

CRIME AND MISCONDUCT COMMIS

OF GRAND

INQUIRY INTO ALLEGATIONS CONCERNING THE
COUNCIL ELECTION HELD IN MARCH

EXHIBIT No. 348
[Signature] CLERK

**Addendum to Submissions in response by the Chief Executive Officer of Gold Coast
City Council Mr Dale Robert Dickson**

Rates Notice

The Carn River/Sunland rates notice is, particularly with the last statements which have been provided, indicative of the suspicion with which exculpatory claims are dealt with. I say exculpatory deliberately, because it is submitted that the circumstances as they have unfolded indicates that in fact the non-payment of the rates on time were caused by a number of factors, one of which was beyond the control of Carn River. I of course here refer to the intervention of Falcon.

Whilst it might be true that the essential problem came about because there was no correct notification of Carn River's postal address, nevertheless that would have been cured if Falcon's staff had in fact followed what I understand the interviewee Krystal Rzeszkowski claims to have done. She says that when it was identified that Carn River was not associated with the Falcon Group that the rates notice instead of being sealed up and sent back to the sender (and there is evidence that the envelope carried a return to sender address on its outside face) she placed it in a tray where it remained for some days when someone (she cannot identify whom) took it from there. Her recollection is obviously faulty because we know the notice did not return to the Gold Coast City Council but rather was delivered to Sunland by someone from the Falcon Group. This must have been so otherwise Carly would not have known to contact her and prepare the e-mailed letter to facilitate Falcon setting the record straight.

It is clear that (understandably) Krystal's recollection is not perfect and some parts of it are in error obviously, given the route that the letter took after she had opened it.

Those involved have been questioned and there is no credible evidence that this was part of a plot to obtain a discount which was then gifted back to the Mayor's Charity Fund.

The suspicions and the alleged plot do not however end there. It was pursued at the Hearing that there was a further plot. Power asked Sunland in an almost offhand way after some discussion about the sugar cane lands near Beenleigh, if Sunland could make a further contribution to the Fund. It was (impliedly) suggested that for this agreement the Councillors (or some of them) agreed that the discount should be allowed. As I say in fact there was a circumstance beyond the control of Sunland which prevented the rates being paid on time.

The coincidence in time was just that. There is no evidence at all (in fact there were denials of any connection between the two) that the Councillors found circumstances beyond the control of Sunland or at least special circumstances in which they should override the Council officers recommendation because of the Sunland further donation.

The position is that on one view of the matter it was perfectly proper for the Council officer to

recommend that the rates discount be not allowed. However that officer believed at that time Carn River and the Falcon Group were inter-related and that the Falcon letter was just indicating that Sunland/Carn River had misplaced the letter internally - that is that it was its internal procedures which led to the rates being paid late. The responsible Council officer on being advised that this was not the case nevertheless would have made the same recommendation, but that does not mean that the fact someone had intervened in the normal course of events (which would have led to the letter being returned to the Council and then perhaps some direct contact with the Sunland Group to advise that the rates notice had been returned undelivered) was not a circumstance beyond Carn River's control. The whole business might have been thereby avoided. It is however submitted that in the end the discount was properly allowed, though that is not material in the end. It serves as a very good example of the way in which there has been relentless pursuit to endeavour to show some improper action on behalf of the Councillors rather than accepting their sworn testimony and the unchallenged facts as this comes out of the post Commission hearings with the questioning of Ross and his secretary.