

Monday 25th March 2024

Pages Total: (4) Four

Norman Luca

E: norman.lucas@maddocks.com.au

Mr Lucas

**RE: GOULBURN MULWAREE COUNCIL
– FURTHER PARTICULARS NOTICE**

I write to you further to the Defamation Act 2005 No. 77, Section 12A (3) – Further Particulars Notice.

Firstly, your letter of 11th March 2024 states Not for Publication, however defamation is a public matter.

You have no power to demand your letter is not for publication, particularly as you have no power to decide where and from whom I seek legal advice or comment about any issue you raise.

In this regard, in one way or another your letter is considered published as it has been shared, firstly by you over the internet, and secondly by me also over the internet.

This matter of bullying, intimidation and threatening with a defamation suit is considered to be harassment and abuse of power of the highest order, with public servants clearly using public monies for personal use to do so.

I write to you today for your further particulars on these matters which you / Council are obliged to reply to within (14) fourteen days, that is by Monday 08th April 2024.



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Re Your Paragraph 2: Goulburn-Mulwaree Shire Council First to Receive Multiple Community Awards as Stand-Out NSW Government Agency, dated 13 March 2023.

I formally request Council provide the Notice of Listing / AVL login details with clearly legible link in order to compare that which was provided to me for the same proceedings.

At this point in time there is no evidence Ms Timothy was provided any incorrect link.

Until such time as that evidence is provided I am unable to properly respond to your Paragraph 2 of your letter of 11th March 2024.

I also note that should you / Council be in the position to review the footage of the proceedings in question you will see Ms Timothy smirking when responding to cross-examination, whilst behind the 'protection' of Maddocks Lawyers. Such behaviour goes to the heart of the overall attitude of Goulburn Mulwaree staff when dealing with the public's valid access applications.

Re Your Paragraph 3: Local Council Manager Governance Exposed Acting to Simultaneously Breach State Records Act & Privacy Legislation When Colluding with Agencies Against Oblivious Member of the Public, dated 25 July 2023.

I formally request an unedited copy of the Minutes of the Meeting documented to have taken place with Mr Warne and Ms Ferguson in relation to the GIPA Act 2009 Section 110 discussions concerning Mr Alan Powell.

Council's Record Management Policy – Policy Statement Pg 2 makes clear legal matters are to be documented. The Section 110 matter was a legal matter.

NCAT's assumptions and conclusions on this issue are irrelevant as the matter concerned a valid access application and Council's adequacy of searches.

Further, I formally request your / Council's provision of an unredacted copy of the policy, procedure, and / or legislation which stipulates the contact information of public servants is not public information.

Additionally, I formally request your / Council's provision of an unredacted copy of each and every email, record of telephone conversation, meeting note(s) documenting every contact or enquiry received by Ms Timothy and / or Ms Keegan specifically concerning the subject media releases.

Until such time as that evidence is provided I am unable to properly respond to your Paragraph 3 of your letter of 11th March 2024.

Re Your Paragraph 4: Goulburn-Mulwaree Shire Council Continues to Procrastinate Valid Access Applications by Unethically Imposing Inapplicable Advance Deposits, dated 24 November 2023.

I formally request Council provide an unredacted copy of the policy referred to 4.3.

I also formally request the calculations / method of calculations used to qualify the advance deposits imposed, noting the issue of Advance Deposits in the context of the GIPA Act 2009 Section 68 states "may" and not "shall" supporting the public's view the issue of imposing an Advance Deposit is one of discretion.

Until such as that evidence is provided I am unable to properly respond to your Paragraph 4 of your letter of 11th March 2024.

Re your Paragraph 5: Demand for Monies

I formally request the provision of an unredacted copy of the Costs Agreement between Ms Timothy and Maddocks, and Ms Keegan and Maddocks.

I also formally request the provision of an unredacted copy of the invoice(s) and remittance notice(s) for the amount of the demanded monies as set out in your letter of 11th March 2024.

In the alternative no such Costs Agreements exist I formally request the provision of an unredacted copy of the Costs Agreement between Goulburn-Mulwaree Shire Council and Maddocks.

Closing:

As has been published on the home page of the website www.nswfreedomofinformation.net *"Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media regardless of frontiers," [United Nations Universal Declaration of Human Rights \(1948\) Article 19.](#)*

My Media Policy is also available at <https://nswfreedomofinformation.net/media/media-policy/>. I have yet to publish Maddock's letter of 11th March 2024 or publish a media release about it. Either way I believe I retain the right to do so. Commentary in reply is most welcome and will also be published in full if received.

It is my personal experience certain Goulburn-Mulwaree employees use their powers and position in ways that are detrimental to the community and which are outside of the GIPA, PPIP, and State Records Acts, as well as the mandated Council Code of Conduct.



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It is regrettable those employees have not properly thought through their actions at first instance, and are now as a result reactive to public commentary and satire, instead of seizing the opportunity to amend past behaviours, embrace the public's expectations to change and align with the speech of Nathan Rees when he introduced the GIPA Act 2009 to parliament, treating the public with the respect and dignity they have a right to, and respecting and upholding every aspect of the legislature they exercise and are governed by.

Instead I see public servants angry their conduct has been called-out, exposed and openly discussed, but still willing to continue those behaviours, with the threat of legal action if silence and subservience is not maintained.

These issues are of the greatest public interest.

I will not be keeping this matter confidential in any way, and in fact should these individuals decide to pursue this matter legally there is absolute certainty these matters and the subject conduct will be further publicised and heard in an open court.

The matter now lies with Ms Timothy and Ms Keegan, with the public expecting common sense to prevail over personal pride.

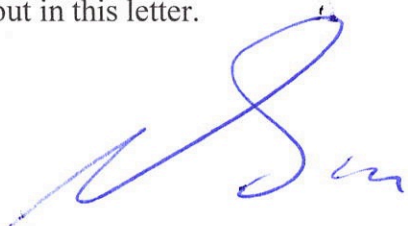
I look forward to receiving the further particulars of your / Council's notification dated 11th March 2024.

In the alternative I will accept your / Council's formal notification it has justifiably withdrawn each of its demands within its letter of 11th March 2024, clearly articulating no further action will be taken in this matter, including that no monies are due.

At this point in time I do not seek a due formal apology from either individual for using public resources to harass, bully and intimidate me personally, nor for the unjustified demanding of monies.

If Ms Timothy and Ms Keegan would like the content of Maddock's letter of 11th March 2024 appropriately published as a footnote to each of the subject articles as valid comments and affording them their personal point of view, please advise.

Such publication would understandably be followed by my own commentary / response as set out in this letter.



Telina Webb



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