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A/Director - Committees
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15 October 2009
Matter 81624949
By email and courier

Dear Ms Foley

Private & Confidential

Inquiry into Badgerys Creek land dealings and property decisions

We refer to our client Mr Roy Medich's appearance before the General Purpose Standing Committee No. 4 on 29 September 2009 and to your letter of 1 October 2009.

The following are enclosed:

- 1 a copy of the transcript of the hearing with our client's corrections marked up;
- 2 our client's responses to the written questions placed on notice from members of the Committee (see the Schedule to this letter);
- 3 a copy of each invoice from Mr Graham Richardson to Mr Roy Medich, in response to the question taken on notice at page 24 of the transcript; and
- 4 a copy of the forms 'Disclosure of Political Donations and Electoral Expenditure for a Political Donor' lodged by Medich Property Group Pty Limited for the periods 22 April 2003 to 27 April 2007, 27 April 2004 to 31 December 2008 and 1 January 2009 to 30 June 2009, in response to the questions taken on notice at pages 26 to 28 of the transcript. Our client notes that he owns 50% of Medich Property Group.

In relation to the question regarding Ministerial meetings placed on notice at page 32, it is not our client's practise to keep a diary and he does not have a complete record of all meetings that he has attended with Ministers. Our client would expect that each meeting would have been formally recorded by the relevant government department in accordance with the usual procedures. However, our client believes that he may have attended the following meetings with Ministers:

- 1 meeting with Minister Frank Sartor on or about 11 September 2006;
- 2 meetings with Minister Frank Sartor and representatives of the Badgerys Creek Consortium on or about 15 August 2007, 14 December 2007 and April or May 2008; and
- 3 meeting with Minister Phillip Costa and Australian Water Holdings on or about 17 June 2009.

Our client instructs us that the above list is not necessarily comprehensive.

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Schedule – Written Questions on Notice to Mr Roy Medich

- 1 When did Ms Gabrielle Kibble become the Chair of the Board advising the University of Sydney and the Medich Property Group?
Never.
Ms Kibble was invited to become the Chair, subject to any conflict of interest. She informed us that she had a conflict of interest and did not accept the role.
- 2 ***Is she still the Chair? If not, when did she resign.***
See answer to question 1 above.
- 3 ***When did Damjanovich join the consortium?***
In or about late July or early August 2007.
- 4 ***The Planning Workshop Australia submission dated 29 May 2007 on p.5 states that 'The option for the other small landowners to be included as part of the proposal is being considered?'***
- a. ***Who were those other small landowners?***
Davis, Monaghan, Langway Pty Limited and Lowe.
- b. ***Were they ever invited to be included as part of the proposal?***
Yes.
- c. ***If so, when did each individual landowner join the consortium?***
They did not join the consortium.
- d. ***If not, why were they not invited?***
N/A.
- e. ***Were any applications to join rejected? If so, why?***
No.
- 5 ***Do you know Michael Daniele?***
No.
- 6 ***Have you ever been in business dealings with Mr Daniele or his company New Arm?***
No.
- 7 ***Have you every discussed the rezoning of the Badgery's Creek lands with him? If so, when did these conversations occur?***
No.
- 8 ***Did you ever ask Michael Daniele to speak to the Member for Fairfield, Mr Joe Tripodi about rezoning of the land?***
No.
- 9 ***Did Michael Daniele ever tell you that he had spoken to Mr Joe Tripodi about the rezoning?***
No.
- 10 ***If the rezoning of the BCC site were to succeed at some time in the future, will any person or company other than the owners of the land receive any form of reward, incentive payment or success fee as a result?***

No.

11 ***In your evidence in the inquiry, you stated that you had approached Minister Tripodi for a meeting. When did you make that approach?***

I cannot exactly recall, but probably in or about June 2009.

12 ***Was that before or after you and Graham Richardson met with Mr Haddad?***

Before.

13 ***What did you wish to discuss with Mr Tripodi?***

Infrastructure in western Sydney.

14 ***Have you ever held a meeting with Mr Tripodi subsequent to your requesting the meeting referred to by you at the Inquiry hearing?***

No.

15 ***Are you aware of Mr Richardson ever speaking to Mr Tripodi about the Badgerys Creek site?***

No.

16 ***Are you part of a consortium called Citiwest Pty. Ltd, along with Leppington Pastoral, which owns 800 acres of land in Bringelly?***

No.

17 ***Is this site being developed for housing?***

I do not know.

18 ***Will you supply a list of all the landholdings wholly or partly owned by the Medich Group and associated entities in the south-west Sydney area?***

I interpret this question to mean any landholdings in or around the Badgerys Creek area wholly or partly owned by me or any entities I control:

- Roy Medich Properties Pty Limited and Ron Medich Properties Pty Limited own Lot 101 in DP 848215 (being the land at Badgerys Creek) as joint tenants.
- The Roy Medich family has a 4% interest in the Lowes Creek development in Bringelly.

19 ***Did you or do you or any company of which you are a director or shareholder, own any land that has been acquired by either the federal or state government or government authority?***

No.

a. ***If yes, what were the address(es) and Deposited Plan/Lot number(s) of those properties?***

N/A.

20 ***Did you or do you or any company of which you are a director or shareholder, sell any land to the government or a government authority (including LandCom)?***

No.

a. ***If yes, what were the address(es) and Deposited Plan/Lot number(s) of those properties?***

N/A.

21 ***Have you ever discussed the possible rezoning of the Badgerys Creek land with the former Minister for Planning, Craig Knowles? If so, when?***

No.

22 ***Have you ever discussed the possible rezoning of the Badgery's Creek land with the Member for Camden, Geoff Corrigan? If so, when?***

No.

23 ***Have you ever discussed the possible rezoning of the Badgery's Creek land with the Member for Mulgoa, Diane Beamer? If so, when?***

No.

24 ***Did you ever discuss Business Dialogue with Mr Richardson?***

No.

25 ***Did you ever attend a Business Dialogue event with Mr Richardson?***

No.

26 ***What discussions has Mr Medich had with any members of government or employee or contractor of the Department of Planning about the Lowes Creek precinct development?***

I have, in my capacity as a member of the Lowes Creek Consortium, attended several formal meetings with officials from the Department of Planning and the Growth Centres Commission to discuss the merits of the Lowes Creek precinct development and technical issues.

I cannot presently recall the precise dates and details of these meetings. It is not my practice to keep a diary and I do not have a complete record of these meetings. However, I would expect that each meeting would have been formally recorded by the Department of Planning or the Growth Centres Commission in accordance with usual procedures.

27 ***Has Mr Medich had any land of which he, or any company in which he has an interest, is an owner or part-owner rezoned by the state government or the Department of Planning? If yes, please provide details.***

I interpret this question to mean land in or around Badgerys Creek. No.

28 ***Has Mr Medich had refused by the present state government or the Department of Planning a proposed rezoning of any land of which he, or any company in which he has an interest, is an owner or part-owner? If yes, please provide details.***

No. In my oral evidence before the inquiry I said 'In fact, I can tell you that I have had a [rezoning] refusal'. On further reflection, this was not a refusal as the proposal did not reach the stage of making a formal application for rezoning.