

**INDEPENDENT COMMISSION AGAINST CORRUPTION**

**STATEMENT IN THE MATTER OF: Operation Dasha**


**PLACE:** ICAC  
**NAME:** Marcelo Occhiuzzi  
**OCCUPATION:** Town Planner  
**DATE:** 28 March 2018

**States: -**

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1. This statement made by me accurately sets out the evidence which I would be prepared, if necessary, to give in Court as a witness. The statement is true to the best of my knowledge and belief, and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.
2. I am 51 years of age.
3. I recall an application that was lodged for a modification of a previous approval for development at 23 Oatley Street in Kingsgrove. The development had largely been completed, but with several modifications to the building and landscaped area at the front setback. During the course of the assessment, I recall that staff identified that the area to the front of the building that was to have been landscaped, was in fact, covered in concrete.
4. I recall discussing this application with the Manager of Development Assessment, George Gouvatsos and we agreed that given the extent of concreting that had

Signature 

Witness 

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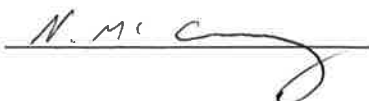
occurred in the front yard, which was previously approved as landscaping, we could not approve the modification sought. I took an interest in this only because Councillor Hawatt had contacted me about the application.

5. At some stage during the assessment of the application, I received a telephone call request to meet on site from Hawatt.
  
6. I attended the site meeting in about April 2014. Councillors Azzi and Hawatt were in attendance as well as the owner and I think his son or builder. The meeting lasted about 20-30 minutes. I indicated that the front yard was concreted instead of being landscaped which was contrary to the previous approval. I said that this was a problem and that the proposed modification of the previous consent could not be approved because of this. I said that the concrete would need to be removed and the previously approved landscape plan incorporated. Both Azzi and Hawatt ridiculed this and demanded that I agree to a compromise on the spot. I refused to agree to this and both Azzi and Hawatt became increasingly agitated and aggressive towards me. They raised their voices and criticised me for not being flexible. I said that the applicant could lodge an amended plan and we would consider it but was firm in my opinion that the concrete would need to be removed. At one point, Hawatt said that if I was unwilling to be flexible, that they (Councillors) would approve it anyway on the floor of Council.

Signature



Witness



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7. I recall speaking with Jim Montague at some stage soon after the site meeting and expressed how exposed and pressured I felt. I recall that this was an incidental conversation and it may have occurred before or after one of our regular Executive meetings soon after the site meeting with Hawatt and Azzi.
8. He said something along the lines that I had his endorsement to reject site meeting requests from Councillors given this experience.
9. The application was subsequently referred to the City Development Committee meeting of 8 May 2014 with a recommendation of refusal. The Committee deferred the decision to the following Council meeting. I recall that both Hawatt and Azzi appeared unhappy following this decision.

Signature



Witness

