

ILLAWARRA
MERCURY

SINCE 1855

Wednesday, February 27, 2008

\$1 (incl GST)

ICAC: DAY 7

OXLEY: THE EVIDENCE

CAUGHT ON TAPE

SECRET phone taps have revealed former Wollongong City Council general manager Rod Oxley arranged a sympathetic planner to oversee a high-profile developer's multimillion-dollar projects.

Mr Oxley is heard discussing with Frank Vellar the latter's development applications, when they would be submitted to the council for approval and how they could be fast-tracked.

"Yeah I'll get, I'll get ah one of the um more experienced or more laterally thinking planners, to ah, to be put onto it," Mr Oxley says in a recording released yesterday at the Independent Commission Against Corruption hearings.

Mr Vellar (pictured below) replies: "I like that diplomatic ah answer you gave me".

The two men then laugh.

In one of the most anticipated appearances at the inquiry, Mr Oxley also conceded he knowingly breached the council's Code of Conduct by meeting Mr Vellar outside of the council.

REPORTS, PICTURES:
Pages 3, 4, 5, 6, 7, 8, 9, 21



Big call: Former Wollongong City Council general manager Rod Oxley on the job.
File picture: KEN ROBERTSON

Phone taps

Phone taps reveal former Wollongong City Council general manager Rod Oxley agreed to give developer Frank Vellar a sympathetic planner to assess his applications. **Page 4**

Open door

Rod Oxley prided himself on his open door policy at Council. But it wasn't those who walked through the door of his office that interested ICAC. **Page 6**



Step down call

Wollongong's Deputy Mayor Kiril Jonovski has been asked to step aside from his position on the Illawarra Regional Development Board. **Page 8**

Oxley gave Scimone a glowing reference

By COURTNEY TRENWITH

FORMER Wollongong City Council general manager Rod Oxley gave a glowing reference for Joe Scimone to the recruitment agency representing NSW Maritime, despite Mr Scimone leaving the council under a cloud of controversy, the Independent Commission Against Corruption heard yesterday.

Mr Scimone resigned from council last year amid allegations of sexual harassment, although he denied that was the reason he left.

The ICAC inquiry into the council heard yesterday new evidence that suggested former town planner Beth Morgan had also complained about Mr Scimone's conduct in May 2005.

It was also revealed that when Mr Oxley promoted Mr Scimone to acting group manager sustainability in 2006 he was aware of concerns about Mr Scimone's treatment of staff.

Mr Scimone was forced to step aside from his new \$200,000-a-year position at NSW Maritime last week after it was revealed ICAC was investigating him for allegedly offering a \$30,000 bribe to two women posing as ICAC officers in the belief they would destroy evidence against him.

ICAC has also been asked to decide whether there are grounds to investigate Minister for Ports and Waterways Joe Tripodi, whose department is in charge of NSW Maritime, over the appointment of Mr Scimone.

Mr Tripodi claims he didn't know of the harassment allegation, nor did he know Mr Scimone was being investigated by ICAC.

Mr Scimone listed Mr Oxley as a referee on his application for the NSW Maritime job.

Mr Oxley conceded yesterday he had not been completely honest when questioned about Mr Scimone by the IPA recruitment agency.

He told the agency he would re-employ Mr Scimone, despite having formed a view that he would not re-employ him in the future.

Mr Oxley also admitted that he wrongly told IPA that Mr Scimone had left the council "to further his experience in a different environment".

He agreed that that was not the reason Mr Scimone gave for his resignation.

EMAILS IN RELATION TO JOE SCIMONE



MS MORGAN



MR SCIMONE

Wednesday, May 4, 2005, 9.19am
From Beth Morgan to John Gilbert

Had to change mobile number as Scimone obtained it and sent thought (sic) a threat last night ...

Wednesday, May 4, 2005, 11.26am
From Beth Morgan to John Gilbert

John, on second thoughts please don't front him yet. I just want to be forgotten by him and fronting him will only get him angry and more entrenched in his behaviour. I will just try to keep a very low profile and out of his way as much as I can.
If anything further happens I will discuss this matter with you and Rod.

Thursday, May 5, 2005, 9.55am
From Beth Morgan to John Gilbert

Just so you know Rod knows all about what Joe has been up too (sic) with regard to me and is surprised that I have not made a harassment claim to date. Rod knows he has overstepped the line.
At least this gives me some comfort to know that I have both his and your support.

November 21, 2006, 1.45pm.
From Joe Scimone to Beth Morgan

Subject: "An old lady once told me ... and I consider it an interesting approach to life ...
Expect trouble as an inevitable part of life. When it comes hold your head high and say "It will not defeat me."
In other words, when s**t happens start throwing it. Or as the case maybe ... deny, deny, deny!"

Mr Scimone resigned in May last year, a week after the council settled outside of court with former staffer Vicki Curran, who accused Mr Scimone of sexual harassment in December 2005.

Mr Scimone denied his resignation was in relation to the complaint.

Mr Oxley said Mr Scimone was paid out but denied there had been a dispute between Mr Scimone and council, adding that the payout was a practice he had adopted when contractors left council before the term of their contract had expired.

The inquiry heard Mr Oxley promoted Mr Scimone to acting group manager sustainability in 2006 despite no formal planning qualifications, believing he would rely on other department managers for advice.

Mr Oxley said that at the time he knew at least one

official complaint had been made about Mr Scimone's treatment of staff.

In earlier evidence, former manager of development and assessment compliance John Gilbert said Mr Scimone used "bullying tactics" and would override staff decisions.

When asked by counsel assisting the commission Noel Hemmings QC to describe Mr Scimone's management style, Mr Oxley said: "Fairly assertive, fairly strong, I'll leave it at that."

The inquiry heard Ms Morgan also had complained about Mr Scimone.

In an email to Mr Gilbert on May 4, 2005, Ms Morgan wrote that she had changed her mobile phone number because she had received a threat from Mr Scimone.

She said she raised the matter with Mr Gilbert and Mr Oxley.

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