

STATUTORY DECLARATION

OP GRAND

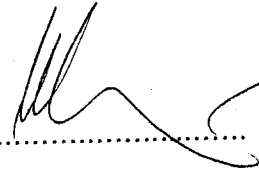
QUEENSLAND
TO WIT

EXHIBIT No. 124
.....
.....CLERK

I, Desmond James Campbell [REDACTED] in the State
do solemnly and sincerely declare as follows -

1. I hold a Real Estate Sales Person's Certificate under the Property Agents and Motor Dealers Act and I am employed as a Real Estate Sales Person at Ashmore First National Real Estate at 115 Currumburra Road Ashmore in the State of Queensland.
2. In August 2004 I was approached by Fred Loeskow in relation to the property at 167 Hinkler Drive, Carrara (Lot 57 on RP 840715 and Lot 28 on WD 4657, Parish of Gilston). The property was then owned by his uncle Robert Anthes from whom he held a power of attorney. He asked me to seek out expressions of interest in relation to the property, and he executed a formal appointment of Ashmore First National Real Estate in Form 22a.
3. The property has an area of 343.3 hectares and it was (and is) zoned rural.
4. I was aware that the property would be of interest to developers. I sent an information package which had been prepared by Warren Morton (Town Planner and Engineer) to the Raptis Group, Australand, Stockland and the Sunland Group, and some others, and invited expressions of interest. Shortly after I sent out the information packages I received a telephone call from Craig Treasure of the Sunland Group. I did not know him but I have since learned from the Sunland website that he is a director of the company.
5. Mr Treasure told me that he was from Sunland and that they were interested in the property. He told me that they knew the land and had been monitoring it for a number of years, and that they had in mind doing an extensive residential subdivision. He asked me who else had received an information package and I told him the names of some of the people to whom I had sent one. He then said to me that I should let the vendor know that Sunland could get the development through Council, because they had contributed to the Councillors' election fund.


.....
Desmond James Campbell


.....
Solicitor

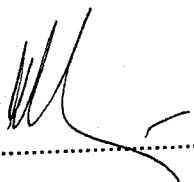
6. I understood the reference to the Councillors' election fund to relate to contributions to the Lionel Barden Trust Fund which I had read about in the press. I understood the statement to mean that, because of the donations which it had made, Sunland would receive favourable treatment from the Council, and for that reason the vendor should deal with them because Sunland would be able to get approval for the development of the land, which others might not be able to get. I was shocked at what he had said.

7. Mr Treasure told me that he would contact Warren Morton about the land. I did not hear anything further from him and because I was disturbed at the ethics his suggestion that Sunland would get favoured treatment because of contributions made to the re-election funds of Councillors I did not contact him again.


8. I informed Fred Loeskow of the approach from Mr Treasure, and of what he had said about Sunland's donation to Councillors' election funds.

AND I MAKE this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act of 1867.

SIGNED and DECLARED by the)
 abovenamed declarant at Southport)
 this 8th day of August 2005 before)
 me -)



 Solicitor



 Desmond James Campbell

RECORD OF INTERVIEW

TAPE NO: 1 (of 1)

DATE: 02.09.05

PLACE: ASHMORE

TIME COMMENCED: 1:16 pm

TIME CONCLUDED: 1:52 pm

INTERVIEWEE: Desmond James Campbell

INTERVIEWER/S: Detective Inspector Ken Bemi

LEGAL OFFICER: Theresa Campbell

RE: Operation Grand

FILE NUMBER: MI-05-2482

Complainant: Operation Grand
Subject(s): Operation Grand
Investigator: Detective Inspector Ken Bemi
Statement Of: Desmond James Campbell
Legal Officer: Theresa Campbell
File Number: MI-05-2482
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COPY TAPE 1 OF 1 - RECORD OF INTERVIEW BETWEEN DETECTIVE INSPECTOR
KEN BEMI OF THE CRIME AND MISCONDUCT COMMISSION AND DESMOND JAMES
CAMPBELL. HELD AT ASHMORE ON 2 SEPTEMBER 2005.

LEGAL OFFICER: Theresa Campbell

RE: Operation Grand

KB = Detective Inspector Ken Bemi (CMC)

DC = Desmond James Campbell

- 1 KB The time now is 1:16 pm on the afternoon of Friday the 2nd day of September 2005. I'm
2 present at Ashmore Plaza in the office of First National Real Estate or Realty I should
3 say. I'm about to interview a person by the name of Desmond James Campbell in
4 relation to an investigation currently being conducted by the Crime and Misconduct
5 Commission into the Gold Coast City Council. In particular I'll be referring to a statutory
6 declaration that Mr Campbell has previously made. For the purposes of voice
7 identification I'll ask every person present here starting with myself to state their full and
8 correct name. My full name is Kenneth William Bemi. I am currently a Detective
9 Inspector of Police currently performing duties at the Crime and Misconduct Commission
10 in Brisbane.
11
- 12 DC My name is Des Campbell. I'm [ui] Special Projects at Nerang First ahh Nerang
13 National/First National.
14
- 15 KB Your full name is Desmond?
16
- 17 DC Desmond James Campbell.
18
- 19 KB Thank you. What I intend to do today Des is to conduct an interview in relation to the
20 investigation I've previously outlined and it will take the form of a audio recorded
21 interview. By that I mean whatever you say and whatever I say will be recorded as we
22 speak. Are you agreeable to that method?
23
- 24 DC Yes
25
- 26 KB Do you require any other person to be present here with you?
27
- 28 DC no audible response
29
- 30 KB Can you please tell me your current residential address?
31

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32 DC 8 Ro ...[ui] Street Southport
33
34 KB And your date of birth?
35
36 DC 17th of the 9th 46 (17.09.1946).
37
38 KB And you're in charge of projects here? Project Development?
39
40 DC Special Projects – in other words I deal with the developers [ui]. I don't do residential so
41 I do the commercial special projects division.
42
43 KB So you're not a developer yourself – you're actually?
44
45 DC I have been a developer.
46
47 KB In the past you have been a developer?
48
49 DC In the past yeah. I developed Harbour Town Villas which is a 103 unit project in Biggera
50 Waters and then I went to Fiji to build a hotel and run into trouble – couldn't get finance
51 and so I had to come back and start work again.
52
53 KB How long have you held the position at First National here at Ashmore?
54
55 DC 13 months
56
57 KB And prior to that whereabouts were you?
58
59 DC Fiji
60
61 KB And how long did you spend in Fiji all up?
62
63 DC 5 years - on and off I'm still based here but I [ui]
64
65 KB And prior to that?
66
67 DC Umm I built Harbour Town Villas which was a 103 unit project at Biggera Waters.
68
69 KB Okay so were you actually working for a development company or?
70
71 DC No no I worked for myself.
72
73 KB For yourself.
74
75 DC Ohh Laminion Pty Ltd was the company.

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76
77 KB Which one sorry?
78
79 DC Laminion.
80
81 KB How do you spell that?
82
83 DC L-A-M-I-N-I-O-N
84
85 KB Right
86
87 DC Pty Ltd – but I was umm ahh shareholder and director of Laminion Pty Ltd.
88
89 KB Alright now I have here a statutory declaration or a copy of a statutory declaration that
90 bears the signature...
91
92 DC That's correct.
93
94 KB ...Desmond James Campbell. Is that your signature?
95
96 DC That is.
97
98 KB It's a two page affidavit I'll show you that. Is that your affidavit that you have made and
99 you handed that to ...
100
101 DC Phillip umm what's his name Bernard ahh Phillip Bernard.
102
103 KB He's a ...
104
105 DC Appointing Phillip ahh Bernard Pointing sorry.
106
107 KB He's a solicitor?
108
109 DC He's a solicitor in ahh Southport.
110
111 KB Can you tell me what caused you to make this declaration?
112
113 DC We had Peter Young come along to Rotary to give a talk ahh one night umm and he
114 discussed things about umm the water supply, the Hinze Dam and how Nerang was going
115 and different things about Nerang and I happen to talk to him about this project because
116 he was very pro the Council buying the land back and not having it developed and ahh it
117 was then that I told him about the – I told him later when I ran into him on another project
118 which I was selling called ahh Paradise Country – I told him about – he asked about how
119 this had gone and I told him about the conversation with Sunland and how Sunland had

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120 told me that they had umm donated to the Gold Coast City Council and because of that
121 they could get the plan through because he was one of the instigators to make sure it was
122 zoned rural and the plan wouldn't be developed or ahh the land wouldn't be developed so
123 I brought up that conversation with him. Then he rang me back to ask me umm could I
124 give a statement to that effect.
125
126 KB And that caused you to contact your solicitor?
127
128 DC No it was his solicitor.
129
130 KB Councillor Young's solicitor?
131
132 DC Mmm well it was organised through Councillor Young.
133
134 KB Okay so as a result of that conversation with Councillor Young...
135
136 DC Mmm
137
138 KB ...you got in contact with the solicitor...
139
140 DC Bernard Pointing...
141
142 KB ...previously nominated. Whereabouts is he?
143
144 DC In Southport. It's a little street off Short Street.
145
146 KB Do you know the name of the street or?
147
148 DC No I could look it up and give it to you.
149
150 KB That's okay. And...
151
152 DC It's only the one building in the street.
153
154 KB ...can you recall when that meeting...
155
156 DC Seabank Lane
157
158 KB Seabank Lane's the name of the street...
159
160 DC Yeah street
161
162 KB ...street where the solicitor's office ...
163

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164 DC Where the solicitor Bernard Pointing is.
165
166 KB Can you recall when that Rotary Meeting was at Nerang?
167
168 DC Mmm it would have been ahh late last year.
169
170 KB So towards the end of 2004?
171
172 DC Mmm
173
174 KB And as a result of the conversation with Councillor Young you went and saw the solicitor
175 and caused a statutory declaration to be made and that's the one I've indicated to you.
176
177 DC That's correct.
178
179 KB Now can you just outline from the beginning if you wouldn't mind how you actually
180 became involved with this property to begin with?
181
182 DC Okay. I was contacted by a Paul Doumany who is a solicitor working for Nif [ui] and
183 umm when I started work for this company umm I had known the history of the property
184 before because I had a large property at Carrara and I rang umm Geoff Palmer to start
185 with – Senior Sergeant Palmer to ask him what was the latest with Spiney.
186
187 KB He's [ui]
188
189 DC No he was at umm umm I think he was in Brisbane at the time umm and coming down
190 and back and now he's Surfers Paradise but I think he was Brisbane at the time. But I
191 said – I used to see Geoff most weeks anyway because he's in Rotary – he's in Rotary
192 with me at Nerang Rotary Club ummm from that he put me on to – he contacted the – I'm
193 not sure of the chap's name now but I think he was Mudgeeraba – Boyle or something
194 like that who had – they had more up-to-date news and they had said that umm he had
195 been sick and he'd been taken ahh from the property and taken up to Bundaberg.
196
197 KB And what was his name?
198
199 DC Robert "Spiney" Anthes (phonetic) – ohh which one?
200
201 KB The owner of the property you were talking about.
202
203 DC Robert "Spiney" Anthes.
204
205 KB I just don't know if his name is actually outlined in your affidavit. Do you know how to
206 spell that?
207

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208 DC A-N-T-H-E-S
209
210 KB Okay. Robert?
211
212 DC Mmm
213
214 KB Sorry it's Robert Anthony – okay – yep.
215
216 DC Now umm I contacted Paul Doumany who had been handling the legal side of the
217 property and he put me on to a Fred Lossgow (phonetic)
218
219 KB Yes
220
221 DC Now Fred Lossgow's from – all the Lossgow's are from Bundaberg and they're outer
222 suburbs of Bundaberg so there's a number in the family. Now Fred Lossgow's had
223 Power of Attorney for Spiney Anthes. Now Fred Lossgow came down and we had a
224 meeting with Paul Doumany, Warren Moreton and myself and Paul Doumany put
225 forward a proposal to set up a joint venture arrangement where they kept 80% of the
226 property and he set up a joint venture team to finance the property and develop it.
227
228 KB Who is Paul Doumany?
229
230 DC Paul Doumany is a solicitor with Nifsan.
231
232 KB Nifsan?
233
234 DC Nifsan – they're the big – one of the biggest developers here on the Coast. They've done
235 all the land ahh all the units at umm Carrara. You know the Raceway?
236
237 KB Yes
238
239 DC All those units. All that area through there. So he mainly works for them. Paul
240 Doumany ahh used to have his practice at Nerang and I knew him about 20 years ago
241 when he had the practice at Nerang. And he seemed to – he used to be the solicitor for all
242 of the old landowners. So people that I'd sold – when I'd worked in real estate before 20
243 years in the Professionals at Nerang – I'd sold Hammondvale to Clive Hammond. He
244 was his solicitor and Dudley umm I forget – owned the ahh land at Nerang on the Nerang
245 River right by the shopping centre. Paul Doumany again was his solicitor and so he used
246 to get – he targeted all the old landowners and obviously did their legal work for free to
247 get you know in later on.
248
249 KB So you had this meeting?
250

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251 DC So we had this meeting and I came out with Fred and I said to him you'd be better off if I
252 tested the market to see what we could for sale, you know to get umm to see who would
253 be interested in buying it and what they'd pay you know because a joint venture can get
254 messy. I said umm it's not – the other thing that Paul Doumany wanted to do was pick up
255 the Title. The Title was at umm ahh ohh can't think of it – with the solicitor at Nerang
256 that used to be Paul Doumany's partner umm anyway I can get that information for you
257 but the Title was there so I said to Fred Lossgow we'd better go there and pick up the
258 Title first so you've at least got the Title 'cos if you give the Title to Paul Doumany I said
259 then he's got the Title – it's unencumbered – then you have got no control. Even though
260 you've got Power of Attorney you know things can happen. So I said pick up the Title
261 and take it and you know secure it and I said ahh just give us – he just gave us an open
262 authority to see what the market was. I said I'd then put it to all the major developers
263 which I did umm Raptis and a lot of the other developers were people named in the
264 Lionel Barden Fund. But of all of them it was only Sunland made the statement for me to
265 go back to the vendor and tell him that they had the in with Council to get it through and
266 none of the other – like Raptis umm ahh umm I can't – Australand umm all of the other
267 major developers umm never – just came back and said they'd do their own study and
268 they'd go and see Warren Moreton.
269
270 KB Where did the meeting take place?
271
272 DC Warren Moreton's office.
273
274 KB Which is?
275
276 DC Which was ...
277
278 KB Sorry the initial meeting where you had the ahh solicitor present.
279
280 DC At Warren Moreton's office.
281
282 KB Okay. And where?
283
284 DC In Short Street
285
286 KB Short Street, Southport.
287
288 DC Mmm
289
290 KB [ui] and the person you refer to ahh Spiney that's a nickname is it? Is that Robert?
291
292 DC That's what he's always been known as. He's always been – he used to walk along the
293 main road with his ahh knapsack – you know just bag – and he lived in a cave on the
294 property.

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295 KB A cave?
296
297 DC A cave yeah never had a house. And he had all these in – inbred cows and before they
298 put the Pacific Highway through he always used to have a problem with the cows on the
299 road of a night time and the fog would come and the cars would hit them. They wouldn't
300 see – and there's a lot of accidents on the road because of his cows. And I had a big
301 property on the other side and we had horses so I used to try and – you know umm if ever
302 we were in the area we used to try and get the cows off the road because it was a danger.
303
304 KB Yeah you know you just threw me when you said Spiney that's - I didn't think I that ahh
305 person on the file but that's ahh actually Robert Anthes.
306
307 DC Yeah
308
309 KB So you're referring to... alright so there was a meeting held there at ahh the office of
310 Warren Moreton as you've outlined and basically did you have anything ...
311
312 DC Warren Moreton had done up about a 30 page report on the property.
313
314 KB An information package?
315
316 DC An information package that umm Bernard Pointing has at the moment or I left with
317 Bernard Pointing to go with the file. I thought it was going to proceed with the file.
318 Umm and that package went out to the major developers like Sunland, Raptis umm
319 Australand, Villa World ahh and you know all the ones that had donated to the Lionel
320 Barden fund.
321
322 KB So Fred Lossgow – that's how you pronounce his last name?
323
324 DC No audible response
325
326 KB He actually approached you initially?
327
328 DC No
329
330 KB No?
331
332 DC No he was at the meeting. Warren Moreton had arranged the meeting...
333
334 KB Right
335
336 DC ...with Fred Lossgow. So the first time I met Fred Lossgow was at that meeting with
337 Warren Moreton.

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338
339 KB Alright. At that meeting obviously you had a conversation with Fred Lossgow?
340
341 DC Yes
342
343 KB Along with Warren Moreton, along with other people present there?
344
345 DC Yeah yeah umm Warren Moreton, Fred Lossgow and ahh Paul Doumany.
346
347 KB Did – was that the first time you knew that the property was going to be marketed?
348
349 DC No, no umm from about – my first in, investigations when I started work I started on the
350 property and I was put in contact through Paul Doumany to Fred Lossgow and I'd been
351 talking to him on the phone a fair bit about the property umm and then it was one night
352 ahh I had nothing to do with it but there was an arrangement made where Paul Doumany
353 ahh had contacted Fred Lossgow and came to a joint venture arrangement. This 20/80
354 deal and umm I think it was the 20/80 deal that – it might have been more – but I wasn't
355 interested in it because I didn't think that it was umm doing the right thing for him. He
356 was only ahh Power of Attorney and I couldn't see it ever getting through a solicitor's –
357 ahh if it had been contested would work – so I said to him you know to – you know I
358 would contact the major developers and see what they'd pay for it. 'Cos there was this
359 problem with a deadline all the time. You gotta understand that they had this deadline.
360 Now Warren Moreton said the deadline was 3 months earlier than June the 5th. He said
361 that they needed 3 months prior to that to be able to get umm give Council that time to
362 say whether they'd accept it or not and on a subdivision application of this magnitude it's
363 really a 12 month effort to get actually the work and information required for a
364 development plan for that project. So whatever you're doing you're every day was sort of
365 very important at that time.
366
367 KB Perhaps if I can just refer to your statutory declaration and run through it with you.
368
369 DC Mm mm
370
371 KB You state that ahh you hold a real estate sales person certificate under the *Property*
372 *Agents and Motor Dealers Act* and you're employed as a real estate sales person although
373 you're actually ahh involved with various projects as you've previously outlined at the
374 Ashmore First National Real Estate ahh office here in Ashmore. Ahh in August 2004 you
375 assert that you were approached by Fred Lossgow in relation to the property at 167
376 Hinkler Drive, Carrara.
377
378 DC Mmm
379
380 KB But you've since clarified that was that the meeting that you first?
381

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382 DC That was the ahh first conversation when umm it was done over the phone – but the first
383 meeting was with Fred Lossgow when I was introduced with umm Paul Doumany and
384 Warren Moreton.
385
386 KB Was that after August 2004?
387
388 DC It was in August.
389
390 KB In August 2004. So Fred Lossgow approached you. You didn't know him prior to that?
391
392 DC No
393
394 KB And he had a conversation with you pertaining to a property which was ahh situated at
395 Hinkler Drive – well 167 Hinkler Drive, Carrara?
396
397 DC Mmm
398
399 KB And that conversation was basically to the effect that umm he was interested...
400
401 DC He had Power of Attorney.
402
403 KB ..power of Attorney. He was interested in marketing it maybe?
404
405 DC Yes he was interested in coming up with the best way to maximise the profit.
406
407 KB And at that time the property was owned by his uncle Robert?
408
409 DC That's correct. Robert was in a Nursing Home up in umm Bundaberg and he had a
410 cancerous tumour on the top of his head and he wasn't expected to live long.
411
412 KB The property had an area of approximately 343.3 hectares and it was zoned rural.
413
414 DC Not at that time. It is now.
415
416 KB In that case ...
417
418 DC At that time, at that time it was zoned deferred urban.
419
420 KB Alright. Can I just draw your attention – you can correct it if you like.
421
422 DC Mmm
423
424 KB The property has an area of 343.3 hectares and it was, and is zoned rural.
425

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426 DC It is now yeah.
427
428 KB Yeah
429
430 DC Mmm and it was – it wasn't at that time but? It's just got here...
431
432 KB Well, how, he – it's a bit hard to explain it but what happened. They put in a plan umm
433 and they give you about 12 months notice on what they want it to be. In other words so
434 this was put in as rural and you had 12 months – you had until June the 5th then to either
435 apply for it under it's previous zoning which was urban or apply for it. So technically it's
436 a grey area.
437
438 DC So that was the 5th of June 2000...
439
440 KB 5th June 2000... it was gazetted as rural.
441
442 DC 5th of June the year 2005
443
444 KB 2005
445
446 DC It was gazetted as rural and it was up until that date it still would have been rural but you
447 could have got a subdivision through under the previous plan.
448
449 KB And you have here in your declaration that you were aware that the property would be of
450 interest to developers which we've already covered. You sent the information package
451 which had been prepared by Warren Moreton who is a town planner and engineer...
452
453 DC Mmm
454
455 KB ... to the Raptis Group, Australand, Stockland and the Sunland Group and some others.
456
457 DC Mmm
458
459 KB And invited expressions of interest.
460
461 DC Mmm
462
463 KB And the reason why you did that was you wanted to gauge how much interest there would
464 be in the land?
465
466 DC Yes and to see what price they'd pay for it.
467
468 KB Why did you chose those particular developers?
469

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470 DC I didn't. I didn't just chose those. I chose everyone I thought had the sort of money
471 because not everyone's got \$100M or \$80M dollars.
472
473 KB Who are some others that you refer to in your statutory declaration?
474
475 DC Tony Boughton. Ohh that I've named?
476
477 KB You've named ahh Raptis.
478
479 DC I didn't name – look there was some like Walker Group umm Tony Boughton, Villa
480 World umm there was a number of them. I suppose I sent out about 10 or 12.
481
482 KB Have you had any dealings with any of these or those developers?
483
484 DC Everyone of them came back. Yeah everyone of them came back with interest in it.
485
486 KB Have you had previous dealings with any of those developer groups?
487
488 DC No only, only Raptis.
489
490 KB Raptis was the only one.
491
492 DC Mmm I'd had previous dealings yes.
493
494 KB Shortly after you sent the information packages out you received one phone call...
495
496 DC Mmm
497
498 KB ...from a developer and one phone call only...
499
500 DC Mmm
501
502 KB ...and that was from a person by the name of Craig Treasure.
503
504 DC Well who said he was Craig Treasure yes.
505
506 KB Who purported to be Craig Treasure of the Sunland Group. Did you know a Craig
507 Treasure of the Sunland Group up to that point?
508
509 DC No
510
511 KB And after speaking with him – well first of all can you tell me what that conversation was
512 that you had with ...
513

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514 DC The conversation was he'd received the package and Sunland were interested in going
515 further on the project and buying the property. Umm he wanted to know what the vendor
516 wanted and I said well at this stage it's open to you know the best price I can get for it.
517 There wasn't any figures mentioned but you know around the \$80M to \$100M seemed to
518 be the logical figure that people were talking about. Umm his comment wanted to know
519 who else I'd sent the application to. That was the first major question and then could I let
520 the vendor know that they had donated to the Council's election fund and that they would
521 be able to get the project through Council. Because everyone - I explained to everyone
522 that there was a time limit on getting this through Council and there was a problem
523 getting it through Council. It wasn't going to be easy.
524
525 KB Because of what you've outlined about June 2005?
526
527 DC Yeah, June the 5th 2005.
528
529 KB And what else did he say when he had that conversation with you?
530
531 DC It was left basically to umm ahh they were interested and to let the vendor know.
532
533 KB Did he elaborate on what he meant when he said that he can get the development through
534 Council because they had contributed to the Councillor's election fund. Were they the
535 words he used?
536
537 DC Mmm ohh yeah
538
539 KB Contributed to the Councillor's election fund?
540
541 DC Yeah
542
543 KB Did he specify any other information in relation?
544
545 DC No - I didn't question him on it. It just came as a shock to me because it's not the sort of
546 thing that - see now I know that he's a director - I wouldn't have believed a director
547 would have said that. It's not - well see in Rotary there's a four-way test you know
548 and...
549
550 KB Fair
551
552 DC ...he just blows up. Just blows it out of the water.
553
554 KB That's right.
555
556 DC And so you just don't expect things like that to come from someone in a big company.
557

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558 KB Did he actually name what Councillor's election funding he contributed to?
559
560 DC No, no.
561
562 KB He didn't refer to a Lionel Barden trust fund at all?
563
564 DC No he didn't refer to Lionel Barden.
565
566 KB Or Common Sense Fund?
567
568 DC No
569
570 KB Did he nominate any Councillor or Councillors at all in relation to who could assist the
571 application being put through Council?
572
573 DC No
574
575 KB Did you make any notes of the conversation with him or record that conversation in any
576 format?
577
578 DC No
579
580 KB Is that conversation still fairly clear in your mind?
581
582 DC Mmm it stands out because of the information that he purveyed.
583
584 KB Did he say how it was going to be put through Council?
585
586 DC No
587
588 KB So this is probably a very important part so that's why I'm labouring a little bit. So when
589 you had the conversation – can you recall when that conversation was that you had with
590 him?
591
592 DC It would have been late August, late August...
593
594 KB 2004?
595
596 DC ...2004.
597
598 KB And did he ring you here?
599
600 DC He rang me here.
601

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602 KB Can you recall what time or?
603
604 DC No – would have been late morning I would think.
605
606 KB Late morning. Was there anyone else present with you when you had this conversation
607 with him?
608
609 DC There would have been other people in the office but no-one would have overheard but
610 I've since told you know the manager umm but he doesn't know that I've made a
611 statement. He wouldn't be happy about it.
612
613 KB You've got here in your affidavit on page 2 that you understand the reference – or you
614 understood the reference to the Councillor's election fund relate to contributions to the
615 Lionel Barden trust fund that you read about in the press. Is that right?
616
617 DC Mm mm
618
619 KB Can you tell me any information pertaining to the Lionel Barden trust fund that you're
620 aware of?
621
622 DC No audible response
623
624 KB You don't know the details or intricacies of it or who operated it?
625
626 DC No
627
628 KB Are you aware of what Councillors to your knowledge were – or candidates – were
629 funded from the Lionel Barden trust fund during the March 2004 elections?
630
631 DC No
632
633 KB So you understood the statement to mean that because donations had been made by
634 Sunland to the Council...
635
636 DC Mm mm
637
638 KB ...that they would receive favourable treatment...
639
640 DC Yes
641
642 KB ...and for that reason the vendor should deal with them because they, Sunland ...
643
644 DC Mmm
645

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646 KB ...would be able to get approval for the development of the land which others may not be
647 able to get?
648
649 DC Yeah well see if someone could get 2000 blocks it's worth a lot more money than if
650 someone can get, you know, 1000 blocks and that's where, that's where the difference
651 comes with Council. You know umm where if I went in and tried to develop it I might
652 only get 800 or 1000 blocks but if like he's saying because they've got an 'in' with the
653 Council they can get you know a lot more blocks and that's what it was on about. You
654 know it was – it was going to be a very grey area as to how many blocks you'd get on that
655 site.
656
657 KB And why was the date of the 5th June 2005 important again?
658
659 DC Because that was the cut off date for the land being gazetted as rural.
660
661 KB And it would have been gazetted now as...
662
663 DC It's now rural.
664
665 KB ...rural.
666
667 DC End of story.
668
669 KB So it can't be developed?
670
671 DC MCU
672
673 KB That's why it was sold for farming?
674
675 DC Material Change of Use. And you'd have to [ui] with Council to get it changed from
676 rural to urban.
677
678 KB Also the person who purported to be Craig Treasure of the Sunland Group he informed
679 you that he would contact Warren Moreton about the land is that correct?
680
681 DC Mmm
682
683 KB Can you elaborate on that at all what he said?
684
685 DC Well he said he'd umm they'd dealt with Warren Moreton in the past and because Warren
686 - I'd given him – we'd given all of these groups one of these reports that Warren
687 Moreton, you know an interim report that Warren Moreton had produced. Umm he'd
688 produced it umm for the meeting with Paul Doumany ahh at the time and gave a copy to

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689 the vendor ahh or the Fred Lossgow was the trustee or the Power of Attorney and to Paul
690 Doumany and one to myself.
691
692 KB Did you happen to mention Warren Moreton or did he volunteer?
693
694 DC I mentioned - well no when I sent out the information to them all I sent out a copy of the
695 report from Warren Moreton so he had - he rang up off the report.
696
697 KB Do you know if he contacted Warren Moreton?
698
699 DC I'm not sure but I would expect he did.
700
701 KB Warren Moreton hasn't had a conversation with you in relation..
702
703 DC No I haven't spoken since that time.
704
705 KB ...contact with Treasure no?
706
707 DC No audible response
708
709 KB Has he, Treasure, ever contacted you again?
710
711 DC No
712
713 KB And you informed Fred Lossgow of the approach from Craig Treasure...
714
715 DC Mmm
716
717 KB ...and what he said about the donation to the Councillor's election fund by Sunland?
718
719 DC Fred Lossgow's a farmer and he thinks they're all - anyone that wears a tie is crook
720 anyway so you don't - you know he's that sort - he's a cattle dealer and he's umm yeah
721 he just thinks they're all crooked anyway so.
722
723 KB So I guess the heart of the matter is that the conversation that Craig Treasure or the
724 person purporting to be Craig Treasure of the Sunland Group had with you in relation to
725 getting it through Council because they had contributed to the Councillor's election fund
726 and obviously you were shocked by that?
727
728 DC It was - to, to - for me to tell the vendor was where, where it was umm ahh you know
729 insisting that I tell the vendor that. That was where the crux of the matter came that I was
730 to tell the vendor.
731

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732 KB And you said you would have received this phone call from the person Craig Treasure in
733 August, late August?
734
735 DC Late August it would have been yeah mmm.
736
737 KB And you definitely haven't got any notes in a diary or anything?
738
739 DC No
740
741 KB And the reason why he would rung you is because he received the information package.
742
743 DC He received the information package mmm.
744
745 KB Did he make any mention of the Lionel Barden trust fund or Common Sense Fund?
746
747 DC No
748
749 KB No conversation was had in that regard?
750
751 DC It wasn't – it was only that I was to tell the vendor that they had contributed to the
752 Council and because of that they could get umm more blocks of land or a favourable
753 treatment either way. But that was what it was about.
754
755 KB But he definitely didn't mention anything about any particular Councillors that may
756 assist?
757
758 DC No no no. Just whoever it was needed to get it through.
759
760 KB And Warren Moreton is he attached to the Council or an independent town – a private
761 town planner, an engineer?
762
763 DC [ui] yeah he was Council but as all town planners were they all seem to come from the
764 Council but no he's a private.
765
766 KB And you mentioned before that you spoke to Councillor Young during that Rotary
767 meeting?
768
769 DC Mmm umm Warren Moreton is Ted Shepherd's campaign manager.
770
771 KB Okay. And you nominated before that Councillor Young arranged for you to see...
772
773 DC A solicitor – his solicitor yeah.
774

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775 KB His solicitor and prepared the affidavit. Have you got any other information that may be
776 able to assist this investigation pertaining to what we've spoken?
777
778 DC Only, only the umm only the actual ahh report that Warren Moreton did that umm that I
779 gave to Bernard Pointing.
780
781 KB Can you recall what was in that report?
782
783 DC Ahh how it was fragile. Umm how you could get certain blocks, certain number of
784 blocks and things like that. I could get a copy for you. Have you got a – can I get a, a
785 [ui] off you that I could just...
786
787 KB Yeah sure yeah.
788
789 DC ...and I can get the copy to you.
790
791 KB That'd be terrific. At the end of the ahh I'll certainly provide you with that information.
792 But ahh what was fragile in particular?
793
794 DC The lands were sensitive because it had never been farmed. And because it was umm
795 never been cleared. Virtually had hard – had any damage done to it at all, any – no
796 animals or anything like that except these cows but they only were in the bottom, bottom
797 section of the land. So there was Blackbutt forest, there was a lot of real sensitive areas
798 and this is why it was going to be difficult for umm the development side of it. So it was
799 going to be very – you could see why one developer if they had it in with Council would
800 get a lot more blocks than someone who didn't.
801
802 KB And there's no way in the world that you could have misinterpreted the conversation you
803 had with Treasure?
804
805 DC Nuh. No 'cos he – his whole conversation was for me to let the vendor know. It wasn't
806 him telling me. It was for me to let the vendor know. So that's why it was pushed for me
807 to let the vendor know not, not just for my information.
808
809 KB You didn't provide him with the vendor's particulars at all?
810
811 DC No, no.
812
813 KB Do you know if he ever approached the vendor?
814
815 DC No
816

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