

The Honourable Daniel Mookey  
Chair  
Public Works Committee  
NSW Legislative Council  
Parliament House  
6 Macquarie Street  
SYDNEY NSW 2000

Dear Mr Mookey,

**RE: INQUIRY INTO THE GRANTING OF CONTRACT NUMBER OOS17/18-021 BY THE OFFICE OF SPORT**

I refer to the hearing in respect of the abovementioned Inquiry conducted by the Public Works Committee of the NSW Legislative Council on 29 November 2021 and 17 March 2022.

I have now had the opportunity to read the transcript of both days of the hearing, including my evidence given on 17 March 2022.

At the invitation of the Honourable Shayne Mallard, who I assume was the Acting Chair (I was not told who was chairing the Committee during my evidence, nor was I told why you were not present), I wish to make comments arising from the transcripts.

My comments relate to specific questions put by members of the Committee by reference to the day of the hearing, the page number of the transcript and a quote of the question or part of the question.

**Monday, 29 November 2021**

**Pg 21, Mr Latham's 2<sup>nd</sup> last question –**

“She obviously knows the president, whose son does the work at her property.”

Comment:

This is an example, among many, of Mr Latham asking a question loaded with a false assertion of fact. My son has never done any work for Ms Townsend at her property, or elsewhere, and, accordingly, there can be no evidence to support the false statement contained in the question.

**Pg 22, Mr Latham's third question –**

“When did you first know that this in-law relationship between Peter Dingwall, the President of Equestrian NSW, and Barrie Smith and the involvement of Stephen Dingwall, the president's son, in doing the work?”

Comment:

This is another question loaded with a false assertion of fact. If the reference to “doing the work” was intended to mean the work involved in preparing the tender and installing the arenas at the Sydney International Equestrian Centre (“SIEC”), my son was not involved in any capacity. After the arenas had been installed, he was sub-contracted by Barrie Smith Motorsport to train and advise SIEC staff in relation to the grooming and maintenance of the arenas, using his knowledge and expertise in that area.

**Pg 45, Mr Latham’s fifth question –**

“... we heard earlier on from Karen Jones, and Barrie Smith is an in-law of your predecessor Peter Dingwall, and his son Stephen is a long-term agent of Barrie Smith Motorsport.”

Comment:

This another question loaded with a false assertion of fact. My son has never been an agent of Barrie Smith Motorsport, let alone “a long-term agent”. There simply can be no evidence to support the assertion because none exists. I note that the question echoes the false assertions made on this aspect by Maggie Dawkins and Bernice Saunders in their written submissions to the Inquiry. The fact that they were prepared to make false and ill-informed assertions does not amount to evidence, nor does it provide a basis for Mr Latham to repeat them as fact.

**Thursday, 17 March 2022**

**Pg 12, The Chair’s fourth last question –**

“Sure, but you were aware that Equestrian NSW was doing the tender process on behalf of the Office of Sport.”

Comment:

This question contains an incorrect assertion of fact. At no stage was Equestrian NSW “doing the tender process on behalf of the Office of Sport”. The written submission and oral evidence provided by the NSW Office of Sport quite clearly shows that this assertion is incorrect.

**Pg 13, Mr Latham’s first question -**

“Were you aware of how extensively Mr Farrar was involved in soliciting the grant, not declaring an interest, given the benefit for Stephen Dingwall tipping off Barrie Smith Motorsport about the likely cost of the project...?”

Comment:

This is another question loaded with false statements of fact. Stephen Dingwall gained no benefit whatsoever from the contract granted to Barrie Smith Motorsport. After the completion of the arenas, he did some subcontract work which I have detailed above. There is simply no evidence, and cannot be, to support this statement.

Similarly, there is simply no evidence that Barrie Smith Motorsport was tipped off about the likely cost of the project. The unrefuted evidence is that Bruce Farrar asked Barrie Smith to provide an indication as to the cost of the rubber mats used in the OTTO arenas during his preparation of a submission to the

New South Wales Government seeking the provision of funds to the NSW Office of Sport to be used to upgrade the SIEC arenas. By no stretch of the imagination can this be regarded as a tip of “about the likely cost of the project”. It should be noted, in this regard, that Bruce Farrar testified that he had also sought information from other arena suppliers prior to preparing the submission.

**Pg 17, Mr Latham’s eleventh question –**

“Then when you found out about the undeclared conflict of interest, where Mr Farrar did not declare that Stephen Dingwall, the son of his president, would be a financial beneficiary, why did you not write directly to the Office of Sport to let it know about it rather than writing to Equestrian NSW?”

Comment:

Notwithstanding that, by this stage, Mr Latham had heard unrefuted evidence on oath that my son was not “a financial beneficiary” of the contract awarded to Barrie Smith Motorsport, he persisted in loading his question with the false assertion that my son was a financial beneficiary. I re-iterate that he was not, and there is simply no evidence to the contrary.

**Pg 34, Mr Latham’s first question –**

“How do you explain, in hindsight, Barrie Smith Motorsport getting this tender and, at the end of the day, was this not just a favour to Peter Dingwall that his son was doing the work?”

Comment:

In this question, without any foundation, Mr Latham made a positive assertion that John Vallance was doing me a favour. I was unaware that John Vallance was a member of the Technical Advisory Panel. Indeed, I was unaware of any of the processes involved in the tender process until sometime after the contact had been completed. I had no discussions with John Vallance concerning the tenders or the awarding of the contract. I submit that it was inappropriate for a positive assertion such as this, which impugns John Vallance’s and my integrity and character, to have been put without any factual basis for it.

Again, Mr Latham simply ignored all the clear and unrefuted evidence given to the effect that my son was not “doing the work”.

**Pg 38, Mr Latham’s seventh question –**

“... and the president of that board, Mr Dingwall, his son is a major beneficiary financially of the decision to source the material second-hand from Wallaby Hill?”

Comment:

I again reiterate that my son gained no financial benefit from the granting of the subject contract, let alone being “a major beneficiary financially”. There is no evidence to support this false statement and, indeed, has been refuted by the evidence before the Inquiry.

**Pg 43, Mr Latham’s sixth question -**

“You do not see a problem with horses shying away from these rubber grommets which seemingly will always be in the surface?”

Comment:

Nowhere in any of the material before the Inquiry, including in the written submissions, is there a suggestion that horses shy away from rubber grommets on the surface of the SIEC indoor arena. This was the first mention of it. Had it been raised in any of that material, evidence could have been obtained from experts, including competitors, to refute it.

I note that it was not raised with John Vallance and Mary Seefried, both eminently qualified to answer the suggestion, during their evidence, given before mine. Had it been raised with them, I have no doubt they would have strongly rejected the proposition.

As I stated in my evidence, many arena surfaces in Australia contain shaved rubber pieces. In the 25 years that I have been involved with equestrian sport, I have never heard any suggestion that horses shy away from rubber on the surface of an arena.

**Pg 43, Mr Latham's last question –**

“Do you think the reputation of Equestrian NSW has suffered heavily in this process?”

Comment:

I answered the question. However, it was clearly not relevant to any of the Inquiry's Terms of Reference.

Had any impact on the reputation of ENSW been a subject covered by the Terms of Reference, the current Board would have been able to gather a large body of evidence to support my response. In any event, the Inquiry has received submissions, supportive of the SIEC arena upgrades and Equestrian NSW, from the following –

- Dressage NSW, Eventing NSW and Jumping NSW (two of the signatories are Olympians – Shane Rose has competed in Eventing at three Olympic Games and won two silver and one bronze medal, and George Sanna competed in Showjumping at two Olympic Games)
- Ms Meredith Branson
- M Vicki Roycroft (a triple Olympian, having competed in Eventing and Showjumping, and Jumping Coach of the Australian Equestrian Team for the 1992, 1996 and 2002 Olympic Games)
- Miss Colleen Brook (an Australian representative in international showjumping)
- Mr Rod Brown (an Olympian, competing in showjumping at the Seoul Olympic Games and subsequently the Coach of the Australian Showjumping Team)
- Waratah Showjumping Inc (a showjumping event organiser, including several at SIEC)
- Mr James Mooney (a professional equestrian coach and elite showjump rider)

I submit that the views of the abovenamed provided very weighty evidence that the reputations of Equestrian NSW and the State of New South Wales were not diminished at all by the upgrade of the SIEC arenas, indeed, I submit they were enhanced in the eyes of the Australian equestrian community.

**Pg 44, Mr Latham's last question –**

“Why do you think your son refused to give evidence here?”

Comment:

As I stated in my answer, I was unaware that my son had been invited to give evidence. What my thoughts were about the matter were irrelevant.

I have since asked my son about any invitation he received. He has provided me with the attached exchange of emails with Ms Madeleine Dowd. As will be seen, my son declined the invitation to attend and gave his reasons for so declining. He received no further communication from the Inquiry. Had Mr Latham made an enquiry of Ms Dowd, he would no doubt have been shown the email exchange with my son and his question to me would have been unnecessary. Also, it would not have resulted in a suggestion on the public record of the Inquiry that my son had simply refused to attend without providing a reason. A matter which is now corrected through this submission, which I have no objection to its being published.

Yours sincerely,  
Peter Dingwall  
19 April 2022