

CRIME &amp; MISCONDUCT COMMISSION

No. 2005-5 Date 8 Nov 05

IN THE MATTER OF:

ORIG  
OF GRAND

Deacons

CRIME AND MISCONDUCT RECEIVED 18 AUG 2005 COMMISSION
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EXHIBIT No. 167  
CLERK

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18 August 2005

Mr Ken Beml  
Crime & Misconduct Commission  
GPO Box 3123  
BRISBANE QLD 4001

Our Ref: NM

Dear Mr Beml

**Stockland Development Pty Ltd - Notice to Discover**

We act for Stockland Development Pty Ltd and have a copy of a Notice to Discover dated 12 August 2005 directed to our client. The notice seeks disclosure of certain documents and a written statements in relation to gifts, donations etc that may have been made by our client to any person in relation to the Gold Coast City Council elections of 27 March 2004.

The person within Stockland Development Pty Ltd who has care and conduct of these matters is Mr Col Dutton. Mr Dutton is currently on leave overseas and returns to work on 22 August 2005.

In his absence our client has undertaken to search of relevant files and has identified 3 documents meeting the description of documents sought to be obtained. They are as follows:

1. Internal memo from Wayne Rex to Dennis Hickey dated 6 February 2004;
2. Letter from Mr David Power to Mr Col Dutton dated 26 February 2004;  
and
3. Letter from Colin Dutton to Mr David Power dated 5 April 2004.

Stockland Development Pty Ltd intends to comply with the other requirements of the notice in relation to statements but due to Mr Dutton's absence will be unable to do so within the time specified.

Deacons

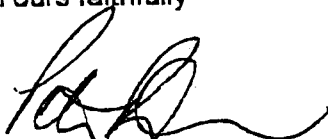
Page 2

16/08/2005

Stockland Development Pty Ltd would require a further 7 days from 22 August 2005 to respond in full to the Notice to Discover. In that time Mr Dutton can identify any further documents that might meet with description of the class of documents sort and would be in a position to provide the written statements referred to in items 2 and 3 to the Schedule attached to the Notice to Discover.

Would you please let us have your instructions by return.

Yours faithfully



Peter Rosengren  
Partner  
Deacons

Contact: Peter Rosengren  
Direct line: +61 (0)7 3309 0935  
Email: peter.rosengren@deacons.com.au

040405 cd:kca

5 April 2004

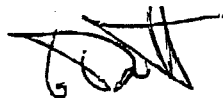
Mr David Power  
C/- Mr Tony Hickey  
Hickey Lawyers  
PO Box 5559  
GOLD COAST MAIL CENTRE 9726

Dear David,

Further to our recent discussions please find enclosed cheque in favour of *Lionel Barden Common Sense Campaign Fund* in the amount of \$10,000 in support of a community fund.

We thank you for the opportunity to provide you with support in assisting with this campaign.

Yours faithfully  
**STOCKLAND DEVELOPMENT PTY LIMITED**



**COLIN DUTTON**  
*State Development Manager*

Encl.

2004 12:22



Stockland

MEMO

Return to Wayne REX approved [Signature] 8/2/04

PRIVATE & CONFIDENTIAL

cc : Matthew Quinn

TO: DENIS HICKEY  
FROM: WAYNE REX  
DATE: 6 February 2004  
SUBJECT: POLITICAL DONATIONS - GOVERNMENT ELECTIONS

I refer to your telephone conversation of Thursday 5 February whereby you advised we have approval to donate funds in the order of \$20,000 for the state election and \$50,000 for local government elections.

With respect to these amounts and given your advice that we need to achieve conformity of donations between political parties I wish to relocate our resources as follows:

State Election

paid (broad way)

Party	Recipient	Amount	
State ALP	Cameron Milner, ALP State Secretary	\$15,000	PAID
Liberal Party, Gaven	Ray Stevens	\$3,000	PAID
National Party, Maroochydore	Fiona Simpson	\$2,000	PAID
<b>Total Contribution State Election</b>		<b>\$20,000</b>	

Local Elections

Party	Recipient	Amount	
ALP	Cameron Milner, ALP State Secretary	\$20,000	PAID
Gold Coast Alliance (National Party Aligned)	David Power	\$10,000	PAID
<del>Yvonne Chapman</del> Mayor, Pine Shire Council (National Party Aligned)	<del>Yvonne Chapman</del>	\$5,000	PAID
Liberal Party Brisbane	Liberal Party President	\$5,000	PAID
Les Tyrell Incumbent Mayor Thuringowa City (National Party Aligned)	Les Tyrell	\$5,000	PAID
Sunshine Coast Alliance (National Party Aligned)	Steve Dickson	\$5,000	PAID
<b>Total Contribution Local Election</b>		<b>\$50,000</b>	

PO Box 1221  
NERANG 4211

26 February 2004

Mr Col Dutton  
Stockland Group  
1 Hotham Drive  
PACIFIC PINES QLD 4211

Dear Col

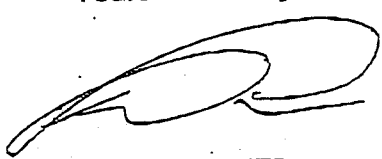
Further to our discussions regarding the upcoming election, I would like to request Stockland Group give consideration to supporting efforts to bring dignity back to Gold Coast City Council.

Your contribution will support a community fund and assist individuals who have expressed concern with the way that Council is currently operating.

I thank you for your consideration in this matter and should you feel inclined to assist, direct you to:

Mr Tony Hickey  
Hickey Lawyers  
PO Box 5559  
GOLD COAST MAIL CENTRE 9726  
Telephone: 07.5574.1000

Yours sincerely



DAVID POWER

*as discussed  
forwarded L.B.  
Thank you for  
co-operation*

*The Lionel Baden  
Commonwealth  
Campaign  
Fund  
Trust Account*

*PO Box  
5559  
Gold MC  
9726*



**Deacons**

CRIME AND MISCONDUCT

RECEIVED

30 AUG 2005

COMMISSION

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175 Eagle Street  
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Date 30 August 2005

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Vietnam

facsimile

<b>To</b>	<b>Facsimile</b>
Mr Ken Beml	3360 6333
Crime & Misconduct Commission	
<b>From</b>	<b>Facsimile</b>
Peter Rosengren	+61 (0)7 3309 0999
<b>Our Ref</b>	2573407
<b>Subject</b>	Stockland Development Pty Ltd
<b>Pages</b>	(including this page)

I refer to our letter of 16 August 2005. Due to Mr Dutton's absence on leave it was not possible for our client to respond in detail to a number of the issues addressed in the Schedule to the Notice to Discover.

In relation to paragraph 1 we have already provided you with some relevant documentation. The only other relevant document which our client has been able to locate and which might be relevant is our client's Donor to Political Parties Annual Return for the 2003/2004 financial year. A copy is attached.

In paragraph 2 to the Schedule to the Notice to Discover you seek a written statement of information detailing all gifts, donations etc. Our client cannot provide any further information other than what is evident on the face of the correspondence which we have already provided to you.

In relation to paragraph 3, adopting your numbering, our client responds as follows:

- 3.1 To the best of Mr Dutton's recollection, prior to the election in March 2004, he intermittently spoke to Counsellor David Power at regular industry functions and luncheons. At one such luncheon David Power mentioned the existence of a campaign fund for the upcoming election. The letter from David Power dated 26 February 2004, of which we have already provided you a copy, was a result of that discussion.

The information contained in this fax is confidential and may be subject to legal professional privilege. It is intended solely for the addressee. If you receive this fax by mistake: 1. Please call us and let us know. 2. Return the fax to us by post - we will pay for any postage. 3. You must not disclose or use the information in it unless we authorise you to do so.

ORIGINAL

To the best of Mr Dutton's recollection the only other dealing with a candidate was a campaign lunch for David Power at Windaroo Golf Club in early 2004. From Mr Dutton's recollection there were 3 Stockland employees who attended that lunch.

- 3.2 To the best of Mr Dutton's recollection in about March 2004 he spoke briefly to Tony Hickey of Hickey Lawyers on the telephone to inform him that Stockland was contributing to the "Lionel Barton Common Sense Trust Fund". Our clients' letter dated 5 April 2004 to Hickey Lawyers, a copy of which you now have, followed the abovementioned conversation.

Mr Dutton is not aware of the nature and extent of any association or relationship between the persons mentioned other than that they were all candidates in the Council election in March 2004.

If there are any other matters that you would like officers or employees of Stockland to address, please let me know.

Yours sincerely



Peter Rosengren  
Partner  
Deacons

Contact: Peter Rosengren  
Direct Line: +61 (0)7 3309 0935  
Email: peter.rosengren@deacons.com.au