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PUBLIC
HEARING

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INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE PETER M. HALL QC
CHIEF COMMISSIONER

PUBLIC HEARING

OPERATION TOLOSA

Reference: Operation E17/1221

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON FRIDAY 17 JUNE, 2022

AT 2.00PM

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This transcript has been prepared in accordance with conventions used in the Supreme Court.

THE COMMISSIONER: Yes, Mr Leggat.

MR LEGGAT: Thank you, Chief Commissioner. Mr Tsirekas, it was suggested to you at one stage that by paying cash to Mr Colacicco so that, which cash had come from your father to enable you to buy a home unit, that you may have either intentionally or accidentally misled the Family
10 Court. I want to deal with that topic now and I just want to put a chronology to you for your response. Commissioner, I'll need to deal with this fairly sensitively because I'm going to identify [REDACTED]
[REDACTED] but my understanding coming from Mr Darams is that we can proceed in this manner so I'm sure I'll be stopped if something inappropriate is going to happen.

20

30 Isn't it the case that you were not seeking to hide from the Family Court the funds that your father had provided to you and which funds you'd given to Mr Colacicco in cash and which he was holding on your behalf for that purpose?---Yes, that's correct.

Let me move to another topic. Chief Commissioner, I wonder if we might have page 2189 of the transcript please, 2189. Chief Commissioner, just before we go there, our understanding is that [REDACTED]
[REDACTED] is held by the
40 Commission, and at some appropriate stage, my learned friend Mr Darams and I will work out how to deal with that from a confidentiality point of view, if that's satisfactory.

THE COMMISSIONER: Well, I'm prepared to look at it and determine whether it should go in as an exhibit.

MR LEGGAT: Yes. Thank you.

THE COMMISSIONER: Redacted or not.

MR LEGGAT: Indeed. Thank you very much. Page 2189 of the transcript,
10 please. Excuse me just a moment. If I can go to 2187, please. Mr Tsirekas,
you'll see at about line 38 you stated in answer to a question, "Joseph
Chidiac would send me other messages about other issues in the local area."
What did you mean by that? What are you referring to there?---I think I
may have given a bit of an answer before, but Mr Chidiac was well known
in the area. It wasn't uncommon for him to represent people in the area on
different issues, different topics. I'd deal with those issues as I would deal
with other hundreds of people's issues that they would have in, in council.
That's the role of the mayor. Mr Chidiac would, you know, people would
20 go to him for assistance, for whatever reason, and they covered a lot of
topics, a lot of issues.

THE COMMISSIONER: And did the people that he made representations
for include developers?---Developers, Commissioner?

Developers. I'm talking about corporate developers, not mums and dads.
---Again, Commissioner - - -

No, no, just ask – please answer my question yes or no. When you say he
acted for people, does that embrace professional corporate developers as
30 well as ordinary people? "Ordinary" meaning constituents, mums and dads
as they're sometimes pejoratively referred to.---No, Commissioner. Can I
explain?

No, you can't. You say the answer to it, that is to say that the people that he
made representations on behalf of included, he did so for various people in
the community.---Certainly.

And I asked you does "people" include developers? And is the answer to
that "Yes, he did" or "No, he didn't"?---No, I, no, he didn't act for them.
40 I'm not a hundred per cent sure what you're asking when you said "acted
for".

No, thank you, you've answered the question. You say, no, to your knowledge, he did not make any representations on behalf of developers, that is professional developers? Your answer is no?---Commissioner, can I please explain?

No, no, no, please. You may not respond by statements, speeches.---Yes, Commissioner.

10 I'll put it again. When you said before you knew that he made representations on behalf of people, does your reference to people include professional development companies?---No, he didn't act for them.

Hmm?---No, he didn't act for them.

No, did he ever make representations, not only for ordinary people – that's constituents in the council area – but he also would make representations on behalf of corporate developers. Did he or didn't he?---No, he didn't.

20 Yes Mr Leggat.

MR LEGGAT: Thank you Chief Commissioner. At 2187 in the transcript you stated, "Joseph Chidiac would send me other messages about other issues in the local area," and you were explaining what you meant by that. Now, correct me if I'm wrong, this is as I understand your answer to be, that Mr Chidiac would send you other messages about other issues in the local area that had been raised by a variety of people including corporations, developers and mothers and fathers doing developments and any other developers that happen to raise a concern with Mr Chidiac. Is that what
30 you're trying to express?---Correct, yes.

THE COMMISSIONER: I'm sorry. So you're saying that – Mr Leggat, quite frankly I'm totally confused. Given his previous answer to me is it your instructions that the witness would receive messages from Mr Chidiac on issues raised by people which included developers?

MR LEGGAT: Yes.

THE COMMISSIONER: Well, how does that stand with his last answer a
40 moment ago?

MR LEGGAT: Because there was the word “instructed” or “act for” in there, and he was endeavouring to differentiate between - - -

THE COMMISSIONER: Sure, I see. I understand. Yes, Mr Leggat, you proceed.

MR LEGGAT: Thank you. Correct me if I’m wrong, but you have instructed me that the Electoral Commission Act defines developer in a particular way, and during the course of the hearing, this hearing, you have referred to developers in a manner consistent with your understanding of the expression as defined. What do you mean by that?---Yes, if I can give the definition that’s in the Electoral Act, a developer is considered to be a person that has had three development applications dealt with in the previous seven years. That encompasses not only corporates but also mums and dads that renovate a house and sell it and move on. It incorporates plumbers or carpenters if they’ve got a building licence that do duplexes.

THE COMMISSIONER: Yes, thank you, that’s enough, that’s enough.

MR LEGGAT: Let me move on. Page 2189. Now what you see here, you’ve been questioned about Mr McGarry’s description of you as a toothless tiger and you say this about line 8, “Bill was a very strong advocate and he spoke his mind, they had one direction they wanted to pursue for whatever reasons, the council officers were not agreeing.” Now what’s the “they” you’re referring to and what’s the “one direction”?---I’m referring to Billbergia, Bill McGarry acted for Billbergia and again Bill would be the spokesperson for Billbergia at meetings, and at that stage of the proceedings of putting together their submissions they were trying to also get support from council what their position with their proposal that they were going to put forward. Again, it was different to what council’s views were on, on what way forward would be best for the community under a new master plan for the area.

And that’s what you’re referring to by the one direction and the council officers were not agreeing with that approach?---Correct, council had a different view.

All right. Page 2191 please. You’ll see at the top of the page there’s a question asked as to why you wouldn’t have passed on that particular email to Mr McNamara and Mr Sawyer and you say, “I may have. I don’t know. I may have just sent the message.” And then you say, “I can’t remember but

that would have been my general way that I would deal with things like this.” So what do you mean by your general way that you would deal with things like this?---It would have been my practice if, if there was things going, going on where the council and proponents were, were not, not meeting or not getting things moving I would make sure that I’d try to bring the parties together to mediate and to make sure that they sat at the table to try to talk about their positions.

10 THE COMMISSIONER: Which parties are you talking about?---Sorry, Commissioner.

Which parties? Who are you - - -?---I would say this is - - -

- - - categorising when you, you refer to parties? What parties are you, give us an example.---I’d say this would probably be the Bill McGarry Billbergia issue.

So this is a dispute between, what, two developers or land owners or - - -?

20 ---No, no. It’s to do with - - -

- - - was it a dispute with the council?---Not a dispute. A different - - -

Who are the parties you’re talking about?---Well, I think I said Billbergia and council. I think at this stage they were trying - - -

But you’re not there to arbitrate between council and developers - - -?---No, I’m not.

30 - - - as a mayor are you?---No, I’m there to try to mediate and get the parties together.

But that wasn’t a function of a mayor to play a role of mediator.---Well - - -

Treating the council as one party and developers as another. You’re not in the middle to mediate but you say that’s what you did.---No, I’d try to get the parties together.

Oh, I see. Yes. Yes, Mr Leggat.

40 MR LEGGAT: Thank you, Chief Commissioner. 2191 please on the transcript. Yes. We’ll then go to 2198 please, 2198. Now, from about line

11 onwards you're being asked about a meeting with Mr Bruzzano and Mr Chidiac, Joseph Jacobs and you say at about line 35, "I can't recall the conversation." It goes on, use the expression "their proposal or on East Rhodes about trying to sell the infrastructure, position that they were taking". What do you mean by "trying to sell the infrastructure, position that they were taking"?---To the best of my recollection they, they were putting a proposal forward to look at providing a school, upgrade of the railway station and a wharf with the uplift that they were looking for to pay for that infrastructure. We're of a different view. We wanted any uplift to go to community benefits locally and we had a different view - - -

THE COMMISSIONER: Mr Leggat, hasn't this been done to death?

MR LEGGAT: Yes, it has. I just want to – that's enough, thank you

THE COMMISSIONER: It's been done to death, hasn't it?---Yeah.

MR LEGGAT: That's enough, thank you.

20 THE COMMISSIONER: Now move on.

MR LEGGAT: Page 2200 at line 40 and then on to the next page 2201 please. See there you say, "Around that period there was a lot of stress on the proposals that we were all putting into the government. Mr Jacobs was very strong trying to get their side of the story about infrastructure, where council had a different view." And that was what you have just referred to, is it?---Yes.

30 Let me move on. If we could go please to page 1888, 1888, please. Now, Mr Tsirekas, in relation to that page – I'm sorry. I can shorten this. Could we go to 1867, please. You'll see at line 40 you gave this answer, "Mr Colacicco was aware that my father was helping and the circumstances that I was in." What caused you to form the view that Mr Colacicco was aware that your father was helping you?---Mr Colacicco was one of the friends that I had back then that knew my circumstances. He knew that, that my father was willing to, to help me. And he, he knew that, and I told him that my father was going to help me not only with, you know, getting back on my feet but to help me purchase something in the future, and that was a way of, by helping me with getting a deposit and giving me some money to put
40 into an account that my wife wasn't aware of. So she couldn't get her hands on it, as he would say.

And do you say that you communicated that or didn't communicate that to Mr Colacicco?---No, I did communicate it to him.

If we can go to page 1809, please, Chief Commissioner's leave. You'll see there at line 20 you're being asked about the \$9,000 payment that was made, and you refer to "It was a lump sum for the Lebanese trip and the accommodation."---Mmm.

10 I just want to clarify that. What do you mean by "the accommodation" and what proportions of the \$9,000 were paid?---Look, the understanding now that I have with the trips and timing and so forth, it, the, the money was there for me after settlement. I wanted to pay my debts. And I asked Mr Chidiac, "How much do I owe you?" and he said, "8,000 and 1,000 for accommodation."

Yes, I'm sorry. Thank you.---Yes, so there was 8,000 for the Lebanese trip and \$1,000 for accommodation, which would have been the earlier trip from, now understanding the trips a bit more, in January 2016.

20

Thank you. Let me move on to another topic. You were taken to phone logs showing that, around the time of the federal election campaign, that period leading up to that, there were numerous telephone calls between yourself and Mr Chidiac and there were also numerous telephone calls between yourself and Frank Colacicco. Do you say that there was any relationship between the forthcoming federal election and the amount of phone calls made to those gentlemen?---Yes, there, there would have been. I had a short campaign. Mr Colacicco and Mr Chidiac were supporters of mine, and I was not only ringing Colacicco and Mr Chidiac but others, and
30 around that time I was fairly busy gaining any support I could for the upcoming campaign.

And how was it that those two gentlemen helped you in relation to that federal campaign at that time?---Again, the campaign, I had a lot of helpers. They were two of them and they helped locally, again, with people that helped on the day of the election, people during the campaign helping handing out flyers. And if I had campaign dinners to raise money, they'd also help with getting people there as well.

Approximately how many best friends do you think you have and where do Messrs Chidiac and Colacicco fit into and outside of that category?---Oh, yeah. About five. They'd be in the top five.

Okay. I'll deal briefly with you being the popularly elected mayor and running as an Independent. Can you speak briefly about the number of times you've been popularly elected mayor and you running as an Independent, please.---I've lived in the community over 30 years. I've been in public life for about 25 years. That includes about four elections of being popularly elected under the Labor Party and the last election running as an Independent. The last election I got three people elected, Labor Party only got two, and the Liberal Party got three. I think that I'm well known. I think the community understands that I work hard for them and listen to them and try to serve them.

THE COMMISSIONER: What were the circumstances that led to you not running as a Labor-endorsed candidate in the last election and you running as an Independent?---Commissioner, I had a fallout with a number of Labor identities in the area.

Well, can you be more explicit, please? What were the reasons as to – well, firstly, were you endorsed by the Labor Party for the last council election or not?---No, I didn't, I didn't put my name forward.

No, I'm just asking you.---I didn't put my hand up.

You were not endorsed as the Labor candidate?---I didn't put my hand up. It's a bit different to being endorsed. You've got to actually put your name forward.

And just without going into the detail of it all, why did you no longer run as a Labor candidate, having previously run as a Labor candidate?---Sure. Commissioner, again, I had a fallout with a few Labor Party identities and I did - - -

Who? Firstly, who are the identities?---Well, Mr Andrew Ferguson. And I didn't like the way that they were (not transcribable)

So anybody else? Mr Ferguson and who else?---Oh, just general party members. Oh, look, I just didn't like - - -

Can you name any? Can you name any other - - -?---I wouldn't like to, Commissioner.

Please don't talk over me. We've had this discussion before, haven't we? I ask questions, you wait till I've finished answering [sic] the question before you start your answer so that you're not talking over and cutting me off.
---Apologies.

You said that there was, you had disputes with Labor Party identities.
10 You've mentioned Andrew Ferguson. Anyone else?---Not really, Commissioner. Probably just the one person.

What was the dispute?---I just didn't like the direction that it was heading. It wasn't one that I supported.

Well, what were the matters that you were in dispute with Ferguson and/or anybody else associated with the Labor Party?---No matters, Commissioner. I just didn't like the way that the party was heading under Mr Ferguson.

20 But I think you told us earlier on your sworn evidence that you had a falling out, there was a dispute.---Mmm.

A dispute about what?---General political things.

You're refusing to answer my question, aren't you?---No, I'm not.

You know what the dispute was about, don't you?---No.

You don't? Are you seriously on your oath saying you had a dispute with
30 Labor identities – you've named one – but you can't say what the dispute was about?---No, Commissioner.

You don't know?---Commissioner, if you get into it, it was probably around the preselection time, if this is what, and about - - -

That's right, yeah, preselection time.---Yeah, and - - -

Was there a dispute then?---There was, regards to - - -

40 Regards to you.--- - - - branch stacking and so forth.

Involving you.---Yes.

Yes, right. What was the nature of that dispute?---He was putting to the party that I was being investigated.

How do you know that?---Because I was in a meeting when he mentioned it to the party officials.

I see. So is that the reason why you ended up in dispute with Mr Ferguson?
10 ---And I didn't like the direction that he was heading. It was opposite - - -

What - - -?---You know, philosophical things to do with the party.

Well, can you identify what the philosophical differences were about?
---Again, Commissioner, if I can answer as straight as I can - - -

Just answer my question. That's all I'm asking for.---Yeah. I had different views on how to deal with things.

20 About what?---About community things, about how to, how to deal with items, how to - - -

Give me some specific examples of what the dispute was about, the subject matter of the dispute.---Just general ways of how to approach community things. I'm, I'm - - -

Yes, all right.---All right.

Yes, Mr Leggat, back to you.
30

MR LEGGAT: Thank you, Chief Commissioner. Was it the case that Mr Ferguson was a competitor for the state seat and he was disgruntled about you getting the preselection that he wanted?---Well, the, could have been one reason. You'd have to ask him. But I know that he's very ambitious, like a lot of politicians, they're ambitious.

Putting that to one side. Are you aware whether or not he sought to stand as the Labor candidate for the seat for which you were appointed by the Labor Party to run?---I think in 2011 he did stand for the Upper House, then in
40 2017 he ran for council, and I don't know if he's going to be the Labor candidate for next state election, I don't know.

Let me move on, this is finally. We've heard evidence about your inclusive style of acting as a mayor, that includes evidence from Heather Crichton, your open door policy. Do you think that has any effect, one way or the other, on you being the popularly elected mayor for the many times that that has occurred?---The question was, how would my open style?

10 Yes.---The way that I operate is that I'm out in the community, I'm an open door, people do come to me while I go for walks or at the coffee shop or locally. I'm not one to say, look, don't talk to me now, ring my office for an appointment. They're all busy, I'm a busy person. I frequently say to them, if you can meet me before work, 9 o'clock, I'll have a coffee. If not, after 4.00 we can meet at council. I think I've done a pretty good job trying to serve the community and deal with items of importance to everybody. Whether they're big issues or small issues I'm willing to do the best I can to resolve things to try and get people together and to do the best I can as the mayor of the community.

20 Chief Commissioner, those are the questions, thank you.

THE COMMISSIONER: Yes, thank you, Mr Leggat.

MR DARAMS: Chief, there are two or three matters I just wish to clarify arising from evidence.

THE COMMISSIONER: Yes, I grant leave subject to Mr Leggat having further right of - - -

30 MR DARAMS: Yes. Mr Tsirekas, you were asked some questions about Mr Bruzzano's development application, do you remember that via Mr Leggat?---Yes.

You went through the fact that the development application had previously been approved by the council officer?---It was approved, yes.

It was approved but there were a number of, more than five objections. ---And that triggers it to come to council, yes.

So it came before council on 24 May, 2016.---Yes.

I think you used the word it was contentious or you agreed that the application was contentious because there'd been five or more objections to it, is that right?---I don't remember, I may have used it because any submission, whether it's got any basis for submission, will be counted into five. So there may have been issues that were raised, I can't recall all of them - - -

10 You recall that Mr Leggat was querying the word "complaints". You used "submissions", so in that context.---Submissions, yes.

But the reference was the application was contentious and that's why it came before council on 24 May, 2016.---I may have put it in the words because it had complaints.

20 Correct. What I was going to suggest to you for comment is that would be a further reason why you ought not have voted or participated in that matter on 24 May, 2016 in addition to the fact that you had the relationship with Mr Bruzzano. What do you say about that?---No, I disagree. I think it went through the proper process. I didn't have a relationship. The officers were willing to sign it off and councillors around the table took a vote and it was approved.

Do you remember you were asked some questions about your attendance at a wedding, or weddings, in China by Mr Leggat?---Yes, yes.

You said that Mr Chidiac invited you to the wedding and that's why you attended the wedding. Do you remember that?---Yes.

30 Just so I'm clear, when you were giving those answers you were intending to indicate that Mr Chidiac invited you to both of the weddings you attended in China, is that right?---He obtained the invitations and - - -

To both of the weddings. So you're not - - -?---To both weddings but - - -

So just so we're clear, the evidence you were giving was in relation to the January 2016 wedding of Mr Huang.---To both those weddings. I went with Mr Chidiac to those weddings, yes.

40 January 2016.---Yes.

And the August 2016 wedding in Shanghai.---Yes, yes.

Do you recall that Mr Leggat asked you some questions about the telephone intercept and the reference where you said to Mr Chidiac, “They’ve dropped us,” or, “have they dropped us?” Remember that?---Yes.

I think you explain the reference to “dropped us” to be that you were meaning to say that I-Prosperity had in effect decided not to proceed with their planning proposal and therefor the community was going to miss out on those benefits. Is that how I understood your explanation to the words “dropped us”?---No, I’ll try to clarify that. The timing of that is a bit important. I think that application was already in and that it was being stalled for some reason I don’t, I can’t recall and therefore we were not getting the benefits from the voluntary planning agreement that we were expected to, to get and that was worth a lot to the community.

Just so I’m clear, you’re not saying the words “they’ve dropped us” to indicate that I-Prosperity was not proposing to proceed with their planning proposal?---No, they were proceeding but it was, it was stalled and I didn’t know why it was being stalled in Gateway for whatever reason.

And just so I’m clear about it, are you saying when you say “they’ve dropped us” that’s a reference to the stalling in Gateway? Is that what you’re intending to explain the words “they’ve dropped us”?---Look, I can’t recall exactly the, but I, I would say that there was conversations about how long it was taking and that we were keen on getting the VPA community benefits.

Yes. Nothing further. Thank you.

THE COMMISSIONER: Yes, thank you. Anything arising out of that, Mr Leggat?

MR LEGGAT: There’s nothing arising thank you, Chief Commissioner.

THE COMMISSIONER: Thank you. Yes, thank you, Mr Leggat. Mr Tsirekas, you may step down.

40 **THE WITNESS EXCUSED**

[2.42pm]

THE COMMISSIONER: Yes, Mr Darams.

MR DARAMS: Yes. The next witness I propose to call is Mr Chidiac.

THE COMMISSIONER: Is Mr Chidiac there?

10 MR STANTON: May it please the Commission, I seek leave to further appear for Mr Chidiac.

THE COMMISSIONER: Yes, Mr Stanton, I grant leave.

MR STANTON: Thank you, Chief Commissioner. He's outside, sir. He is now – I'll just take his phone back. Yes, he's before the Commission, sir.

THE COMMISSIONER: My associate will go and get Mr Chidiac, please. Oh, here he is. Do you take an oath or an affirmation?

20 MR CHIDIAC: Oath, thank you.

THE COMMISSIONER: There's a Bible there. Would you take the Bible in your right hand? My associate will administer the oath.

THE COMMISSIONER: Yes, can we start. Mr Stanton?

MR STANTON: Commissioner, I seek to further continue my appearance for - - -

10 THE COMMISSIONER: You have to speak into the microphone. I can't hear you.

MR STANTON: My apologies, Chief Commissioner. Stanton, Chief Commissioner. I seek to further, I seek further leave to appear for Mr Chidiac in the course of these proceedings. I also seek to indicate to the Commission that Mr Chidiac will avail himself of the section 38 declaration. Thank you, Chief Commissioner.

20 THE COMMISSIONER: I confirm I grant leave to you, Mr Stanton, to appear on behalf of Mr Chidiac. Mr Chidiac, you heard Mr Stanton say that you wish to take the benefit of section 38. That provision has been explained to you and you understand it.---I do, Commissioner.

You appreciate that as a witness whether a declaration under 38 is made or it isn't made you're still in either case bound to answer all questions truthfully. You understand?---I do, Commissioner.

And if you are called upon to produce any document or other item you must do so. You understand?---I do, Commissioner.

30 You understand that the effect of the protection under section 38 is that the evidence can't be used against you in other proceedings in the future such as criminal or civil proceedings?---I do, Commissioner.

There is however an exception to that and that is that the transcript of your evidence in this public inquiry could be used in the event of a prosecution of you in respect of an offence under the Independent Commission Against Corruption Act, such as perjury, lying, not telling the truth deliberately. You understand they're all offences under the Act?---I do, Commissioner.

And the transcript of evidence, if there was a prosecution for such an offence, could be used in such a case. You have that, you understand that?
---I do, Commissioner.

Okay. Pursuant to section 38 of the Independent Commission Against Corruption Act, I declare that all answers given by the witness, Mr Chidiac, any documents or things that may be produced by him under a requirement to do so in this public inquiry are to be regarded as having been given or produced on objection. That being the case, there is no need for the witness,
10 Mr Chidiac, to make objection in respect of any particular answer given or document or thing produced.

**DIRECTION AS TO OBJECTIONS BY WITNESS: OKAY.
PURSUANT TO SECTION 38 OF THE INDEPENDENT
COMMISSION AGAINST CORRUPTION ACT, I DECLARE THAT
ALL ANSWERS GIVEN BY THE WITNESS, MR CHIDIAC, ANY
DOCUMENTS OR THINGS THAT MAY BE PRODUCED BY HIM
UNDER A REQUIREMENT TO DO SO IN THIS PUBLIC INQUIRY
20 ARE TO BE REGARDED AS HAVING BEEN GIVEN OR
PRODUCED ON OBJECTION. THAT BEING THE CASE, THERE
IS NO NEED FOR THE WITNESS, MR CHIDIAC, TO MAKE
OBJECTION IN RESPECT OF ANY PARTICULAR ANSWER
GIVEN OR DOCUMENT OR THING PRODUCED.**

THE COMMISSIONER: Mr Darams.

MR DARAMS: Can you please tell us your full name?---Joseph Chidiac.
30

Mr Chidiac, you don't have any tertiary qualifications, do you?---No, I don't.

You don't have any trade qualifications?---No, I don't.

You don't have any town planning qualifications?---No, I don't.

You're not a registered real estate agent, are you?---I'm not.

40 You don't have a real estate licence?---I don't.

You've never had a real estate licence?---Never had a real estate licence.

Was the highest schooling you attained year 12?---That's affirmative.

You completed that year 12 here in New South Wales?---Affirmative.

Once you finished your schooling, did you start working in a business owned by your family, is that right?---That's correct.

10 Did you finish schooling in about 1985?---That's correct.

The business you started working, was that a service station?---That's correct.

Was that owned by your brothers or other family members?---Family.

Were they, was the family brothers or uncles or cousins?---Brothers.

Anyone else?---Can't recall.

20

In terms of the work you did in the service station business, what was that?
---Hands-on

Did you put the petrol in the car, did you clean the car, did you take money from people in the service station?---All of the above.

All of those things?---Yeah, yeah.

Anything else you did in that business?---Eventually managed the business.

30

Was the business located in multiple locations or just one location?
---Multiple.

How many?---Four locations, from memory.

Where were they located?---One at Bankstown, three in Concord.

How long did you work in that business for?---On and off for a couple of years, two, three years, four years.

40

Four years?---Approximately.

What did you do once you finished in that business?---I ventured into the security industry.

So you started in the business in 1985, when you finished school?---No. Wasn't - - -

The business owned by your brothers.---No, that's, that's correct, yes.

10 So you worked in that until, what, 1989?---Approximately.

Then from there you went and worked in, what, the security business, did you?---Security industry.

Security industry. Were you employed by someone in the security industry?---Part-time.

Was that your only employment at that stage after you left the business?---I didn't leave the business completely.

20

So you were working part-time in the business and part-time in the security industry?---That's, that's, it was more full-time in the family business and part-time security.

I see. So when did you cease working in the family business altogether? ---I can't recall that, Mr Darams.

Did you work in it for about six to eight years in total?---Possibly.

30 Do you remember when you were in the Army Reserve?---I do.

What years were you in the Army Reserve?---'89 to '95, approximately again.

Is 1995 when you commenced operating the business I think Proline or, Proline or Online Security, is that right?---Proline, that's correct.

Started off the name was Proline in 1995?---That's affirmative.

40 At some stage later on it changed to Online Security, is that right?---That's affirmative. We combined both companies together, yep.

In terms of running the Proline/Online Security business, you continued to do that until about 2010?---I can't recall, Mr Darams, the exact date.

Do you, was it a – don't worry about the exact date. What about the approximate date?---I'm not going to sit out here and guess, Mr Darams.

I'm asking you for an approximation please.---I can't recall.

10 So do you remember you were a, if I said, a stay-at-home dad or looked after your children for a number of years?---I did that, yes.

How many years did you do that for?---About five to six years from memory.

Five to six years.---Yes.

Once you ceased being a stay-at-home dad or looking after your children you recommenced operating the Online Security business, didn't you?
20 ---What year are we talking about, Mr Darams?

I'm trying to work out the years from you, Mr Chidiac, and I'm trying to work it out through the timing. So, can you tell me when you recommenced Online Security business?---I don't have the exact date here, Mr Darams, but I can give you a - - -

Can you give me an approximation?---Are you asking me to guess?

30 THE COMMISSIONER: No.

MR DARAMS: Approximation, 2014, does that sound right? Does 2014 sound about right?---I can't answer that question, Mr Darams, I don't have an exact, I don't have a date. When, I know you've got the records because I've seen them in your exhibits - - -

THE COMMISSIONER: Mr Chidiac, just listen to the question, don't make statements. Let's see if we can work backwards again and then go forwards. When you stayed at home looking after your children as it's put, a stay-at-home dad, approximately what years did you do that, between what
40 year and what year?---I don't have the exact dates, Your Honour.

I appreciate you wouldn't have the exact date but I'm just asking for an approximation.---Probably, I'm having a guess, 2006 to two thousand, actually yes, 2006 to maybe to 2011 possibly.

MR DARAMS: So then from 2011, did you start or recommence operating under Online Security Services?---I started to be more active.

What were you doing from that point of time onwards?---I was doing a lot of travelling.

10

But just focus on the business that Online Security was operating, what were you doing?---I was conducting security roles, putting those security plans together and providing a service.

THE COMMISSIONER: Sorry, putting what together?---Security plans for customers, if that's what your question was Mr Darams.

MR DARAMS: I'm asking you what business, Online Security started operating and when you ceased being a stay-at-home dad and working back in the Online Security business?---What role did I play in the security community - - -

20

THE COMMISSIONER: Yes, what did you do?

MR DARAMS: What did you do?---Okay, I had multiple contracts.

Tell us about those.

THE COMMISSIONER: What's the nature of the work you did?---
30 Manpower, security manpower, security guards on the ground, special events, close personal protection, private investigation.

Did you have a licence as a private investigator?---I am a private investigator, Your Honour.

Pardon?---I am, yes, I have got a licence.

You still have?---I still have.

MR DARAMS: Is there a period of time when Online Security Services stopped working in the, on what I might refer to as the security business?
---Yes, yes we gave the game totally, yes.

When was that?---Okay, again, I'd be guessing Mr Darams, may 2015.

2015.---Possibly 2014, 2015.

10 What business did Online Security Services conduct after 2015?---I went more, I become what they call an intermediary.

An intermediary or comediary?---Not a comediary, an intermediary.

Intermediary?---Yes.

Right. Tell us what you say you did as an intermediary?---I get people around the table to resolve disputes.

20 Are those family disputes or business disputes?---All disputes.

THE COMMISSIONER: Well, do you advertise your services in some way?---No I don't.

Well, how do you get your work?---Word of mouth.

Word of mouth. Well, give us some examples.---Okay, I do a, I do I take on a task for person A - - -

30 Sorry?---I take a task for person A, I get asked by person A to resolve an issue that he has, whether it's family, whether it's business, and he prefers me to, you know, his friends and his associates and – so, yeah, it's just more of word of mouth.

But is that an example of the sort of intermediary work that you do?
---That's more of an example of how I was getting my work.

So from the example you gave is the family type issues that might arise, and you mentioned business.---Business disputes.

40 Okay, so we've got family disputes, business disputes. What else do you act as intermediary in?---The, the family, family disputes more I, I do as a,

as a non-paying job, okay. Over the, over the, don't want to get ahead of myself, but over the years I've managed to pick up some sophisticated clients that acknowledged my ability, my capability, and they, they engaged me.

What sort of clients are you – sophisticated clients?---Well, sophisticated clients. A company called PIA.

Ah hmm. Keep going.---A company called Billbergia.

10

Yep.---A company called I-Prosperity.

Ah hmm.---Company called Prolet and associated companies.

Ah hmm.---They're the companies that I can think of at the moment.

MR DARAMS: You'd regard those as commercial clients, wouldn't you? They're not family clients.---Not family clients.

20 But put that to one side, the family disputes. They're all business disputes, are they?---Well, they're disputes, yeah.

So were there any other, other than those you named, were there any other companies that you've worked for or Online Security's worked for since 2015?---Other companies, no, not that I can recall, no.

Now, is PIA a property developer?---I'm not sure they're a property developer. They're a real estate agency.

30 Right. What about Billbergia? They're a property developer?---They are, yes.

I-Prosperity was a property developer?---Well, I-Prosperity was a fund.

But you understood that I-Prosperity had a property development in Rhodes West, that's right?---I understood that I-Prosperity had multiple businesses, multiple arms.

Including a property development?---Including a property in, in Rhodes.

40

Which they were seeking to develop?---That's correct, yeah.

Prolet, you understood them to be property developers?---That's, that's correct, yeah.

So you'd agree that your clients since 2015 involved at least property developers?---Paid clients, yes.

10 Yeah, I'm just focusing on – don't worry about the family issues, just the commercial clients, correct?---That's what we're focusing on at the moment?

In my questions just now, yes.---Yes, yes, yes.

So in terms of providing the, helping them solve their problems, what sort of problems did you help Billbergia solve?---Okay, Billbergia had an issue, he had multiple issues that I assisted. One of the issues that comes to mind was he was in dispute with his neighbour, and the neighbour happened to be I-Prosperty, who are a client of mine.

20 THE COMMISSIONER: How did you come by Billbergia as a client?
---How did I – Andrew Ferguson introduced me to him.

Yeah, go on.---Can I, can I elaborate on that?

Yes, if you like.---Thank you. Prolet in 2014, met Joseph Jacob from Prolet in 2014. He understood or explained to me that he's, he's, they're, you know, he and his brother developed and they were looking at picking up some more properties around train stations. And the reason he was interested around train station, apparently in 2014 or 2015 the Planning
30 Minister at the time came out and said that anyone lives 800 metres within a train station, expect high rises. So my understanding, got all the developers that I know sort of motivated to go out and pick up property around Rhodes Train Station and other areas. He asked for my opinion. I said I wouldn't go out and start picking up any properties because Billbergia, I'm told Billbergia is the main player in Rhodes. Let's, if you want to do that let's have a chat to him first and we take it from there. He said, "How do I do that?" I said, "Well, leave it with me. I know he's, he's pretty close with Andrew Ferguson. Let me ring Andrew Ferguson and run it by Andrew Ferguson so he can run it by John Kinsella and let's see what they say." I
40 said, "I don't recommend that you go in there and, and start picking up properties, you know, in competition with other people otherwise it

becomes too expensive.” About 10 days later or two weeks later I get a call from Andrew, a call back from Andrew Ferguson saying that he’s spoken to John Kinsella. This is a long-term, Rhodes East is a long-term project. He doesn’t own anything in that precinct. He doesn’t have a problem who buys in there. I spoke to Joseph Jacob. Told him what Andrew Ferguson told me and then that’s how Joseph, that’s when Joseph started picking up properties in Rhodes East with my, with my help.

10 MR DARAMS: So let me just understand this chronology in your commercial relationships. The first relationship is with Prolet. Is that correct?---I’m not sure whether it was Prolet or I-Prosperity first. I’m not sure who, who, who came first.

Well, you’ve just indicated then you had these conversations about 2014, is that right, with Joseph Jacob?---Approximately 2014/2015.

20 Well, if you make the assumption that your relationship with I-Prosperity didn’t start until the latter part of 2015 it follows that the start of your commercial relationship or the first is with Prolet. Correct?---No, I think you’ve got that wrong, Mr Darams. No disrespect.

Right. Well - - -?---My relationship started with I-Prosperity in late 2014.

Okay. Tell me how it started in late 2014.---Okay. I, I was, Michael Gu had reached out to me. Wanted to catch up for a cup of coffee in late 2014.

Right. How did he reach out to you?---Okay. By, by text or by, by text I think or by email. By text.

30 How did he get your phone number?---I believe he got me phone number from B1 and Andrew Ferguson.

40 Well, when you say you believe that, why do you say that, what’s the basis of your belief?---Okay. The basis of my belief was that I-Prosperity had purchased or took an option on four or five properties in Rhodes, Rhodes West. When they spoke to their advisers, architects and people associated with, with the actual project, were told that they needed to pick up from memory I think it was 1 Marquet Street. Okay. B1 had told and Andrew Ferguson had told Michael Gu and his associates that I helped B1 and Andrew Ferguson pick up 1 Marquet Street. They were, they had multiple individual that were related to that site, attempted to pick up that, that

property 1 Marquet Street to no avail. Andrew Ferguson reaches out to me, and it's all in my email trail, and I'm happy to present that as evidence, to go and attempt to pick up that property which we were successful in doing that.

For I-Prosperity?---No, for B1. For B1. B1 had lost the option. I think it was four or five property, six, five or six properties involved.

10 THE COMMISSIONER: I'll just interrupt you. When you're referring to B1, you're referring to what, who?---Commissioner, the property or the properties I-Prosperity purchased or took an option on, B1, company called B1 was, had an option, or tier option on those properties which the option expired and that's - - -

Who was the company behind B1?---Okay, there was a, there was a lady by the name of Anne, Anne Bi. She always had told me she was the owner. It turned out she was only a manager.

20 I see.---And she was in, well, she had a relationship with Andrew Ferguson. That's how I ended up doing some work for B1. That's before I-Prosperity came on the scene.

Okay. (not transcribable)

MR DARAMS: What I did want to suggest to you is that perhaps you were mistaken about it being late 2014 with I-Prosperity, but it was late 2015. Or are you certain it's late 2014?---Could have been '14, Mr Darams, but there's an email, there's an email trail there, Mr Darams.

30 What I'm suggesting to you is that perhaps you're mistaken about late 2014. It should be late 2015.---No, I think it was late 2014.

Could the witness be shown volume 3E, page 55. Mr Chidiac, you will be familiar with this document because your counsel has provided this particular agreement to ICAC. You understand that?---I do.

Right. So party to Online Security Services, that's your company?---That's, that is.

40 The companies in party 1, they're companies that you know to be associated with Prolet or the Jacobs brothers?---I do.

If we can go to the – well, are any of those initials on the bottom left-hand corner your initials?---I don't believe so.

Go to the next page. Just wanting to draw your attention to the definition of “retainer”. Do you see that there?---I don't see it, no.

Well, it's in alphabetical order. That might help you.---Well, you've got the
- - -

10

The definition, Mr Chidiac, of “retainer”. See where Mr, see the, on the left-hand side of the page there's a signature?---Yeah, I do, yes.

Retainer means “Amount of \$120,000 per annum exclusive of GST for the period from the commencement date,” these words, “being 23 June, 2014 and expiry date 23 June, 2019.” Do you see that?---I do.

Do you know whose handwriting that is in the definition of “retainer”?---I don't.

20

Are any of those on the right-hand side, any of those initials, are they your initials?---No, they're not.

Do you know whose they are?---I don't. But I mean “JJ”, I assume it's - - -

Joseph Jacobs.---If you're asking me to assume - - -

No, no, just - - -?--- - - - they're Joseph Jacobs, yeah.

30 Just asking you whether you know.---I don't.

Do you know – you don't know the ones above?---I don't know. No, I don't.

Do you, in terms of this retainer, do you understand this to be an agreement between you and the Jacobs companies for them to pay you a retainer as defined here, commencing on 23 June, 2014?---That's, that's what the contract says, yes.

Doesn't that suggest to you that your relationship, commercial relationship with Prolet or the companies associated with them, started at least or no later than 23 June, 2014?---That's correct, yeah.

Yeah, so that's – do you say your relationship with Prolet commenced before that period of time?---I do, yeah.

How long before that period of time?---I, I can't, I'm not willing to guess, Mr Darams.

10

Well, you said it commenced before that period of time. Just give us an approximation. Six months, 12 months?---I'm not going to guess, Mr Darams. There's an email trail there that would show when it started. I'm happy to refer to my emails and provide youse evidence.

Just in relation, while we're at it, has that amount of money been paid to you?---No.

Have you made a demand for that amount of money?---Recently I have.

20

How long ago?---Again, I'm guessing. Couple of months back.

THE COMMISSIONER: How much is the claim?---There was no, no claim, no specific claim.

MR DARAMS: How much did you ask for?---I didn't ask for an amount.

What did you ask for, then?---I happened to have a meeting with an individual in my accounting firm that I, I use.

30

Mr Bruzzano?---No, didn't have an appointment with Mr Bruzzano. I had with one of his associates or one of his employees. I happened to run into Frank Bruzzano in his office. I walked in. Hadn't seen him for a while. I said, "I hear that Prolet have sold their landholding in Rhodes." Can't remember his response, he tried to brush me off and I said, "Look, I've got a contract, I'm entitled to something out of that sale." He said, "I don't know what you're talking about" and he walked out.

Mr Chidiac, just focusing on this retainer. If I understand, none of that has been paid by the private companies?---I've already answered that question, Mr Darams, and the answer is no.

40

On my interpretation, and tell me if you disagree with it, that means you're owed something on this retainer in excess of \$500,000, would that be right? ---I haven't added it up, Mr Darams, but I'll take your word for it.

Well, \$120,000 a year for five years approaching \$600,000, correct?---I haven't added it up, Mr Darams, but I'll take your word for it.

10 Can we go to page 65, that's your signature there, isn't it, in the top right-hand corner?---It is, it is, Mr Darams.

Did, it looks like it's been witnessed by Mr Bruzzano.---That's what it says there, yes.

Did Mr Bruzzano, was he present when you signed this document?---I can't recall, Mr Darams.

20 If we go back to the preceding page, it appears that this agreement is signed by Joseph Jacob and Pierre Jacob on behalf of the companies, do you see that?---I do.

Were you present when they signed this document?---I think I was, Mr Darams, if that answers your question.

Just back to the services that you provided your commercial clients and I just want to focus on Billbergia, Prolet and I-Prosperity. You've said that you helped them solve problems or disputes, is that right?---I did.

30 Any other services you provide to those companies?---I helped Prolet and Billbergia pick up or purchase multiple properties.

All right. We'll come back to that in a moment. Anything else?---That's all I can recall at the moment.

So the services are dispute resolution or solving problems?---I play the intermediary role, get people around a table.

To solve disputes or problems.

40 THE COMMISSIONER: I didn't hear that, what did you say?---I play the intermediary role, getting people around the table.

This is these three companies, is it?---Well, they're the three companies in question but I did it for other companies as well, Commissioner.

MR DARAMS: You also said you helped Billbergia and Prolet pick up properties?---That's affirmative, yes.

When you say you helped them pick up properties, what did you actually do?---I got real estate agents to go door knock and purchase properties for
10 Billbergia and Prolet.

How many real estate agents did you get to do this?---Two.

Two real estate agents.---Two, yes.

Who were those real estate agents?---Tim Wu from Titan Global who worked out of LJ Hooker in Rhodes and Dib Chidiac, who at the time from memory worked for Raine & Horne in Concord and has now got his own practice, Dib Chidiac.
20

Is Dib Chidiac related to you in any way?---He is.

What relation is he?---Nephew.

So, the services you provided to Billbergia, what did it consist of, you instructed these two real estate agents to go out and, what, source the properties or actually purchase them or negotiate the price?---No, source.

So identify where the properties are?---I knew, identified where John
30 Kinsella and Prolet were purchasing properties, okay, so I instructed Tim and Dib Chidiac to go out and door knock certain precincts in the hope of picking up properties that Prolet and John Kinsella would want to buy.

Did you go out door knocking with either Mr Wu or your nephew?
---Never, no.

Did they tell you what they were doing in that process?---Verbal briefing, yes.

So they told you they'd go and knock on the door and say, "Look, are you interested in selling your property at the market, we can get you purchasers," is that basically what they did?---They'd give me feedback.

But is that basically what they told you were doing?---That included what you've mentioned was included in their briefing.

Anything else that they did? Anything else that they did other than that doorknock on the properties?---For?

10

For Billbergia or Prolet, those services you - - -?---No, their role was just to pick up properties.

Yes, for Billbergia or Prolet.---Prolet.

And you said Billbergia before.---I'm answering your question, Mr Darams. I said he's told me Billbergia and Prolet. Yes, I'm agreeing with you. Billbergia and Prolet.

20 Did you pay them for their services?---Pay who?

Mr Wu and your nephew.---No.

Who paid them for their services?---The purchaser.

The purchaser being either Billbergia or Prolet?---Well, depending on which property you're talking about, yes.

30 That's right. Were you paid for your services?---I was.

By?---Both parties.

So which properties did Prolet pay you for?---Sorry, Prolet never paid me anything.

Did you ever charge them or invoice them for any of those services?---Not Prolet, no.

40 Only Billbergia?---Billbergia and I got a, I got a percentage from their agent.

So when you say you got a percentage from their agent, their agent would have been Mr Wu or your nephew?---Mr Chidiac from Chidiac Realty.

Only from Dib Chidiac?---And Tim Wu.

Right. So Billbergia pay you on the one end, correct?---Say that again?

10 Billbergia paid you in relation to the transaction?---Billbergia, I think from memory, I, we picked up approximately six properties for him. He paid me for three and he paid the agents, I can't remember how many Dib and how, sorry, what percentage Dib and what percentage Tim picked up out of those six for Billbergia.

So Billbergia paid you for the properties that Billbergia picked up, that's right?---Billbergia never picked them up. Tim Wu and Dib Chidiac picked them up for Billbergia. Dib - - -

20 Billbergia – let me finish. Billbergia paid for the properties that they ultimately purchased, correct?---That's correct, yeah, paid.

In terms of the properties Billbergia purchased, they paid you for your introductory services to Mr Wu and Mr Chidiac, correct?---Well, I invoiced them, from memory, for three properties instead of six, the Billbergia, six or five. Okay. I got paid for that, yes, and also got a percentage from the real estate agent.

30 That's what I was just trying to clarify is that in addition to what Billbergia might have paid you, you also got paid by the real estate agent?---That's right, yeah, got a small commission.

Just focusing now on I-Prosperity, in this period, and I've given you a period of 2015 to 2019, the people you knew to be associated with I-Prosperity include Harry Huang?---That's correct.

Michael Gu?---Correct.

Belinda Li?---Correct.

40 Chun Zhou?---Chun, yeah, yeah.

Chun.---Yeah.

You don't know his last name?---Well, from reading your transcripts, it's Zhou, yeah.

Peter Thornton?---Yes, yes.

You knew from your dealings with I-Prosperity that in that same period, so 2015 to 2019, I-Prosperity owned land located in Rhodes West.---I did.

10 Did you know that to be the Station Precinct area as well, that's what the other name of it was?---No, it was Rhodes, Rhodes West, from memory.

You just referred to it as Rhodes West, is that right?---That's right, yeah.

You knew that in relation to that land in Rhodes West that I-Prosperity was seeing to redevelop it?---That's right, yeah.

20 Very broadly, you knew that they were seeking to construct a larger residential tower, is that right?---I wasn't sure if it was going to be large or small. Never went into details in the early years but eventually I did, yeah.

When do you say you eventually understood how large it was going to be? ---I'd say '16-17.

When you say the early years, what years are you talking about?---I just said, '16-17.

30 I thought you said that's the years you understood in the later years how large it was going to be?---No, that's, that's, they started talking height around about '16-17. Starting to hear the, the height they're trying to seek.

THE COMMISSIONER: What sort of height were they talking about at that stage?---Well, I, from memory all they, they, what they wanted, they wanted the same height as whatever Billbergia got. I don't know what Billbergia had.

Very high building.---Well - - -

40 Well, were you talking about a two-level development or were you talking about much higher than that?---No. High-rise, it's a high-rise.

MR DARAMS: In excess of 20 storeys, correct?---Oh, I didn't go into details.

But that's what you knew, correct?---That's what I suspected, yeah.

I'll come back to I-Prosperity in a moment, I just want to ask you some questions about Mr Tsirekas. You've been friends with Mr Tsirekas since 2011.---When you say 2011, maybe a bit later.

10 Didn't you become friendly with him about a year after you joined the Labor Party?---I wouldn't say, yep, I can't give you the exact date.

Do you remember when you joined the Labor Party?---I do.

When was that?---I think 2009, 2010.

THE COMMISSIONER: What branch?---Rhodes East Concord West Branch.

20 MR DARAMS: So when you say you became friends with Mr Tsirekas? ---Are you asking me again, Mr Darams? Approximately around 2012.

2012. Are you still friends with him?---I hope so, I am yeah, absolutely I think I am.

Mr Tsirekas introduced you to his former wife?---Briefly.

He's also introduced you to his current partner?---I think I met her through the branches.

30

You know who Ms Crichton is?---Absolutely I do, yes. That and it's not necessarily that he introduced me to her, could have known her before he did.

Did you know her before - - - ?---Possibly.

When you say possibly, do you mean that to say that you don't know but it's a possibility?---I know possibly that's what I mean.

40 Right.---There's a chance that - - -

There's a chance because she was involved in Labor politics and you were involved in Labor politics.---That's correct yes.

You were involved in Labor politics in that particular area. So do I understand your evidence to be that you might have actually met Ms Crichton before she became Mr Tsirekas' partner?---You explained it well, Mr Darams, thank you.

10 Have you ever been to Mr Tsirekas' house, apartment?---Apartment, I have yes.

Has he ever been to your house?---He has.

Since you've known him, you've assisted in his local government elections?---I have.

Did you assist in the local government election last year?---No.

20 But all the local government elections before that, since you've known him, is that right?---Since I've known him, yes.

You assisted him and his federal election or his run in the federal election in 2016?---I did.

You have travelled to Shanghai with Mr Tsirekas on multiple occasions? ---What's your definition of multiple occasions?

THE COMMISSIONER: It means more than one.---Yeah, more than one.

30 Several.---Yes, I think three, three or four, Mr Darams, yeah.

MR DARAMS: Was the first time that you travelled to Shanghai, irrespective of with anyone else, was that in November 2015?---It was 2015 yes.

That trip to Shanghai in November 2015, that was on, if I say the Dongtai trip, does that - - - ?---No, I'm very familiar with the 2015 trip, Mr Darams, yes, we did go there.

40 The one when the council, the local council went there as well?---Yes.

Mr Ferguson attended.---Mr Ferguson organised it, yes.

Mr Colacicco went.---Mr Colacicco went.

Mr Tsirekas went.---Mr Tsirekas was there.

Mr Sawyer was there.---Gary Sawyer was there.

10 That was the first time you've ever been to Shanghai.---That's the first time
I've been to China.

You've also travelled with Mr Tsirekas on a number of occasions, so more
than once.---That's correct, Mr Darams, yes.

I hadn't quite finished. I was going to suggest to the United States?---Well,
clearly, let me know, I don't mean to be smart here Mr Darams, so we don't
talk over each other, can you let me know when you've finished the
question?

20 THE COMMISSIONER: Mr Chidiac, just wait for the next question, don't
talk at Counsel please.

MR STANTON: Well, with respect, Commissioner, he's doing his best to
assist.

THE COMMISSIONER: It's all right, Mr Stanton.

MR STANTON: No, no, no, I understand that, Commissioner - - -

30 THE COMMISSIONER: Just take your seat.

MR STANTON: In fairness to him, sir.

THE COMMISSIONER: Carry on, yes, Mr Darams.

MR STANTON: Thank you.

MR DARAMS: I was going to finish the question saying you've travelled
with him several times, which I was going to say more than once, to the
40 United States?---That's affirmative, Mr Darams.

You've travelled with Mr Tsirekas to Lebanon?---I have, once.

Once. You've also given Mr Tsirekas money?---No I haven't, Mr Darams.

You've loaned Mr Tsirekas money, is that what you say?---No I haven't, Mr Darams.

You've never lent money to Mr Tsirekas?---I've never lent him money.

- 10 You've paid for things such as travel and accommodation on his behalf, correct?---I don't like the, the way you use "things". I paid for airfare and I paid for hotel accommodation, yes.

THE COMMISSIONER: How many occasions have you done that?---Well, Commissioner, I, I paid for the Shanghai trip, 1st of January, 2016.

Yeah.---I paid for the airfare. I paid for part of the hotel stay, Mr Commissioner.

- 20 It's The Langham? The Langham?---At The Langham. And I, the reason I paid for the - - -

Yeah, go on.---Okay, thanks, Mr Commissioner. The reason I paid for The Langham, check out, Angelo and myself had to check out. Angelo pulls his credit card to pay for the hotel stay. Credit card gets rejected.

Okay. Well, I interrupted you. You keep going.---I, I pulled my credit card, I pulled my ANZ credit card, attempted the same exercise. That also was rejected.

30

Okay, let's go back to the Shanghai trip, 1 January, '16. You spoke about the airfare, part of the accommodation. Yes, keep going.---So both our credit cards were rejected. I was forced to use whatever cash I had, and from memory I managed, Angelo had I think about \$600 Australian on him, where he, we pooled our money together and we paid for the, for The Langham hotel. Seven days, once we come back to Sydney, look at my credit card statement, I had been charged on my credit card \$3,300 and something for The Langham hotel stay. So, Commissioner, I picked the phone up, speak to ANZ, and asked them to clarify, clarify the situation. I

40

was, a week later I was re-credited, re-credited that money so that the, the question, well, the point I'm trying to make is that our credit, we kept using

our credit cards, okay, and, but, we end up paying cash. I paid the majority of it, I think, about \$3,000, and from memory – again I’m just guessing – I think Angelo had about 600 bucks on him.

Just going back to the trip in January 2016.---Yep.

What other matters did you pay for?---What other, I paid for the airfare.

Yeah, you’ve said that.---Paid for the majority of the hotel.

10

Yep. Keep going.---And that’s, that’s all I paid for.

Well, what about meals and entertainment?---We had breakfast included and we always chipped in for meals. We always chipped in for meals and whatever entertainment that we had, we chipped in. We’d take turns.

MR DARAMS: What about your trip to Nanjing?---I, I, I paid, I paid for that.

20 THE COMMISSIONER: How did you pay for that?---I paid – actually, Harry, had a discussion with Harry about the cost. And again from memory he said to me it was, it was about \$1,000 for me and Angelo. I attempted to pay him. He wouldn’t accept cash.

That’s right. I was going to say, he ended up offering to pay for it, that right?---No, no. I, I - - -

That is right, isn’t it?---No, it’s not. Sorry, Commissioner, it’s not.

30 All right, go on.---Okay.

You said you were talking to Harry.---I, I, I - - -

You offered to pay and then - - -?---I offered to pay. He said, “No, get me a couple of boxes of cigars and a couple of bottle of whiskies.” He collects whiskies like I do, and, and cigars.

So - - -?---So I got about \$1,000 worth of - - -

40 Yeah, okay.--- - - - cigars and whiskies.

Yeah, so who ended up paying for the trip up to, back, up and back?

MR DARAMS: To Nanjing. Who paid for the trip?

THE COMMISSIONER: You do it, Mr Darams.

THE WITNESS: No, I've just explained it to you.

THE COMMISSIONER: No, no. Just listen to the next question.

10

MR DARAMS: So who paid for the trip to Nanjing when you were in Shanghai in January?---No, and, and, as, as you do in group, group bookings
- - -

THE COMMISSIONER: No, listen.---I'm listening.

Mr Chidiac, I've had to tell witnesses before, I don't want to have to repeat it to you but I'll just say it this once. The way in which these proceedings are conducted is not a conversation style, okay? What happens is Counsel
20 Assisting will put a question to you, and I tell the witness do not talk over the questioner, either him or me. Wait for the question to be put and then you respond directly to the point of the question. So you must listen to the question and get the point of the question and answer it directly. This is not an occasion to make statements. I'm not just saying this to you. This is a standard direction. You don't make statements, give stories, make submissions when you're asked a question. You just give a factual answer to it precisely to the point of the question. Now, that's the rule we're going to follow and have been following, with some difficulty I have to say, from this point forward. It's no offence to you, it's just so that you understand
30 what you've got to do. Mr Darams understand his role. I wanted you to understand your role as a witness. You follow?---Yes, Commissioner. Yes, Commissioner.

So just listen to the next question and we'll go from there.

MR DARAMS: So the trip in January 2016, so you can focus on that, you travelled outside Shanghai to Nanjing. Remember that?---I do.

You stayed overnight in Nanjing.---We did.

40

You travelled by train out of Nanjing, to Nanjing.---From memory, yes.

You travelled around in a taxi in the Nanjing area.---I don't think we travelled around in a taxi, no.

Mr Tsirekas was with you on that trip.---Mr Tsirekas was with me, yes.

Belinda Li was with you on that trip.---That's correct.

10 Who paid for all of that travel out of Shanghai and overnight accommodation in Nanjing?---My understanding was Kevin, Kevin Fan.

Kevin Fan, who you - - -?---Organised the trip.

And you understood that he paid for that as well, is that right?---And for us to pay him back, yes.

20 You understood at the time that Mr Fan was employed or engaged somehow with I-Prosperity?---I didn't know he was employed by I-Prosperity, but I knew he was associated with I-Prosperity.

Associated with I-Prosperity.---Yeah.

He organised the trip, is that right?---That's my understanding, yes.

Did you understand that he paid for all of those costs incurred in relation to that trip?---And for us to pay back, for me to pay back, yes.

So you - - -?---But he, he paid upfront and then we reimburse him.

30 Where do you have that conversation with him?---I had that conversation with him on the trip, 'cause - - -

Well, just tell me. Where does it happen? Before you hop into the van, you say, hey, look, how do we settle up the costs on all of this or - - -?---Well, we made it very clear to I-Prosperity that we'd pay for all expenses.

No, just focus on the question.

40 THE COMMISSIONER: No, that's not the question. Just listen to the question.

MR DARAMS: The question was do you have this conversation with Mr Fan before you hop on the train, going, “How are we going to settle up all the costs on this?” Is that when you had the conversation?---We’re talking about 2016 here, aren’t we, Mr Darams?

You know what we’re talking about, Mr Chidiac, yes.---Okay. So you expect me to remember what conversation I had in 2016 in Shanghai?

10 THE COMMISSIONER: Mr Chidiac, did I not just say two minutes ago you’re not to make statements?---I thought - - -

Not tell stories, don’t make submissions. Did you get the message?---I did, Your Honour.

Now you act in accordance with it, please, otherwise you – I don’t want you to be in a category of a witness who’s obstructing the Independent Commission Against Corruption. Obstructing by not answering questions. You understand what I’m saying?---I do, Commissioner.

20 Now you listen to the next question and see how we go from here.---I thought I was answering the questions, Mr Commissioner.

No, well, you just listen.

MR DARAMS: So you referred to having a conversation with Mr Fan. Remember giving that evidence?---Say that again. Ask that question again.

30 You referred to having a conversation with Mr Fan about the costs of this trip out of Shanghai in January 2016. Remember that evidence?---No, I can’t remember that evidence, no.

How did you understand that you were going to have to repay these costs? ---Well, it was made very clear to Belinda and Justin Thornton and anyone associated with I-Prosperity that we, I was to pay for costs.

When you say “we”, who are you referring to?---Me and Angelo.

40 Right. When you say it was made very clear, tell us. When does this conversation happen?---I can’t recall the time and the date of the conversation in 2016, Mr Darams.

How did you repay these costs, Mr Chidiac?---Which costs are we talking about here, Mr Darams.

The ones on the Nanjing trip.---I've already answered that question for you, Mr Darams.

So tell me how did you do it?---Three boxes of cigars.

When did you, where did you purchase these cigars?---Airports.

10

When did you purchase them?---I, we'd be, I mean, as you, as you could see by my travel schedule, I travel quite a bit.

When did you purchase the - - -?---I (not transcribable) cigars on every, every trip.

THE COMMISSIONER: Listen, you're still not answering the question. Try that once more and you'll get in trouble, Mr Chidiac, because you are not answering questions, you are obstructing the Commission in its work.

20

Don't argue with Counsel, listen to the question, the point of the question and answer it directly. If you don't know, just say, "I don't know, I can't remember" if that be the truth. Got it?---I have.

Let's go. Let's try again.

MR DARAMS: When did you buy these cigarettes, these cigars?---I buy cigars on every trip.

30

When did you buy the cigars for, that you used to repay for this trip?---Mr Darams, I collect cigars, I've got - - -

When did you buy these cigars?

THE COMMISSIONER: Mr Chidiac, how many times do I have to say this before you're charged with obstructing this Commission? Because that's what you are doing, you're arguing with Counsel. He's asking you when, in relation to one particular trip, you had a particular conversation. We're not talking about your habit in buying cigars for people. You see, see the difference? Do you see the difference?---Commissioner - - -

40

No, no. Do you see - - - ?---I do see the difference, Commissioner.

Do you understand what I'm saying?---I do, Commissioner.

All right. Let's try again. Put it again for the fourth time.

MR DARAMS: So when did you buy the cigars for the repayment for the Shanghai Nanjing trip?---I had the cigars at home, Mr Darams, I can't recall when I bought those cigars.

10 Right. When did you have the conversation that you were going to repay I-Prosperty for this travel out of Shanghai in January, 2016?---In 2016.

When?---I can't recall when.

Did you have it in Shanghai?---Possibly.

Who did you have the conversation with?---I had the conversation with Kevin Fan.

20 I thought you just told me a little while ago you had a conversation with Ms Li?---I didn't say Ms Li at all.

Belinda Li?---I didn't say that, I made it very clear to I-Prosperty that they are not permitted to pay for any of our cost.

Who did you make it clear to?---I made that clear to Kevin Fan, Chun, Michael, Belinda.

30 Going back to this conversation about how you were going to pay for or repay I-Prosperty for the trip to Nanjing. Who did you have that conversation with, Mr Fan?---Kevin Fan and Harry.

Were they sitting together when you had this conversation?---No, they weren't.

So what did you say to Mr Fan?---I said, Kevin, I need to pick up our expenses. He said, see Harry. I saw Harry in Sydney and there was instructions.

40 So when you saw Harry in Sydney, when was this?---Look I've seen Harry on multiple occasions - - -

Just focus on this conversation you had with him where you had this conversation about repaying, when did that happen?---It could have been 2016.

When in 2016?---I don't remember the date.

What conversation did you have with him about repaying it?---It was over lunch.

10

Where was the lunch?---In his office, downstairs in his office, sorry, in his building.

So tell us the conversation you had with Harry.---What, the specific conversation?

If you can recall it, yes please.---I can't recall it.

20 Well, what about the gist of the conversation you had with him?---I need to pick up expenses for the Nanjing trip. I believe it's around \$1,000.

How did you come to the belief it was around \$1,000?---From memory, Kevin gave me an estimated figure.

When did he do that?---In 2016.

But when?---In 2016.

30 Whereabouts were you when he did it?---On the trip, after the trip.

Whereabouts were you when you asked for this?---I can't recall, it could have been a hotel.

So how did you repay this money?---I've already answered that question, Mr Darms, cigars and whiskies.

How many cigars?---I think from memory, three box of cigars.

40 How did you get the cigars, who did you give the cigars to?---Harry.

Where did you give them to him?---His office.

When did you give them to him?---2016.

When?---2016.

Can you be more specific than that?---I can't, Mr Darams.

What about, you said this whiskey, how many whiskies do you say you gave him?---I think about two bottles.

10

What whiskies were they?---Hibiki's.

Where did you get them from?---And then Rozaki.

Where did you get them from?---I source them from all over Australia.

Where did you get those ones from?---I can't recall.

20 When did you get them?---Somewhere in 2000-and like I said to you, I collect whiskies, Mr Darams, I would have had them sitting in my basement for years.

So if I understand your evidence, this travel out of Shanghai to Nanjing you repaid you say approximately \$1,000 worth in three boxes of cigars and two whiskies?---From memory, yes.

Why did you pay on behalf of Mr Tsirekas?---Why?

30 Yeah, why?---'Cause he was my guest. He couldn't have, yeah, he was my guest.

Sorry, he was your guest, what, at this wedding?---He was my guest on the trip.

Sorry, the trip out of Shanghai or the trip to Shanghai?---Trip to Shanghai.

Okay. I want to come back to that in a moment. I just want to go back to the November 2015 trip. You say you remember that well.---I, I do, yeah.

40 Very well?---Not very well. Well I said, Mr Darams.

Do you remember meeting up with Michael Gu in Shanghai?---I can't recall meeting Michael Gu in Shanghai, no, 2015. I can't recall.

Do you remember asking Ms Li for Mr Gu's phone number while you were in Shanghai?---I can't recall that.

Is it likely you did something like to that effect?---Quite possibly, yes. It'd be in my text messages and emails, yes.

- 10 If you were asking for Mr Gu's phone number in Shanghai, could I suggest that's because you were trying to arrange to meet up with him in Shanghai, would that be a good assumption?---Yeah, yes, yes, absolutely.

What about, do you remember now whether you and Mr Tsirekas did meet up with Mr Gu in Shanghai in November 2015 for dinner?---I can't recall, no.

Do you deny that you had a dinner in November 2015 with Mr Gu and Mr Tsirekas?---I can't recall.

20

Yeah, but I'm asking you do you deny that and say, look, it never happened at all?---I can't recall.

So when you say you can't recall, do you omit the – or leave open the possibility you did have dinner with Michael Gu in November 2015, you just can't remember now?---Mr Darams, depends how you interpret "recall". I can't recall.

That's what I'm asking you.---I can't recall.

30

But do you deny you had the dinner?---I can't recall.

Are you able to deny having a dinner?---Mr Darams, I'm not going to give you an answer that you're looking for. I can't recall.

Just looking for an answer to my question. Are you able to deny it?---I can't recall meeting Mr Gu. It'd be in my emails and my text messages if I did.

Are you suggesting every time you meet someone it'll be in your text messages, is that right?---Absolutely. It's all by text messages, emails. My email's been there since 2011. You can track every email.

Just in relation to attending Mr Huang's wedding in January 2016, the invitation came about after a conversation you had, you and Mr Tsirekas had with Ms Li in December 2015, that's right?---I can't recall that, Mr Darams.

10 Do you remember when you caught up with Ms Li at the Le Montage with Mr Tsirekas in December 2015?---I met up with Ms Li on multiple occasions. I can't remember that exact meeting, no.

Well, let me - - ?---Unless it came up in your exhibits, but I can't recall that meeting.

Could the witness be shown volume 6.8, page 274. So these are exchange of text messages between you and Ms Li, Mr Chidiac. Got your glasses on. If we go down to the entry towards the bottom of the page.---Okay, what am
20 I, what am I looking at?

Yeah, the entry on 10 December, 2015, the last one on the page.---Yeah.

This is a message from you to Ms Li.---Yeah.

"I think it would be a good idea if we catch up with Angelo and you brief him on how our meeting went with John." Just stopping there, John is John Kinsella, that's right?---I don't know which John that would be, Mr Darams.

30 Well, can I ask you just to read on a little bit further. "Council would be encouraged" - - ?---Oh, yes, yes, yes, yes. I've just read the, yes, yes, it'd be John Kinsella, Mr Darams.

John Kinsella.---Yeah.

That's because you and Ms Li and others had met up with Mr Kinsella and others from Billbergia before 10 December, 2015, that's right?---That's, that's what that message is saying, yes. That's what it's implying.

40 I know that's what that message is implying.---That's what it's implying, yes.

But it's implying that because that's actually what did happen, though, Mr Chidiac. Or you just don't remember now?---No, no, I, I don't recall the actual conversation if that's what you're asking me. Yeah, that's what that message implies.

Yes. It's your message, correct?---Well, it's, show that it's come from my phone, yes.

10 No one else would have access to your phone and would be texting these messages?---Not those messages, but my kids had access to my phone but they wouldn't be texting those messages, no.

So we can safely assume that you were texting these messages?
---Absolutely, yeah.

Go to the next page. At the top of the page is a text message from Ms Li to you. "Yes, what time is Angelo available?" This is on 11 December, 2015. Do you see that?---I do.

20

You then respond, "I will let you know tomorrow." Do you see that?---I do.

Response came back, "Okay." See that?---Yep.

Then you respond, "Belinda, Angelo and myself are at a small function tomorrow night from 6.00pm. You are more than welcome to join us. It will be a good opportunity to have a chat."---Yeah.

30 Then if we go down the page a little bit further. Keep going down. Then on the 12th, see this message at the bottom of the page, "Belinda, do you want to go together tonight?" See that?---I do.

So obviously you're offering to take Ms Li to the function that you were going to be at with Mr Tsirekas, is that right?---That's a possibility, yes.

Are there any other possibilities that would arise from those text messages?
---There'd be a lot of possibilities, Mr Darams.

40 The, the - - -?---Could be change of plans, going somewhere else.

Well, just focus on your text message, Mr Chidiac.---I am focused on my text, Mr Darams.

Sorry?---I am focused on the text.

Yeah, the only possibility arising from that is that you're offering to take her with you to see Mr Tsirekas, correct?---No, that's your opinion, Mr Darams. I disagree with that.

10 You disagree with it. Go over to the next page. Then draw you to the last, the middle of the page, it says, Ms Li: "text me the address. I'm still at work on job site. We'll catch up there." See that one?---Yep. Now we've got more clarity, Mr Darams, yes.

When you say more clarity, you now understand, is this helping you to recollect, is it?---It is, yes.

So you now remember meeting up with Ms Li and Mr Tsirekas on this evening?---No, I can't remember, can't recall.

20

What clarity have I given you, then, by showing you these text messages? ---Well, yeah, we've, for me to send the function or the location address, one would assume that's where we're going to meet up.

But you, can I – do I understand this, you don't remember the conversation you had with Ms Li that evening?---I don't.

The last message on 12 December says, from Ms Li to you, "See you there at 7.30." See that?---I do, yeah.

30

Then she responds about 7.23, "Joseph, I am here." See that?---I do.

Still don't recollect meeting with Ms Li and Mr Tsirekas that evening? ---Not that evening, no.

No. I take it, then, you don't recall any conversation that happened that evening?---I don't.

40 After this meeting, I also want to suggest to you at this meeting there was a discussion about Harry Huang's wedding. You don't remember that?---I told you I can't remember the conversation, Mr Darams.

Your accommodation on that trip to Shanghai for Harry Huang's wedding was arranged by Ms Li, correct?---I can't recall who arranged it, Mr Darams.

You didn't arrange it.---I can't recall who arranged it, Mr Darams.

You didn't arrange it.---I can't recall who arranged it, Mr Darams.

10 THE COMMISSIONER: No, well, put it this way. Did you arrange it?---I can't recall, Commissioner.

Well, you'd remember if you did it.---Well, I would have to go back to my emails, Mr - - -

You mean to say you can't recall whether you - - -?---I honestly can't recall, Commissioner. That's the honest truth, Commissioner.

20 MR DARAMS: But if you were to arrange accommodation, how would you go about arranging it? What would you do?---Internet. Get my daughter to do it for me. Get an associate to do it for me.

Could the witness be shown volume 1.1, page 205. 205, I think that's 215. That's it. Just draw your attention, Mr Chidiac, to the email at the bottom of the page, Faye Yu to Reservations. See that down the bottom of the page, December 14?---Sorry, what am I looking at?

The email at the bottom of the page from Faye Yu to Reservations on December 14.---Yeah, yeah, yeah.

30

Ms Yu sends to Reservations, "Dear team, please book two rooms more for guests below." See that?---I do see that, yes.

Do you see that that email from Ms Yu or from Reservations has been forwarded on to Mr Zhang at I-Prosperity? The email above.---Well, I see email going from Mark Zhang to Chung Zhung, Chun Zhou, yes.

Well, I think the email is going from Reservations to Mark.---Okay, okay, that's the second part, yep.

40

Yep, yes, so I'll work my way up the email chain, Mr Chidiac.---Okay, okay.

So there's an instruction given on 14 December, please book two rooms for yourself and Mr Tsirekas. See that?---Sorry, ask that again, Mr Darams.

There's an instruction given in the email at the bottom of the page.---Yep.

Book two more rooms for you and Mr Tsirekas.---Yep.

10

Then there's an email sent to Mr Zhang at I-Prosperity.---Yes, yes.

Instructions being "Further to your accommodation requests", so Mr Mark Zhang has requested accommodation to be booked. See that?---Yep. Yep.

"Kindly find the attached confirmation for your reference." See that email? ---Yes, yes.

20 And that's forwarded by Mr Zhang to Mr – well, to Chun, who you know to be Chun Zhou, correct?---I've never known him - - -

You know him as Chun, then.---I've never known his surname. I've known him as Chun.

So it's clear that you didn't book this accommodation for you and Mr Tsirekas, did you?---Not that accommodation, no.

Just so we're clear, can I show you page 208. This is the reservation at The Langham for your trip in January 2016.---Yes.

30

I want to suggest to you that as at December 2014, it's obvious you weren't at that stage planning to be in China, were you?---When, when, when?

Well, as at December 2014 you weren't planning to be in China, were you, in January.---So we weren't planning in December to be in China in January?

That's right.---Why would you say that?

40 Well, that's what I'm suggesting to you.---Are you asking me to agree with you or disagree with you? Is that a question or a comment?

I'm putting that suggestion to you. What would you say?---I can't answer the question. I don't know what I was thinking in December 2015.

Well, do you accept this? Before this accommodation was booked in December 2014, sorry, '15, you hadn't otherwise booked accommodation in Shanghai for January 2016, had you?---Can you just ask that question again, Mr Darams? I've lost you.

10 I wanted to suggest to you that before this accommodation was booked for you - - -?---Yeah, yeah, yeah.

- - - in December 2015 - - -?---Yeah.

- - - you didn't otherwise have accommodation booked for you in Shanghai in January 2016, did you?---I can't recall whether I did or not, Mr Darams.

Well, did you?---I can't recall, Mr Darams.

20 Well, if there was would you have a record of that? Wouldn't you?---One would think so, yes.

Have you been able to find a record of it?---I've never looked for it, Mr Darams, but I'm happy to go home and look for it.

I want to suggest to you you didn't have any accommodation booked in Shanghai in January 2016. What would you say to that suggestion?---Well, I respect the opinion, Mr Darams, but I don't agree with you.

30 It's also the case, isn't it, Mr Chidiac, that your flights in January 2016 were arranged by I-Prosperity?---Arranged by Belinda and paid by Joseph Chidiac.

So you agree that the flights were arranged by I-Prosperity, by Ms Li?---I do, yes, yes, she was a contact, yes.

When you say paid for by Joseph Chidiac, when did you pay for these flights?---Are we talking about the January 1st trip?

40 Yes.---I can't recall when I paid for that flight.

How did you pay for the flights?---I would assume - - -

How did you, not assumptions - - - ?---I can't recall.

How do you know you paid for the flights then?---Because I always pay for my flights.

How do you know you paid for these flights?---Well, I would have expected to pay for them.

10

Well, you've now gone from expecting to pay for it to, what you said before, you pay for it, now you would have expected to pay for it. How did you pay for them?---From memory I did, yes.

How did you pay for them?---It would be credit card.

Which credit card?---I can't recall.

20 How do you know that you paid for them on credit card, there'd be a record of this, wouldn't there?---One would think so, yes.

Well, if there's no record for these flights on credit card, wouldn't that suggest that you didn't pay for the flights?---If there's no record?

Yeah.---I'm fairly certain I paid for those flights, Mr Darams.

So let me, if you paid for the flights on credit card - - - ?---Or bank transfer.

30 Let's just focus on the credit card for the moment. You would have paid for those flights before going to China in January, 2016?---One would think so, yes.

Not sure that airlines allow you to get on planes without paying for the flight first. So you would have paid, can I narrow the field down, somewhere between December 14 and 29 or 31 December, 2015, correct – 14 December, 2015 and - - - ?---Are you asking for a date when that flight was paid for?

40 Yes.---I don't have a date for you but I can come back to you on that, Mr Darams.

So arranged by Ms Li, you say you paid for the flight.---That's my answer, yes.

Did you pay for, did you pay for Mr Tsirekas' flight?---I think I did.

When you say you think you did, why do you say you think you did, what's the basis of that?---Because he was my guest and I talked him into coming overseas with me.

10 THE COMMISSIONER: Are you saying that you know, you did in fact pay or are you saying I'm assuming I paid?---I don't think, did I assume?

No, I'm just asking you.---No.

Which is it, that you have a distinct memory that you paid for Mr Tsirekas? This is the airfares.

MR DARAMS: Correct.

20 THE COMMISSIONER: Are you saying you have a distinct recollection that you did in fact pay for his airfares or are you saying you're assuming you did?---I'm assuming I did there, Commissioner.

MR DARAMS: When you're saying you're assuming you did, what's the basis of that assumption – is it simply that you say you invited to him to go to this wedding?---He was my guest on that trip, that's correct.

30 When you say he was your guest, why do you say he was your guest, how did he come about to be your guest?---I talked him into coming to China with me for the four or five days.

When did you have that conversation or when did you talk him into doing that?---Um, I can't recall the date, Mr Darams.

But where did you have this conversation with him?---Is that a serious question, Mr Darams, when in 2015, where did I have the conversation - - -

40 Where did you have the conversation with him?---I can't recall where I had the conversation, Mr Darams, 2015.

Let's use this booking of the accommodation on 14 December, 2015. You meet up with Belinda Li on 12 December, 2015. Did that conversation happen that evening?---I can't recall, Mr Darams. There was a lot of alcohol involved at functions, I can't recall the conversation, Mr Darams, in 2015.

Chief Commissioner, I note the time.

THE COMMISSIONER: Yes, I see.

10

MR DARAMS: We'll obviously be continuing Mr Chidiac on Monday. There's a couple of things I'd like to tender just now if I can but Mr Chidiac can step down while I do that.

THE COMMISSIONER: You may step down and we'll see you Monday morning 10 o'clock.

THE WITNESS: Thank you, Commissioner.

20 THE COMMISSIONER: Thank you.

THE WITNESS STOOD DOWN

[3.59pm]

MR DARAMS: Could I please tender the audio and transcript of session 09035 and that will be Exhibit 84.

30 THE COMMISSIONER: Yes, the audio and the transcript 09035 becoming Exhibit, sorry what number?

MR DARAMS: 84.

THE COMMISSIONER: Yes.

**#EXH-084 – AUDIO TRANSCRIPT OF TELECOMMUNICATION
INTERCEPT SESSION NUMBER 09305 ON 19 FEBRUARY 2019
FROM ANGELO TSIREKAS TO SCOTT PEDDER**

MR DARAMS: Then could I tender the City of Canada Bay Council Agenda and Minutes of Meeting of 19 February, 2019.

THE COMMISSIONER: Yes, those minutes 19 February, 2019 will become Exhibit 85.

10 **#EXH-085 – CITY OF CANADA BAY COUNCIL AGENDA AND MINUTES OF MEETING DATED 19 FEBRUARY 2019**

MR DARAMS: Then as one exhibit could I tender documents from the City of Canada Bay Council being email dated 21 September, 2012 from Ms Inwood to councillors and its attachment.

THE COMMISSIONER: Sorry, from who?

20 MR DARAMS: Ms Inwood, I-n-w-o-o-d, to councillors and its attachment plus the email dated 15 September, 2017 from Ms Campbell to councillors with attachment.

THE COMMISSIONER: Yes, those two emails 21 September, 2012 and the, what was the date, May?

MR DARAMS: So it's 21 September, 2012 - - -

30 THE COMMISSIONER: September, 2017 with attachments will become one exhibit, become Exhibit 86.

#EXH-086 – DOCUMENTS FROM CITY OF CANADA BAY COUNCIL – EMAIL FROM MS INWOOD TO COUNCILLORS AND ATTACHMENT DATED 21 SEPTEMBER 2012 AND EMAIL FROM MISS CAMPBELL TO COUNCILLORS AND ATTACHMENT DATED 15 SEPTEMBER 2017

40 MR DARAMS: Exhibit 87, documents from Colin Biggers & Paisley re 20 October, 2020 disclosure.

THE COMMISSIONER: Yes, those documents become Exhibit 87, Colin Biggers & Paisley documents.

**#EXH-087 – DOCUMENTS FROM COLIN BIGGERS & PAISLEY
RE 20 OCTOBER 2020 DISCLOSURE**

10 MR DARAMS: Exhibit 88, photos of the Nield Park café of which there are seven.

THE COMMISSIONER: Yes those photos will become Exhibit 88.

#EXH-088 - PHOTOS OF THE NIELD PARK CAFÉ X 7

20 MR DARAMS: Then the last tender will be Exhibit 89, will be Volume 3E, which are documents produced by Joseph Chidiac.

THE COMMISSIONER: Documents produced by Mr Chidiac Volume 3E become Exhibit 89.

#EXH-089 - PUBLIC INQUIRY BRIEF VOLUME 3E

30 MR DARAMS: Chief Commissioner, my apologies, in relation to Exhibit 84, I've erroneously told you the session number, the session number is 09305, I had – thank you.

THE COMMISSIONER: That will be corrected 09305 for Exhibit 84. Very good.

MR DARAMS: Yes, that's it, thank you, Chief Commissioner.

THE COMMISSIONER: I'll adjourn until 10.00am Monday morning next.

40 **AT 4.02PM THE MATTER WAS ADJOURNED ACCORDINGLY**
[4.02pm]