

TOUR DE FRANCE

# CADEL PLAYS DOWN SPANISH THREAT

PAGE 70



NRL

# WEST BECKONS FOR BARRETT

BACK PAGE



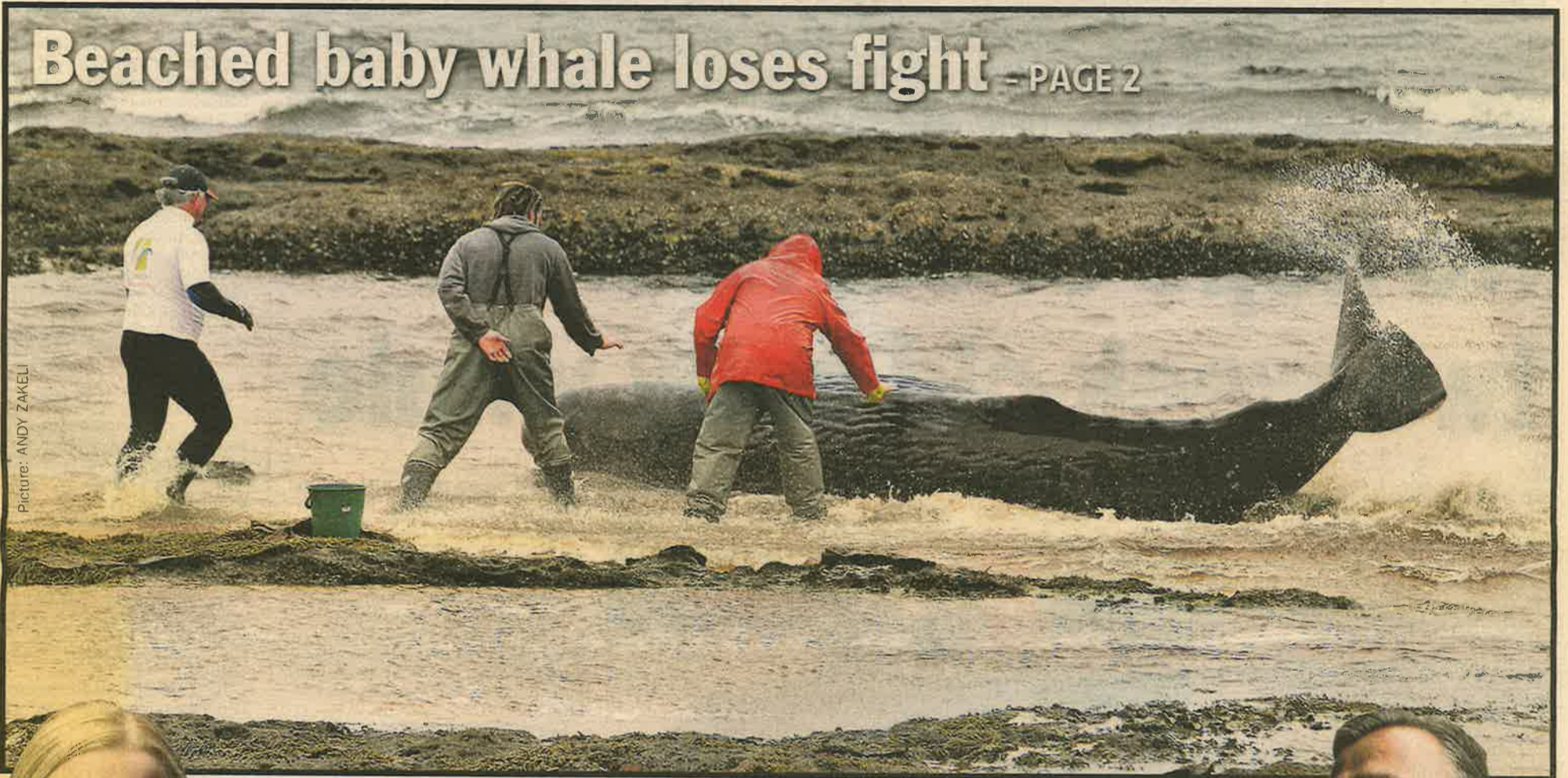
# ILLAWARRA MERCURY

SINCE 1855

Wednesday, July 14, 2010

\$1.20 (incl GST)

## Beached baby whale loses fight - PAGE 2



Picture: ANDY ZAKELI

## Developer fined over lies to ICAC investigator

# TABAK PAYS FOR BETH DENIAL



WOLLONGONG developer Glen Tabak has been fined \$2500 and given a two-year bond for lying to corruption watchdog investigators about an affair with city planner Beth Morgan.

Twice in 2007, Tabak denied any affair with Ms Morgan when questioned by Independent

Commission Against Corruption investigators.

Ms Morgan approved development applications for his Victoria Square project and a modification to his Wave residential building.

The developer's barrister William Wilcher told Downing

Centre Local Court yesterday that Tabak had concealed the relationship to protect his wife and two young children.

In sentencing Tabak, Magistrate Graeme Henson dismissed his motive for lying.

■ FULL REPORT - PAGE 3

TODAY Becoming fine. Partly cloudy



17

TOMORROW

Fine, cloud increasing



16

Zest GO TAKE A HIKE!

2/MD 0001



# Tabak fined for lying

## Affair cost him \$2500 and 'his reputation'

By LAUREL-LEE RODERICK

LYING about an affair with a council planner that lasted only six weeks has already cost Wollongong developer Glen Tabak his reputation, and yesterday a \$2500 fine and a two-year good behaviour bond were added to his penalty.

Tabak, 46, of Harbour St, pleaded guilty in Downing Centre Local Court yesterday to wilfully making a false statement to an Independent Commission Against Corruption investigator on June 7, 2007.

A second charge that Tabak wilfully attempted to mislead an ICAC officer on December 10, 2007 was also taken into account by the court.

Tabak declined to comment and ran from the court to a waiting taxi after Chief Magistrate Graeme Henson delivered his sentence.

Facts tendered to the court said that on both occasions Tabak had denied having a relationship with Ms Morgan - a former Wollongong City Council planner who approved development applications for his Victoria Square project and a modification for his Wave residential building in North Wollongong.

He initially denied giving Ms Morgan any gifts or benefits.

The tendered facts said that in the second impromptu interview, Tabak denied he had offered Ms Morgan an apartment in Victoria Square, paid her money or undertaken renovations for her.

Then at an ICAC examination in January 2008 and a public hearing the following month, Tabak had admitted to having a sexual relationship with Ms Morgan. He also admitted to buying her perfume when he travelled overseas in 2004.

Tabak's defence barrister William Wilcher said the sexual relationship with Ms Morgan began in April 2004 and lasted only six weeks. It had ended more than three years prior to ICAC questioning Tabak about Ms Morgan.

Tabak had concealed the relationship to protect his wife and two young children, Mr Wilcher said.

"It is different to someone telling a lie to ICAC officers to hide a criminal offence." He added it was not an offence to have an affair, although it "might be morally reprehensible".

Mr Wilcher told the court Tabak had emigrated to Australia from Turkey in 1971 and had "led a blameless life". But his reputation had been damaged since the ICAC investigations became public.

"My client has been subject to wide reporting in the media since the ICAC inquiry came to light. It has even hit Turkey," he said.

### THE OTHER PLAYERS

- Kiril Jonovski (former councillor) - not guilty on all charges;
- Zeki Esen (former councillor) - not guilty on all charges;
- Frank Gigliotti (former councillor) - will be sentenced in November after being found guilty of two counts of intentionally giving misleading evidence to the ICAC;
  - found not guilty on another count of giving misleading evidence;
  - hearing in November on a charge of providing a false or misleading statement to an ICAC officer;
  - ICAC awaiting advice from the DPP on whether to pursue further matters;
- Lou Tasich (developer) - charges before the court alleging he corruptly offered a benefit to the council's property manager Peter Coyte and three counts of giving false or misleading evidence to an earlier ICAC inquiry in September 2007;
  - DPP considering whether to pursue criminal charges over the ICAC inquiry in February 2008;

### DPP CONSIDERING WHETHER TO PURSUE CRIMINAL CHARGES AGAINST:

- Beth Morgan (former council planner)
- Frank Vellar (developer)
- Val Zanotto (former councillor)
- Joe Scimone (former senior council employee)
- Ray Younan (conman)
- Gerald Carroll (conman)

Mr Henson said that should have no bearing on the penalty imposed. "There is no evidence before me that your business has suffered as a consequence. It may be that your reputation will suffer, as it should," he said.

He dismissed Tabak's motive for lying and said the defence seemed to suggest "your behaviour was conducted in a parallel universe where all that took place was your denial of a sexual relationship."

"ICAC officers do not turn up at the door to investigate sexual impropriety," Mr Henson said.

"When they did turn up in 2007 to your door, you knew exactly what they were there for. Part of your purpose in trying to mislead ICAC was a concern about events that may have taken place in the city of greater Wollongong."

ICAC is awaiting advice from the DPP on whether to pursue further charges against Tabak.



**Fined:** Developer Glen Tabak (centre), solicitor Graeme Morrison (right) and barrister William Wilcher outside Downing Centre Local Court in Sydney yesterday. Tabak may yet face further charges.

# Job accusation lands Tripodi before ICAC

By ADAM BENNETT

CONTROVERSIAL NSW Labor MP Joe Tripodi has been referred to the state corruption watchdog over claims he told a former chief of NSW Maritime to create a \$200,000 job, then recommended two Labor staffers for the role.

Former NSW Maritime chief executive Chris Oxenbould told News Ltd that in 2006 Mr Tripodi, then ports minister, told him he

wanted to create the general manager (policy) position within the department. He recommended former Labor staffers Cassandra Wilkinson and Patrick Low, with Mr Low the successful candidate.

The State Opposition seized on the claims involving Mr Tripodi, referring them to the Independent Commission Against Corruption.

Mr Tripodi was subject to a similar ICAC investigation in 2008 over his appointment of long-time

friend Joe Scimone to a \$200,000 position with NSW Maritime.

Mr Tripodi was cleared, although Mr Scimone was forced to stand down over his involvement in an unrelated Wollongong council development scandal.

"We've had a look at some comments from ... Chris Oxenbould which indicate clearly Joe Tripodi as then minister suggested strongly to him that he create an additional position, a pretty highly

paid position, and that he ought to consider two Labor mates for the job," Deputy Opposition Leader Andrew Stoner said.

"I think (that) is a pretty clear breach of the conduct and standards expected by a minister."

"Given that Joe Tripodi has a bit of form on this ... some years ago, I thought it well worth an investigation into the statements by Mr Oxenbould."

Mr Stoner called on Premier

Kristina Keneally, now on a tour to China, to state if Mr Tripodi had a future in the NSW Parliament.

Mr Tripodi, a factional heavyweight, has been instrumental in Ms Keneally's quick rise through Labor ranks. Neither Mr Tripodi nor the Premier could be contacted last night for comment.

A spokesman for Acting Premier John Hatzistergos said it would be inappropriate to comment on any ICAC investigation.