

Thursday 5 December 2024

Investigation into the conduct of a then manager and a former contractor at Canterbury-Bankstown Council (Operation Mantis)

ICAC FINDINGS

The ICAC has found that Benjamin Webb, Pietro Cossu and Jeremy Clarke engaged in corrupt conduct.

Mr Webb engaged in corrupt conduct by, between 1 January 2021 and 9 December 2022:

- misusing his public official functions as Canterbury-Bankstown Council's (Council) manager of works and projects to facilitate the engagement of contingent workers through PMLV Invest and Const Pty Ltd (PMLV), a company run by his friend, Mr Cossu, by approving their engagement and/or determining to add more workers to Council's Works and Projects Unit, in return for which he received approximately \$208,000 during the period that he worked at Council
- in breach of the Council Code of Conduct, submitting false or misleading written returns of interest in which he failed to disclose: the receipt of benefits from Mr Cossu and PMLV; his bankruptcy status and associated debts; the receipt of a gift or benefit under clause 6 of the Code of Conduct.

Mr Cossu engaged in corrupt conduct by:

- between about 1 January 2021 and 20 December 2022, by arrangement with Mr Webb, supplying contingent workers to Council through his company PMLV, in return for which Mr Webb misused his public official functions as Council's manager of works and projects to engage and retain PMLV candidates at Council. Mr Cossu gave Mr Webb approximately \$208,000
- between mid-2020 and late 2022, misusing his public official functions by assisting Mr Clarke and his company, General Works and Construction Pty Ltd (GWAC), to win Council projects and maximise his financial gain from the projects (including through variations), by utilising the information and opportunities available to Mr Cossu through his position at Council. Mr Cossu did so for the purpose of improperly benefitting himself and his company, PMLV, which received over \$2 million from GWAC.

Mr Clarke engaged in corrupt conduct by:

- between mid-2020 and late 2022, rewarding Mr Cossu for assisting Mr Clarke and his company, GWAC, to win Council projects and maximise GWAC's financial gain from the projects (including through variations). Mr Cossu did so by utilising the information and opportunities available to him through his position at Council. In return, Mr Clarke paid Mr Cossu's company, PMLV, over \$2 million.

ICAC RECOMMENDATIONS

The Commission is of the opinion that consideration should be given to obtaining the advice of the DPP about the prosecution of Mr Webb, Mr Cossu and Mr Clarke for various criminal offences including:

Mr Webb: corruptly receiving financial benefits from Mr Cossu or his company, PMLV, in relation to Council engaging PMLV candidates contrary to section 249B(1) of the *Crimes Act 1900*.

Mr Cossu: corruptly giving financial benefits to Mr Webb, an agent of Council, in relation to Council engaging PMLV candidates contrary to section 249B(2) of the *Crimes Act*; and corruptly receiving financial benefits from Mr Clarke or his company, GWAC, contrary to section 249B(1) of the *Crimes Act*.

Mr Clarke: corruptly giving financial benefits to Mr Cossu, an agent of Council, in relation to GWAC being awarded projects at Council, contrary to section 249(B)(2) of the *Crimes Act*.

CORRUPTION PREVENTION

The Commission has made [19 corruption prevention recommendations](#) to Canterbury-Bankstown Council, to help prevent the conduct identified in the investigation from recurring.

The full report is available on the ICAC website at www.icac.nsw.gov.au.