

18 January 2024

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Dear Ms Botten,

I write in relation to two letters Council has received from you dated 3<sup>rd</sup> January 2024. One of the two letters was addressed to 'Issuing Officer 600', and the other to me. Both letters relate to Expiation Notice 515963 (following re-issue of an Expiation Notice originally numbered 513092) and reference the *Surveillance Devices Act 2016*. This letter is prepared as a single response to both of your letters.

In your letter to me you appear to accept that the Magistrate's Court, Supreme Court of South Australia and other relevant Courts of competent jurisdiction have previously ruled on the matters you have asserted, and have determined that such matters are without merit. It seems then to be an inevitable conclusion that I would reach the decision under Council's Unreasonable Complainant Policy as previously communicated to you.

In your letter to Issuing Officer 600 you complain that a response to an earlier letter addressed to that officer was sent from me. Council's Unreasonable Complainant Policy assigns to me the ability to make the decision I made previously, and then requires me to prepare any correspondence to communicate that decision to you. It is in that context that you previously received (and are receiving again here) correspondence from me rather than Issuing Officer 600.

In your letter to me you request that I delete (or cause to be deleted) evidence from Council's records of an alleged offence on a public road gathered by one of my staff in the conduct of their duties, and that I withdraw expiation 515963 and/or discontinue any associated legal action. I confirm that I will not delete the evidence from Council's records, and that I will not withdraw expiation 515963.

The remaining content of your letters reiterates assertions made in your earlier letters. Consistent with the determination previously communicated to you by way of correspondence dated 6<sup>th</sup> December 2023, I will not address those matters further.

I trust that the above sets out Council's position in relation to your requests clearly.

Regards,



**Chris White**  
Chief Executive Officer