

Queensland Crime and Misconduct Commission
Notice to Discover

Misconduct Investigation

20 AUGUST 2005

CRIMINAL JUSTICE COMMISSION
No 2005-5 Date 10 Oct 05
IN THE MATTER OF:
OP GRAND
EXHIBIT No *7*
Molhoek CLERK

TO:

Lincoln HANSEN, Anna MCDONALD, Karel WEIMAR,
Ben Duell or Daniel BOYLE

of

The Crime and Misconduct Commission of Queensland
Level 3 Terrica Place
140 Creek Street
BRISBANE QLD 4000

FROM:

Robert MOLHOEK,
Councillor Division 4 - Gold Coast City Council
of 33 Reynolds Ave,
Labrador Qld 4215

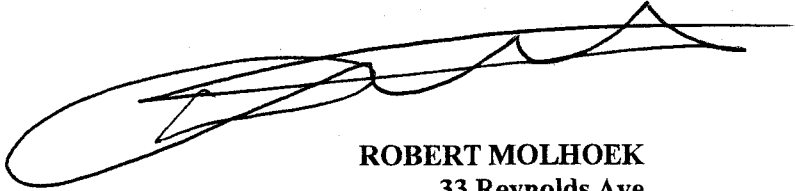
STATEMENT

In accordance with your request of August 12th 2005, I do hereby submit;

a written statement of information of the type specified in the schedule of notice and relevant to the misconduct investigation; and

stated documents, which are in my possession of the type specified in the schedule to your notice, and relevant to your misconduct investigation.

Dated this twentieth day of August, 2005



ROBERT MOLHOEK
33 Reynolds Ave
Labrador Qld 4214

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1. Documentation and Information contained upon any computer or computer disk or other electronic storage medium held by me or that is otherwise in my possession or under my control, recording relevant details including details of any gift, donations services, benefits or funds I requested, was provided or received directly or indirectly from any person or entity related to the Gold Coast City Council Election March 27 2004;

- a. Correspondence (including Email)

Refer Appendix 1.A

***Folder 1 of 2 – Emails, Correspondence, Artwork, Campaign Launch and
Folder 2 of 2 – Campaign notes, plans, advertising, polling and website.
(Campaign of Robert Molhoek)***

- b. Invoices receipts, remittance advices or similar documents evidencing gifts requested, provided, received and

Refer Appendix 1.B – Invoices, receipts, etc (Campaign of Robert Molhoek)

- c. Statements of account held with any financial institution evidencing gifts requested, provided or received.

Refer Appendix 1.C – Statements of Account (Campaign of Robert Molhoek)

2. All files, memoranda, presentations, documents, notes, notebooks, meeting notes and other records of meetings, emails, correspondence, letters of engagement, diary entries and records, advertisements, promotional material, advices, advertising strategies and records, invoices and records of payments by me or any other party and any other documentation whether in printed form or in any other form, including information on computer or computer disk or other medium held by me or that is otherwise in my possession or control:

- a. Relative to my candidacy or election campaign

Refer Appendix 2.A – Non-electronic records (Campaign of Robert Molhoek)

Finances, Nomination, Electoral returns, Register of Interests, Correspondence & Notes, Advertising, Polling Day, Website, Temporary Vacancy Division 4, Postal Voting, Campaign Team, Campaign Strategy & Meeting Notes, Campaign Launch, Media Releases & Coverage

OR

- b. the election of any other candidate or election campaign of any group of candidates in relation to the Gold Coast City Council Elections of March 27 2004

Refer Appendix 2.B - Other Candidates

OR

- c. Relating to my dealings with:

- i. Lionel Barden

Refer Appendix 2.C - Organisations

- ii. The Lionel Barden Commonsense Campaign Fund

Nothing

- iii. The Lionel Barden Common Sense Trust

Nothing

- iv. The Common Sense Trust

Nothing

- v. The Lionel Barden Trust

Nothing

- vi. The Power and Robbins Trust

Nothing

- vii. Mandra Pty Ltd (trading as Quadrant)

Refer Appendix 2.C - Organisations

- viii. Hickey Lawyers

Nothing

ix. Great Southern Land G.M.B.H.

Nothing

x. Ray Group Pty Ltd

Nothing

xi. Gregory Philips

Nothing

xii. Sunland Group Limited

Nothing

xiii. Phil Sullivan

Nothing

xiv. Fish Development Pty Ltd

Nothing

xv. Devine ltd

Nothing

xvi. Rapcivic Contractors Pty Ltd

Nothing

xvii. Roche Group Pty Ltd

Nothing

xviii. Villa World Limited

Nothing

xix. Ingles Group QLD Pty Ltd

Nothing

xx. Blue Sky Capital Pty Ltd

Nothing

xxi. Stockland Development Pty Ltd

Nothing

xxii. Any other person or entity associated with the aforementioned in relation to the Gold Coast City Council elections of 27 March 2004

Nothing

OR

d. That may indicate the nature and extent of the association between myself and;

i. David Power

Refer Appendix 2.D - Campaign for Common Sense

ii. Ron Clark

Refer Appendix 2.D - Campaign for Common Sense

iii. Raymond William Hackwood

Nothing

iv. Robert La Castra

Nothing

v. Edward (Ted) Shepherd

Nothing

vi. Sue Robbins

Nothing

vii. Jan Elizabeth Grew

Nothing

viii. Grant James Pforr

Refer Appendix 2.D - Campaign for Common Sense

ix. Brian Philip Rowe

Refer Appendix 2.D - Campaign for Common Sense

x. Roxanne Scott

Nothing

xi. Greg Betts

Nothing

In respect of the possible nomination and election of any of these persons at the Gold Coast City Council elections of 27 March 2004.

3. Written Statement of information detailing all donations, gifts, services, benefits or funds requested by me or my campaign committee, were provided, or received either directly, or indirectly through another person or entity and whether or not requested, or provided, or received wholly by

myself in relation to my campaign

In May 2003 my wife Melinda and I agreed that I should run for Gold Coast City Council in 2004. The decision came after a great deal of soul searching and counsel from family and close friends.

In July 2003 I started preparing plans for the 2004 election and made contact generally with many of my long-standing colleagues and friends. As a consequence of this I commenced preparations on my strategic plan, met with Cr Mayor Gary Baidon and interviewed Cr Marg Grummitt, Cr Dawn Crichlow and Paul Stevens for advice on issues and the process.

I conducted my first campaign meeting in the boardroom of Bell Legal Group, 8 Carrara St, Benowa Qld 4217 on Tuesday 12 August, 2003.

At this meeting we nominated the function of each member and appointed teams with responsibility for the various aspects of my campaign (see details below at 4.f).

Full disclosure of my Campaign arrangements and funding is covered in the material contained within Appendix 2.A (Campaign of Robert Molhoek).

a. or in conjunction with others

from any person or entity related to the Gold Coast City Council elections 27 March 2004.

4. A written statement of information detailing:

a. My dealings with any of the following:

i. Lionel Barden

I have known Lionel for approx 5 years, I was introduced to him by Mr Paul Wyatt the General Manager of Southport Sharks at a strategic planning afternoon for the Abused Child Trust conducted in a meeting room at the club approx 2000.

I was general manager of RG Capital Radio - Gold Coast at the time.

The aim of the afternoon was to develop a strategy to raise funds to finance the construction of a permanent home for the Abused Child Trust Gold Coast Counselling Service.

It was generally agreed that the best way to achieve this was through a telethon in conjunction with NBN and Sea World.

As a consequence of the afternoon I became a "friend" of the Abused Child Trust and facilitated support the Telethon through the promotions department at Gold Coast Radio Centre.

In early 2003 I was reacquainted with Lionel through a promotional function for the Innovation Showcase and responded to an invitation for lunch at Coolangatta and inspection of the venture at Coolangatta airport.

As a consequence of this I encouraged my client Bell Legal Group to take display space at the Showcase and also introduced my account to the concept.

I was also re-introduced to the activities of the Abused Children's Trust.

Later in the year I introduced Lionel to a lady interested in developing a welcoming program for newcomers to the Gold Coast as there were some synergies between her Internet business and the Showcase.

I ran into Lionel the Gold Coast Bulletin's Gold Coast Honours Gala Dinner, Wednesday 12 November, 2003 briefly and he congratulated me on my decision to run for Council and indicated there were some key Chamber of Commerce people I needed to meet. On that occasion he briefly introduced me to John Lang and Brian Rowe and suggested I meet with them as the Chambers of Commerce generally were concerned about the performance of Council and wanting to support quality candidates across the city.

As my Campaign Launch was already in place for Wednesday 19 November 2003 I invited them to my Campaign Launch the following week. Ian Solomon from Southport Chamber also attended my launch with them.

Apart from running into Lionel at a couple of Christmas functions around town and at Gary Baidon's Campaign Launch some months later at Southport Sharks I had little if any contact with him until after the March 2004 election when I called to inquire about his involvement in the Commonsense Campaign. We agreed to meet for a coffee as I was concerned about his wellbeing and curious as to his role and why the Chambers of Commerce had withdrawn from their proposed involvement with the campaign and allowed it to become predominantly developer backed.

Lionel and I met at Broadbeach Mall for a coffee about a fortnight after the election and spoke about the Commonsense Campaign, I expressed my disappointment with the behaviour of those involved and explained why my campaign team & I had decided to have nothing more to do with it. Lionel and I discussed my campaign in complimentary terms and suggested the Trust may be in a position to provide some financial assistance, I indicated that I was not prepared to accept any funds from them and I preferred to maintain my independence.

I have always had the utmost respect for Lionel, his passion to serve the community and the Abused Child trust is particularly admirable.

It is my opinion Lionel was left holding the baby somewhat unfairly in relation to the Commonsense Campaign. It was my understanding that his involvement was as a representative of the Chambers of Commerce.

ii. The Lionel Barden Commonsense Campaign Fund

See 4.a.i above

iii. The Lionel Barden Common Sense Trust

See 4.a.i above

iv. The Common Sense Trust

See 4.a.i above

v. The Lionel Barden Trust

See 4.a.i above

vi. The Power and Robbins Trust

Nothing

vii. Mandra Pty Ltd (trading as Quadrant)

I have known Chris Morgan since around 1996 having met him as a function of my previous position as General manager of RG Capital Gold Coast. His agency occasionally placed adverting on the radio stations under my control. I participated in two Quadrant Charity Golf Days and attended a couple of meetings and functions hosted by his firm over a period of approx 5 years.

I was reacquainted with Chris on or about 28 November 2003 at a meeting of aspirant candidates hosted by Councillors David Power, Sue Robbins, Ted Sheperd, Bob LaCastra and Jan Grew. The invitation came about as a consequence of meeting John Lang and Brian Rowe at the Gold Coast Bulletin Gold Coast Honours Gala Dinner and their subsequent attendance at my Campaign Launch at Harley Park.

Also in attendance at the meeting were other aspirant candidates; Grant Pffor and wife Liz, Brian Rowe and wife Anne, Greg Betts and Roxanne Scott.

At this meeting sitting Councillors shared their concerns about Council and expressed their desire to see some Councillors removed and quality Councillors in

place across the city. They highlighted the need for Councillors to maintain their independence but were committed to helping raise support and providing advice for those of us at the meeting. It was my clear understanding that this initiative was being supported by the business community and Chambers of Commerce.

They expressed the need to encourage like-minded candidates with no obligatory links but of a calibre and mindset to improve city image and council's perception in the community.

I was concerned about my involvement even at this early stage as I had always admired Cr Dawn Crichlow and was reluctant about supporting Roxanne Scott out of loyalty to Dawn.

We were also told that Chris Morgan had been appointed to provide strategic direction and creative services to those represented.

Each of us at the meeting spoke a little about our individual aspirations and the status of our campaign planning. I indicated that I was well and truly underway with my planning and already well supported but understood their concerns.

Sue Robbins spoke at length about her experiences with past campaigns and strongly suggested we move quickly to secure postal votes and showed us a draft brochure she had prepared for mailing to residents. I asked for a photocopy and copied the concept.

I also indicated that I would not need any assistance from Quadrant but would like to catch up with Chris for a coffee and run my plans past him for comment. I subsequently met with Chris at his office on 30 January 2004.

A second meeting was convened on 16 December 2003 at the offices of Quadrant to provide an update on plans and fundraising. I was late and had to leave early as I had another function to attend. In attendance were basically the same people as at the first meeting. Chris Morgan spoke about the overall campaign theme and key messages that could be delivered. The main theme being; it's time to bring dignity and common sense back into council". I in fact adopted this in my campaign as my own research from door knocking clearly indicated there was significant frustration in the community about the performance of the current council.

Some progress had been made with material for Brian Rowe and Roxanne Scott. I sensed not much other progress had been made about fund raising, with things generally a bit held up waiting on an indication from the State Government about the State election.

Early in the New Year my campaign accountant, Kevin Nichol made a couple of calls to Quadrant about what if any support was intended for my campaign. It was becoming apparent that the Chambers were not visibly supporting the group. Both Kevin and I were growing more uncomfortable about the how things were going and decided it was probably wise to distance myself from the Common Sense Candidates and run my own race as it was important to me to retain my independence and see how things shaped up after the election.

viii. Hickey Lawyers

Nothing

ix. Great Southern Land G.M.B.H.

Nothing

- x. Ray Group Pty Ltd

Nothing

- xi. Gregory Philips

Nothing

- xii. Sunland Group Limited

Nothing

- xiii. Phil Sullivan

Nothing

- xiv. Fish Development Pty Ltd

Nothing

- xv. Devine ltd

Nothing

- xvi. Rapcivic Contractors Pty Ltd

Nothing

- xvii. Roche Group Pty Ltd

Nothing

- xviii. Villa World Limited

Nothing

- xix. Ingles Group QLD Pty Ltd

Nothing

- xx. Blue Sky Capital Pty Ltd

Nothing

- xxi. Stockland Development Pty Ltd

Nothing

- xxii. Any other person or entity associated with the aforementioned in relation to the Gold Coast City Council elections of 27 March 2004

Early in the process of deciding whether to run for Council or not I met one afternoon with Cr Mayor Gary Baildon at his Nerang office.

We discussed life in Council, the potential for it to impact on family life and the some of the challenges one faces in political life.

b. That may indicate the nature and extent of the association between myself and;

i. David Power

Met at the two Quadrant functions referred to earlier in this statement.

ii. Ron Clark

Attended his public Campaign Launch at the Gold Coast Art's Centre Annex approx 9 months prior to the election. Wrote a letter to the Editor, Gold Coast Bulletin criticising his candidacy back in April 2004 (refer Appendix 2.D – Other Candidates)

Ron Clarke's campaign director Graham Staerk contacted me several weeks before the election. He seemed concerned about my independence and was wanting to speak candidly about my very public support for Cr Mayor Gary Baidon.

I indicated that I was not wedded to anyone and that if Gary were to lose then I would seek to be cooperative with whoever was the Mayor of the day.

As it was not convenient to meet we agreed to catch up for a coffee after the election depending on the outcome. We met within a week or two of the election at Broadbeach for a coffee and discussed how the election had turned out and in broad terms Mayor Ron Clarke's agenda and concerns with the voting bloc.

Graham & I attended Keebra Park High School together back in the 1970's, Graham and his twin brother were in the year behind me. Even though we have had no involvement since high school, Graham indicated he'd like to see an old Keebra boy do well and suggested we keep in touch.

We also spoke at length about the Gold Coast NRL Bid, having both played schoolboy rugby league for Keebra Park SHS we naturally had a keen interest in seeing the Coast succeed in securing a national licence.

iii. Raymond William Hackwood

Nothing

iv. Robert La Castra

Met at the two Quadrant functions referred to earlier in this statement.

v. Edward (Ted) Shepherd

Met at the two Quadrant function referred to earlier in this statement.

vi. Sue Robbins

Met at the two Quadrant functions referred to earlier in this statement.

vii. Jan Elizabeth Grew

Councillor Jan Grew and I served on the Tropicarnival Board together for approx 3 years from around 1999 to 2002.

viii. Grant James Pforr

I met Grant and his wife Liz for the first time in the meeting room at Quadrant. As two newcomers to Council, having sons around the same age and being in neighbouring divisions we naturally found some common ground.

I subsequently met him at a second meeting at Quadrant and ran into him from time to time on the campaign trail.

On February 27th, 2004 the day I nominated formally for Council I received a call from the Gold Coast Bulletin suggesting that they would like to get a photo of some new candidates nominating and asked if I could suggest any other candidates and meet their photographer at the returning office for a photo.

Contact between us was infrequent but always warm and encouraging, I attended the GC North Chamber Division 3 Candidates Breakfast several weeks prior to the election.

During the lead up to the election the Runaway Bay Junior Leagues Club celebrated it's 30th anniversary with a "week of the gull". As a voluntary director of the licensed club I was involved in some of the arrangement and assisted in the organization of a 30th Anniversary breakfast to which each of the Division 3 candidates and Mayor Gary Baidon were invited.

The Saturday before the election I invited Grant to a promotion I had arranged in conjunction with radio station 90.9 Sea FM for my own campaign at Harley Park. As we both had sons I thought it may be fun to play a game of touch footy against each other, i.e. Division 4 vs. Division 3.

About four weeks prior to the election my oldest son had a serious fall playing basketball at school and as a consequence had to have major reconstructive surgery a fortnight before the election requiring a significant amount of time and attention from my wife Melinda and me. As we had planned to look after our own campaigning at the pre-polling at Southport and Runaway Bay libraries. This left Melinda and I without the time or capacity to look after these booths for me. Grant's parents very generously offered to hand out my material at Runaway Bay and a lady Wendy Thompson from Cr Dawn Crichlow's team offered to do the same at Southport Library. When the Bulletin broke the story about the existence of a voting bloc and gave a fair amount of coverage on the issue this put Melinda and I a little at odds with both Dawn and Grant and so we had to make our own arrangements for the last few days of pre-poll.

ix. Brian Philip Rowe

I first met Brian at the Gold Coast Bulletin Gold Coast Honours Gala Dinner and he subsequently attended my Campaign launch with John Lang a week later. Apart from seeing him at the two Quadrant meetings referred to earlier in this statement and attending his Campaign launch at Pacific Pines Tavern, I have had no other contact with him. Both my wife and I attended the function and paid \$200 to attend the evening by way of a donation.

x. Roxanne Scott

Met at the two Quadrant functions referred to earlier in this statement.

xi. Greg Betts

Met at the two Quadrant functions referred to earlier in this statement.

in respect of the possible nomination and election of any of these persons at the Gold Coast City Council elections of 27 March 2004.

Nothing

c. My dealings with and knowledge of,

i. Paul Wesley Brinsmead

Nothing

ii. and or Hickey Lawyers

Nothing

in relation to the receipt of funds and or disbursement of funds by Paul Wesley Brinsmead and/or Hickey Lawyers received and or disbursed for the benefit of the election campaign of

iii. myself

Nothing

iv. a group of candidates

Nothing

v. or any other candidate

Nothing

in respect of the Gold Coast City Council elections of 27 March 2004

d. the date that I announced my candidacy for the Gold Coast City Council elections of 27 March 2004

I announced my intention to run in the Gold Coast Bulletin on Thursday 7 August, 2003.

I officially launched my Campaign in Harley Park on Wednesday November 19th, 2003 at 5.30pm at a gathering of friends, family and business colleagues.

e. The date I nominated as a candidate for the Gold Coast City Council elections of 27 March 2004

I formally nominated at the returning office at 1pm on 27 February, 2004.

f. The name and residential and business address of each member of my campaign team (as defined in section 426 of the Local Govt Act) for the Gold Coast City Council elections of 27 March 2004.

*Personal
Assistant*

Jenni MacPherson

*78 Oliver Ave
Goonellabah, NSW 2480
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Polling Day Coordination	Robyn Blakey	27 Boomerang Crescent Sorrento, QLD 4217 0417 759902
Polling Day Logistics	Alex Collins	38 Jesmond Road Helensvale, QLD 4212 Alex.J.Collins@team.telstra.com 0409 062 184
Accountant	Kevin Nichol	Level 6, Seabank Building 12 Marine Pde PO Box 3457 Southport, QLD 4215 kn@quillgroup.com.au 0419 555400
Fund-raising	Simon Mills	11 Kingsway Drive Nerang, QLD 4211 simon@londonmusicgroup.com 0413 626316
	Ben Parsons	C/- Level 2 Seabank Building Marine Pde PO Box 5910 GCMC 9726 Southport, QLD 4215 ben.parsons@rgcapitalradio.com.au 0401 993 582
Legal & Statutory	Geoff Smith	JD Bell House 8 Carrara Street Benowa, Qld 4217 gsmith@belllegal.com.au 0403 585303
Marketing	Joe Sands	PO BOX 561 SOUTHPORT, QLD 4215 joe@turnersands.com.au 0412 187 774
	Warren Bray	69 Macquarie Street Molendinar, QLD 4215 wazza@londonmusicgroup.com 0411 424040
	Ray Brack	45 Jack Nicklaus Way Parkwood, QLD 4214 raybrack@hardlogic.com.au 0418 872 862
	Dave Robbins	15 Monterey Court Broadbeach Waters, QLD 4217 shoulders@winshop.com.au 0415 607623
Pastoral Care	Bruce Murray	21 Malekula Drive Pacific Pines, QLD 4211 bruce@scc.org.au 0412 668 649

OTHER

Volunteers

Refer Appendix 2.A

g. any accounts held with any financial institution

- i. account number **10632425**
- ii. account name **Rob Molhoek Council Campaign Account**
- iii. financial institution **Bank of Queensland Limited**

My campaign account and records were maintained by Mr Kevin Nichol of Quill Group Accounting, Level 6 Seabank Building, 10-12 Marine Parade, Southport Qld.

used by me, my campaign committee, any member of my campaign committee or any person acting for me or my campaign committee in relation to my campaign for the Gold Coast City Council elections of 27 March 2004.