

SCANIAPUB00542
31/08/2016

SCANIA
pp 00542-00559

PUBLIC
HEARING

COPYRIGHT

INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE REGINALD BLANCH AM QC

PUBLIC HEARING

OPERATION SCANIA

Reference: Operation E15/0978

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON WEDNESDAY 31 AUGUST, 2016

AT 2.00PM

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.

ASSISTANT COMMISSIONER: Mr Mack.

MR MACK: Commissioner, I have intending and hoping to call Mr Ibrahim Beydoun today. I'm instructed that he was summonsed to appear today and his lawyer had directed him to attend today. However that hasn't happened. The Commission I understand has been in contact with Mr Beydoun and the intention is that he will appear on Friday now. We have managed to get another witness who I propose to call now and for him to be the final witness for today.

10

ASSISTANT COMMISSIONER: Mr Gulati?

MR GULATI: Yes.

ASSISTANT COMMISSIONER: Yes.

MR MACK: Yes.

ASSISTANT COMMISSIONER: Thank you.

20

MR MACK: I call Ashish Gulati.

ASSISTANT COMMISSIONER: Mr Gulati, will you take an oath or an affirmation.

MR GULATI: Whatever is easier.

ASSISTANT COMMISSIONER: Whatever you feel bound by, an oath or an affirmation? An oath is on the Bible.

30

MR GULATI: Bible.

ASSISTANT COMMISSIONER: Okay.

MR GULATI: Koran. Koran.

<ASHISH GULATI, sworn

[2.02pm]

40

ASSISTANT COMMISSIONER: Mr Gulati, has it been explained to you that during the course of answering questions you might say something that gives rise to civil or criminal liability. I can protect you against that by making an order that nothing that you say can be used in evidence against you. Would you like me to make that order?---Yeah.

Okay. Pursuant to section 38 of the Independent Commission Against Corruption Act, I declare that all answers given by this witness and all documents and things produced by this witness during the course of the witness's evidence at this public inquiry are to be regarded as having been given or produced on objection and there is no need for the witness to make objection in respect of any particular answer given or document or thing produced.

10

PURSUANT TO SECTION 38 OF THE INDEPENDENT COMMISSION AGAINST CORRUPTION ACT, I DECLARE THAT ALL ANSWERS GIVEN BY THIS WITNESS AND ALL DOCUMENTS AND THINGS PRODUCED BY THIS WITNESS DURING THE COURSE OF THE WITNESS'S EVIDENCE AT THIS PUBLIC INQUIRY ARE TO BE REGARDED AS HAVING BEEN GIVEN OR PRODUCED ON OBJECTION AND THERE IS NO NEED FOR THE WITNESS TO MAKE OBJECTION IN RESPECT OF ANY PARTICULAR ANSWER GIVEN OR DOCUMENT OR

20

THING PRODUCED.

ASSISTANT COMMISSIONER: That does give you the protection, Mr Gulati, but it does not protect you if you tell lies on oath. Okay?---Yeah.

Yes, Mr Mack.

MR MACK: Mr Gulati, my name is Mr Mack. I'm - - -?---Call me Ash if you can.

30

I'll call you Ashish. You can call me - - -.---Ash easier.

Ash. Ash, my name is Mr Mack. I'm Counsel Assisting the inquiry. I want to ask you a few questions about your current job and some previous jobs you've had and some previous interactions you've had with a person by the name of Nosir Kabite but just if you could first tell the Commission what your current job is.---Now I'm owner/driver.

Sorry?---Owner/driver.

40

Owner/driver. And what do you drive?---Drive, drive truck.

What do you put in the truck?---Material, excavation material.

Excavation material. And do you work for yourself?---At the moment, yeah.

And do you have a company?---Sole trader.

Sole trader. Okay. And what do you trade as?---Salam Tipper Hire.

And how long have you been trading as Salam Tipper Hire for?---Last November I think.

Last November. And before that what did you do for work?---I used to like sit at home, like, you know, maybe now and then if I get some casual work I used to pick it up.

10

And what kind of casual work would you do?---Driving trucks.

Your own trucks or somebody else's trucks?---Someone else's truck.

Whose truck?---There's various people.

All right. Well who are they, who did you drive a truck for, a company or a person or both or?---For a company.

20 And what's that company's name?---Ghossayn.

And how do you spell that?---G-h-o-s-s-a-y-n Group.

And are you other companies?---Jem Civil.

Is that G-e-m?---J-e-m.

J-e-m. And any other companies?---Cashmere Transport.

30 Cashmere. Did you ever drive for a company called Ace?---Yeah.

So I've got Ghossayn, Jem Civil, Cashmere and Ace, that's four. Is there anybody else that you drove with?---See I just want to tell you one thing.

Yeah?---That I've been smoking pot in my history.

Yes?---And I've been smoking pot for at least two or three years.

Yes?---Before, well before this profession.

40

All right?---My memory is not a 100 per cent.

All right. That's all right. I'll try and help you - - -?---I'm not trying to come across as a, you know what I mean? But I just, my memory is not a 100 per cent.

All right. Well you haven't – you're not high at the moment though are you, you haven't - - -?---No.

All right?---Just – my memory is just a bit funny.

Well maybe if I suggest people's names to you, you might remember?---
Yeah.

Okay. I'll do it that way. Do you know a Mr Kayrouz?---Yeah. That's Jem Civil.

10 Jem Civil, okay. And a George Ghossayn?---That's Ghossayn Group.

And Nosir Kabite?---I never drive for Nosir.

Do you know who – did you ever – does Nosir work for Ace?---I don't know.

Okay. All right. Well who did you drive for with Ace? Can you remember anybody at Ace?---Ace, yeah.

20 Yeah. Can you remember a person there? If it wasn't Mr Kayrouz and it wasn't George can you recall who you used to drive trucks for, for Ace?---
For Ace, for Ace I was driving trucks, yeah. Do you want to know the owner of the company?

Yes?---I think his name is Sammy?

Well how do you know Nosir?---Nosir, Nosir - - -

30 What's Nosir do, can you recall?---Nosir, he owns a skip bin company.

Right. Okay. And can you recall if you met Nosir through a person by the name of Jamal, Kayrouz, Mr Kayrouz?---Yeah. I used to drive for Jimmy and then that's how - - -

Jimmy is Jamal?--- - - - I first met Nosir, yeah.

And how long did you drive for Jimmy for can you recall?---One year.

One year?---Approximately.

40

Okay. And can you recall where you met Nosir?---First time?

First time?---No. I think it was somewhere in Wallacia.

In Wallacia? Do you know if – does Nosir have a tip site in Wallacia?
---Yeah.

And does Nosir have - - -?---It's not a tipping site. I think he was levelling up the, levelling up one of his jobs.

Right.---It's not a formal tip site.

Okay. But you would go there and tip material?---Yeah.

And do you know the address in Wallacia?---I think it's somewhere on Park Street. I don't know the address.

10

And does Nosir have any other sites where you've tipped material before?
---Before Wallacia?

Anywhere. Before and after.---Yeah.

And where are they?---I don't know the name of the suburb. It's on Windsor Road.

20 All right. So that's one in Wallacia, Park Road.---Yeah, and then one on Windsor Road.

Windsor Road. And is there a third one?---Yeah, there is two in Wallacia.

There's two in Wallacia. One on - - -?---One on Park Road.

Yeah. Where's the other one?---Other one, I don't know but it's there. I know where it is.

30 I'm just going to show a few photos of a few sites and then I want you to see if you recognise a picture on the screen. Is that okay?---Yeah.

All right. The road that's running diagonal across the screen, where the mouse is now, that's called Bandon Road. And on the other side you can see some train tracks. And that road is - - -?---Yeah, I've told you about this one on the Windsor Road site, next to the Windsor. I don't know the area. This is what I was referring to.

Okay. And Nosir used to operate that site?---Yeah.

40 Yeah. And you tipped there?---Yeah.

Do you know, did you have to pay to tip there?---I have to, yes.

And who did you have to pay?---Again, I have to look my books.

Did you have to pay Nosir when you arrived?---Yeah.

All right. I'm going to show you a picture of another site. The main road you can see there is called Willowdene Avenue. Can you see that?---Yeah.

And you'll see an entry just near where the mouse is now.---Yeah.

Do you recognise that site?---Yeah.

And is that one of the sites in Wallacia?---Yeah. You already have everything.

10

Sorry?---You already know everything.

All right. I want to find out what you know.---Yeah.

That's why I'm asking you questions.---I know this site.

You know this site? Okay. And would you tip there very often?---Not quite.

20

So you'd tip more at the other site in Bandon Road?---I don't normally deal with Nosir, like, on a daily basis.

All right.---I may deal with him maybe once a month. May not be once a month. It all depends, like, which kind of works. Like, there's been months I've been on hire. I haven't seen him for three months, for five months, I haven't seen him.

Okay. And what do you mean when you say you're on hire, does that mean that somebody is hiring your services out to go and pick up rubbish?---

30

Yeah. No, not rubbish. I'm talking excavation.

Okay. So when you're on hire do you take your truck out to - - -?---My job is to just drive.

Just drive. How will you know - - -?---From A to B, whatever the message says, pick up from there, tip there. My job is to pick up and tip. I haven't seen him I don't know for how long.

40

Would you get text messages from Nosir about where to go to pick up?---I don't work for Nosir. I don't work for Nosir. This, this guy hired my truck and maybe two/three times and that's about it. And then, that's it, like three/four times I think he just hired my truck and that's about it in the whole span of time and I'm pretty sure he was dealing with clay or something to level up the farm and he still owes me money for that.

Before you said you'd get text messages to tell you where to go and pick up from.---Yeah.

Who would you get the text messages from?---Okay. These are, these are two different things. The text messages if I'm working for – say if I'm working for any company - - -

Yes.--- - - - and I'm going on hire - - -

10 Yes.--- - - - they will advise me this is the job here. You come here, pick up the material from an excavation, like a legit excavation site. I take my truck over there, pick up the material and just work on hire or on a daily wage, say 140 an hour, eight hours/nine hours \$1,000/\$1,200 that's it.

All right. And when you, when you pick it up you go and tip and somebody will pay the tipping fee?---Someone – it's all organised.

It's all organised.---My job is to just put my truck and me on hire and that's about it. What I'm saying is I don't deal with Nosir on a daily basis. That's what I'm, that's what I'm trying to relate here.

20 Yes. What I want to explore with you is whether or not when you deal with Nosir whether or not it's legit.---Okay. When I deal with Nosir all materials, like for, for an argument sake if it's a demolition site - - -

Yes.--- - - - that demolition has just taken place, now the top layer we call it topsoil. It might have got a little bit brick in it, a little bit of stuff in it, like little bit brick, little bit of rocks. It's not dangerous to human life but at the end of the day it's very hard to dispose that material to a legit tip. But that material is good enough to backfill. That's my understanding although I don't know much about this game. So that kind of material he helps us out.

30 And would you pick up loads of that type of material and take it to a site controlled by Nosir?---Yes.

And would you have to pay tipping fees when you did it for Nosir?---A lot of time these guy said okay, go, not to worry about the money, like he's good (not transcribable). But sometimes like, you know, when he's tired and stuff he has to like, you know, 50 bucks/100 bucks.

40 Would that get tallied up and you'd pay at the end of the week or would you have to pay it to somebody when you went and tipped?---Normally we settled it straightaway there and then. But if I don't have money, if the guy hasn't paid me and I can just to him brother, like I don't have money. They he would say, you know, well, give it to me later.

When you're on hire doing legit work and you go and tip do you know how much it costs per tonne?---I've got a vague idea.

Well, how much?---It varies from, from \$30 to up to \$5,000.

Is that \$30 per tonne?---\$30 a load.

\$30 a load, and it could be as much as \$5,000 a load?---Can be \$10,000 a load.

It could be \$10,000 a load. And how much – if you were tipping at one of Nosir’s sites how much would it cost you per load, roughly?---A couple of hundred bucks.

10 And how much would you charge the customer to pick it up and dump it?---
Double the money.

So - - ?---So, yeah. Like I, I need to exactly, because I need to see you know what I mean. I need to – maybe I have to come back. Because when I – I just move by unit. And I was – after like when I looked at my stuff and then I would have no records. So I'm not trying to be – like if I'd know I'd tell you. Like I have to pay Nosir simple as that. But I don't know how much. I don't remember how much.

20 Have you ever dumped a load of asbestos before or, sorry, have you ever dumped a load with asbestos in it?---(No Audible Reply)

I'll start again. Have you ever dumped a load of asbestos at a legitimate waste site before?---Yeah.

You have. Is it expensive to dump a load with asbestos in it at a legitimate waste facility? Does it cost a lot?---Yeah.

30 Have you ever dumped a load containing asbestos at a site that Nosir operates?---See, like, you know, when we are taking material, if there's a little bit in it, like, you know, you can't tell, you know what I mean. If there is just a little bit, you know what I mean. I don't know, I don't, I don't know.

Can you ever – can you recall having a conversation with Nosir about an iPhone 6?---Yeah.

40 I'm going to play you a call to see if that refreshes your memory about a conversation you had about an iPhone 6. Can the witness be played phone call 3117 on 30 November, 2015.

AUDIO RECORDING PLAYED

[2.23pm]

MR MACK: Do you recall having that conversation now with Nosir?---
Yeah.

Do you recall who the iPhone 6 was for?---Yeah. I know, I know. This phone, this phone was supposed to be given to someone.

Somebody that Nosir knew?---Yeah.

Nosir said he was very important. Do you know why he was important?--- This was for one of his, his friend.

10 Do you know who his friend was?---I don't know him but - - -

Do you know what his job was, his friend's job?---I think, yeah.

What was the job?---Like, he was – I don't know much about him but I know that, like, he's a bit, like, top shot in council or something.

So Nosir had to get a phone to a top shot in council?---Yeah.

20 Do you know why Nosir was getting phones for hotshots in councils? Did he have a relationship with a hotshot in council?---I don't know the reason behind it.

Was Nosir hooked up to somebody in council?---Yeah.

And when I use the word hooked up, what do you think I mean when I say hooked up?---That was his contact.

And what would his contact in council do for Nosir?---Let him operate, I think.

30 Let him operate his business? Or let him operate illegal tip sites, is that what you mean?---I said that before. It's not an illegal tipping site.

Okay.---If someone is levelling their farm to raise the value of the farm, there's no harm in it, as long as the guy has got DA. Yes?

Yeah. All right.---So it's all good, then.

40 Did Nosir have a friend in council that would let him - - -?---See, I tell you one thing. If I put myself in his position - - -

Yes?--- - - - if I'm Nosir - - -

Yes?--- - - - and I've got a contact like that, you have to keep the person happy. I don't know what I'm saying, but what I'm saying is, yeah, the question was the iPhone 6 for him, yeah?

Yeah.---Yeah, the iPhone 6 was for him.

And for him is Nosir's contact in the council?---Yeah.

And Nosir had to keep him happy, the contact in council happy?---That's something I don't know. I'm telling you straight up, no lying, I don't know this guy. I never heard about this name before ever. I don't know. If you put this guy in front of me, I will not even recognise who this guy is. So I don't know him. That's it. So if I don't know someone, how can I tell something about him?

10 Nobody's accusing you or alleging that you know the person in council. That's not what we're discussing. What we're discussing is whether Nosir knew somebody in council. And the way that this Commission finds out about that is if you tell the Commission what Nosir told you about the guy in council.---You already know.

Well - - ----You already know what the conversation is all about. I'm telling you that Nosir and the council guys hooked up. That's what I'm saying.

20 All right. And by hooked up, do you mean that Nosir had to pay the council guy?---That's something I haven't seen exchanging hands. That's something I don't even know.

Did Nosir ever say that he had - - -?---I don't know whether this iPhone was for his son. I don't know, you know what I mean? Maybe he was lying to me. I haven't seen the other party.

I'm not saying you have, Mr Gulati, or Ash. I'm not saying you have. All I'm saying is – what I'm asking you is did Nosir ever tell you that he had to keep somebody in council happy? I'm not saying you ever met the guy in council. I'm not saying he ever existed. All I'm exploring with you is whether or not Nosir had a conversation with you where he said he has to pay money to a guy in council, he's hooked up to a guy in council.---See, he never said that to me, that he has to pay the guy money.

30

Did he ever say he was hooked up?---Like, he's known to him.

Were there any other truck drivers or people in the industry who knew that Nosir was hooked up to a guy in council?---(No Audible Reply)

40

Did other people who you worked with or saw around the tips did they know that Nosir was hooked up to a guy in council?---It was like more of a, like everyone knew about it.

So other people knew that Nosir had a contact in council?---(No Audible Reply)

Ash, I need you to answer my questions to the best of your ability. I'm not trying to trick you up and I know you're under a bit of pressure but I just need you to be honest with the Commission.---Yeah.

And did Nosir ever say to you how much money he had to pay the guy in council?---(No Audible Reply)

Can you recall ever going to Nosir's place?---(No Audible Reply)

10 You can't recall, you can recall?---I can't recall, eh.

All right. Has anybody spoken to you about giving evidence here today?
---Spoken to me about - - -

Yeah. Has anybody contacted you about the evidence you were going to give today in the Commission?---(No Audible Reply)

No one threatened you before you came here today?---(No Audible Reply)

20 You need to speak because this is being written down.---No.

Did anybody threaten you before you came here today to give evidence?
---No.

All right. I'm just going to play you one more phone call, Ash, and then – this is a call shortly after the first one I called you. This is call 3-1-2-4 and this is when Nosir called you.

30 **AUDIO RECORDING PLAYED** **[2.33pm]**

THE WITNESS: Big brother.

MR MACK: Yes.---I only said that, that this phone was for him.

Yes. Did you ever give the phone to the council guy?---No. As I said, I never met that guy. I'm making it very official here now. I don't know – I know the name of the guy – I don't even remember the name of the guy.

40 It's in the email. That's all I know about him. If the guy sat in front of me now I don't know him.

Okay. Commissioner, can I ask for a short five minute adjournment before taking questions in relation to this witness.

ASSISTANT COMMISSIONER: Yes. We'll just adjourn for five minutes.

SHORT ADJOURNMENT

[2.35pm]

ASSISTANT COMMISSIONER: You're still on the same oath to tell the truth, Mr Gulati.---Yes.

Thank you. Yes, Mr Mack.

10 MR MACK: Before the break I was talking to you quite specifically about Nosir and a council guy. Before I finish my questions today, I want to move right away from that and just ask you some general questions about the industry and your current job, because part of what this Commission does is make recommendations to the relevant authorities about the laws and processes that are in place in relation to a particular industry. Do you understand what I'm saying? Is that I just want to get an understanding from you about how you make your money in the industry. And you said before that you currently own a truck and you work for yourself, is that right?
---Yes.

20 And how many hours a week do you do in your truck?---So, eight hours a day.

And is that whilst you're on hire?---Yeah.

And do you ever do any work where you're not on hire but you're taking a profit from charging customer?---I do that, yes.

30 And how often would you do that?---Whenever there's a job available. I prefer that kind of work. I don't prefer hire.

You prefer - - -?---I don't prefer hiring. I prefer that kind of work because there is more money in it. I owe a lot of money to the bank so I need to pay off my truck as soon as possible.

So you can make more money by picking it up and charging customers directly for your service?---Yes.

40 And can you make more money if you, after you've picked something up, you take it to a site around Sydney without a weigh bridge?---Yes.

And do you take it to – if I use the term unofficial site, do you understand what I mean?---I get it. Like, unofficial site can be official site if the farmer has got a DA on it. It's going to look unofficial but technically it's official.

Okay. Well, I'll use the term “look unofficial”, okay?---Yeah, okay.

Do you make more money by taking loads to sites that look unofficial?
---Yes.

And can you tell the Commission how much more money you would make if you took it to a site that looked unofficial in comparison to a site that was official, per load?---On official site, you are talking hiring back again. Onto a looking like unofficial site you can double the money.

And on average how much would you make per load by going to an official site?---\$400, \$500 a load.

10 All right. And if you double that by taking it to a site that - - -?---No, my apologies. If you are on hire, you're talking, say, \$200, \$300 a load.

Yes.---If you go to a farm, like, if the farmer's got a DA, which is a good thing, say, you can make up to \$600, maybe a little bit more than that.

And before you answer this question, I just need to remind you that whatever you say here you've got protection so it can't be used against you?---Yeah.

20 When you go to a site that looks unofficial like a farm do you check to see if somebody's got a DA?---We normally ask.

And who do you ask?---Like for argument sake if, if I'm going to, if I'm going to a (not transcribable) site, there's a farm I'm going (not transcribable).

In where sorry?---In Campbelltown area.

30 Campbelltown?---And then over there the guy has got a DA. Yeah. So he's the owner of the land and we just like you know, I just ask him, have you got a DA and the guy said, yes. And that's good enough for me. Because at the end of the day he will stand responsible for the material he has got on his land. And every time I, I try to play the game honestly to the, to the highest possible. I show him the material before. So this is the material you're getting and he's happy with it, he takes it. He understands the fact that I don't have a VENM report for it. I'm not talking about Nosir at this -- I'm talking about another farm I've got.

40 When you say VENM - - -?---Not I've got, I'm using his farm.

Did you mention VENM reports before, is that what you said, VENM?---Yeah.

And is that virgin, is that a reference to virgin material?---Virgin, yeah, virgin material, yeah.

So do you often get virgin -- do you often do loads of virgin material?---Virgin material, if somebody has got virgin material they can actually, they

can actually do them, do it by themselves. So they don't need anyone else, you know what I mean.

Do you need a certificate?---You need a certificate.

And where do you get the certificate from?---There are people out there who, who test the soil and advise you what's in it.

10 This is a general question about dumping soil in Sydney. Given the example of an official site and then a farmer who's got a DA. In your experience are there many sites where people know there's no DA?---(No Audible Reply)

20 Are you nodding your head?---No, no. I know like people are dumping it. And now later they have done it very hard. They have made it extremely hard for people to dump in the farm. And now I was driving along Camden Valley Way on hire again with ATM next to the mosque. There's a mosque there, it's like a bombastic, it's all filled up with stuff you name it. So I don't know, like illegal dumping now we're talking, like full illegal dumping.

Full illegal dumping, I'm talking?---Yeah.

30 Did it used to happen more often and it doesn't happen so much now or is it - - -?---Yeah. It's not – it wasn't – now it's going happen too much, it's just my opinion. I'm not saying I'm going to dump it. Because we can't dump in the farms any more. And I'm talking good material, levelling of the farm. But now they're not even supposed to have that now. I don't know. There's been letters been sent to all the farms across Sydney. They're not supposed to take material from no one unless they have VENM report. And if someone has VENM report why they going to do it to later on, in the bush? They're going to dump it in St Marys official tip, argument sake.

So it's very hard now to dump - - -?---Very hard now.

- - - material illegally?---Take it this way, if someone is cooking, it's not, it's not like a cocaine or like marijuana, you're not cooking it at home. It's coming out of the ground and going into the ground, you know what I mean.

40 What I'm trying to establish. That's harder to do now?---It's impossible now.

So it was easier say a year or two ago or three years ago or four years ago? ---Yeah. Yeah, it was easier.

And do you remember it being easier?---At that time I was like, yeah. At that time to me it was common sense. It was common knowledge. Like you know if you dump material, go there, tip it, you know. Because I was new

to the industry it didn't even ring a bell that's it illegal. And I went to the EPA myself once and it says if, if the material is going to someone's farm the material belongs to them, simple as that. As long as you didn't tip it and run away.

So that's when you first started in the industry - - -?---That's, yeah. It was like common sense. You'd go to the farm, tip it, no drama.

10 Okay. And then did your understanding evolve in relation to what was legal and what was not legal?---My understanding was, my understanding was if someone is tipping down the dump, it's nowhere different if someone is tipping on a farm. That's my understanding when I started.

And then after you started, did that understanding change?---Yes.

And when did it change?---When I learn more about the material because to me everything was soil to begin with. Then I understand this is this, this is this, this is this.

20 So you understood that some soil might have a bit of brick in it or - - -?
---Yeah. They call it top layer, then we have got shale, we got sandstone, then we got solid waste, then we got general solid waste, then, yeah, then we got top, asbestos load.

And you learned that, or you came to understand that you couldn't just tip anywhere you want?---Yeah. Then I knew that it's, it's, it's not the wise thing to do. But then again, as long as it's below four metres, it's under four metres it's still all right. That's something I, I learn from one of my farms in Peats Ridge got busted by EPA – not one of my farms, I have to stop saying this. And the EPA guy said as long as it's under four metre it's okay. But then it's again, I don't know whether it's okay or not.

30 Okay. Do you think it's unfair that some people can make money by tipping illegally whereas other people who obey the rules make less money, do you know what I'm saying?---That's what I'm, that's, that's my anger. That's, that's, see I got angered exactly why, why I'm doing this because these people have made hell out of my life. If you work on hire with someone you are treated as a, as a, excuse my language here, scum. They will call you, they will hire you and then they will just tomorrow no work, 40 bugger off. If you want to talk about money for my work - - -

Yeah.--- - - - you are talking money 45 days, two months, three months so going on hire is like committing suicide isn't it. There is a company, I'm not going to name the company, I worked for them in February. I still haven't got paid and so what's the point going on hire.

So when you say on hire, you mean disposing material - - -?---For someone for - - -

- - - at official sites?---Yeah. For someone from, to, from A to B for someone.

Okay. And so there's a lot of pressure on you to pick up rubbish and then dump it at an unofficial site?---I'm not saying rubbish. I'm, I'm talking - - -

10 Sorry, soil, soil.--- - - - like you know, make, create your own jobs. Work for yourself. That gives you an edge and where you going to take it. The closest thing is, is the farm, you know. The easiest way is the farm. The only, yeah. If going on hire is a wise thing the whole of Sydney will be happy going on hire. Because people have made it very hard you don't want to go on hire. You can't pay off – your truck off if you go on hire because you – if you working one day \$250 only for diesel. In some cases \$300 worth of toll. That's \$500 you've just put in for the day, locked in for 45 days, for two months and after that you have to beg for your money. So that's why, yeah, I don't prefer going on hire.

20 So when you go on hire somebody else pays the tipping fees - - -?---Yeah. - - - through an account?---They, they look after the whole lot.

I just want to return back to Nosir now. Did Nosir have any farms in Sydney where you used to dump at?---We already know about these farms. That's all I know about Nosir.

All right.

30 ASSISTANT COMMISSIONER: Did you suspect that they might be illegal because of the fees he charged?---Yes.

MR MACK: And before when I was asking you about Nosir's relationship to a guy in council I asked you a question in relation to money.---Yeah.

And you said you don't - - -.---I think he was paying like huge sums of money I think.

Nosir was paying a few sums of money to the - - -?---Huge sum.

40 Huge sum. Was it – do you know if it was a weekly sum or a monthly sum of yearly or - - -?---Something I'm not sure. He never said that but I think I picked up from somewhere he is paying like \$10,000, something like that. Like don't quote me on it because I heard it. I'm pretty sure didn't said that to me but I heard people talking about it that this guy has to pay a lot of money in order to run. I don't know, brother, seriously.

All right. Thank you, Mr Gulati. They're all the questions I have for you. ---Yeah.

ASSISTANT COMMISSIONER: Thank you. Now apart from Mr Patterson is there anyone else who wants to ask Mr Gulati any questions? Mr Patterson?

MR PATTERSON: No, I have no questions, Commissioner.

ASSISTANT COMMISSIONER: No questions. Thank you. Then, Mr Gulati, you're excused. Thank you for coming.---Thank you, sir.

10

THE WITNESS EXCUSED

[2.56pm]

MR MACK: Commissioner, just as a matter of housekeeping I tender those to calls. That's call 3-1-1-7 and 3-1-2-4. Mr Gulati, you can go. Thank you.

ASSISTANT COMMISSIONER: That's 23, Exhibit 23.

20

#EXHIBIT S23 - TRANSCRIPT SESSIONS 3117 AND 3124

MR MACK: Unfortunately, Commissioner, that's all the witnesses that are available today.

ASSISTANT COMMISSIONER: All right. We'll adjourn until tomorrow morning.

30

AT 2.57PM THE MATTER WAS ADJOURNED ACCORDINGLY

[2.57PM]