

Wednesday 30 August 2023

## Investigation into the conduct of three former councillors of former Hurstville City Council, now part of Georges River Council, and others (Operation Galley)

### ICAC FINDINGS

The ICAC found that former councillors Vincenzo Badalati, Constantine Hindi, Philip Sansom and property developer Ching Wah (Philip) Uy engaged in serious corrupt conduct. Read the full findings [here](#).

### ICAC RECOMMENDATIONS

The Commission seeks the advice of the Director of Public Prosecutions (DPP) on whether any prosecution should be commenced. The DPP determines whether any criminal charges can be laid and conducts all prosecutions. The Commission is of the opinion that consideration should be given to obtaining the advice of the DPP about the prosecution of Mr Badalati, Mr Hindi, Mr Uy, Mireille Hindi (Mr Hindi's wife) and Mr Sampson for various offences. Read the full recommendations [here](#).

### CORRUPTION PREVENTION

The Commission has made 11 corruption prevention recommendations to help prevent the conduct identified in the investigation from recurring. Read the full recommendations [here](#).

### BACKGROUND

This matter was initially reported to the Commission under section 11 of the ICAC Act by the general manager of Georges River Council (GRC) on 19 March 2019, concerning alleged misconduct by Mr Badalati and Mr Hindi in their dealings with a developer between 2014 and 2018 while they were Hurstville City Council (HCC) and then GRC councillors.

The general manager's report included allegations that over a period of four years Mr Hindi and Mr Badalati voted on a development application and a planning proposal (rezoning) without declaring any pecuniary or other conflicts of interest, despite having a relationship with the developer for both sites. The report also alleged that the former councillors attended a dinner at a Chinatown restaurant with the developer for a "signing ceremony" of an MOU prior to any approvals being obtained for the sites and subsequently travelled to Tangshan, China, in April 2016 to attend a formal signing ceremony. The report alleged that no declarations of interest were made by Mr Hindi or Mr Badalati at any time during their dealings with the matters at council and the Sydney East Joint Regional Planning Panel (JRPP). The report noted that GRC was obliged under the *Local Government Act 1993* to commence an investigation in relation to these matters to determine whether any misconduct had occurred.

On 31 May 2019, the Commission informed GRC it would not be investigating the matter because GRC had advised of its intention to investigate the matter. Further, it appeared GRC was well placed to complete such an investigation. The Commission requested a copy of the investigation report be provided as soon as it was available.

After receiving further information from the GRC general manager, on 29 November 2019, the Commission determined to conduct a preliminary investigation of these matters. The evidence gathered during the preliminary investigation tended to corroborate the matters brought to the Commission's attention by GRC and suggested the likelihood that serious corrupt conduct had occurred. Accordingly, the matter was escalated to a full investigation on 23 March 2020.

The Commission held a public inquiry, as part of this investigation, over 25 days in June, July and August 2022. Commissioner Stephen Rushton SC presided at the public inquiry at which 19 witnesses gave evidence.

The [report](#) is available on the ICAC website.