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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 WEDNESDAY 27 APRIL, 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: Yes. Good morning. Are we ready to proceed?

MR DARAMS: We are, Chief Commissioner. Just before I call Ms Li back to the witness box there's a couple of administrative matters that I would like to attend to.

THE COMMISSIONER: Yes.

10 MR DARAMS: Firstly, I would like to tender some of the material in the investigation, including material referred to yesterday. So could I formally tender volumes 1.1 through to 1.6? These are all electronically available once the tender's accepted and will be available on the website. Volumes 1A, 1B, 1D, 1E - - -

THE COMMISSIONER: Sorry, what's the last one?

MR DARAMS: E, capital E, 1E. So there's 1A, B, 1D, 1E.

20 THE COMMISSIONER: D and then E. Yes.

MR DARAMS: Then from volume 6.7, I tender pages 67 through to 71, inclusive, page 86, page 90, page 213, page 215, 216, page 218, pages 219 through to 222 inclusive and pages 226 through to 229 inclusive.

THE COMMISSIONER: Sorry, that last one was from?

30 MR DARAMS: 226 through to 229 inclusive. That deals with the tender of documents for the time being. I would also just note that I'm informed that Mr Sawyer's representative, Ms Avery-Williams, is appearing today by Webex.

THE COMMISSIONER: Has there been an application by him - - -

MR DARAMS: Yeah. It's already been granted, I understand.

THE COMMISSIONER: And I've granted that.

MR DARAMS: I'm just noting that for the benefit of the transcript.

40 THE COMMISSIONER: Yes. Now, Mr Darams, the exhibit list, I propose to mark those documents you have tendered as two groups. I will give them

an exhibit number. Have you got the exhibit number list there? Do we start from the beginning?

MR DARAMS: This will be the first tender.

THE COMMISSIONER: All right. The documents from volume 1.1 to 1.6, being documents identified as 1A, 1B, 1D, 1E, will be admitted and become one exhibit, Exhibit 1 [sic].

10

#EXH-002 – PUBLIC INQUIRY BRIEF VOLUMES 1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1A, E, 1D, 1E AND ADDITIONAL DOCUMENTS

THE COMMISSIONER: The documents contained within volume 6.7 that have been tendered, that is 67-71 inclusive, 86, 90, 213, 215, 216, 218, 219 through to 222, 226 to 229 will be all admitted as one exhibit and those documents become Exhibit 2 [sic].

20

#EXH-003 – MOBILE PHONE EXTRACTION REPORTS

THE COMMISSIONER: All right. Anything else?

MR DARAMS: Nothing further, Chief Commissioner. So - - -

THE COMMISSIONER: All right. Recall Ms Li?

30 MR DARAMS: Ms Li.

THE COMMISSIONER: Is Ms Li there? And I'll have the affirmation readministered. Ms Li, if you just put your various objects down there and I assume that you'll take an affirmation rather than an oath.

MS LI: Yes.

THE COMMISSIONER: If you would stand, please. My associate will administer the affirmation again.

THE COMMISSIONER: Yes, thank you. Just take a seat. Yesterday I made a declaration pursuant to section 38 in respect of the evidence of Belinda Li. That declaration continues to apply to proceedings today. Thank you, Mr Darams.

10 MR DARAMS: Ms Li, you'll remember when we finished – Ms Li, could you please put your phone down. It's important, please, that you give me your attention and not use your mobile phone while you're in the witness box. Do you understand that?---Yeah.

Okay.

THE COMMISSIONER: You have a laptop with you, do you, as well as a mobile phone?---Yes.

20 Just make sure that they're kept to one side and that you don't get distracted by using those devices. Do you understand?---Okay.

MR DARAMS: Ms Li, you'll recall one of the last questions that I asked you yesterday afternoon was whether you, sorry, whether Mr Tsirekas had told you that he wanted to be invited to Harry Huang's wedding. Do you remember that question?---(NO AUDIBLE REPLY)

You don't remember that question from yesterday afternoon?---No.

30 No. Well, I asked you that question and my recollection is that you didn't remember or recall whether Mr Tsirekas told you that he wanted to go to Harry Huang's wedding. Do you remember that line of questioning from yesterday afternoon?---No.

No. Okay. Well, I'll ask you again. Do you remember whether Mr Tsirekas told you that he wanted to be invited to Harry Huang's wedding?---No.

You don't remember that happening?---I don't remember.

40 Do you deny that Mr Tsirekas told you that?---I can't remember.

You can't remember. Could the witness be shown volume 6.7 - - -

THE COMMISSIONER: Sorry, volume?

MR DARAMS: 6.7, page 168. So, Ms Li, if I could just ask you to look at the call at the box. There's two names that appear in the box. See the first number there. You recognise that of Mr Brower?---Yep, Stephen Brower.

10 Mr Brower was the architect for the Rhodes development.---Yep. Not the architect. The coordinator.

THE COMMISSIONER: You say not an architect. What?---The coordinator.

What did you say? Coordinator?---The competition coordinator.

MR DARAMS: Sorry.

20 THE COMMISSIONER: Well, he's described here as architect.---Not by me.

Pardon?---Not by me.

Not by you.---Not by me.

Did he do architectural work?---He do architectural work.

Okay.

30 MR DARAMS: When you say he was the coordinator, the coordinator of what?---Design competition.

I see. Now, below that that's a reference to you or your email address. Is that right?---That's right.

40 I want to draw your attention to some of these messages passing between you and Mr Brower. Now, could I ask you to look at the fourth message in the list, the one that says, "We will talk tomorrow morning." This is a message you sent to Mr Brower on 12 December, 2015. Do you see that?---Yes.

Where you refer to “the mayor” in that text message, you’re referring to Mr Tsirekas?---That’s right.

Do you remember the circumstances of the, sorry, the circumstances of the conversation you were going to have with Mr Tsirekas that evening?---I cannot remember.

Can you remember now whether you did have a conversation with Mr Tsirekas that evening?---I cannot remember.

10

Do you recall ever meeting Mr Tsirekas and Mr Chidiac at a venue in Lilyfield called Le Montage?---I cannot remember.

Have you ever been to Le Montage?---I don’t know the name.

Could the witness be shown volume 6.8, page 274?

THE COMMISSIONER: What’s the page again?

20 MR DARAMS: 274, volume 6.8. So just bear with me one moment. Sorry. Page 275. Now, this is an extract of a conversation by way of messages between you and Mr Chidiac extracted from your phone, Ms Li, just to orient yourself. Now, I wanted to draw your attention to the message, the fourth message down, on 11 December. So this is a message from Mr Chidiac to you. Just read that. Does this assist you with your recollection?---(NO AUDIBLE REPLY)

30 Right. Well, Mr Chidiac says to you, “Belinda, Angelo and myself are at a small function tomorrow night from 6.00pm. You’re more than welcome to join us. It will be a good opportunity to have a chat.” Then the next message down, you see you responded, “Okay. Let me know the place. See you tomorrow night.” Do you see that? Do you see that, Ms Li?---Yes, I see it.

You send that message on 11 December, 2015. So when you’re referring to “tomorrow night” you’re obviously referring to 12 December, 2015. Is that right, Ms Li?---12 November. I send the message on 12 November. Tomorrow night would be 13 November, right?

40 THE COMMISSIONER: Well, I think it’s, you said the 12th. I think it’s the 11th, isn’t it?

MR DARAMS: It's 11 December.---You say I say, I say I, I just read it.

Yeah. It's - - -?---If you're reading it, it's, it's 12 December. If, tomorrow should be 13th of, sorry, 13 November.

No, no. What I'm suggesting to you is this is 11 December, 2015, when you send the message, not 12 November, 2015.---Yeah. Then the second day would be 12 December, 2015.

10

That's what I'm suggesting to you. Do you agree with that?---Yeah, should be, based on this.

Yeah. Mr Chidiac responds and says, "Will do." You respond, "Thank you." Then Mr Chidiac sends you a message on 12 December, "Belinda, do you want to go together tonight?" If we go over to the next page, please, top of the page. Your message to Mr Chidiac is "Yes, would like to come." Then Mr Chidiac says, "Do you want me to pick you up?" Your response is "Text me the address. I'm still at work in the jobsite. Will catch you up there." Then we see Mr Chidiac responding with the address, Le Montage reception centre, and he tells you that "We will be there at 7.30pm." Now, can I just stop there? When you were receiving these messages from Mr Chidiac you understood that the reference to "we", he was referring to he and Mr Tsirekas. That was your understanding?---No.

20

Well, who did you understand he was referring to when he said "we"?---The group of people they're referring.

Well, who is this group of people that you say he was referring to?---I can't remember this conversation at all. If you ask me now, it might be the person together with them.

30

Well, you recall that I took you, at the beginning of this, to a message from Mr Chidiac to you where he tells you, "Angelo and myself" - - -?---Did he?

Well - - -?---Can I go to the last page?

Yeah. Can we please go back to page 275?---Yeah. If, if he write it here then, yes.

40

Well, just, I want to draw your attention to the message in about the middle

of the page. Do you see that? “Belinda, Angelo and myself are at a small function tomorrow night from 6.00pm.”---Ah hmm.

I think I asked you this yesterday but you don’t know any other Angelos other than Mr Tsirekas, do you?---No.

So you obviously must have understood from this message from Mr Chidiac that he was referring to Mr Tsirekas and himself being available the following night.---Yep.

10

Now, you’ve said there is another group of people. Who were these other people, Ms Li?---I can’t remember this conversation at all. I, I mean, the occasion at all, sorry, not conversation.

So you remember the conversation but you don’t remember the location? ---I can’t remember the conversation but you already put it here. If that’s the case, it’s just the message. But that occasion I can’t remember what happened there.

20 Now, if we go back to page 276. I was taking you to the message where the address is given to you. Your response was “See you there at 7.30.” And then if we go down to the next message you say, “Joseph, I am here.” So you would agree with me, wouldn’t you, that what this exchange demonstrates is that Mr Chidiac was inviting you to a meeting or catch-up with he and Mr Tsirekas, at least those two, for a chat and that you attended on 12 December, 2015. Would you agree with that?---Based on the message, yes.

30 Yes. You’ve got no other – you’re not suggesting that you didn’t attend on that evening or you didn’t catch up with Mr - - -?---I already write the message here, so I should be there.

Okay. So if I could just ask you now to go back to page, sorry, volume 6.7, page 168, and draw your attention again to this message I took you to a little while ago from 12 December, 2015, where you say to Mr Brower, “We talk tomorrow morning. Let me chat with the mayor tonight. See how fast they could push.” Now, when you say “see how fast they could push” what are you referring to?---Design competition for the jury.

40 Right. And the reference to “they” who is the “they”?---Council.

What is that you're wanting – when you say the “design competition” what did you want the council to push along or push?---We need a jury from council.

Sorry?---We need a jury from council.

What drawing do you need from council?---We need one participant from council.

10 When you say “one participant” you mean one person?---Yeah.

To do what?---On, on behalf of council to give their opinion of the design competition.

Why do you need that?---Because that's a design competition.

Yeah, but why – design competition for what, the Rhodes development?
---Yeah - - -

20 Why did you - - -?--- - - - planning proposal.

Why did you need someone from council on it?---Because there's building in Canada Bay area. Of course we need to know what's this council expecting, what kind of things they want to have in this area. We need to know the local community's expectation as well, so on behalf of council we need to respect their opinion.

30 THE COMMISSIONER: Why did you say in the email, “Let me chat with the mayor tonight. See how fast they could push.” Who is “they”? If it's the council - - -?---Yes. Not councillor I mean council. Mean staff.

The council, is that what you're referring to there? “See how fast” - - -?
---What I'm saying is because when you do the planning you are dealing with the staff.

All right.---Right. And you have to have representative. Might be from the council from, as a staff or from the council as the councillors.

40 So - - -?---So we need to know how quick they can give it to us.

Yes.---And then we can arrange the design competition jury to happen, then once it - - -

And why did you want to have it pushed fast?---Because every day is money.

Because every day?---Because every day is costing money.

10 Costing money. Yes. So your suggestion is in effect the best way to deal with this would be to speak to the mayor to see how fast the process could be accelerated. Is that right?---We try all the way, not about the best way.

No, no, but just based on when you said, "Let me check with the mayor," - - -?---If I got - - -

No, no, don't, please don't talk over me. Just wait till I finish questions and Counsel finishes questions and then you can respond, otherwise we're talking over each other. You understand?---Okay.

20 So when you said, "Let me check with the mayor," you wanted to chat to him about, perhaps amongst other things, about how fast the design competition can be pushed. Is that right?---The jury can be arranged.

No, no, just answer my question. Is that right?---No.

It's not right? Well, what did you want to check with the mayor for that night in relation to how fast "they could push"? What was it that you wanted pushed?---See how quickly they can arrange - - -

30 Sorry, I'm having trouble hearing you. Just move close to the microphone, please.---How quick they - - -

And just keep your voice up.---How quick, how quick they can arrange someone to participate the jury.

No, just listen to my question. I'm going to put it a third time. What was it that you wanted to speak to the mayor about that you wanted pushed fast? ---How quick they can get a jury for the design competition.

40 You wanted the result of the design competition resolved as fast as possible. Is that what you're saying?---No. How quick they can get a representative

can participate the jury for the design competition. The design competition haven't started yet.

I see.

MR DARAMS: Is this how I understand it. You wanted to know from the mayor how quickly the council could get someone from council to be a member of the jury for your design competition.---That's right.

10 Because I think consistent with your earlier answer, you, on behalf of the developer, wanted to move things on more quickly because it was costing money, or time is money.---That's right.

Do you remember having that kind of conversation with Mr Tsirekas on the 12th of December, 2015?---I can't remember.

Do you remember anything of the conversation with Mr Tsirekas on the - - - ?---I cannot remember the occasion, I'll be honest to you.

20 Could the witness be shown volume 6.7, page 26. Just focus for the moment on that box there, and I want to suggest to you that the first name Michael is a reference to Mr Gu. Is that right?---That's right.

We know the second reference to Chun is a reference to Chun Zhou. That's right?---That's right.

The reference to "Haz", is that a reference to Harry Huang?---That's right.

30 And we then know that the last reference is a reference to you.---That's right.

So this is a WeChat exchange, again extracted from your devices, between yourself, Mr Gu, Mr Zhou and Mr Huang, correct?---That's right.

I'll just ask you to focus on the first entry there, first message. This is a message from you to the other persons. Now, just note the date there. See that, 12 December?---Yes.

40 Sent at 8.08pm.---Yes.

Is that translation in the blue accurate?---Yes.

So can I ask you this, can we assume that when you sent this message you were being truthful or accurate to the participants on this exchange?---Yes.

So that suggests that at this meeting or chat you had with the mayor on 12 December, the mayor – being Mr Tsirekas – has asked to go to Mr Huang’s wedding?---I can’t remember.

THE COMMISSIONER: No, just looking at what you wrote, is that - - -?
10 ---Yeah, I wrote it, yes.

- - - is that the case? Is what you wrote, the mayor asked to go to your wedding, truthful?---Yeah, I write it there.

MR DARAMS: When you say you wrote it there, we understand that, but I think what we want to understand is that what you wrote was the truth.
---Plan to go to a wedding?

Yeah, you’re not making that up, are you, when you send that to Mr Huang
20 and others?---Yeah, I’m not making it.

Then the next message. Again, is that translation accurate, Ms Li?---That’s right.

You say, “Asking for 1.1 to 1.5.” Can I just stop there. Where you write “1.1 to 1.5”, you’re referring to 1 January to 5 January, that’s the way you write - - -?---The dates.

- - - in text messages at least, dates, is that right?---Yeah, the dates.
30

Yeah. You then said, “He said very seriously that he’d never been to a Chinese wedding.” Can you just assist us now when you say, what you meant by “very seriously”?---Seriously. The honesty.

Did you - - -?---The translation is just be honest, he never been to the Chinese wedding, yeah.

Did you understand from the conversation you had with Mr Tsirekas that he was keen to attend the wedding?---Just from the, from what I wrote it here is just “Be honest, I never been to a Chinese wedding.”
40

I see. Now, I just want to show you, you see the next message down, you seem to send, sorry, it appears that you sent a photo to the group participants. I just want to have the witness shown page 32. Now, do you recognise that location?---It's someone's, someone's, I can't remember. Someone's party or birthday or something.

Well, so I'll come back to that in a moment. But you do recognise the location. Is that right?---I remember the place. The location I can't remember but the place I think I remember now.

10

So you look at this photo and you recognise that you have been in that place before. Is that right?---Yeah, that's right.

THE COMMISSIONER: Where is that place?---Can't remember the place, but I've been this location.

Well, where is it? What location is that restaurant?---Not restaurant. It's just, like, function room.

20 Okay. What is the location of the function room shown in the photograph? ---I cannot remember.

Was it somewhere in Sydney or was it somewhere - - -?---Yeah, in Sydney. In Sydney.

- - - in some other city?---In Sydney but I can't remember the location.

Somewhere in Sydney?---Somewhere in Sydney.

30 MR DARAMS: Is it in the Inner West of Sydney?---I cannot remember the location. It's not in Melbourne but I think Sydney.

Sorry?---It's in Sydney.

You're familiar with the Inner West of Sydney, though. You know where it is as compared to say, the eastern suburbs?---I'm not always going to the local parties, the function - - -

Not my question.---Mmm. I'm not familiar.

40

No, no. But you're familiar with the Inner West of Sydney?---It depends what "you're familiar" mean.

Well, can I suggest to you that this is the Le Montage reception centre?---If that's it.

It is that? That's it?---Okay. Then that's it.

10 What I'm suggesting to you that this is the Le Montage. Do you recognise that?---I, I can't matching with the place with the name, 'cause I'm not always going to the local parties.

Could I ask you this. Do you drink beer?---No.

Did you take this photo? Can you remember now whether you took this photo?---If it's from my phone, then yes. I can't remember, but.

20 Well, it appears it's sent from your phone and you've sent it to Mr Gu and Mr Huang and Mr Zhou from your phone so at some stage, it's ended up on your phone.---Mmm.

What I'm asking you is whether you recollect taking the photo or has someone sent it to you and you've on sent it?---I cannot remember.

THE COMMISSIONER: Why did you send the photograph?---Why?

Why?---I can't remember why.

30 Well, it seems that you took the trouble to select and then send this particular attachment to those in the chat that you've identified. Why do you think you went to that trouble?---What? Can you just repeat again?

Why do you think you went to the trouble when talking about Mr Tsirekas' indication that you wanted to go to the Huang wedding, why in that context did you send this attachment, selected it and then sent this attachment showing the photograph of this reception centre? Why do you think you sent that?---I don't know why.

40 You don't know?---You're asking me the reason, I can't remember the reason.

MR DARAMS: Is a reason that you wanted to demonstrate to Mr Huang and/or Mr Gu or Mr Zhou that in fact you were with or had been with Mr Tsirekas that eventing so that they would take your message more seriously? Is that a reason?---No.

Could the witness then be shown page 27 of volume 6.7? So Mr Huang's response to you, in English, "Huh? Angelo?" You responded, "Yes." And then Mr Gu responds with, in the English translation it's "LOL." Is that translation broadly accurate?---Yeah.

10

Yeah. The next message from Mr Gu is "Holy shit." Now, is that English translation accurate?---Yeah.

Do you have any understanding – I withdraw that. Mr Gu then says, "Send an invitation then." His next message appears to be "It's gone too far." Are you able to assist at all as to what Mr Gu might have been saying?---Oh, the main point he say then send the invitation. The rest of it is just, like, shit, fuck, this kind of thing.

20 Yeah, but in that respect, how did you understand their messages, that this was a big surprise to them and a good surprise to them? Is that how you understood this?---No.

No. Well, when you were reading these text messages from Mr Gu in particular, how did you interpret those messages?---That's just the way he talk.

I see. Then the next message down, scroll up, you responded, "Indeed." Can you assist us as to what you were referring to when you said, "Indeed," or what you meant by "Indeed"?---For the invite, send the invite, okay. I mean okay.

30

Sorry, when you say, "Indeed," you're saying, okay, you will send an invitation. Is that - - -?---It just whatever he say, I said like this.

But that's what I want to, I'm trying to understand is, are you referring to the message "It's gone too far" or are you referring to the message "Send an invitation then"?---I mean everything.

40 Everything.---Yeah. It's just what, whatever he send, I read it and that's it.

You're agreeing that an invitation should be sent to Mr Tsirekas for the wedding?---It's just the finish of this conversation, ah hmm.

Sorry, I don't quite understand that.---So when, when you are in somewhere, you are busy with and then someone keep sending you a message and then you just roughly read it all and then you just, mmm, finish it.

10 But you're not finishing this conversation, are you?---Yeah. It's just a reply what he sending to. If people continue to send to, but you are not replying, it's just a, mmm, it's like this.

THE COMMISSIONER: But it's clear from your reply, "Indeed," that you were agree with the statement "It's gone too far." What had gone too far which you agreed with?---That's just the way he talk.

No, no - - -?---And what I reply is just a summary of what's the conversation to finish it.

20 Yes. Now you might care to answer my question. Mr Gu put to you "It's gone too far" with an exclamation mark and you then reply very shortly after, saying, "Indeed." That is that you were in effect agreeing that it had gone too far. My question is what were you agreeing had gone too far? What was it's gone too far that you agreed with?---What I reply is just a summary of finish the conversation. It's not gone too far.

No, but you're not answering my question. He's saying "it's". We want to know what "it's" referring to. "It's gone too far." You agree, "Indeed." What was he referring to which you agreed with?---That's your translation.
30 Like "Holy shit" you can translate to "It's holy shit." What is "it's" - - -

Now answer my question, madam. What was being referred to by Mr Gu when - - -?---I don't know.

What was Mr Gu referring to when he said, "It's gone too far," exclamation mark, and you agreed by saying, "Indeed"? What was he referring to?---I don't know.

40 You don't know.---I'll be honest, I don't know. That translation don't need to have "it's".

Yeah, you keep going back to the translation. Do you dispute that you said the word “Indeed”?---I’m not disputing the word saying “Indeed.” I’m saying the translation “Indeed” can be, “Mmm, yes.” That’s it. Don’t need to be “Indeed.”

You did respond “Indeed”, didn’t you?---I respond, yes.

That’s right. And you’re seriously saying to this Commission, having taken an affirmation to tell the truth, that you have no idea what he was referring to when he said, “It’s gone too far”?---I have no idea what “It’s gone too far” and I think the translation is wrong.

But you agreed the translation was you responded “Indeed”.---I response, yes.

Ah hmm, you were agreeing with that he was saying.---I response yes but I’m just saying it’s a summary of responding the people’s message to close this conversation.

20 You were agreeing with what he put to you, “It’s gone too far,” exclamation mark, weren’t you?---I’m, I’m reply this one to close this conversation off, all his message to me.

Are you refusing to answer my question now? It’s a very simple one. I’ve put it to you now three times.---Oh, no, no. No.

Do you want me to put it again?---Yes, yes.

30 Okay, I’ll do that. when Mr Gu said, “It’s gone too far,” exclamation mark, you responded in the affirmative. You said “Indeed” or “Yes.” You agreed with him, correct?---No. The translation firstly is wrong. Secondly, my reply - - -

But you said a moment ago that the correct translation was “Yes.”---Can you get a transcript from a moment ago?

40 You were agreeing with what Mr Wu [sic] said to you, “It’s gone too far,” weren’t you?---I was saying it’s his way to talk and I just have a close conversation to say yes, to finish it. Doesn’t mean I agree or not agree. By the way, “It’s gone too far,” the translation it’s not exactly. You don’t need

to have “it’s”. If you want to have “it’s”, you can say, “It’s holy shit” as well. So you’re asking me what “it’s” mean.

Are you being deliberately evasive now?---Sorry, I don’t understand.

Are you being deliberately evasive in responding to my questions?---I don’t think so.

You don’t think so?---No.

10

Well, you are unable to tell this Commission what Mr Gu was referring to when he said, “It’s gone too far”?---I don’t know.

You don’t know even though you agreed with what he said?---I’m not saying I’m agree, I’m just replying when people keeping messaging you, you just close this conversation.

Yes, Mr Darams.

20

MR DARAMS: Ms Li, when you say you are closing the conversation, should we take that to mean that you were trying to end this conversation? ---That’s right.

This is the conversation you commenced and started by telling those on the group that Mr Tsirekas had asked to go to Mr Huang’s wedding, that’s right?---If that’s the start, yes.

30

Well, this extract of the conversation on 12 December, that’s the one that you at least include in it a reference to this conversation you had with Mr Tsirekas that evening, you agree with that?---If that’s in the, in the document, then yes.

Well, it is in the document.---Then yes.

So why did you want to end the conversation?---Because I don’t want to continue message.

One way not to continue the message would be not to respond. Do you agree with that?---Normally I’m not doing this way. I always have an ending conversation.

40

Sure. But if you're not wishing to participate in a conversation, particularly over text message, the simple thing for you to do is not to respond to any other messages. Do you agree with me?---Normally not.

Sorry, I don't quite understand that answer.---So my way to dealing with conversation, if I saw the message, I reply it and I close it. At least the people know why I close it. I'm not the kind of people look at it and not reply unless I forgot or I didn't see it.

10 Oh, I see. So could the witness be shown page 26. Sorry, I apologise, 28. My apologies. 28. So then a message from Mr Huang. He says, or the translation is "Er." Is that an accurate translation?---Yeah.

You respond, "So will you send an invitation?" You're addressing that to Mr Huang, weren't you? You're asking him, "Will you send an invitation to Mr Tsirekas?"---Yeah.

Then Mr Zhou comes in with a response in English, "Who pay?" You then respond, "He said that they would pay for their air tickets themselves."
20 Now, is that translation that I've just read out, is that accurate?---Yeah.

Now, that information there, "He said that they would pay for their air tickets themselves," do you remember having that conversation with Mr Tsirekas?---No.

No. Do you remember having that conversation with Mr Chidiac?---I can't remember that occasion as well.

I see. But you - - -?---I remember that place, yes.
30

You remember the place. You don't - - -?---But I can't remember going there for, for work.

Sorry, you don't remember going there for what?---Just I can't remember why I'm going there. But I remember that place.

You accept, though, that this message that you typed was based upon something that either Mr Chidiac or Mr Tsirekas told you?---Yeah, I'm writing here. Should be.
40

Did you ever have a conversation with them about who would pay for the accommodation?---I can't, not remember. That's too detail.

The next message you write is "Chun, did you take them to somewhere for fun?" Now, what were you referring to there?---I can't remember this conversation.

Are you referring to another occasion when Mr Chidiac and Mr Tsirekas were in Shanghai?---2015 - - -

10

Just - - ?---I can't remember.

You can't remember what?---You, you asking me did they bring, take them to somewhere to having fun in Shanghai. I can't remember.

Well, so back to my question. You write to Mr Zhou or you direct this message to Mr Zhou, "Chun, did you take them to somewhere for fun?" What I'm suggesting to you is that when you write that message, you have some understanding that they, being Mr Tsirekas and Mr Chidiac, had met or been with Mr Zhou previously. Do you agree with that? Is that correct? ---Looks like, if I'm writing that.

20

That's an interpretation of your message that you had some understanding when you wrote this that both Mr Tsirekas and Mr Chidiac had been with Mr Zhou at some stage prior to this occasion and Mr Zhou had taken them or you were enquiring whether he took them somewhere?---I asked him, did he take him to somewhere. It's not about, I'm saying they took them to somewhere. I'm asking him, "Did you take them to somewhere?"

30

Yes. And when you ask Mr Zhou "did you" i.e. Mr Zhou, take them somewhere, that's because you were on the understanding that prior to this date, Mr Tsirekas and Mr Chidiac had met Mr Zhou. That's right?---No, I'm asking him. If I know then I should say, "Where did you take them in Shanghai?" Right. This come from my, I'm just trying to understand what I'm saying. I'm asking would, "Did you take them to somewhere?"

Let's go with that there. That's the interpretation. You're asking Mr Zhou, "Did you take them somewhere fun in Shanghai?" That's right? That's what you're asking him?---I'm asking did they take them to Shanghai. I think that's my question.

40

Sorry? You're asking Mr Zhou whether Mr Zhou took them to Shanghai?
---Yeah. I'm asking. That's the question.

THE COMMISSIONER: And what did he reply? What did Mr Zhou - - -?
---I don't know.

So in answer to your question?---You need to ask Chun.

10 MR DARAMS: See, what I want to suggest to you, Ms Li, is that when you wrote that message to Mr Zhou, you knew that Mr Tsirekas and Mr Chidiac had met Mr Zhou before this date, being 12 December, 2015, in Shanghai. Is that right?---From the Chinese I'm writing myself, I think I'm asking him, "Did you take him to Shanghai or somewhere?"

THE COMMISSIONER: All right. Now, listen to the question.---Mmm.

It's going to be put again and you'll answer that question, not make statements.---Okay. No.

20 MR DARAMS: What I'm suggesting to you is that the reason you ask Mr Zhou in this message whether he took them, being Mr Chidiac and Mr Tsirekas, to somewhere for fun is because you knew before you sent this message on 12 December that Mr Tsirekas and Mr Chidiac had been in Shanghai before this date and had met Mr Zhou. Is that right?---No, that's not right.

30 So why do you send this message to Mr Zhou asking him, Mr Zhou, whether he, Mr Zhou, had taken them somewhere? Why are you asking him that?---I cannot remember. You need to continue, show me what's the conversation.

Now, the next message down, you sent, you say this. "He kept saying that he is single." That translation is correct?---Yeah, that's right.

Who kept saying that they were single?---Angelo.

40 The mayor. Then Mr Huang replies, "LOL." Then his next message from Mr Huang is, "Really coming. Come then." Then perhaps if the witness can be shown the next page.---The translation is wrong as well.

Sorry, I want to be fair to you. If we can go back to the page we were just on.---The translation at the bottom is, “Really” and then stop. And then “Come.” That’s Shanghainese. It’s, the translation is wrong.

Sorry, can you – just so we’re clear. I want to make sure that you or you can tell us what you say the message means. Can you tell us what you say it should mean?---The message means “Really” and stop. Then “Come.”

10 Right. So with that translation, “Really. Come.” Did you understand that to be that Mr Huang was saying, “Really? If so, then they should come to the wedding”?---Mmm.

Okay. Go to the next page, please, page 29. Mr Huang says to you, “I just need to know the name and the number of people.” Is that translation accurate?---Yeah.

20 You respond to that or you send the next message, “He said he didn’t have to report his trip to China to anyone.” Now, firstly, is that translation accurate?---That’s right.

Are you relaying what Mr Tsirekas has told you, Ms Li?---About?

Well, are you passing on information there that was given to you by Mr Tsirekas? That is, when you say, “He said he didn’t”, you’re referring to something Mr Tsirekas told you?---Might be.

Well, who else would it be?---Maybe Joseph. I don’t know. I can’t remember but might be.

30 Might be. Well, when you see the – so you see the next message, “He’s single.” That’s a message that you’re referring to Mr Tsirekas, isn’t it? ---Yeah, that’s right.

So what I want to suggest to you that in the message above when you’re talking about “he” you’re actually referring to Mr Tsirekas and not Mr Chidiac.---Either way.

40 This whole message exchange that I’ve been taking you through is mostly about Mr Tsirekas and the conversation you had with him that evening about wanting to go to Mr Huang’s wedding, wasn’t it?---Maybe.

When you say maybe, why are you saying maybe?---Because I can't remember exactly.

No, but we're going through your messages and the messages in response and I'm suggesting to you that the majority of the conversation between you and Mr Huang, Mr Gu and Mr Zhou is about Mr Tsirekas. Do you accept that?---If that's the message, then that's it. I'm not denying my message.

10 THE COMMISSIONER: But it's being put to you when you read in context all of that, that is to say the chat conversation that you've just been taken through, that the subject of the discussion in the chat was Mr Tsirekas.---Yeah, I'm not denying it. That's the message.

You accept that?---Yeah.

Thank you.

MR DARAMS: So then you then sent another message after the "He's single." You say, "He sounded like he really relished the fun last time."
20 Again, is that an accurate translation?---It sounds like he really enjoyed the fun. Yes, that's right, yep.

So this suggests that what you're referring to is a previous occasion where Mr Tsirekas had been in Shanghai and had, on your message, a fun time. Do you accept that? Is that what you're saying?---It looks like, referring to the last message, what I'm saying is I keeping asking Chun, "Did you take him to somewhere to having fun?" But they didn't tell me I think. What's -
- -

30 Don't worry about – sorry. I'm just asking you, putting this proposition to you, Ms Li, that based upon the things that you're saying in this exchange with those other persons, that you knew when you were writing these text messages that Mr Tsirekas at least had previously – that is before 12 December – been in China, in Shanghai, and had met up with Mr Zhou or Mr Gu or Mr Huang. That's right, isn't it? You did know that when you were sending these text messages.---No.

You didn't know that? Sorry, you - - -?---No.

40 Are you denying that you knew before you sent this text message in December 2015 that – just let me finish and then you can answer the

question. Are you denying that when you sent this text message in December 2015, that you knew Mr Tsirekas had been in China previously and had caught up with or met either Mr Zhou, Mr Gu or Mr Huang?---Yes, I'm denying.

On your oath?---Affirm.

Affirmation.---Yes.

10 THE COMMISSIONER: When you wrote in the chat to the group, "He sounded like he really relished the fun last time," the reference to "he" is a reference to Mr Tsirekas, is that right?---Mmm, might be.

Well, when you say "maybe", do you accept you use the term – when you keep using the word "maybe", is what you're really saying is "most likely"?
---Because there are two people - - -

No, no, no. Listen to my question. When you responded to what I just put to you, you said "maybe" and you've kept using that word "maybe"
20 frequently. When you say "maybe", you mean "it's likely to be the case", is that right?---Possibly, yes.

Possibly? I'm putting that it's likely to be the case. You're accepting it's likely to be so?---Yeah, possibly.

Okay. Is that right? Have we got a common understanding now of what you mean by "maybe"? When you say "maybe" - - -?---Maybe it's because
- - -

30 No, no, listen to me. When you use the word "maybe", you're really saying, accepting that more likely than not it's the case, is that right?---No.

No. Well, what does "maybe" mean when you use the word "maybe"?
---"Can't remember exactly". And, yeah, so maybe.

Okay, let me put it again. You wrote, "He sounded like he really relished the fun last time." That's a reference to Mr Tsirekas, firstly, isn't it?
---Maybe.

40 And when you say "maybe", you accept it's probably the case?---No.

Well, who else could it have been in this conversation - - -?---The photo - - -
- - - which was all about Mr Tsirekas?---Also Joseph there.

But you're talking here - - -?---Oh.

- - - about he said he didn't have to report his trip to China to anyone.
That's a reference to Tsirekas, isn't it?---Yes, that's right.

10 Right. And the next question, the next statement by you, "He's single."
"He's" referring to Mr Tsirekas again.---Yes, that's right.

Right. Now the next one. "He sounds like he really relished the fun last
time." It's clear in context that's also referring to Mr Tsirekas too, isn't it?
---Yeah, from this conversation, yes.

Right, yeah.

MR DARAMS: Now, I'll come back to this exchange in a moment, but
20 could the witness please be shown page 164 of volume 6.7. Ms Li, please
put your phone down.

THE COMMISSIONER: Would you – have you got a bag there?---Yeah, I
got a bag there.

Would you take your two devices and put them in the bag? I said put them
in the bag.---That's in the bag.

30 Are they in the bag? Put them in the bag. And I'll have my associate come
forward, please. Take the bag and put it on the bench where everyone can
see the bag. Just pick up the – place it there. Thank you. No, no, no. Just
in the, where the witness can see it. Thank you. Just leave the bag there.
Thank you.

MR DARAMS: Now, I want to draw your attention, Ms Li, to the message
on 10 November, 2015, at the bottom of the page. Bring it up. It's a
message. Now, just pause one moment. This is another part of the
exchange between you and Mr Brower extracted from your devices, so you
understand that, Ms Li.---Yes.

40 Note the date of this message, 10 November, 2015. Do you see that?---Yes.

You obviously accept that that's before 12 December, 2015?---Yes.

You say to Mr Brower, "Stephen, are you able to send a formal letter to Angelo." What you mean there is Angelo?---Yes.

10 "He is in China. Will have dinner with Michael tonight." Now, that suggests, doesn't it, that at the time you wrote this text message in November 2015, you knew Mr Tsirekas was in China and he was going to have dinner with Mr Gu. That's right?---From this message, yes.

That means you did know before December 2015 that Mr Tsirekas had been in China and had caught up with at least Mr Gu, doesn't it?---Yes. From this message, yes.

Well, do you accept that the evidence you gave just a short while ago, where you denied having any knowledge that Mr Tsirekas had been in China before 12 December was false?---I said maybe because I can't remember.

20 Now, back to page 29 of volume 6.7. Now, I just want to follow on from the Chief Commissioner's questions about the message you sent. "He sounded like he really relished the fun last time." Now, Ms Li, what you are referring to by "last time" is this time that Mr Tsirekas was in China in November 2015, weren't you?---I cannot remember.

I see. If we go down to the next message. You then say, "Where have you taken him to last time?" Again, I want to suggest to you, Ms Li, that because you send this type of message, you knew that Mr Tsirekas had been in China before 12 December, 2015 and had caught up with or met with at least Mr Gu, Mr Huang or Mr Zhou. Do you agree with that?---Can you ask the question one by one?

Sure. Because of the message you sent, that is, "Where have you taken him to last time?" you knew when you sent this text message or this message on 12 December, 2015, that before that time, Mr Tsirekas had been in China and caught up with or met with at least Mr Gu or Mr Huang and Mr Zhou. That's right, isn't it?---Half half.

40 Okay. What half's right and what half's not right?---From another message saying he is having dinner with Michael in, in China, which means I know

he's in China. Another half he was saying he caught up with Michael or someone else, I don't know.

So you accept that you knew when you sent this message that he had at least caught up with Mr Gu - - -?---Yeah.

- - - previously?---That's from the message.

10 So what I was asking you, and I have been asking you is that when you were sending these messages, you knew at that time that you were sending these messages that Mr Tsirekas had previously been in China and caught up with at least Mr Gu?---Yeah, it was Mr Gu, yes.

At least. And it wasn't correct to say that at the time you were sending these messages that you did not know before this time in December that he had been in China and caught up at least Mr Gu?---Can you repeat your question again?

20 It wasn't correct for you to deny that you knew before you sent these messages that Mr Tsirekas had previously been in China and caught up with at least Mr Gu?---I'm confused. Maybe, simple question?

We'll come back in a moment. Now, going down, you say, "He's serious about going." Again, that's a reference only to Mr Tsirekas, isn't it?
---Sorry?

The message where you say, "He's serious about going," again that is a reference to Mr Tsirekas?---Yes.

30 The next message down. "He told me it would be 1 January to 5 January." That's how we read that message. Is that right?---Yeah.

Could the witness be shown page 30? And scroll down to the bottom of the page. Sorry. There's a message at the bottom of the page. Now, Mr Zhou responds or sends this message, "Grab him here and let him do a speech and let Harry show off." Firstly, is that translation accurate?---Yeah, that's right.

40 You understood Mr Zhou to be saying, in effect, yes, let's have Mr Tsirekas come to the wedding, do a speech, so that Harry could show off, and what

you understood that to mean was that Harry, Mr Huang, could refer or point to Mr Tsirekas being at his wedding as something important. Is that right?
---Just the western people.

Sorry? What do you mean by “just the western people”?---Show off. What, what is your question?

Well, what I’m suggesting to you is that what Mr Zhou is saying is let’s get Mr Tsirekas to come to the wedding, he can do a speech at Mr Huang’s
10 wedding, and Mr Huang could point or show the presence of Mr Tsirekas at this wedding as being something important. That’s right, isn’t it? Isn’t that what Mr - - -?---No.

What is Mr Zhou saying and how did you understand it?---Just I get someone speak, speak English at, at his wedding.

Sorry, say that again?---Just some guest from overseas that speak English.

THE COMMISSIONER: Let’s start from basics. The statement that you
20 said Mr Zhou is saying, “Grab him here.” “Him” is referring to Mr Tsirekas, is that right?---Yeah.

“And let him,” that’s Mr Tsirekas, “do a speech at the wedding.”---Yep.

Yep. And then he says “And,” as well as that, “let Harry show off.” That speaks for itself.---What is your question?

Hmm?---What is your question?

30 Well, what does that mean, “And let Harry show off”?---Show off. I think it’s just some western guest. I don’t know what’s “show off” mean.

MR DARAMS: Ms Li, it was your view, wasn’t it, that if Mr Tsirekas, as mayor, attended the wedding of Mr Huang that that would be a grand wedding. That was your view, wasn’t it?---No.

Do you deny that that was your view, that if Mr Tsirekas, as mayor, attended Mr Huang’s wedding then the wedding would be a grand wedding?
Do you deny that?---No.

40

You don’t deny that? You accept - - -?---I deny that.

You deny that, okay. Can the witness be shown page 31? See, I just want to draw your attention, Mr Zhou says this to you, "A mayor coming to the wedding." Now, is that translation accurate?---Yeah, that's right.

You respond "That's right. What a grand wedding this would be." The translation is accurate, isn't it?---That's right.

10 So that, I think you agreed with me before, that what you wrote in these text messages was the truth. Do you remember agreeing with me before?---I agree with that.

What you wrote there in response to Mr Zhou's text message was the truth? ---That's right.

That represented your view that if the mayor, Mr Tsirekas, attended Mr Huang's wedding it would be a grand wedding?---That's right.

20 Well, why did you deny that proposition to you when I put it to you just a short time ago?---Because they end up come without the name of a mayor.

Sorry, I didn't quite understand that.---Because they come at the end without a title of mayor. No-one know.

Now, I asked you some questions yesterday about some travel in January 2016 when you and Mr Tsirekas and others, including Mr Chidiac, attended Mr Huang's wedding in January 2016. Do you remember those questions from yesterday?---Which one?

30 Well, do you remember that I showed you some photos yesterday? ---Wedding photo?

Sorry?---Are you talking about wedding photo?

I showed you some wedding photos yesterday, that's right, but I also showed you some photos of yourself, Mr Tsirekas, Mr Fan, Mr Chidiac and Mr Thornton in front of a temple.---Yes.

40 I recall that your answer was that you identified the temple as being in Nanjing. Is that right?---That's right.

You couldn't remember the name of the location though could you?
---That's right.

Could the witness be shown volume 1.1, page 225. Just, do you know who
Cherry or Sherry Xu is?---No.

No. You obviously know Mr Fan though.---That's right.

10 Could the witness be shown the next page. I just want to ask you to have a
look at this document for a moment. Tell me once you've had the
opportunity to look at the information in that document.---What's your
question?

Have you looked at the information? You're comfortable - - -?---This one?

Yeah. I'll ask you some questions now.---Okay.

20 So firstly, you didn't go to Nanjing in December 2015, did you? Sorry, I'll
withdraw that question. I'll put it more accurately. You didn't travel to
Nanjing with Mr Tsirekas and Mr Chidiac and others in December 2015, it
was January 2016. That's right?---I can't remember the dates. You can
check my passport.

Okay. I'll come at it another way. You've only ever travelled to Nanjing
with Mr Chidiac, Mr Tsirekas, Mr Fan and Mr Thornton on the one
occasion. Is that right?---Yes, that's right.

30 That occasion was when you were in Shanghai for Mr Huang's wedding.
---If the date is the same then, yes.

Don't worry about the date but the occasion for you to be in Shanghai when
you travelled to Nanjing was because of Harry Huang's wedding.---No.
Normally I go back once a year.

But in terms of taking the trip to Nanjing with Mr Thornton, Mr Chidiac and
Mr Tsirekas, you knew when you took that trip with them that they were in
Shanghai for Mr Huang's wedding.---They came for Mr Huang's wedding,
yes.

40 Right. Now, can I just ask you in relation to the first description there
"Nanjing return train ticket Kevin, Belinda, Mayor, Joseph, Peter." Do you

remember now whether you travelled by train to Nanjing?---Maybe. Maybe by train.

THE COMMISSIONER: Is it maybe - - -?---But I didn't, I didn't return to Shanghai.

Does maybe mean more likely than not yes?---I can't remember but I don't think I returned to Shanghai.

10 Well, when you said maybe, do you accept that really is an indication by you - - -?---I cannot remember.

- - - that you think it probably was a train trip to Nanjing?---If, if he wrote in here maybe by train.

MR DARAMS: Could I ask you to, if you go down to the sixth description, Nanjing, is it Niushoushan ticket? Do you see that?---Yeah.

20 Did I pronounce it correctly?---Yeah, that's right. It's a temple, I think.

That's the temple that you couldn't recall yesterday when I showed you the photos. Is that right?---Yeah, that's right.

So you now – sorry. Can I put this proposition to you. The photos I took you to yesterday that showed you Mr Chidiac, Mr Thornton and Mr Tsirekas and Mr Fan in front of a temple, that was at Niushoushan?---Yes. We only went to one temple, yeah.

30 Can I ask you to go to the second entry. "Nanjing car rent for mayor trip." See that?---Yeah.

I think you said yesterday in answer to some of the questions that you recall taking a taxi around in Nanjing. Do you remember that evidence yesterday?---I was saying about there was a driver. I didn't say taxi.

I see. So you had a driver - - -?---Yeah.

- - - in Nanjing?---Yes.

40 THE COMMISSIONER: Mr Darams, we might take the morning tea adjournment if that's a convenient time?

MR DARAMS: It is a convenient time.

THE COMMISSIONER: All right. We're going to take a morning tea adjournment for about 15 minutes. If you'd be back in time to resume in 15 minutes?---What time?

I'll adjourn.

10

SHORT ADJOURNMENT

[11.31am]

THE COMMISSIONER: Yes, Mr Darams.

MR DARAMS: Yes. Perhaps if the witness could be shown volume 1.1? Yes. Now, Ms Li, do you remember on this trip to Nanjing with Mr Tsirekas and Mr Chidiac and the others whether you paid for any of the expenses that are listed in the first six description boxes on this page?---I cannot remember.

20

Right. Now, have you ever – sorry. I withdraw that. Have you ever submitted this type of document to anyone at I-Prosperity before?---I cannot remember.

So not in relation to this trip, just at any other stage, have you yourself ever filled out one of these types of forms and given it to anyone on behalf of I-Prosperity?---I don't think so.

30 Now, in terms of Mr Tsirekas' and Mr Chidiac's travel to China in January 2016, did you play or have any involvement in arranging their travel?---No.

What I mean by that is, did you assist them in obtaining, for example, flights?---No.

Did you assist them, for example, in obtaining any accommodation?---No.

This is for the travel in January 2016. Do you understand that?---Yeah.

40 Okay. Now, could the witness be shown volume 6.7, page 180? Now, these are extracts, Ms Li, of a WeChat conversation between you and Mr Chidiac. Do you understand that? Just so you understand that, okay? Now, I draw

your attention to the message that you, 4 December, 2015, “Joseph, Michael wants me to correct. He haven’t married yet.” Can you assist us as to what that’s about?---I cannot remember.

You can’t remember. Just going down looking at those other messages. Just look at them to yourself for the moment. It appears that Mr Chidiac is giving you the passport details of both himself and Mr Tsirekas. Is that how you read those messages, Ms Li?---That’s right.

10 Why was Mr Chidiac doing that?---For a visa I think.

So why was Mr Chidiac giving you the details?---They, at the time they asking for find some travel agency for arranging the visa to go visit China.

Weren’t you assisting them with their visas?---No, I didn’t.

What did you do with this information?---Passed the information to - - -

Who did you pass it on to?---Chun.

20

You passed it on to Chun?---That’s right.

Why did you pass it on to Chun?---Because I don’t have time.

But you could have passed it on to anyone else, couldn’t you, other than Chun or was there a reason why you sent it to Chun in particular?---Because he has nothing to do.

30 But isn’t it the case you sent it to Chun so that he could arrange the visas on behalf of Mr Chidiac and Mr Tsirekas. Is that right?---Yeah.

Well, Chun being, as you understood it, employed by I-Prosperty?---Yes.

So you understood that if Joseph, Mr Chidiac and Mr Tsirekas were, at least on this occasion, travelling to China, then you should forward those details on to Chun so that he could, at least in relation to the visa, help them with their visa or arrange their visa. Is that right?---Sorry, I’m confused. What’s, what is your question?

You understood that, at least in relation to this travel in January 2016, that you were to pass on the visa –sorry, the passport details of Mr Chidiac and Mr Tsirekas to Chun so that Chun could arrange their visas.---Yeah.

Did you do that because you understood that if Mr Tsirekas and Mr Chidiac were travelling to Shanghai, then I-Prosperty would be able to assist them with things like getting their visas or obtaining airline tickets or accommodations. Is that the reason you did it?---No.

10 Why did you do it for then?---Pass the information to Chun.

Yeah, why did you do that though?---Because he had nothing to do.

Yeah. But did someone tell you to pass the information on to Chun so that he could help Mr Tsirekas and Mr Chidiac?---Normally regarding to this kind of administration work we just pass to him.

20 But you chose to send it to Chun who was employed by I-Prosperty. What I'm asking you is why did you choose to send it to him? Now, I know you said he's got nothing to do, I understand that, but you've chosen an I-Prosperty employee in particular. Why did you do that? Is that because Mr Gu told you to do that or is that because Mr Huang told you to do that? Or was that because you understood that Chun would be able to do these things for Mr Chidiac and Mr Tsirekas?---Normally, this admin work, we all send to him, doesn't matter who, including myself, booking ticket, I ask him to do it.

30 So does that mean that you had some understanding that if Mr Tsirekas and Mr Chidiac were travelling to China, then Mr Zhou or Chun would be able to arrange things in relation to their travel. Is that right?---Yeah.

Now, I asked you before whether you helped Mr Tsirekas arrange his airline ticket for this travel in January 2016. Do you remember I asked you that question?---No.

Did you help Mr Tsirekas arrange his airline ticket?---No.

You didn't?---No.

40 You didn't do anything in relation to assisting Mr Tsirekas with his airline ticket for this trip?---No.

Could the witness be shown volume 6.8, page 277? Now, this is an extract of again the exchange between you and Mr Chidiac. I want to draw your attention to the messages that start at the bottom of the page. So the message that starts, the second from the bottom. You say, "Joseph, can you give me a second option for the flying date? I have to get things organised tonight." What things were you getting organised?---Can't remember.

Was it flights on behalf of at least Mr Tsirekas?---I cannot remember.

10

You then say, "Passport name?" Do you see that? That's your next message?---Can you read it?

Yeah, "Passport name?" The next message down, that one there. So you're - - -?---What was your question?

You're asking Mr Chidiac for the names on the passports?---Yeah.

20 Now, could the witness be shown page 278? I want to, you can see this, you send a message with an attachment to Mr Chidiac on 14 December, 2015. Do you see that there? Just note the, I think perhaps if we can zoom in on that attachment. Now, just note that it's got a bold, black heading, Ms Li. ---Can't see it.

Yeah. I just want you to note for the moment, there's a bold, black strip across the top of the document. Okay?---Noted.

30 Could the witness be shown page 302 of that volume? Now, Ms Li, this is the document that you sent to Mr Chidiac. Now, are you able to assist us with who this organisation Longway Travel is?---Travel agency.

Is it a travel agency that you've used before? Well, sorry. I should be more specific. Is that a travel agency that you had used before 14 December, 2015?---I can't remember.

Is this a travel agency that you went to on 14 December to obtain a ticket for Mr Tsirekas?---No.

40 Well, can you explain to us how you came to have this invoice and texting it to Mr Chidiac?---Should be someone sent it to me.

Well, why are you sending it to Mr Chidiac?---Pass the information.

Let me just understand this. Why are you passing on an invoice made out to Mr Tsirekas to Mr Chidiac?---I can't remember.

Are you sure you can't remember?---You're asking me why. I can't remember why.

10 I think I asked you whether you're sure you can't remember why.---Sorry, what's your question again?

I was testing with you whether you were sure you couldn't remember why you sent this invoice to Mr Chidiac.---I can't remember.

Didn't you arrange for an air ticket for Mr Tsirekas, and what you were doing was forwarding the invoice to Mr Chidiac to pass onto Mr Tsirekas? Isn't that what you were doing?---I didn't assist for arranging the air ticket and I passed the information. I don't know who I pass it to. Is it Joseph?

20 You sent this invoice to Mr Chidiac, that's right.---Okay. Yeah, then I sent to Joseph, yeah.

Where did you get the invoice from?---I don't know. Probably check my message, you go on my device. I can't remember. But it's not me, I didn't organise.

Well, who organised it if it wasn't you?---I passed to Chun.

30 Sorry, are you saying that Mr Zhou organised this flight, he gave it to you and you passed it onto Mr Chidiac?---I can't remember but I pass the information to Chun. If it's Chun organised or someone organised, I can't remember. And this one must be sent from someone else to me. You can check my devices if that's from Chun but not from me because I am not organising it.

So if it wasn't Chun, who else would have organised Mr Tsirekas' travel? ---Can be the reception, can be my reception - - -

40 Sorry, just stop there. Reception at where, I-Prosperity?---Yeah.

When you say your reception, reception where, at Forte?---Possible.

Why would your receptionist be arranging Mr Tsirekas' travel, sorry, his flight?---Your question is asking me who organised ticket, not for the mayor. Normally that's the people's duty so they should arranging bookings.

Who should arrange the booking?---People who doing the administration works should arranging the bookings.

10 Okay. So in relation to administration work, in relation to this flight, who do you say did this booking?---Who did I say did this booking?

Yes.---I can't remember. I say can be Chun, can be reception, can be who, whoever doing the administration work. I'm not arranging it.

Even though earlier that day you send a message to Mr Chidiac where you say you "have to get things organised tonight"?---I can't remember.

Sorry, you can't remember - - -?---What things to organise.

20

Sorry?---I cannot remember what things I need to organise at that night.

Well, the message you sent to Mr Chidiac was that you were organising flights.---The flights.

So you organised Mr Tsirekas flight. Is that right?---I can't remember exactly. Maybe I am leaving on that night, I am organising my own package.

30 Isn't this the case, Ms Li, you organised the flight for Mr Tsirekas, you organised it through Longway Travel, you forwarded the invoice in Mr Tsirekas' name to Mr Chidiac so that Mr Chidiac could then give it to Mr Tsirekas so that it could be paid. Isn't that what happened?---I'm not organise flight.

Did you ask someone to organise the flight who then gave you the invoice so that you can then forward it on to Mr Chidiac?---I pass the information to Chun. That's what I remember.

40 Okay. So now we've got it. So you pass the information on to Chun. Chun arranged the flight.---Maybe.

Chun gave you this invoice. You then forward the invoice to Mr Chidiac.
---I cannot remember if Chun forward to me or someone forward to me.
You can check my devices. I don't want to tell you something wrong.

So you now remember you asked Chun to arrange the flight. You can't
remember whether Chun sent you this invoice or someone else sent you this
invoice, but in any event Chun arranged the flight. He arranges it through
Longway Travel. You then forward the invoice on to Mr Chidiac so that he
10 could forward it on to Mr Tsirekas. Is that right?---Possible, yes.

Is there any other explanation for how this invoice ends up getting to
Mr Chidiac?---Explanation about?

How the invoice came to be in your possession and then forwarded on to
Mr Chidiac.---I can't, I have no idea. I can't remember. That's all I
remember.

That's all you remember.
20

THE COMMISSIONER: Why would you send the invoice for
Mr Tsirekas's travel not to Mr Tsirekas but to Mr Chidiac?---Maybe I don't
have the contact.

Hmm?---Maybe at that time I don't have the contact.

I'm not dealing with maybes. I'm dealing with what was the fact. Why did
you choose to send the invoice to Mr Chidiac and not direct to
Mr Tsirekas?---I cannot remember the reason.
30

MR DARAMS: Now, perhaps if we could take the witness back to volume
6.7, page 180. Now, if I take you to the message down the bottom of the
page. See this message on 14 December you say to Mr Chidiac, "Joseph,
could you ask Angelo to pay tonight or not ticket." Now, can you help us
out with what you're saying to Mr Chidiac then, what that's about?---To pay
the ticket.

Aren't you saying to Mr Chidiac get Mr Tsirekas to pay for the flight
tonight - - -?---Yeah.
40

- - - or there will be no ticket?---Yeah, that's what I'm saying.

Yeah. Then you say, "Send me invoice on SMS." What are you asking for – why are you asking for the invoice?---Not me, that's Joseph.

Sorry. Apologise. You are right. Then he says, "Can't open on WeChat." So doesn't that then explain you forwarding the invoice to Mr Chidiac?---I can't remember. Continue looking this conversation.

10 Well, we'll continue with this conversation in a moment but I just took you to a conversation where you forwarded the invoice to Mr Chidiac. Isn't what Mr Chidiac saying to you "Send me the invoice for Mr Tsirekas's travel but don't do it on the WeChat because I can't open it"? That's how we understand this set of messages and the other set of messages I just took you to from volume 6.8. That's right, isn't it?---Yeah, that's what they're writing there.

20 Yeah. If we go to page 181. Now, you can see in the middle of the page under all of that text, which is likely to be some image, you say to Mr Chidiac, "Hotel booked." Now, did you book the hotel or did someone else book the hotel?---Must have been someone else.

Wasn't you?---Never.

If it was someone else, is it likely to be Chun?---In Shanghai, most likely.

30 Then Mr Chidiac responds, "Great." You respond, "Don't forget to ask Angelo buy ticket." We then see Mr Chidiac's response. "He told me he will sort it out tonight." You say, "Okay." Mr Chidiac says, "Got paid today." Then you say, "Great. Give me a screen copy if possible." His response is, "I'll try to get that tomorrow." Then you say, "Okay. Great." Now, why did you need a copy of the invoice for the payment?---To issue ticket.

Sorry? Say that again?---To issue ticket.

But why do you need the invoice?---Because the Chinese, I need to pass that information, give, not invoice, screen copy, not invoice.

40 It's a screen copy of what? The payment?---Yeah. I need to issue ticket.

Sorry? Why do you need a screen copy that you say in there of the payment?---To issue ticket.

But you're not issuing the ticket.---Pass to the people to issue ticket.

Pass to who?---Who else, who else managing it, arranging it to get the ticket issued.

10 Sorry. You want a screenshot confirming payment of the ticket, so that you can pass to who?---Pass whoever arranging the ticket - - -

Yeah. Who is this person you're passing it to?---Normally, Chun.

But why are you passing him a copy of the confirmation, that's what you're asking for is confirmation the ticket has been paid. Why are you doing that?---To issue ticket.

20 But how is Chun going to issue the ticket? Chun's not a travel agent, is he? ---Chun go find the agent to issue the ticket.

But won't the ticket be issued by the travel agent company?---Yeah, that's right.

Right. Won't the travel agent company know that the amount is being paid if, in fact, the payment has been made, the confirmation of which you're seeking?---Yeah, to issue ticket.

30 Are you sending the invoice to, sorry, confirmation of payment to Chun so that that amount could be, so that Chun could know that it's been paid for reimbursement, so the cost could be reimbursed?---I don't know.

You don't know. Could the witness be shown page, sorry, volume 6.8, page 281? Now, I just want you to have a look at the messages at the bottom of the page. Now, the message in the middle from you to Mr Chidiac, you say, "Will send you ticket soon." Did you arrange Mr Chidiac's ticket, as well? ---No, I'm not arranging it.

Do know whether Chun arranged Mr Chidiac's ticket?---Possible.

40 Possible?---Mmm.

When you say it's possible, is that because you know or asked Mr Zhou to arrange the tickets?---I pass the information to him, then he arrange it or someone arrange it, I don't know.

So when you pass the information on to Chun, that's on your understanding that Chun will arrange the tickets?---Yeah, that's right.

Then Chun sends the information back to you?---Mmm.

10 You then pass it on to Mr Chidiac?---Yeah.

Okay. I'll just draw your attention to the attachment on the email, sorry, the text message on 21 December, 2015. So this is a message from Joseph Chidiac to you.---Ah hmm.

That's the attachment. Now, you won't be able to recognise that image but if the witness could be shown page 304. Now, that's the document that was forwarded to you by Mr Chidiac, Ms Li. Now, are you able to assist us as to what, if anything, did you do with that receipt when you received it?---I
20 can't remember.

Did you forward it onto Chun?---You can check my device.

Did you forward it onto Chun?---I can't remember.

Is it likely that you forwarded it onto Chun?---Possible.

Well, you were asking for confirmation of payment of the invoice, weren't you?---Yeah.
30

You then get, can I suggest, confirmation of the payment from Mr Chidiac? ---What's your question?

You then ask for confirmation of payment.---Ah hmm.

You agree with that, you then get confirmation of payment.---Ah hmm.

You then provide that to Chun.---Possible.

40 Well, when you say it's possible, was there any other person you would be providing it to?---Reception.

So it's either Chun at I-Prosperity or reception at I-Prosperity?---Yeah.

The people you are providing it to is I-Prosperity though?---Yeah.

Now, can I ask you why were you providing it to I-Prosperity? Was there any reason why you were providing it to them that you can assist us with? ---Issue ticket.

10 Now, I took you to some messages previously regarding Mr Chidiac and Mr Tsirekas being present in Shanghai in November 2015. Do you remember those questions earlier today?---What, what detail?

Perhaps if the witness could be shown 6.7, page 164. Remember I took you to this message in the middle of the page of 10 November, "Stephen, are you able to send a formal letter to Angelo? He's in China. We'll have dinner tonight." Remember that?---Yeah, yep.

20 So your understanding is that Mr Tsirekas was in Shanghai in November 2015 and was going to catch up for dinner with Mr Gu, that's right?---Yeah.

If the witness could be shown volume 6.8, page 262. Just again, these are extracts of conversations between you and Mr Chidiac. The first message on 4 November, "Morning Joseph. Safe trip. See you when you back Sydney," smiley face. So on 4 November your understanding is Mr Chidiac is leaving Sydney, that's right?---Ah hmm, that's right.

You understood he was travelling to Shanghai?---(NO AUDIBLE REPLY)

30 You didn't know that?---I don't, I don't know.

Are you seriously saying you didn't know that he was travelling to Shanghai when you sent that message to him on 4 November, 2015?---I don't know. I don't know. If you got context, maybe can remind, but I don't know.

Sorry, can I just understand. When you say - - -?---If you have context for the, with the conversation after or before, then I can tell I know or not. But now you're asking me in the November 2015, I don't know, I can't remember.

40

Sorry, I understand. What you're saying to me is you don't know now – now, sitting here today – that whether you knew on 4 November when you sent that to Mr Chidiac whether he was going to Shanghai?---That's right.

I see. Okay. Well, I'll try and give you some context. If we can see the message, the third, sorry, the same page. See the message, the third message down, "Belinda, could you ask Michael to ring me please." See that?---Yep.

10 Now, you understood the reference to Michael to be Mr Gu?---Yep.

Right. Did you understand that – sorry, does that give you some context to Mr - - -?---No.

No. Well, could the witness please be shown volume 6.7, page 234. Now, I just want you to focus for the moment on the participants on this WeChat exchange please, Ms Li.---Ah hmm.

20 Now, the first one, the first name there that's a reference to you.---Yep.

The one below that's a reference to who?---My friend.

Your friend's name is? What's your friend's name?---Liz.

Right. Is Liz a good friend?---Yeah.

How long have you been friends with Liz?---Many years.

30 When you say many years, can you assist us with how long that might be?
---10 or 15 years.

Right. Did you go to school with her?---No.

Did you meet her in Sydney or did you meet her in China?---Sydney.

Now, she says to you, "Why did you never ask me for 0.05?" What's that a reference in relation to?---Contribution.

40 When you say contribution, do you mean contribution to the Rhodes development?---Yeah, investment.

Was she an investor in the Rhodes development along with you?---At the very beginning.

At the very beginning. I think you gave some evidence yesterday about friends investing along with you.---Ah hmm.

Was Liz one of those friends?---At the beginning.

10 At the beginning. When you say at the beginning, does that include this period of time in November 2015?---I can't remember. She was through the very early stage.

But you used the phrase "at the beginning". What I'm trying to understand from you is what do you mean by "at the beginning"? What period of time are we talking about? Are we talking about February 2014? Are we talking about January 2015? Or are we talking about this time in November 2015 has she already invested?---Very beginning, it means we starting purchase the site. Can't remember when but very early.

20 Now, can we assume that if you're sending text messages on WeChat to your close friend Liz, that what you're sending, you're sending her truthful or accurate messages?---Yeah.

Can we make that assumption?---Yeah.

Now, can you assist us as to what – just scroll up, please. Have a look at the rest of the messages on that page. Can you assist us with what you and Liz are talking about here?---Contribution.

30 So she's, is she asking you effectively why didn't you ask her to contribute more? Is that what she's asking you?---Yeah.

Yeah. It's clear that's in relation to the Rhodes development, that's what you and her are talking about? Ms Li?---Yeah.

You and her are talking about the Rhodes development?---Yeah, I'm asking her, "Rhodes, right?"

40 Did she invest in some other development that you were doing outside I-Prosperty?---Yes.

Okay. You're just clarifying with her about, she's talking with you about the Rhodes development?---That's right.

I see. Could the witness be shown page 236? Now, you, just so you'll understand this, Ms Li, I skipped a page because the previous page was blank. There was no text on it. So the next message is from you at the top of the page. "I will calculate it when I get home tonight." Now, the message under that is from you. It says, "The mayor said to support 45 levels." Now, firstly, is that translation accurate?---Yeah.

10

Right. Now, when you say, "The mayor said to support 45 levels," is that based upon something the mayor said to you?---Michael.

So when you say "Michael" you mean Michael Gu?---Yeah.

The "mayor" is a reference to Mr Tsirekas?---Yes.

Can you tell us about how Michael, Mr Gu, told you that the mayor said to support 45 levels?---I can't remember exactly but some of the point it's council will support 45 levels.

20

Sorry? Let's, so you had a conversation with Mr Gu?---Mmm.

Right. You had a conversation with Mr Gu. Do you know where Mr Gu was at that stage that you had this conversation?---Can't remember.

Was he in Shanghai?---Over the phone, not face by face.

Sure. So you had a telephone call with Mr Gu, not face-to-face. That's right?---Yeah. Yeah. By phone.

30

Now, what else do you remember from the phone conversation with Mr Gu?---Not much.

Well, what about when you say "not much" just tell us what you do remember?---Yeah, I remember saying, supporting 45.

40

Okay. Well, explain to us what Michael Gu said about supporting 45 levels, what that meant?---What does that mean? Means our planning design competitions, we can draw the levels.

Sorry? Say that again?---Means for the design competition, we can try the 46 levels.

Isn't this suggesting that the mayor, being Mr Tsirekas, had said that the planning proposal the council would support or the mayor would support 45-level construction?---45-level planning proposal.

Yes. That's what Mr Gu told you. Is that right?---Yeah.

10 You understood that to be based upon some conversation Mr Gu had with Mr Tsirekas. Is that right?---Possible.

Well, how else would, when you say "possible" what else would it be based upon?---Based on Michael's own imagination.

Right. But you didn't understand that Michael was, Mr Gu was making this up when he told you this, were you?---Making what?

20 You didn't understand that Mr Gu was making it up when he said to you that the mayor would support 45 levels?---Making - - -

Well, you didn't believe that Michael Gu was telling you a lie that he'd had a conversation to the effect that the mayor said he would support 45 levels? ---I didn't judge his conversation. I, I didn't judge what he told me. I just passed the information.

But you didn't have any reason to disbelieve Mr Gu, did you, at this stage? ---No.

30 No. You also understood, is this right, because you – sorry. You understood that what Mr Gu was telling you was based upon a conversation he, Mr Gu, had had with Mr Tsirekas?---I guess so.

Yeah. Did you understand that to be a conversation that they had had when they caught up for dinner in Shanghai?---I don't know.

You don't know. So you did know that they were catching up for dinner in Shanghai in November, that's right?---Ah hmm. Yeah.

40 Do you know whether they were catching up for anything else?---I don't know.

Do you know whether they did anything else in Shanghai?---That's why I'm asking Chun, "What did you do?"

Sorry, so when you say, "That's why I'm asking Chun, 'What did you do?'" you're referring back to that line of questions that I asked you earlier today, from 12 December, where you were asking Chun "What did you do last time?" Is that right?---Yeah.

10 THE COMMISSIONER: Can I just ask you, I-Prosperity did put forward a proposal for the development to council?---Yeah.

When did that occur, when did it lodge its application for either planning approval or development approval?---We lodged them many times. I can't remember. You can check the council records.

Did you say that was the same time as the planning proposal or the development proposal?---Planning proposal.

20 Hmm?---Planning proposal.

Right. Do you remember when approximately that was? Was it late 2015, early 2016 or when was it?---It definitely not late 2015 because that was saying the drawing for the design competition.

So when do you think it was, what year?---Must be 2016 or '17.

'16 or '17. Right. So, the conversations you're being asked about in November 2015 occurred quite a long time before the planning proposal was actually lodged with council, is that right?---Yeah.

And when it was originally lodged, that is the planning proposal by I-Prosperity, how many levels were being sought in the new development at Rhodes?---46.

46. That was the initial position of I-Prosperity? They were seeking eventually planning and/or development approval for a 46 level - - -?---You mean the lodge one?

40 Development, is that right?---Lodge the one.

Pardon?---Do you mean the lodged one or - - -

Lodge with council.--- - - - the planning one?

When lodged with council, the initial proposal was for 46 levels?---I think so.

Right. And did it remain at 46 levels or did it go up or not or down, or did it stay at 46?---You mean now?

10

No, no. I'm talking about through the years, 2016/17, for example, was the proposal always for a 46-level development or did that change?---Proposal is 46 and they were talking about something, reduce the levels, reduce the levels to 127 metres.

But did I-Prosperity alter its proposal or was it always a development for 46 levels?---The proposal lodged in and they were waiting for council's feedback.

20 So does the proposal remain at 46?---We lodged a couple of proposals. So the first one is 46.

Yep. And what about any later proposals, did they change?---Later proposal we including something 127 metres then 117 metres, 114 metres, 107 metres.

How many levels?---How many levels. By now is 37, I think, yeah.

30 Just while we're waiting, were all planning proposals for the Rhodes development lodged with council?---Yeah, lodged with council and the state.

And the state planning.---And state. Yeah.

MR DARAMS: Could the witness be shown volume 6.7, page 229?

THE COMMISSIONER: What page again?

MR DARAMS: 229.

40

THE COMMISSIONER: Thank you.

MR DARAMS: Now, Ms Li, I asked you about this photograph yesterday. You couldn't remember at that time where this was taken but are you able to remember now or recall now where that photo was taken?---In a club.

In a club. Do you know the name of the club? Would it be Linx or Linz?---Yeah. I can't remember exactly the name. Either Linz or Linx.

10 So it's Linx or Linz?---Yeah.

This was taken in a club in January 2016, is that right?---I can't remember. Can you check the date?

Well, you took this photo, didn't you?---Yeah.

Yeah.---I don't know, you need to check. If it's from my phone, yes.

20 Yeah, it's from your phone. This is one of those photos we took yesterday that was on your phone that you were forwarding to Mr Chidiac and Mr Tsirekas but you couldn't recall yesterday the location of it but you now recall it was either at a club called Linx or Linz, is that right?---Yes. It's in a club. I can't remember the name yesterday.

But you can remember today it's either Linx or Linz?---Definitely a club. I can't remember the name, either Linz or Linx.

Yep. Now, when did you first meet Mr Chidiac?---I cannot remember.

30 THE COMMISSIONER: Who introduced you to Mr Chidiac?---Michael.

MR DARAMS: Now, we've had some text messages from Mr Chidiac and you in November 2015. So that's the point in time. Did you meet him before you exchanged text messages with him or after you were exchanging text messages with him?---I can't remember.

You don't remember. So let's just go back to the introduction by Michael, who you mean to be Mr Gu. Did that introduction happen here in Australia?---Yeah, I think in Australia.

40

Whereabouts, do you remember where? Was it in the I-Prosperity office?
---I really can't remember where he introduced.

Well, can you tell us what Mr Gu said when he introduced Mr Chidiac?---I
can't remember when did he introduce to me.

We'll come back to the date later on, but what about the things Mr Gu said
to you about Mr Chidiac, who Mr Chidiac was, what Mr Chidiac did, those
types of things?---I think the first time he was telling me about agreement
10 and saying he is helping, assisting for the, the Rhodes or the other
development site matters, as a consultant for them. I don't think I, I don't
think we three meet together. I, I can't remember.

Right. Let's just focus on how Mr Chidiac was introduced to you by Mr
Gu. What did Mr Gu say about Mr Chidiac?---I can't remember.

Well, what did you understand Mr Chidiac did or would be doing for
I-Prosperity when he was engaged by I-Prosperity?---I read the agreement.
It sounds like, like consulting engaged for them to, for I-Prosperity project
20 but - - -

Sure. But what did you - - -?--- - - - they didn't.

What did you understand Mr Chidiac would be doing for I-Prosperity?---At
that time?

Yeah.---No idea.

Okay. What did you come to understand Mr Chidiac would be doing for
30 I-Prosperity?---When?

What did you come to understand Mr Chidiac would be doing for
I-Prosperity?---What did I understand he would do for I-Prosperity?

Yeah. Yes, yes.---Like book the meetings and check with the progress and
introduce person.

Okay. Well, let's just focus on those three things for the moment. So book
the meetings. Book the meetings with who?---With the council.
40

With council staff?---I think so.

Okay. Let's just focus. So Mr Chidiac was being engaged to book meetings with council staff. Is that right?---The engagement have agreement. I can't remember every details but from my understanding when I work with them it's this kind of things.

Book meetings with council staff. Right, that's one thing.---Introduce the person who you need. Introduce consultant.

10 THE COMMISSIONER: I'm sorry, I'm having trouble hearing you. Would you please talk into the microphone again and keep your voice up. ---Yeah.

Yes.---So introduce the consultant you need and introduce, assist you to book the meetings if you require. Yeah, that kind of thing.

Just introduce consultants. What does that mean?---So when you need someone who is, he recommend someone good to us. That, that's what I remember at the very beginning.

20

So do I understand your evidence is that you understood Mr Chidiac was retained by I-Prosperity to provide services in relation to the Rhodes project?---I think not Rhodes. He also assisting others as well.

Yeah, well, there may be others but let's just focus on my question. Do you understand that Mr Chidiac was retained by I-Prosperity to render services firstly?---Yes, that's right.

30 And the services included services in relation to the Rhodes project? ---Yeah, that's right. That's right.

And was there any other projects that he was retained to provide services for?---Ryde one, Burwood one.

Ryde?---Ryde.

Ryde and, was there another one?---Burwood.

Rhodes.---Burwood.

40

Sorry?---Burwood.

Sorry, I can't get it. Where are you - - -?---Burwood.

MR DARAMS: Burwood I think.

THE COMMISSIONER: Burwood. Thank you. What was the project at Ryde? Just a short summary.---Construction 42 units.

42 units?---Ah hmm.

10

So it was a comparatively small project, was it?---Yeah. Constructed.

And the project at Burwood what was that?---Townhouses.

Townhouses. How many?---Six.

Six. So the major project for I-Prosperity that Mr Chidiac was to render services was the Rhodes project.---Yeah.

20

Okay. And do I understand you say the services were for him to, did you say book meetings with council?---I did ask him for book the meetings, yes.

So he would, when asked, attend or communicate with somebody within council to arrange meetings for I-Prosperity concerning the Rhodes project. Is that right?---For Rhodes, for Burwood, for Ryde.

Right. And the second area in which he was retained to provide services was you said to introduce consultants.---Ah hmm.

30

Is that right?---Yeah.

And what consultants are you there referring to? Introducing what consultants?---Different, different area, different council they introduce different kind of consultant.

That's what I'm asking you for to help me. What type of consultants are we here talking about that he was to help introduce?---Like town planner, heritage.

40

Town planner, heritage.---Yeah.

Anything else?---Safety, regarding union - - -

Safety?---Yeah.

When you say “unions” you mean, what, safety issues that the unions might raise?---Yeah, yeah - - -

Yeah. Anything else?---Like, introduce site - - -

10 Sorry? Say again? Introduce sites? What’s that mean?---Introduce sites.

What? Define- - -?---Define some - - -

Potential property?---Yes. Purchase site.

And, right.---And introduce some agents.

To speak to agents?---The agent who having some potential sites, introduce the agent.

20

Yeah, potential sites of agents.---And introduce some of the owner of the site.

Yeah. Anything else?---I think that’s pretty much - - -

That’s about it? Do you know whether – I withdraw that. So far as Mr Chidiac’s services are concerned, are you aware as to whether he has any qualifications in, that is, firstly, formal qualifications in relation to planning matters, heritage, design work, construction work? Do you know whether he holds any qualifications at all for - - -?---I didn’t ask because they, Michael give the engagement letter, let me know that’s the consultant they, they engaged.

30

Sorry? You said because Michael what?---Because Michael arranged the, already engage - - -

He arranged it?--- - - - arrange the engagement so I don’t know anything about what’s, what’s the background of the person.

40 Do you know whether Mr Chidiac holds any professional qualifications or experience in relation to development - - -?---I didn’t ask.

- - - planning, town planning, heritage and anything else to do with multi-level developments?---He only introduce. It's, I didn't answer him, mmm.

You don't know of any experience he could bring to bear on any of those issues?---I don't know.

You don't know?---Mmm.

- 10 Okay. But you yourself were very interested in this project, weren't you, and anxious to see it develop as quickly as possible because you had a lot of skin in the game, to use the expression? You had a lot of money invested in it?---Mmm.

Is that right?---That's right.

And you closely followed the planning processes and you tried to contribute as best you could to those processes?---Mmm.

- 20 You tried wherever you could to expedite, that is, move things along fairly quickly?---Yeah.

Because, as you say, every day was costing money?---That's right.

Now, can you name any consultants that Mr Chidiac introduced for the benefit of this project?---For this project?

That's the Rhodes project.---Introduce the town planner.

- 30 Mmm?---Town planner.

Sorry?---Town planner.

I can't understand you?

MR DARAMS: Town planner.

THE COMMISSIONER: Town planner. Did he introduce a town planner?
---Yeah.

- 40

And who did that happen to be?---David.

That's David Furlong?---Yeah.

So he was the one who introduced David Furlong?---Mmm.

Right. I see. Did he introduce any other consultants to this project?---The valuer.

Who was the valuer?---I can't remember - - -

10

Where did the valuer practise?---Sydney.

Where?---Operate in Sydney.

In?---Sydney.

Sydney?---Yeah. Can't remember the name.

20 And was the valuer retained when land was being valued for the purposes of purchasing it?---Yes. For purchase.

Right. And was that valuer retained for the purchase of the five lots for the or any of those lots for the project at Rhodes - - -?---Buy the six lots. Not five. Six.

The valuer was used for those - - -?---For the six - - -

Six lots?--- - - - the six lots.

30 I see. Any other consultants introduced by Mr Chidiac for the Rhodes development?---For Rhodes, he also introduced the owner in number 1 Marquet Street.

That's the owner of the property that was purchased by I-Prosperity?---Yes.

Yeah, yeah. Well - - -?---The six lots.

40 The owner wasn't a consultant though, was he? I'm asking you to specify what, if any, consultants Mr Chidiac, in his role of rendering services to I-Prosperity, did he arrange? Were there any others or have you named them all?---I think, I think that's, I think only, only couple, not much.

Not much.---Ah hmm. Because (not transcribable) in some consultant as well. I can't remember their name.

And did you come to understand whether there was a relationship between Mr Chidiac and Mr Tsirekas?---Yeah, they always together. I know that.

And what was your understanding of their relationship with one another?
---Friends.

10

Friends. What, good friends or casual acquaintances?---I don't know.

Did you get a sense as to whether they were good friends?---Mmm, should be. I don't know.

You don't know?---Ah hmm.

Did it appear that way to you, that they appeared to be good friends who travelled together and so on?---Maybe.

20

Maybe.---Yeah, maybe, I think.

I see. So in summary, Mr Chidiac, engaged by I-Prosperity for the Rhodes project, to arrange meetings with council about the program and to introduce consultants?---Ah hmm.

Being the consultants you've mentioned.---Ah hmm.

30 Anything else, or is that the sum total of his services to be provided to I-Prosperity?---Introduce land, introduce - - -

Introduce the land purchasers?---Yeah.

Yes, you mentioned that. Anything else? In other words, in summary, why was Mr Chidiac retained for the Rhodes project other than the services you've mentioned? Is there any other reason?---Reason, I don't know. Michael engaged.

40 Did he have any other role to play, to your knowledge, other than arranging meetings with council and introducing consultants for the project?---For Rhodes?

Ah hmm, yes.---I, I personally didn't instruct anything.

Pardon?---Myself didn't instruct anything else. I don't know if they working something else.

Right, okay.

10 MR DARAMS: Can I just ask a few questions before the adjournment?

THE COMMISSIONER: Yes, certainly.

MR DARAMS: You mentioned the Ryde development of 42 units. When was that?---2016 or '17.

Was that an I-Prosperity Waterside Rhodes development?---No. It's Ryde.

Sorry?---It's Ryde, no. It's Ryde project.

20 Yes. But who was the company behind that? Was that Forte Group?---Oh, no, no, no. I-Prosperity Opportunity Fund.

I-Prosperity Opportunity Fund. Is that a different fund to the - - -?---No, same.

Same fund that - - -?---But different SPV for different project.

Yep. What about the Burwood - - -?---I-Prosperity Opportunity Fund as well.

30

And, sorry, just so I'm clear, the I-Prosperity Opportunity Fund was the same fund that had been set up to purchase the Rhodes land, is that right? ---Part of unit holder, yes.

Part of the unit holder.---Part of the unit holder, yes.

You also said that Mr Chidiac introduced the owner of 1 Marquet Street, is that right?---Yeah, that's right.

Did he introduce the owner so that I-Prosperity could then purchase the property off that owner, is that right?---Purchase the land, not purchase the owner.

No, no. Purchase the property off the owner.---Yes. Purchase the property, yes.

So is this how it operates? Mr Chidiac makes the introduction to the owner of 1 Marquet Street, is that right?---Yes.

10

Then I-Prosperity reaches an agreement to purchase the property from the owner.---Yeah, that's right.

That's the chain of events, is that right?---The, before we purchase the land.

Sorry, you're talking about 1 Marquet Street now?---Yeah, I'm explaining you. You're not right.

20 Okay.---So before we purchase the land, we had a due diligence. Council had a meeting before we purchase the land, require the previous option holder of the five lot to buy the corner block to avoid isolation. So when I approached the owner, they only holding a five-lot option. So I-Prosperity bought the five lot. Before we buy it, we know there is condition from the council require to purchase the sixth lot, which is number 1 Marquet Street.

Number 1 Marquet Street becomes the sixth lot, is that right?---Yeah, that's the sixth lot.

30 Right.---And in that council condition it's saying if we can get the six lots, which combine them together, we can go into, I remember, about 125 metres with 6.5 GFA.

I see.---So that's the reason after we had the option of the five lot, we need to buy the sixth lot.

40 And I just want to understand the role you say Mr Chidiac played in the purchase of the sixth lot, being 1 Marquet Street. Does that make sense? I want to understand that role.---Then what happened it's, we need to approach the number six, which is number 1 Marquet Street. And Joseph did contact the owner and introduced the shareholder behind this owner group, and then we negotiate with them to purchase.

So, I see, so the reason that I-Prosperity was able to, or one of the reasons I-Prosperity was ultimately able to reach an agreement with 1 Marquet Street was because Mr Chidiac made the introduction to the owner of 1 Marquet Street, is that right?---Mmm, I think he assisted, yes.

With the introduction. That's what you had said before, is that right? He introduced you to the owner of the property.---Yes, that's right.

10 Right. Perhaps that's a convenient time.

THE COMMISSIONER: Yes, all right, then. We'll now adjourn and we'll reconvene at five past 2.00. Madam, if you'd be back here ready to resume after the luncheon adjournment at five past 2.00. Yes, very well, I'll adjourn.

LUNCHEON ADJOURNMENT

[1.03pm]