

Acting CEO King denies knowing plan to sack WCC chief



Acting W'bool City Council chief Vikki King and the four councillors behind the sacking of the former CEO Peter Schneider. Images: WCC

Carol Altmann – The Terrier

Just in: The Supreme Court has just released an affidavit lodged late yesterday (30/10/20) by acting Warrnambool City Council CEO Vikki King in relation to the sacking of CEO Peter Schneider.

The five pages of sworn evidence responds to claims made by Mr Schneider and former Mayor Tony Herbert in their affidavits

lodged last month.

The evidence does not shed any light on the motivation or justification for Mr Schneider's sacking, but sets out Ms King's working relationship with the councillors involved.

In particular, Ms King denies claims by Mr Herbert that she was privy to the move to sack Mr Schneider on 13 July and had been in discussions with Michael Neoh, Kylie Gaston, Sue Cassidy and David Owen about his removal.

This speculation that she "...had been involved in discussions with all or, one or other, of Councillors Gaston, Neoh, Cassidy or Owen" is entirely without any foundation," the statement says.

"I had not been privy to any discussions about Mr Schneider's position with any Councillor and had not been given any indication or been "sounded-out", about acting as the CEO."

Ms King also denied the inference in Mr Schneider's affidavit "that I had, or presently have, any close, personal relationship with any of the Councillors and say that during my 11 years in local government, I have never socialised with any Councillors or staff on a personal level, let alone maintained any such friendship or other close personal relationship".

Ms King said she had worked closely with Crs Neoh and Gaston during their times as Mayor and when she was previously acting CEO – just as Mr Herbert, as Mayor, had worked closely with Mr Schneider.

"Such a working relationship was "unremarkable and common place" in local councils, the statement says.

Ms King also denies any particularly close relationship between the former Manager of Governance and Risk, Anne-Marie Neal, and the four councillors, saying it would be

“impossible” for anyone to perform this role “without working very closely with all the Councillors”.

“I, otherwise, say that Ms Neal’s conduct, to the best of my knowledge, gave me no reason to doubt that her interaction with all the Councillors was entirely professional,” the statement says.

Claims by Mr Herbert that Crs Gaston and Neoh were close to former CEO Bruce Anson are also denied:

“...my observation of the relationship between Mr Anson and Crs Gaston and Neoh, from August 2015 to late 2018 (when Mr Anson retired) was not as alleged by Cr Herbert but was entirely professional and consistent with the close working relationship which is both necessary, and unavoidable, between a CEO and mayors (and Councillors),” the statement says.

Ms King’s affidavit also includes a recollection from the night of Mr Schneider’s sacking, where she learned she would be Acting CEO:

“Cr Herbert telephoned me after the special council meeting on 13 July 2020 and, to the best of my recollection, said words to the effect that, “Council sacked Peter tonight and you’re CEO for now”.

“After a long sigh, Cr Herbert said words to the effect that, “I suppose we should meet in the morning” and he said, in response to my question, that the meeting would be at 9am. The call was extremely brief.”

“*The Terrier*” also makes a cameo appearance, with Ms King rejecting a claim by Mr Schneider that he only learned of the credit card scandal after reading *The Terrier*, and had not been previously briefed on the matter.

“...insofar as Mr Schneider appears to suggest that he did not know of the credit card issue until the publication of the

material by "The Terrier", Mr Schneider had been briefed by me about that issue, on 11 February 2019, in the course of the hand-over to him upon his commencement as the CEO."

Ms King's affidavit, to date, is the only sworn evidence that has been lodged with the Supreme Court in defence of Mr Schneider's claim of being denied natural justice and seeking reinstatement.

No affidavits have been lodged by the four councillors.

The revised deadline for these affidavits was yesterday at 5pm, after lawyers representing the WCC requested more time.

A hearing has been scheduled for 1 February 2021, where a judge will make a decision based on the evidence provided – there will be no witnesses called.

The saga rolls on.