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TRANSCRIPT OF MORNING PROCEEDINGS

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INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION

MELBOURNE

WEDNESDAY, 25 NOVEMBER 2020

(35th day of examinations)

BEFORE THE HONOURABLE ROBERT REDLICH AM, QC

Counsel Assisting: Mr Michael Tovey QC  
Ms Amber Harris  
Mr Tam McLaughlin

OPERATION SANDON INVESTIGATION

PUBLIC EXAMINATIONS PURSUANT TO PART 6 OF THE INDEPENDENT  
BROAD-BASED ANTI-CORRUPTION COMMISSION ACT 2011

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*Every effort is made to ensure the accuracy of transcripts.  
Any inaccuracies will be corrected as soon as possible.*

1 COMMISSIONER: Thank you. It's Wednesday, 25 November. 09:53:19AM

2 Ms Graley, I'm the IBAC Commissioner, and I'm conducting 10:07:40AM

3 this examination under powers under the IBAC Act, 10:07:43AM

4 particularly Part 6. Mr Tovey will be Senior Counsel 10:07:47AM

5 Assisting, and I authorise him to examine you. Although 10:07:53AM

6 this is an inquisitorial process, not an adversarial one, 10:07:57AM

7 I am by and large conducting the examinations pursuant to 10:08:01AM

8 the rules of evidence. The examination is being video 10:08:06AM

9 recorded. Counsel Assisting will ask you questions. 10:08:11AM

10 I may also ask you questions. 10:08:16AM

11 Either during the course of those questions or 10:08:18AM

12 certainly at the end of them your legal representative 10:08:22AM

13 will have the opportunity to ask questions to clarify your 10:08:26AM

14 answers. But if, Mr Stary, at any stage during 10:08:29AM

15 Ms Graley's evidence you feel her evidence would be best 10:08:35AM

16 served by asking her to expand further on something at the 10:08:38AM

17 time rather than wait until the end of the examination 10:08:43AM

18 you're more than welcome to interrupt. 10:08:47AM

19 MR STARY: Thank you, Commissioner. 10:08:49AM

20 COMMISSIONER: Ms Graley, you should let me know if at any 10:08:52AM

21 stage during the examination you wish to have a break to 10:08:55AM

22 speak with Mr Stary or if you want to have a break for any 10:08:58AM

23 other reason. We will adjourn halfway through the morning 10:09:01AM

24 and halfway through the afternoon. But if you want to 10:09:06AM

25 have any other breaks just let me know. 10:09:10AM

26 The examination is being conducted pursuant to 10:09:14AM

27 division 3 of the COVID-19 omnibus regulations 2020. If 10:09:20AM

28 at any stage, Ms Graley, you have difficulty in hearing 10:09:29AM

29 the questions or if you have any difficulty understanding 10:09:33AM

1 any question, you should simply ask counsel or whoever is 10:09:36AM  
2 asking you the question to repeat it. If there's a 10:09:40AM  
3 problem with audio, obviously we'll stop until that can be 10:09:44AM  
4 rectified. 10:09:47AM

5 I note Mr Stary of Stary Norton Halphen is in 10:09:50AM  
6 attendance to represent you. I note also that when an 10:09:55AM  
7 examination is being conducted virtually using the 10:09:59AM  
8 audiovisual link no unauthorised persons should be present 10:10:02AM  
9 in any room from where the live stream of the virtual 10:10:08AM  
10 examination is taking place or be able to hear those 10:10:11AM  
11 proceedings in that room. 10:10:16AM

12 <JUDITH ANN GRALEY, affirmed: 10:10:18AM

13 COMMISSIONER: Ms Graley, I'm now required to identify for you 10:11:35AM  
14 the matters about which you will be questioned during the 10:11:38AM  
15 examination. You will be asked about your knowledge of 10:11:41AM  
16 the political donation practices of John Woodman and his 10:11:46AM  
17 business associates, agents or consultants, and how 10:11:50AM  
18 planning matters of interest to Mr Woodman and his 10:11:57AM  
19 business associates were advanced with elected officials 10:12:00AM  
20 at local and state government level; your knowledge of the 10:12:03AM  
21 use of lobbyists, political donations and fundraising to 10:12:10AM  
22 assist Mr Woodman and his business associates, agents or 10:12:15AM  
23 consultants to gain access to public officers involved in 10:12:18AM  
24 planning and property development decision making at local 10:12:21AM  
25 and state government level; your knowledge of matters the 10:12:25AM  
26 subject of the scope and purpose described in the attached 10:12:32AM  
27 further information and directions for public examinations 10:12:36AM  
28 in Operation Sandon, and in particular as they apply to 10:12:39AM  
29 planning or property development activities within 10:12:44AM

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Victoria that involve John Woodman, his family, his  
associate entities, business associates, agents or  
consultants; and, finally, the transparency and integrity  
of dealings between public officers involved in planning  
and property development decision making, including any  
person elected or seeking election to a municipal council  
or the parliament of Victoria, and any person who may  
directly or indirectly benefit from that decision making,  
including but not limited to land owners, property  
developers or their consultants, and any representative of  
those persons, including persons engaged in lobbying  
activities. Ms Graley, at the time that you were served  
with the summons did you receive a document entitled  
'Statement of rights and obligations'?---Yes, I did.  
And has Mr Stary or some other lawyer explained the content of  
that document to you?---We've had discussion, yes.  
Do you understand the contents of the document, or would you  
like me to again inform you of your rights and obligations  
or have any part of it explained to you?---No, I think I'm  
fine.  
All right. Just by way of summary, your obligation is to  
answer questions that are you asked, unless you have a  
reasonable excuse for not doing so. You must answer the  
questions even if they may incriminate you or make you  
liable to a penalty. You must answer the questions  
truthfully, otherwise you would expose yourself to a risk  
of perjury, which carries a penalty of up to 15 years  
imprisonment. Importantly, if you answer the questions  
truthfully, then your answers are not admissible and

10:12:46AM  
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10:14:39AM  
10:14:44AM  
10:14:47AM

1 cannot be used against you in court, the exception being 10:14:50AM  
2 if you gave false evidence then of course your answers 10:14:56AM  
3 could be used against you on a perjury charge. Do you 10:14:58AM  
4 understand all that?---Yes. 10:15:03AM  
5 Very good. So, as I say, at any stage if you want to have a 10:15:08AM  
6 break either because you would just like to have one or 10:15:12AM  
7 because you want to consult with Mr Stary you need only 10:15:15AM  
8 indicate that you want to do that. Do you follow?---Yes, 10:15:18AM  
9 I do. 10:15:21AM  
10 Very good. Yes, Mr Tovey. 10:15:21AM  
11 <EXAMINED BY TOVEY: 10:15:23AM  
12 Are you Judith Graley?---I am. 10:15:34AM  
13 Did you attend here today in response to a summons served on 10:15:40AM  
14 your solicitor?---I did. I have. 10:15:46AM  
15 Mr Commissioner, I seek to tender summons SE3415 and the 10:15:49AM  
16 attached, 'Statement of rights and obligations'. 10:15:56AM  
17 COMMISSIONER: Very good. That will be exhibit 295. 10:16:00AM  
18 #EXHIBIT 295 - Summons SE3415 and the attached 'Statement of 10:16:04AM  
19 rights and obligations'. 10:15:57AM  
20 MR TOVEY: Ms Graley, in 2018 you retired, did you, at the end 10:16:06AM  
21 of that year?---I did. 10:16:14AM  
22 At the time of the 2018 election from state 10:16:15AM  
23 parliament?---I did. 10:16:21AM  
24 How long had you been in parliament?---I was elected in 2006 - 10:16:21AM  
25 - - 10:16:27AM  
26 And what party did you represent?---The Australian Labor Party. 10:16:27AM  
27 Could you indicate what your background was in terms of the 10:16:34AM  
28 local and state politics and political 10:16:42AM  
29 involvement?---Sure. I got involved in politics in my 10:16:46AM

1 late 30s again, after being a little bit involved in 10:16:52AM  
2 student politics whilst I was at university. 10:16:56AM  
3 How old are you now?---I'm 63. 10:16:59AM  
4 Thank you. Sorry?---That's okay. And when I was - I think 10:17:04AM  
5 I was 40 when I got elected to the Mornington Peninsula 10:17:13AM  
6 Shire Council, and I served six years there, including a 10:17:17AM  
7 term as mayor. I then went and worked for a couple of 10:17:19AM  
8 politicians assisting in their electoral offices, and in 10:17:23AM  
9 2005 I decided to stand for - no, in 2002 I actually stood 10:17:32AM  
10 for the state seat of Mornington, which was a very hard 10:17:37AM  
11 seat for a Labor politician to win. But in 2005 I sought 10:17:44AM  
12 preselection for Narre Warren South and I won that seat in 10:17:50AM  
13 2006. 10:17:54AM  
14 In Narre Warren South, Cranbourne is the bordering electoral 10:17:58AM  
15 subdivision?---Originally Cranbourne was in my electorate. 10:18:09AM  
16 Part of Cranbourne was in my electorate. There was a 10:18:15AM  
17 redistribution I think just before the 2014 election that 10:18:19AM  
18 took part of Cranbourne out of my electorate. 10:18:23AM  
19 Did you hold any office whilst in parliament?---Yes, I did. 10:18:29AM  
20 And what offices did you hold?---I was - well, I was the member 10:18:35AM  
21 for Narre Warren South, of course, and I was also - in 10:18:42AM  
22 opposition I was Parliamentary Secretary to the Leader of 10:18:46AM  
23 the Opposition. In government I was Parliamentary 10:18:51AM  
24 Secretary to the Deputy Premier and the Minister For 10:18:55AM  
25 Education, and - - - 10:18:58AM  
26 And who was the Deputy Premier during your time?---Mr Merlino. 10:18:59AM  
27 And I was also deputy chair of the parliamentary committee 10:19:06AM  
28 on outer suburban development. 10:19:09AM  
29 All right. Now, did you during that period of time in 10:19:13AM

1 parliament come to meet or come to know Philip Staindl, or 10:19:23AM  
2 had you already know him from associations with the Labor 10:19:31AM  
3 Party going back many years?---The latter. I knew him 10:19:36AM  
4 from years ago. He had been a candidate. I had seen him 10:19:38AM  
5 around at, you know, conferences and things like that, 10:19:43AM  
6 yes. 10:19:45AM  
7 And were you aware of him actually working as a political 10:19:47AM  
8 lobbyist for any period of that time?---Yes, I was. 10:19:52AM  
9 What period?---I would say after I entered parliament probably. 10:19:56AM  
10 I think - I mean, yes, around about - yes, since I was in 10:20:08AM  
11 parliament probably. He was a political lobbyist during 10:20:16AM  
12 that time, yes. 10:20:18AM  
13 And what about John Woodman? Did you come to meet him or be 10:20:20AM  
14 represented by - sorry, were you approached by anybody 10:20:30AM  
15 representing him and, if so, at what stage?---Are you 10:20:34AM  
16 asking me when I first met Mr Woodman or? 10:20:38AM  
17 Well, when you first either met Mr Woodman or were approached 10:20:41AM  
18 by Phil Staindl or somebody else on his behalf?---All 10:20:47AM  
19 right. Well, Mr Woodman used to come to council meetings 10:20:51AM  
20 as an applicant for planning permits, and that was - you 10:20:55AM  
21 know, so I saw him there. But I didn't have any - you 10:21:00AM  
22 know, there was no contact as such. He just attended 10:21:03AM  
23 council meetings. I think as I recall I may have been at 10:21:06AM  
24 a fundraiser where Phil and Mr Woodman were together. It 10:21:16AM  
25 wasn't my fundraiser. But I think that happened - - - 10:21:21AM  
26 What period of time?---2004, 2005. 10:21:25AM  
27 Yes. And following that we've heard a lot of evidence that you 10:21:32AM  
28 and he had a coincidence of interest in respect of 10:21:41AM  
29 the rezoning of the land which was subject of the C219 10:21:45AM

1 amendment; that is, the Cranbourne West 10:21:52AM  
2 rezoning?---I don't know what you mean by 'coincidence of 10:21:57AM  
3 interest'. 10:21:59AM  
4 Don't you?---No. 10:22:00AM  
5 Did you support the rezoning of that land?---I supported the 10:22:01AM  
6 community's campaign. 10:22:07AM  
7 I'm simply asking you did you support the rezoning of the 10:22:09AM  
8 land?---I supported the community's campaign for the 10:22:12AM  
9 rezoning of that land. 10:22:15AM  
10 So the answer is yes?---Well, I represented the people of the 10:22:17AM  
11 area in supporting that, yes, but - - - 10:22:23AM  
12 Ms Graley, let's get off on the right foot here. The question 10:22:28AM  
13 was a simple question. I didn't ask you the reason why 10:22:32AM  
14 you did what you did; all right? We can move a step at a 10:22:35AM  
15 time, but I don't want to have unnecessary - - 10:22:43AM  
16 -?---I've - - - 10:22:43AM  
17 If you understand what I'm saying?---I've never done this 10:22:46AM  
18 before, I'm sorry. 10:22:51AM  
19 So the simple answer is yes, and when I suggested to you that 10:22:51AM  
20 you had a coincidence of interest, Mr Woodman was also 10:22:54AM  
21 interested in getting the same result. I'm not saying 10:22:59AM  
22 that you were both doing it for the same reasons, but 10:23:03AM  
23 Mr Woodman, through Mr Staindl, approached you on many 10:23:07AM  
24 occasions, did he not, in respect of matters to be put 10:23:11AM  
25 forward in respect of C219?---On occasions, yes. 10:23:16AM  
26 We have already been through this with Mr Staindl. He was 10:23:23AM  
27 meeting with you for a period in 2015 on a monthly or more 10:23:31AM  
28 than a monthly basis to discuss Mr Woodman's views in 10:23:39AM  
29 respect of C219. Do you have any difficulty with 10:23:44AM

1 that?---Well, I don't think that was the sole purpose of 10:23:51AM  
2 my meetings with Mr Staindl, no. It may have been part of 10:23:57AM  
3 it - - - 10:24:01AM  
4 If I can ask you if you can just address the question. 10:24:02AM  
5 I didn't ask you what the sole purpose was. I'm saying 10:24:06AM  
6 did you meet with him in respect of C219 on a monthly 10:24:09AM  
7 basis or thereabouts?---I don't think it was a monthly 10:24:13AM  
8 basis. But I did meet with him, yes. 10:24:16AM  
9 That's what his notes say?---All right. 10:24:19AM  
10 And his evidence?---Well, it didn't feel like monthly to me. 10:24:22AM  
11 I didn't realise. 10:24:25AM  
12 COMMISSIONER: Ms Graley, could I just interrupt to ask did you 10:24:26AM  
13 follow the evidence of Mr Staindl that was given during 10:24:30AM  
14 the public hearings?---No, no. 10:24:33AM  
15 All right. And you've not since he gave that evidence tried to 10:24:36AM  
16 familiarise yourself with the content of it?---I've read a 10:24:40AM  
17 little bit of it but not all of it, no. 10:24:43AM  
18 Okay. Thank you. 10:24:46AM  
19 MR TOVEY: Did Mr Woodman at any stage or one of his companies 10:24:56AM  
20 contribute to your election campaign?---He attended 10:24:59AM  
21 fundraisers, yes. 10:25:06AM  
22 And did he make any donations specifically to the campaign 10:25:08AM  
23 itself?---Not Mr Woodman, no. He attended fundraisers 10:25:15AM  
24 where he paid to have his lunch and he paid for that and 10:25:19AM  
25 I deposited that in my SECC account as is required by both 10:25:25AM  
26 party and legislation. 10:25:30AM  
27 It's recorded that in the lead-up to the 2014 election he made 10:25:34AM  
28 donations to the Narre Warren South SECC for you of 10:25:48AM  
29 \$20,000?---That never happened. That never happened. 10:26:03AM

1 Never. I have never received a \$20,000 donation off 10:26:07AM  
2 anyone. 10:26:12AM  
3 Did you have any knowledge that Mr Woodman had donated 10:26:13AM  
4 \$20,000?---No. 10:26:19AM  
5 Something that happened?---No. I'm shocked. 10:26:20AM  
6 Would you normally be aware of who it was who was making 10:26:25AM  
7 donations?---Absolutely I would be. 10:26:29AM  
8 Have you ever checked whether donations were made by 10:26:33AM  
9 Mr Woodman?---Into my account? 10:26:40AM  
10 Into the electoral fund that supported your 10:26:41AM  
11 re-election?---Well, I wasn't being re-elected. Is this 10:26:49AM  
12 before 2014? 10:26:53AM  
13 This is in the lead-up to the 2014 election?---Sorry. We have 10:26:54AM  
14 to - the party requires us to reconcile our donations with 10:26:59AM  
15 our payments every year, and I never received a \$20,000 10:27:04AM  
16 donation from Mr Woodman. Never. I never received a 10:27:07AM  
17 \$20,000 donation from anyone. 10:27:11AM  
18 Did Mr Woodman at any stage acknowledge in conversation with 10:27:16AM  
19 you that he had made a significant donation to your 10:27:26AM  
20 re-election?---No. No. I mean, I've never heard of this. 10:27:31AM  
21 You're aware that The Age published an article in 2019 10:27:39AM  
22 suggesting that he had made - sorry, in November of 2018, 10:27:45AM  
23 had they not, alleging a link between you and 10:27:50AM  
24 Mr Woodman?---2018? In November 2018, before the 10:27:59AM  
25 election? 10:28:04AM  
26 COMMISSIONER: No, no, no, The Age article. Just be clearer, 10:28:04AM  
27 would you, Mr Tovey?---Yes, I mean, The Age article was 10:28:08AM  
28 published in November 2018. 10:28:12AM  
29 Yes?---It wasn't - I wasn't standing in that election. 10:28:15AM

1 I didn't do very much fundraising. I never did much 10:28:19AM  
2 fundraising ever, and I certainly had stopped fundraising 10:28:22AM  
3 in 2016. 10:28:27AM  
4 MR TOVEY: What I'm suggesting, we've heard telephone 10:28:32AM  
5 conversations between Mr Woodman and Mr Staindl?---Yes. 10:28:35AM  
6 Talking about how disappointed you were, if I can use a neutral 10:28:42AM  
7 term, in respect of the publication in The Age of 19 - - 10:28:49AM  
8 -?---I was. 10:28:55AM  
9 Of 18 November 2018?---I was very disappointed - - - 10:28:55AM  
10 Alleging connections between you and Woodman?---No, I'll tell 10:28:59AM  
11 you why I was very upset that day. My first granddaughter 10:29:04AM  
12 had been born and The Age had me on the front page. I was 10:29:07AM  
13 very upset. 10:29:13AM  
14 That article suggested this, that there had been a fundraiser 10:29:18AM  
15 in March of 2014 conducted by Mr Woodman - sorry, at which 10:29:29AM  
16 Mr Woodman made donations to yourself, Mr Perera and 10:29:39AM  
17 Martin Pakula. Do you recall that allegation being 10:29:46AM  
18 made?---Yes. 10:29:52AM  
19 And that was correct?---There was a fundraiser for three of us, 10:29:53AM  
20 yes. 10:29:59AM  
21 And how much was raised?---I don't know, because it wasn't paid 10:30:00AM  
22 into my account. 10:30:07AM  
23 The evidence we've heard is that there was \$30,000 raised and 10:30:11AM  
24 \$10,000 applied to the accounts of each of you, that is 10:30:17AM  
25 the electoral accounts?---It could have been that amount. 10:30:25AM  
26 It probably was. I don't know. I can't remember. But, 10:30:30AM  
27 if that's how it happened, it was paid into one account. 10:30:32AM  
28 I didn't organise this - I did not organise this 10:30:36AM  
29 fundraiser and - but I attended it and I received some 10:30:39AM

1 funds from it, yes, into my SECC account, as is required. 10:30:44AM  
2 And that was a fundraiser funded, as you understood it, by 10:30:48AM  
3 Mr Woodman?---As I said, I didn't organise the fundraiser, 10:30:52AM  
4 and I basically turned up. 10:30:56AM  
5 But was the fundraiser, to your understanding, organised by 10:31:01AM  
6 Mr Woodman?---I would have thought it was organised by 10:31:08AM  
7 Mr Staindl. 10:31:12AM  
8 COMMISSIONER: Was that the fundraiser at the casino, 10:31:14AM  
9 Mr Tovey?---Yes. 10:31:17AM  
10 MR TOVEY: That's the Crown Casino?---Yes, yes. 10:31:17AM  
11 COMMISSIONER: Thank you. 10:31:20AM  
12 MR TOVEY: 2014. So you say you weren't conscious of receiving 10:31:21AM  
13 any funding for your re-election as a result of 10:31:25AM  
14 that?---No, we - the proceeds of the fundraiser were 10:31:31AM  
15 divided up between the three candidates. 10:31:37AM  
16 But you weren't conscious of either the amount or the source 10:31:40AM  
17 that came from that?---No. I was aware that - I mean, 10:31:48AM  
18 John Woodman and some of his staff were in the room, and 10:31:52AM  
19 I did not know everybody that was in the room. I did not 10:31:55AM  
20 organise the guest list. 10:32:04AM  
21 All right. Now, insofar as I've asserted to you that in 2014 10:32:10AM  
22 you got \$20,000, I'm told that the table that I was 10:32:25AM  
23 referring to is in fact inaccurate and that the amount 10:32:31AM  
24 that it is alleged that you received by way of funding was 10:32:37AM  
25 \$10,000, which was no doubt the Crown Casino. Does that 10:32:41AM  
26 accord with your recollection?---It was probably around 10:32:46AM  
27 that - - - 10:32:50AM  
28 I apologise for that inaccurate assertion to you. In The Age 10:32:51AM  
29 article it asserted, 'Ms Graley, who is retiring this 10:32:59AM

1 election, confirmed she received thousands of dollars from 10:33:07AM  
2 Watsons in her time as an MP, including the fundraiser at 10:33:11AM  
3 Crown Casino in 2014.' So when you were approached in 10:33:19AM  
4 2018 by Royce Millar, who was writing that article, you 10:33:24AM  
5 were conscious of the fact, were you, that thousands of 10:33:30AM  
6 dollars had come in 2014 from Mr Woodman?---Yes. 10:33:34AM  
7 I'm sorry, from Watsons?---Yes. 10:33:39AM  
8 You said to Mr Millar that you thought you recalled writing to 10:33:47AM  
9 Casey Council to support the Leighton rezoning after being 10:33:54AM  
10 contacted by residents opposed to industry on the 10:34:02AM  
11 Cranbourne West site and that the Leighton/Kelly land is 10:34:07AM  
12 not in your electorate. Are those matters that you did in 10:34:15AM  
13 fact convey to Mr Millar?---Yes. 10:34:18AM  
14 And I think you indicated to him or he reported that you 10:34:28AM  
15 indicated to him that Watsons had contributed to lots of 10:34:33AM  
16 campaigns and lots of MPs. Was that your 10:34:37AM  
17 understanding?---Yes. 10:34:42AM  
18 So was it the case at that stage that Watsons was well known in 10:34:43AM  
19 your political circles as a significant donor?---Well, 10:34:49AM  
20 Watsons were a platinum sponsor of Progressive Business. 10:34:55AM  
21 They were well known in - by all people in the Labor 10:35:00AM  
22 Party, I presume. 10:35:05AM  
23 Ms Graley, I want to play to you just part of a conversation 10:35:12AM  
24 which took place in late 1918?---1918? 10:35:16AM  
25 Sorry, in late 2018, concerning donations made to you. This is 10:35:23AM  
26 tab 85, which is exhibit 61. Now, I want you to 10:35:33AM  
27 understand before hearing this that there are assertions 10:35:45AM  
28 made by Mr Woodman as to his donations and what he 10:35:48AM  
29 expected. I want to make it clear to you that, as 10:35:52AM

1 I understand it, it is not being asserted that you were 10:36:00AM  
2 receiving bribes or anything of that nature. I simply 10:36:04AM  
3 want you to be aware of what the perception was by 10:36:08AM  
4 Mr Woodman at that time of the influence his donations 10:36:11AM  
5 were having. Do you understand what I'm saying?---Yes, 10:36:15AM  
6 I do. 10:36:19AM  
7 All right. I'm told that as part of that exhibit we have 10:36:19AM  
8 tab 86, which is just a clip of part of that conversation. 10:36:43AM  
9 COMMISSIONER: Ms Graley, you should see on your screen the 10:37:03AM  
10 transcript of the conversation come up so that you can 10:37:07AM  
11 follow it as the conversation is being played. 10:37:10AM  
12 (Audio recording played to the Commission.) 10:37:23AM  
13 MR TOVEY: I think we can stop playing that there. That's the 10:40:02AM  
14 section which is relevant so far as you're concerned. 10:40:05AM  
15 Just to put that in context, I said it was late 2018. In 10:40:08AM  
16 fact, it was January 2019, and the people you hear talking 10:40:11AM  
17 are Mr Woodman and Mr Tom Kenessey, who was somebody who 10:40:17AM  
18 represented and worked for, either as a consultant or as 10:40:27AM  
19 an employee, Leightons, who owned the land that was the 10:40:31AM  
20 subject of the proposed rezoning. All right. Insofar as 10:40:35AM  
21 he says there that he was paying you and other people to 10:40:42AM  
22 talk to Tim Pallas, it would seem that he saw you as a 10:40:48AM  
23 conduit at least to Tim Pallas. Did you go to Tim Pallas 10:40:56AM  
24 for him at any stage?---No, I don't recall ever speaking 10:41:02AM  
25 to Tim Pallas about this planning scheme amendment or any 10:41:07AM  
26 other planning issue, actually. 10:41:14AM  
27 Insofar as paying you, the only financial arrangement involving 10:41:23AM  
28 Mr Woodman or Watsons that you know affected you was the 10:41:28AM  
29 \$10,000 that you got - sorry, that your campaign got as a 10:41:33AM

1 result of the Crown Casino fundraiser; is that the 10:41:38AM  
2 situation?---No, he had attended other fundraisers that 10:41:42AM  
3 I had held between 2006 and 2016 - 2015/16, or 10:41:45AM  
4 thereabouts, whereupon I stopped fundraising. But he had 10:41:54AM  
5 attended other fundraisers during that time, and he, you 10:41:58AM  
6 know, paid for lunch and had a - you know, so there were 10:42:02AM  
7 small amounts like, you know, two or three tickets maybe 10:42:07AM  
8 at somewhere between 500 and \$1,000 each. 10:42:11AM  
9 When was it that you had first met him?---Mr Woodman? 10:42:15AM  
10 Yes?---Mr Woodman, as I said, he attended council meetings as 10:42:18AM  
11 an applicant when I was a councillor and mayor at the 10:42:23AM  
12 Mornington Peninsula Shire Council. So he was across the 10:42:27AM  
13 table from me in that meeting. 10:42:30AM  
14 Did he approach you not as a councillor but as a state 10:42:32AM  
15 politician in respect of any projects other than the 10:42:40AM  
16 Cranbourne West rezoning?---No, no. No, he never - there 10:42:46AM  
17 was never any - my electorate was fairly well divided up 10:42:52AM  
18 by the time I became the local member, so there wasn't 10:42:56AM  
19 very many planning issues in Narre Warren South. 10:42:59AM  
20 Now, the rezoning - the land that was the subject of the C219 10:43:05AM  
21 rezoning wasn't in fact in your electorate, was it?---No. 10:43:11AM  
22 And what was your interest?---What was my interest? I would 10:43:15AM  
23 put it in terms of, you know, some people had contacted me 10:43:20AM  
24 about it from the community. I was watching it in the 10:43:23AM  
25 local papers, the campaign. I'm very much aware that 10:43:26AM  
26 planning issues can percolate, they can become political 10:43:33AM  
27 bonfires and they end up starting in one electorate and 10:43:39AM  
28 they go to another electorate and before you know it, you 10:43:43AM  
29 know, they're hard to handle, they're hard to handle 10:43:47AM

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politically.

I'm going to take you to numerous documents and other things if necessary in respect of contacts you've had particularly with Phil Staindl relating to this issue. But it may be that we can save a little bit of time by taking you just to his ultimate description of how this panned out as between him acting for Watsons and Mr Woodman, and you as a representative of the local community. This is at p.2599, Mr Commissioner. So the question was, 'What I'm putting to you is that the way in which Perera and Graley worked towards the objective which they both wanted to achieve involved them being very significantly enmeshed within the Woodman sphere of influence; that is, they were seen to be simply part of the team. They were alerted every step of the way as to what was going on?' And Phil Staindl said, 'Yes,' and he said, 'That's not uncommon with a potentially contentious local issue, to have that level of engagement with an MP.' And I can tell you this, this question arose, if I could interpolate, after he had been taken to notes of many meetings and intersessions. So he went on to say, 'The MP at the end of the day is the one who makes a decision as to whether or not they want to support a rezoning or any potentially contentious project. So it's not as if they're a rubber stamp. They make their independent assessment and this was a good outcome for the constituents in their electorate and they judged it to be having a high level of local community support and would work to achieve that outcome. So that happens across many electorates where an MP will be the champion of a cause

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1 they think is going to bring benefit to their electorate.' 10:46:37AM  
2 So you understand what it was that he said there?---Yes, 10:46:43AM  
3 I do. 10:46:46AM  
4 Is there any of that with which you disagree?---I think the 10:46:46AM  
5 word 'enmeshed' and 'team' are probably a bit strong, but 10:46:53AM  
6 it's quite correct to assume that this was a community 10:46:58AM  
7 issue that was causing a lot of consternation, a lot of 10:47:04AM  
8 heat. Funnily enough, I'd had a similar issue happen in 10:47:08AM  
9 my electorate only a year before, nothing to do with the 10:47:14AM  
10 people we're discussing now. So I had seen the 10:47:18AM  
11 taxing - I had been through a taxing experience with that 10:47:23AM  
12 one and - yes. 10:47:26AM  
13 So whether you agree with the word 'enmeshing' being used, 10:47:29AM  
14 it's - what he saw you as being was a champion of the 10:47:41AM  
15 cause, and he was asserting that both you and he thought 10:47:43AM  
16 it was appropriate that you work hand in hand to achieve 10:47:49AM  
17 the result which you were trying to achieve because you 10:47:54AM  
18 thought that was the result the community 10:47:58AM  
19 wanted?---I wouldn't use the term 'champion of the cause 10:48:01AM  
20 'either. I think that's a bit strong. But 10:48:07AM  
21 I was - I suppose, Mr Tovey, what I would say, that I met 10:48:10AM  
22 with lots and lots of people whilst I was a member of 10:48:13AM  
23 parliament. I tried to listen with sincerity and fairness 10:48:17AM  
24 to everybody that came into my office, and if I thought 10:48:22AM  
25 something was worth fighting for I always - you know, 10:48:27AM  
26 always took my cue from the community and I would, you 10:48:32AM  
27 know, fight for those causes. 10:48:35AM  
28 But, insofar as he was stating there that you were prepared to 10:48:38AM  
29 work hand in hand to achieve that result, do you think 10:48:46AM

1 that's an unfair description?---I think it is. I mean, 10:48:51AM  
2 I think it's a little bit - I mean, we weren't friends or 10:48:57AM  
3 anything like that, you know. He kept me informed, yes. 10:49:04AM  
4 During this period of time did you in fact approach the 10:49:10AM  
5 minister or his office on any occasion to make enquiries 10:49:19AM  
6 in respect of the progress of the C219 amendment?---Yes, 10:49:24AM  
7 I did. 10:49:30AM  
8 On how many occasions would that have been?---I think it 10:49:30AM  
9 was - I spoke I think it was three times, yes. As 10:49:38AM  
10 I recall, it was three times, yes. 10:49:46AM  
11 And when was that? Can you describe each of those 10:49:48AM  
12 interactions, please?---Yes, I can. I think the first 10:49:54AM  
13 interaction I had was - I pretty much remember this, I was 10:49:59AM  
14 working - I was walking from my office to the chamber, and 10:50:06AM  
15 the minister was going to the chamber as well - I think it 10:50:10AM  
16 was a division or something - and, you know, 10:50:14AM  
17 Richard - Minister Wynne is a very affable character. We 10:50:18AM  
18 weren't close but we always said hello, and I - he must 10:50:23AM  
19 have said something like, you know, 'What's going down on 10:50:29AM  
20 your way,' and I said, 'Well,' you know, 'you've probably 10:50:32AM  
21 heard about this issue down at Cranbourne that's sort 10:50:35AM  
22 of' - you know, and it was sort of that sort of 10:50:38AM  
23 discussion, and I think he said, I don't know, or I said, 10:50:40AM  
24 you know, 'I probably need to talk to somebody in your 10:50:43AM  
25 office about it.' Then - so that was that one. The 10:50:48AM  
26 second one, as I recall, was that actually - - - 10:50:52AM  
27 When was the first one?---I think that was the first one, yes. 10:50:56AM  
28 But when was that?---Oh, look, we were in - I was in my old 10:51:01AM  
29 office, so I would think that would have been around about 10:51:04AM

1 the start of March/April 2018, I think. Yes. Then the 10:51:08AM  
2 second one was that Mr Staindl and Mr Woodman had visited 10:51:20AM  
3 my office at Parliament House, and they mentioned that 10:51:26AM  
4 they were talking to Mr - a person in Mr Wynne's office 10:51:31AM  
5 who I knew well - - - 10:51:36AM  
6 Mr Keogh?---Yes, who I knew well. 10:51:36AM  
7 Sorry, you just nodded but I need you to actually 10:51:42AM  
8 express - when I mentioned Mr Keogh you nodded. That 10:51:46AM  
9 doesn't record on the transcript?---Sorry, not Mr Keogh. 10:51:49AM  
10 It wasn't Mr Keogh?---No, I don't think so. No, I don't 10:51:52AM  
11 remember talking to Mr Keogh about this matter. But 10:51:56AM  
12 I never went - I don't recall going to the minister's 10:51:59AM  
13 office about - the minister's actual office to talk about 10:52:01AM  
14 this issue. I actually - so I spoke to somebody in 10:52:05AM  
15 Mr Wynne's office, and we had a chat about it, and 10:52:10AM  
16 then - - - 10:52:19AM  
17 So when you spoke to somebody in his office who was it that you 10:52:20AM  
18 spoke to?---Mr - I can't - Hendrington, Hadrington? 10:52:23AM  
19 Herrington?---Yes, yes. It wasn't a formal meeting, I don't 10:52:37AM  
20 think. We just spoke in Queen's Hall. We just had a 10:52:43AM  
21 stand- - you know, a brief standup conversation. 10:52:47AM  
22 And what was the conversation about? Was it about how the C219 10:52:50AM  
23 was progressing?---It was about my concerns for the 10:52:57AM  
24 community and their campaign, and, you know, basically 10:53:02AM  
25 this was an issue that was, you know, happening down 10:53:07AM  
26 there, yes. 10:53:11AM  
27 At that stage had you received communications from the local 10:53:13AM  
28 residents action group?---I think I had, yes. Yes. 10:53:20AM  
29 To what extent, if any, were you aware that they were funded by 10:53:25AM

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Leightons or by Woodmans?---I had no idea.  
At one stage the minister attended at the site of the proposed rezoning. This was I think in around 2016 - 2015. Were you present when he attended?---Attended what?  
Attended the site?---No, no.  
All right. So, in any event, that's the second. What stage had the application got to at that point; that is, at the point that you spoke to Mr Herrington?---Well, it would have been in - it would have been August/September 2018, I think, yes.  
And what was the next occasion?---I think I made an enquiry about what was happening with the planning scheme amendment, and another officer from Mr Wynne's office came down and saw me, yes, and we had a chat, a brief chat.  
And what was that about?---He just wanted to hear my point of view, and it was just a very general chat, you know, and, you know, what was happening and, you know, the minister was seriously considering, you know, he - I didn't speak to Richard about it but he was - I didn't know what he was planning to do, I didn't look for that. I just wanted to know if a decision was possibly going to be made before the election.  
There are documents and/or conversations which took place around October of 2018 in which people discuss that you've advised them, first of all, that the minister was likely to approve, and then that would seem that you became aware after The Age articles came out that that wasn't likely to be the case; do you recall anything of that?---Mr Tovey, I don't actually know when the decision was made that the

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1 minister made. Can you tell me that? 10:56:29AM

2 In October of 2018 he deferred making a decision?---Yes. 10:56:31AM

3 That was about the - that's while The Age was making enquiries 10:56:38AM

4 leading up to the two articles in October and November 10:56:46AM

5 which suggested that there was a corrupt association. 10:56:52AM

6 When I say 'suggesting', hinting that there was a corrupt 10:56:58AM

7 association between councillors and Mr Woodman, and that 10:57:02AM

8 Mr Woodman had undue influence with the State 10:57:07AM

9 government?---Right. Well - - - 10:57:11AM

10 In anticipation - there are documents which indicate that you 10:57:15AM

11 had advised Mr Staindl in the lead-up to the minister 10:57:20AM

12 deferring that you thought it was going to go 10:57:28AM

13 through?---You know, I would have - look, I really didn't 10:57:32AM

14 know for certain that it was going to go through. It was 10:57:35AM

15 my presumption, I suppose, yes. Nobody ever told me that. 10:57:39AM

16 So if it was recorded as you having been advised that that was 10:57:44AM

17 going to be the case - - -?---No. 10:57:53AM

18 You deny that?---Nobody ever advised me of that, Mr Tovey. 10:57:54AM

19 Okay. So the minister deferred. There are again significant 10:57:58AM

20 number of communications which indicate that you were 10:58:06AM

21 being contacted after The Age article and after the 10:58:11AM

22 deferral to give your view as to how to progress, despite 10:58:16AM

23 the fact that there had been adverse events. Do you have 10:58:24AM

24 any recollection of that at all?---No, I don't think 10:58:30AM

25 I have spoken to anybody about this since October 2018. 10:58:33AM

26 Did you speak to Mr Woodman after October - sorry, did you 10:58:41AM

27 speak to Mr Staindl about it after October 2018?---I think 10:58:46AM

28 he rang me when The Age article appeared, yes. 10:58:50AM

29 He indicated that he offered you a job at one stage, Mr Woodman 10:59:00AM

1 offered you a job?---That was before October 2018, 10:59:04AM  
2 Mr Tovey. 10:59:06AM  
3 When was that?---It was in, I would say, August 2018. 10:59:07AM  
4 And what was the context of that?---He just offered me a job. 10:59:18AM  
5 And where was it that that offer was made?---It was made at a 10:59:27AM  
6 cafe at the top of Bourke Street called Florentinos. 10:59:38AM  
7 And what was happening at Florentino?---We were having a - just 10:59:43AM  
8 a general catchup, as I recall, and, as was the case with 10:59:51AM  
9 very many people, they were asking me why I was leaving 10:59:55AM  
10 politics, why I - you know, what I planned to do, what 10:59:59AM  
11 I was going to miss, what I - you know, why do this, and 11:00:06AM  
12 I was explaining to him why I was very certain about my 11:00:10AM  
13 decision for leaving. I'd had a - I really enjoyed myself 11:00:15AM  
14 as a member of parliament, but I had three very good 11:00:20AM  
15 reasons for leaving, and I explained those to them. I was 11:00:24AM  
16 talking to Mr Staindl and Mr Woodman, and he just threw 11:00:29AM  
17 this job offer out, as other people were doing to me when 11:00:34AM  
18 I was having those sorts of conversations, and I - - - 11:00:38AM  
19 And what was the offer?---Well, he just said, 'You should come 11:00:42AM  
20 and work for me.' 11:00:46AM  
21 And what skill did you have that he might need?---What skill 11:00:47AM  
22 set? 11:00:52AM  
23 Yes, did you have that he might need?---Well, I can assure you, 11:00:52AM  
24 Mr Tovey, I was not going to do government relations or 11:00:57AM  
25 media or political engagement when I left politics. 11:01:00AM  
26 When they offered you a job what was the job?---Well, I said 11:01:04AM  
27 I'm not interested in anything to do with, you know, 11:01:10AM  
28 government relations, I suppose, we'll call it that, 11:01:17AM  
29 government relations. 11:01:20AM

1 So you had assumed that any job he was going to offer you would 11:01:21AM  
2 be involved - he was seeking to use your influence as a 11:01:26AM  
3 member of the party and somebody who had been involved in 11:01:29AM  
4 politics over a long time?---Well, Mr Tovey, I would say 11:01:32AM  
5 I wasn't a very influential person, but I - - - 11:01:36AM  
6 Sorry - - -?---You know, I suppose the issue is, Mr Tovey, 11:01:41AM  
7 nobody really understands what it's like to be in politics 11:01:44AM  
8 or what it's like to be in government, and so it is a 11:01:48AM  
9 distinct skill set that people have that have had that 11:01:54AM  
10 experience. 11:01:56AM  
11 All right. So that was in you say August of 11:01:58AM  
12 2018?---Thereabouts, yes. 11:02:06AM  
13 And who was there?---Mr Staindl and Mr Woodman. 11:02:06AM  
14 So the three of you were having lunch at Florentino?---No, we 11:02:10AM  
15 weren't having lunch. We very rarely had lunch. We 11:02:14AM  
16 always just had a cup of tea. 11:02:19AM  
17 And was this a meeting which had been arranged or - - -?---Yes, 11:02:21AM  
18 I think it had, yes, I think it had, yes. Yes. 11:02:26AM  
19 So it was just the three of you?---Yes. 11:02:28AM  
20 For how long did that meeting go?---Maybe 20 minutes. 11:02:31AM  
21 And was anything else discussed at that meeting other than you 11:02:37AM  
22 being offered a job?---I can't recall, really. I really 11:02:40AM  
23 can't recall. We would have talked generally about 11:02:47AM  
24 politics and sport and travel and things that we always 11:02:50AM  
25 discussed. 11:02:54AM  
26 At that stage was it left on the basis that you would consider 11:02:56AM  
27 what they might come up with, something that suited 11:02:59AM  
28 you?---I never said yes to the job. 11:03:06AM  
29 Did you ever say no to the job?---Yes, I did. 11:03:10AM

1 When?---Well, what happened was Mr Woodman actually called me, 11:03:13AM  
2 and he very rarely ever called me. Most of our 11:03:22AM  
3 communication was done through Mr Staindl. And he said he 11:03:27AM  
4 wanted to have a chat without Phil there, and I said, 11:03:33AM  
5 'Okay, I'm in the city. If you can turn up,' you know, 11:03:38AM  
6 'in 15 minutes I'll meet you at Florentinos ,' and 11:03:42AM  
7 I did - - - 11:03:49AM  
8 This is a second meeting at Florentinos; yes?---Yes. 11:03:49AM  
9 Yes?---And I did, and we - he had a - I suppose he offered the 11:03:53AM  
10 job again. 11:04:00AM  
11 Yes. And what was the job? Had he sharpened his description 11:04:02AM  
12 of what the job was by that stage?---It was always very 11:04:09AM  
13 vague, but he actually had quite - I mean, he had picked a 11:04:11AM  
14 skill set of mine, which I think is valuable, which is 11:04:17AM  
15 working with communities, working on community 11:04:22AM  
16 consultations and using community development techniques 11:04:26AM  
17 to get to develop action, political action, get things 11:04:30AM  
18 done. 11:04:36AM  
19 That's interesting in itself, but tell me this. Did you - was 11:04:38AM  
20 there any protocol by which you were required to record or 11:04:48AM  
21 in any way register your interactions with developers 11:04:57AM  
22 relating to the progress of developments that they were 11:05:06AM  
23 pushing?---No. 11:05:10AM  
24 And, irrespective of where there was protocol, did you make any 11:05:15AM  
25 attempt to make notes or keep records of each time these 11:05:19AM  
26 people approached you?---No. 11:05:26AM  
27 Similarly, when you went on to approach the minister or the 11:05:29AM  
28 minister's office, was there any protocol relating to that 11:05:35AM  
29 or was it just accepted that that's what politicians would 11:05:40AM

1 do?---Well, I don't - you pick your opportunities to go 11:05:44AM  
2 and speak to a minister, Mr Tovey. You just don't go 11:05:52AM  
3 there - so it's an important meeting if you go to the 11:05:55AM  
4 minister's office. So they usually ask you what you want 11:06:01AM  
5 to talk about, and you do that and you turn up, yes. 11:06:05AM  
6 You don't keep any record of that. Do you know whether the 11:06:10AM  
7 officer, whether the officers keep any particular - I'm 11:06:15AM  
8 talking now specifically in respect of the planning 11:06:20AM  
9 minister, who has a very special discretion?---Yes, he 11:06:23AM  
10 probably has the hardest job in government next to the 11:06:30AM  
11 Premier. No, I don't know. I'm not aware - I've never 11:06:33AM  
12 been a minister. I'm not aware of the protocols and the 11:06:37AM  
13 recordings that go with being in a ministerial office. 11:06:42AM  
14 Knowing that this evidence that you're giving is going to come 11:06:47AM  
15 up and that the nature of your association with Mr Staindl 11:06:52AM  
16 and Mr Woodman would be the subject of exploration, have 11:06:58AM  
17 you given any thought to protocols that might be 11:07:03AM  
18 appropriately put in place in order to keep an eye on the 11:07:08AM  
19 way in which people like Mr Woodman exert political 11:07:16AM  
20 influence to try and advance projects in which they have a 11:07:21AM  
21 financial interest?---I haven't given it any thought. 11:07:28AM  
22 I mean, I left politics and I went cold turkey on politics 11:07:36AM  
23 when I left it. So I haven't given it any thought in the 11:07:40AM  
24 last couple of years, no, no. 11:07:44AM  
25 Was it an issue that was the subject of discussion or 11:07:48AM  
26 contemplation to your knowledge whilst you were in 11:07:52AM  
27 politics?---In terms of developing some protocols? 11:07:59AM  
28 Yes?---Interactions with lobbyists or developers or both? 11:08:07AM  
29 Well, it's both, but - - -?---Yes. 11:08:11AM

1 Either developers or lobbyists representing 11:08:16AM  
2 developers?---I don't believe - I wasn't privy to any of 11:08:22AM  
3 those discussions if they were going on, no. 11:08:26AM  
4 Mr Staindl, it would seem, would be very regularly in contact 11:08:29AM  
5 with you whilst you were an MP; would you agree with 11:08:33AM  
6 that?---I wouldn't say regularly, no. Irregularly, yes. 11:08:37AM  
7 Well, over a period of time, I'd suggest - when I say - there 11:08:41AM  
8 was one period in 2015/2016 where it would seem that, just 11:08:48AM  
9 on the records we have, he was contacting you at least 11:08:55AM  
10 monthly or more than that. Does that accord with your 11:08:57AM  
11 recollection?---Look, I don't know. It's not my memory of 11:09:01AM  
12 it. But, yes. 11:09:07AM  
13 It's not inconsistent with some memory that you do 11:09:09AM  
14 have?---I find it a bit surprising, but yes. 11:09:15AM  
15 Again, there are no records of those interactions, who he was 11:09:21AM  
16 representing, what he was asking you to do?---Are you 11:09:27AM  
17 saying do I have records of that? 11:09:31AM  
18 At the time did you make records?---I may have written it in my 11:09:33AM  
19 diary or something like that or - but, no, no, I don't 11:09:40AM  
20 think - I kept a lot of this stuff in my head. 11:09:47AM  
21 When you say you may have written it in your diary - - 11:09:50AM  
22 -?---I may have written something like, 'Meeting with Phil 11:09:54AM  
23 to discuss da, da.' 11:09:55AM  
24 Yes. Okay. Would you keep in your diary a formal record of 11:09:57AM  
25 what he asked for, what you did - - -?---No. 11:10:04AM  
26 As a result?---No. 11:10:06AM  
27 And at that time there was no requirement you should do 11:10:09AM  
28 that?---No. 11:10:14AM  
29 Thinking back on it or looking at things now as they now stand 11:10:14AM

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as somebody who has been involved in politics over a long  
period of time, both at local government and at state  
government level, are you aware, having followed these  
proceedings, that Mr Woodman was seeking to exercise a  
wide network of political influence at state and council  
level to achieve his aims in respect of that rezoning and  
other things?--Well, as I said earlier, I've done limited  
reading about this actual - I mean, I don't read the  
newspapers anymore. I - people tell me about it. But  
I would have to say I had no idea that he was - what were  
your terms? Were far-ranging? Was that the term?  
(Indistinct) influence and indeed corrupt influence with  
councillors?---I had no idea.  
Seeking to exercise influence at political level as well?---No.  
In fact - no, no.  
So that's not something you've thought about, you haven't  
thought about - - -?---I've thought about it, but - - -  
The way in which that might be addressed?---I find it  
distressing, and certainly I hope that some of the results  
of this inquiry will make some recommendations about how  
it may be better addressed, yes.  
COMMISSIONER: Ms Graley, can I just ask you apropos that,  
presumably it's been your experience through your lifetime  
in politics that where a third party stands to make a very  
large amount of money out of some commercial venture in  
which the government plays some part in the approval of  
the venture there are always risks associated with the  
prospect of undue influence?---I think that's true, but  
it's not foremost in my thinking.

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1 No. Whilst the issue which is a genesis of the Commission's 11:13:13AM  
2 inquiry was a planning issue which commenced at the Casey 11:13:30AM  
3 Council, as the evidence has unfolded it becomes quite 11:13:37AM  
4 apparent that the issue is not confined to planning 11:13:39AM  
5 decisions but to all sorts of other commercial 11:13:44AM  
6 arrangements that third parties might seek to enter with 11:13:47AM  
7 the council or with government?---I don't actually know 11:13:53AM  
8 what you're talking about, but yes. 11:14:03AM

9 Mr Aziz, for example, has given evidence about a range of 11:14:05AM  
10 commercial contracts that were either entered into by 11:14:09AM  
11 third parties with the Casey Council or in which third 11:14:16AM  
12 parties sought to enter arrangements with the Casey 11:14:23AM  
13 Council, and the arrangements on the side which were being 11:14:29AM  
14 made by those third parties with Mr Aziz for separate 11:14:32AM  
15 contractual arrangements that provided him with a 11:14:37AM  
16 financial benefit. Is that something that's uncommon in 11:14:40AM  
17 your experience, that third parties who stand to make 11:14:45AM  
18 large amounts of money might seek to exert influence by 11:14:48AM  
19 offering incentives or inducements to those who are 11:14:52AM  
20 decision makers?---I've never heard anything like that 11:14:56AM  
21 before. 11:15:00AM

22 All right. Yes, Mr Tovey. 11:15:00AM

23 MR TOVEY: I just want to run through things chronologically 11:15:04AM  
24 with you and take you to a few of the communications that 11:15:06AM  
25 I've indicated existed. It would seem that it was in 11:15:10AM  
26 March and April of 2014 that the Crown Casino fundraiser 11:15:22AM  
27 was the subject of discussion and indeed - and I think it 11:15:33AM  
28 took place on 4 April 2014. So I take it that that 11:15:41AM  
29 accords with your recollection?---Yes. I didn't actually 11:15:47AM

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remember when it happened, but thank you for that.

Then later that year, on 20 December 2014, there was an email from John Woodman to Phil Staindl attaching a briefing note relating to the rezoning so information could be provided for you at a meeting two days later, and then there was a meeting two days later, on 22 December 2014, between yourself, John Woodman, Phil Staindl and others. When I say 'and others', that included Jude Perera as well. It's apparent from that that there was a meeting at that stage involving you and Jude Perera where you were being briefed by Phil Staindl in respect of the rezoning on 22 December 2014. What recollection do you have about that?---I don't recollect that meeting at all. I think it would have been a strange day for me to be in a meeting. But, anyway, I don't recall ever sitting in a room with Mr Perera. But anyway. I just don't recall that meeting.

Do you dispute that in December of 2014 there was - sorry, you were being briefed by Phil Staindl and John Woodman in respect of the rezoning issues?---I don't recall it.

I don't recall that, no, I don't - - -

Do you dispute it? Do you say this didn't happen?---As I said, I don't recall it. I don't recall it at all.

Then in the records of Staindl Strategic, which was Phil Staindl's company, they recorded that meeting in December of 2014. There was reference to further meetings in February the following year; that is, in February of 2015. Again, in - meetings between Mr Staindl and yourself again in March of 2015. Indeed, I would suggest to you by March of 2015 there was a positive engagement between you and

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11:18:48AM  
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11:19:24AM

1 Mr Staindl in which you had ongoing discussions about the 11:19:30AM  
2 strategy and progress of the rezoning. Is that consistent 11:19:40AM  
3 with your recollection? Before you say that, there is an 11:19:46AM  
4 email of 15 March of 2015 about Woodman needing to report 11:19:49AM  
5 up the - needing Staindl to report up the line to you 11:20:00AM  
6 about what was going on. Now, what I'm asking you is do 11:20:04AM  
7 you deny that or what position do you take? 11:20:09AM  
8 COMMISSIONER: Mr Tovey, do you mean does Ms Graley deny that 11:20:16AM  
9 Mr Staindl approached her in that setting? 11:20:19AM  
10 MR TOVEY: Yes. At that time, that Mr Staindl had been 11:20:22AM  
11 approaching you, keeping you updated and liaising in 11:20:26AM  
12 respect of the progress of the rezoning 11:20:31AM  
13 application?---I think it was, yes, he was - yeah, we 11:20:38AM  
14 catch up, yes. 11:20:41AM  
15 COMMISSIONER: I just want to be clear, Ms Graley. By this 11:20:43AM  
16 time can we take it that you understood that Mr Staindl 11:20:46AM  
17 was acting as Mr Woodman and Watsons' lobbyist in relation 11:20:54AM  
18 to pursuit of their interest in seeking this 11:21:01AM  
19 rezoning?---I think - oh, gee, I don't know if I actually 11:21:06AM  
20 agree - I was - Phil kept me up to date with lots of 11:21:13AM  
21 issues that were happening, and he was always talking to 11:21:17AM  
22 people. So he told me lots of things about things that 11:21:20AM  
23 were happening in his neck of the woods. But obviously he 11:21:25AM  
24 was acting for - he was employed by Watsons, wasn't he? 11:21:29AM  
25 Yes. I want to understand whether you accept that by some time 11:21:35AM  
26 in 2015 when Mr Staindl comes to you to discuss the 11:21:44AM  
27 rezoning issue that you understood he was lobbying and 11:21:48AM  
28 representing Woodman/Watson's interests?---Yes, 11:21:54AM  
29 I understood that he was representing Mr Woodman, yes. 11:22:00AM

1 Yes. Yes, Mr Tovey. 11:22:05AM

2 MR TOVEY: In March there was an email from John Woodman to 11:22:14AM

3 Phil Staindl about whether or not they should be 11:22:24AM

4 briefing - it was time to brief the Premier's Chief of 11:22:31AM

5 Staff and whether or not Martin, who is Martin Pakula, 11:22:40AM

6 should be contacted to complete what they refer to as the 11:22:44AM

7 fab four in respect of the C219 rezoning, and the fab 11:22:50AM

8 four, as they saw it, were Jude, that's Jude Perera, 11:22:58AM

9 Judith, that's you, Brian was Brian Tee, and Martin would 11:23:05AM

10 have been Martin Pakula. Now, I take it nobody ever told 11:23:11AM

11 you that you were a member of the fab four?---No. 11:23:20AM

12 But the perception that appears from that email is what we're 11:23:25AM

13 concerned about, and that is that Woodman and Staindl saw 11:23:33AM

14 you, Martin Pakula, Jude Perera and Brian Tee to be the 11:23:39AM

15 fab four in respect of the rezoning issue no doubt on the 11:23:49AM

16 basis that they perceived you to be championing the result 11:23:55AM

17 that they wanted. Now, I'm not saying it wasn't the 11:24:02AM

18 result that you also wanted. Did you understand that Jude 11:24:06AM

19 Perera was also involved in seeking to progress that 11:24:11AM

20 rezoning?---I understood that Mr Staindl spoke to 11:24:21AM

21 Mr Perera about the issue, yes. 11:24:26AM

22 And you had been present at least at a meeting or meetings 11:24:28AM

23 where that was in fact addressed specifically to both of 11:24:32AM

24 you by Mr Woodman and Mr Staindl?---As I said, Mr Tovey, 11:24:40AM

25 I don't recall that meeting. 11:24:44AM

26 All right. What about Martin Pakula's involvement? Did you 11:24:48AM

27 ever have any discussions with Martin Pakula about 11:24:53AM

28 this?---No. 11:24:57AM

29 And Brian Tee ?---No. 11:24:57AM

1 This was that period that I was talking to you about where 11:25:07AM  
2 there seemed to be a lot of meetings that are recorded. 11:25:11AM  
3 So we then go on to - that's March of 2015. Just for the 11:25:15AM  
4 transcript, that's court book 3345. Then in April of 11:25:20AM  
5 2015 - - - 11:25:31AM  
6 COMMISSIONER: Mr Tovey, the point that needs to perhaps be 11:25:32AM  
7 raised with Ms Graley, I'm sure you've appreciated that 11:25:36AM  
8 three of those fab four are the three of you who were the 11:25:39AM  
9 subject of a significant campaign donation before the 2014 11:25:44AM  
10 election; you recognise that?---Are you asking me? 11:25:50AM  
11 Yes, Ms Graley. I take it it didn't escape your attention that 11:26:04AM  
12 three of those four are the three of you that received a 11:26:10AM  
13 substantial campaign donation in 2014?---Well, two things 11:26:13AM  
14 about that. I never spoke to Mr Pakula about this issue 11:26:19AM  
15 at all. And the second thing is the - what you call a 11:26:25AM  
16 substantial campaign donation, and indeed probably it 11:26:30AM  
17 was - that \$10,000, if I got \$10,000 for that, it was 11:26:34AM  
18 probably at the larger end of donations that I ever 11:26:38AM  
19 received. But, you know, I didn't organise that. 11:26:45AM  
20 I think you're really missing my point here, which is that, if 11:26:50AM  
21 one assumes it's not coincidence that Mr Woodman sees the 11:26:56AM  
22 three of you as all being possible conduits for advancing 11:27:00AM  
23 his interest, from his perspective, because he's made 11:27:06AM  
24 those contributions, he might expect you to give more 11:27:12AM  
25 support than perhaps other members of parliament might. 11:27:15AM  
26 That's his perception?---I have no idea what went through 11:27:19AM  
27 Mr Woodman's head. 11:27:23AM  
28 Yes. Yes, Mr Tovey. 11:27:27AM  
29 MR TOVEY: Following that there was - Staindl recorded in his 11:27:34AM

1 business records a further meeting with you and Brian 11:27:43AM  
2 Tee - sorry, yes, a meeting with you; I'm not suggesting 11:27:52AM  
3 that Brian Tee was there at the same meeting - in April of 11:27:56AM  
4 2015. Then following that in September of 2015 there was 11:28:01AM  
5 a meeting between John Woodman, Phil Staindl, yourself and 11:28:12AM  
6 Judith Perera at Parliament House?---Jude Perera. 11:28:20AM  
7 Did I say 'Judith Perera'?---Yes, you did. They are very 11:28:24AM  
8 similar. 11:28:30AM  
9 At Parliament House, and that was a meeting in respect of the 11:28:30AM  
10 rezoning?---Right. 11:28:35AM  
11 Wasn't it?---I don't recall that meeting, but yes. I mean, you 11:28:36AM  
12 know, this is nearly six years ago. So, yes. 11:28:44AM  
13 I'm raising these - - -?---Yes, because - - - 11:28:52AM  
14 To give you the opportunity of telling me - I mean, it would 11:28:54AM  
15 seem that, as these are all parts of various records that 11:28:59AM  
16 we have, these things we expect did occur. But I want to 11:29:04AM  
17 give you the opportunity if you say something didn't occur 11:29:09AM  
18 to let us know?---Yes. 11:29:12AM  
19 But that's not inconsistent with your understanding that there 11:29:14AM  
20 would have been a meeting between yourself, Judith 11:29:16AM  
21 Perera - - -?---Jude Perera. 11:29:22AM  
22 Sorry, Jude Perera, Woodman and Staindl in September 2015 to 11:29:24AM  
23 discuss what had been the ongoing joint interest in the 11:29:30AM  
24 rezoning?---As I said, Mr Tovey, I don't doubt, you know, 11:29:37AM  
25 Mr Staindl's records. But they're not meetings that were, 11:29:43AM  
26 you know - I don't remember those meetings, and I've tried 11:29:47AM  
27 to - I didn't want to turn up to IBAC and say, 'I don't 11:29:53AM  
28 remember.' You know, I have mined my memory to try and 11:29:57AM  
29 remember as much as I possibly can. But I don't recall 11:30:01AM

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those meetings in any detail.

But you understand the problem - - -?---The problem?

In retrospect, we know from evidence that's already before us

that, to use the most neutral of terms, Mr Woodman sought

to have inappropriate and controlling relations with

people who were decision makers on planning issues, and

the problem is that when he makes - when he has interfaces

with those people, when he has discussions with those

people, when he has meetings with those people, to your

knowledge there's no protocol, never has been any protocol

whereby anybody can retrospectively determine what those

discussions are about unless the people actually profess a

memory of them?---That's true, yes. I do take a little

bit of umbrage about the word 'inappropriate' because

I never felt any pressure.

COMMISSIONER: No, Ms Graley, we understand you as a matter of

philosophy supported the rezoning as being in the

community's interests, and I want to make clear to you

it's no part of the Commission's inquiry to look at

whether or not rezoning was a good or a bad thing. It's

not any part of our focus. As it turns out, the

government is not undertaking that rezoning. But

presumably you weren't the only member of parliament that

you were aware supported the notion of this form of

rezoning?---Well, I gathered Jude did, but I didn't speak

to anybody else about it.

So you just don't know how extensively other members of

parliament might have viewed the desirability of this

rezoning proposal?---I think that's a very good summation,

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thank you.

Yes, all right. Yes, Mr Tovey.

MR TOVEY: Back to September 2015 - I can take you to these communications if you require, but I hope that you'll just accept my summary of them?---Yes.

I'll take you to some of the more important ones later on. But between 4 and 7 September 2015 there was an email relating to the fact that you had been asked to assist in chasing up a response from the Minister for Planning about an amendment to the Cranbourne West PSP. That email was circulated between Mr Staindl and Mr Woodman and Megan Schutz and others. Now, the document that was being chased up was a document which was a response by the minister which indicated that he was amenable to a submission being made to him by the Casey Council. Do you have any recollection of chasing up such a document?---No, I don't.

Do you suggest that you didn't chase up such a document?---Well, I don't recollect doing it.

So a couple of days later, following on from that email chain - - -

COMMISSIONER: Mr Tovey, I just think that for the purpose of future questions, Ms Graley, when Mr Tovey puts a particular event to you or incident obviously if you don't remember it you say so. But it would be helpful if you indicated if you had any reason to think that that event hadn't taken place that you indicate the same, otherwise we will assume if we have that evidence from some other person, we will assume that it's not inconsistent with

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1 your thinking about what you might have done?---Yes, 11:35:26AM  
2 I understand. 11:35:29AM  
3 Thank you. 11:35:30AM  
4 MR TOVEY: A couple of days later there was another email 11:35:39AM  
5 indicating whereby Mr Staindl told Megan Schutz and others 11:35:41AM  
6 that he had spoken to Peter Keogh about chasing up the 11:35:58AM  
7 letter, that's the letter I just described to you, and 11:36:02AM  
8 that there was reference in that email to the fact that 11:36:11AM  
9 the Metropolitan Planning Authority and the Casey Council 11:36:17AM  
10 officers were in fact colluding to hide or to spike that 11:36:20AM  
11 letter to stop the process going forward. Now, is that 11:36:24AM  
12 something that was ever addressed with you, the perception 11:36:30AM  
13 that the bureaucrats were against all this and were 11:36:37AM  
14 conspiring to do what they could to stop the process going 11:36:42AM  
15 forward?---Yes, I had heard that. 11:36:46AM  
16 And at what stage?---I couldn't put an actual date on it, but 11:36:50AM  
17 it was something that I heard quite often about the City 11:36:57AM  
18 of Casey. 11:37:01AM  
19 And was that from Mr Staindl?---I think it was from Mr Staindl, 11:37:01AM  
20 yes. But I could have also heard that more generally out 11:37:10AM  
21 there, you know, out when people were talking about more 11:37:14AM  
22 general issues as well. 11:37:17AM  
23 Do you have any recollection of that issue being raised 11:37:19AM  
24 specifically in the context of an allegation that council 11:37:26AM  
25 officers or bureaucrats might have been trying to hide the 11:37:32AM  
26 minister's letter of response inviting an 11:37:36AM  
27 application?---I don't recall it being said in regard to 11:37:43AM  
28 the letter of response, but I do recall comments like that 11:37:47AM  
29 being made, yes. 11:37:52AM

1 So the unfolding of events as I've just described them to you 11:37:53AM  
2 is not inconsistent with your understanding of the way in 11:38:01AM  
3 which people were looking at the process at the 11:38:04AM  
4 time?---I suppose I would have to agree, yes. 11:38:10AM  
5 All right. 11:38:12AM  
6 COMMISSIONER: Mr Tovey, I see the time. If you're moving on 11:38:14AM  
7 to another matter we might give Ms Graley a break. You're 11:38:20AM  
8 about to move on to something else? 11:38:24AM  
9 MR TOVEY: Yes, Mr Commissioner. 11:38:26AM  
10 COMMISSIONER: Very good. We'll have a 10-minute break, 11:38:27AM  
11 Ms Graley, and by all means if you want to speak to 11:38:30AM  
12 Mr Stary you should do so?---Thank you. 11:38:34AM  
13 (Short adjournment.) 11:38:36AM  
14 COMMISSIONER: Are you ready to proceed, Ms Graley? Good. 11:54:25AM  
15 You're on mute, Ms Graley. 11:54:30AM  
16 MR STARY: Mr Commissioner, Ms Graley would seek to clarify two 11:54:34AM  
17 issues. 11:54:39AM  
18 COMMISSIONER: Yes. 11:54:40AM  
19 MR STARY: Just for the sake of completeness. The first one 11:54:41AM  
20 relates to the issue of the fundraising at Crown Casino, 11:54:48AM  
21 and I think there was some clarification of that issue in 11:54:52AM  
22 terms of the moneys that she received; and the second 11:54:55AM  
23 issue relates to her relationship with Mr Staindl and the 11:55:00AM  
24 meetings in early 2015 and late 2014. 11:55:05AM  
25 COMMISSIONER: Yes. You want to ask her some questions about 11:55:11AM  
26 that? 11:55:17AM  
27 MR STARY: If I may, Commissioner. 11:55:18AM  
28 COMMISSIONER: Yes, certainly. 11:55:19AM  
29 MR STARY: And I might say I don't have an image of Ms Graley, 11:55:23AM

1 so if I can go - it's because I'm using an iPad, 11:55:26AM  
2 Commissioner, and I'm physically distant from Ms Graley. 11:55:32AM  
3 Ms Graley, can you hear me? 11:55:40AM  
4 COMMISSIONER: You're on mute, Ms Graley. You're still on 11:55:44AM  
5 mute. 11:55:53AM  
6 MR STARY: If I can be temporarily excused, Mr Commissioner, 11:56:01AM  
7 I can go to the conference room where she's located. 11:56:07AM  
8 COMMISSIONER: Mr Stary, what I suggest is for the purpose of 11:56:10AM  
9 you asking her questions, if it would help you to be 11:56:12AM  
10 seated alongside her. 11:56:16AM  
11 MR STARY: Yes. 11:56:17AM  
12 COMMISSIONER: I'm happy for you to be there whilst that takes 11:56:19AM  
13 place. 11:56:22AM  
14 MR STARY: Thank you. Thank you, Mr Commissioner. 11:56:23AM  
15 COMMISSIONER: We'll just have a break for a moment. 11:56:25AM  
16 (Short adjournment.) 11:56:28AM  
17 COMMISSIONER: Yes, Ms Graley, I can see you're still on mute 11:59:13AM  
18 there. 11:59:17AM  
19 MR STARY: Our apologies for that, Commissioner. 12:00:21PM  
20 COMMISSIONER: Not at all, Mr Stary. Perhaps if you might 12:00:24PM  
21 just, Ms Graley - that's it, thank you, so we can see you. 12:00:27PM  
22 MR STARY: With the permission of you, Mr Commissioner, there 12:00:30PM  
23 are two points of clarification. 12:00:35PM  
24 COMMISSIONER: Yes. 12:00:37PM  
25 MR STARY: The first one relates to the fundraiser that took 12:00:38PM  
26 place, Ms Graley, at Crown Casino. Firstly, who organised 12:00:42PM  
27 that fundraising event?---It's my understanding that 12:00:47PM  
28 Mr Staindl approached Mr Pakula. 12:00:51PM  
29 And was that through an organisation called 12:00:53PM

1 Progressive Business?---I don't know whether it was. 12:00:56PM

2 All right. And did you have, firstly, any involvement in the 12:00:59PM

3 compilation of the guest list?---No. 12:01:06PM

4 Did you receive funds from that event?---Yes, I did. 12:01:08PM

5 And did that go through the local electoral office? There's 12:01:14PM

6 been a description of it before, but what was that fund 12:01:22PM

7 called?---The SECC account. 12:01:27PM

8 And what does the SECC account stand for?---It's the state 12:01:29PM

9 election account, and all donations from fundraisers or 12:01:32PM

10 donations per se are paid into that account, and I always 12:01:40PM

11 did that. 12:01:45PM

12 All right. And Mr Tovey cleared this up, but you received an 12:01:45PM

13 amount ultimately of \$10,000?---Thereabouts. 12:01:51PM

14 And was that an amount that you could lawfully receive without 12:01:54PM

15 declaration?---Yes. 12:02:03PM

16 All right. The second thing relates to Mr Staindl, and you 12:02:05PM

17 were aware that Mr Staindl was employed by Watsons or by 12:02:12PM

18 Mr Woodman at one point?---Yes. 12:02:15PM

19 Did Mr Staindl continue to be engaged in or had a financial 12:02:18PM

20 relationship with the Labor Party in any way?---He's a 12:02:28PM

21 member of the Labor Party. He had been for a very long 12:02:32PM

22 time. 12:02:34PM

23 But he's been referred to you as a lobbyist at different 12:02:35PM

24 times?---Yes. 12:02:40PM

25 Did he continue in that position post 2014?---Well, he was 12:02:40PM

26 always a member of the Labor Party. He was a 40-year life 12:02:47PM

27 member of the Labor Party, and he acted as a - he acted 12:02:51PM

28 for his company, Staindl Consulting. 12:02:57PM

29 He had a consulting company as well as being employed by - to 12:03:02PM

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your knowledge, as well as being employed by  
Watsons?---Yes, yes.  
When you met with both Mr Woodman and Mr Staindl in late 2014  
and 2015 there was discussion about the rezoning in  
Cranbourne West. But were there other discussions that  
took place at those meetings to your recollection?---Yes,  
there were.

And can you give the Commissioner and Mr Tovey an indication of  
what the nature of those discussions were?---There was a  
wide range of issues discussed. I mean, I would say  
generally that any time that I caught up with Mr Staindl  
or Mr Woodman we discussed a wide range of issues. In  
fact planning matters were a very small part of those.  
And we had some common interests with sport. Indeed  
probably most of our conversations when we caught up were  
about sport.

Mr Tovey has referred to specific dates of specific meetings  
and you said you can't recall. But of those general  
communications did you ever speak to them specifically  
about that single issue of rezoning?

COMMISSIONER: Sorry, Mr Stary, you mean did you have a meeting  
which was only concerned with that issue; is that what you  
mean?

MR STARY: Yes, it is. Indeed. Thank you?---Thank you for  
that. Our meetings were always wide-ranging. You know,  
we had some common interests. We'd exchange views on  
general politics. I mean, I was interested in what they  
perceived as to what was happening in politics and they  
were interested in what I thought was happening, and we

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1 spoke about sport and travel and family actually, 12:05:10PM  
2 sometimes. 12:05:14PM  
3 And it's clear now that Mr Woodman was exerting his sphere of 12:05:17PM  
4 influence over a wide range of people. Did you know that 12:05:21PM  
5 at the time?---No. 12:05:27PM  
6 Did you understand that you were being cultivated?---No, no. 12:05:29PM  
7 All right. 12:05:39PM  
8 COMMISSIONER: Whilst you're there, Mr Stary, so you never 12:05:41PM  
9 appreciated at this time, we're talking about 2014/2015, 12:05:44PM  
10 you didn't appreciate that Mr Staindl or Mr Woodman were 12:05:50PM  
11 seeking to use you to further Mr Woodman's objective in 12:05:59PM  
12 relation to the rezoning?---No, no. 12:06:04PM  
13 All right. Yes, thank you. 12:06:07PM  
14 MR STARY: Perhaps just one more follow-up question for the 12:06:09PM  
15 moment. 12:06:13PM  
16 COMMISSIONER: Yes, Mr Stary. 12:06:13PM  
17 MR STARY: You mentioned that there was a community group that 12:06:15PM  
18 had approached you to engage your support in the 12:06:17PM  
19 residential development of that rezoning. You're now 12:06:25PM  
20 aware that that was a group that was either funded or 12:06:30PM  
21 sponsored by Watsons or Mr Woodman. Did you know that at 12:06:32PM  
22 the time?---No. No, I did not know it. It came as an 12:06:38PM  
23 awful shock. Great disappointment. 12:06:42PM  
24 When did you discover that to be the case?---When I read about 12:06:45PM  
25 it in the paper, or somebody told me it was in the paper. 12:06:49PM  
26 And when was that?---At the start of these proceedings. So 12:06:55PM  
27 that was this time last year, was it, or thereabouts? 12:07:04PM  
28 All right. Thank you. 12:07:09PM  
29 COMMISSIONER: Will it only take you a moment to return to your 12:07:11PM

1 office, Mr Stary? 12:07:14PM

2 MR STARY: Thank you. 12:07:15PM

3 COMMISSIONER: Very good. We'll wait. 12:07:17PM

4 MR STARY: Thank you, Mr Tovey. 12:08:09PM

5 MR TOVEY: In view of the answers you've just given I'd ask 12:08:14PM

6 that you first of all - we'll go back to December 2014. 12:08:20PM

7 You'll recall I was asking you about a meeting that 12:08:24PM

8 appears to have been had between yourself and Mr Staindl. 12:08:27PM

9 Could you please have a look at 4920. So do you see that? 12:08:40PM

10 That's an email from Woodman to Staindl on 20 December 12:09:14PM

11 2014 attaching information 'to be discussed with Judith 12:09:19PM

12 and Jude on Monday thought you email to Jude in 12:09:28PM

13 preparation for phone link, thanks.' I mean, were you on 12:09:38PM

14 a first name basis with John Woodman by that stage?---What 12:09:49PM

15 do you mean? Did I address him 'Mr Woodman' or 'John' 12:09:58PM

16 when I met him? 12:10:01PM

17 Yes?---I called him 'John'. 12:10:03PM

18 And he'd just call you Judith?---Yes. 12:10:08PM

19 If we just go down, please. So this is a briefing in December 12:10:11PM

20 of 2014 which anticipated a meeting on 22 December 12:10:31PM

21 involving yourself, John Woodman and Phil Staindl. If 12:10:43PM

22 I just go through that with you. So that briefing 12:11:00PM

23 describes the project. If we just scroll down gradually, 12:11:05PM

24 please. Did you receive a document or something like 12:11:12PM

25 that - - -?---No. 12:11:51PM

26 From Mr Woodman?---I don't think I've seen this document, no. 12:11:51PM

27 It would seem nevertheless that at that time, that is on 12:11:57PM

28 20 December 2014 - could I tender - before I say any more, 12:12:01PM

29 could I tender that, please, Mr Commissioner? 12:12:07PM

1 COMMISSIONER: Yes. You're tendering the email and the 12:12:10PM  
2 briefing paper? 12:12:16PM  
3 MR TOVEY: Yes, thank you. 12:12:17PM  
4 COMMISSIONER: Very good. That will be exhibit 296. 12:12:19PM  
5 #EXHIBIT 296 - Email from Mr Woodman to Mr Staindl of 20/12/14, 12:12:23PM  
6 and briefing paper. 12:12:25PM  
7 MR TOVEY: It appears from that that certainly the plan was to 12:12:30PM  
8 discuss with yourself and perhaps with Mr Perera remotely 12:12:38PM  
9 that briefing at the end of December 2014. You would 12:12:49PM  
10 agree, would you, looking at that it would appear to be 12:12:54PM  
11 the purpose of the meeting was expected to be the 12:12:59PM  
12 rezoning?---Mr Tovey, may I just ask a question about that 12:13:07PM  
13 email. Does it suggest that we were having a phone 12:13:11PM  
14 hook-up or a meeting? 12:13:16PM  
15 Certainly with Mr Perera. It's not clear whether it was going 12:13:18PM  
16 to be the same with you?---I'm just trying to locate this 12:13:24PM  
17 memory - locate this meeting in my memory, yes. 12:13:32PM  
18 COMMISSIONER: It's a long time ago, Ms Graley?---Yes. 12:13:37PM  
19 MR TOVEY: Look, we can only get you to do the best you 12:13:42PM  
20 can?---Yes, I'm trying hard. 12:13:45PM  
21 All right. So you really can't add to what is there?---No, 12:13:47PM  
22 I can't. 12:13:53PM  
23 Can I just move on then back to where we were in October of 12:13:53PM  
24 2015 and could you look at 5860, please. Do you know 12:13:57PM  
25 Megan Schutz?---I've met Megan, yes; Megan Schutz, yes, 12:14:23PM  
26 I have. 12:14:27PM  
27 On a number of occasions?---Three or four, yes. 12:14:27PM  
28 Did she come across as a particularly passionate advocate on 12:14:36PM  
29 behalf of Mr Woodman's projects from your 12:14:40PM

1 perspective?---I would have to say that the majority of my 12:14:43PM  
2 catch-ups with Ms Schutz were not about planning. They 12:14:49PM  
3 were about another matter. 12:14:57PM  
4 Was it a private matter?---No, it wasn't. It wasn't. It 12:14:58PM  
5 was - - - 12:15:02PM  
6 What was that about?---The Monash Children's Hospital. 12:15:02PM  
7 In any event, you see on 20 October Megan Schutz provides to 12:15:08PM  
8 John Woodman and Tom Kenessey - do you know Tom 12:15:15PM  
9 Kenessey?---No, I've never met him. 12:15:21PM  
10 He's the person who was the consultant for Leightons who owned 12:15:22PM  
11 the land. He used to be an employee of Leightons, but 12:15:32PM  
12 then at some stage shortly after this he was made a 12:15:35PM  
13 consultant. I think he was perhaps an employee at that 12:15:38PM  
14 stage. In any event, 'Please find attached my suggested 12:15:41PM  
15 brief for John's meeting with Judith and Jude this 12:15:47PM  
16 evening. Please let me know if you would like any 12:15:51PM  
17 changes. John - would you like me to send it to Staindl?' 12:15:53PM  
18 And then you look at the brief which is attached. Can we 12:15:58PM  
19 just scroll down, please. That's a document dated that 12:16:15PM  
20 date, 20 October 2015, and basically it gives a run-down 12:16:19PM  
21 of what the proposal was and the arguments which might be 12:16:26PM  
22 employed in seeking to advance the proposal if we scroll 12:16:35PM  
23 down. Okay. So that I'd suggest to you is the way 12:16:38PM  
24 I described it. Would you agree with that?---Yes. 12:17:20PM  
25 That refers to a petition having already been put 12:17:23PM  
26 before - sorry, having already been obtained in May of 12:17:31PM  
27 2015. Were you aware of the petition?---Yes, I was. 12:17:35PM  
28 And was that presented to parliament?---I believe so. 12:17:40PM  
29 And did you have any part in that?---No. 12:17:43PM

1 Were you aware whether Mr Perera had any part in 12:17:45PM  
2 that?---I recall him presenting that petition. 12:17:51PM  
3 In any event, from those notes - could I tender that, please, 12:17:59PM  
4 Mr Commissioner, 5860? 12:18:06PM  
5 COMMISSIONER: Did that meeting with you and Mr Perera and 12:18:11PM  
6 Mr Woodman proceed and did he provide that paper to 12:18:15PM  
7 you?---I don't believe I've ever seen that paper, no. 12:18:19PM  
8 What about the meeting?---Look, I really don't recall. But, 12:18:22PM  
9 no, I don't - I don't ever recall - it says the meeting 12:18:27PM  
10 was in the evening, and it's 2015. Maybe it was at, you 12:18:31PM  
11 know, a Progressive Business function or something like 12:18:44PM  
12 that. But it wouldn't be - I wouldn't ordinarily take a 12:18:47PM  
13 meeting in the evening, and parliament at that time had 12:18:52PM  
14 stopped meeting in the evening. So that doesn't sort of 12:18:56PM  
15 quite fit for me. 12:19:00PM  
16 Do you have any recollection at any time between 2014 and 18 of 12:19:05PM  
17 being provided with documentary material either by 12:19:14PM  
18 Mr Staindl or Mr Woodman which supported the 12:19:17PM  
19 rezoning?---Yes, I do. Once. 12:19:24PM  
20 And when was that, Ms Graley?---I think it was, as I said, 12:19:27PM  
21 early 2018 because the one thing that reminds me of this 12:19:32PM  
22 is that they had never ever done that before. They had 12:19:39PM  
23 never presented me with a sheet of paper and saying, 'This 12:19:42PM  
24 is it,' you know. They had never done that. I do 12:19:45PM  
25 remember in early 2018 at a meeting at my office, the old 12:19:51PM  
26 office in Parliament House, that he did have a piece of 12:19:56PM  
27 paper with Mr - maybe they both did, and they asked me if 12:19:59PM  
28 I wanted a copy and I said no. 12:20:05PM  
29 Yes. Yes, Mr Tovey. 12:20:11PM

1 MR TOVEY: So there was a meeting at Parliament House in 2018. 12:20:19PM  
2 That was one of several meetings at Parliament House, was 12:20:26PM  
3 it not?---No, I think there were two, two maybe, two or 12:20:30PM  
4 three, yes. 12:20:35PM  
5 Because we've already been to one that was 2 September 2015, 12:20:35PM  
6 and I'll take you later to one that was on - what I would 12:20:43PM  
7 suggest was 4 May 2016?---Okay. 12:20:48PM  
8 We'll get there in a minute. So Staindl reports - okay, so we 12:20:51PM  
9 were in October where there's the reference to the meeting 12:21:00PM  
10 which has been arranged for that night. Then in November 12:21:04PM  
11 Staindl reports that he has been having discussions with 12:21:11PM  
12 yourself and Jude Perera. I take it that's something that 12:21:16PM  
13 you wouldn't dispute?---No. 12:21:24PM  
14 Then on 7 December there is a lunch at Corrs Chambers Westgarth 12:21:28PM  
15 where John Woodman, Phil Staindl and Megan Schutz are 12:21:42PM  
16 attending, and it's referred to as a Judith Graley lunch 12:21:47PM  
17 at Corrs in December of 15. Do you have any recollection 12:21:57PM  
18 of that?---Yes, I do actually, yes. 12:22:01PM  
19 What was the nature of that? Was it a fundraising event of 12:22:04PM  
20 some sort?---Can you please just tell me the date again, 12:22:11PM  
21 Mr Tovey? 12:22:15PM  
22 I'm sorry?---The date of that again, thank you? 12:22:16PM  
23 This was December 2015. So it wasn't an election year?---No, 12:22:19PM  
24 I know, that's fine. I just wanted to get the right 12:22:27PM  
25 lunch. It was a lunch that was - as I recall, it was 12:22:30PM  
26 shared between a number of MPs. 12:22:40PM  
27 Was it a fundraiser?---Yes. 12:22:46PM  
28 All right. Do you have any recollection of John Woodman, Phil 12:22:49PM  
29 Staindl and Megan Schutz attending that lunch?---Yes. 12:23:01PM

1 And you were at the same table as them, were you?---There was 12:23:05PM  
2 only one table. 12:23:11PM  
3 I see. How many people were there?---Somewhere between 12 and 12:23:12PM  
4 15 maybe, yes. 12:23:20PM  
5 Do you have any recollection as to whether or not the rezoning 12:23:25PM  
6 was a subject of discussion on that day?---People don't 12:23:30PM  
7 talk about rezonings at fundraisers, Mr Tovey. 12:23:35PM  
8 Well, I mean, the thing is you've got John Woodman, Megan 12:23:41PM  
9 Schutz and Phil Staindl turning up for this lunch. I'd 12:23:46PM  
10 suggest to you there would be no other reason they'd be 12:23:49PM  
11 there other than to discuss the rezoning or to try and 12:23:52PM  
12 promote their interests?---I can tell you it wasn't 12:23:54PM  
13 discussed. 12:23:57PM  
14 What do you say - - -?---It would be inappropriate. It would 12:23:58PM  
15 be completely inappropriate for people to turn up at a 12:24:01PM  
16 fundraiser and start talking about a rezoning. 12:24:04PM  
17 Certainly that's not the evidence we've heard from either 12:24:06PM  
18 Mr Staindl or Mr Woodman or Megan Schutz?---Well, I can 12:24:11PM  
19 only talk for my fundraiser. I can't talk for other 12:24:16PM  
20 people. But I don't think people sat around the table and 12:24:21PM  
21 talked to that. There were other people in the room, you 12:24:25PM  
22 know, from disparate walks of life and we didn't sit 12:24:27PM  
23 around talking about somebody's planning application. 12:24:32PM  
24 How was it organised, these things? People would pay for a 12:24:34PM  
25 seat, would they?---Yes. 12:24:39PM  
26 Did you attend Progressive Business functions?---Occasionally. 12:24:42PM  
27 (Indistinct) or Mr Staindl or Ms Schutz?---Sorry, can I have 12:24:52PM  
28 that question again? 12:24:56PM  
29 With Mr Woodman or Mr Staindl or Ms Schutz?---With them? 12:24:57PM

1 Sorry, did you at Progressive Business functions have any 12:25:03PM  
2 association with any of those people?---Well, I would have 12:25:08PM  
3 sat on a table, the same table once. They were in the 12:25:13PM  
4 room with other people as well. I didn't go to many 12:25:18PM  
5 Progressive Business functions. 12:25:21PM  
6 And at Progressive Business functions, from what we've 12:25:22PM  
7 understood, they were specifically designed to give people 12:25:26PM  
8 an opportunity of discussing whatever projects or 12:25:30PM  
9 interests they had with either ministers or members of 12:25:36PM  
10 parliament; do you agree with that?---No, I don't. 12:25:42PM  
11 Are you aware of a process whereby ministers would be 12:25:46PM  
12 given - sorry, whereby proponents of proposals would be 12:25:54PM  
13 allocated time at Progressive Business forums or lunches - 12:26:00PM  
14 - -?---No, I'm not aware of that. 12:26:06PM  
15 Who basically put those proposals to ministers?---No, I'm not 12:26:07PM  
16 aware of that. 12:26:15PM  
17 Are you aware of ministers coming to those lunches with 12:26:16PM  
18 officers - sorry, with persons from their ministerial 12:26:24PM  
19 offices who had been pre-briefed in respect of the sorts 12:26:29PM  
20 of issues that people wanted to discuss?---As I said, 12:26:34PM  
21 I very irregularly attended Progressive Business functions 12:26:39PM  
22 and I was not aware of that process at all. I was not a 12:26:42PM  
23 minister. I did not have staff. 12:26:45PM  
24 COMMISSIONER: Can I just enquire, Ms Grale, what was the 12:26:50PM  
25 purpose of this fundraiser?---The fundraiser? 12:26:53PM  
26 Yes?---Well, for election funds, yes. 12:26:57PM  
27 For the - - -?---Re-election funds. 12:27:00PM  
28 Yes. And did you actually receive an amount by way of campaign 12:27:04PM  
29 donation from Watsons at this time?---From the function? 12:27:10PM

1 Well, or after the function?---The payment of the ticket for 12:27:16PM  
2 the fundraiser, yes. 12:27:21PM  
3 And how much was that?---Well, I imagine the lunch was \$1,000 a 12:27:22PM  
4 head. So \$3,000. I don't know if that money came from 12:27:27PM  
5 Watsons. I don't have those records in front of me. 12:27:35PM  
6 Ms Schutz may have paid for her own. Mr Staindl may have 12:27:39PM  
7 paid for their own. I don't recall. 12:27:42PM  
8 Mr Tovey, we have a record, do we not, that Watsons made a 12:27:47PM  
9 contribution of \$5,000 to the Narre Warren SECC on 12:27:52PM  
10 10 December 2015? 12:27:59PM  
11 MR TOVEY: We do, I'm told, yes?---Yes. 12:28:02PM  
12 COMMISSIONER: Does that accord with your recollection of about 12:28:06PM  
13 how much it would have been?---Yes, probably. Yes, maybe 12:28:09PM  
14 it was - did they have more than the three of them at the 12:28:12PM  
15 luncheon? Mr Staindl may have also brought somebody from 12:28:16PM  
16 another entity. But, yes, three to 5,000 sounds 12:28:20PM  
17 reasonable. 12:28:23PM  
18 Yes. 12:28:25PM  
19 MR TOVEY: In that month of December Mr Staindl records that he 12:28:39PM  
20 had discussions with both you and Mr Perera about 12:28:42PM  
21 Cranbourne West. Is there any reason why you would 12:28:47PM  
22 dispute that?---No. 12:28:53PM  
23 On 26 April 2016 there was an email from John Woodman to Phil 12:28:54PM  
24 Staindl attaching a letter from Peter Keogh from the 12:29:08PM  
25 minister's office to Jude Perera. Perhaps I should ask 12:29:14PM  
26 you to have a look at 4983, which is exhibit 233. So you 12:29:28PM  
27 see there, 'Phil please see correspondence from Richard's 12:29:49PM  
28 office to Sammy, please escalate the meeting with Judith 12:29:55PM  
29 to important as I would like to know what is really going 12:29:59PM

1 on and trust Judith will find out for us maybe, thanks.' 12:30:04PM  
2 Now, at that time were you approached to find something 12:30:16PM  
3 out by Mr Staindl?---I don't know which letter you're 12:30:19PM  
4 referring to. Maybe if I could have a look at the letter. 12:30:25PM  
5 Certainly. Scroll down. So that's a letter from Jude Perera 12:30:29PM  
6 to Peter Keogh?---Yes. 12:30:55PM  
7 If you could scroll down. I think that's the totality of that. 12:30:56PM  
8 So it would appear that what was being sought was a letter 12:31:25PM  
9 which was being - sorry, correspondence between the 12:31:32PM  
10 minister and - perhaps I'm not sure, 'Thank you for your 12:31:44PM  
11 correspondence of 6 April to Richard Wynne on behalf of a 12:31:48PM  
12 constituent in relation to issues surrounding Cranbourne 12:31:55PM  
13 West.' So there had been a communication by Mr Perera 12:31:58PM  
14 apparently on behalf of somebody to do with Mr Woodman - - 12:32:05PM  
15 -?---No, 'On behalf of his constituent'. 12:32:12PM  
16 In any event, whatever it was was being chased up, and then you 12:32:18PM  
17 see whatever the exercise was, if we just scroll 12:32:22PM  
18 up - could we just scroll up, thank you. 'Please escalate 12:32:35PM  
19 the meeting with Judith to important as I would like to 12:32:43PM  
20 know what is really going on and trust Judith will find 12:32:47PM  
21 out for us'?---'Maybe'. 12:32:50PM  
22 Really, what all that boils down to I can indicate to you is 12:32:53PM  
23 Woodman wants to know what's going on in the minister's 12:32:58PM  
24 office in terms of progressing C219, because there's been 12:33:01PM  
25 mixed signals at this stage and people are having 12:33:06PM  
26 difficulty interpreting what is and what's not coming to 12:33:10PM  
27 the council. Now, did you get involved in that 12:33:17PM  
28 exercise?---I don't recall. But as it says 'maybe', 12:33:20PM  
29 Mr Tovey, it says 'maybe'; I don't recall ever speaking to 12:33:24PM

1 Sammy in Jude's office about this matter, no. 12:33:32PM  
2 So Sammy was Jude Perera's electoral officer?---Yes, he was. 12:33:34PM  
3 And Jude Perera had been ill from time to time, had he?---Yes. 12:33:42PM  
4 Does the electoral officer simply take over and act as if 12:33:45PM  
5 they're the member when that occurs? What 12:33:55PM  
6 happens?---Well, I can only tell you what happened in my 12:33:58PM  
7 office when I was ill, and usually, yes, the electorate 12:34:01PM  
8 officer does sign off on correspondence. They probably 12:34:08PM  
9 consult with the member of parliament, depending how ill 12:34:11PM  
10 they may be or not. In my case I had nearly a year off 12:34:15PM  
11 and an adjoining MP used to come over and, you know, 12:34:21PM  
12 provide some scrutiny about what was happening in my 12:34:25PM  
13 office. But I don't know whether that was normal. But, 12:34:28PM  
14 no, I don't know how it worked in Mr Perera's office, no. 12:34:36PM  
15 Okay. We'll find out in due course. I won't trouble you about 12:34:40PM  
16 it. 12:34:44PM  
17 COMMISSIONER: Ms Graley, Mr Perera was ill for quite some 12:34:45PM  
18 time, and being the member of parliament in the adjoining 12:34:48PM  
19 electorate who obviously, from what you've already told 12:34:54PM  
20 us, had some interest in this particular rezoning in the 12:35:00PM  
21 adjoining electorate did you take a more active interest 12:35:03PM  
22 in that electorate whilst Mr Perera was ill?---There are a 12:35:09PM  
23 range of common issues that we had. Our offices weren't 12:35:15PM  
24 close. You know, we didn't talk to each other regularly 12:35:20PM  
25 or anything. But there were a range of issues right on 12:35:23PM  
26 our boundaries like, you know, roads and schools and 12:35:26PM  
27 things like that that we would consult on. I think what 12:35:29PM  
28 in fact happened was maybe the other way around, 12:35:33PM  
29 Mr Redlich, that maybe because Jude was ill that 12:35:38PM

1 Mr Staindl may have contacted me, yes. 12:35:45PM

2 I see. Yes. And, having done so, you would to the extent you 12:35:48PM

3 could accommodate his enquiries?---To the extent I wanted 12:35:56PM

4 to, yes. 12:36:02PM

5 MR TOVEY: I tender that document. No, I don't need to. 12:36:06PM

6 That's exhibit 233. 12:36:09PM

7 COMMISSIONER: Yes. 12:36:11PM

8 MR TOVEY: On 19 August 2016 there was a DPC dinner at Fed 12:36:13PM

9 Square?---Yes. 12:36:22PM

10 And there's records showing you as an attendee sitting on 12:36:22PM

11 Mr Woodman's table; is that right?---Yes, I was. 12:36:27PM

12 Was that a fundraiser or what was it?---It was a 12:36:32PM

13 Progressive Business function, as I understood it. 12:36:37PM

14 And was it a function in which a contribution was made on 12:36:43PM

15 account of you being at that table or were you simply a 12:36:48PM

16 guest of Mr Woodman's?---No. In fact I was the - we were 12:36:52PM

17 sitting on a table with the Minister for Higher Education 12:36:57PM

18 and Skills, and I was on that table because I was his - in 12:37:02PM

19 a very small way I assisted him as parliamentary secretary 12:37:08PM

20 for education. 12:37:11PM

21 Sorry, you assisted who?---The Minister for Higher Education 12:37:13PM

22 and Skills. 12:37:19PM

23 Then on 4 May 2016 there's a calendar record of a meeting 12:37:20PM

24 between - sorry, an invitation for John Woodman and Phil 12:37:30PM

25 Staindl to meet with you at Parliament House. You would 12:37:37PM

26 agree that that took place?---What was the date again, 12:37:41PM

27 Mr Tovey? 12:37:44PM

28 4 May 2016?---4 May, righto. Yes. 12:37:45PM

29 So just to put this in context there was a previous meeting on 12:37:58PM

1 2 September 2015. We had 4 May 2016. And I think you 12:38:04PM  
2 told us there was another one in 2018?---Can I just ask a 12:38:12PM  
3 question, Mr Tovey. When was the Progressive Business 12:38:16PM  
4 function? What date was that? 12:38:19PM  
5 COMMISSIONER: That was 25 August, Ms Graley, and I see that 12:38:24PM  
6 this was the function at Federation Square at Zinc?---Yes, 12:38:29PM  
7 I recall that. I recall that. 12:38:34PM  
8 And I see that on your table were the following persons who had 12:38:35PM  
9 a specific interest in the rezoning: John Woodman, Tom and 12:38:41PM  
10 Kathy Kenessey - - -?---Oh, is that right? 12:38:46PM  
11 Phil Staindl, Heath and Andrea Woodman?---M-hmm. 12:38:50PM  
12 You've indicated earlier that you couldn't imagine that it 12:38:55PM  
13 would be appropriate to have any discussion about a 12:39:01PM  
14 rezoning issue at a fundraising function. Would that also 12:39:05PM  
15 apply to a dinner such as this?---Well, yes, particularly 12:39:10PM  
16 at a dinner like that. 12:39:15PM  
17 So notwithstanding that all of these people with that specific 12:39:16PM  
18 focus or interest were on your table - - - ?---It wasn't 12:39:19PM  
19 my table. 12:39:26PM  
20 No, but on the table you were at?---Yes. 12:39:26PM  
21 You say there would not have been any discussion about the 12:39:29PM  
22 rezoning?---No. 12:39:33PM  
23 All right?---In fact I hardly spoke to them that night. 12:39:37PM  
24 I (indistinct) that event quite clearly. 12:39:42PM  
25 Yes. Yes, Mr Tovey. 12:39:46PM  
26 MR TOVEY: Thank you. On 27 July 2016 there is a file note by 12:39:47PM  
27 Mr Woodman which records, 'Minister had advised Judith 12:39:54PM  
28 Graley that he fully supports the proposed amendment as 12:40:05PM  
29 per amended plans and outlines steps moving forward.' As 12:40:12PM

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of 27 July 2016 had you communicated to Mr Woodman or to  
Phil Staindl that the minister had advised you that he  
fully supports the proposed amended as per amended plan?  
Now, just to help you, the amended plan was when the  
minister wrote back to the council, the letter that he  
wrote seemed to suggest that the southern portion of the  
land should be approved but not the northern portion or  
vice-versa. In any event, it was only a portion of the  
land that the minister was interested in in rezoning.  
Does that ring a bell with you?---Now you've mentioned it,  
vaguely. The rezoning thing about - yes, the portion of  
the land, yes. I hadn't recalled that previous to you  
mentioning it. But, now that you mention it, yes.  
And had you reported that the minister advised you that he did  
in fact support the amended version which indeed had been  
the subject of a letter by him?---And that's to whom?  
A letter to the council?---Right. Well, I can't remember  
having a direct conversation with the minister about it,  
no. But maybe did he send me a copy of that letter?  
I don't know.  
Well, it's not clear whether you got it or not?---I don't know.  
COMMISSIONER: Again, Mr Tovey, so for future purposes can  
I just clarify this with Ms Graley. Firstly, did you have  
any reason during the period you dealt with Mr Staindl to  
distrust him?---No. No, I didn't.  
He seemed to be a man whose honesty you could rely  
on?---Absolutely.  
Yes. And is it possible that you conveyed to him false  
information for some purpose?---I don't know what you're

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1 talking about. 12:42:51PM

2 Might you have in your communications with him ever 12:42:53PM

3 deliberately told him something that was untrue, 12:42:57PM

4 specifically about rezoning - this rezoning issue?---No, 12:43:02PM

5 I don't think so. I don't think - I think I would have 12:43:10PM

6 been honest about it. 12:43:13PM

7 So, even though you have no recollection of it, can we then 12:43:14PM

8 assume that if you're confident of his honesty and that 12:43:19PM

9 you wouldn't be passing on to him false information, if 12:43:26PM

10 he's reported that you've told him this it must have 12:43:30PM

11 occurred?---Well, I don't necessarily think all those 12:43:35PM

12 things follow, but it could be an assumption you make. 12:43:39PM

13 Well, I'm sorry, why wouldn't it follow?---Sometimes in 12:43:43PM

14 politics and certainly - but certainly in politics there's 12:43:49PM

15 a lot of, what would I say, hyperbole, talking up things, 12:43:55PM

16 yes. 12:44:01PM

17 Okay. Perhaps I hadn't made my question loose enough for you. 12:44:01PM

18 So you might have said something to Mr Staindl which 12:44:10PM

19 wasn't entirely correct?---Well, I don't recall what 12:44:13PM

20 I said. So I don't know whether I can call it correct or 12:44:19PM

21 incorrect. 12:44:21PM

22 I'm sorry, I just need to understand are you saying about this 12:44:22PM

23 communication which Mr Staindl reports you gave him that 12:44:25PM

24 this might have been an occasion where you had engaged in 12:44:31PM

25 a bit of hyperbole?---I don't know. I can't answer that 12:44:34PM

26 question, honestly. 12:44:38PM

27 It's possible, is it?---Well, I suppose it might be. But 12:44:40PM

28 I don't know. I genuinely don't know. 12:44:46PM

29 You do understand why I'm asking you?---Yes, I do. I do, yes. 12:44:49PM

1 But it's a question of what we make of the fact that this is 12:44:54PM  
2 what Mr Staindl reported?---Yes, I agree. 12:44:58PM  
3 All right. Yes. 12:45:05PM  
4 MR TOVEY: We now want to move on to 23 May 2017, and then 12:45:13PM  
5 there was another invitation relating to an attendance by 12:45:20PM  
6 Phil Staindl, John Woodman, Heath Woodman and Megan Schutz 12:45:27PM  
7 for an attendance and drinks and dinner for you at the 12:45:37PM  
8 Hellenic Museum?---M-hmm. 12:45:42PM  
9 Do you recall that event?---Yes, I do. 12:45:45PM  
10 And did all those people attend?---There was 120 people there, 12:45:47PM  
11 yes. 12:45:52PM  
12 Well, drinks and a dinner. Who was putting on this event?---It 12:45:53PM  
13 was a joint fundraiser between myself and two other 12:46:03PM  
14 members of parliament, and we decided to hold it at the 12:46:07PM  
15 Hellenic Museum, and there was a sort of cocktail party 12:46:12PM  
16 beforehand and then a dinner that followed the cocktail 12:46:17PM  
17 party. 12:46:19PM  
18 And how much was it that people would pay?---I think somewhere 12:46:19PM  
19 between 150 and \$200 a head to attend the dinner, and the 12:46:26PM  
20 cocktail party was I think maybe \$1,000 a head. 12:46:32PM  
21 So, assuming that there were four people from Mr Woodman's 12:46:38PM  
22 orbit there, it would seem that that would have 12:46:47PM  
23 been - sorry, would have involved a contribution of 12:46:55PM  
24 somewhere perhaps in the vicinity of \$5,000?---All the 12:46:59PM  
25 money was paid into one account and was shared between the 12:47:05PM  
26 three of us. 12:47:09PM  
27 How much came out of that night, are you able to - - - 12:47:14PM  
28 COMMISSIONER: Sorry, who were the three of you, 12:47:17PM  
29 Ms Graley?---The member for Bentleigh, Mr Nick Staikos, 12:47:20PM

1 and the member for Oakleigh, Mr Steve Dimopoulos. 12:47:23PM

2 Thank you?---It was at the Hellenic Museum. 12:47:27PM

3 MR TOVEY: Are you able to identify what you got out of it and 12:47:30PM

4 what Mr Woodman's contribution to that section of what was 12:47:37PM

5 banked was?---Yes, I probably can because it's more 12:47:43PM

6 recent. The function I think raised about \$50,000. It 12:47:47PM

7 was a very big function. It was a very big function. It 12:47:55PM

8 was certainly the biggest fundraiser I had ever been 12:47:58PM

9 involved in. And so the money was paid into all one 12:48:00PM

10 account and we were - and I think that what we did is we 12:48:04PM

11 allocated each of us people to contact, this would be 12:48:12PM

12 fairly standard practice ,and different firms and 12:48:18PM

13 organisations and people were contacted, and I contacted 12:48:22PM

14 Mr Staindl and asked him if he wanted to bring some 12:48:29PM

15 guests. 12:48:32PM

16 And did Mr Staindl bring anybody along other than John Woodman, 12:48:34PM

17 Heath Woodman and Megan Schutz?---I think he did, because 12:48:39PM

18 there was a table, they had a table at the dinner, and 12:48:42PM

19 I think there were about 10 people on the table. 12:48:45PM

20 And was that the Watsons table or was it Staindl's - - 12:48:47PM

21 -?---I can't recall the other people there. But they 12:48:51PM

22 could have been other clients of Mr Staindl as well. 12:48:54PM

23 Are you able to identify what the Woodman contribution was on 12:48:56PM

24 that night?---Yes, he bought two tables and I think - how 12:49:03PM

25 many did you say was there? Mr Staindl, Mr Woodman, 12:49:10PM

26 Mr Heath Woodman and Ms Schutz? 12:49:15PM

27 Yes?---If they all came to the cocktail party it would have 12:49:19PM

28 been \$4,000, and then they bought two tables which I think 12:49:23PM

29 were about \$1,500 each. So that's about - they actually 12:49:28PM

1 didn't take the second table. 12:49:35PM

2 So all in all without the necessity to be accurate to the cent 12:49:38PM

3 what do you assess Mr Woodman's contribution to have been 12:49:47PM

4 that night?---About \$6,000. 12:49:51PM

5 Okay. Thank you. Then between 7 and 14 June there was an 12:49:56PM

6 email chain between Megan Schutz and Phil Staindl and John 12:50:11PM

7 Woodman about the bureaucrats trying to sideline the 12:50:20PM

8 rezoning, and that's a topic I think you say was regularly 12:50:27PM

9 the subject of discussion?---Yes. 12:50:35PM

10 Then they indicate that they need word to come down from above 12:50:36PM

11 to the bureaucrats and to have someone next to the 12:50:41PM

12 Minister for planning to put his signature on the 12:50:48PM

13 amendment. Now, that was a suggestion, as I recall it, by 12:50:53PM

14 Megan Schutz who's saying, 'Look, we need somebody who can 12:51:01PM

15 really take the minister by the scruff of the neck and get 12:51:04PM

16 him to put his signature on this.' But the response of 12:51:07PM

17 Mr Staindl was that, 'Judith is into this big time.' Now, 12:51:13PM

18 Mr Staindl, as you indicate, is not a person who you would 12:51:27PM

19 agree that he's making stuff up to clients or 12:51:31PM

20 exaggerating. Had you done anything to suggest to him 12:51:39PM

21 that your commitment to the rezoning was such that you 12:51:43PM

22 were into it big time - you were on to it big time, that 12:51:50PM

23 is the process of putting pressure on the minister?---No. 12:51:58PM

24 COMMISSIONER: Do you have any memory of Mr Staindl approaching 12:52:06PM

25 you at this time to do anything in relation to the 12:52:09PM

26 minister's office?---What was the date again? 12:52:12PM

27 MR TOVEY: This was June of 2018?---June 2018? 12:52:18PM

28 Yes. And this would have been only a month after?---Is it late 12:52:21PM

29 June 2018? Well, I mean, he would have probably rang me 12:52:34PM

1 and, well, no, spoke to me or something. But I don't 12:52:40PM  
2 recall. I mean, I wasn't into this. I mean, it's strange 12:52:43PM  
3 when you hear people talking about you in those terms. 12:52:48PM  
4 Yes. And I was actually overseas for the month of July, 12:52:52PM  
5 and the only phone call I got from anyone in government 12:53:00PM  
6 during that time was about an education matter. 12:53:04PM  
7 COMMISSIONER: But you have no memory of doing anything about 12:53:10PM  
8 the minister or the minister's office?---Well, this is 12:53:12PM  
9 probably when I spoke to Mr - that I said those two 12:53:16PM  
10 conversations I had, yes, earlier. Yes, that's when they 12:53:19PM  
11 took place, yes. 12:53:24PM  
12 MR TOVEY: Okay. 12:53:25PM  
13 COMMISSIONER: You wouldn't describe it as big time?---No. 12:53:28PM  
14 This was not a big time issue. 12:53:33PM  
15 You wouldn't describe it as being into the issue big 12:53:38PM  
16 time?---No. 12:53:43PM  
17 MR TOVEY: Because following that on 14 June there was another 12:53:48PM  
18 email chain involving Megan Schutz and Phil Staindl 12:53:52PM  
19 whereby Phil Staindl said he was going to get you to speak 12:53:58PM  
20 with Andrew Herrington because you had a good relationship 12:54:06PM  
21 with him?---That's true. 12:54:10PM  
22 And it will be better coming from you. So it must have been 12:54:11PM  
23 the case, you'd agree then, that whatever had been the 12:54:16PM  
24 previous arrangement at some stage Mr Staindl has 12:54:22PM  
25 contacted you and suggested that you get in touch with 12:54:27PM  
26 Mr Herrington about this issue?---No, what happened was 12:54:31PM  
27 that at the - it must have been one of the meetings that 12:54:34PM  
28 happened - I remember it happening at Parliament House 12:54:43PM  
29 earlier. Remember I told you about that meeting? 12:54:46PM

1 There was one in May and we're now in June?---Yes, May. May? 12:54:47PM  
2 Yes?---And he mentioned Mr Herrington, and I said he was a very 12:54:53PM  
3 good person. He had been very helpful to me when I really 12:55:01PM  
4 needed some assistance with a school matter that slash 12:55:06PM  
5 went over to a working with a developer in my electorate. 12:55:13PM  
6 He understood planning and he was very honest - - - 12:55:17PM  
7 Look, I understand what you're saying?---Honest person, yes. 12:55:22PM  
8 What would appear from this is that he's taken up on that, he's 12:55:25PM  
9 acknowledged that you have a good relationship with him 12:55:29PM  
10 and asked him to use that relationship - he's come back to 12:55:32PM  
11 you and said, 'Look, can you check with Andrew Herrington 12:55:36PM  
12 what's going on'?---Yes. 12:55:40PM  
13 All right. Then between 14 and 18 June 2018 there is another 12:55:42PM  
14 email chain relating to communications between Megan 12:55:58PM  
15 Schutz and a member of the DEWLP, which was the 12:56:07PM  
16 department, requesting an update on the timeframe for the 12:56:16PM  
17 amendment. And his response was forwarded to Mr Woodman, 12:56:19PM  
18 and then Mr Woodman responded to Phil Staindl asking him 12:56:29PM  
19 to please get you to help if you could to organise a 12:56:40PM  
20 fundraiser for Pauline Richards. I'm sorry, could I just 12:56:45PM  
21 be excused for one minute? 12:57:01PM  
22 COMMISSIONER: Mr Tovey, I see the time. Can you give us some 12:57:17PM  
23 indication what's your expectation of how much longer you 12:57:22PM  
24 will be with Ms Graley? 12:57:26PM  
25 MR TOVEY: Mr Commissioner, I understand Ms Graley needs to get 12:57:30PM  
26 away by 3 o'clock?---No, four is fine. Four o'clock is 12:57:33PM  
27 fine. 12:57:40PM  
28 MR STARY: I'm sorry, Mr Commissioner, that's me. I've got a 12:57:41PM  
29 pre-existing commitment. 12:57:43PM

1 MR TOVEY: In any event, if we're to adjourn perhaps we could 12:57:48PM  
2 have a shorter than normal adjournment, Mr Commissioner, 12:57:51PM  
3 say half an hour? 12:57:56PM  
4 COMMISSIONER: Are you expecting then that you would finish by 12:57:57PM  
5 three, are you, Mr Tovey? 12:58:01PM  
6 MR TOVEY: I am, yes. 12:58:03PM  
7 COMMISSIONER: All right. In that case we'll have a truncated 12:58:05PM  
8 luncheon break. We'll resume at 1.30. 12:58:08PM  
9 MR STARY: Thank you for that indulgence. 12:58:13PM  
10 <(THE WITNESS WITHDREW) 12:58:16PM  
11 LUNCHEON ADJOURNMENT 12:58:17PM  
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