

GALLEYPVT00734
02/06/2022

GALLEY
pp 00734-00762

COMPULSORY
EXAMINATION

COPYRIGHT

INDEPENDENT COMMISSION AGAINST CORRUPTION

STEPHEN RUSHTON SC
COMMISSIONER

COMPULSORY EXAMINATION

OPERATION GALLEY

Reference: Operation E19/0569

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON THURSDAY, 2 JUNE 2022

AT 10.30AM

Any person who publishes any part of this transcript in any way and to any person contrary to a Commission direction against publication commits an offence against section 112(2) of the Independent Commission Against Corruption Act 1988.

This transcript has been prepared in accordance with conventions used in the Supreme Court.

Sensitive

02/06/2022
E19/0569

734PT

THE COMMISSIONER: Just a moment.

MR BAIN: Sorry, Commissioner.

THE COMMISSIONER: Mr Badalati, I told you when we started this process that this investigation has been going on for some time, and we've obtained a lot of information both from other people and records. That schedule in front of you, which shows a total of \$162,834 of cash deposits, I can tell you that none of that came out of your superannuation fund. And I can tell you that we've looked at your other accounts and none of it came out of there. It's unexplained, and I think you know that. So what I want you to tell me is where did it come from.---Commissioner, at this stage, I cannot answer that. Honestly.

I don't understand that because there's significant amounts of money there, cash deposits. They must have come from somewhere and they didn't come from your superannuation fund, so where did they come from?---Sorry, I can't answer that.

20

[REDACTED]

And remember I said to you, just don't try and protect family or other people or yourself. It's just not worth it. But I'm not going to remind you again. I just want you to tell me where – no, I want you to tell me where this cash came from. If there's more than one source, you can tell me.---I had a, a safe at home, Commissioner.

30 You had what, sorry?---I have a safe at home. Some of it may have come from there. The third last one there, bank deposit cash – sorry, I haven't got my glasses. I remember.

We can blow it up for you.---Chi Qing? I'm sure some of those were – do you have the actual account number?

Look, we can do all that.---'Cause - - -

40 But I can tell you that we've, obviously, we've had a forensic accountant look at this, and what you see in front of you is unexplained cash. It doesn't

Sensitive

02/06/2022
E19/0569

V. BADALATI
(BAIN)

753PT

come out of any account of yours or the superannuation fund. Let me ask you, you've mentioned a safe. Do you still have that safe?---Yes, I do.

When was it installed?---Oh, about, oh, 10 years ago.

And you tell me, do you, on your oath, that some of the cash that we see there came out of that safe?---Yes.

10 All right. And what was the source of the cash that went into the safe?---It would have been from when I was mayor.

You weren't paid in cash when you were mayor.---No, no, no. It went into my account. The payments from council went into an account and I withdraw.

20 No, no, no. Sorry, we've checked all this and that's just not the case. This is cash that came from somewhere and it didn't come from accounts or move from one account to another or go into a safe. It came from someone or -- yeah, it came from one or more people and I want to know who they are. And that's not a hard question to answer, I might say.---I'm sorry, I just can't answer that.

Is it you can't or you don't want to?---No, I honestly can't, Commissioner.

Right.---It's - - -

[REDACTED]

30 [REDACTED] Can we go to that second schedule, please, the one that shows the payments into Tina's account.

MR BAINE: That's on page 175.

THE COMMISSIONER: I can tell you once again that those payments there did not come out of your superannuation account.---No.

40 They didn't come out of any other account. They came from another source and we're trying to find out from whom. Can you tell me, please, where those cash amounts came from?---The, up to December, well, this only goes to March 21. You'd have to ask my daughter that one, Commissioner.

Sensitive

THE WITNESS: There were two payments received, one 70,000 and one of 100,000.

THE COMMISSIONER: Ah hmm. And who were they received from?
---Mr Uy.

Yeah.---I apologise sincerely.

10 No, don't apologise. I mean I'm just glad you've taken some advice no
doubt and it's in your interests and certainly in the interests of your
daughters that we get to the bottom of this.---Yeah.

So there was one of 70 and one of 100?---Yes.

All right. Were they paid in one set of payments, two payments?---Two
payments.

20 All right. So it's \$170,000. And think carefully before you answer this
because I really don't want you to get into trouble, but what were those
payments for?---For assisting in getting developments through.

Right. When you say the development, is that Landmark Square?---One is
Landmark Square.

Yep.---The other one was 1-5 Treacy Street.

All right. Thank you for that. I appreciate that. I'm in your hands,
Mr Baine.

30 MR BAINE: I'll ask one question, Commissioner.

THE COMMISSIONER: Yeah, sure. Of course.

MR BAINE: Mr Badalati, would you identify when those payments were
made?---From memory.

THE COMMISSIONER: Yeah.---One was early '15 and one was I think
the second-half of '16.

40 All right. And - - -

Sensitive

02/06/2022
E19/0569

V. BADALATI
(BAINE)

757PT

MR BAINÉ: So - - -

THE COMMISSIONER: Sorry.

MR BAINÉ: Sorry, Commissioner.

THE COMMISSIONER: You go ahead.

10 MR BAINÉ: So that second payment in 2016 was after you, while you
were no longer a councillor on Hurstville. Is that correct?---Yeah. I believe
so but - - -

THE COMMISSIONER: You have to check.--- - - - I'm not 100 per cent
sure.

I'm not sure why a payment would be made after you were no longer on
council. I'm just trying to think that through.---Yeah.

20 MR BAINÉ: Would Mr Uy have known that you'd be standing for election
in the upcoming Georges River Council election?---That was in - - -

2017, September 2017.---September '17, yep.

So if you received that payment in 2016 while you were not a councillor
- - -?---Well, that's my recollection but - - -

THE COMMISSIONER: Yeah. Look, I'm not going to hold you to dates,
it's okay, because we'll work that out later but - - -?---Yeah.

30 But in either – sorry. The payments were received so that you would assist
in getting their development application through?---Yes.

And it seems, more than seems I have to say, that Mr Hindi was also doing
all he could to get it through. You knew that he was taking money too,
didn't you?---Yes.

Yeah. Do you know how much he received?---The same.

40 Did he? Okay.---As far as I know.

No, that's all right. No, no. What about Mr Sansom?---That I don't know.

Sensitive