

INDEPENDENT COMMISSION AGAINST CORRUPTION

NSW ICAC
EXHIBIT

STATEMENT IN THE MATTER OF: Operation Nickel - File No. E12/1944

PLACE: VALLA BEACH
NAME: Alex Francis DONNELLY
ADDRESS: Known to ICAC
OCCUPATION: Company Director
TELEPHONE NO: Known to ICAC
DATE: 3 July 2013

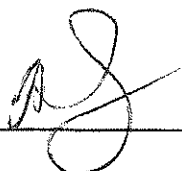
States: -

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.

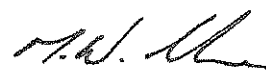
2. I am 54 years of age.

3. I am a Company Director of a company trading as Nambucca Valley Landscape Supplies Pty Ltd. The primary place of business for my company is located at [redacted] I purchased the business Nambucca Valley Landscape Supplies Pty Ltd on the 3 December 2003. The business specialises in the retail of landscaping supplies to the public and trade customers.

Signature



Witness

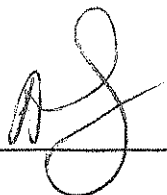


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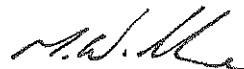
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4. I am the current holder of a class Heavy Rigid and Riders licenses with the New South Wales Roads and Maritime Services ("RMS"), formerly known as the Roads and Traffic Authority ("RTA"). I have held my Heavy Rigid class of license continuously since approximately 1978.
5. I am the registered owner of a 2003 Ford XL Extra Cab 1 Tonne commercial vehicle (utility) bearing New South Wales registration plate details ZBU867. The vehicle is white in colour and is fitted with a genuine Ford aluminium tray on the rear. I have owned this vehicle since purchasing it in June 2004. Upon purchasing the vehicle has always been fitted with the registration plates number ZBU867 (NSW). Vehicle ZBU867 (NSW) was a purchased new by me from the dealership but was a former "demonstrator".
6. I have never removed registration plate number ZBU867 (NSW) from my vehicle. Nor have I ever allowed any other person to use registration plate number ZBU867 on their vehicle.
7. The service history of the vehicle ZBU867 (NSW) shows that a routine service was carried out on the 14 March 2012 and the odometer reading on that date was 170,653km. Another service was conducted on the vehicle on the 19 March 2013 with the odometer reading being 186,735km. These services correlate with the registration due date in late March each year.

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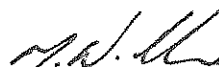


8. The odometer reading as at 25 June 2013 when I was contacted by Senior Investigator Michael Kane from the Independent Commission Against Corruption was 191,268km.
9. I do not know a person by the name of Christopher Binos or any other persons employed or contracted to the Roads and Maritime Services as a Heavy Vehicle Competency Based assessor or instructor.
10. I do not know of a business or company trading as Ace Truck Training Group or Forklift Training and Licensing Pty Ltd.
11. I have never rented or leased my vehicle ZBU867 (NSW) to Christopher Binos, Ace Truck Training Group, Forklift Training and Licensing Pty Ltd or any other person or company to be used for any heavy vehicle assessment training.
12. I have checked my diaries and/or other work related documentation held by myself and my company in the normal course of business, which I believe are true and correct to the best of my knowledge and belief. I can state the following:-
13. On 18 September 2012, business records held by Nambucca Valley Landscape Supplies Pty Ltd show my handwriting in both the day diary and the delivery diary. The holiday book shows that I was not on leave on that day. I can also recall some of the deliveries that I undertook on this particular day.

Signature



Witness



14. On 18 September 2012, I commenced work at Nambucca Valley Landscape Supplies Pty Ltd at 6.45am and I generally leave work around 4.15pm. My normal days of work are Mondays to Fridays inclusive.
15. Vehicle ZBU867 (NSW) is used by me on a daily basis to commute to my place of work from home. I also own another motor vehicle and a motorcycle. The motor cycle is strictly for recreational purposes. It is very rare for me to use the other vehicle for commuting and I would only do so in the event that the Ford was in being serviced.
16. I cannot state emphatically that my vehicle ZBU867 (NSW) was parked at my work address of _____ on the 18 September 2012 but there is a high likelihood that it was. When at my work address, the vehicle is usually parked inside the fenced yard in an area not frequented by customers or the general public.
17. I am unable to state that vehicle ZBU867 (NSW) was not in the Sydney metropolitan area on the 18 September 2012 however the likelihood of this is extremely remote.
18. On 24 June 2013, Senior Investigator Michael Kane from the Independent Commission Against Corruption ("ICAC") asked me about my knowledge of a person by the name of _____ who had been recorded as using my vehicle, registration number ZBU867 (NSW), on the 18 September 2012 for

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medium and/or heavy truck license assessments. I am able to state that I do not know any person by that name.

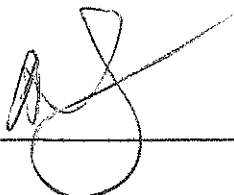
19. Nor have I ever given any other persons access to my vehicle, ZBU867 (NSW) at any stage to undertake any medium or heavy truck driving assessments.

20. It is my opinion that vehicle ZBU867 (NSW) is unsuitable to be used for any medium or heavy assessment activities as it does not constitute a heavy vehicle.

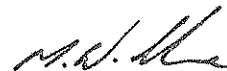
21. As previously stated in this statement, the vehicle is used on a daily basis by myself to commute between home and work.

22. I would never allow any person not associated with my family or business to drive my vehicle.

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