

GALLEYPUB00964  
05/07/2022

GALLEY  
pp 00964-01031

PUBLIC  
HEARING

COPYRIGHT

INDEPENDENT COMMISSION AGAINST CORRUPTION

STEPHEN RUSHTON SC  
COMMISSIONER

PUBLIC HEARING

OPERATION GALLEY

Reference: Operation E19/0569

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON TUESDAY 5 JULY, 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: Take a seat. The oath that you took yesterday continues to bind you.---The affirmation, yes.

MS HEGER: Ms Tang, you invested an amount of money in Landmark Square, is that right?---Yes.

10 Was that about \$300,000?---Yes.

And you paid that into One Capital Group's account, is that right?---Yes, correct.

Ultimately you decided not to proceed with that investment so it became, in effect, a loan to One Capital Group?---Correct, yes.

Was that loan ever paid back to you?---No.

20 All right. And then One Capital Group went into administration in 2018, correct?---Yes, correct.

So have you attempted to recover that money from Wensheng Liu personally?---I've asked him a few times, yes.

All right. But you haven't recovered the money to date?---No.

When did you finish working on Treacy Street?---When the companies, pretty much shortly after when the companies went into administration.

30

Okay. And the same applied to Landmark Square, that's when your work on Landmark Square wrapped up?---Yeah. Around about there.

All right. And so from that date did you keep working with Philip Uy at all?---I actually still do, still do a little bit of work but mainly from home and I actually didn't completely finish up until probably around about July or August 2019.

40 When you say finish up, you mean on those two developments or were you doing some other work?---Oh, on those two developments.

Oh, okay. So you finished working on Landmark Square and Treacy Street about mid-2019?---Correct.

But after that you kept working with Philip Uy?---No.

Okay. So you finished working with Philip Uy about mid 2019 as well?  
---Yep.

And does the same apply to Wensheng Liu?---Yes.

10

All right. Can I ask you to cast your mind back to late 2015, which is when you said you started working more closely with Philip Uy and Wensheng Liu, correct?---Yep. Yeah, around about there.

Okay. And you'll recall the application for the extra five storeys on Treacy Street was made in December 2015?---I know that it was made around the time that I was assisting but I don't know exactly which, like, exactly when.

20 Sure. Around that time, did you understand that Philip Uy knew Vince Badalati?---I don't think so, no.

Right. Philip Uy hadn't spoken about Vince Badalati - - -?---No.

- - - around that time, late 2015?---No, not that I could recall.

Around that time, did you understand Philip Uy to know Philip Sansom?  
---Not that I could recall.

30 And what about Con Hindi?---Not that I could recall.

All right. But at some point, you did come to understand that Philip Uy knew Vince Badalati. Correct?---Yes.

And when did you develop that understanding?---I think I knew probably when I went to a dinner in Chinatown.

That's the one on 18 March, 2015?---Was that - - -

40 2016, I'm sorry.---Yes. Yes, that's round about the time that I first saw them.

Is that the first time you met Vince Badalati at that dinner in Chinatown?  
---Yes, I think so. That would have been.

And what about Con Hindi? Is that the first time you met him?---Correct.  
That's the first time I saw him. I technically didn't get to meet them  
because I wasn't introduced. I was just there.

You weren't introduced?---Yeah, no. No.

10 Okay. But you were sitting at the same table as - - -?---No. I think I was  
sitting at a different table. I, I can't remember. There was a few tables there  
that night, yeah.

All right. There were a few tables in a private room. Is that right?---Yes, I  
believe so.

Okay. And so is that the first time you think you saw Philip Uy and Vince  
Badalati together at that dinner in Chinatown?---Yes, I believe so.

20 And is that the first time you saw Philip Uy and Con Hindi together at that  
dinner in Chinatown?---Yes, I believe so.

And Mireille Hindi was there, as well, of course?---I believe so.

Is that the first time you'd seen Philip Uy together with Mireille Hindi?---I  
think so, yes.

And does the same apply to Wensheng Liu? Is that the first time you'd seen  
him with Vince Badalati?---Yes, I believe we, that was the first time that I  
30 saw everyone, for the, yeah, for the first time, pretty much.

Okay. So that's the first time you saw Wensheng Liu with Vince Badalati  
and Con Hindi and Mireille Hindi. Is that right?---Correct. Correct.

Okay. And around this time that you started working more closely with  
Philip Uy, that is late 2015 - - -?---Yeah.

- - - did he mention from time to time that he had contacts at council?---No.

40 Did that come later?---Yes.

Okay. When did he first start referring to his contacts at council, can you remember?---I don't recall.

All right. And what did he say about his contacts at council?---He just said that they're his friends.

That he had friends at council. Is that right?---He just said that they were his friends.

10 Well, did he mention anyone specifically?---No.

Did he say that they were councillors?---No. Not that I could recall.

And in what context did he mention that he had friends who could help him?---I don't recall exactly but it was in conversation. I don't know if, whether it was at a dinner party or whatever it was but he did mention it.

Was this in the context of talking about 1-5 Treacy Street?---I don't recall.

20 Was it in the context of talking about the Landmark Square planning proposal?---I don't recall.

Well, at a certain point, you were concerned about some delays with the Landmark Square planning proposal. Correct?---Yes, the companies were, were concerned, yes.

Right. That came later in about 2017 that you started having those concerns or that the company started having those concerns?---I believe so. I don't remember time lines exactly. It's been quite a while. But it was around  
30 about the time that I was working for both.

All right. And did Philip Uy refer to his friends in that context?---Sorry?  
Can you repeat - - -

Well, you said Philip Uy would from time to time refer to having friends at council. Is that right?---No. Philip mentioned to me probably once or twice that he has got friends. It wasn't technically "time to time". So I don't know how, how you want to phrase that, but – sorry. What was your question again? Sorry.  
40

Well, I'm just trying to understand the context in which he referred to having friends. Did you understand him to be referring to friends who could help with the Landmark Square planning proposal?---I didn't think much of it. He just said that he had friends at council.

Well, it must have been in a context, Ms Tang. Can you try to remember the context in which he said he had friends?---Well, possible, possibly, yes.

Well, possibly what?---That, well, possibly that that's what he meant.

10

That they were friends who could help with the Landmark Square planning proposal?---I'll be honest with you, it, it has been a while so the only thing that I do remember clearly is that he said that he's got friends at council. So what he meant by that I'm not exactly sure but that's I guess open to everyone's interpretation.

All right. But around the time he was mentioning this you understood that he knew Vince Badalati. Correct?---Yes.

20 You understood that he knew Con Hindi. Correct?---Yes.

And you understood that he knew Mireille Hindi as well?---Yes.

So when he referred to friends at council, did you understand it to be one or more of them, well, one or more of Vince Badalati or Con Hindi?---Yes.

Did you understand it to be a reference to both of them?---I don't really, I knew it was one of them or all of them but for me it was just his friends.

30 All right. Around the time that that modification application was lodged for the extra five storeys do you recall any discussions occurring with Mr Badalati or Mr Hindi or Mr Sansom - - -?---Yep.

- - - about that development?---No, I don't recall.

Philip Uy never mentioned anything to you about such discussions around this time, late 2015?---No, not that I could recall.

40 All right. And what about the Landmark Square planning proposal? You understood that it had been lodged with council in June 2015.---I think I did hear about it, yes, through the office.

All right. Which was before the time that you started working on the Landmark Square proposal. Correct?---The Landmark, yes, correct.

Yes. And around this time, late 2015, were you aware of any discussions between Philip Uy and any of Mr Badalati, Mr Hindi or Mr Sansom?---No.

Okay. Let's talk about that dinner in Chinatown on 18 March, 2016.  
---Okay.

10

Who invited you to that dinner?---Both Philip and Mr Liu just asked me to attend the dinner.

When you say Mr Liu, you mean Wensheng Liu. Correct?---Correct.

And at that dinner Wensheng Liu and Yuqing Liu signed an agreement. Correct?---I don't know – sorry, who did you say again?

Wensheng Liu and Yuqing Liu.---Yes, yes, Yuqing, yes.

20

Is it easier if I refer to Yuqing Liu as China Liu?---Yes.

All right. I'll do that. You understood at the time that that agreement concerned among other projects Treacy Street and Landmark Square, did you?---No.

You didn't understand that.---No. I just knew that China Liu was interested in investing at Landmark Square.

30

And how did you understand that?---I was told by Philip.

THE COMMISSIONER: Were you told what the purpose of the meeting was?---That they're signing some sort of agreement for Landmark Square. That China Liu was investing in Landmark Square.

Thank you.

MS HEGER: All right. And of course Philip Uy was there at that dinner. Correct?---Yes.

40

And who invited Vince Badalati to that dinner?---I don't know.

And what about Mr and Mrs Hindi, who invited them?---I don't know.

Did you have an understanding as to why Mr Badalati was there?---No. I actually didn't know that they were going to be there.

But once you saw them at that dinner did you form an understanding as to why they were there?---No. I still didn't know why they were there.

10 All right. But you understood at the time that both 1-5 Treacy Street and Landmark Square were before Hurstville City Council. Correct?---At that time I knew that we had submitted applications and so on but I don't know the extent of where it's at, like what, what sort of application.

All right. And you understood that both Mr Badalati and Mr Hindi would vote on those applications at some point in the future.---No.

Well, you understood that they were councillors at Hurstville City Council at this dinner, didn't you?---No.

20

They weren't introduced to you as councillors.---No.

Okay. Was there any mention at this dinner of Treacy Street or Landmark Square?---I don't recall.

Well, you understand now that both of them were Hurstville City Councillors at the time, correct?---Yes. I understand now.

30 And you understand now that they would have needed to vote on both Treacy Street and Landmark Square, correct?---Now I do, yes.

And you understand now that the agreement concerned Treacy Street and Landmark Square?---Correct.

And you did understand at the time that China Liu was interested in investing in Landmark Square, correct?---Correct.

40 And so is it really your recollection that neither project was mentioned at this dinner at all?---Well, I know that they were signing agreements and I was actually just sitting at another table having dinner. So I actually don't recall exactly what was mentioned.

You didn't witness any discussion where Mr Badalati or Mr Hindi said "What's this agreement about"?---No.

All right. Did you leave the dinner before or after Mr Badalati?---I don't recall.

Did you leave the dinner before or after Mr and Mrs Hindi?---I don't recall.

10 Who paid for the dinner?---I don't know.

You didn't pay for your own dinner, I assume?---No, no.

Did you see Mr Badalati leave any cash on the table at this dinner?---No, I didn't see anything, I don't recall.

Did you see Mr and Mrs Hindi leave any cash on the table?---No, I don't recall and I didn't see.

20 Did you witness any discussion at this dinner about Mr Badalati or Mr and Mrs Hindi travelling to China?---No.

You know they did in fact travel to China in April 2016, correct, all three of them?---I know that they were there when I was there.

And do you know who invited them?---I have no idea, no.

All right. You didn't witness any discussion about that at the dinner?---No.

30 Was that "no"?---No. Yes, sorry, that was "no".

All right. So you flew to China on 10 April, 2016, correct?---It was around about that time.

You were on the same flight as Chris Yan?---Yes.

Okay. And you flew into Beijing, is that right?---I believe so.

40 Okay. Who paid for your flights to and from China?---I believe it was Mr Liu, Wensheng Liu.

All right. And why do you believe that?---Because he asked me to go.

All right. You weren't involved in making the payments?---No.

Were you involved in making arrangements for Mr Badalati or Mr and Mrs Hindi?---No.

Do you know who did make arrangements for them to attend?---No.

10 Well, did Chris Yan have some involvement?---Not that I'm aware of.

All right. Can I show you volume 2.30, page 14? Can you look at message 118 at the top? It's a message from yourself to Philip Uy on 1 April, 2016 at 11.28am. Do you see that?---Yep,

It says, "Philip, make sure you arrange for tickets to fly to Beijing by 11<sup>th</sup> at 12.00 or 1.00pm." Which tickets were you referring to there?---I don't recall.

20 Well, you understand that on this occasion Philip Uy flew from Shenzhen to Beijing, do you?---I knew that he went to Hong Kong before I was due to leave.

All right. And you can obviously cross the border from Hong Kong into Shenzhen, correct?---Yes.

And are the tickets you're referring to here tickets from Shenzhen to Beijing?---I don't know if they are referring to that.

30 All right. Well, I can tell you that Philip Uy in fact did fly from Shenzhen to Beijing on 10 April with a number of people. So do you think it's likely that that's what you were referring to?---I don't know to be honest. I knew that he was going there with some people from Hong Kong.

On your understanding, was Philip Uy going to make the bookings for these tickets that you're referring to?---Yeah, that's what my message says, so I assume so.

40 Yeah. And on your understanding, did he intend to pay for those tickets?---I don't know, to be honest.

Do you know whether he did pay for those tickets?---No, I don't know.

All right. You'll see further down the page if we scroll down at 122, there's a message between someone called Connie and Philip Uy. Do you know who Connie is?---No.

You see there there's an attachment to that message which I can tell you is a passport for Mireille Hindi. Do you know where he got a copy of that passport from?---No idea.

10

You didn't have any involvement in arranging that?---No.

Okay. If we move to page 15, I'll just mark page 14 for identification. That'll be MFI 38.

**#MFI-038 – VOLUME 2.30, PAGE 14**

20 MS HEGER: Move to the next page of 2.30, page 15. Can we scroll down to message 131.---131.

131 is a message from someone called Emily Ly to Philip Uy. Do you know Emily Ly is?---No.

Right. Well, I want you to assume for a moment Emily Ly is a travel agent.---Okay.

And you'll see there are eight names listed there?---Mmm.

30

And it says, "Take off from Shenzhen 16.45. Arrival into Beijing Capital Airport." Do you see that?---Yes.

Do you know who number 2 is, the person listed there?---No.

Do you have any idea why they were on this trip?---I have no idea.

Do you know who number 5 is?---I don't know the Chinese, no, as in, like the written Chinese name.

40

You don't know that person?---Not that I, not that I could recall.

Okay. You don't know why they were on this trip?---I know the Yuan Hei Tung. He was at the trip - - -

That's number 6 in this text message?---Yes. Yes. I know number 6. And number 8 I know. I believe that was Mr Wong, so, and all the other names I have no idea.

10 All right. Starting with number 6, is that person also known as John?---Yes. Correct.

Right. And why were they on this trip?---They were, I think what I was told was that they were somehow related to the company, I think GR Capital or representing GR Capital or one of the companies, I don't recall exactly.

Could have been GR Capital Group or could have been The One Capital Group. Is that right?---Yeah. Could have been.

20 And who told you that?---Philip.

Did you understand that person was an investor in Landmark Square?---Mr - - -

Number 6.---John. Yes, number 6 was an investor. Correct.

And who told you that?---Philip told me that and I've met him a few times when he came to Australia, so, and I also met him in China, so I knew that he was an, I was told he was an investor and he told me he was an investor.

30 In Landmark Square or Treacy Street?---From what I could recall, it was Landmark Square.

All right. Number 8 you said you knew. Correct?---Yeah, I believe, if I'm correct, it should be, I forgot his name, Mr Wong, I think that might be Philip's brother.

Also known as Tommy Wong?---Yes, that's it. Yes. Tommy Wong.

40 And why was he on this trip on your understanding?---I believe he was part of the, I guess, one of the staff or something of the companies.

All right. And number 7, do you know who that is?---No.

Okay. And you don't know whether Philip Uy paid for the flights for these individuals from Shenzhen to Beijing?---No. Not that I'm aware of.

Okay. From Beijing you travelled onto Tangshan, correct?---Yes.

And was your transfer arranged for you?---Yes.

- 10 And did you understand it was arranged by China Liu or his staff?---Yes. His staff came to pick us up.

All right. And you met Philip Uy in Tangshan, is that right?---Correct.

Along with Wensheng Liu?---Correct.

And Mr Badalati and Mr and Mrs Hindi, you met them in Tangshan as well?---Correct.

- 20 And there you visited the Xinfeng building, correct?---Yes, correct.

I'll just mark 2.30, page 15 as MFI 39.

THE COMMISSIONER: Thank you.

**#MFI-039 – VOLUME 2.30, PAGE 15**

- 30 MS HEGER: I'll show you Exhibit 200, volume 2.27, page 7. Exhibit 200. I hope that's the right photograph. Exhibit 200, volume 2.27, page 7. Did you see this sign at the Xinfeng building?---I've seen it before, yes.

And do you think it was at the Xinfeng building?---It was in one of the buildings that we visited. It might have been, yes.

All right. And when you visited the Xinfeng building, Mr Badalati was there, correct?---Yes. I did see him there.

- 40 And Mr and Mrs Hindi?---Yes. I did see, I believe I did see them there.

Can I just understand, when you got to Tangshan you met up in a group with Mr Badalati and Mr and Mrs Hindi, correct?---I met them when I was doing the tour of the waste renewal facility that Mr China Liu had.

Did you go to the facility first or the Xinfeng building first, can you remember?---I can't recall, no.

Okay. But you toured the waste-to-energy facility as a group with Mr Badalati?---Yes. I believe they were there.

10

And Mr and Mrs Hindi?---Yes, I believe they were there.

All right. And do you also remember going to the Xinfeng building?---Is it different to the one that was at the facility? I don't recall.

How about you tell me which buildings you visited.---I know that we went to a garden, we went to - - -

20 Is this on the first day in Tangshan?---I don't recall exactly which day is which but I could only just recall all the places we visited. Exactly where, I don't know, but we went to the waste facility, we did go to another building but I don't know if we, it was within the same complex or not. We visited a garden and then we also visited Beijing. But - - -

And that came at the end after you left Tangshan?---Yes, yes, correct, yes.

30 All right. Generally speaking on these couple of days in Tangshan, did you move around as a group with Mr Badalati and Mr and Mrs Hindi?---I mainly moved around – I don't recall but I know that there was a trip that I was with Philip and Mr and Mrs Hindi, I believe. I think, I, to be honest, yeah, I don't recall exactly but we did move around as a group as well as, I was always chauffeured around so I just went wherever I was asked to go,

I understand. Do you remember any discussion about this sign on this trip in Tangshan?---I know that we went there to, obviously to tour the facility and also I know that China Liu invited us there just to kind of like celebrate our, I guess, joint venture, if that's what you call it.

40 You're referring to the agreement signed between China Liu and Wensheng Liu - - -?---Correct, yes.

- - - about Treacy Street, Landmark Square and other - - -?---That's what I was there for, yes, correct.

Okay. So you don't remember any discussion about this sign in particular? You'll see it refers to Landmark Plaza at the bottom.---Yeah, yeah, I know. I could see that, yes.

10 You don't remember any discussion about the sign?---Well, I wasn't really there to, I wasn't really discussing stuff. I'm just there because I got invited to go.

But you obviously had some discussions with Mr Badalati and Mr and Mrs Hindi in these few days in Tangshan.---No. I - - -

You didn't speak to them at all?---No, no, I did speak to them.

20 Ah hmm.---So I, from what I understood was that we were there to obviously sign the agreement with, or China Liu was there to sign the agreement with Mr Wensheng Liu, and Vince and Con and Mireille went there for the waste renewal is what I understood.

All right. Well, at some point on these few days in Tangshan you must have mentioned to – let's start with Mr Badalati, "I'm here because an agreement is being signed between Wensheng and China Liu."---Of course, yes.

30 All right. And you said that agreement concerns a number of projects in Australia.---I really didn't have those in-depth discussion because that was actually the first time that I officially met them. So it was really I'm just there to, I guess, I don't know why I was invited. I think it might be because we, from what I understood was that it was just China Liu inviting the company here in Australia to visit them, to visit their facility and what they do and also to sign the agreement. So I didn't have in-depth discussion with any of the councillors, like Con or Vince or Mireille.

I'm not suggesting they were in depth, but you saw Mr Badalati a number of occasions in Tangshan. Correct?---Yes, we were there.

40 Yes. And you must have mentioned to him at some point I'm here because my boss is signing an agreement with China Liu.---Yes, of course.

It's only polite to - - -?---Of course, yes. Of course.

- - - exchange pleasantries as to why you're there.---Yes.

Correct?---Correct.

And you must have given him some indication as to what that agreement was about.---No. I wasn't aware of it at the time.

10 Well, I'm sorry I thought your evidence earlier was that you understood you were going over there for a signing ceremony between - - -?---Yes, but - - -

- - - China Liu and Wensheng.---Correct.

And you understood that that agreement involved a number of projects including Treacy Street and Landmark Square, didn't you?---I understood it to be Landmark Square at the time.

20 Okay. And so you must have mentioned to Mr Badalati at some point they're working on Landmark Square together.---That China Liu and Mr Wensheng Liu was working on, yes, Landmark Square together. Of course, yes.

Yes. You recall mentioning that to Mr Badalati at some point on this trip. ---I don't know if I mentioned it exactly to Mr Badalati but like you said, we might have exchanged pleasantries and they might have asked what I'm, what we're here for and I might have mentioned it but I don't recall exactly.

30 Okay. You don't have a recollection but you think it's likely you mentioned it at some point to Mr - - -?---Possibly.

- - - in Mr Badalati's presence?---Possibly, yes.

Possibly. And would the same apply to Mr and Mrs Hindi, you don't recall but it's likely you've mentioned it at some point in their presence? ---Probably, yes.

Okay. You checked into the same hotel in Tangshan as Mr Badalati and Mr and Mrs Hindi. Correct?---Yes, I believe so.

40 All right. And the next day, so this is now 12 April, you attended that signing ceremony. Correct?---I attended a signing ceremony, yes.

That was a ceremony where Wensheng Liu and China Liu signed an agreement. Correct?---Yes, I believe so.

And that was held at the Xinfeng, a hall in the Xinfeng building.---Yes. That one I remember, yes.

And Mr Badalati gave a speech on that occasion.---I believe he did, yes.

10 Who asked him to give the speech?---I don't know.

And in that speech he talked about Hurstville. Correct?---I'll be honest with you. I was probably there just to attend and I was sitting with some of the people that visited from Hong Kong because that's how we've kind of like formed, not formed but that's what we were told that we are all from GR Capital Group, like probably the Hong Kong I guess office and the Australian office. I was sitting with them most of the time and walking around and eating and drinking, so I know that he did do a speech, yes.

20 You can't recall what it was about?---No.

When you refer to the Hong Kong office, are you saying that was the Hong Kong office of GR Capital Group or One Capital Group?---That's what Philip told me but I don't know for sure.

All right. Can I show you Exhibit 178, which is volume 2.8, page 19? This is a picture from that signing ceremony, correct?---Yep.

30 You can see in the background there's a picture of China Liu, Mr Badalati and Mr Hindi. Do you see that?---Yes.

You recognise that as a picture from the dinner in Chinatown, correct?---I believe so, yes.

All right. Obviously somebody provided that picture to the organisers of this event. Do you know who did that?---I have no idea.

It wasn't you?---No.

Can I show you the next page in that volume, which is Exhibit 179, volume 2.8, page 20? This is another picture from the signing ceremony, correct?  
---Yep. I believe so, yes, of course.

All right. You see in the background there's a picture of Mr Hindi and Mr Badalati and China Liu with some orange curtains?---Ah hmm.

Do you know what event that is a picture of?---No.

10 All right. Do you know who provided that photo to the organisers of this event?---No.

And on the right, can you see the two gentlemen in orange high-vis?---Yep, yep.

Who is the gentleman on the left?---Kurt Vegners.

Who was the builder for 1-5 Treacy Street, correct?---Correct.

20 And who you'd worked with fairly closely before?---Yes.

By this time, had Mr Badalati met Kurt Vegners, do you know?---Not that I'm aware of.

What about Mr and Mrs Hindi, had they met Kurt Vegners by this time that you're aware of?---Not that I'm aware of.

Okay. All right. Following the ceremony was a dinner, correct?---Yes.

30 Which you attended?---Yes.

And Mr Badalati attended?---Yes. I, I did see him, yes.

And Mr and Mrs Hindi were at the dinner?---I don't recall seeing them.

All right. Mr Badalati must have asked at some point "What's this ceremony about?"---He didn't ask me.

40 Well, did you see him ask anybody?---No.

Was there any discussion in Mr Badalati's presence as to what this ceremony was about?---Not that I'm aware of.

All right. But you spoke to Mr Badalati at some point during the ceremony or the dinner, is that right?---I don't recall.

What about Mr and Mrs Hindi, did you speak to them?---No. I don't recall. I don't think they were even there.

10 Can I show you volume 2.27, page 18? 2.27, page 18. All right. That's you on the right in the foreground, correct?---Yes.

And at the table to the left you can see a gentleman in the white shirt?  
---Yes.

That's China Liu?---Yes.

Next to him, that's Mireille Hindi, isn't it?---Yes.

20 All right.---That's correct.

So Mireille Hindi did attend the dinner that followed, correct?---Okay. I guess she did.

Yeah. I appreciate it's a long time ago, so I'm not - - ?---Yes.

Did you have any discussions with Mrs Hindi at this dinner?---No.

30 You didn't speak to her at all?---I don't recall having, no, I don't recall.

Okay. The gentleman to your right, who's that?---To my right, that's Tommy.

That's Tommy Wong?---Yes.

And next to him is Philip Uy?---Yes.

And next to him, is that Xian Yuan you referred to earlier?---Yes.

40 All right. And who's next to him?---I don't remember his name but I knew that he was from Hong Kong.

All right. And why did you understand he was at this signing ceremony?  
---Because from what Philip told me is that they were representatives of the GR Capital Group from Hong Kong.

Okay. And the gentleman next to him?---I have no idea who he is.

Have any understanding as to why he was there at this signing ceremony?  
---No idea.

10

All right. Xian Yuan must have been introduced to Mrs Hindi at some point during this dinner?---I have no idea.

You didn't see that occur?---No.

Did you ever see him introduced to Mr Badalati or Mr Hindi?---Not that I could recall.

20

All right. I'll tender that photograph. That'll be Exhibit 219.

**#EXH-219 – VOLUME 2.27 PAGE 18**

MS HEGER: Can I show you Exhibit 127, volume 1.4, page 252?---Sorry. Can I just request that I stand up for a bit 'cause I've got a back problem and I couldn't sit for too long?

30

Of course.---Just when you're going in-between things, I'll just stand up for a bit.

Yeah. Feel free to stand up now.

THE COMMISSIONER: Would you like to have a break?---No, it's fine.

Sure?---Yeah. I'd just like to stand for a bit. That's all.

MS HEGER: All right. Can you see that from where you're standing?  
---Yeah.

40

Feel free to stand for now.---Yeah. Thank you.

You see this is an email from Nigel Dickson to a number of people not including you?---Yeah.

It's dated Wednesday, 13 April, 2016?---Yeah.

2.36pm.---Mmm.

10 It says, "I spoke with the client, Elaine Tang, yesterday and she was in Beijing with the other lead team members."---Mmm.

"She advised that Michael and I should be registered to speak at the upcoming council meeting to discuss the planning proposal." See that? ---Mmm.

All right. So Nigel Dickson spoke to you while you were in China. Correct?---Yes, he might have, according to that email.

20 You don't have a recollection of speaking to him?---No.

All right. Mr Dickson says that you indicated they'd be registered to speak at the upcoming council meeting. So you obviously understood, didn't you, when you were on this trip in China that there was an upcoming council meeting. Correct?---Yes, I believe so.

Okay. And you understood that the Landmark Square planning proposal was going to be considered at that meeting. Correct?---Yes, from that email, I believe so, yes.

30 Okay. And there must have been some discussions about that upcoming council meeting on this trip in China?---I didn't have those discussions, no.

You didn't speak to anybody on this trip in China about the upcoming council meeting. Is that right?---The only person that would have given me instructions would have been Philip.

40 Right. So do you recall having some discussions with Philip about the upcoming council meeting on this trip?---I might have, yes. I don't recall but I might have.

Okay. And you don't recall having discussions with Mr Badalati or Mr Hindi about it or Mrs Hindi?---No. No.

All right. I'll come back to the topic of that council meeting later.---Okay.

The next day you checked out of the hotel in Tangshan. Correct?---I did check out. I don't know exactly what date, but it could have been from what you're telling me.

10 Okay. Did you check out around the same time as Mr Badalati and Mr and Mrs Hindi?---Yes.

Do you recall seeing them in the lobby that morning?---I believe they might have been, yes.

Do you actually have a recollection of that?---I know that they were there when we were checking out because we, we were due to go to Beijing together.

20 You were travelling together to Beijing. Is that right?---Well, we were all going to Beijing but we weren't together as in, in the same vehicle.

You travelled in separate vehicles up to Beijing.---Yes.

And you're referring to yourself and Mr Badalati and Mr and Mrs Hindi. ---Sorry, what did you mean by that?

You all went to Beijing.---Yes.

30 You, Mr Badalati. Correct?---Yes, Mr Badalati went and Ms, Mireille and Con went to Beijing as well, yes.

All right. And Philip Uy went to Beijing too?---Yes.

And Wensheng Liu?---Yes.

All right. And you all travelled in cars but separate cars?---I was in the car with the Hong Kong people and the staff.

40 All right. Who else was in the lobby that morning when you were checking out?---There was a lot of people there. A lot of the staff was there. I

believe Mr Wensheng Liu was there, Philip was there and obviously Con, Mireille and Vince.

Was Tommy Wong there?---I believe he was.

Do you actually recollect him being there or are you just assuming because you were all moving as a group?---Yeah, I, I assume because we're all moving as a group.

10 Did you witness a discussion in the lobby between Mr and Mrs Hindi and China Liu's staff?---No, I don't recall.

What about Mr Badalati and China Liu's staff?---I don't recall.

You don't recall - - -?---No.

- - - them having a discussion.--- Correct.

20 You don't recall seeing Mr Badalati give China Liu's staff anything?---No, I don't recall.

And you don't recall Mr and Mrs Hindi giving China Liu's staff anything in the lobby that day?---I don't recall. I don't recall.

Okay. So you all travelled back to Beijing and then did some sightseeing. Is that right?---Correct.

You went to Tiananmen Square.---Yes.

30 Okay. And then you flew home to Sydney. Correct?---I don't think we flew out the same day. We stayed the night in - - -

You stayed one more night in Beijing.---Yes. I believe so, yes.

All right. Who paid for your accommodation in Tangshan?---I believe either Mr Liu or Philip did. It was, I was told it was an expenses paid for so I didn't have to do anything.

40 And your flights as well. You said earlier that it was Mr Liu. Is that right? ---Yeah.

And what about your accommodation in Beijing?---I assume it's either Philip or Mr Liu.

Do you know who paid for Mr Badalati or Mr and Mrs Hindi's accommodation in Tangshan?---No.

What about in Beijing?---I don't know.

10 You never witnessed them paying for their accommodation in Tangshan?---I didn't witness anything in terms of payments.

You didn't witness them paying for their accommodation in Beijing?---No.

Are you aware of any arrangement for Wensheng Liu or Philip Uy to cover Mr Badalati's expenses for this trip?---No.

What about Philip Uy, are you aware of any arrangement for him to cover their expenses?---No.

20 He never said anything to you about that?---No.

All right. I'll come back to that topic later as well. Council then considered the Landmark Square planning proposal at that meeting on 20 April, 2016. Correct?---I don't know dates but I assume so if that's what you're saying.

All right. Can I show you Exhibit 127, volume 1.4, page 255. This is an email from Michael Gheorghiu - - -?---Ah hmm.

30 - - - who was of course one of the planners working on Landmark Square. Correct?---Yep.

It's to yourself and some others - - -?---Yep.

- - - on 15 April, 2016.---Yep.

Mr Gheorghiu says, "Council issued their agenda and assessment report this morning for the planning proposal that will be heard at the council meeting on 20 April, 2016." Do you see that?---Ah hmm.

40 And there was a link to the assessment report. Do you see that?---Yep.

And you read that assessment report around this time, 15 April.---I probably didn't read it.

Did or didn't?---I probably didn't read it.

Didn't.---Yep.

10 All right. But Mr Gheorghiu indicates that staff support the planning proposal however do not support the overall height and FSR. Do you see that?---Yes, I can see that.

So you obviously had an understanding around this time that the staff did not support the height and FSR, correct?---Yes. That seems to be about right from the email.

20 All right. And then under the heading Political Discussions, point 1, or the first bullet point, Mr Gheorghiu says "Discussions need to occur at the relevant political levels to make them aware of the recommendation." Do you see that?---Ah hmm.

Now, I appreciate you didn't write this email but from your understanding what was Mr Gheorghiu referring to when he said "at the relevant political levels"?---I don't really know, to be honest, but during that time, from what I could recall, is that whenever I got emails I would just pass them onto Philip.

Well, Ms Tang, by this point you understood that Philip Uy knew Vince Badalati, correct?---Yes, of course.

30 And of course you'd seen him interact with Mr Badalati on this trip to China and at the dinner in Chinatown, correct?---Yes, I've seen them.

You understood by this point that Philip Uy knew Con Hindi as well?---Yes.

Did you understand by this point Philip Uy knew Philip Sansom as well?---I don't know who Philip Sansom.

Okay. You've never met Philip Sansom?---No.

Okay. And you understood, obviously at this point, that Mr Badalati and Mr Hindi were councillors on Hurstville City Council, correct?---I think so, yes.

Of course Vince Badalati was introduced as the Mayor of Hurstville City Council at the signing ceremony, correct?---Yes.

10 All right. So when Mr Gheorghiu said “discussions need to occur at the relevant political levels”, you must have had some understanding as to what that meant?---I might have.

Yes. And what was that understanding, Ms Tang?---That Philip just needed to speak to, I guess, people is what I understood, yep.

People at council, correct?---Possibly, yes, and most likely, yes.

20 And most likely Mr Badalati and Mr Hindi, that’s what you understood, wasn’t it?---At the time I just knew that he had to speak to people but I understand now.

At the time you understood that that meant he needed to speak to Mr Badalati and Mr Hindi, didn’t you?---No. And that’s being honest. I knew that he had to speak with people and I knew Philip had friends, but whether or not they’re the people that he had to speak to, I have no idea. But - - -

You knew that he had friends at council because he had told you that, correct?---Yes. He had mentioned it, yes.

30 And by this time you knew that he had friends who were councillors, correct?---Yes, of course.

All right. Can I show you volume 1.4, page 260? Again, part of Exhibit 127. This is an email from yourself to Mr Dickson and others, 20 April, 2016, 9.42am. If you go further down to the next email in the chain you’ll see there’s an email from Mr Dickson. If we just keep scrolling down, please. You see the one from Nigel Dickson, 19 April, “Michael, Elaine and team”?---Yeah.

40 And he sets out certain talking points?---Ah hmm.

“I am suggesting I speak to the following key points” and you see there’s a couple of bullet points there?---Yeah. That’s coming from who, from Nigel?

From Nigel Dickson.---Okay, yep.

If we keep scrolling down and then he says “Michael Neustein’s talk may address the following” and he sets out a number of points.---Sorry, Michael Neustein, yes.

10

All right. And if we scroll back up to, then Mr Dickson says “Please provide any comments as appropriate.” Do you see that at the end of, in the last paragraph?---Yep, yep.

All right. Then we go back up to your email and it looks like what you’ve done is copy Mr Dickson’s text but then added some comments in capitals, is that right?---Yep.

20 You say in the second paragraph, “Please see changes in caps below.”  
---Ah hmm.

All right. So you accept the text in capitals are your suggestions for the talking points for this meeting. Correct?---It was coming from me, yes.

Yes. And it says, “This proposal will put Hurstville on the map and truly make it a preferred destination for national and international tourists.” Do you see that?---Yes.

30 Were those your words or someone else’s?---Those are probably not my words but I – so from my involvement in the planning proposal these are the things that were discussed between the consultants so I might have just remembered that at the time and put it on or I might have gotten instructions but that might have been something that I’ve heard and I might have just put it in there as part of something to discuss.

Well, something you heard from whom? Can you be specific about that?  
---Consultants. So either from the architect. So Brett Daintry was our consultant. Michael Neustein. So they were consultants.

All right. Did Philip Uy have any input into this?---I don't recall but I know that Philip would have been involved and Kurt would have been involved at the time with all these things.

Are you aware of Philip Uy having any discussions with Vince Badalati or Con Hindi around this time about - - -?---No.

- - - the planning proposal?---No, not that I'm aware of.

10 Did you have any discussions with Vince Badalati about the planning proposal around this time, just before the council meeting?---No, not that I could recall, no.

And what about Mr Hindi?---No, not that I could recall.

Mrs Hindi?---No.

Are you denying it or are you saying you just can't remember?---I actually can't remember.

20

Okay. I'll show you a few pages later, page 267 in the same exhibit, Exhibit 127. This is an email from Philip Sansom to Mr Badalati and Mr Hindi and you're not copied to it.---Okay.

And I'm not suggesting you ever received it.---Okay.

You see it's dated 20 April, 2016 at 1.04pm.---Yep.

30 And Mr Sansom is – well, can we go to the attachment, please. Scroll down to the next page. You see there that Mr Sansom appears to be drafting a resolution regarding the planning proposal for Landmark Square.---Yeah, if that's what it is, yes.

All right. Were you aware that Mr Sansom was drafting a resolution around this time, 19 April?---No.

Nobody mentioned that to you.---No.

40 Did anybody mention to you that Mr Badalati or Mr Hindi were involved in drafting a resolution?---Not that I can recall.

Okay. Can I show you another document. This is volume 19.2 and we'll go to row 131, please. You're aware, Ms Tang, of course that Commission investigators examined your mobile phone at one point.---Yes, yes.

All right.

THE COMMISSIONER: Is there an image on the screen?

MS HEGER: It's coming up.

10

THE COMMISSIONER: Oh, sorry.

MS HEGER: Sorry. All right. I'm sorry, I'll come back to that document a little later. Okay, what we'll do is we'll put it on the screen and we'll see if – I understand the text might be a little small. We'll just see whether you're able to read it or not. Oh, there we go. You can read that, can't you?---Yep.

All right. Let's go to row 131, please. We don't have the row numbers on the left.---I can see it.

20

Okay, thank you.---Yeah, from my screen I can see it.

You can see this is on 19 April, which is just before the council meeting. You understand that?---Yes.

And Mr Badalati calls you. The duration is only six seconds long.---Yep.

Do you recall speaking to Mr Badalati on 19 April, 2016?---No, I don't recall.

30

All right. But do you have an understanding as to why Mr Badalati would have called or attempted to call you at this time?---No.

We'll go through a number of other entries and I'll ask you that question again a bit later. If we go to row 143. Just highlight it for me, please. Thank you. 20 April, 2016. 9.50am. You see this time it's 38 seconds long.---Yep.

And Mr Badalati to yourself.---Yep.

40

In the next row there's another call.---Yep.

From Mr Badalati to yourself, although this time only four seconds long.  
---Yep.

And then a short time later another call from Mr Badalati to yourself.---Ah  
hmm.

This time only three seconds long.---Ah hmm.

10 Do you recall speaking to Mr Badalati on 20 April, 2016 in the morning?  
---No, I don't recall. But you're saying that these are my – sorry, what are  
these? These are like information about calls that was being made?

That's correct.---Okay. Well, then - - -

The Commission has of course examined Mr Badalati's phone and your  
phone. You understand that?---Yep. Yeah, sure.

And these are details - - -?---Yes.

20

- - - taken, produced as a result of those examinations. You understand  
that?---Yes.

All right. So you don't actually have a recollection of speaking to Mr  
Badalati?---Yep, correct.

But you must have an understanding as to what these calls likely would  
have concerned, given the date.---Yes, I think I might know.

30 All right. And what do you think they were about?---That would be usually  
Vince wanting to speak to Philip and he can't get through, so he'd ring me,  
is what I can see there.

All right. And it must have been about the upcoming council meeting,  
correct?---I don't know what it's about but - - -

THE COMMISSIONER: It's likely, though, isn't it? It's the same day.  
---Yes, it's likely but I don't know what it is about 'cause it wasn't  
discussed with me.

40

MS HEGER: So your understanding is Mr Badalati was in fact trying to speak to Philip Uy, is that right?---He would only ring me if he needs to, like, when he can't get in touch with Philip.

Okay. And of course you'll see then a short time later there are two calls from Mr Badalati to Ching Wah Uy.---Yeah.

Which you understand to be Philip Uy, correct?---Yep.

10 All right. If we then go to row 179 and highlight that for me, please. So this is the day after the council meeting, 21 April, 2016. 54 seconds long. ---Yep.

Mr Badalati to yourself.---Yep.

And then you'll see a short time later another call, 23 seconds long, from Mr Badalati to yourself.---Yep. Ah hmm.

20 Do you recall speaking to Mr Badalati on 21 April, the day after the council meeting?---No, I don't recall.

Right. Is it likely this was another attempt by Mr Badalati to speak to Philip Uy?---Most likely.

And it's likely it also concerned the vote at the council meeting, correct? ---Most likely.

30 Likely it concerned the Landmark Square planning proposal?---I don't know what it's, well, your – I just know that if he can't get in touch with Philip he'll ring me to ask me where Philip is and I would usually say I don't know. So what it's about, I don't know exactly but, yes, it's possible.

Well, are you aware of Philip Uy having any discussions with Mr Badalati in those couple of days leading up to the council meeting?---No. Not that I could recall.

Are you aware of Philip Uy having discussions with Mr Badalati in the couple of days following the council meeting?---Not that I could recall.

All right. And what about Mr or Mrs Hindi, are you aware of Philip Uy having any discussions with them in the days leading up to the council meeting?---Not that I could recall.

And what about the days following the council meeting?---Not that I could recall.

All right. Just take that down please, and I'll mark that for identification as MFI 40.

10

THE COMMISSIONER: Thank you.

**#MFI-040 – VOLUME 19.2**

MS HEGER: When you came back from that trip to China in April 2016, Mr Badalati would from time to time call you up to have coffee, wouldn't he?---Sometimes, yes, he does.

20

And was that soon after that trip to China?---I don't recall exactly but I know that I, he's called me a few times.

And you've had coffee with him a few times?---I believe probably once or twice.

After that trip to China in April, is that right?---Yes.

And what did you discuss at those meetings with Mr Badalati?---

30

[REDACTED]

MR PARARAJASINGHAM: Commissioner, could I just raise a matter? I wonder whether that last answer could be the subject of a non-publication order for the time being. It's a matter that I've raised with Counsel Assisting some weeks ago. I appreciate that kind of fell from the witness without any real notice.

THE COMMISSIONER: I didn't hear it but - - -

40

MR PARARAJASINGHAM: I think Counsel Assisting might know what I'm referring to.

MS HEGER: Yes. I'm happy for there to be a non-publication order in respect of that answer for now but we might need to revisit that sometime later.

MR PARARAJASINGHAM: I understood that issue might be revisited later but in light of what just fell from the witness, I'd ask that, at least for  
10 the time being, that be the subject of a non-publication order.

MS HEGER: We could take an adjournment at this point, Commissioner.

THE COMMISSIONER: Yeah. Why don't we do that because then I could form a view.

THE WITNESS: Was that about the - - -

20 **SHORT ADJOURNMENT**

**[11.13am]**

THE COMMISSIONER: Being satisfied that it is presently in the public interest to do so, I direct that the evidence just given by this witness in respect of the contents of her conversation with Mr Badalati not be published.

30 **SUPPRESSION ORDER: BEING SATISFIED THAT IT IS PRESENTLY IN THE PUBLIC INTEREST TO DO SO, I DIRECT THAT THE EVIDENCE JUST GIVEN BY THIS WITNESS IN RESPECT OF THE CONTENTS OF HER CONVERSATION WITH MR BADALATI NOT BE PUBLISHED.**

THE COMMISSIONER: I should indicate, nevertheless that it is likely that the subject matter of what Mr Badalati discussed with Ms Tang will likely arise later in this hearing and it is unlikely I will continue the non-publication order which I have just made. Yes, thank you.  
40

MR PARARAJASINGHAM: Commissioner, sorry, you've just said, could I reserve my position to be heard further on this issue at some later point?

THE COMMISSIONER: Of course, of course.

MR PARARAJASINGHAM: Yes.

THE COMMISSIONER: When I say it's unlikely, I've got certain preliminary views but I'm happy to hear from you.

10

MR PARARAJASINGHAM: I'm grateful. Thank you,

THE COMMISSIONER: Thank you.

MS HEGER: Ms Tang, I'll just ask you a couple more questions about these coffees with Mr Badalati but I don't need you to tell me what was discussed at the coffees.---Okay.

20 I'm just going to ask you, your evidence was that Mr Badalati got in touch with you to organise these coffees, is that right?---He usually gets in touch with me because he can't get in touch with Philip.

But there were a couple of times where you went out to coffee with Mr Badalati, correct?---Yes.

And it was just you and Mr Badalati?---Yes.

And Mr Badalati contacted you to arrange those coffees?---Yes.

30 And invited you out, is that right?---Yes.

And why did you say yes?---I guess I probably thought it was just part of the way the, things work, you just have to keep a rapport with people.

And at this time you understood that Mr Badalati was a councillor at Hurstville City Council, correct?---Yes, yes.

And later at Georges River Council, correct?---Yes.

40 And you understood that he'd have a role in voting on the Landmark Square planning proposal at this time, correct?---Yes.

And so what you're saying is that you agreed to have these coffees with Mr Badalati as part of maintaining a good relationship with him, correct?---Yes. I was instructed by Philip.

You were instructed by Philip to have coffee with Mr Badalati, is that right?---Yes, correct.

10 And you understood that the purpose of those coffees was to maintain a good relationship with Mr Badalati, correct?---I believe so, I believe that was the reason, yes.

And in particular because he'd have an ongoing role in voting on the Landmark Square planning proposal, correct?---I don't know if that is the reasoning behind it but I always keep, try to keep a good relationship with all the people that I work with.

20 THE COMMISSIONER: Well, Mr Uy wanted to keep a good relationship, as you understood it, didn't he?---Pardon?

Mr Uy wanted to keep a good relationship with Mr Badalati as you understood it?---Yes, correct.

MS HEGER: All right. You also had some meetings later on with Mr Badalati in relation to delays to the Landmark Square planning proposal, is that right?---I don't recall.

All right. I'll come back to that topic later.---Yep.

30 There was also a trip to China in June 2016, correct?---There might have been.

You didn't attend that trip, is that right?---No, I didn't go.

But you know that Mr and Mrs Hindi travelled to China in June 2016, correct?---I don't know when but there was a time where they had to go with Mark - - -

40 You don't need to tell who they went with.---Oh.

I'm just asking you did they travel to China?---I believe they did, yes.

And that was so that Mr Hindi could sign an agreement with China Liu on your understanding?---I don't know if that was the reason why they went but I just knew that it was to do with Con's company, to assist China Liu to do the waste renewal.

All right. Do you know who paid for Mr and Mrs Hindi's flights to China on that trip?---No.

10 Did Mr or Mrs Hindi ever give you any cash in respect of the costs of that trip?---No.

Do you know if they ever gave Philip Uy any cash?---Not that I'm aware of.

Did Mrs Hindi ask you for receipts in respect of that trip?---She did ask me for receipts once.

20 And when was that?---I don't recall but it was sometime, I think I mentioned it last time. I can't recall exactly when but I did, she did ask me for receipts.

Well, was it immediately following that trip or sometime later?---I don't, I don't, actually, I think it was later.

How much later?---When was the last time I was here?

THE COMMISSIONER: November.---November. So it would have been just prior to that.

30 What sort of receipts was she after?---I didn't ask. I just said, "I don't deal with any of that and I don't have any receipts."

MS HEGER: What sort of receipts did she ask for?---She, she asked me if I actually had any receipts, so I said, "No, I don't have receipts."

Was she specific? What kind of receipts was she after?---No. She wasn't specific.

40 Did you have an understanding of what kind of receipts she was after?---I might have - - -

THE COMMISSIONER: What was that?---I believe it might have been for the trip that she went to - - -

MS HEGER: You mean the June trip which you didn't attend?---I, I don't know which trip. I just knew that she needed receipts. She asked if I had any receipts and I said, "No."

Could have been for the June trip or the April trip. Is that right?---I, I guess so.

10

THE COMMISSIONER: And if she wanted receipts from you, and accepting that you say you didn't deal with that - - -?---No.

- - - but they must have been receipts in respect of payments made by one of the companies. Correct?---Sorry?

They must have been receipts for payments made by the businesses you were involved in?---It could have been.

20

Well, it couldn't have been her own because receipts in respect of payments she had made, she would have kept them?---The way that I understood it was that Philip would say to me that arrangements are being made but I just knew that he would make arrangements. So I know that he's got a travel agent that he works with. And she asked me for receipts and I said, "No, I don't deal with it. It's not something that I do."

Okay. But if you just imagine this situation.---Mmm.

30

She goes to dinner with, let's say, in China and she's asking for receipts. That very much suggests, doesn't it, that she didn't pay?---I don't know what the arrangements are, in terms - - -

No, no, I'm not suggesting that.---Yeah.

But if she's asking for receipts, they weren't her receipts because if they were her receipts, she'd have them?---True.

So it's likely to be in respect of some sort of payment or payments made by the business that you work for?---I don't know.

40

But it's likely, isn't it?---It's possible, yes.

It's more than possible. Why would she be asking for receipts in respect of things that she had paid for?---Well, sometimes just in general I would ask Chris to buy something for me and then I would pay him for it and then if I don't have the receipt, I'd ask him for the receipt, so in, from what I was thinking at the time was that she wanted receipts, I don't know for what reason but I said, "I don't deal with receipts and I don't deal with any of that part of it, so I don't have anything."

10 Very well.

MS HEGER: Did you discuss with Mrs Hindi the fact that you had been called to attend an examination at ICAC?---No, not, no.

Did she say anything about her being interviewed or examined by ICAC?  
---I knew about it.

How did you know?---Because it's made public.

20 No, this was before the public inquiry was announced. I'm talking about late last year.---Well, I, late last year - - -

I'll just go back a step. You said you had a discussion late last year with Mrs Hindi where she asked you for receipts.---Yes.

And you think that was just before you came to ICAC?---Yes, correct.

And I can tell you that was in November 2021.---Ah hmm. Okay.

30 So it was around that time that you spoke to her, correct?---Yes.

And did she tell you at that time anything about her coming along to ICAC?---No.

Did she ask you whether you'd been required to attend ICAC?---I don't think so, no, not that I could recall. I don't even recall when I was asked to come. I just knew it was sometime last year.

40 Well, did you have any discussions with her at this time about the investigation?---No.

Did you have any discussions with her later about this investigation?---No.

When was the last time you spoke to Mrs Hindi?---That was that last time.

Has she tried to contact you since?---Not that I can recall.

All right. So you obviously spent some time with Mrs Hindi on that trip to China in April 2016, correct?---We, we spent a bit of time, yes.

10 Yes. And did you become friends following that trip?---We started being acquaintances.

You wouldn't call yourself friends?---Well, like I said, I just – no, I, not really, no. I think more acquaintances than friends.

All right. After council – well, you understand council approved the Landmark Square planning proposal on 20 April, 2016, correct?---Yes, from what I can see, yes.

20 But then later the department returned the planning proposal and suggested further amendments. You understand that?---Correct, yes. Yes, that I understood.

And so from that point it was necessary to do further work on the planning proposal, correct?---Yes, I believe so. Yes, of course.

And to further engage with the council about it, correct?---Yes.

30 And you understand by May 2016 Hurstville City Council had been dissolved?---Yes, I, yeah, I did hear about that, yes.

So then it became Georges River Council, you understand that?---Yes, and I know it did become Georges River Council.

Yes. And you were involved in discussions with Georges River Council concerning the planning proposal, correct?---Yes.

And your involvement in that regard extended over 2017 and 2018, correct?---I believe so.

40

And in 2017 and 2018, from time to time you met up with Mrs Hindi, correct?---I did meet up with her, I believe probably a few times, yes.

Around that time period, 2017-2018?---I don't recall but it was around about that time.

All right. And did Philip Uy ask you to meet up with Mrs Hindi?---Yes.

10 What did he say to you about Mrs Hindi and why you should meet up with her?---He just said that she's a friend and that she, if I have any things to discuss, I can just go and speak to her about it.

Things to discuss about the Landmark Square planning proposal?---Yes, yes, yes.

20 And particularly did he say if you have any problems with council you should discuss them with Mireille?---My role that, well, basically what Philip said to me was whatever council had sent through, I just had to go and mention it to Mireille. Here and there, it's not always.

All right. And again this is around the time period 2017?---I don't know the exact time but it's around about the planning proposal time, yes.

All right. Did he explain why you should be raising these matters with Mrs Hindi?---He just said, he just said that she's his friend and she'd be able to help.

30 That she'd be able to help with the issues you were having with council, is that right?---He didn't mention specifically. But he said she'd be able to help, so I assume it's that.

You understood him to be indicating that she could help with problems you were having with council or the planning proposal, is that right?---That could be true, yes.

THE COMMISSIONER: But it is true, isn't it? Why else would you be meeting with her?---Yeah. Because he said to me if I have any issues or if there's any concerns I, I just have to speak to her.

Yeah, but concerns in relation to the proposal?---Yeah. So it didn't matter what it was because obviously I didn't understand exactly what council was after or, to what they meant. So, yes, I raised, or I would speak to her.

About the problems that were arising in council in respect of the development proposal?---Yes. About, about problems with the development, correct.

Thank you.

10

MS HEGER: Landmark Square, you mean?---Yes.

All right. And on your understanding, what power did, or expertise, did Mrs Hindi have to help with those problems?---I don't really know but we can guess, I guess.

THE COMMISSIONER: There's one pretty obvious one, isn't there? I mean, she was married to a councillor, Mr Hindi, correct?---Probably, yes. Most likely.

20

And as you understood it he would likely be a person involved in the approval or rejection of the development proposal?---Yes. Likely.

Thank you.

MS HEGER: It was your understanding that the matters you explained to Mrs Hindi regarding the Landmark Square planning proposal she would raise those with Mr Hindi, that was your understanding, wasn't it?---I'm not quite sure if she did but I made that assumption, yes.

30

It was your belief that she would raise those with Mr Hindi, correct?---I made those assumptions.

Did she tell you that she raised them with Mr Hindi?---No.

In fact, the only purpose of meeting with Mrs Hindi, as you understood it, was so that she could convey the problems with council to Mr Hindi, wasn't it?---I don't know.

40 I'm asking for your understanding.---It's likely, yes.

That was your understanding at the time?---It is likely to be the case.

And on your understanding you were meeting with Mrs Hindi because it would have looked inappropriate to meet with Mr Hindi directly, correct?  
---I don't know if that is the reason but Philip's just given me the instructions to meet with Mireille, so I just do it.

10 But you had an understanding that it would have been inappropriate to raise problems with the Landmark Square planning proposal with Mr Hindi directly, you understood that, didn't you?---Probably, yes.

And did Philip Uy attend the meetings with Mrs Hindi?---Not that I, there might have been one to two that he was there but I don't recall exactly.

All right. And do you recall Mrs Hindi ever reporting back to you and saying "These are the steps I have taken about the issues you've raised"?  
---No, no.

20 All right. In mid-2017 One Capital Group sought some advice from Addisons lawyers about the Landmark Square planning proposal, correct?  
---We did see a lawyer, correct.

And Addisons was one of those lawyers, correct?---Yes. I believe so.

And you attended a meeting at Addisons on 15 June, 2017, correct?---I did attend one meeting at Addisons, yes.

And Mrs Hindi attended that meeting, didn't she?---Yes.

30 Who invited her to that meeting?---I assume it was Philip.

You didn't invite her?---Not that I could recall.

All right. And why, on your understanding, did Philip Uy invite Mrs Hindi to that meeting?---She was referring us to a lawyer so that we could do some lobbying, is what I was told.

40 THE COMMISSIONER: But why would she have to be there?---I don't know.

I mean, I understand why she may have referred you to Addisons but it doesn't really explain why she was there, does it?---That's a question you'll have to ask Mireille and - - -

I asking you. Yeah, of course.---I, I don't know why she was there.

Yeah.---I'm not, I'm just there to do my job, I'm not there to question what they're doing or why she is there.

10 So you say you don't know why she was there?---No, no, she was there to refer us to the lawyers and discussions about the issues that – so obviously I told the lawyers the, what issues we have.

Yep.---So she was there, but why she's there, I don't know.

Well, one possibility is so she could obtain information to pass on to her husband.---Possible.

20 Do you agree with me that it wasn't necessary for her to be there because she'd made an introduction?---Yeah, she probably didn't need to be there, that's in all fairness.

Yeah. Thank you.

MS HEGER: Mr Hindi attended that meeting as well, didn't he?---I don't recall.

30 All right. Well, there's some evidence that he did attend that meeting for a period of time. You don't dispute that, do you?---If he did attend, then he might have attend, but I actually don't recall seeing him in the meeting.

Okay. Did Mrs Hindi participate in the meeting?---She did discuss with the lawyers, yes, she did introduce us.

She introduced you but then did she say anything else?---I don't recall exactly but she might have said a few things.

And can you recall what she said?---No.

40 Can you recall the substance of what she said?---Obviously it's about the planning proposal and we just had to lobby.

At this time from your, from One Capital Group's perspective, there were some delays with the planning proposal, is that right?---I don't recall what the reason why we were there, but it had to do with issues on it.

Some problem with the progression of the Landmark Square planning proposal, is that right?---I don't recall. But it was issues with Landmark Square, the planning proposal.

10 All right. Mrs Hindi attended some other meetings with Addisons lawyers, correct?---Yes, I believe she did.

And as did you. You attended another meeting on 26 June, 2017, correct?  
---No. No, I didn't.

You didn't?---No.

All right. Could I just show you a document.---Ah hmm.

20 Before we go there, can I ask you this. Did Mrs Hindi provide her phone number to the lawyers at that meeting, that 15 June meeting?---I don't recall.

First could I show you – I'm going to show you a statement of Harshane Kahagalle, who's a lawyer from Addisons.---Ah hmm.

And first I'll show you page 25. You see this is from an Addisons lawyer copied to Mr Kahagalle, dated 23 June, 2017.---Okay.

30 And you see it says, "Dear Mireille, as requested, please find attached our draft costs agreement for this matter."---Yep.

Did you arrange with Mrs Hindi that she would look at the costs agreement?---No. No.

Can you explain why this was sent to Mrs Hindi and no one else at One Capital Group at this time?---No. No, I don't know why.

I'll just show you another page in that statement. Bear with me a moment.  
40 ---Ah hmm.

I'll show you page 33. These are some notes taken by an Addisons lawyer of a meeting on 26 June, 2017.---Ah hmm.

You'll see the attendees according to the note taker are in a box on the right-hand corner.---Ah hmm.

And it says, "Elaine" there?---Ah hmm.

10 Do you have a recollection of attending this meeting on 26 June?---No, not that I could recall.

Right. But you don't deny that you were there on 26 June, I take it?---I don't recall but, yeah, I don't recall. But I don't know if I was there or not. I don't think so, from what I could remember.

Okay. Well, I want you to assume that Mrs Hindi attended that meeting on 26 June.---Okay.

20 Who asked her to attend that meeting, do you know?---I have no idea.

And, obviously, by this point, the introductions to Addisons had been made because this is now the second meeting.---Mmm.

Can you explain why Mrs Hindi attended this meeting on 26 June, assuming she did?---Could I just ask, which day did I attend the meeting with Harshane?

30 So that was 15 June, the first meeting with Addisons that you attended. ---Okay. All right. I didn't recall being in the second one but that's what it says there. And I don't know why Mireille is there.

You didn't ask her to go?---Not that I could recall.

Did Philip Uy ask her to go?---He might have.

And do you have any idea why she was there on this occasion?---No.

40 Well, I take it, your evidence is you believe she was there possibly to pass information on to Mr Hindi, as you said for the first meeting. Is that right? ---Sorry? Could you come again?

On your understanding, Mrs Hindi might have been there so that she could report back to Mr Hindi. Is that right?---I don't know why she is there.

All right. But you said that was possible in respect of the first meeting, didn't you?---I believe the Commissioner asked me if it was possible and I said, "Yes."

Yes. So I take it your evidence would be the same for the second meeting, wouldn't it?---Possibly.

10

Right. And I show you another document, volume 2.12, page 21.--- (not transcribable) sit down. This one. Yeah.

Message number 61 is from yourself and although it says the recipient is Malcolm Hindi, this was a message to Mireille Hindi, wasn't it?---It was sent to Malcolm, yes.

But you understood it was going to be received by Mrs Hindi, of course, if you look at the text of the message?---Probably. Probably.

20

Right. And it's dated 13 July, 2017. It says, "Okay. No probs. I looked further and found the whole report. It's recommended that IHAP supports the request." Do you see that?---Yeah, I can see that. Yeah.

And IHAP was the Independent Hearing and Assessment Panel. Correct? ---Yeah. Yes.

And it was considering the Landmark Square planning proposal around this time?---I believe so.

30

Right. And why were you communicating with Mrs Hindi about this report at this time?---I don't recall why. Yeah, I don't recall why.

THE COMMISSIONER: Was it so she could hand it over to her husband? ---I don't know why, to be honest.

MS HEGER: Can we scroll further down the page, please? Sorry. Going back to 62, Mrs Hindi replies, "Great." And then you write back, "Deferred with conditions."---Mmm.

40

And then at message number 64, you're saying, "It's online now. Can you please look?"---Mmm.

Does that assist you to recall why you were messaging Mrs Hindi about this?---No.

Okay. Go over to the next page, please. Message number 66 is from yourself to Mrs Hindi, 21 July, 2017. You say, "Are you all free to meet today at about 12.00 or 12.30 in the city so that Michael can be there, or should be not include him?" Who is Michael?---Michael Gheorghiu.

And when you say "Are you all free", who are you referring to there?---I don't recall but obviously I sent her a message, or Malcom a message.

All right. So you were trying to arrange a meeting at least with Mrs Hindi, correct?---Yes.

And this was about the Landmark Square planning proposal, correct?---I believe so.

And why were you meeting with Mrs Hindi on this occasion?---I would have had instructions from Philip to meet up.

Do you actually recall having instructions from Philip for this meeting?  
---All of my meetings, or most of my meetings are pretty much instructions from Philip. I'm going to assume that this one would be the same.

All right. And do you recall what was discussed at this meeting?---No.

Okay. If we go through to page 25. Message number 75 is from yourself to Mrs Hindi again, correct?---Ah hmm, ah hmm. Yeah, that's what it says.

23 October, 2017 you say, "Can we change the appointment to 11.30am tomorrow?" And just for context, the Gateway Determination was issued by the department for Landmark Square on 19 October, 2017. Do you recall that?---Okay.

All right. Well, I want you to assume that's the case for the purposes of answering my next question.---Okay, yep.

Was this meeting about the Gateway Determination?---I don't recall.

But it's likely it concerned Landmark Square, correct?---Probably, yes.

And again likely you were organising a meeting with Mrs Hindi, correct?  
---Yes, likely.

And again likely on Philip Uy's instructions?---Yes.

10 And likely it was so that you could raise some issue with Landmark Square  
with Mrs Hindi, correct?---Yes, probably.

And you understood that the purposes of doing so what that she could talk  
to Mr Hindi about it?---It's possible, yes.

All right. That's the case for most of your meeting with Mrs Hindi, that's  
right, isn't it?---Possible, yes.

THE COMMISSIONER: Sorry, possible?---Yes.

20 MS HEGER: Well, it's likely, based on your earlier evidence, isn't it?---I  
made assumptions that that was the case. So, yes, it's possible.

Okay. Can we go to page 27, please, message number 83? This is from  
Mrs Hindi. I'm not sure if that was to you actually, so I won't ask you  
about that one. Message number 84, that's from you to Mrs Hindi on 15  
November 2017. You say, "Are we good for tomorrow at about 3.00? We  
can go to the city of you are there." You're obviously organising another  
meeting with Mrs Hindi on this occasion, correct?---That seems to be the  
case.

30

And can you recall what that meeting was about?---No.

Can I take it again, it's likely this was at the request of Philip Uy?---Yes.

And likely it concerned the Landmark Square planning proposal?---Likely.

Can we go to page 32, message number 100? It's from yourself to Mrs  
Hindi on 22 February, 2018. You see that?---Ah hmm.

40 You say, "Good morning. Hope you're well. Have you got time for a  
coffee say about 3.30?"---Yep.

Again you're arranging a meeting with Mrs Hindi, correct?---Yep.

Is it likely this was also at the request of Philip Uy?---Yes.

Did you ever just catch up with Mrs Hindi of your own volition just for a social catch-up?---We've met probably once or twice.

For that purpose, for a social catch-up?---Yep.

10

Okay, was that a yes?---Yes.

All right. The next page, 33. Message number 103. Again, message from yourself to Mrs Hindi, this time on 23 April, 2018.---Ah hmm.

“Good morning. Are we still good for today?”---Yep.

Again attempting to arrange a meeting with Mrs Hindi, correct?---Looks that way, yes, correct.

20

Likely again at the request of Philip Uy?---Yes.

And again to discuss the Landmark Square planning proposal, likely?---Likely.

I take it again you don't have an actual recollection of what you discussed at this meeting?---No. No.

30 Okay. Can I take you to page 34, message number 112. Message number 112 is from Mrs – sorry, can we go over to 118, please. 118 is a message from yourself to Mrs Hindi on 18 March, 2019.---Mmm.

You say, “I won't be there, just the your friends and mine.”---Mmm.

Who were you referring to when you said “your friends”?---I believe it might have either been, from what I could see there, probably Con or Vince.

Do you have an actual recollection of a meeting taking place in March 2019?---No.

40

All right. And when you said “mine” as in “my friends”, who were you referring to there?---Philip. Usually it’s Philip.

Not Wensheng Liu?---Not that I am aware of.

Okay. When you had these meetings with Mrs Hindi, you said sometimes Philip Uy came along, is that right?---Yes.

10 What about Mr Hindi? Did he come along to any of these meetings with Mrs Hindi?---I think I’ve seen him once or twice.

And where did these meetings with Mrs Hindi generally take place? Were they at an office or were they at a coffee shop or - - -?---Usually at a coffee shop.

And the ones where Mr Hindi came along, can you remember where they were?---Usually at a coffee shop.

20 Okay. And the ones where Mr Hindi came along, do you have an actual recollection of what was discussed?---No, not exactly.

Likely it concerned Landmark Square?---Possible, yes.

Well, it’s likely, isn’t it, based on your previous evidence?---If you say so, yes.

THE COMMISSIONER: No, no, no.

30 MS HEGER: I’d like you to answer my question, Ms Tang.---Okay. Well, I mean, yes, it’s likely.

Okay.

THE COMMISSIONER: Wouldn’t have been anything else to discuss, would there?---I don’t know, to be honest. Yeah.

MS HEGER: Were you having any other dealings with council around this time?---No.

40 No. It was just about Landmark Square around this time?---Likely, yes.

And by “this time” I mean 2017-18-19. Were you dealing with council on anything else other than Landmark Square?---Not that I can recall.

All right. Need to mark that for identification. MFI 41, volume 2.12 will be MFI 41.

THE COMMISSIONER: Thank you.

10 **#MFI-041 – VOLUME 2.12**

MS HEGER: Can I show you volume 14.4. Sorry. I should also ask do you have a recollection of around this time, sort of 2017 to 2019, meeting with Mr Badalati?---I don't recall exactly but I might have.

Okay. And if you did, it was likely about the Landmark Square planning proposal?---With Vince, it was a little bit about the proposal and also just general talk.

20

Okay. I'll show you 14.4. This is an email from Mr Badalati to Bill Kritharas of Sparke Helmore?---Yeah.

It says, “Bill, Elaine Tang from Capital One will send you an email with a brief and a request to meet Friday at 3.00pm, regards, Vince.” Do you see that?---Mmm.

You then did attend a meeting at Sparke Helmore. Correct?---Yeah.

30 And that was regarding the Landmark Square planning proposal. Correct? ---Yeah.

And did Mr Badalati arrange this meeting?---I believe he was the one that referred us to the solicitors, yes.

All right. And so, on your understanding, that's why Mr Badalati was emailing Mr Kritharas on this occasion. Is that right?---Yes. Correct.

40 Did Mr Badalati attend that meeting?---Yes.

Okay. And what was discussed at that meeting at Sparke Helmore?---I was there just to discuss the planning proposal for Landmark Square and the issues we had, I believe.

The issues you were having with council?---It was to do with the proposal, so, yeah, obviously it would be council.

You'd sought some advice from Addisons on the same topic?---Correct.

10 You weren't happy with Addisons for some reason?---I don't know. Philip just said that, "We're going to see another lawyer," so then that's what happened, so I just attend.

All right. And who else attended that meeting other than yourself and Mr Badalati and the Sparke Helmore lawyers?---I think Philip might have been there.

All right. In late 2017 – sorry. I should just ask why, on your understanding, did Mr Badalati actually attend that meeting at Sparke  
20 Helmore?---Why did he attend? I think he was there to refer us to the lawyers and it was someone that he knew, so he attended.

Right. Did he participate in the discussions?---I believe he might have, yes.

Do you have a recollection of him saying something at the meeting?---He might have said something.

Well, do you recall him speaking at the meeting?---Yes.

30 Yeah. Do you recall what he said?---No.

Okay. Can you recall the substance of what he said?---It's obviously to do with Landmark Square because that's what we're there for, it's for lobbying, yes.

All right. You can't remember the details?---No.

Okay. I'll tender volume 14.4. That'll be Exhibit 220

40

**#EXH-220 – VOLUME 14.4**

MS HEGER: All right. The Landmark Square land was later sold to Prime Hurstville. Correct?---Correct.

That was in about late 2017. Does that sound right?---I don't recall but it was around about 2017.

10 Right. I want you to assume that that sale occurred in November, December 2017 for the purposes of my questions.---Mmm.

You were aware that The One Capital Group had an agreement with Prime Hurstville - - -?---Yeah.

- - - whereby The One Capital would receive a payment upon the rezoning of the land?---Yes.

I'm going to refer to that as the rezoning agreement.---Okay.

20 Okay. And I'll ask you some more questions about that later. In 2018, you were continuing to deal with council regarding Landmark Square. Correct? ---I might have, yes.

And there were some concerns about the delay with the proposal at that time. Correct?---There could have been, yes.

The One Capital Group was keen to get the proposal on public exhibition around that time?---I believe so, yes.

30 All right. Can I show you volume 1.6, page 87, which is Exhibit 129. This is an email from yourself to Mr Badalati, Mr Hindi and to others from Georges River Council, 19 April, 2018 and you say, "I would like to advise that I act on behalf of The One Capital Group Pty Ltd and hereby request for an urgent meeting to discuss the above planning proposal." Do you see that?---Ah hmm.

You say, "We're very concerned about the progress of this planning proposal as it has been dragging for approximately four years." Do you see that?---Ah hmm.

40

Why did you send this email to these four councillors in particular?---I was instructed by Philip.

All right. And why, on your understanding, was he instructing you to send it to Mr Badalati and Mr Hindi, amongst others?---Well, they're his friends.

You understood that's because Philip Uy was friends with Mr Badalati and Mr Hindi, is that right?---Correct.

10 And did Philip Uy explain to you what he expected them to do in response to this email?---No.

But you understood that they could help in some way, is that right?---I assumed that they can help.

And that's why you were requesting an urgent meeting, correct?---Correct.

20 Could I show you the next page in volume 1.6, Exhibit 129, page 88? I've given you the wrong reference. Bear with me a moment. I'm going to an email dated 23 April, 2018 from yourself. That should be page 88. There we are. You see that's from yourself to a number of people at Georges River Council, including Mr Hindi and Mr Badalati, do you see that?---Yep, I do.

Second paragraph you say, "The purpose of the meeting is for us to raise our concerns regarding our planning proposal." Do you see that?---Ah hmm.

30 And then in the last paragraph, or second-last paragraph, last sentence, you say, "Some former Hurstville councillors have been on this journey with us for the past four years." Do you see that?---Ah hmm.

That was a reference to Mr Hindi and Mr Badalati, correct?---I believe so.

Can I show you volume 1.6, page 148? This is an email with the subject line "Print for Philip" and this was drafted by you, correct?---I believe so.

And you then printed it for Philip, is that right?---Let me have a quick read.

40 Please take your time to read it.---When you say I drafted it myself, I actually didn't, like, write the contents of in there but I did type it up.

All right. And who came up with the contents of this email?---Oh, Philip gave it to me, I believe, from what I could recall.

All right. Philip actually handed you a draft of this email, is that right?---I don't recall. Sorry, Philip did give me something, yes.

He gave you, what, a document that had points set out in it that matched up with the content of this document you're looking at now, is that right?---I don't recall exactly.

10

All right. Philip Uy does speak some English, correct?---Correct.

But not particularly well, is that right?---Correct.

And English like this that you see on this page, he couldn't have drafted himself, correct?---Not with that, yeah, not exactly like that.

All right. And the document that he handed you was in English, I assume? ---Yes.

20

Did you believe that he drafted it himself?---Unlikely.

Who do you think he got that document from?---His friends.

And who do you mean by friends?---Well, there's only three friends he's got at the moment. Either Con, Vince or Mireille.

Okay. Did he actually tell you he got that document from Con, Vince or Mireille?---No.

30

You formed that belief based on what?---The contents of the email.

All right. And the fact that you knew Philip Uy was friends with Vince Badalati at this time?---Yes.

And the fact that you knew he was friends with Mr and Mrs Hindi at this time?---Yes.

40

And the fact that he met with all of them regarding the Landmark Square planning proposal by this time, as you understood it?---I believe he did meet with them.

All right. It has some handwritten edits.---Ah hmm.

The first one says, “I’m writing this letter to express our disappointment with the rezoning process for the above properties which the One Capital Group has a significant commercial interest.”---Mmm.

Is that your handwriting?---No.

10 Whose handwriting is it?---I have no idea.

Is it Philip Uy’s handwriting?---I don’t recall. It’s possible.

But that note indicates an understanding of the English language which Philip Uy doesn’t have, is that right, on your understanding?---He, yeah, possibly.

You don’t know who wrote this note, is that right?---Yes, that’s correct.

20 Do you have a suspicion or belief as to who wrote it?---I, I need to see Philip’s handwriting to work out if it was he that wrote it, but I don’t think he wrote it himself.

Okay. And who do you believe wrote it?---His friends.

And who are you referring to?---I don’t know which one. I’m referring to the three friends he had.

30 All right. You believe it was Mr Badalati or Mr Hindi or Mrs Hindi, is that right?---That’s what I believed.

All right. And the basis for that belief is just again that you know Philip Uy knew all three of them?---Yes, correct.

And you knew that he’d been speaking to them about the Landmark Square planning proposal?---I know that he meets up with them, yes, and speaks about it, correct.

40 All right. You didn’t actually – did you attend a meeting with Mr Badalati about this email or its contents?---No.

Did you - - -?---I don't, I don't recall, no.

Did you attend a meeting with Mr and Mrs Hindi about this email or its contents?---No, I don't recall.

And when it says there "in which One Capital Group has a significant commercial interest", did you understand that to be a reference to the rezoning agreement I mentioned earlier?---I don't know.

10 Well, by this stage One Capital Group had sold the land to Prime Hurstville, correct?---Yes, I believe so.

And so what other interest did One Capital Group have in the Landmark Square planning proposal at this time, August 2018?---The only interest they would have is the payment for the agreement, that I am aware of.

You mean the rezoning agreement I referred to earlier?---Yes, yes. That I'm aware of, correct.

20 All right. As far as you know – well, did you ever mention that agreement to Mr Badalati?---Not that I could recall.

Did you mention it to Mr or Mrs Hindi?---Not that I could recall.

Did Philip Uy mention it to any of them?---I don't know.

Do you have belief or suspicion as to whether he did?---He might have.

30 Well, what does that mean? Do you believe he did or not?---I don't know for sure so he might have.

All right. Did he give you any indication that he had?---Not that I could recall.

40 Can I show you volume 1.6, page 170, again part of Exhibit 129. This is an email from Catherine McMahon at Georges River Council to Meryl Bishop at Georges River Council, amongst others. You're not copied to this email, and I'm not suggesting you ever received it, but I'm going to ask you a question about it. It's dated 11 September, 2018 and you'll see it's said to be a file note on a meeting with Elaine, Gencorp and Greg Hynd regarding

the Landmark VPA. You understand that's a reference to the voluntary planning agreement?---Yep.

And in the second-last dot point – well, first of all, do you recall attending a meeting with Ms McMahon around this time, 11 September, 2018?---I don't recall exactly but I have had meetings with Catherine.

10 All right. In the second-last dot point it says, "Elaine then said she was advised by council that a DCP was not required. I said that if she was referring to the staff meeting held with Councillors Hindi and Badalati, then that was incorrect, both councillors supported a DCP." You recall there was some debate around this time as to whether a DCP, that is a Development Control Plan, was required or not?---I don't recall exactly but there might have been.

All right. Did you have some discussions with Mr Hindi or Mr Badalati on that topic around this time?---Not that I could recall.

20 All right. But you've accepted from time to time you met with Mr Badalati around the Landmark Square planning proposal, correct?---Sometimes, not, yes.

And some of those meetings occurred in 2018, correct?---I don't recall when exactly.

I think you've accepted that there were some in the time period 2017 to 2019.---Correct.

30 But you can't recall what year they were in, is that right?---Correct.

Okay. You said you finished working on the Landmark Square planning proposal about July 2019, is that right?---I believe so, yes.

Okay. Can I show you volume 16.2? This is an invoice from E Creative Solutions, which is your company, correct?---Ah hmm.

It's dated 4 June, 2019. So that's around the time that you finished working on Landmark Square, is that right?---Probably, yes, around about that time.

40 And you've issued the invoice to Vertex Corporation Pty Ltd. Do you see that?---Ah hmm.

And the description is “Period 6 May, 2019 to 2<sup>nd</sup> June, 2019, four weeks. See attached time sheet.” See that?---Ah hmm.

And that was referring to work that you’d done on the Landmark Square, correct?---I, I don’t recall but maybe, possibly.

Well, were you doing – first of all, why did you issue this to Vertex Corporation?---I believe that was a company that belonged to Mr Wensheng Liu. I don’t recall. But it’s, it’s one of the companies that I was just doing work that related to Landmark Square, yes.

By this time the One Capital Group had gone into administration, correct? ---Yes.

And did Wensheng Liu tell you to invoice Vertex Corporation on this occasion?---He might have.

Well, can you recall any discussions with Mr Liu about Vertex Corporation?---I don’t recall exactly, no.

All right. But you formed an understanding that if you were going to issue invoices for your work on Landmark Square, you should issue them to Vertex, is that right?---Correct, yes.

And that understanding was based on something Wensheng Liu told you, is that right?---Correct.

Okay. And this invoice was paid, I take it?---I don’t know but I guess so. I assume so, right.

Who paid it?---Either Mr Wensheng Liu or Chris.

Chris Yan?---Yes.

All right. I’ll tender 16.2, Exhibit 221.

THE COMMISSIONER: Thank you.

40

**#EXH-221 – VOLUME 16.2**

MS HEGER: I'll show you volume 3.2, which is Exhibit 198. This is an invoice issued by Golden Miles Travel to "Mr Hindi and partner". Do you see that?---Ah hmm.

It's dated 16 April, 2016, so around the time of that trip to China.---Ah hmm.

10 It says "one year return ticket from Sydney to Hong Kong", do you see that?---Yep.

And the total cost, excluding the credit card charge, is 4,240. Do you see that?---Ah hmm.

Have you seen this document before?---No.

Right. Could I show you another document, which is volume 2.8, page 49, which is Exhibit 202.---Ah hmm.

20

Now, I can tell you that Mrs Hindi has confirmed this is her handwriting. ---Okay.

I can also tell you that this photograph was found on Wensheng Liu's phone.---Okay.

You can see that the 4,240 is the same figure that appeared on that invoice I showed you earlier.---Okay.

30 Have you seen this note before?---No.

Now I want you to think carefully before you answer this question. Are you aware of any arrangement involving Wensheng Liu or Philip Uy to reimburse Mr and Mrs Hindi for their travel expenses to China?---No.

Do you have any explanation as to why this note – and I appreciate it's not your note and it wasn't found on your phone – but do you have any explanation for why this note was on Wensheng Liu's phone?---No.

All right. I'm going to show you another document which is – and when I ask you the next series of questions, I want you to assume that the date of that photograph of that note was 11 August, 2016.---Okay.

If we scroll down, please, to entry for 12 August, 2016, the next page? So, Ms Tang, this is a record of cash transactions, and the 12 August 2016 one, in particular, records a cash withdrawal from the Gencorp Pty Ltd account. Do you see that?---Mmm.

10 And then can we scroll through to the last page, the very last page? There'll be some highlighting in yellow. You see at the bottom there, these are the details for that cash withdrawal from the Gencorp account. And it records that you withdrew \$10,000 in cash at 12.18pm on 12 August, 2016?---Okay.

And it records that there were forty \$100 notes and one hundred and twenty \$50 notes?---Mmm.

Do you recall making that withdrawal?---No.

20 Can you explain what the withdrawal was for?---No.

THE COMMISSIONER: It's a lot of money. And you say you can't remember?---No, I don't. Did I actually, went to the bank and withdraw that?

MS HEGER: That's what the details record, that this was made by you personally, this withdrawal.---That I went to the bank - - -

Yes.--- - - - to withdraw that?

30

You withdrew the cash.---Okay. I don't even recall.

Well, if you withdrew this amount, that would have been on Philip Uy's instructions. Is that right or wrong?---Correct.

And do you have any idea why he instructed you to withdraw \$10,000 around this time?---No.

40 All right. Well, I can also tell you that there was a cash deposit into a Sydney Realty bank account on the same day. You understand that Sydney Realty is Mireille Hindi's real estate agency. Correct?---Yeah.

I can tell you that that deposit was made earlier than this withdrawal. It was at 11.30am - - -?---Okay.

- - - on 12 August.---Mmm.

And it was a cash deposit in the amount of \$10,000.---Okay.

10 Does that help you to remember the purpose of this withdrawal?---No, no.

Was that a “no”?---That’s a “no.”

Well, did you give Mrs Hindi \$10,000 in cash around this time?---No.

Well, I want to put a scenario to you. One explanation for this is that you gave Mrs Hindi \$10,000 cash at around 11.30 on 12 August and then you withdrew the money from Gencorp’s account to reimburse yourself.---No.

20 That’s not what happened?---No.

All right. But you still have no explanation for why you withdrew the \$10,000 on this day from Gencorp’s account?---If I was, yeah, if I was to withdraw cash, it would have been under Philip’s instructions. I don’t, yeah, I just don’t do cash.

In your experience, did Philip Uy tend to have amounts of cash with him or available to him, are you aware of that?---No.

30 You’re not aware of him keeping amounts of cash at home?---No.

Are you aware of him keeping amounts of cash at his office?---No.

Have you ever seen him with large amounts of cash, and I’m talking sort of \$20,000 and up?---No.

All right. I’ll take that down, please. I’ll mark that for identification.

THE COMMISSIONER: 42?

40 MS HEGER: 42, thank you.

## #MFI-042 – RECORD OF CASH TRANSACTIONS

MS HEGER: Can I show you another document? And can we go through to the entry for 24 May, 2017 in this document, please? I can tell you this a, well, I want you to assume, this is record of cash, well you'll see there are some cash withdrawals from various bank accounts associated with Wensheng Liu but then on 24 May, 2017 there is a transfer out of Wensheng Liu's bank account to yourself in the amount of \$60,000.---Yep.

What was that transfer for?---I don't recall.

Do you recall receiving \$60,000 from Mr Liu around this time?---I did get some money from Mr Liu, yes.

And what was it for?---I don't recall what it's for.

Well, it's quite a large amount of money, Ms Tang. Do you often receive transfers for \$60,000?---No. I know that sometimes if Philip or Mr Liu is not on the, in town, like in Australia, and if I have to pay some bills it will come to my account.

So on some occasions, just explain that to me again. If Mr Liu or Mr Uy is out of the country they might arrange a transfer to your account?---I believe it happened once. I don't really, actually I don't recall what that \$60,000 is for. I'd have to go back and - - -

Okay. But let's go back to your earlier evidence about them being out of the country and arranging transfers to your account. Whether or not this was such a transfer, speaking generally, why would they transfer money to your account, as you understood it?---There was one time when Philip was overseas and I had to draw a cheque for the Everest Financial, the bank. So he put it into my account and then I just had to go and do a bank cheque and deliver it to the solicitors.

But you had authority to draw cheques from the Gencorp account?---Yes.

You also had authority to draw cheques from that loan account that you mentioned, the Everest loan?---Technically, no, because it needs to be approved by the bank, the Everest.

But I think your evidence earlier was that there needed, there were two - - -  
?---Signatures required.

There had to be two signatures.---Yep.

From yourself and Chris Yan. That was your evidence, wasn't it?---No. It  
was one had to come from Everest, which is the bank, and one had to come  
from the GR Capital Group for that loan account. So it has to be one from  
10 that party and one from this party. It's never two from this party or two  
from that party.

I understand. One from the bank, one from GR Capital. But insofar as GR  
Capital was concerned, that could be either you or Chris Yan, is that right?  
---Correct, yes.

Okay. And I think I asked you this before, but did you have authority to  
draw money from GR Capital account or the One Capital Group account?  
---No.

20

Okay. But Chris Yan did, didn't he?---I believe he did.

So in those circumstances, why would it ever be necessary for them to  
transfer money to your account to pay some sort of expense?---I believe at  
the time, I believe at the time that what I am talking about is actually when  
Philip had to give some money to the bank, which is Everest. So then he  
actually loaned it, lent it from his friends, apparently, is what I've been told.  
So then they put it into my account.

30 Okay. And can you recall any other instances where deposits have been  
made into your account so that you could then make some payment on  
behalf of Philip Uy or Wensheng Liu?---No. No.

All right. You still can't remember what that \$60,000 was for?---No.

All right. Are you aware of Wensheng Liu ever giving Philip Uy amounts  
of cash?---No.

You never saw that happen?---No.

40

Philip Uy never told you he'd been given cash by Wensheng Liu?---No.

And Wensheng Liu never told you he'd given some cash to Philip Uy?  
---No.

All right. You're aware, Ms Tang, that Mr Badalati has given evidence in this public inquiry that Philip Uy gave him \$70,000 for the Treacy Street development? You're aware of that?---I saw it in the news, yes.

Do you know anything about that?---No.

10

Philip Uy never gave you any indication that he paid Mr Badalati an amount of money?---No.

Mr Badalati has also given evidence that Mr Hindi told him that Mr Hindi received a similar amount from Philip Uy. You're aware of that evidence?  
---I saw it in the news, yes.

All right. And did Philip Uy give Mr Hindi an amount of money for Treacy Street?---Not that I'm aware of.

20

No. Did Philip Uy do or say anything to suggest that he had?---No.

And what about Wensheng Liu? Did he do or say anything to suggest that he'd been involved in giving money to Mr Badalati or Mr Hindi regarding Treacy Street?---No.

You're aware Mr Badalati's also given evidence that he was given \$100,000 in cash from Philip Uy regarding Landmark Square?---Yes, I saw it in the news.

30

All right. And did Philip Uy give Vince Badalati \$100,000?---Not that I'm aware of.

Did Philip Uy do or say anything to suggest to you that he had?---No.

And you're aware Mr Badalati's also given evidence that Mr Hindi also received \$100,000 from Philip Uy in respect of Landmark Square?---Yes, I am aware from the news.

40 And did Philip Uy give Mr Hindi \$100,000 for Landmark Square?---Not that I'm aware of.

Did he do or say anything to suggest to you that he had?---No.

Do you have any belief or suspicion that Philip Uy paid Mr Badalati or Mr Hindi an amount of money regarding Treacy Street or Landmark Square?  
---No.

Commissioner, I have no further questions for Ms Tang.

10 THE COMMISSIONER: All right. Are there applications to cross-examine?

MS HEGER: Not as far as I'm aware.

THE COMMISSIONER: No? All right. Thank you for your assistance  
- - -

MR FAHD: Commissioner, can you hear me?

20 THE COMMISSIONER: Yes, I can.

MR FAHD: This is Mr Fahd, solicitor for Mireille Hindi. I believe Counsel and I will like to cross-examine Ms Tang. Mrs Hindi, as you know, is still under the summons. It would require us to obtain some instructions in relation to certain evidence given today.

THE COMMISSIONER: Well, I haven't received an application, you see? I suppose you say that this evidence came as a surprise?

30 MR FAHD: Certain aspects of the evidence did require us to get some instructions (not transcribable)

THE COMMISSIONER: How long will that take, do you think?

MR FAHD: I think within an hour.

THE COMMISSIONER: All right. Well, we'll adjourn till 2 o'clock and then we can proceed. I notice Mr Hood - - -

40 MR HOOD: Could I reserve our position, Commissioner, if - - -

THE COMMISSIONER: And I'm not going to put this witness over until tomorrow, so that if you want to ask questions, it's going to have to be this afternoon.

MR HOOD: On that basis, could we then be supplied with the document setting out the cash payments?

THE COMMISSIONER: I can't hear you, sorry?

10 MR HOOD: If that's the case, could we then be provided with the MFI documents that set out the cash payments?

THE COMMISSIONER: Sure.

MR HOOD: Thank you.

MS HEGER: Commissioner, that's a document that I may wish to ask Wensheng Liu about and I haven't had that opportunity yet, the table of cash transactions. Obviously, I read out certain entries from that table. I'm  
20 happy to provide the details of those entries to Mr Hood but as for the entire table, I only asked questions about one entry in it. Happy to give the details of that entry.

THE COMMISSIONER: Yeah. Yes.

MR HOOD: Well, that makes it very difficult, Commissioner, with respect, to serve the interests of my client when - - -

THE COMMISSIONER: Well, it makes it difficult, too, if I hand that  
30 material over before your client's been asked about it.

MR HOOD: Well, if that's the case, Commissioner, with respect, could the witness stand down to some other time when I - - -

THE COMMISSIONER: No. No, I'm not prepared to do that, I'm really not. She was asked questions about one entry. You can have that one entry. But what's the forensic purpose from your point of view to have all the entries now?

40 MR HOOD: Well, I didn't get to look at all the entries and how they may relate, if they do, to my client in any way whatsoever.

THE COMMISSIONER: All right. We'll give you the one entry and if you can satisfy me that it really is necessary to get this witness back, to be asked questions about other entries, then we'll do that. But I'm not proposing to put this witness over to meet everyone's convenience. The fact is we've got to get on with it and we don't want to keep this witness here unnecessarily. You've heard what I said to those representing Mrs Hindi. Be prepared to go at 2 o'clock. And, quite frankly, I really can't see what the forensic utility is of the other entries in respect of this witness.

10

MR HOOD: Well, I don't know either, until I see them, if there is.

THE COMMISSIONER: Well, I'm not going to - - -

MR HOOD: There may not be, Commissioner. I don't know.

THE COMMISSIONER: Right. Well, I'm sorry. I'm going to adjourn.

20 **LUNCHEON ADJOURNMENT**

**[12.59pm]**