



Home

Outstanding correspondence

To

The integrity commissioner:

C.M.C

(9)

NORTHERN BELLE.
11 CAJA CLOSE,
BUNGALOW CAIRNS
QLD 4870.

01-08-09

To the integrity commissioner.

This letter has also been forwarded to Jessica van Vonderen of the A.B.C

Dear sir/madam,

I am disappointed that the decision the C.M.C has taken not to further investigate wrongdoing and dealing behind closed doors by Cairns Council.

I am lost as what to do next, but to put the matter to Jessica van Vonderen of the A.B.C., and ask her what more one has to do to bring to light "wrongdoing & misconduct" as broadcast on the A.B.C in the program "STATELINE" on Friday 17-07-09.(As per attachment)

I have asked Jessica to refer to www.aartbrons.com and in particular to read the "latest letter to Val Schier Mayor of the Cairns Regional Council" at the bottom of the site and or click onto mayor Val Schiers picture , and have asked her for further advice.

Kind regards
Aart Brons



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Our Reference: MI-09-1673 / KRF

28 July 2009

PRIVATE & PERSONAL

Mr Aart Brons
11 Cava Close
BUNGALOW QLD 4870

Dear Mr Brons

RE: CONCERNS ABOUT CAIRNS REGIONAL COUNCIL

Thank you for your letter of 10 July 2009 in which you raised concerns about the actions of the Cairns Regional Council.

We have carefully considered the information you gave us in your letter and understand the following.

- (1) You allege the Council has fraudulently taken and continued court proceedings in defence of its stance on your development applications.
- (2) You allege that the Council is failing to take sufficient care in relation to dust levels at a Council facility on a block adjoining your brothel.

Though I may have used different words to describe your concerns or not referred to every issue that you raised, please be assured that we have considered all the information you gave us.

Under the *Crime and Misconduct Act 2001*, the CMC's role is to ensure that complaints involving suspected 'official misconduct' in Queensland's public sector agencies are dealt with effectively and appropriately.

Attached, for your information, are excerpts from the Act that define the term 'official misconduct' and outline the role of the CMC.

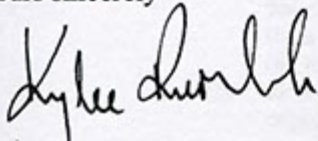
In making a decision about the way to deal with a complaint, the CMC must consider the circumstances of the case and the 'misconduct principles' set out in section 34 of the Act.

The Act also recognises that in certain circumstances the CMC can decide not to take any action in relation to a complaint.

The CMC considers it is appropriate not to take any further action in relation to your concerns because the matters could not constitute official misconduct.

This is because having regard to the information available to the CMC there is no proper basis to consider the alleged conduct to be dishonest or partial or a breach of trust that, if proved, could amount to a criminal offence or a disciplinary breach that could warrant the dismissal of any officer of the Cairns Regional Council.

Yours sincerely



KYLEE RUMBLE
Acting Principal Legal Officer
Public Sector Program
Integrity Services

Attach.

Attachment (UPA):

Excerpts from the *Crime and Misconduct Act 2001*

- Schedule 2 'Misconduct' means official misconduct or police misconduct.
- Section 15 **Official misconduct** is conduct that could, if proved, be:
- a criminal offence; or
 - a disciplinary breach providing reasonable grounds for terminating the person's services, if the person is or were the holder of an appointment.
- Section 14 **Conduct** means:
- for a person, regardless of whether the person holds an appointment — conduct, or a conspiracy or attempt to engage in conduct, of or by the person that adversely affects, or could adversely affect, directly or indirectly, the honest and impartial performance of functions or exercise of powers of:
 - a unit of public administration; or
 - any person holding an appointment; or
 - for a person who holds or held an appointment — conduct, or a conspiracy or attempt to engage in conduct, of or by the person that is or involves:
 - the performance of the person's functions or the exercise of the person's powers, as the holder of the appointment, in a way that is not honest or is not impartial; or
 - a breach of the trust placed in the person as the holder of the appointment; or
 - a misuse of information or material acquired in or in connection with the performance of the person's functions as the holder of the appointment, whether the misuse is for the person's benefit or the benefit of someone else.
- Section 33 **Commission's misconduct functions**
The commission has the following functions for misconduct (its *misconduct functions*)—
- to raise standards of integrity and conduct in units of public administration;
 - to ensure a complaint about, or information or matter involving, misconduct is dealt with in an appropriate way, having regard to the principles set out in section 34.
- Section 34 **Principles for performing misconduct functions**
It is the Parliament's intention that the commission apply the following principles when performing its misconduct functions— ...
- Devolution
 - subject to the cooperation and public interest principles and the capacity of the unit of public administration, action to prevent and deal with misconduct in a unit of public administration should generally happen within the unit; ...
- Section 44 **Dealing with complaints—public officials other than the commissioner of police**
-
 - A public official must deal with a complaint about, or information or matter (also a *complaint*) involving, official misconduct in the way the public official considers most appropriate, subject to the commission's monitoring role.
- Section 46 **Dealing with complaints—commission**
- The commission deals with a complaint about, or information or matter (also a *complaint*) involving, misconduct by—
 - expeditiously assessing each complaint about misconduct made or notified to it, or otherwise coming to its attention; and
 - taking the action the commission considers most appropriate in the circumstances having regard to the principles set out in section 34.
 - The commission may take the following action—
 - deal with each complaint about official misconduct that it considers should not be referred to a public official to be dealt with;
 - refer a complaint about official misconduct to a public official to be dealt with by the public official or in cooperation with the commission, subject to the commission's monitoring role;
 - without limiting paragraph (b), refer a complaint about official misconduct of a person holding an appointment in a unit of public administration that may involve criminal activity to the commissioner of police to be dealt with; ...
 - if the commission is satisfied that—
 - the complaint—
 - is frivolous or vexatious; or
 - lacks substance or credibility; or
 - dealing with the complaint would be an unjustifiable use of resources; take no action or discontinue action.

Aart Brons.
C.E.O. Northern Belle Pty Ltd
11 Cava Close, Bungalow
Cairns Qld 4870.

04-06-2010

To the Hon Chair and or Director of the Parliamentary Crime and Misconduct Committee.

Dear Sir/Madam,

As advised by the Senior policy Advisor to the Hon Premier Anna Bligh, and according to the ammended prostitution act 2001, as in having **NO** satisfaction in my request to the C.M.C for a review for an inquiry into wrongdoing as in **"Fraud & Perjury"**.

It is my respectful view that this matter involves a **"State Issue"** in ensuring there is an efficient, effective, accountable planning and development system, and in the I.D.A.S Code for licensed brothels.

I am there for now asking for a **"Royal Inquiry"** into Cairns Local Government, and am accusing them for having **"Fraudulently dealt behind closed doors"** in their ordinary meeting held on the 22-07-2004. (As per attachments 1, 2,&3)

Very important **Democratic** questions **"to rule of law"** remain **unanswered**.
(Refer to attachment 3)

Previous correspondence and unsatisfactory despondences included (As per attachments) and in Northern Belle's "Let sleeping Aardvarks lie" True Memoirs.

It is absolutely vital that the community of Cairns have confidence in our Planning department, and in Councils dealings with it (Refer to the Hon Desley Boyle in www.aartbrons.com and or as per attachment 4)

It is also vital to expose past wrongdoing so that the prostitution law as in Section 63a & 64 maybe addressed, and ammended in accordance.

Hoping to hear from you soon on this very important and urgent matter.

Kind regards
Aart Brons.

C.E.O Northern Bell Pty Ltd

Aart Brons
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16 June 2010

To the Hon Paul Hoolihan Chair of the Parliamentary Crime and Misconduct Committee.
Or to anyone else whom this might concern.

Dear Paul,

Thank you for the letter from the committee's "Research Director" Brook Hastie, sent on the 10 June 2010, but find the response unsatisfactory and indeed very hasty.

It goes somewhat towards addressing my allegations, however I am certainly not asking the committee to review my initial development application.

I have however asked absolutely for the C.M.C to inquire about Cairns Local Government **"fraudulently Dealing behind Closed doors"** as in Cairns Council's Planning department **"withholding vital, critical information"** pivotal to my building application in their **"Planning Report"** to Council's ordinary meeting held on the 22 July 2004 (Refer to attachment "A")

This vital and pivotal information "withheld" was from the **State Government's** appointed **"Third party referral agency"** to my building application as in the **"Prostitution licensing Authority"** (Refer to attachment "B")

I there for ask you to review the decision made by the Research Director and urge you to go along with my findings in that the explanation given by the C.M.C not to investigate further into such a serious allegation **lacks commitment and a "Duty of Care"**.

The costs to Cairns ratepayers through Cairns Local Government "Fraudulently dealing behind closed doors", and then sending the issue to the Planning and environment court was in excess of \$ 51,000.00 (Refer to "how we got here" in www.northernbelle.com.au **Council LOST** and waisted precious time and resource, **this needs to be clarified.**

I urge you to re-direct the C.M.C to inquire this most important "State Issue" if not then there should indeed be a **"Royal inquiry" as to why not ?**

Kind regards

Aart "The Aardvark" Brons
Brothel owner and licensee
C.E.O. Northern Belle Pty Ltd

009

ABC Online**Stateline Queensland**

[This is the print version of story <http://www.abc.net.au/stateline/qld/content/2006/s2629419.htm>]

Transcript

Government Fallout

Broadcast: 17/07/2009

Reporter: JESSICA van VONDEREN

[Print](#) [Email](#)

JESSICA van VONDEREN: The Nuttall case has re-ignited an even broader debate about the relationships between Government and business. The links are well-established. Former politicians become consultants who lobby Governments on behalf of private firms. Businesses make donations to political parties. And they buy expensive seats at dinner tables to catch the ear of those in positions of power. All of those things are legal but does that make them right? In Queensland, an Integrity Commissioner can advise Ministers and senior public servants on potential conflicts of interest and other questions of ethics. That was Gary Crooke's job for five years, before he retired this month. I spoke with him earlier today.

(JESSICA van VONDEREN SPEAKS WITH GARY CROOKE)

JESSICA van VONDEREN: You were a Senior Counsel assisting the Fitzgerald Inquiry. Are you surprised two decades on, to see a corruption trial like the Gordon Nuttall one play out in Queensland?

GARY CROOKE, FORMER INTEGRITY COMMISSIONER: I don't think you'd say you were surprised. I think combating corruption is all about being eternally vigilant and the fact that the systems of public administration, the CMC, has been alert enough to as it were, bring this issue to light and have it brought before the courts is something that shows that our public administration system has organs that are doing their job and the fact that there is still corruption there is perhaps no more and no less than human nature and that's why you've got to be vigilant. It's always going to be about.

JESSICA van VONDEREN: You've just ended a five year term as the Integrity Commissioner how much of a hit does the public's faith or the public's confidence in the political system take when there's been a case like this one?

GARY CROOKE: Yes that's a very interesting question. The whole foundation of the Integrity Commissioner when the Parliament passed legislation to create the office was in

effect to endeavour to try to improve the image of politicians in the public eye. It was recognised that the image was a very bad one. Now when something like this happens it is a very shattering blow for the image of the politicians. It's a sad fact that although it might only be an individual, the team suffers.

JESSICA van VONDEREN: So is there a real problem with integrity in Government or just a perceived one?

GARY CROOKE: Well again, perception is reality. I think this is what's lost sight of in many circumstances and one of the major difficulties or issues in current public administration; it's the community that calls the tune in all of this and that's what's often overlooked by those in authority. It's not for an individual to pull him or herself up by ethical boot strings that they claim to have, to say well I didn't think there was anything wrong with that. The true test has got to be whether the reasonable member of the community properly informed thinks that that is acceptable conduct.

JESSICA van VONDEREN: The Nuttall case has sparked calls for a broader, more general inquiry into business links with Government. Would that be a good idea?

GARY CROOKE: I think it would be a good idea. Time passes and relationships grow and practices grow. And just because a practice has grown or is in existence, it doesn't mean that it's right. There is a need to resort to fundamental principles and has time has passed the relationship between politicians and business people has developed. It may have developed in a completely acceptable way in many instances. There may be instances where it does need close scrutiny and it would be a good idea, just calmly, not in the sense of crisis, but from the point of view of public administration, to look at what are the proper boundaries and areas of regulation that are needed.

JESSICA van VONDEREN: What about this issue of pay for access to politicians. For example, the Liberal National Party has their annual conference this weekend and business people are paying more than \$3,000 to attend as corporate observers. Labor has similar programs in place. Do you have a problem with those?

GARY CROOKE, FORMER INTEGRITY COMMISSIONER: I certainly do. I think it is just so fundamentally wrong that it is quite disappointing that those holding public office are prepared to proceed with it, notwithstanding what I perceive to be outrage by the community. You see, when one is elected to a public office you take a position of trusteeship. You have to husband the capital that is yours by reason of the office that you hold to be used for the good of the community and it's not yours to deal with for any sectional interest, for the benefit of any sectional interest, and a political party is a sectional interest. They're making a profit out of some implied promise or expectation that is there that somebody is paying money for something unspecified, that even as Mr Nuttall now famously has said, nothing is for nothing.

JESSICA van VONDEREN: Is there something you'd like to see being done to improve integrity in Government, that isn't being done now?

GARY CROOKE: I'd like to see the public take a much more active part in what is going on. To recognise that they are the ones that set the standards as to what's expected of their elected representatives and to make it quite clear that certain conduct is not acceptable and

that's what our democratic system is all about.

JESSICA van VONDEREN: How can they do that?

GARY CROOKE: They can do that by first of all hopefully being objectively informed by the media as to what is going on and I mean objectively because that's most important. It's only when the public is properly informed that they can make a proper decision and they can do it by expressing their outrage and by communication with the media, on talk back shows, just to make themselves heard that they don't expect this from the people whom they have elected to be trustees for them.

JESSICA van VONDEREN: Gary Crooke, thank you.

GARY CROOKE: OK.

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