 for councillors to have to keep a record of when they - if

1 they are dealing with planning issues, when they are
2 speaking to developers or lobbyists that wish to make
3 representations on behalf of their client? Would that be
4 a particularly onerous burden, to keep a record which
5 needs to be held somewhere for the public to be able to
6 see?---It would be onerous. Do I think it might be
7 necessary? Yes, I do.

8 There is a suggestion, Ms Stapledon, that planning decisions
9 should be removed from councils altogether. What do you
10 say as to that?---It certainly has been removed in the
11 last few months of council at the City of Casey.

12 I'm not speaking of course about Casey; I'm talking about
13 generally?---There are two thoughts that I have. One is
14 it isn't a bad idea because it does remove that conflict
15 of interest in the council chamber issue. But the other
16 might be that it might impose on VCAT because, again,
17 you've got council officers who have a particular view and
18 while we generally support the recommendations of council
19 officers in their reports we don't always agree with them.
20 So there are - I think it's a very good thing that we have
21 got councillors who can present a different view and
22 perhaps change the recommendation.

23 So the argument is often raised that the community's views are
24 best expressed if you have councillors who represent those
25 views. But at a council level, as the events in Casey
26 have shown, the ease with which developers or their
27 representatives are able to make representations and, to
28 use your words, have the ear of a councillor would then
29 require that we really have to have a regime in place that

1 makes such dealings much more transparent; do you
2 agree?---I do agree. Could I add something to that?
3 Yes?---The thing that I did mention to the monitor that I would
4 also put in place is that very thing around educating
5 councillors and the monitor said, "If you were to have
6 these briefings educating about conflicts of interests and
7 other matters that we really need to be across, what if
8 the councillors don't turn up?" It's my view that it
9 should be mandatory and councillors should sign off on it.
10 But, Ms Stapledon, the regrettable fact is in your case it
11 wasn't about ignorance of the conflict of interest rules;
12 it wasn't a lack of understanding about them that led you
13 to non-compliance, is it?---I would say that if I was
14 reminded - I certainly wasn't across the rules that you
15 showed me. But if I was reminded of what some of the
16 pitfalls could be and some of the traps and some of the
17 inappropriateness, yes, sir, I think so. The one thing
18 I thought of when reflecting on this whole matter,
19 I didn't always - I didn't know until today, really, what
20 it all involved. But for those things that I did know
21 I did think had I been - had we had that continuation of
22 that education around governance, conflicts of interest,
23 communication, all of those things, I think I would have
24 done things differently. Thank you.

25 Mr Bongiorno, do you have any questions?

26 MR BONGIORNO: One matter.

27 COMMISSIONER: Yes.

28 <EXAMINED BY MR BONGIORNO:

29 Ms Stapledon, recalling the need to be concise, do you have

1 anything final that you would like to say to the
2 Commission?---Thank you, Mr Bongiorno. Commissioner,
3 I would like to say how deeply I regret my actions in this
4 matter. My intention was always to be a fantastic
5 councillor, champion of the community and those in need.
6 I really strongly regret. I'm so bitterly disappointed in
7 myself and the impact that I might have had on my council
8 officers, who I love dearly, and fellow councillors and
9 the community.

10 COMMISSIONER: Thank you. So it just occurs to me,
11 Ms Stapledon, that your friend Ms Wreford said much the
12 same thing during the course of her evidence. So, using
13 your own words, why do you think it came about that both
14 of you in significant ways failed to comply with integrity
15 as it should be complied with?---I think one example
16 I used before was about the education, the ongoing
17 education. I just don't believe my behaviours were in
18 line with my values. But I have not in any way discussed
19 this with Ms Wreford and I had no idea what she had to
20 say.

21 MR BONGIORNO: Nothing further, Commissioner. Thank you.

22 COMMISSIONER: Yes, thank you. Is there any reason why
23 Ms Stapledon shouldn't be discharged from her summons?

24 MS HARRIS: No, Mr Commissioner, there's not.

25 COMMISSIONER: Thank you. So, Ms Stapledon, I will now release
26 you from your summons. You will be able to follow the
27 course which we are now going to embark upon, which is
28 very much largely looking at different issues to those
29 that consumed the councillors themselves. Thank you for

1 your attendance. You are now excused.

2 WITNESS: Thank you, sir.

3 COMMISSIONER: Thank you, Mr Bongiorno.

4 MR BONGIORNO: Thank you, sir.

5 COMMISSIONER: What's the position with the next witness,
6 Ms Harris?

7 MS HARRIS: I understand Ms Crestani has been asked to attend
8 at 2.30, Mr Commissioner.

9 COMMISSIONER: We will adjourn until 2.30. Thank you,
10 Ms Stapledon.

11 <(THE WITNESS WITHDREW)

12 LUNCHEON ADJOURNMENT

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