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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 MONDAY 20 JUNE, 2022

AT 10.00AM

Any person who publishes any part of this transcript in any way and to any person contrary to a Commission direction against publication commits an offence against section 112(2) of the Independent Commission Against Corruption Act 1988.

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

THE COMMISSIONER: Just take a seat for a moment, Mr Chidiac.

MR DARAMS: Good morning, Chief Commissioner. We're ready to continue with the examination of Mr Chidiac.

THE COMMISSIONER: Thank you. I'll have Mr Chidiac re-sworn. If you wouldn't mind standing up, take the Bible. I think you did take an oath, did you not, previous say?

10 MR CHIDIAC: I did. I did, Commissioner.

THE COMMISSIONER: Thank you.

THE COMMISSIONER: Thank you, Mr Chidiac. Just take a seat. The declaration I made under section 38 of the Act continues to apply today.

MR DARAMS: Mr Chidiac, you've said that you paid Mr Tsirekas' airfare to Shanghai for the trip in January 2016. Is that right?---That's affirmative, Mr Darams.

10

You also say that Mr Tsirekas has repaid you that cost of that flight?---Yes. Paid me an amount, yes.

The amount being \$3,000?---That's affirmative.

You say he paid you in cash?---That's affirmative.

You say he did that towards the end of 2016?---Approximately, yeah. I don't have a set date.

20

What if it was suggested to you, Mr Chidiac, that you didn't pay for Mr Tsirekas' airfare for his flight on this trip in January 2016? Would you disagree with that?---To the best of my knowledge, I paid for that trip, Mr Darams.

THE COMMISSIONER: Mr Chidiac, you appreciate of course at the time, January 2016, Mr Tsirekas was a public officer?---That's, that's correct, Commissioner.

30

And that public officers must be very careful to conduct themselves with integrity?---That's correct, Commissioner.

In terms of lending money to a public officer such as Mr Tsirekas, you yourself would be very careful, wouldn't you, not to be seen to be giving him money unless people might misconstrue it.---Commissioner, I never lent him any money.

40

No, no. I'm just saying if you did, you would have been conscious of the fact that you need to be careful if you're going to lend it to him that, and it is a loan, that you would make a note of that so that nobody could accuse you or him of doing any wrongdoing?---In hindsight, possibly, yeah.

And similarly, if you were paying for an airfare, international flight, you and he would be careful not to leave open any suggestion that he might be benefitting from you, is that right?---Well, that never crossed my mind, Commissioner, at the time.

In relation to this airfare you say your recollection is that Mr Tsirekas repaid the cost of it in cash. Is that right?---Mr Tsirekas paid part of the trip in cash. That's, that's affirmative, Commissioner.

10

And just to confirm the amount again was how much?---The amount was \$3,000.

And just so that everything would be aboveboard, especially because he was paying you in cash, did you keep a record of it so that nobody could accuse you or him of any improper favours or improper conduct?---Commissioner, I kept a mental note of it.

20 No, but did you keep a document so that if anybody said, "Well, did he repay it?" you'd be able to say, "Yes, I gave him a receipt" or "I wrote it in my book"?---Did I keep a, a written note of that?

Yes.---No, Commissioner.

All right, I see. All right. Thank you.

MR DARAMS: Mr Chidiac, I just want to clarify one of the answers you gave to the Chief Commissioner just then. You said in answer to the repayment by Mr Tsirekas that he repaid part of the expenses on that trip.

30 Do you remember saying that?---I do, Mr Darams.

I just want to be clear because I'd understood your evidence earlier that the \$3,000, that's the amount that he's repaid you, correct?---That's the amount that Mr Tsirekas paid me in end of - - -

In cash?--- - - - close to end of 2016 in cash.

In cash. But that \$3,000 was for the airfare.---That \$3,000 was for that trip.

40 No, the evidence - - -?---Part (not transcribable) that trip.

Let me finish. So your evidence as I understood is slightly different now and you're changing it a little bit and I just want to clarify what your evidence is on this because you accepted that the \$3,000 was the airfare in one of your earlier answers. Correct?---Are you asking me, Mr Darams?

That's what you said earlier this morning, the \$3,000 was for the airfare. ---\$3,000 was towards the cost of that trip and - - -

10 See I want to suggest to you you're giving slightly different evidence now. You're not limiting the \$3,000 to the airfare, are you?---That's your interpretation, Mr Darams.

That's the interpretation based upon the evidence you've given. Now, let me be clear about this. The \$3,000 you say was paid in cash by Mr Tsirekas or repaid to you in cash by Mr Tsirekas for the airfare for this trip.---That \$3,000 was, went towards the cost of that trip, that's including the airfare, Mr Darams.

20 Chief Commissioner.

THE COMMISSIONER: Well, earlier if you did say or agree that he paid you 3,000 for the airfare, if you did say that, if the record shows that you said that, you're saying that that is not the position but that the 3,000 was, you understood, being paid by Mr Tsirekas to you by way of a refund of not just the airfare but other expenses associated with the trip to Shanghai in January 2016. Is that right?---Commissioner, that would have included the airfare as well, yes, and other cost part of the trip.

30 So if a moment ago you said it was to repay the airfare, that wasn't strictly correct. It was, you say, to repay for more than that.---Well, looking back I could have chosen my words a little bit better than that, Commissioner.

Okay.---That, yeah, was - - -

Mr Chidiac, could I just ask you, as at that time, January 2016, did you hold a bank account with a bank?---Yeah, numerous, Commissioner, yeah.

Who did you used to bank with at that time?---ANZ.

40 ANZ Bank.---Commonwealth Bank.

And what branches of those banks?---ANZ I believe Strathfield. Had a, had a bank account plus credit card. Commonwealth Bank branch at Burwood and I believe Concord as well.

When Mr Tsirekas as you say repaid you \$3,000 in respect of the January 2016 trip did you bank that money?---No, Commissioner.

Why would you not bank it into one or other of your bank accounts?---Just wanted petty cash on hand, Commissioner.

10

Petty Cash. Well, 3,000 is a bit more than petty cash, isn't it?---Not when you've got six kids and a wife with expensive taste.

Oh, I see. Mmm.

MR DARAMS: Chief Commissioner, I need to vary your, or vary the direction that you made under section 112 of the Act on 5 April, 2020, in relation to Mr Chidiac's compulsory examination. I need to, for the public interest, put some questions and answers to Mr Chidiac so that we could get his response.

20

THE COMMISSIONER: Is it the whole of the transcript for that day?

MR DARAMS: Yeah, yes, just for the - - -

THE COMMISSIONER: All right. Is it 5 April, 2020?

MR DARAMS: '22. '22.

30 THE COMMISSIONER: '22. Yes. In respect of the evidence of Mr Chidiac given in the compulsory examination of 5 April, 2022, I revoke the - I pause there. Do you want it revoked at this stage or just simply for your use?

MR DARAMS: Revoked for the entire - - -

THE COMMISSIONER: Revoke it? Yes.

MR DARAMS: Yes, please.

40

THE COMMISSIONER: I revoke the direction previously made on 5 April, 2022.

VARIATION OF SUPPRESSION ORDER: IN RESPECT OF THE EVIDENCE OF MR CHIDIAC GIVEN IN THE COMPULSORY EXAMINATION OF 5 APRIL, 2022, THE DIRECTION PREVIOUSLY MADE UNDER SECTION 112 OF THE INDEPENDENT COMMISSION AGAINST CORRUPTION ACT IS
10 **REVOKED.**

MR DARAMS: Could I ask that Mr Chidiac be shown page 1161 of the transcript. Mr Chidiac, you'll see down the left-hand side of the page numbers. Do you see those?---I do.

I just want to draw your attention to about line 13. See the question is, Mr Darams, this is me putting this question to you. Do you see that?---I do, Mr Darams.
20

And you see I put the question, "Mr Chidiac, you've travelled with Mr Tsirekas overseas on a number of occasions. Is that correct?" And you agreed, "That's correct." Then I asked you, "On any of those occasions, did you assist him financially in terms of his expenses for that travel?" Your answer was "Okay. How far do you want me to go back?" Line 19, "Well, from the beginning." Then you say, "Okay. 2016, as we've discussed previously, I paid for his airfare." Then I said, "Sorry? Which trip?" You said, "2016 to China, to China, to China." Then I clarified with you, "Which one?" Again you said, "China." Then I put to you that you went
30 twice. See that evidence?---I do, Mr Darams.

Then I asked you, "So which one of those?" You said, "The first one." Then I said, "January?" "From memory, it was the first one." Then I put the question, do you see that at line 32, "So you paid for his airfare?" "That's correct." Then I said, "I think you said on the last occasion that he repaid you that?" You say, "He did." I said, "I think you said he repaid you in cash?" You say, "He did." Then I asked you, "Can you remember how much it was?" "3,000." Do you see that?---I do, Mr Darams. I do.

So just so I can clarify, when I asked you about these expenses for this trip, you only indicated that the \$3,000 was for the airfare. Do you accept that proposition?---That was my recollection at the time, Mr Darams.

So is your evidence now that your recollection is different, is that right?
---That was my recollection at the time, Mr Darams.

Is your evidence now that your recollection is now different? That is, the \$3,000 wasn't for the airfare only?---Are you asking me if I'm changing my
10 evidence, Mr Darams?

If you would like to describe it that way, yes.---No, I'm not changing my evidence. That was my recollection.

You have a different recollection now?---That was my recollection.

You have a different recollection now, though?---Is that a question or comment?

20 Yes.---Well, I'd like to correct that evidence if I may, yeah.

What was wrong with the evidence you gave on that last occasion?---My intention or my answer was meant to be that I, he paid me back \$3,000 towards that trip.

Well, do you accept that the questions that I put to you were relatively clear?---Can you just point the line there, number again? You've asked me a few question there, Mr Darams. Which question are we talking about?

30 Well, the questions that started about line 19. You can read them to yourself and finish about line 38.---Can I speak?

Sure.---Okay. Well, in the evidence there I said we went to China twice. We went to China more than twice so I'd like to change that evidence to multiple times, Commissioner.

THE COMMISSIONER: Sorry, are you talking about 2016 or other years as well?---No, I'm talking about other years, yeah.

40 I see. I think at the moment we're just concentrating on 2016. We might come to the other years.---Okay. Thanks, Commissioner.

MR DARAMS: Mr Chidiac, I just want to suggest we're only talking about 2016 in this series of questions and answers. Do you accept that?---Well, if that's what you're telling me I accept it, yeah.

Well, it's clear from the transcript, or don't you agree with that?---I'm just trying to find - - -

10 MR LEGGAT: Chief Commissioner, I rise just as a point of fairness. The question asked at about line 12 seems to sit a bit uncomfortably with my learned friend's last question.

THE COMMISSIONER: Well, he's been invited, I think, hasn't he, to read from line 13. So, sorry, Mr Leggat, from what line?

MR LEGGAT: Your Honour, it's the question "Mr Chidiac, you've travelled with Mr Tsirekas overseas on a number of occasions?"

20 THE WITNESS: Yeah. That's what I was going to mention.

THE COMMISSIONER: But I think it was narrowed down, wasn't it?

MR LEGGAT: Subsequently.

THE COMMISSIONER: Yeah.

MR LEGGAT: But the topic was introduced in that broad manner.

30 THE COMMISSIONER: Yeah. Oh, I think he understands we're talking about 2016. Yeah.

MR DARAMS: So Mr Chidiac, what I'm suggesting to you is the questions, particularly from about line 19, I want to suggest are relatively clear about what I was asking you, or do you disagree with that?---Well, I agree with the point that you, where you asked, "But you went twice in 2016?" I said I did. That was my answer.

40 But the rest of the questions that followed after that, you can see from about line 30, do you agree with this, the question at line 32 "So you paid for his airfare?" that's a pretty clear question, isn't it?---Yes, yes, yes. And I gave you a very clear answer at the time.

That's what I'm suggesting to you is that the answer you gave was quite clear, it was limited to the airfare and the amount that he repaid was \$3,000?---Yes, yes, yes, yes.

So, you want to give different evidence now to say that the \$3,000 wasn't just for the airfare, that's right?---Well, by having a look at the, what I've got in front of me on the screen, I, it's obvious that I mistakenly recollected that it was purely for the airfare, yes.

10

See, I also want to suggest to you, Mr Chidiac, you didn't pay for any of Mr Tsirekas' airfare and he paid for his airfare on that trip.---That's not what I can recollect, Mr Darams.

See, I want to suggest to you that you know that Mr Tsirekas paid for his airfare on this trip because Ms Li told you or asked you to make sure that Mr Tsirekas paid for his airfare on this trip so that he didn't miss out on the flight. Do you remember her doing that?---Say that again, Mr Darams?

20

I want to put to you that you know that Mr Tsirekas paid for his airfare for this flight because you and Ms Li were in text conversation where she was asking you to have him, Mr Tsirekas, pay for his flight. What do you say about that?---I can't recollect what you just put to me, Mr Darams. My apologies.

Could the witness be shown volume 6.7, page 180? Mr Chidiac, this is an exchange of text messages between yourself and Ms Li. So if I can just ask you to take that onboard, okay?---Do you want me to look at it, Mr Darams?

30

I will take you to it in a moment but I'm telling you what these are, okay?---Thank you, Mr Darams.

Do you understand that?---I do, Mr Darams. Thank you.

I want to draw your attention to about the middle of the page. These are text messages from 14 December, 2015. I'll draw your attention to the one that starts "Joseph, 31 12 41" So this is a text message from Ms Li to you.---Yep.

40

The next one below is a message from yourself to Ms Li. Do you see that?---Is that the 14/12?

Correct. There's a number of them.---At 17.53. Is that correct?

5.53.---5.53. I see Mr Angelo Tsirekas's name there.

Yeah, but this is a text message from you - - -?---Yeah.

- - - sending that information to Ms Li.---Oh, you're confusing me,
Mr Darams.

10

No, I'm not confusing - - -?---I don't even know what I'm looking at,
Mr Darams.

Well, I've told you, Mr Chidiac. I'll do it again. This is a text exchange
between two persons, you and Ms Li. Have you got that part?---I'll take
your word for it, Mr Darams.

If we start at the one that says, "Joseph 31/12 to 4\okay." That's a message
from Ms Li to you.---Mr Darams, I think, I think I'm a bit slow today. Can
20 you just show me that again, please. Can you just run the cursor on – okay,
yeah, yeah, see, see.

From - - -?---Yeah, yeah, yeah, yeah.

That's from Ms Li.---Yep.

Then if we go down to the next one, the next message down, see direct - - -
?---Mr Darams, where does it say it's from Ms Li?

30 That's her – this one here, you can take it from me this is a reference to
Ms Li.---What does that say, Mr Darams?

Well, I can't pronounce it but don't worry, Mr Chidiac.

THE COMMISSIONER: You can see just under where the cursor is - - -?
---Just one sec, Mr Darams.

- - - the word "okay" or the letters "OK".---Yeah, yeah, I see that. So I'll
take your word that it's from Mrs Li, Mr Darams.

40

MR DARAMS: Yeah. If you want to you can make the assumption, but you can take it from me this is from Ms Li to you.---Okay.

The next message down where it says “direction incoming” this is a message from you to her.---Okay. Yeah, yep.

The next one down - - -

10 THE COMMISSIONER: And the message there you’ll see Mr Angelo Tsirekas.---Yeah, that’s, yep, I can see that.

That’s the pattern of these.---I can see that, Commissioner.

MR DARAMS: So what I suggest to you is that you provided information to Ms Li about Mr Tsirekas and what I want to suggest to you, and we may need to make a suppression order over this information, but you’re providing Ms Li with Mr Tsirekas’s passport details.---I, I did that on a couple of occasions, Mr Darams, yes.

20 Including on this occasion.---I’m not sure if I did on that occasion but I did on a few occasions, yeah.

Sure. Then if we go down a couple of messages. See the next one down. ---Yeah.

Then you’re giving Ms Li your passport details. Do you see that?---That’s correct.

30 Then if we can go down to the message, the next message down. Next one down. You’ll see here Ms Li sends this message to you, “Joseph, could you ask Angelo to pay tonight or no ticket.” Then you respond, “Send me invoice on SMS.” Then you also say, “I can’t open on WeChat.” See that? ---I do see that.

At this time do you recollect you were corresponding with Ms Li both on, well, I might say regular text message, do you agree you were doing that? ---Well, I’m taking your word that that account belongs to Mrs Li, Mr Darams.

Don't focus on this at the moment. I'm just focusing on a point in time in 2015 you were sending Ms Li what we might refer to as ordinary text messages, like on your phone.---Are you asking me if I did - - -

Yes.--- - - - converse - - -

Do you remember - - -?--- - - - with Ms Li by text message?

Yes.---Absolutely, yes.

10

You also used the WeChat platform.---I can't remember if I used it in 2015, Mr Darams.

Well, then why do you say to Ms Li in the last message on the page, "I can't open on WeChat"?---That doesn't necessarily mean that I'm communicating through WeChat, Mr Darams. Might have just downloaded it and can't sign in.

20

Mr Chidiac, I just want to suggest to you that that evidence isn't truthful. You were corresponding with Ms Li on WeChat and you know you were doing that at this period of time.---I'm not, not certain in 2015, Mr Darams, and I'm sure you can have record of that.

Can we go to the next page. Go to the middle of the, just under all the text the next message down. So Ms Li sends you a text message on 14 December, "Hotel booked." You respond, "Great."

30

THE COMMISSIONER: Can you see these entries?---I do. I do, Commissioner.

You have now adjusted to the format.---Yeah, I do. I do, Commissioner, yes.

40

MR DARAMS: Then Ms Li, again on the 14th, "Don't forget to ask Angelo buy ticket." Then you respond, "He told me he will sort it out tonight." Ms Li responds, "Okay." Then you say 15/12, "Got paid today." Just pausing on that, what I'm going to suggest to you is that you're telling Ms Li, in answer to her text messages and in urging on you to get Mr Tsirekas to pay for his ticket. Do you accept that is the - - -?---I do. I do, Mr Darams.

You also indicated, because of some information you must have got I assume from Mr Tsirekas, that he got paid and therefore could pay for his ticket that night.---No. No. I don't, I don't agree with that assumption, Mr Darams.

Which assumption don't you agree with?---The one you just summed up to.

10 So then when you say, on the 15th of the 12th, to Ms Li, "Got paid today," who are you referring to?---Mr Darams, I don't want to sound rude here, I can't recall that, that conversation.

THE COMMISSIONER: I think what you were being asked to say is when you wrote, "Got paid today," that would seem to relate to the air ticket. ---No, not necessarily, Commissioner.

Right, okay.---Can, can I - - -

20 And in terms of "Got paid today," which you said, which was your reply, were you suggesting that you had paid it or that he had paid it or somebody else had paid it?---I'm not suggesting anything here, Commissioner. It could have been one of my invoices being paid.

30 But I'm just trying to get your best recollection. You've been taken through each of these SMSs or WeChat messages, and it's all about the air tickets. You can see that. You've been taken through each one. So before you get to "Got paid today," you can see the discussions about "Don't forget to ask Angelo buy ticket. He told me he will sort it out tonight," was the next answer. She says, "Okay." And then the next entry in that context is "Got paid today," and I think you're being asked to say what were you saying when you said, "Got paid today," that's all.---Can, but, Commissioner, could have, could have meant anything. I mean, I, if we can refer to my bank statement, it'll probably confirm whether I got my invoice paid from I-Prosperty or not. I could, I could have been referring to that, Commissioner.

40 So do I understand, we're talking about payment of the air ticket. That's pretty plain from the flow of these messages. So that, but what we're now looking at is what "Got paid today" – your words – is meaning to convey. Doing the best you can, thinking back on the arrangements that were being put in place to go to Shanghai in January 2016 by air travel, were you

conveying that it, the ticket had got paid and – is that right?---Sorry, Commissioner, just dropped out for a minute, just switched off.

Yes, were you trying to reply to her, Belinda Li, by saying the air ticket's been paid for? Is that, to the best of your recollection, what you meant when you said, "Got paid today"?---Well, that's a possibility, Commissioner, if I can say that.

10 In the context, it looks like it, doesn't it? Just that's just reading the flow of the messages.---Commissioner, not to me, it doesn't. But, you know, that's what it seems to you and I respect that, Commissioner.

Well, doing the best you can, taking your mind back, and I know these things sometimes are not easy to recall, but doing the best you can, what do you recall intending to convey? You wanted to satisfy her the air ticket had been paid for, and do you have any recollection to that effect?---I don't have any recollection of that conversation whatsoever, Commissioner.

20 Well, now that your memory's been jogged by these messages, do you think that's what you were saying when you said, "Got paid today"?---Well, there's a few possibilities there, Commissioner. One, my invoice got paid or the, the airfare got, got paid today.

Right. Let's assume it's the latter. Have you any recollection now whether that was paid for by Mr Tsirekas, by you, by I-Prosperty or by somebody else?---I've got no, I've got no recollection, but if you don't mind allowing me to assume, I'm fairly certain I paid the airfare, Commissioner.

30 If you did, how would you have paid for it? Would you have done electronic transfer or cash or cheque or what?---Most probably would have been bank transfer or credit card. Bank transfer or credit card, yeah.

MR DARAMS: When you've been answering those questions, the last couple of questions from the Chief Commissioner about paying for the airfare, were you intending to refer to Mr Tsirekas' airfare?---I wasn't referring to any airfare.

40 Well, the Chief Commissioner just asked you questions about paying by electronic transfer or bank transfer for an airfare, right? Do you remember that?---I do, yeah.

Whose airfare were you talking about?---Both airfares.

See, I want to suggest to you, and I want to put this to you, Mr Chidiac, out of fairness, the proposition is that it's quite clear from this text exchange that you're talking to Ms Li about Mr Tsirekas' airfare and you're telling her that Mr Tsirekas will pay because he got paid on that day. That's what I suggest to you.---I disagree with you, Mr Darams.

10 Then if I can just go back to these messages on 15 December, 2015. Ms Li says to you after you sent the text message "Got paid today." "Great. Give me a screen copy if possible." Do you see that text message?---I do, Mr Darams.

You then respond "I will try to get that tomorrow." Do you see that?---I do.

Then Ms Li responds "Okay, great." Do you see that?---I do.

Just noting the dates, 15 December, 2015. Do you see that?---Yes.

20 Could I ask that you now be shown volume 6.8, page 281? Mr Chidiac, these are another exchange of messages between yourself and Mr Li. I want you to take that from me, okay? Do you understand that, Mr Chidiac? ---What are you asking? I don't understand, Mr Darams.

No, I'm just putting to you that these are another exchange of text messages between you and Ms Li and I'm just wanting to know that you understand that's what I've told you.---I do understand what you just told me, Mr Darams.

30 So these are messages on 17 December, 2015, just to orientate yourself. The top message is – scroll down, please, further. Down further, yes. So the first message is from yourself to Ms Li. Picking up "Okay", halfway through a conversation and then Ms Li responds to you "Just parked. Two minutes." You then say "Okay." If we can scroll down a little bit further. Then Ms Li says to you in this message on 17 December, "Will send you ticket soon." I just want to show you the message on 21 December, 2015. If you scroll down. So you send this to Ms Li, do you see that message here? There's an attachment. Now you won't be able to see that attachment on this message, do you accept that?---You're not going to show it to me, is that what you're saying?
40

I'm going to show you in a minute but I just wanted to identify that this message was sent on 21 December, 2015, Mr Chidiac. Just keep that in mind, okay?---Yeah, yeah.

There's an image that was attached, that is you sent an image to Ms Li, okay? Can we go to page 304, please?

THE COMMISSIONER: Can we have that turned around?

10 MR DARAMS: So we can turn it around. This is the image you sent to Ms Li, Mr Chidiac. Just take your time to look at the information on this page. ---I see it, yeah.

Does this now assist with your recollection of you sending this to Ms Li on that day?---I have no recollection of that correspondence or that communication whatsoever.

20 So what I want to suggest to you, Mr Chidiac, is that, consistent with the text messages I've just taken you to, this is you providing Ms Li with a copy of a receipt confirming that Mr Tsirekas had paid for his airline ticket in December 2015. What do you say about that?---Sorry, Mr Darams, can you repeat that again?

I'm putting this to you. Is it consistent with the text exchange between you and Ms Li that I have just taken you to, this is you providing her with a copy of the receipt evidencing payment by Mr Tsirekas of the airline ticket for that travel, which he paid in December 2015. What do you say about that? ---Well, if that's what you're telling me, Mr Darams, I agree with you, yeah.

30 If that's all right, that suggests that in fact you didn't pay any part of Mr Tsirekas' airfare for this trip in January 2015, sorry, for travel in January 2016.---Can I speak?

Yeah.---Mr Darams, my recollection is I paid for the airfare.

Did you first give Mr Tsirekas cash or some other form of payment to put in his bank account so that he might pay this transaction electronically?---No, Mr Darams.

40 Then how did you pay for Mr Tsirekas' airfare if in fact the records appear to indicate or demonstrate that Mr Tsirekas paid for the airfare?---Well, like

I said earlier, my recollection, recollection is that I paid for the trip. That's my recollection.

THE COMMISSIONER: Right. Could I ask you why did you pay the airfare?---Because I'd invited him to travel to Shanghai in January of 2016 and I, I had an idea that he was financially, wasn't capable of meeting the expenses.

10 So the fact that he was having difficulty accessing enough money for the airfare, are you saying that's what your memory is based on when you say you paid for this airfare?---Well, that's one reason too, he was, he was my, my guest, yes.

Right. So a couple of reasons, you're saying, supports your recollection that it was you who paid for this particular airfare, despite what's shown on the Commonwealth Bank receipt here, is that right?---Sorry, Commissioner, I just missed that again. My apologies.

20 You're saying there's a couple of reasons, you say, that you do recall that you in fact paid for Mr Tsirekas' airfare, are the ones you've already identified. One of them was that he was limited on his available cash to pay himself.---Oh, well, I wouldn't use the word "cash". Finances. I, I know he was, I, I know financially he, he wasn't, wasn't comfortable or, yeah.

As at more or less the time of this payment?---That's correct, yeah.

The payment for the airfare for Ms Tsirekas to go to Shanghai, we're talking about?---Yes, yes, yeah.

30 All right.

MR DARAMS: Just on that then, do you accept now that your recollection of these expenses or who paid the expenses for this trip in January 2016 is different to what you say your recollection was in April, 2022?---'22?

Yes.---Say that again, Mr Darams?

40 Do you say your recollection of who paid the expenses on this trip in January 2016 is different now to what your recollection was in April 2022?
---Mr Darams - - -

Can you answer my question, please?---If you allow me to, I, I, I will.

Answer the question.---I will. When that private interview was conducted, I answered that question to the best of my ability. That's what I recollected at the time, Mr Darams. And I, now that you've showed me evidence, I still believe that I paid for that airfare. That's my recollection. I'm not going to, not going to change that. That's what I believe happened.

10 So notwithstanding the text correspondence and the NetBank transfer receipt, your recollection today is still that you paid for the airfare for this trip for Mr Tsirekas?---I'm still convinced I paid for that trip, Mr Darams.

My question was you're still, your recollection still today is that you paid for the airfare for Mr Tsirekas for this trip?---Mr Darams, I'm still convinced I paid for that trip.

When you say you paid for the trip, does that include the airfares?---That includes the airfare, Mr Darams, yes.

20 So you paid for all of Mr Tsirekas' expenses on this trip, is that right?---No, I disagree with that, Mr Darams.

Well, what expenses did you pay of Mr Tsirekas' for this trip?---I paid part of the, part of the hotel stay.

Who paid the other part of the hotel stay?---Mr Tsirekas did.

30 What record do you have of paying the hotel?---Mr Darams, you and your team conveniently left an ANZ bank statement which shows that the transaction between myself and The Langham hotel – you, you presented every transaction except that transaction, Mr, Mr, Mr Darams. And I've got evidence here that I can, I can present to you exactly what happened if you're prepared to hear it.

THE COMMISSIONER: We might come to that evidence in a moment. But what do you say you recall that evidence will establish?---Are we talking about the hotel expenses, Mr, sorry, Commissioner?

40 Yes, that's right. Yeah.---On the day we needed to check out, okay, Angelo from memory was at, served by one individual at the check-out, check-out desk. 'Cause then he's got a card. Lady says, "Your credit card has been

rejected.” I pulled my credit card out, my ANZ credit card out, and I said, “Look, all costs on this credit card.” She comes back to me, says, “Your credit card has been rejected as well.” Okay, we, panic mode. Got whatever cash he had on him, approximately was – again I’m only guessing, Commissioner – six to \$800. Whatever money I had for, for purchase presents for family and friends at the, at the airport, duty-free. We put, we put, put it, we put it together and we ended up having enough to pay for the hotel expenses.

- 10 Well, then, could I ask you to pause there just to be clear about it. How much do you say he paid and how much did you pay towards meeting the cost of his accommodation?---Well, let me answer one question at a time, Commissioner.

No, no, please, just deal with that one at the moment. We’ll move on to the others in a moment.---Sorry, what was your question again, Commissioner?

- 20 So you were saying that your credit cards were rejected, his and yours. He put his hand in his pocket, as it were. He produced some cash to put towards the cost of his hotel bill and you also contributed some amount of cash to pay for his accommodation. I’m simply asking how much did you put in?---You’re asking me how much I put in?

Yeah.---Okay. For, just, just looking through the credit card, the ANZ credit card statement, I think the total cost was about 3,600-and-something Australian dollars. Again, I’m, I’m guessing that Angelo, from memory again, paid between six to \$800 approximately. That’s an approximate figure. And I paid the rest, Commissioner.

- 30 Yeah, thank you.---Can, can I continue with that?

Yes, yes.---We arrived in Sydney. Sorry, again in your, in your exhibits, correspondence between Chun and Belinda, apparently they were in the hotel according to your exhibits. They see there’s a commotion or delay, check-out, check-out desk, and they, they, they are asking themselves what was going on and, you know, they stated that, you know, we paid, we paid the cost in cash. Anyway they arrive, come back to Sydney. Seven days later going through my credit card statement surprisingly the, the \$3,600 and something appeared on my ANZ credit card from The Langham.

- 40 Obviously, as you do, I picked up the phone, spoke to ANZ, explained the situation to them. Again I, I expect they asked me for whatever proof I had

that their, the cost were paid and they ended up refunding me the \$3,600 back into my credit card account. And like I said, Commissioner, I've got, got the statement and I'm sure Mr Stanton will present that at the right opportunity. But like I said earlier, every other credit card, ANZ credit card statement was in the exhibit except that, that, that statement. I don't know if it was left intentionally or unintentionally but it was a bit of a surprise, Commissioner.

Thank you.

10

MR DARAMS: Mr Chidiac, you remember or recall on this trip in January 2016 you and Mr Tsirekas had some issue with your entry visa when you arrived in Shanghai.---I remember we did have a entry issue but I can't recall which trip it was, Mr Darams.

Do you recall asking Ms Li to assist you with that visa issue at that time when you arrived in Shanghai?---I did, yeah, there.

20 Is it the case that Ms Li make some calls or spoke to some person and dealt with that issue for you?---I can't recall exactly what, what she ended up doing but I remember speaking to her, yeah.

When you had arrived in Shanghai, that's right?---When were arrived at the airport, yes.

30 Could I just ask that the witness be shown volume 6.7, page 185. So Mr Chidiac, just I'll have you read this exchange to yourself in a moment but just to orient yourself the very first message on the page is from you to Ms Li where you say, "Okay, waiting to walk off the plane." The next one you can see is from Ms Li. If you need me to orientate you, then I will do it, but just read the messages as you go down the page, Mr Chidiac, and let me know when you need the page to be moved up for you.---Are you saying that's a communication between me and Mrs, Belinda?

Yeah, that's right.

THE COMMISSIONER: You might just explain to him the entries show his name and so on so that he's orientated.

40 MR DARAMS: Yes, sure. So let's take the first one, Mr Chidiac. So this is a message where it says "direction incoming". So these are taken from

Ms Li's phone, Mr Chidiac, so you understand where we got these messages. It's a message incoming from, the identification you see in the bracket Joseph. That's you.---Yeah, I see that, yes.

The next message down says "direction outgoing" from.---Yeah.

So this is a message from Ms Li to you.---How do we know it's from Ms Li? It doesn't indicate here from Ms Li.

10 Just take it from us, Mr Chidiac, it's from Ms Li and I'm wanting to put that to you. We know it's from - - -?---Are you asking me to trust you, Mr Darams?

THE COMMISSIONER: Yes, you are.

MR DARAMS: Yes.---Okay. I will, Commissioner.

THE COMMISSIONER: You can assume that - - -?---Okay.

20 - - - when he says it's come from Ms Li that the records have been checked and they verify indeed that that call came from her. So you can assume that that process has been followed here.---Thank you. Thank you, Commissioner.

So that your calls, her calls have been faithfully summarised in this list.

MR DARAMS: So with that orientation, can I just ask you now to read down the messages.---You may, Mr Darams. Do you want me to start reading? Can we scroll up.

30

Yep.---There's a message down the bottom that - - -

Yeah, yeah.---Yeah, okay. Will do.

We'll give you the - - -?---Okay.

- - - flow of messages, Mr Chidiac.---Yep. I've read it, yeah.

Can we go to the next page. Then stop at the, after the third message.

40 ---Yep.

So, Mr Chidiac, it's – I want to suggest to you Ms Li in fact was waiting at the airport with Mr, I think Mr Gu to pick you up, is that right?---It says "Michael". It doesn't say "Mr Gu". Can you show me where it says "Mr Gu"?

It doesn't say Mr Gu, but I want to put this proposition to you. The person who, the Michael you know to be associated with Ms Li was Michael Gu from I-Prosperity, correct?---I know a few Michaels that associated with I-Prosperity.

10

No, associated with Ms Li.---I know a few people that are associated with Ms – more than a few people, Mr Darams.

Called Michael? Called Michael?---That's - - -

How many Michaels do you know associated with Ms Li?---Be about three, four.

Michael – tell me their names.---Just know their, know them as Michael.

20

How many Michaels have you met in Shanghai with Ms Li?---How many people – that's a good question, Mr Darams.

How many Michaels?---I can't, I can't, I can't recall.

How many Michaels?---Mr Darams, Belinda and I attended a few weddings in - - -

30 THE COMMISSIONER: Just pause there. Did you meet Michael Gu in Shanghai on this trip?---I did, Commissioner.

He was one Michael who you recall meeting with?---He's one Michael, that's correct.

Can you remember any other Michaels on this trip that you met with apart from Michael Gu?---Yeah, I met quite a few Michaels there.

Well, just can you name them?---Well, Michael.

40 No, no.---I can't remember their surname.

You can't remember the surname.---Yeah, they, they normally got Chinese surnames.

In what context did you meet them?---At wedding.

At the wedding, this is the reception?---They never had a reception. I think they had a - - -

Well, what do you call it?--- - - - banquet, banquet.

10

A dinner, a banquet, yes, thank you.---Yeah, banquet, yeah, yeah.

It was at the banquet, was it?---Banquet. I met them at a, at a pub. Pub, pub.

A pub in Shanghai?---Shanghai. They, they call it nightclub, we call it pub.

Okay. And - - -?---Yeah.

20

So they were two Michaels you met?---Quite a few, yeah, well, also I engaged in a game of soccer. I think they, we had about 25 players on the field and there's quite a few Michaels there as well.

Michaels running all over the field. Okay. Anyway, more than one Michael running around playing soccer on this occasion. So at least two, perhaps more than two Michaels playing soccer?---Well, there's a couple of Michaels, yeah.

A couple. Okay, thank you.---Yeah.

30

MR DARAMS: Just to go back to the message at page 185, so up the top of the page where Ms Li says, "Me and Michael outside." See that message? ---I do.

Then she says, "Should be easy to see Fatty." See that?---I do.

Did you ever hear or speak with Ms Li where she called Mr Michael Gu "Fatty"?---Very often.

40

So I want to suggest to you that what Ms Li is telling you, "It should be easy to see Fatty," that she's referring to Michael Gu. Would you accept that?

---Not necessarily, Mr Darams. No. She, she had a few people with her every time I turned up to the airport, every time I've seen her at the airport. Quite a few fat people there with her, excuse the expression.

Going back to this trip of 1 January, 2016, I want to put this to you. I'm suggesting to you that you actually know that the reference to Michael that Ms Li is referring to was a reference to Michael Gu.---No, well, I'm not certain of that, Mr Darams, no.

- 10 I want to suggest to you that that evidence you've given there is not true.
---Well, that's your opinion, Mr Darams.

THE COMMISSIONER: When you were in Shanghai, you did have some occasions when you were with Belinda Li and Michael Gu?---Yes, yes, yes. A couple of occasions, Commissioner, yes.

Yeah, okay.

- MR DARAMS: Could the witness be shown volume 6.11, page 100. I
20 know you know Mr Tsirekas in that photo.---I do.

Do you know what fellow with the glasses?---That's Fatty, Mr Darams.

Is that the Michael who picked you up at the airport with Ms Li on 1 January?---I can't recall if Michael Gu was at the airport, Mr Darams.

THE COMMISSIONER: But he's the Michael you referred to a moment ago when you had discussions with Ms Belinda Li?---Sorry, Commissioner?

- 30 A moment ago you agreed that when you were in Shanghai you met with Mr Michael Gu and Belinda Li.---Yes, yes, yes.

On at least a couple of occasions, I think.---Yes. That's right, yeah.

And the Michael Li is the man on the right?---No, that's Michael Gu, Commissioner.

I'm sorry, Michael Gu, I meant to say, yes.---Michael Gu, yes, yes.

- 40 That's my - - -?---That's, that's the one Belinda refers to as Fatty as well. She refers to quite a few people as Fatty.

So when you said you had a couple of meetings that you recall when you were in Shanghai with Belinda Li and Michael Gu, Michael Gu is photographed in this photograph with Mr Tsirekas, is that right?---Sorry, Commissioner. I - - -

See the man in the blue shirt?---I do, I do. Michael Gu, yes.

That's Michael Gu?---Yes, correct, yes.

10

All right, thank you.---Yeah, yeah.

MR DARAMS: Back to picking you up at the airport, so it was Ms Li that picked you up, that's right?---Ms Li was there.

At the airport waiting for you and Mr Tsirekas?---That's correct, yeah.

She refers to Michael, Fatty, being with her, do you accept that from text messages?---I do, yes.

20

You can't remember now whether it was Mr Gu who was the Michael that she was referring to?---I honestly can't, Mr Darams.

You don't recall the - - -?---I don't, Mr Darams. That was in 2015, that was seven years ago but I'm doing my best to recollect.

So we've got Ms Li at the airport waiting for you and Mr Tsirekas. You can accept that, but we don't know whether Mr Gu's there at the airport either? ---No, no, no. I can't recall.

30

Right. If I could ask that the witness be shown volume 6.7, page 67? This is a WeChat group that was in existence at this time, at least on 4 January, 2016, Mr Chidiac. So what I'm going to tell you, the members of this group included Ms Li. Can you see the first name there, "Owner"?---"Owner", yeah. It tells it's the owner, yes.

You can take it from me, the evidence is that that's Ms Li. The next person down is you. The next person down is Mr Thornton from I-Prosperity. You remember Mr Thornton?---I do, yes.

40

Do you remember him being at this trip in January 2016?---I remember seeing him there, yes.

Do you remember travelling outside Shanghai to Nanjing with Mr Thornton?---Yes, yes, I do.

The next one down is Angelo, being Mr Tsirekas.---Well, I see Angelo. Angelo was on that trip, yes.

10 Then Mr Kevin Xue is the other person on this group. See that?---That's correct, yes.

So where it says – do you recall now being on this WeChat group on this occasion?---I do, yes.

If we go down to the last message on the page, this is a message from you to the group, "Let's plan the next two days here." See that?---Yep.

20 That's a message from you saying "Right, group. Let's plan what we're going to do here." Do you see that?---I do.

Do you remember sending that message now, or not at all?---No, I don't, I can't.

If you go over to the next page, then just start from the top. I just want to ask you a few – just read the messages down. If you need some orientation, you should be able to read it from the incoming et cetera. Just knowing these messages have been extracted from Ms Li's phone.---Yeah. Yep.

30 I just want to ask you a question about this message on 4 January, the one from Ms Li about the middle of the page where it says, "Mr Gui come at 11.00am." Do you see that message?---I do.

Do you know who Mr Gui is?---I don't.

So it's clear from this exchange of messages that there's the discussion about leaving the hotel and going somewhere as a group, correct?---That's correct, yes.

40 Ms Li, whatever you did, Ms Li went with you as a part of the group, is that right?---She did, yes.

Could I then ask that you be shown volume 6.7, page 186. This is, I want to ask you some questions about some other text messages further on to this exchange that I took you to just a little while ago, okay. So if you pick it up from the, where those thumbnail pictures are and just read those messages that appear on the rest of the page to yourself.---So where am I starting from?

Just start from, just this message here where the hand is, and read down.

10 ---On both knees, yep. Yep, I can, I've read them.

So the last message is, well, the message is that basically Ms Li is saying, "Michael," and I want to suggest to you it's Michael Gu, "has already arranged tonight," being the night of the 2nd. Do you accept that as what Ms Li is saying to you?---Well, I can see a message out here if you want me to read it out aloud, I'm happy to do that.

No, I don't want you to read aloud. I was just going to ask you, is that – does this exchange now assist you with your recollection of what happened in Shanghai?---No, not at all.

Then Ms Li says, "And he's fully arranged for tomorrow and we leave for Nanjing on the fourth morning." See that?---Um - - -

The last message on the page.---Yeah, yeah, I do, yeah.

So this is just, these are text messages before that WeChat exchange group. You see all that?---I do.

30 So this is leading up to the discussion about the trip to Nanjing, which has been arranged, correct? You accept that?---I do, yes.

Just a couple of other questions. I just want to show you a couple of photos now. Go to volume 6.7, page 71. Just zoom in, please, and I want to show you the photo in the middle of the page. Just see the 43, pic 1. It's that one there.---Yes, yes, yes.

I'll take you to a bigger photo of that in a moment.---Yes, yes, yes.

40 But just note the date, 4 January, 2016.---Yes.

If we could go to page 86. So we have Ms Li in this photo, correct?
---That's correct.

Mr Tsirekas?---Mr Angelo Tsirekas, yes.

Mr Peter Thornton?---That's correct.

Yourself without a beard.---That's correct, yeah.

10 Mr Zhou?---I don't know his surname, no.

Sure.---I thought it was Kevin Fan.

Kevin Fan?---Yeah, yeah, yeah.

So, yeah, that's, that's - - ?---There's another, there's another Kevin,
Kevin. He's a different individual.

20 But this one's Kevin Fan?---Fan or Fang, something like that, yeah.

This is the trip out to Nanjing?---That's correct, yeah.

Mr Chidiac, I want to put this proposition to you. Put this proposition, it's
clear that the trip in January 2016, the purpose of the trip being organised
was to attend Harry Huang's wedding, do you agree with that?---No,
disagree.

30 Do you disagree with that, notwithstanding the exchange of text messages
that I took you to last Friday and today in relation to organising the hotel
accommodation and also the airfares, that took place in December 2015?---I
can't remember the questions you put to me on Friday, Mr Darams, but,
yeah, can't - - -

So what do you say? Do you say that before you attended Mr Huang's
wedding, this trip to Shanghai was already planned by you and Mr Tsirekas,
do you?---That's a possibility, yes.

40 No, I'm not worried about possibilities. I'm asking you for your evidence
on this, because what I'm suggesting to you is that the reason you and Mr
Tsirekas went to Shanghai in January 2016 was to attend Mr Huang's
wedding.---No, that's not my recollection, Mr Darams.

Okay. What was the purpose for your travel in January 2016?---Can I answer now?

Yes.---Okay. I know Angelo was struggling on a couple of fronts at home. His late father and his partner pulled me aside and said, “Look, Angelo’s in a, in a, in a dark spot at the moment. Need to have a chat to him and see if we can get him out of Sydney, take him on a trip.”

10 So when do you say you arranged this trip to Shanghai in January 2016?---I didn’t say that we arranged it in January 2016.

No. When do you say you arranged the travel which you took in January 2016? When did you arrange that travel?---That was seven years ago, Mr Darams.

When did you arrange the travel for January 2016?---We arranged it in 2015, Mr Darams.

20 When?---I can’t recollect.

How did you arrange it?---How did I - - -

Yeah.---How did we agree on going or how did he - - -

No, no. Did you arrange this travel?---Well, I did, yes.

Okay. How did you do that? Did you get on the internet, did you book the hotels, did you book the flights?---No, no.

30

What did you do to arrange this?---Well, in your evidence we all know how it was done. I - - -

Just focus. I’m asking you. You said you arranged this travel, how did you do it?---Well, I picked the phone up - - -

Who did you ring?---Belinda.

Right.---I said, “Belinda, I’m looking at going to China for a week or so.

40 We need a, we need a, we need a visa. Can you arrange a visa for us, or do you know anyone that can arrange a visa for us?” So she did that, got us a

visa. “Who’s the best travel agent to, to travel through?” She told us who it was, she, from memory and from your evidence, she volunteered to book. We paid and, again, from, from your evidence and going through my emails, asked her to, you know, to recommend a hotel. She recommended The Langham. I asked her to, if she could, she volunteered to book a couple of rooms for us and that’s how it was done, Mr Darams.

10 See, I want to suggest to you, Mr – well, what I want to suggest to you, Mr Chidiac, that you’ve just made that evidence up and the purpose of your travel and Mr Tsirekas’ travel in January 2016 was to attend Mr Huang’s wedding.---Are you calling me a liar, Mr Darams?

THE COMMISSIONER: No, he’s not doing that. He’s just putting to you a proposition.---Well, I deserve to spoken to with some respect and dignity, okay?

20 Mr Chidiac, you are not there to make comments. I think I made that clear. Let’s not have to go back over that, the format of how this Commission conducts its proceedings. Just briefly, you’ll recall I said Counsel or myself asks questions, the witness answers directly the point of each question. The witness does not make statements, the witness does not argue, does not put propositions back to Counsel. The witness has the limited role, answer questions. You remember we went through that on Friday?---We did, Commissioner. We did, yes.

30 We can make it a lot shorter, by the way, if witnesses stick to that process, otherwise you have to keep repeating the question and repeating the questions, repeating the question before you finally get the witness to answer the question. It just takes time.---Noted, Commissioner.

It also doesn’t make the witness look good, it makes the witness look defensive sometimes and you then, you know, that’s not good for the witness who is trying to give honest evidence, truthful evidence, one hopes. Do you understand?---I do, Commissioner. My apologies.

40 All right. Now, Mr Darams was putting to you a proposition and you can respond to the proposition by saying yes, no, but not by challenging him with statement such as “Are you challenging my honesty?” That’s not an answer. Let’s go back. Now we’ve lost a couple of minutes but maybe it’s worthwhile because I tried to convey the importance of a witness doing their duty to this Commission. Now, Mr Darams is going to put again. Would

you listen to it this time?---I will, Commissioner. My apologies, Commissioner.

That's all right.

MR DARAMS: What would you say if it was suggested to you that in fact the purpose of your trip and Mr Tsirekas' trip in January 2016 was to attend Mr Huang's wedding?---Can I answer now, Mr Darams?

10 Yes.---I disagree, Mr Darams.

What if it was suggested that in fact your evidence that you had arranged this trip for yourself and Mr Tsirekas, other than to attend Mr Huang's wedding, was not true? What would you say about that?---I disagree with you, Mr Darams.

THE COMMISSIONER: Can I ask you this. Was one of the purposes of going to Shanghai in January 2016 to attend the wedding?---I think that would have been a coincidence, Mr Darams. That probably wasn't one of
20 the motivating factors, yes.

One of the motivating.---Yes, yes, yes.

MR DARAMS: I need to, Chief Commissioner, to ask some questions about the compulsory examination on 25 March, 2022 so I would ask the Commission if it could revoke the section 112 direction that was made on 25 March, 2022.

THE COMMISSIONER: That's the whole of the transcript?
30

MR DARAMS: The whole thing, please.

THE COMMISSIONER: In respect of the evidence given on 25 March, 2022, in the compulsory examination held on that date, I made a direction under section 112 of the Independent Commission Against Corruption Act. On application by Counsel Assisting, I revoke that direction.

40 **VARIATION OF SUPPRESSION ORDER: IN RESPECT OF THE EVIDENCE GIVEN ON 25 MARCH, 2022, IN THE COMPULSORY EXAMINATION HELD ON THAT DATE, I MADE A DIRECTION**

**UNDER SECTION 112 OF THE INDEPENDENT COMMISSION
AGAINST CORRUPTION ACT. ON APPLICATION BY COUNSEL
ASSISTING, I REVOKE THAT DIRECTION.**

MR DARAMS: Could I ask that Mr Chidiac be shown page 958 of the transcript. I draw your attention to the questions that start at about line 5. ---I only see, line 5 from the top, Mr Darams?

10 Yes. So where you see my name. Do you see the first reference to my name?---Yes, yes, yes, yes.

Can I just ask you to read to yourself from there down and I'll come back and ask you some questions.---So you want me to read the whole page. Is that correct?

That's right.---Yeah. Yes, read it.

20 Do you accept that it was clear, Mr Chidiac, that when you and I were, when I was asking you these questions on 25 March we were talking about this trip in January 2016 to Mr Huang's wedding?---Put that question to me again, Mr Darams.

Do you accept that when I was asking you these questions on 25 March, 2022 I was asking you about your travel to Shanghai in January 2016 when you went to Mr Huang's wedding?---I had got the wedding date mixed up. Like I said to you in previous evidence I've been to two weddings in China. The day that you questioned me in March I have got the weddings mixed up. My understanding at the time was Harry's wedding was the trip in
30 August it wasn't the trip in January but you refreshed our memory back then and, yeah, I'd agree with you.

So just let me follow on from that explanation. So do you say when you were giving this evidence here in answer to these questions about meeting Belinda you were talking about some other occasion, were you?---No, I'm not saying that at all.

40 What occasion were you talking about then?---See that exchange here that's in front of me on the screen between yourself and me, I'm not sure of the, what sequence in the, in the, in the questioning you've, you've plucked that page out of.

Well, let's just go back to the question. So the first question I asked you, what I say to you is just before the luncheon adjournment. I was asking you some questions about your trip with Mr Tsirekas to Shanghai in January 2016. See that?---I do, yeah.

Then you said something about your hearing not being the best. Then I repeated it. So question, I said, "We were talking about your trip to Shanghai with Mr Tsirekas in January 2016. That's right?" You said, "That's correct." Then I asked you, "Did you meet with anyone on behalf or employed by IPG on that trip?" Then you say, "I can't recall meeting with anyone, no." See that?---I do, yeah.

Well, see, I want to suggest to you you did actually meet with people on behalf of IPG on this trip. What do you say about that?---Mr Darams, what's in front of me, that was my recollection at the time. It was seven, it was 2015. That was my recollection.

So you're saying - - -?---I've had the opportunity to go over my emails, read your transcripts, see exhibits. So where I sit here now, my memory of the 2016, January 2016, is a lot better than what it was when you were trying to, attempting to interrogate me.

So do you say now that your recollection of this trip in January 2016 is better, is that right?---Well, you've made, you and this Commission have made it clearer, yes.

So the answer is yes, your recollection is better?---Yourself and the Commission have made it clearer, yes.

Then you said a couple of questions down in answer to this, "Did you meet up with Belinda?" And you said, "I think Belinda was fly, fly in, was travelling through Shanghai. We might have had a quick coffee together, yeah." See that there?---That's my recollection, yes, at the time.

What if it was suggested that in January – what if it was suggested that that evidence wasn't truthful, Mr Chidiac? Because you knew that Ms Li in January 2016 wasn't just a fly in, fly in or catching up for a quick coffee? What would you say about that?---Mr Darams, that was my recollection at the time. I was trying to do my best and, I was trying to do my best, I was

trying to cooperate. That was my answer. That was my evidence at the time.

THE COMMISSIONER: In any event, the answer that you gave then is, according to your present recollection, was not the position, is that right?
---Sorry, Commissioner, can you just simplify that?

Okay. I think your answer that you gave in the compulsory examination on 25 March, which you've just been taken to, doesn't accurately record the
10 extent of the meetings and contact you had with Ms Li in Shanghai in January 2016. That answer doesn't - - -?---I mistakenly recollected.

Yeah, I'm saying you're saying now you do - - -?---Yeah, yeah, yeah, yeah.

- - - recall more than you did then?---Yeah, yeah, absolutely, absolutely.

So what I'm putting to you is when you said you just saw Belinda fly in, fly out, that answer doesn't fully disclose what did happen because I think today you've accepted that you met with Belinda Li - - -?---That's correct.
20 That's correct.

- - - at Shanghai and sat down with her. Sometimes Mr Gu was there. That right?---That's correct, Commissioner. But on trips she was fly in, fly out, Commissioner. These trips that I was in Shanghai where she'd just fly in, fly out.

MR DARAMS: Likewise the – I'll move on in a moment. I just want to ask you for your evidence about the second-last question. So then "The purpose of meeting with Belinda when she was travelling through? What
30 was that?" You said, "Just to catch up, coffee." Do you accept that that response, based upon seeing further evidence, isn't fully accurate? Would you agree with that?---No, that's, that's, that's very accurate. We, we, we never discussed business while we were overseas. That wasn't the purpose of going overseas.

That's not what the question was on that occasion. I'm just suggesting to you that when you met Ms Li in January 2016 in Shanghai, it wasn't just to catch up, coffee.---We might have had a few dim sims together, yeah.

40 You might have also travelled outside Shanghai to Nanjing together, correct?---Well, that's very obvious now, Mr Darams, yeah.

Can I just ask that you be shown page 968. I'll just draw your attention to the questions that start about line 31.---Are you asking me to read it?

Yeah, read just to yourself to the end of the page.---Yep, I've read it.

Do you, in light of the evidence I've taken you to today and taken you to on Friday, and the other evidence you might have seen, do you still stick with your answers that you gave to the Chief Commissioner's questions, that it was entirely - - -?---What was his, what was his question again?

Well, I'll break it down.---Please.

This first question, that you and Mr Tsirekas were going to Shanghai in January 2016 and that it was just coincidental that Mr Huang was getting married at that time?---Sorry, what's your question, Mr Darams?

The question is that you and Mr Tsirekas were going to Shanghai in January 2016 and it was just a coincidence that Mr Huang's wedding was on that at that time?---Well, I could have chosen my words a little bit better than, than that, Mr Darams. If I had my time again I probably would have chosen my words a lot better, yeah.

What words - - -?---That was, that was my, that was my recollection at the time.

What word would you choose, Mr Chidiac?---We were going to Shanghai, China, regardless whether there, there was a wedding on or not. That was out aim, was to go in Shanghai first, you know, early January, okay, that was always, that, we were always going to do that. That's, that's my recollection and - - -

And following on from that, you would say your evidence is that the purpose of your trip in January 2016 was not to attend Mr Huang's wedding?---Not purely from my recollection, not purely, yes.

Could I ask that the witness be shown volume 3E?---Is that the invitation, Mr Darams?

40 THE COMMISSIONER: Just wait. He hasn't put a question yet.---Thank you, Commissioner.

MR DARAMS: Page 44. If you need me to do so, Mr Chidiac, I'll take you to the other pages of this agreement, but are you able to say one way or another from the first page whether this is the agreement that you had with I-Prosperity in relation to the provision of your services to it in respect of its development or proposed development in Rhodes West?---Sorry, what's your question, Mr Darams? You've confused me there.

10 Are you able to tell from reading this first page whether this is the agreement between you and I-Prosperity in relation to you providing a service to it for its development in Rhodes West?---Mr Darams, so we can all be - - -

THE COMMISSIONER: No, just answer the question.

MR DARAMS: Can you tell from the first page or do you want me to show you the rest of the document? It's simple.---Yeah. Yeah, no, no. That, that's an agreement, that looks like an agreement between I-Prosperity and myself.

20 THE COMMISSIONER: All right. We might take the morning tea break and come back to it, Mr Chidiac. So I'll take the morning tea adjournment.

SHORT ADJOURNMENT

[11.28pm]

MR DARAMS: (not transcribable) 44 of Volume 3E. Mr Chidiac, just before the adjournment what I was asking you is whether you're able just from the first page to identify whether this is the agreement between you and I-Prosperity in respect of the services you provided them in relation to their development at Rhodes West. And if you weren't from the first page able to tell me that, I'll show you the rest of the pages. I'm just trying to cut down on the timing that's all.---That is, yeah.

Yeah, that's it.---I'm familiar with that, yeah.

Is it the case you only had one written agreement with I-Prosperity in relation - - -?---One, one written agreement, yeah.

40 Did you have any other oral agreements with them?---I did, yeah.

When did you have this other oral agreement or oral agreements with them?---Verbal agreement. The verbal agreement was between Michael Gu and myself I think early 2016, Mr Darams.

What was that in relation to?---Property they needed to purchase in 1 Marquet Street or the property is 1 Marquet Street, yeah.

10 What were the terms of that agreement with Mr Gu?---It was a verbal agreement.

Yeah, but what were the terms of the verbal agreement?---Can I go into details or - - -

20 Yeah. I'm asking you the terms of it.---Yeah, okay. After they'd taken an option on four properties in Mary Street I think it was they, well, it was, it came to their attention or they realised that to be able to put a, what they call a planning proposal I think or a DA they needed to buy 1 Marquet Street. They were, when I say "they", I-Prosperity or what it was explained to me was that they were dealing with Andrew Ferguson on behalf of B1 and they were being, when I say "they", B1, Anne Bi and Andrew Ferguson were being very difficult in negotiating terms and conditions. There were threats made to Michael Gu that life - - -

I just want to stop you there. I just want to focus, not the back story. I just want to focus on what you say was this oral agreement and the terms of the oral agreement in relation to this I think what you say purchase of this - - -? ---1 Marquet.

30 - - - 1 Marquet. Can you just identify what were the terms. What did you agree to do, what did they agree to pay you if they agreed to pay you anything, that is I-Prosperity?---They, Andrew Ferguson and B1, I'm answering your question, Mr Darams.

Sure.---Wanted eight, or wanted some ridiculous figure. I think from memory it was about \$8.2 million for the, for 1 Marquet Street. Okay. Basically, yes, that's, that's, that's, that's the price they were asking. He asked for my, my, my take on it because - - -

40 Mr Gu asked for your take on it?---Yeah, yeah. That, that might have been in late 2015 when we first, when we first met. Asked for my, my opinion

because he'd been told I was involved, Andrew Ferguson and myself were involved in purchasing the property 1 Marquet Street for B1. He'd heard that I, I managed to buy that property for, for B1 and he wanted my, my assistance. He was willing, again from just, from, from what I can recollect back in 2015 they're asking \$8.2 million. They were happy to pay, you know, close to \$8.2 million or the asking price but just couldn't agree on the settlement terms. He asked me my, my, my advice. I said, "Look, I, I purchased that property for them myself, I helped them buy that property through a, the local real estate agent for about close to \$4 million and
10 they've only had it for a year or so." So the asking price was, was, was, far as I was concerned, was ridiculous. I said to him, he asked me if I could help negotiate and I said "Yes." He offered me, he said whatever I can, whatever he can save me, whatever – sorry. Whatever I can save him, whatever money I can save him from \$8.2 million downwards, whatever the, the end price is going to be, he's happy to give me 50 per cent of that. That was our verbal agreement.

Did you save them an amount of money between the purchase price that was being asked, I think you say on behalf of B1, and what ultimately I-
20 Prosperity agreed to pay?---Well, the evidence was, the evidence that I got would suggest the, the price they paid was \$6.2, I saved them \$2 million.

So on the terms that you've just outlined, the terms of this verbal agreement, you got another \$1 million, did you?---No. That's, that, that, that, some of that money is still outstanding.

How much is outstanding?---I can't give you the exact figure, Mr Darams, but close to 800,000.

30 When did they pay you and how much did I-Prosperity pay you of this verbal agreement?---The verbal agreement, there was an invoice that I submitted for about \$170-something-thousand and I know in the compulsory examination I'd stated that was money in advance. But after going through some emails that I had, from memory, I think that, that was also, that was, that could have been the fact that I was successful in verbally negotiating a figure. I mean, I, I can't recall if that, the property was exchanged then but I think they must have shook hands on, on, on 6.2 million. Oh, actually, they might, I might have brought it down to \$7.2 million by that stage. Again, the timeline, Mr Darams, was, it was seven
40 years ago, it was, I'm doing my best to recollect.

Back to the written agreement with I-Prosperity, do you just note on this page here the agreement started on 1 December, 2015?---Yes, yes, I do, I see that.

Is it the case that that's the time that you were provided, you commenced providing your services under this agreement to I-Prosperity?---I, I would have to refer it to my invoice, Mr Darams.

10 If I could ask in that regard that you be shown volume 1B, page 4. This appears to be the first invoice you sent to I-Prosperity, Mr Chidiac.---What makes you think it's the first invoice, Mr Darams?

Because there are no other invoices produced, or that we have, before this date.---Mr Darams, there was multiple invoices. I don't think I was, I was able when you, when you asked for invoices - - -

Well, let's just focus on this here. Let's have a - - -?---You, you would have to go to my bank account and see what's gone in.

20 Yeah. So let's just look at the consulting fee description. So it looks like you've charged I-Prosperity for two months, being December 2015 and January 2016, is that how we understand that?---That's what I see in front of me, Mr Darams, yes.

So did you prepare this invoice?---No, Mr Darams.

Who prepared the invoice?---It could have been my nephew or my daughter.

30 When I asked you who prepared it and you've given that answer, do you mean they actually typed it up or they produced it on the computer?---That's correct, yeah.

Presumably you would have given them the information, whoever did it, to include in the invoice though?---I would have given them the date and amount, yes.

40 So if we see that this invoice refers to a consulting fee for December 2015, then we look at the contract with I-Prosperity which says it started in 1 December, 2015, my question I asked you before, is it the case that you started providing your services under that agreement from about 1 December, 2015?---I, I can't recall the timing, Mr Darams. But if you have

a look at the contract, the contract wasn't signed until about a year and a half later.

Are you suggesting that you were providing these services to I-Prosperty before December 2015?---I'm not suggesting that at all. What I'm suggesting was the, the, there was no signatures on the contract till I think some, sometime in 2016, maybe 2017. So there was, there was an agreement. There was a draft agreement, yeah.

10 Well, in any event you felt that by 1 February you had earned or provided services to I-Prosperty that enabled you to invoice them for work in December and January 2016, is that right?---You say 1 February?

Well, the date of this invoice is February 1, 2016.---Yes, I can see that, yes.

What I'm suggesting to you is that whatever was the status of the agreement that I took you to before, the written agreement, you believed by no later than 1 February, 2016 that you were working under that agreement or providing services to I-Prosperty such that you could invoice them for that, correct?---After February 1, is that what you're saying?

No, by no later than February 1.---Well, according to this invoice I was providing a service to them from 1 December, 2015.

Unless there's an invoice that predates or invoices for work done in, let's say, October or November 2015, it's safe to assume that that's when you started providing your services to I-Prosperty, that is from December 2015, isn't it?---Well, they're your words, Mr Darams, so I, I disagree with you, Mr Darams.

30 THE COMMISSIONER: Do you agree? Do you agree?---Just ask that question again just to make sure.

Just listen to the question so it doesn't have to be repeated time and time again.

MR DARAMS: Unless there's another invoice or some other record that shows that you invoiced or charged I-Prosperty or they paid you for work done in October or November 2015, it's safe for us to assume that you started providing your services to I-Prosperty under this agreement with

them, irrespective of when it was signed, from December 2015, isn't that right?---If there's no other invoices, yes.

You don't, when you've gone back and looked through your records, you can't find any other invoices? Have you been able to?---I haven't gone back, no. Recently, anyway. The, can I - - -

THE COMMISSIONER: No, just leave it at that.---Thank you, Commissioner.

10

MR DARAMS: Is it the – just back to the invoice question, though. Whoever prepared the invoice did that based on information you must have given, then, so that they could fill it out or prepare the invoice?---I would have given them the dates and amount, yes. It might have been a template there.

Just focusing on December 2015, what did you – can you recall now what services you actually provided to I-Prosperty in that month? What did you actually do?---I was their consultant.

20

In terms of your consulting, what did you actually consult on?---2015, Mr Darams. It's seven years ago. Do you want me to have a guess? Is that what you're asking me to do, Mr Darams?

THE COMMISSIONER: Just tell us the truth. What were you doing when you first started working as a consultant?---I was providing a service to them.

30 Yeah, what services?---I was, I can't remember the exact date, but I introduced them to a town planner.

What services?---I introduced - - -

Introduction to a town planner?---Town planner.

Who was the town planner?---David Furlong.

David Furlong, yeah.

40 MR DARAMS: What else did you do other than just introducing Mr Furlong?---I, any issues they had, they came to, to me for it.

THE COMMISSIONER: What sort of issues?---Well, there was multiple issues.

Yeah, tell us what they were.---Okay, some of the issues they had was trying to get to B1 and Andrew Ferguson to, to convince them to sell the property to them.

10 MR DARAMS: I thought you said you had a verbal agreement with Mr Gu about that work.---No, we had a verbal agreement regarding the amount of, the amount that's going to be paid, yeah.

In relation to that work about the issue we just went over before was about B1 and 1 Marquet Street, correct?---I had a verbal agreement on, on the amount or the fee that I'll get paid if I was successful in reducing the amount of money B1 and Andrew Ferguson was asking for 1 Marquet Street.

20 Well, just focus on, let's – moving on. What about January 2016? What services did you provide to I-Prosperity in that month?---Well, I was on call to provide any service they needed for that four properties they had, that project they had.

Was a part of your services or what you told I-Prosperity you could provide was your relationship with Mr Tsirekas and access to Mr Tsirekas?---No.

30 Was it part of your services that you were providing I-Prosperity and that you told them you could do was that you would arrange meetings with Mr Tsirekas so that they could, that is I-Prosperity could discuss their planning proposal or proposed development in Rhodes West?---I can't recall ever saying, using the name Mr Tsirekas, no.

THE COMMISSIONER: Well, what do you recall - - -?---Well, I explained to them - - -

- - - saying to I-Prosperity what you could do in terms of contacting or meeting Mr Tsirekas in relation to this huge project that was on the books? ---Commissioner, they seek me out, okay, and they - - -

40 Just tell me.---They seek me out and they knew that, or they were told that, that I could put building, development sites together for them, that I can

introduce them to professionals, that if they've got any issue on whatever, you know, whatever issues they have that I, I'm happy to sit around a table and discuss their needs and wants and, and try to solve whatever issue they've got. And they, they, they ended up having multiple issues.

At the time you entered into this contract or arrangement with I-Prosperity in relation to their proposed development at Rhodes you had no training or experience in development projects of the kind that they were proposing. Is that summing up accurately?---I had no planning background,
10 Commissioner.

No. The proposal that they were wanting to proceed with was a very substantial development, wasn't it?---It was, yes.

A multi-tower building.---It was high rise, Commissioner.

High rise. And plainly a development of that size and complexity would require skilled consultants, architects, engineers, town planners, and so on. Is that right?---That's right, Commissioner.
20

And I-Prosperity I daresay did engage consultants of that kind to help them put the proposal together.---They did, Commissioner.

Yep. And of course I've only named three but there would have been I daresay many consultants required for a project this size. Is that right? ---One would assume so, yeah.

You were being taken on as a consultant also you say for this project. ---That's correct, yes.
30

What in a project of this size and complexity did you have to offer I-Prosperity which would warrant them paying you as a consultant?---Well, they obviously knew what services I provide.

I'm asking you what services as a consultant in a project of this size and complexity were you to provide for I-Prosperity?---Are you're asking me to tell you what I ended up providing, Commissioner? Is that what you're asking me?

40 No, no, no. Please listen to the point of the question and we'll get through it and I don't have to repeat it multiple times as I've previously told you. You

said that I-Prosperity had engaged a range of consultants in various specialities, architects, engineers, town planners and the like. Is that right?
---That's correct, yeah.

And they also took you on as a consultant.---That's correct, yeah.

Right. What services did they want you to provide to assist in the development of this complex project?---Well, they wanted me to help them navigate through the actual process.

10

Navigate through the actual process.---Yes.

What process?---Well, whatever they're intending to do. Put, whether to put a DA or put a planning proposal.

But DAs and planning proposals would be the work of a consultant such as town planners, architects and engineers, wouldn't it?---And advocates, yes.

And?---Advocates.

20

Advocate?---Yes.

Advocate for what?---Advocate on their behalf whatever issues they have.

Advocate to whom or to what institution?---Well, in I-Prosperity case I advocated on, through a bank, quite a few bankers, town planners. I convinced David Furlong to take them on as a client. If they ever hit a brick wall I, I would seek the Mayor, Angelo Tsirekas's help tell them how they've been unfairly treated by staff and the delay in the actual process of their application, the application, yes.

30

I-Prosperity were agreeing to pay you substantial fees, weren't they, for your services as a consultant?---Well, Commissioner, they were prepared to pay me \$20,833.

I'll put it to you again. As at December 2015 and early 2016, the amount of fees that they had agreed to provide you as a consultant were substantial, were they not?---Well, it depends who you ask, Commissioner.

40

I'm asking you.---I thought they were a price at the time, yes.

No, no. Substantial fees they agreed to pay you, correct?---I think that it's a fair price, Commissioner.

Yeah, substantial in amount.---Well, it's, depends who you ask, Commissioner.

I'm asking you.---Well, that's, that's - - -

10 Can't you agree with the simple proposition, you've looked at the invoices and in fact it's on the screen now, that they agreed to pay you substantial dollars?---Commissioner, there's, there's clients of mine who've paid me - - -

Would you just answer my question?---I, I'm trying to, Commissioner.

No, no. Well, just do it directly.---I'm going my best, Commissioner.

20 Would you agree – let me put the question again and don't interrupt, please. In December 2015 they agreed to pay you a sizable amount of money, didn't they, for your consultancy?---They agreed to pay me \$20,833.33, Commissioner.

Which was a substantial amount, wasn't it?---Well, it depends who you ask, Commissioner.

I'm asking you.---I don't think it was substantial, no.

You don't think it was a - - -?---No, I don't.

30 So you answer, on your oath, to me is "No, they didn't agree to pay me a substantial amount of money for the period in December 2015"? ---Commissioner, they - - -

No, no, please. Is that what you're saying?---What was the question again, Commissioner?

40 They did not agree to pay you a substantial amount for your work in December 2015, is that your answer, on your oath?---They agreed to, they agreed to pay my fees, Commissioner.

No, that's your answer – would you answer my question and stop avoiding it? On your oath are you saying that to me, that they did not agree to pay you a substantial amount for December 2015?---Well, if you think - - -

And January 2016? Answer that question or otherwise - - -?
---Commissioner - - -

Or otherwise you will be soon in contempt of this Commission, sir.
---Commissioner, if you think it's - - -

10

No, answer the question. Would you agree it was a fairly substantial amount?---It was a large amount, yes.

Thank you. I don't know why it's taken 10 minutes to get to that point but nonetheless we've arrived.

MR DARAMS: Mr Chidiac - - -

20 THE COMMISSIONER: Just one other – why were they agreeing to pay you as a consultant when you had no experience as a town planner, no experience in high-rise development, why were they agreeing to pay you large amounts of money in relation to this project?---(NO AUDIBLE REPLY)

Answer the question.---Well, you might have to ask them, Commissioner.

What was your understanding as to what you had to do to earn that large amount of money?---They obviously could see talent, they looked at me and they see talent and I've got a good track record.

30

Sorry, seek talent?---They could obviously see talent in mem Commissioner. They'd obviously heard - - -

To do what, talent in what direction?---Well - - -

40 You were not a trained town planner, you've told us, you were not an engineer, you were not an architect. You had no qualifications in planning. So what was it that they were paying you for?---Well, they've obviously seen my record, what I was capable of doing on previous projects and, you know, after they'd met me then obviously thought that I can deliver what they wanted.

On previous projects? You didn't have any qualifications for previous projects you've told us.---No, no, no. I, I don't have any university degree if that's what you're asking. I was never given an opportunity to go to university, no.

You told us you're not a planner.---I'm not.

10 And you had no skills in the area of construction, building construction work, is that right?---That's correct, yes.

No experience in architectural work?---Yes.

No experience in quantity surveyor work?---Yes.

You mean, no, you agree, you did not have?---No, no. I'm agreeing with you, Commissioner, yes.

20 You had no qualifications, isn't this the position, as at December 2015, in relation to high-rise development of any kind, isn't that right?---None of those qualifications you've listed, no.

Well, what qualifications do you say you brought to bear on this project? ---I've got the ability to resolve issues. I resolve issues, I can get, I've got the ability to get people around the table and be able to communicate.

30 People such as whom?---Everybody. I, I can get bankers around a table, I can get union officials around a table, I can get councillors around the table, I can get local business people around the table, I can get your mum and dads around the table.

Would you agree that you put yourself forward as a wheeler-dealer?---No, that's a bit harsh, Commissioner.

Lobbyist?---Absolutely not.

Advocate?---Intermediary, Commissioner.

40 Intermediary in this case for whom? Between whom?---Between, we're talking about I-Prosperity here, I-Prosperity and all their people they had to deal with. All the entities they had to deal with.

All I-Prosperity people, are you saying?---No. No, all the people that I-Prosperity were required to deal with.

Had to deal with.---I would attend with Belinda to a meeting with David Furlong, help with, with planning the meeting. Her communication skill, I suppose, wasn't, wasn't the best, or that's what she thought anyway. Helped her put emails together. I introduced her to bankers when she needed funds. Okay, I introduced – yes, anyway.

10

And what sort of things in relation to council, as you've said before? As an intermediary, I mean.---Commissioner, when they - - -

No, just tell me. In relation to – you told us about bankers and so on. But in relation to the intermediary work that you say you could offer them with, say, council, what sort of intermediary work?---Well, I could get Belinda and whatever individual on council she needs to talk to, I can get them around a table.

20

Well, who did that include?---Well, I managed to get Mayor Angelo Tsirekas on a couple of occasions around the table, where she complained about the actual process.

And did you communicate with him from time to time in relation to I-Prosperity about matters, whether it be by email or telephone?---I communicated to Angelo on numerous projects, including mums and dads.

No, I'm talking about this project, the I-Prosperity project.---Yes, yes, I did, I did, I did, yes, yes.

30

Leave mums and dads alone.---Yeah, yeah, yeah, okay.

Not going to deal with mums and dads, fortunately, in this Commission. ---Yep.

So you're saying the means of communicating with Mr Tsirekas was either by the usual forms of communication, telephone or emails or face-to-face? ---Face-to-face. Yeah, all of the above, Commissioner.

40

Okay. Mr Darams.

MR DARAMS: Mr Chidiac, what if it was suggested that the services that you could provide and did provide to I-Prosperty was, in effect, access to Mr Tsirekas? What would you say about that?---No, I disagree with that. Angelo Tsirekas had an open-door policy. Anyone could approach him. Anyone could get a meeting with him.

What if it was suggested that the services you were providing for I-Prosperty was that you were able to lobby the council on its behalf, but predominantly Mr Tsirekas? What would you say about that?---No, I
10 wouldn't use the word "lobby", Mr Darams.

You would use the word "intermediary", would you?---Yes.

What's the difference?---You tell me, Mr Darams.

Well, you - - -

THE COMMISSIONER: No, he's asking you.

20 MR DARAMS: What do you say is the difference?---Well, a lobbyist, normally, one, you've got to be a registered lobbyist. I was never a, I was never a lobbyist. And to be an intermediary you don't have to be registered. A lobbyist, a lobbyist normally, you know, engage local government, State Government and Federal Government. I never engaged or advocated on behalf of anyone at a state level or federal level where - - -

But this project in relation to Rhodes West was being dealt with by Canada Bay Council, though, correct?---And the State Government.

30 But you were – the planning and the planning control was under control of the local council, correct?---And the State Government.

Continue on, please, with what else do you say is the difference between the lobbyist and the intermediary?---That's, that's, that's my, that's my answer, yeah.

That's the difference, yeah, I see.---That's my short answer.

40 Could the witness be shown volume 6.7, page 198. We're back to the exchange of text messages or messages between you and Ms Li here, Mr Chidiac, and I want to ask you about a number of these messages, okay? So

if I could just draw your attention to the message on 23 January, 2016 at the bottom of the page. It starts – see this one here at 231, “Are we still catching up Tuesday?” That’s a message from you to Ms Li. Do you see it?---Yes.

Ms Li responds, “Yes.” Then you say, “Okay. Angelo will be joining us.” Just stopping there. Angelo is obviously Mr Tsirekas.---Yes, yes.

23 January, 2016 we see from the invoices that you’ve invoiced them for work done that month. Correct?---I invoiced them every month from 2015 onwards.

From 2015 onwards?---From, yeah, December 2015 onwards.

So you’re obviously on their payroll at this stage, that is I-Prosperity. Correct?---I was getting, my invoices were getting paid from I-Prosperity

Providing services - - -?--- - - - sometime in 2015, yes.

Providing services to them under that written agreement at this stage. ---Under that written agreement, yes.

So why do you say in relation to Ms Li that Mr Tsirekas would be joining on that catch-up?---Why was I saying that?

Yeah.---I can’t recall why I said that but, can’t recall why I would have said that, no.

Isn’t the simple answer and the truthful answer that you were demonstrating the services you were providing to I-Prosperity, that is bringing Angelo along to a meeting with I-Prosperity?---I didn’t have to demonstrate anything, Mr Darams.

THE COMMISSIONER: No, no, please.

MR DARAMS: Isn’t that what - - -

THE COMMISSIONER: You may not have had to but were you?---No, Mr, no, Commissioner.

Why would you be, why would Mr Tsirekas be joining you and Belinda?
---I enjoyed his company, Mr Darams, believe it or not.

MR DARAMS: But why would he be joining, as the Chief Commissioner asked you, why would he, Mr Tsirekas, be joining you when you were going to meet with Ms Belinda Li?---Well, the same reason why I had Mr -
- -

10 THE COMMISSIONER: Just tell us, please. What was the reason?---I've got no reason, Mr, Mr Darams.

There had to be a reason so what was the reason?---I can't recall what was the reason back then, Mr - - -

Was it to do with how many storeys, 50 levels for this building?---No, not
- - -

20 Was it to do with the look of the building or was it to do with some other aspect of the proposed building?---No, Commissioner.

MR DARAMS: It was about the proposed development though, that's what you were talking about.---No, I wasn't saying that at all, Mr Darams.

What is it about then?---I can't recall what it was.

THE COMMISSIONER: Why wouldn't it not be about the project that I-Prosperity had engaged you as a consultant for?---We, we, normally when Angelo and I go out to dinner or coffee we try not to talk about DAs - - -

30 Mr Chidiac, we're not talking about what you normally do. We're talking about this particular arrangement that was being made. There was, the three people to be there was Belinda Li, she was I-Prosperity, it was you, consultant to I-Prosperity, and it was Mr Tsirekas, the mayor.---There could have been other people as well, Commissioner.

40 And Mr Tsirekas as mayor. So this was looking at a meeting of three people, two of whom were associated with I-Prosperity. Would you agree that from your recollection, I ask you to draw on your recollection now, that in all probability the meeting was to catch up on something to do with the I-Prosperity project, even if you can't remember what aspect?---Not necessarily, Commissioner.

No, I'm putting to you on the probabilities. Was that the reason that was had in mind to have a catch up together?---So you want me to choose between a possibility and a probability, is that what you're asking me, Commissioner?

Well, possibility, yes.---What's the difference between possibility and probability?

10 No, no, no, you don't ask questions of me. You remember that's the rule?
---I do. I do, Commissioner.

Yeah. Just answer the question on your oath, truthfully, directly to the question.---I can't recall, Commissioner.

MR DARAMS: What if it's suggested to you, Mr Chidiac, that bringing Mr Tsirekas along to the meeting with Ms Li, the only thing that had to do was in order to discuss with Ms Li the proposed development for Rhodes? What if that was suggested to you that's the only reason Mr Tsirekas was
20 coming along?---Absolutely not.

Could you just follow this text message exchange onto the next page. Just go to the beginning. So you've asked Ms Li about the restaurant. Then scroll up to the top of the page. Which page are we on? So, yeah, down the bottom of the page. "Would you be able to pick a restaurant?" Do you see that? Do you see that, Mr Chidiac?---Yes, yes, I see that.

She says, "Great." Go over to the next page, please, and pick it up at the beginning. You're telling her she could pick the restaurant and I want you
30 just to read down to where you get down to the message "Okay." Which just says "Okay" at 8.39?---There's a few okays there, Mr Darams.

The one that says, the only one that says "okay", that there.---Yes, yes, no, no, this one said, okay, yes, yes, I see that.

So having read that, there are a couple of things I want to ask you about it. See the message where Ms Li says on 23 January, 2016, 8.29, "Can we reschedule? I'm waiting Michael confirm the time"? See that?---Sorry, just show me that – yes, yeah, yeah, yeah, yep.
40

The reference to Michael you understood to be Michael Gu?---I do, yeah.

So you understood from this exchange, obviously, that Mr Gu was going to be at this meeting as well?---That's correct, yeah.

Then you say, the next one down, "Okay, what day?" And you also then say, "I need to make sure Angelo doesn't have something in his diary." So that sort of suggests, doesn't it, Mr Chidiac, that you were – it was important for Mr Tsirekas to be at this meeting?---It was, yes.

10 Well, why was it important for Mr Tsirekas to be at this meeting with Mr Gu and Ms Li and yourself?---Because – can I answer?

Yes.---Yeah. My initial motivation with Michael Gu is to get him to sponsor the West Tigers.

THE COMMISSIONER: Please, would you just answer the question. Put it again.

20 MR DARAMS: Why was it important for Mr Tsirekas to be at this meeting with Mr Michael Gu?---Angelo and myself wanted Michael and I-Prosperty to sponsor the West Tigers because they were, they were sponsors of the West Tigers.

Can I – sorry?---They were sponsors of the West, one of Michael's companies used to sponsor the West Tigers and they've walked away. We're trying to get them back to sponsor the West Tigers.

30 Are you saying under oath that this meeting that was being arranged with Ms Li at a restaurant was for Mr Gu so that you and Mr Tsirekas could ask Mr Gu to sponsor the West Tigers?---Mr Darams, I can't recall this communication that you've shown me here, but on numerous attempts, that was our, that was our motivation is to get them to go back and sponsor the West Tigers. And the CEO of West Tigers will confirm that.

THE COMMISSIONER: Yeah, we're not talking about West Tigers in the sense that we're talking about you as a consultant at the moment talking to Ms Li about arranging to have this meeting with Mr Gu. What was the meeting about?---I can't recall, Commissioner. That was almost six, seven years ago.

40

MR DARAMS: Could I – if we go forward, please, to page 200. Pick up this text message exchange again. Midway through, down the bottom of the page, 25 January 2016, the one at 3.09. Just down the page, down the page. So this is you saying to Ms Li, “Let me know once Michael has confirmed what night we will be catching up.” See that?---I do, I see that, yes, Mr Darams.

10 ‘Cause then you tell him you need to put it in Angelo’s diary. Ms Li then responds, “I get back to you today. Is Angelo free this weekend?” And you say, “I will confirm ASAP.” And then Ms Li says, “Okay.” She tells you, further message down, “Harry and Michael left for Melbourne.” Just stopping there, Harry you understood to be Harry Huang?---I’m not sure of his surname but, yeah.

But Harry associated with I-Prosperity.---That’s correct, yes, yes.

“Will be back Friday night.” Then she says, you say that “We,” being you or, you and Mr Tsirekas, “could do Saturday or Sunday.” Is that right? ---Can you just point out the message again, Mr Darams?

20

“We could do Saturday or Sunday.”---Yeah, yeah, yeah, yeah, I see that.

The “we” is you and Mr Tsirekas?---I assume so, yeah.

Then a couple of messages down you say to her, “Yes, the sooner, the better. I had Angelo reschedule some of his appointments so he can join us.” So we can accept what you wrote there as being truthful, can’t we?---I think I was just probably bragging there, Mr Darams.

30 Well, why do you say you were just bragging there?---No one ever can change Angelo’s schedule.

That’s not what you say in the writing, though, Mr Chidiac.---That’s what I’m saying. I think I’m just bragging there, Mr Darams.

Well, I just want to - - -?---Self-promoting.

What if it was suggested that this text message was truthful, what would you say about that?---I would say I’m exaggerating a little bit there, Mr Darams.

40

What if it was suggested that what you were doing here, quite clearly, was demonstrating your ability to change Mr Tsirekas' diary to attend a meeting with Harry, Michael, two important people within I-Prosperity, what would you say if that was suggested to you?---Attempted to demonstrate that I had the ability, yes.

Well, what you're demonstrating to them is that you were able to follow through in how you sold your services to I-Prosperity, isn't that the case, Mr Chidiac?---No, no, not at all.

10

THE COMMISSIONER: Well, one of your services here is clearly getting Mr Tsirekas to reschedule some of his appointments so that he could meet with the I-Prosperity people. That's clear, isn't it?---That, that's what I'm suggesting in the message, yes, Commissioner, yes.

And it's one of the services you're able to provide?---That's right, yeah, but no-one could change Angelo's schedule.

20 That's one of the services you could provide, to get Mr Tsirekas, or Angelo to you, to reschedule his appointments so that he was then able to meet with I-Prosperity people, as mentioned in this exchange? Is that right?---Well, that, that was part of my role, Commissioner.

No, is that right, is my question? And I want an answer.---Yeah. Can you just ask that question again, Commissioner.

Is that right?---What, can you just repeat your question, please, Commissioner? I, I tapped out, Commissioner.

30 Okay, I'll put it a third time. This time you're going to listen very carefully, aren't you?---I am going to do my best, Commissioner.

No, that's what I want you to do.---I'm doing my best, Commissioner.

In this particular exchange you speak of having Mr Tsirekas reschedule some of his appointments so that he could join with "us", that is you and the I-Prosperity people, and that was one of the services you provided on this occasion for I-Prosperity, wasn't it?---It, it seems that way, yes.

40 And you would be acting in your role as a consultant to I-Prosperity? ---That's correct, yeah.

Okay.

MR DARAMS: Can the witness be shown page 201? Scroll up the top of the – oh. So just read from the top of the, the message on the top of the page, Mr Chidiac, just to the bottom. Sorry, not to the bottom, about midway through the page there, where it says, “I have booked tomorrow, then confirm.”---Sorry, what I am I looking at, Mr Darams?

10 Just read the exchange from the top of the page until the message there.
---Okay. Yes, I read it, yeah.

Do you accept that this, the exchange set out here, is demonstrating a similar thing, that is you’re trying to arrange this meeting, you’re demonstrating to Ms Li that you’re able to reschedule Mr Tsirekas’ diary?---Well, I would say self-promoting, yes.

When you send these text messages to Ms Li, you’re telling her the truth though, aren’t you?---I’m self-promoting, Mr Darams.
20

THE COMMISSIONER: No, please answer the question.

MR DARAMS: When you send these text messages to Ms Li, you’re telling the truth, aren’t you?---I would say I’m exaggerating a little.

THE COMMISSIONER: Would you answer the question? Now, put the question a third time. Listen to it.

MR DARAMS: When you send these text messages to Ms Li, you’re
30 telling the truth, aren’t you?---I’m not sure if I’m telling the truth there, Mr Darams.

Which parts are you lying about then?---Like I, I’m not lying.

Well, hang on. The difference between the truth and not the truth is a lie, isn’t it?---Not necessarily, no.

THE COMMISSIONER: Just put it again and I want this witness to answer it.
40

MR DARAMS: The difference between the truth and something that's not the truth, something that's not the truth is a lie, isn't it?---I wouldn't call it as a lie.

THE COMMISSIONER: Were you telling the truth when you were communicating these messages to Belinda Li, the ones on the screen now? ---I believe I was.

10 MR DARAMS: So you were able to demonstrate and tell Ms Li about you rescheduling Mr Tsirekas' diary so that he could attend this meeting with Mr Huang and Mr Gu and Mr Li, correct?---That's what these messages suggest, yes.

Go to page 207. We'll skip forward a little bit in time, Mr Chidiac, but if I can draw your attention to the middle of the page, that message, just the next one down, 29th. It's a message from Ms Li to you on 29 February, 2016.---29th?

Yes.---Yes, I see it.

20

Just read the rest of the exchange on that page.---I see that.

Just go over the page and then we'll come back to this page. Have you read that?---You want me to read this page, do you?

Just those three messages on the page and we'll go back to the preceding page in a moment.---Yes, yes.

30 So if we go back to the preceding page. Now, just picking it up again on this message from Ms Li to you on 29 February. "Joseph, does Angelo have time this Thursday night? Michael wants to introduce his investor to you." Now, do you remember this meeting or this dinner meeting that happened? ---I don't, Mr Darams, no.

Do you remember being at a meeting where investors were introduced to you and Mr Tsirekas?---I can't recall, Mr Darams.

40 Do you remember going to the Golden Century?---I can't remember going to Golden Century with Belinda, no. I've been to Golden Century multiple times but not with Belinda.

Was this another occasion, Mr – sorry, withdraw that. What if it was suggested this was another occasion, separate occasion, where you are, on behalf of the services you’re providing to I-Prosperity, you’re arranging for Mr Tsirekas to be present at a meeting with those on behalf of I-Prosperity? Do you agree with that, that’s what this demonstrates?---Well, that text exchange demonstrated that we’re planning to get together, yes.

With Mr Tsirekas as well?---With Mr Tsirekas as well.

10 I want to suggest to you, for your comment, that when you met up with I-Prosperity, that the topic of the conversation was the I-Prosperity proposal to redevelop its lands in Rhodes West. Would you agree with that?---I can’t recall.

But it seems likely that that’s what at least one of the topics of the conversation at this meeting, this dinner would have been, correct?---Not necessarily, no.

20 Well, I want to suggest to you that it would have been likely that at least one of the topics that evening or that dinner meeting was the I-Prosperity proposal to develop its land in Rhodes West. What do you say about that? ---Not necessarily, no.

THE COMMISSIONER: Is it possible that that was - - -?---Possible, Commissioner, yes.

30 MR DARAMS: Could the witness be shown volume 6.8, page 14. Now, again this is an exchange between you and Ms Li in a different format. Can I just draw your attention to the second message on the page. So this is a message from Ms Li to you. She said, “Stephen wants a meeting with the State Planning Department because David is very conservative.” Now, when Ms Li is referring to Stephen Bowers or Brower, the architect, is that right?---I’m not sure, Mr Darams.

Did you understand that there was an architect involved in I-Prosperity’s planning or proposed development for Rhodes West by the name of Stephen?---That’s correct, yeah.

40 So the reference to David, is that a reference to Mr Furlong? Do you understand it to be a reference to Mr Furlong?---I’m not sure, Mr Darams.

Well, you understood Mr Furlong to be associated with the I-Prosperty proposal to redevelop this land in Rhodes West, didn't you?---I wasn't sure when David Furlong was engaged, Mr Darams.

I thought you told us a little while ago that one of the services you provided in December or January 2016 was this introduction to Mr Furlong, the town planner.---That's correct, that's what I said.

10 So at this stage here in March 2016 you understood this reference to be David Furlong, didn't you?---Not necessarily, no.

Well, what other David did you understand she was referring to?---I wasn't, I don't know.

Well, that's not the truth though, it is, Mr Chidiac? You knew who she was referring to.---When was this exchange, 2016?

March, yeah, March 2016.---You're asking me to recollect - - -

20 Well, there was only one David who you knew to be associated with the I-Prosperty proposed development for Rhodes West, correct?---I knew David Furlong was associated with, but I don't know when, when, when was he engaged, exact date that he was engaged. But happy to assume that's David.

30 The Ms Li says in the next message "I think I'd better talk to you this idea first. Maybe you and Angelo can have a chat with state planner to have an idea before we decide how tall me go." Can I just ask you about that? Why would Ms Li be asking you, or suggesting that you and Mr Tsirekas, have a chat with state planner about the height of their building?---She obviously overestimated our ability there, Mr Darams.

Well, if we accept that evidence about her overestimating your ability, isn't it the case that you must have had some conversation or discussion with her about the ability of you and Mr Tsirekas in relation to their planning proposal or proposed development?---I, I would have had multiple discussions with Belinda regarding a proposal.

40 Involving Mr Tsirekas as well though, correct?---Well, she, she came to me when she had complaints with the council process and I gave that feedback to Angelo.

Well, when you say “complaints with the council process”, why do you say that the application had been filed at this stage, or lodged at this stage?---I don’t know if it was, well, when it was lodged.

But if the application or the planning proposal hadn’t been lodged at this stage, what basis do you say there was any complaints with council?

---Because I know Belinda and Michael Gu were complaining that they’d been pressured by Andrew Ferguson his, and his associates from council, they, they felt they’d been mistreated and I, I made sure I relayed that to, to Angelo.

Just if we scroll down a few messages. Mr Li says “Can Stephen get a meeting with SP Department?” What did you understand Ms Li was referring to in SP Department?---Just looking at that now, Mr Darams, I can’t remember the actual conversation or the message.

Did you understand it to be referring to the State Planning Department?

---Well, looking at it now, that’s, I think one would assume that, yeah.

Because your response is “Yes. Need Furlong to book.” So - - -?---That, that’s correct, yeah.

So if we scroll down a fair enough messages, Ms Li queries with you, “Why is Furlong, why not Stephen?” Then your response is “Town planner normally.” So that suggests, Mr Chidiac, in relation to your sort of doubt you might have expressed before, that you understand at this stage that Mr Furlong was engaged in relation to the proposal, correct?---Well, that doesn’t confirm that but I’m a bit confused. Why would she want Stephen, not Furlong if she’s engaged Furlong by that stage? Furlong would be better qualified, wouldn’t he?

Well, you’re the one who recommended, on your evidence, Mr Furlong to I-Prosperty, weren’t you?---That’s affirmative, Mr Darams.

Could I ask that the witness be shown page 39? Pick up the messages, here we are on 11 May, 2016. Ms Li says, “Tried ringing you. You need to put the VPA draft” – sorry, this is a message from you to Ms Li.---Yep.

“Tried ringing you. You need to put the VPA draft ASAP. Speak to Tony tomorrow and Angelo is available for dinner on 24 May.” I’ll just ask you

about this. Why is it that Ms Li had to put the VPA, that's a voluntary planning agreement. Correct?---That's correct, yeah.

Why did she have to put that draft as soon as possible?---I think, I mean one only can assume that David Furlong wasn't able to convince her to put the VPA ASAP so he'd come to me and, and tell me look, you need to speak to her. She's being a hardhead. She needs to, you know, do what I'm suggesting she does.

10 Was the issue of timing important at this stage, that is May 2016 as far as you understood?---No, not as far as I understood, Mr Darams.

Isn't it the case that around about this time in May 2016 you understood that Mr Tsirekas would soon be resigning from council to run for the federal election in 2016 for the seat of Reid?---I, I can't recall the exact date he made his mind up or informed his Labor colleagues and friends if he was going to run or not. I can't remember the exact date.

20 I take it that he would have been discussing that or his consideration for running for the federal seat with you?---I was, he mentioned it, yes.

I take it he would have been discussing whether he should do it or shouldn't do it and seeking your counsel about those matters?---I wouldn't use the word "counsel" but he would have, something he ran - - -

What would you - - -?---Something he'd run by us, by me, yes.

30 Well, you were involved in the Labor Party at that stage.---I was. So was a lot of other people, yes.

Yeah. But you had organised or been involved in Mr Tsirekas's local government elections before this date. Correct?---That's correct, yes.

You were subsequently involved in the local – sorry, the federal election of 2016 on behalf of Mr Tsirekas. Right?---It would have been on behalf of the Labor Party, Mr Darams.

40 Yeah. Why did you say, "Angelo is available for dinner on 24 May." Is this another example of you arranging to have meetings with I-Prosperty where Mr Tsirekas was in attendance. Is that right?---I didn't, there was no

need for me to arrange. She had his contact details. She could arrange that herself if she wanted to.

But you're saying "Angelo is available for dinner on 24 May." Correct?
---That's what the message is saying, yes.

Yeah. So why are you telling her that Angelo is available for dinner on 24 May? Is that because you're demonstrating to her that it's time to meet up with Angelo?---Quite possibly, yes.

10

Why were you doing that, Mr - - -?---I can't recall, Mr Darams. It was 2016.

Is it just another example of the services you were providing to I-Prosperty under this agreement with them, that is access to and provision of Mr Tsirekas to them?---No, I disagree with that. I have multiple talents, Mr Darams.

20 THE COMMISSIONER: But it was part of your role, wasn't it, to bring people together and talk and do that?---That's correct, Commissioner.

It looks like that's what's being suggested here, isn't it, so Belinda could get together with yourself and with Mr Tsirekas to be able to talk about anything that might be troubling them at that time about the I-Prosperty development?---Commissioner, she, she had his contact details. She would go to him directly.

30 I know that, but just answer my question. When you read these it suggests that getting together, that is her, Mr Tsirekas, yourself was part and parcel of you doing what you're being paid to do, is to bring people together so they can talk about matters of common interest?---That could have been the case and it also could have been social, a social catch-up, a social catch-up.

Yeah. Well, it could have been both I suppose.---Yes, yes, it could have been.

And the likelihood is that Belinda Li's interest was always focused on the I-Prosperty project, wasn't it?---Absolutely, Commissioner, yes.

40 Okay.

MR DARAMS: Could the witness be shown page 40. I'll draw your attention to just that entry below there. "Joseph, dinner confirmed on 24th of May, 2016, 7.00pm." So it's from Ms Li to you. See that?---I see that.

Then if we could – next message down. She's sending you an image or a photo of something. Then she says, "Address for the 24th night dinner." See that, Mr Chidiac?---I do, yes.

10 Could we then go forward to page 43. See the message down the bottom of the page. Ms Li sends to you, on 20 May, "Joseph, have you confirmed Angelo's time?" Then she says, "Are we going to Ryde Council sometime in the next week?" Go over the page. You respond, "Waiting for Angelo to give me a time." You answer the second question as "And still waiting for Ryde Planning to give me a call." Now, just stopping in relation to your response about Angelo. You said to the Chief Commissioner a number of answers ago that Ms Li had Mr Tsirekas' details and she could arrange for it, but this exchange tends to demonstrate in fact that Ms Li was dependent or reliant upon you to organise these meetings with Mr Tsirekas. What would you say about that?---Well, can I refer back to that message?

20

The previous page, sure.---No, no, no, no. The one you've got there, 20th of the 5th. "Waiting for Angelo to give me a time and still waiting for Ryde Planning to give me," yeah, I wanted – she had an issue at Ryde Council that she needed assistance with.

I don't want to focus on the Ryde Council. Don't worry about that. Just focus on the question about Angelo and his time. What I'm suggesting to you is that you gave an answer to the Chief Commissioner about the fact that you say Ms Li had Mr Tsirekas' details and could arrange these
30 meetings. But what I'm suggesting to you is that this exchange appears to demonstrate that in fact Ms Li was reliant upon you to organise or arrange for Mr Tsirekas to be present at any particular meeting. What would you say about that?---Yeah, I agree with that. It appears that way.

Again this is another example, isn't it, of you demonstrating your ability to arrange or organise for Mr Tsirekas to be available at meetings with I-Prosperty, isn't it?---Well, it demonstrated that she, she was aware that I had a relationship with Angelo Tsirekas, yes.

40 Which you were charging your services or your service fee in relation to. That is, using your relationship with Mr Tsirekas to get Mr Tsirekas to

meetings with I-Prosperity where their planning proposal could be dealt with and discussed in front of or with Mr Tsirekas, correct?---No, disagree with that, Mr Darams.

Are you saying that when you arranged these meetings or arranged for Mr Tsirekas to attend with I-Prosperity, they were purely social occasions, were they?---I would say they're social/business.

10 Well, the business being the I-Prosperity planning proposal or proposed development in Rhodes West.---No, not necessarily, no. They had other, other DAs at other councils.

THE COMMISSIONER: But I daresay commonly it would have involved the project that I-Prosperity are interested in at Rhodes.---Commissioner, believe it or - - -

No, no, no, just answer my question.---I'm trying, Commissioner.

20 I'm putting it to you that the conversations at these meetings that Belinda Li was wanting you to set up with Mr Tsirekas would more likely than not, of course, concentrate on what she was interested in, namely the I-Prosperity proposal. True?---True.

MR DARAMS: Could we go to page 44. So just go down a few messages, where Ms Li says on 22 May, "Joseph, Furlong called me yesterday to reschedule another day. See if can meet Angelo's time." This message appears to demonstrate that, in relation to this meeting or event or dinner that was trying to be arranged, that Mr Furlong was also going to be present at it, would you agree with that?---Well, it demonstrates that David Furlong, 30 Belinda and Angelo are trying to get together.

Along with yourself?---Where does it say myself?

Well, is that commonly what happened? That is, that you would attend with Mr Tsirekas and Ms Li and Mr Furlong?---No, I wouldn't say commonly, no.

40 So doesn't that then demonstrate that in fact part of your role was to organise meetings at which Mr Tsirekas was present because you're saying that you wouldn't attend some of these meetings, so it would be Mr Tsirekas

by himself with Ms Li or Mr Furlong, is that right?---That's correct, yes. There's times where they've met without be being present.

But you were the person who was organising that, that is that meeting on behalf of I-Prosperty and Mr Tsirekas?---Not always.

But in relation to this instance here, do you say that you didn't attend this meeting that was being organised?---I'm not saying that at all, Mr Darams.

10 Then if we go to page 46, I'll draw your attention down to page 23.---Can you just make that little bit - - -

Yeah, we're going to blow it up.---Please.

That's probably the non-technical term. 23 May, "Joseph, can Angelo do next Thursday?" This is a message from Ms Li to yourself. "Furlong cannot do this Thursday." So, again, consistent with some of the questions I've asked you before, this is demonstrating that Ms Li did have Mr Tsirekas contact details, she was reliant upon you to make these
20 arrangements with Mr Tsirekas, correct?---On this instance, yes.

Now, if we go to page 94. Sorry, if we go back to 92. Yes. So see this message on 17 August?

THE COMMISSIONER: Can we have that blown up?

MR DARAMS: Yes. So it's a message from yourself to Ms Li. You say "Did you speak to Furlong?" Ms Li's response, "He is very tight this week." "Wee" and then she says "week". Go over the page. Then a few
30 messages down, you confirmed Monday, 10 o'clock. So there's a message from Ms Li to you on 17 August confirming a date and time. Do you see that?---My apologies, Mr Darams, I can't see it. Yeah, yep, I see, I see this, yes.

So just noting the date there, 17 August, 2016, confirmed Monday 10.00am. If we could ask you now to go to volume 6.9, page 28? These aren't messages between you and Ms Li, these are messages between Ms Li and Mr Furlong and the top message is from Mr Li to Mr Furlong. This is on 17
40 August and she tells him, "Angelo confirm Monday 10.00am in Rhodes shopping centre, Oliver and Brown." Do you know Oliver and Brown at all?---Yeah, I know him very well.

What is that?---It's a coffee shop.

Right. Did you meet there or have you met there with Mr Tsirekas with Ms Li on occasions?---I can't recall every meeting Mr Tsirekas there but I can recall meeting Belinda there on numerous occasions, yes.

Now, seems to me that's what's happening is that a meeting has been arranged with Mr Tsirekas, at least, and Mr Furlong and Ms Li, would you
10 accept that, that's what's happening in these exchanges I've taken you to?
---Well, what the message says, that Angelo's confirmed Monday 10.00am at Rhodes shopping centre. That's what it tells me.

Well, to meet with Mr Furlong, from the other message, would you agree or accept that?---Well, I can only read what the message says, Mr - - -

If we go to the next page-- sorry, if we go back to volume 6.8 and go to page 94.

20 THE COMMISSIONER: Mr Darams, I think I might interrupt there and come back to that document.

MR DARAMS: May it please.

THE COMMISSIONER: I'll take the luncheon adjournment. I'll adjourn.

LUNCHEON ADJOURNMENT

[1.00pm]

30