

QUEENSLAND  
CRIME AND MISCONDUCT COMMISSION

OF GRAND

Crime and Misconduct Act 2001  
Section 82

EXHIBIT No. 165  
CLERK

ATTENDANCE NOTICE  
(MISCONDUCT INVESTIGATION)


To: Mr Col Dutton  
Of: Stockland Development Pty Ltd  
Level 4/ 99 Melbourne Street  
South Brisbane  
QLD 4101

I, **ROBERT MARTIN NEEDHAM**, Chairperson of the Crime and Misconduct Commission [the 'Commission'] require you to attend, until excused, at a Commission hearing for the purposes of a misconduct investigation —

At: 10:00 am  
On: Monday 10 October 2005  
To be conducted at: Crime and Misconduct Commission  
Level 3 Terrica Place  
140 Creek Street (Cnr Creek and Adelaide Streets)  
Brisbane, QLD 4000

to give evidence relating to matters specified in the Schedule to this Notice;

DATED this 20<sup>th</sup> day of September 2005

  
**ROBERT NEEDHAM**  
Chairperson  
Crime and Misconduct Commission

The postal address of the Crime and Misconduct  
Commission is:

GPO Box 3123  
BRISBANE QLD 4001

Facsimile No. (07) 3360 6333  
Telephone No: (07) 3360 6060

The business address of the Crime and Misconduct  
Commission is:

Terrica Place  
3<sup>rd</sup> Floor  
140 Creek Street  
BRISBANE QLD 4000

The Case Officer is: Kenneth Beml

## SCHEDULE

1. Your knowledge of cases of alleged or suspected official misconduct by councillors of the Gold Coast City Council, concerning:
  - a) False or misleading statements of candidates for the Gold Coast City Council election in March 2004 with respect to details of any association with other candidates or entities;
  - b) Electoral bribery with respect to the Gold Coast City Council election in March 2004;
  - c) Returns about election gifts with respect to the Gold Coast City Council election in March 2004;
  - d) Declaring and dealing with conflicts of interest or material personal interests since the Gold Coast City Council election in March 2004;
  - e) Any criminal offence involving the performance of their functions since the Gold Coast City Council election in March 2004; and
  
2. Your knowledge of any related cases of alleged or suspected official misconduct by other persons.

**INFORMATION TO ADDRESSEE****GENERALLY****YOU MUST COMPLY WITH THIS ATTENDANCE NOTICE**

Failure to attend in compliance with this attendance notice, or to continue to attend as required by the presiding officer until excused from further attendance, without reasonable excuse, constitutes an offence which carries a maximum penalty of 85 penalty units or 1 year's imprisonment.

By complying with this notice, **YOU DO NOT**—

**contravene** a provision of an Act or law imposing a statutory or commercial obligation or restriction to maintain secrecy in relation to the information, document, or thing;

**OR**

**incur** any civil liability in relation to the information, document or thing.

**SHOULD YOU FAIL TO ATTEND**

Pursuant to section 168 of the *Crime and Misconduct Act 2001* (Q), on application to a judge of the Supreme Court, a warrant may be issued for your arrest.

**LEGAL REPRESENTATION**

You may be legally represented at a Commission hearing.

**IF THIS NOTICE REQUIRES YOU TO PRODUCE A STATED DOCUMENT OR THING**

You must **bring** the stated document or thing to the Commission hearing, if the stated document or thing is in your possession. 'In your possession' includes in your custody or control.

You must **produce** the stated document or thing to the Commission hearing, unless you have a reasonable excuse. A claim of privilege, other than legal professional privilege, is not a reasonable excuse. However, a claim of legal professional privilege is not a reasonable excuse if you have the authority to waive the privilege and you do so waive it, or the privilege is waived by a person having authority to waive it.

**ALLOWANCES FOR WITNESS**

A person attending a Commission hearing under an attendance notice is entitled to be paid the allowances and expenses that would be payable if the person were appearing as a witness in a hearing before a Magistrates Court.


**OATH OF SERVICE**

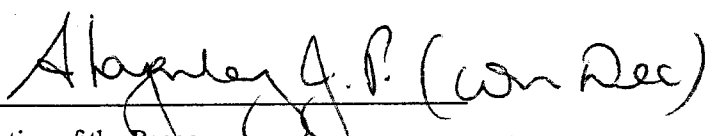
**SERVICE OF DOCUMENTS UNDER THE *CRIME AND MISCONDUCT ACT 2001***

I, Stephen Allan Whitelaw  
Detective Sergeant of Police  
of Crime and Misconduct Commission  
do swear that on the Twenty-First day of September 2005  
I served the said Col Dutton  
with the attached notice by:

delivering the original of the attached notice to the named individual personally.

Signed and sworn by the Deponent at Brisbane )  
this Twenty-Third day of September 2005 )  
before me: )

)   
)  
) Deponent

  
Justice of the Peace