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INDEPENDENT COMMISSION AGAINST CORRUPTION

STEPHEN RUSHTON SC  
COMMISSIONER

PUBLIC HEARING

OPERATION GALLEY

Reference: Operation E19/0569

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON THURSDAY 14 JULY, 2022

AT 10.00AM

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THE COMMISSIONER: Take a seat. There are a couple of housekeeping matters. One is, I understand, we only have the interpreter until 1 o'clock and because of that I'm going to proceed through what would normally be the 11.30 break until we finish and hopefully it's going to be before 1 o'clock, and I understand there's an application or applications.

MR PATTERSON: Commissioner, it was my intention, with your leave, to make an application this morning in respect of the extension of the inquiry in the terms which were made on 22 June. I understand that there is to be a  
10 private session tomorrow afternoon and I also appreciate that the party submissions are not made public. So could I reserve my position on that?

THE COMMISSIONER: Yeah. I think I know what the application is but can I just ask you to consider this, that this investigation is ongoing and the allegation I think you're going to refer to is still the subject of investigation, so even if I form a view at some point that it was inappropriate to proceed, we haven't reached that point yet.

MR PATTERSON: Thank you, Commissioner. I hear what you say.  
20

THE COMMISSIONER: Thank you.

MS HEGER: Commissioner, I neglected to show Mr Uy a photograph yesterday.

THE COMMISSIONER: Sure.

10 MS HEGER: Which I propose to do now. I hope it will be short and of course I appreciate that one party has already completed their cross-examination. If anything arises out of me showing this photograph, I have no opposition to Mr Shariff asking more questions, although I suspect this isn't going to be relevant to his client.

THE COMMISSIONER: Thank you.

MS HEGER: Mr Uy, could I show you volume 2.18, page 3? Mr Uy, this is a photograph that was found on your phone and it's dated 7 June, 2019. Could I ask you, Madam Translator, to translate the paragraph 1 for Mr Uy?

20

(THE INTERPRETER TRANSLATES)

THE INTERPRETER: First paragraph.

MS HEGER: Could you also translate the next paragraph there, that starts with "Just before" and ends in "cash was for"?

(THE INTERPRETER TRANSLATES)

30 MS HEGER: You accept, Mr Uy, that what's just been translated to you is very similar to what was in Wong Ching Ho's second statutory declaration that I showed you?---\*I do agree.\*

And you understand that this photograph was taken on 7 June which is before Mr Wong Ching Ho signed the second statutory declaration. Do you understand that?---\*That's right.\*

40 Now, it looks like you've taken a photograph of a piece of paper. Where was this photograph taken, do you recall?---\*I can't remember but they had conversation on the phone, but they were not clear about what each other was talking about. So he wrote it down and I gave it to Wong Ching Ho and

that to me is a normal thing to do. When the two persons were not able to communicate clearly in English, they would write it down and give it to the other person so they can fully understand each other. That often happens between the two persons when they don't have the common language. That's an ordinary thing to do. That's the situation that they just put it down in writing because of their different languages.\*

Okay. When you said "they had a conversation" you're referring to Mr Badalati and Tommy Wong. Correct?---\*That's right.\*

10

All right. And when you say "they put it down in writing" are you referring to Mr Badalati or Mr Wong?---\*I think it was Badalati. They were trying to write it down as to what had happened step-by-step and gave it to Mr Wong. That's an ordinary thing to do because of their English grammar, they might not be accurate.\*

All right. So what happened is Mr Badalati showed you this piece of paper and you took a photo of it?---\*Yeah, I took a photo and show it to Wong and that was what happened. What is written there was what happened on the day. Sometimes you express something verbally different and it can be represented differently in writing.\*

20

THE COMMISSIONER: I understand that, but I think the question was a little bit different. So just listen to the question for a moment.

MS HEGER: The question was Mr Badalati showed you this piece of paper. Yes or no?---\*I think so. Okay. He had spoken to him and Tommy knew what had happened. And sometimes communication between the Chinese and Western can be difficult, it can be expressed differently when it's written down. So write it all down. If I think it's right, then I'll help you.\* Yeah.

30

Okay. And Mr Badalati told you that he had drafted these notes. Is that right?---\*I can't remember but I, but they have talked through what happened that day, then it was put into writing. That's, if I have to speak to you in Chinese and you have to, you might have to get someone to write it down in English for you.\*

Okay. Mr Badalati didn't suggest that someone else had drafted the notes, did he?---\*Oh, I don't remember. It's too long ago. But it was based on what actually happened.\* Yeah. \*The events that happened on that day.\*

40

Did Mr Badalati say whether he had spoken to Mr or Mrs Hindi about these notes?---\*I, I can't remember.\*

All right. I will tender that photograph.

THE COMMISSIONER: Yes.

MS HEGER: And that will be exhibit 245.

10

THE COMMISSIONER: As I understand – thank you.

**#EXH-245 – PHOTO AT VOLUME 2.18 PAGE 3**

THE COMMISSIONER: As I understand your evidence, there was a conversation between Mr Badalati and Tommy Wong, and Mr Badalati used your mobile.---Yeah. \*WeChat.\*

20

WeChat, I think you told me that, yeah. And Tommy Wong was not in Australia.---\*He was in Hong Kong.\*

In Hong Kong, was he?---Yeah.

Okay. And Mr Badalati was sitting with you in Sydney?---\*Yes.\*

And do you agree that you must have taken that photo in Sydney?  
---\*Yeah.\*

30

It follows, doesn't it, that Mr Badalati must have given it to you?---\*I believe so.\*

Yeah, thank you. If there's anything arising from that that anyone wants to raise, then now's the time.

MR HOOD: Just one matter. The gentleman that's referred to there with the surname Liu is obviously China Liu? Yep.

40 THE COMMISSIONER: Is that a yes?

MR HOOD: I just want to make that clear because there are two people with the same surname.

THE COMMISSIONER: Yeah, no, that's okay.

MR HOOD: Or family name. thank you.

THE COMMISSIONER: Understood. So - - -

10

THE WITNESS: \*China Liu.\*

THE COMMISSIONER: So, Mr Hood, are you finished?

MR HOOD: Yes, thank you.

THE COMMISSIONER: Thank you. So who's next? I think Mr Hindi's representative indicated yesterday they wanted to ask some questions.

20 MR CORSARO: Commissioner, can you hear me?

THE COMMISSIONER: Yes, I can.

MR CORSARO: I'm sorry, we're just having a bit of audio issues. Thank you. Mr Uy, can you hear me?---\*As long as the interpreter can hear, yeah.\*

I know you've been in the witness box for a long time and I won't detain you much longer, but I want to clarify a few matters in your evidence if I  
30 may.---\*All right.\*

THE COMMISSIONER: Mr Corsaro appears for Mr Hindi.---\*Mr or Mrs Hindi's representation?\*

Mister. Mister.

MR CORSARO: Thank you, Commissioner. I was going to introduce – thank you, Commissioner, for the introduction. Mr Uy, you recall being asked questions about the meal that you had in Chinatown in March 2016?  
40 ---\*I do.\*

Your initial impression about that occasion was that an agreement was signed, and that after the agreement was signed you had a discussion with Mr Hindi where you informed him that the agreement that was signed concerned other projects, Landmark Square and Treacy Street, that was your initial impression. Do you recall?---\*No. I was drunk at that point. I did not tell him.\*

10 Yes. I think what happened is that after reflection you corrected the record and you told the Commissioner that you never discussed the agreement and never informed Mr Hindi about it involving Landmark Square and Treacy Street. That was your evidence, wasn't it?---\*Correct.\*

And you went to that meal on the understanding that the agreement that you signed concerned the waste project, is that correct?---\*That's right.\*

20 And am I right to understand, Mr Uy, that you yourself didn't understand that, even after you signed the agreement, that it concerned Landmark Square and Treacy Street?

MR PATTERSON: Could I object there, Commissioner? There was no evidence that Mr Uy signed the agreement.

THE COMMISSIONER: Quite, yeah.

30 MR CORSARO: Quite right. Can I correct it? Mr Uy, I'm sorry, I put that very poorly. Let me correct my question. Am I to understand that you yourself didn't even understand that the agreement that was signed concerned Landmark Square and Treacy Street?---\*When I went I first thought it was in relation to the kitchen waste but they signed it and then it turned out to be relating to Landmark Square. I didn't, I didn't read, read it.\*

Is it your position, Mr Uy, that you initially thought that the agreement only concerned the waste-to-energy project but you only learnt that it involved Landmark Square and Treacy Street much later, is that your evidence? ---\*That's right, yes.\*

40 And was it very much later that you found out that it involved Landmark Square and Treacy Street?---\*Yeah.\*

Can I now ask you to reflect about the time that you were in China and there was a signing agreement? Were you aware that the agreement signed in China involved Treacy Street and Landmark Square?---\*They did not mention at the beginning what it was in relation to, the agreement. When they were invited to go, I thought it was all related to kitchen waste. The invitation was for the purpose of kitchen waste only, yeah, the invitation to them, yeah.\*

10 So if your understanding was that the agreement that was signed in Tangshan involved the waste project, I take it you certainly did not tell Mr Hindi or Mrs Hindi that it involved Treacy Street or Landmark. Am I right about that?---\*Can I get you to repeat the question? Please repeat the question.\*

Yes. If you did not understand the agreement that was signed in Tangshan involved Landmark or Treacy Street, you would not then have told Mr Hindi or Mrs Hindi that it involved Treacy Street or Landmark Square. Correct?---\*That's right. I wouldn't have said so.\*

20 And, Mr Uy, I take it that you only found out that the agreement that was signed in Tangshan involved Treacy Street and Landmark much later after the trip to Tangshan. Is that correct?---\*I can't remember.\*

Can I ask you to think back, and it's a long time ago. Do you recall Mr Hindi was not present at the signing ceremony. Is that your recollection? ---\*That's correct.\*

30 I want to suggest to you that you can recall being informed that Mr Hindi was not well. Is that your recollection?---\*That's right.\*

And do you recall then that he told everyone he was not well and that that was the reason he did not attend the ceremony?---\*Looks like it, yes.\*

Can I ask you please to deal with something else with me. You told the Commissioner that you have a real estate business in Hurstville. Correct? ---\*That's right.\*

40 And it was your business to try and keep informed about what was happening in the Hurstville area as a real estate agent, wasn't it? ---\*Correct.\*

And information was very important as a real estate agent in keeping abreast of what projects were around and what might be available for you to sell, correct?---\*That's right.\*

And yesterday you told the Commissioner about discussions, for example, you had concerning the development at Wentworth Point and Meadowbank, do you recall?---\*Yeah.\*

10 And that was natural for you, as a real estate agent to want to know what was available to attract customers, correct?---\*That's right.\*

You told Mr Shariff, who acts for Mr Sansom, about the nature of your discussions with him and the information that you gave Mr Sansom about your involvement with Treacy Street and with Landmark Square. I want to ask you something very general about that matter so far as it concerns Mr Hindi and Mr Badalati. You had a close relationship with Mr Sansom. He was a friend as I understand what you've told the Commissioner, correct? ---\*It's the first level. It's ordinary friends. I won't say close friends but just ordinary friends.\*

20

And you were very guarded in telling him about your involvement with Gencorp or with Treacy Street or with Landmark even as that level friend, correct?---\*I was very careful.\*

And was Mr Badalati a level one friend or something less?---\*Ordinary, first, first level, all of them. Just very ordinary friend.\*

30 And so I take it – thank you. And so I take it that with all of them you were very guarded in telling them about any involvement you had with Gencorp, Landmark Square or Treacy Street, correct?

THE INTERPRETER: I beg your pardon, can you repeat again?

MR CORSARO: Yes. You were very guarded in what you told Mr Sansom, Mr Hindi and Mr Badalati about your involvement with Gencorp, Treacy Street and Landmark Square, correct?---\*That's right.\*

40 Now, to the extent that you spoke to Mr Hindi, for example, from time to time when you met with him, you spoke generally about development in the Hurstville area, didn't you?---\*Correct.\*

With a view, as a real estate agent, in understanding what was coming up or what might be coming up in Hurstville to attract your attention as a real estate agent, correct?---\*That's right.\*

And that is why you met from time to time with one or other them, is that right?---\*That's right.\*

10 And at no stage did you ever tell Mr Hindi, I'll just concern myself with Mr Hindi at the moment, anything about your involvement with Treacy Street, Landmark or the Gloucester Street car park, is that correct?---\*Correct.\*

Mr Uy, I want to change the topic now and ask you about something you were shown yesterday and ask you to clarify one or two points, please, because I'm a little confused. It's about Exhibit 243. Commissioner, might I have put on the screen?

THE COMMISSIONER: Certainly. Thank you.

20 MR CORSARO: Mr Uy, do you recall being shown this yesterday?  
---\*Yes.\*

I want to help you try and clarify a few points. Do you find it easy to read this document or would you like me to try and explain what the various things on the document are?---\*I don't quite understand it.\*

Yes. All right. So I heard yesterday, I think you told Counsel Assisting that you might have trouble reading this plan so let me help you read it.  
---\*Yeah.\*

30 Hello, Commissioner?

THE COMMISSIONER: Yes, I can hear you now.

MR CORSARO: I'm sorry. We're having audio problems. I do apologise. Can I repeat what I've just asked. Mr Uy, can you hear me?---\*I do.\*

40 I'm sorry about that. We're having some difficulties here. What I ask you to assume for the moment is that what is shown in blue is the water.  
---\*Yes.\*

To the right side of the blue, you'll see a green area. That's a park or grass area. Do you see that?---\*Yeah.\*

And you'll see in dark green in the green area what appears to be lines. They represent pathways or walkways.---\*Yes.\*

Mr Uy, you told the Commissioner you had been to this area with Mr Badalati and Mr Hindi once or twice. Do you know the area from your own visits on other occasions?---\*Sometimes I would drive past this area, just, you know, via this place.\*

And sometimes did you have coffee with Mr Badalati alone in the area? ---\*No.\*

Okay. So to the right of the green area, you'll see something described as Rider, R-i-d-e-r, Boulevard, B-l-v-d. You referred to that yesterday. Correct?---\*Yeah.\*

So you understand this is a plan looking down on the area where the Rhodes shopping centre is and the opposite side park, which is the green area. Do you understand that?---\*Yeah.\*

And you've been to the shopping centre inside to do shopping before, have you, Mr Uy, so you know the shopping centre?---\*I have, yes.\*

And you'll see, for example, on this plan the words "Liquorland Rhodes liquor store"?---\*Yeah.\*

And you understand that's part of the shopping centre. Correct?---\*Yeah.\*

And if you follow that up, Mr Uy, you look to the top of the page, you'll see from Liquorland Rhodes an IKEA Family kiosk?---\*Yes.\*

And if you keep looking to the north towards the top of the page, you'll see the words "Vodafone Rhodes shopping centre". Do you see that?---\*Yeah. Yeah.\*

And if you keep looking towards the top of the page, you'll see words "April & Oak Rhodes store, home furniture shop".---\*Yes.\*

The coffee shop that you described having coffee at is in the area where the words “April & Oak Rhodes store” appear on that page, isn’t it?---\*I don’t know for sure, but it’s towards that side.\*

Do you know the name of the coffee shop?---\*Oliver Brown I think it was. I can’t remember. I’m not too sure about the name.\*

Thank you. So - - -?---\*I think it was Oliver Brown.\*

10 Oliver Brown, thank you. So I’ll refer to the coffee shop as Oliver Brown, Mr Uy, in what I’m going to ask you. Do you understand? Mr Uy, when you told the Commission yesterday about meeting Mr Badalati and Mr Hindi at the Rhodes Shopping Centre for coffee once or twice, I take it that that was a significant period of time ago, and your memory may not be 100 per cent, is that correct?---\*That’s right.\*

So when you put the X on that page when the Commissioner and Counsel Assisting were asking you to mark the document, were you referring to the first time or the second time that you met Mr Hindi or Mr Badalati for  
20 coffee?---\*I can’t remember.\*

And if I asked you, Mr Uy, to just think about the first time you might have met Mr Hindi and Mr Badalati at the Rhodes Shopping Centre, and I asked you, “Where did you park?” do you have a memory of that?---\*Was that the coffee, a coffee location that you’re referring to?\*

Yes. Yes.---\*At the car park.\*

Now, the car park that you parked at is underneath the shopping centre, is  
30 that right?---\*Correct.\*

And is that where you always park?---\*That’s right.\*

So there was never an occasion, which you can recall, where you ever parked on a street, correct?---\*For once or twice I’ve parked right at the entrance, at the main entrance, on the street.\*

And when you talk about the main entrance, where is the main entrance of the shopping centre that you’re referring to? Is it on Rider Boulevard or  
40 somewhere else?---\*I don’t know the name. That, that was the main entrance. I, I don’t, I don’t know about the name.\*

Is the main entrance opposite the park that I described earlier when I asked you to look at this map on the screen?---\*Yes. And in fact the, the, the park was just opposite the main entrance. I'm not, I'm not quite clear about the, the map. I'm, I don't fully understand it.\*

All right. So leaving the map to one side, was the entrance near Oliver Brown?---\*Yeah, I think so.\*

10 And when you met Mr Hindi and Mr Badalati for coffee, you had arranged to meet inside, didn't you?

THE INTERPRETER: You arranged the meeting?

MR CORSARO: When you met Mr Hindi and Mr Badalati for a coffee at Oliver Brown's, you would meet inside at Oliver Brown, wouldn't you? ---\*Yeah, inside the café.\*

20 Yeah. You wouldn't be waiting outside to watch Mr Hindi or Mr Badalati drive their cars, would you?---\*I won't be, no.\*

So let's go to the occasions that you can recall having coffee. On the occasions that you had coffee with Mr Hindi and Mr Badalati did you sit down at a table inside Oliver Brown and have the coffee?---\*That's right.\*

Was there any occasion when you, Mr Hindi and Mr Badalati left Oliver Brown's through the main entrance and walked across into the car park opposite? Did you ever do that?---\*I can't remember. That was possible but I can't remember.\*

30

I take it that you cannot recall ever waiting at your car and Mr Hindi and Mr Badalati moving their cars to park with you? You don't recall that ever happening, do you?---\*I do not recall, yeah. No.\*

And I take it, Mr Uy, on the occasions that you parked under Rhodes Shopping Centre there was never any occasion when you and Mr Badalati and Mr Hindi had your cars next to each other, is that correct?---\*No, you won't have a spot. That would be impossible.\*

40 And just as impossible, may I suggest to you, Mr Uy, is parking on the street opposite or near the main entrance of this shopping centre and having

car parks, three in front of you or behind you, correct?---\*No. It, it won't be possible. There won't be a, a, a, all, it, it won't be all vacant.\*

And the parking where you parked on the street on the occasions that you parked at that shopping centre, the parking is with cars rear to front, not side by side, correct?---\*That's right. Those outside of the shopping centre, it's like one after another, parked one after another.\*

10 And on the occasions that you can recall having coffee at Oliver Brown with Mr Hindi and Mr Badalati, it was during the day, wasn't it, when the shopping centre was open?---\*Correct. There were lots of people.\*

And the road where you parked there was lots of traffic and lots of people, correct?---\*Yes.\*

With parking very difficult to find, correct?---\*Correct.\*

Thank you, Mr Uy. That's all I have to ask you. Thank you, Commissioner.

20

THE COMMISSIONER: Thank you. Thank you. Is there anyone else apart from Mr Patterson?

THE WITNESS: \*Are we going to have, are we going to have to a break, is that break time?\*

THE COMMISSIONER: I wasn't going to but if you think we should have a break, we will. That's okay, that's all right.---\*Thank you, Commissioner.\*

30

MR PATTERSON: Commissioner, I can indicate that I hope to be quick. Much of the material that I needed to cover with Mr Uy has been traversed by others.

THE COMMISSIONER: Mr Patterson, I think you're last, aren't you?

MR PATTERSON: I'll be the last, yes.

THE COMMISSIONER: Yeah.

40

MR PATTERSON: Hopefully.

THE COMMISSIONER: I was going to say to you, when this witness is finished he's obviously free to go but I'm not going to discharge him from his summons at this point. I hope we don't have to get him back but I don't want to let him go in case we do. In the meantime I have no difficulty whatever if you want to speak to him about this matter.

MR PATTERSON: Thank you, Commissioner. I am obliged.

10 THE COMMISSIONER: Thank you. I'll adjourn.

### SHORT ADJOURNMENT

[11.03am]

THE COMMISSIONER: Take a seat, please. Mr Patterson.

MR PATTERSON: Thank you, Commissioner. Mr Uy, just a few brief questions about your personal circumstances to begin. Your wife and young  
20 daughter live in China, is that right?---\*Yes.\*

How old is your daughter?---\*3. 3 and a half, 3 years old.\*

And how long have you been married?---\*We lived together, de facto, for a long time. We have lived together for a long time.\*

You have properties and businesses in Hong Kong and China, is that right?  
---\*That's right.\*

30 And you have residency rights in Hong Kong and China, is that right?  
---\*Yes.\*

And you can return to China and Hong Kong at any time you wish, is that right?---\*That's right.\*

But you've chosen to give evidence before this Commission, that's correct?  
---\*That's right.\*

40 And you've exposed yourself to the threat of referral to the Director of Public Prosecutions if your evidence is false, you understand that?---\*I'm aware of that.\*

But nonetheless you've chosen to give evidence?---\*That's right. I'm innocent.\*

Now, you've been asked some questions about your relationship with Mr Badalati. You said that you met up with Mr Badalati in China or Hong Kong for 10 to 13 years, is that right?

THE INTERPRETER: 10 or 13 years?

10

MR PATTERSON: Yes.---\*That's right.\*

So regardless of the level of friendship, you know one another well, is that right?---\*That's right.\*

Could I take you to the transcript, page 1076? You were asked by Counsel Assisting, "Well, are you denying you met Mr Hindi at all through Mr Wong's introduction?" Do you remember that?

20 THE INTERPRETER: Sorry, can I get you to repeat the question?

MR PATTERSON: You were asked by Counsel Assisting "Well, are you denying you met Mr Hindi at all through Mr Wong's introduction?"  
---\*Correct.\*

You answered, "Oh, I disagree with that."

30 MS HEGER: I'm sorry, can I just interject at this point. I'm told that the transcript that's being read from is a private transcript at the moment. Can I just pause while we confirm that?

MR PATTERSON: I'm reading from the transcript of 6 July, 10.00am.

MS HEGER: 10.00am. What page was that, sorry?

MR PATTERSON: 1076, about line 12.

MS HEGER: Sorry, what was the page again?

40 MR PATTERSON: 1076T.

MS HEGER: Sorry, Commissioner. The private bit had ended by this point. This is public transcript. I'm sorry for the diversion.

THE COMMISSIONER: That's okay.

MR PATTERSON: You answered "Oh, I disagree with that." Do you remember that?---\*That's right.\*

10 Did you mean to deny that Mr Wong introduced you to Mr Hindi?  
---\*That's right.\*

And at page 1077 of the transcript at line 35, Counsel Assisting asked you, "And it's possible that Mr Wong did introduce you at some Chinese function to Mr Hindi, you just can't remember?"---\*That's right.\*

And you answered, "I can't remember really." You remember that?  
---\*That's right. I can't remember.\*

20 Did you mean that you can't remember the exact circumstances of how you first met Mr Hindi?---\*I knew him from long ago. It wasn't through the introduction by Mr Wong. In occasions where there was a voting, there was a function and he was in the community, when he was in the community.\*

Thank you. I want you to assume that Mr Wong did introduce you at some Chinese social function for the purpose of my next question. You understand that?---\*Yeah.\*

30 In Chinese culture, in your experience, would a social introduction impose any great obligation or responsibility upon Mr Wong as regards you?  
---

THE INTERPRETER: I'm not sure if I follow that question, my apologies.

MR PATTERSON: A casual social introduction in your experience of Chinese culture, would that impose any great obligation upon Mr Wong or not?---\*No obligation, no. It's really just a general introduction, like, among people, in fact, we might have already known those people before.\*

40 Thank you. Now, at transcript page 1090, line 10, speaking about Treacy Street, Counsel Assisting said to you, "You understood in 2014 that because this was a large development the JRPP would have to determine it, didn't you? That is if the council couldn't determine it, the JRPP had to?" Your

answer was “Yes.” You remember that? What’s your answer?---\*Yes, that’s right.\*

Now, Mr Uy, do you understand that after the JRPP determination the next step in the process would be a Gateway Determination by the Department of Planning?

MS HEGER: Before that question’s answered, I think my learned friend might be confusing two different processes. As I understand it, the JRPP  
10 doesn’t have any role in looking at the planning proposal. The JRPP was looking at a DA for Treacy Street.

MR PATTERSON: I stand corrected by my learned friend.

MS HEGER: And of course the Gateway Determination relates to a planning proposal.

MR PATTERSON: Now, Mr Uy, at page 1094 of the transcript, at line 39,  
20 you said to Counsel Assisting, “I told him that I was an agent and also some sort of a lobbyist.” Do you remember that?---\*That’s right.\*

And on the next page, 1095, at about 12 to 18, you said, “By lobbyist I meant to let the council know about the development of the project and also to let the councillors to know about the development.” You remember that?---\*That’s right.\*

And that evidence was true, wasn’t it?---\*That’s correct.\*

And on the same page you were asked a series of questions about the Treacy  
30 Street development being explained to Mr Hindi. You remember that? ---\*Yeah.\*

Do you agree it was your hope that Mr Hindi, having considered it after the explanation by you or the particulars, he might view it favourably?  
---\*That’s right.\*

And that’s a normal part of the lobbying process, isn’t it?---\*That’s right.\*

Thank you. Now, at transcript 1103, line 25, you agreed with Counsel  
40 Assisting that Mrs Hindi told you the Landmark Square was available for sale, is that right?---\*That’s right.\*

So please clarify it for me, Mr Uy. Mrs Hindi approached you, didn't she?  
You didn't approach her.---\*Correct.\*

You told her you had a buyer.---\*That's right.\*

And that was the basis of the buyers' agency agreement.---\*That's right.\*

And that entitled her to payment of the 500,000 commission.

10

THE INTERPRETER: Entitled her? Did you say entitled her to a payment  
of - - -

MR PATTERSON: To payment of the \$500,000 commission.---\*That's  
right.\*

And your evidence was that Mrs Hindi helped with the negotiations, that's  
right, isn't it?---\*That's right.\*

20 And the commission or success fee of \$500,000 was for no other purpose,  
was it?---\*That's right.\*

And you said that you considered it a good block of land. That's right, isn't  
it?---\*Yes.\*

Now at transcript 1107, about line 36, Counsel Assisting put to you – I  
withdraw that. About line 39, “But you understood that Hurstville City  
Council first had to vote in favour of the Landmark Square planning  
proposal before it went to government, you understood that, didn't you?”

30 ---\*That's right.\*

Did you understand that if Hurstville City Council didn't approve it, there  
was a right of appeal to the Land and Environment Court?

THE INTERPRETER: Sorry, I didn't catch the second bit.

MR PATTERSON: Did you understand that if Hurstville City Council  
and/or the government didn't approve it, there was a right of appeal to the  
Land and Environment Court?---\*Yes. I understood that.\*

40

And you had commenced proceedings in the Land and Environment Court in relation to the Treacy Street development, hadn't you?---\*That's right.\*

Then at page 114 – sorry, I withdraw that – 1114 and 1115 you were asked some questions about the JRPP East report concerning Treacy Street. Do you remember that?---\*Yes.\*

Is there any reason you should not have had a copy of that report?  
---\*There's no particular reason. What reason, I don't understand.\*

10

Was it normal that you would have a copy of that report?---\*That's right.\*

Thank you. Now, at page 1129 of the transcript – just bear with me. My apologies, Commissioner. About line 20, the Commissioner said to you “You were receiving advice from time to time from Mr Hindi and Mr Badalati how to get these approvals, correct?”---\*That's right.\*

Did you understand the Commissioner to mean by “advice”, information?  
---\*That's right.\*

20

And at transcript page 1133, about line 13, you were asked about Mr Dickson's statement. You remember that? And Mr Dickson's evidence was, “Philip told me he had been talking to Councillor Hindi with some frequency about Landmark Square.” Do you remember that? Do you remember that?---\*Yes.\*

Is it your evidence that the words “some frequency” were translated into Cantonese in such a way as to mean daily or weekly or something like that?  
---\*That's right.\*

30

Thank you. Now, Mr Uy, do you remember last week, your evidence was you told Mr Badalati and Mr Hindi the next day that the memorandum of understanding was for Treacy Street and Landmark Square? Do you remember that?---\*I do remember.\*

That evidence was wrong, wasn't it?---\*Correct.\*

Were you confused?---\*That's right.\*

40 Do you remember seeing either Mr Badalati or Mr Hindi the next day?  
---\*No.\*

You did know that China Liu had agreed to invest in Treacy Street and Landmark Square developments, didn't you?---\*That's right.\*

He didn't actually invest any money in either project, did he?---\*Nothing.\*

As far as you know, China Liu loaned \$10 million to Wensheng Liu but not for Treacy Street or Landmark Square. Is that right?---\*Correct. It was just like a loan shark.\*

10

Now, yesterday, Counsel Assisting put to you that Mr Hindi could provide advice on the Landmark Square project. Do you remember that?---\*I do recall.\*

And Counsel Assisting also put to you that you were greatly concerned about delays with the project. You remember that?---\*That's right.\*

Did you think that Councillor Hindi could speed up the approval process in some way?---\*Yes.\*

20

And you thought that was his duty as a councillor, didn't you?---\*That's right.\*

For the benefit of Hurstville?---\*That's right.\*

Yesterday you were asked about large amounts of cash kept at your home. You remember that?---\*I do.\*

Mr Liu, do you sometimes gamble?

30

THE INTERPRETER: Mr Liu?

MR PATTERSON: Sorry, Mr Uy. Do you sometimes gamble?---\*I do.\*

And do you sometimes play the poker machines?---\*Yes.\*

And you sometimes gamble on horses?---\*Yes.\*

Soccer?---\*Yeah.\*

40

TAB?---\*Yeah.\*

And you sometimes go to the casino?---\*Yeah.\*

Now, yesterday you were shown an email from yourself to John Yuan, dated 2 August, 2018. Counsel Assisting might assist, but my note is it's Exhibit 241, I think, volume 2.32. I may have that wrong. Could the witness be shown that document? Could we scroll down to the next page, please. Message 8 at the bottom of the page, do you see that, Mr Uy?  
---\*Yes.\*

10

Do you see the words "However, the female councillor arranged a group of people"? Do you see that? Do you say there is no reference to the word "councillor" in the Chinese text?---\*That's right.\*

And just a few lines further up it reads "Middle East suddenly two weeks ago." Do you see that?---\*That's right.\*

And immediately after the word "ago" do you see a full stop?---\*That's right.\*

20

I understand you have said your command of English grammar is not good, but do you understand a full stop to signify the end of a sentence?---\*That's right.\*

And then you see the word "requested".---\*Yes.\*

Does that indicate to you that whatever "requested" refers to, it's something else?---\*That's right.\*

30

Thank you. Now, I want to deal with the meeting or meetings you had at Rhodes for coffee with Mr Badalati and Mr Hindi.---\*That's right.\*

Do you say that you met there – I withdraw that. Do you say you met them both together there only once or twice?---\*That's right.\*

Is it possible they wanted to inspect the high-rise developments in Wentworth Point and Rhodes because many Chinese reside there, similar to Hurstville?---\*That's right.\*

40

Is it possible you took them to look at the council community centre, which is built beside the water?---\*Yeah. Yeah, that's possible.\*

Could the witness be shown Exhibit 243, which is the map. Mr Uy, if you could look closely at that map - - -?---\*Yes.\*

- - - you will see near the top on the left-hand side a notation “Little girl statue by the waterside.”---\*That’s right.\*

And that is at the end of a green line.---\*That’s right.\*

10 And there was evidence this morning that the green line depicts a pathway. ---\*That’s right.\*

And that pathway leads from – I withdraw that. The April & Oak Rhodes store where I think you said you had coffee, is that correct?---\*That’s right.\*

That is not far from the pathway, is it?---\*Correct.\*

Now, I want you to think carefully. The word “waterside” in the description of “Little girl statue by the waterside”, does that help you remember where  
20 you took Mr Badalati and Mr Hindi?---\*I, I, I can’t remember, I really can’t remember. I was showing them the constructions but the location was near.\*

Is it possible that was the vantage point that you took them to to see the construction and development in Rhodes and Wentworth Point?---\*That’s right.\*

Now, at transcript 1184, about line 35, you were asked about a withdrawal of \$10,000 by Elaine Tang from the Gencorp account. Do you remember  
30 that?---\*Yeah.\*

And yesterday Counsel Assisting asked you about withdrawals of \$10,000 from your accounts, you said it was to take back to Hong Kong. You remember that?---\*I do.\*

Is it possible Elaine Tang made that \$10,000 withdrawal for it to be taken back to Hong Kong for you?---\*That’s right.\*

You have expenses to pay in Hong Kong and China, don’t you?---\*That’s  
40 right.\*

Yesterday, Mr Hood asked you about borrowing money from Mr Badalati. Do you remember that?---\*Yes.\*

Is there anything you want to say about that?---\*Nothing. Nothing.\*

Very well. When you said in your compulsory examination that it's not possible you paid for Philip Sansom's airfares apart from the red wine trip, was that just wrong?---\*What do you mean? Can you explain?\*

10 I'll put it another way. You said in your compulsory examination some time ago that it's not possible you paid for Philip Sansom's airfares apart from the red wine trip. Do you remember saying that?---\*That's right, yes.\*

THE COMMISSIONER: Well, why did you say it?---\*Because they paid for themselves. If I have paid them, they would reimburse me. That's as simple as this and I have repeated myself many times.\*

MR PATTERSON: So you were just confused, were you?

20 THE COMMISSIONER: He didn't say that. If you put words in his mouth, that's – anyway, you go ahead.

MR PATTERSON: Do you remember Mr Sansom repaying you in cash? ---\*Yes.\*

More than once?---\*That's right.\*

Now, I want to deal with the dinner in China on 12 April, 2016. Commissioner, I have given to Counsel Assisting two photographs, one  
30 marked in the top, right-hand corner little (a) and one marked little (b). Little (b) is a blow-up of little (a). Could the witness be shown those documents or those photos? I could hand these up if it assists?

MS HEGER: It's on the screen.---\*Yes.\*

MR PATTERSON: Do you say that photo depicts people at the signing ceremony at a table?---\*Yes.\*

40 And you see there are two empty seats?---\*That's right.\*

And do you see Mr Hindi in that photograph?---\*No.\*

Do you see Mr Badalati?

THE INTERPRETER: Sorry?

MR PATTERSON: You see Mr Badalati?---\*That's right.\*

And do you say that confirms your evidence that Mr Hindi was not at the signing ceremony?---\*Correct.\*

10

I tender that document.

THE COMMISSIONER: I think Counsel Assisting tenders it, but - - -

MS HEGER: I'll tender the document. That'll be Exhibit 246.

THE COMMISSIONER: Thank you.

20 **#EXH-246 – PHOTOS A AND B OF SCREEN SHOTS ON MOBILE PHONE**

MR PATTERSON: My apologies, I didn't - - -

THE COMMISSIONER: No, that's okay.

MR PATTERSON: I didn't mean to trample on Counsel Assisting's prerogatives.

30

THE WITNESS: \*Do I need to pass it back?\*

MR PATTERSON: Thank you. Now, Mr Uy, yesterday, thank you, you were shown a video, which you took, depicting Mr Badalati and Mr Sansom arriving at a dinner in China with two females. You remember that?---\*I do.\*

Now, do you say that at the time you took that video you were married or in a relationship with your de facto?---\*I agree.\*

And just finally, Mr Uy, would you like to say something about how this experience has affected you and your business?---\*It has occurred that when I went to Hurstville and when people saw me, they call me “Mr Lie” and pointed at me and said, “You’re a liar.” Some people point at me and said, “You’re a liar.” It has huge impacted my business, my career. I have suffered huge loss.\*

10 And has this greatly affected you?---\*Serious. It was a serious blow to me. Because, because people thought I was lying. Who would believe me?\*

Thank you, Commissioner. I have no further questions.

THE WITNESS: \*Especially the Chinese community.\*

THE COMMISSIONER: Thank you.

MS HEGER: I have a few things arising, Commissioner, that I wish to ask Mr Uy. Can I go back to volume 2.32, page 4, which is Exhibit 241.  
20 Message number 8. You were just asked some questions about message number 8 by Mr Patterson. And Mr Patterson noted there was a full stop after the word “ago”.---\*Yes.\*

In fairness, I’m just going to suggest to you the word “requested” when read in context can’t mean anything other than Middle East, that is Mr Hindi, requested something. Do you accept that?

MR PATTERSON: Objection, Commissioner. That’s mere speculation.

30 THE COMMISSIONER: Well, it’s his - - -

THE WITNESS: \*That’s right.\*

THE COMMISSIONER: I don’t think it is, is it? He’s been asked to - - -

MR PATTERSON: In my respectful submission, it is, Commissioner.

THE COMMISSIONER: No, no, no.

40 MR PATTERSON: It must be.

THE COMMISSIONER: You proceed.

THE INTERPRETER: Would you like to repeat your question?

MS HEGER: The word “requested” when read in context can’t mean anything other than Middle East, that is Mr Hindi, requested something. Do you accept that?

10 THE INTERPRETER: “Middle East” representing?

MS HEGER: Mr Hindi.---\*Well, sometimes after the word, after “request”, there was nothing, there was dots. How can I understand it? You can’t look at it with prejudice. You have to think of it in a positive way.\*

Yeah. You can’t tell me who was doing the requesting other than Mr Hindi, can you?---\*Well, he has helped many people. He was elected by the people, he wasn’t only helping one person. He was helping many people, many people in Hurstville to do things.\*

20

All right. And when read in context, what was being requested was money, wasn’t it?---\*Of course not. Why would he want money? He was, he was, he was elected by the local people. If he wanted money, he ask the government for it.\*

All right. But you can’t tell me what else other than money was being requested that you were referring to in this message, can you?---\*He could be asking for, requesting for help. Other people, many people needed help and there are many things to help with.\*

30

All right. Mr Uy, I’m going to show you some of the transcription from your evidence on 7 July, page 1142, line 2. I asked you, “And at that dinner China Liu and Wensheng Liu signed an agreement?” and you answered “Yeah, Mr Liu and China Liu signed an MOU, signed an MOU.” And I asked, “Okay. And you understood at the time of that dinner that the MOU related to Treacy Street and Landmark Square and some other projects. Correct?” and you answered, “Yes.” When you answered “Yes” to that question were you telling the truth or not?---\*I was very confused at that time after being here for so many days. I, many, many times, I was asked this at the private session, I was asked this at the public session. If you sat,

40

it you sit there for the, for the whole time and you kept being asked so many questions, you would be confused. I was so confused.\*

THE COMMISSIONER: Well, that was a pretty simple question though, wasn't it?---\*But I have answered at least 500 questions already.\*

What's confusing about that question?---\*I might not be able to remember everything 100 per cent.\*

10 MS HEGER: Yeah, but when I've asked you a question and you couldn't remember, you've said you couldn't remember, haven't you?---\*But I have, but I have answered 100 questions. And if you go and sit an exam and if you answer 100 questions, you can't answer each of them correctly. My, I was, you know, very confused. I could be wrong. I could have remembered it wrong. Like sitting here and when you ask me questions, I had to recall so many things about so long ago. I can't remember all of them.\*

20 So you now say at the time of the dinner, you didn't know the MOU related to Treacy Street and Landmark Square. Is that now your evidence?---\*I was drunk from the beginning. Before the signature, I was drunk. I was drinking those Chinese wine and I was drunk before the signature.\*

Yeah, but you weren't drunk when you gave evidence the other day, were you, Mr Uy?---\*I did say that at that time, I was drunk and I had a headache.\*

30 All right. Is your evidence now that you didn't know at the dinner that the MOU related to the Treacy Street and Landmark Square project?---\*I knew afterwards.\*

Yeah. When? When did you find out?---\*The next day, I was quite unwell. Well, they signed it, they signed it between themselves. Maybe the next day or after a few days or after a while?\*

Well, Mr Uy, I suggest to you that the first version you gave is the truth and this version you're giving now is false. What do you say about that?---\*It's not a question of whether it was true or not. It was long time ago and I just could not remember.\*

40 Right. Can I go through to 1144, line 18 to 31? Line 21, I asked you, "And you knew that the MOU related to Treacy Street and Landmark Square.

You knew that at the time of the dinner. You've already accepted that. Correct?" And you answered, "Yeah, I knew when I arrive." You weren't drunk when you arrived at the dinner, were you?

MR PATTERSON: Commissioner, in fairness to the witness, could Counsel Assisting clarify what dinner is being referred to, whether in Chinatown or China?

MS HEGER: It's the Chinatown dinner.---\*Yeah.\*

10

You weren't drunk when you arrived at the dinner in Chinatown, were you?---\*On arrival, there was no one else there and we were drinking already. We started drinking. There was no, they have not arrived yet.\*

Yeah. But you weren't drunk when you arrived at the dinner, were you? ---\*Correct.\*

20

All right. Now, I'll show you transcript 1146, line 25, no, it's not line 25, it's line 28. The Commissioner said, "As I understand your evidence – excuse me. As I understand your evidence, you told them the next day that the agreement concerned, amongst other properties, Landmark Square and Treacy Street. Sorry. As I understand your evidence, you told these men the next day the agreement concerned Treacy Street and Landmark Square." You said, "Yes. Maybe next day or a few days after I did, yeah, talk to them." Were you telling the truth to the Commissioner on that occasion? ---\*Ah hmm. I was mixed up when I said, said that. In fact, the next day I was unwell. I couldn't get – I was, I stayed at home on that day. All the time when I spoke to them, it was about kitchen waste. I never spoke to them about Treacy Street and Landmark Square.\*

30

THE COMMISSIONER: Why didn't you tell me that you had spoken to them or told these men the next day, or maybe a few days later, that the agreement concerned Treacy Street and Landmark Square? Why didn't you tell me that?---\*I, I went back and I realised that I have, my recollection was wrong, and I have corrected myself. I had remembered it wrong. I did explain, I come, I come, I did come back to explain that my recollection was wrong. It has been six years, as long as six years ago. How can I be sure that they were all correct so I would reflect when I go back?\*

What about the next question and answer?---\*I am a business person. I have many things to remember. I cannot remember every single one of them.\*

What about the next question and answer? I asked you, “Well, they certainly knew before they went to China, didn’t they?” And you said, “Yes.” Was that truthful evidence?---\*I misunderstood it to, to be referring to kitchen waste because China Liu invited them for the purpose of kitchen waste. Yeah. That’s what it was. When you sit here, you can’t be sure that  
10 you’ll be answering the questions correct a hundred per cent.\*

MS HEGER: All right. You gave this evidence on 7 July, and then you came back on 12 July and corrected some of it. What prompted you to recollect what you say is the true version of events in that period?  
---\*Usually I, when I went home, slowly and slowly try and recall, recall about the things. I tried to remember what I’ve answered at home. I have the right to reflect and reconsider.\*

Well, did you talk to anyone, other than Mr Patterson, in this period about  
20 this topic, that is whether you knew what the agreement being signed at the dinner was about and what you told Mr Badalati and Mr Hindi about it?  
---\*No.\*

Can I show you transcript 1148? Sorry, go to the next page, please. At the top I am asking you about a message from Wensheng Liu to yourself and I read out the text message to you which said, “Brother Faye, one, have received the deposit of \$1 million Australia from Mr Liu to arrange for Chubby and Middle East to come to Beijing”– sorry. Let’s start that again.  
Yeah. The message says, “Brother Faye, point one, have received the  
30 deposit of \$1 million Australian from Mr Liu.” And it was “Point two, arrange for Chubby and Middle East to come to Beijing on the 10<sup>th</sup> to attend the formal signature ceremony.” And you understood that that text message from Mr Liu, when it talked about a deposit of \$1 million, that was a deposit relating to Treacy Street or Landmark Square, wasn’t it?---\*I, I didn’t understand. My understanding was there, there was no explanation as to, as to what the \$1 million related to. He didn’t write, he didn’t describe it. How would I know? How would I know what, what it was about. He often said, he often - - -\*

40 Yeah, but it says in the text message that it’s a \$1 million deposit from Mr Liu and you understood that was a reference to China Liu, of course, didn’t

you?---\*They all have their own businesses. The \$1 million could be related to anything else. He, he has not specified what that related to, how would I know?\*

My question was you knew that the reference to Mr Liu was China Liu, didn't you, when you received this text message in April 2016 you understood that?---\*That's right. He, he could be buying a property. He had purchased properties. He had asked Mr Liu to help him buy properties. It could be money for him to buy property.\*

10

Well, I suggest to you, you knew by this time when you received this message in April 2016, you knew that this \$1 million deposit was a reference to Treacy Street or Landmark Square, didn't you?---\*I don't understand. It only says 1 million but it doesn't not specify any details. I only saw what he said there.\*

All right. Well, further down the page at line 32 the Commissioner said, "That message refers to a deposit of \$1 million Australian. What did that deposit concern?" And you said, "It's between China Liu and Wensheng Liu. I know nothing about that. Maybe relating to Landmark Square." You offered that suggestion, didn't you?---\*Yes. And it could be related to, and it could relate to property purchases he has asked Wensheng Liu to help him buy the properties. He had not invested in Treacy Street and Landmark Square. Why would he pay the deposit?\*

20

MR PATTERSON: Commissioner, in fairness to the witness, Counsel Assisting should read the rest of the sentence which, in my respectful submission, confirms the evidence that the witness has given today.

30 MS HEGER: I'll read out the rest of it. You said, "Maybe relating to Landmark Square, I don't know. It, it wasn't written there, I don't know." ---\*That's right.\*

Oh sorry, did you need that translated for you or you don't?---\*That's right. he could be referring to, he, he could be wanting to buy a property. He had purchased properties, he had not invested even a dollar into Landmark Square or Treacy Street. He made no investment.\*

40 Can I show you transcript 1152, line 16? Here I was asking you about the trip to Tangshan for the signing ceremony. You understand that?---\*That's right.\*

And I said, “And so you understood by this time that the agreement they were signing concerned Landmark Square, didn’t you?” and you answered, “Yes, yes.” And I said, “You understood by this time they were signing an MOU at this ceremony that concerned Landmark Square,” and you answered, “But other than this one there are other projects as well.” Was that truthful evidence?---\*That’s right.\*

10 And then at around line 35 - - -?---\*Can you please not go back and forth and back and forth because we have, I have been asked this a few days ago and now you’re coming back. This is unfair to me.\*

Well, you understand, Mr Uy, you’ve given one version of events on one day and another version of events on the other day. I’m just trying to work out which is the truthful version. Do you understand that?---(NO AUDIBLE REPLY)

20 And I said to you, “Well, you say Mr Hindi realised the agreement wasn’t about kitchen waste. He realised it was about Landmark Square, didn’t he?” and you answered, “Yeah. I believe he should have known. He, he refused to attend the ceremony. He said, he’s saying that his purpose of coming there is for environmental protection.” I then said, “Yeah, but you told him that the agreement was about Landmark Square, is that right?” And you said, “Yes, I believe, yeah, yes.” Were you telling the truth - - -

THE INTERPRETER: Sorry.

MS HEGER: Sorry.

30 THE INTERPRETER: I haven’t finished. Yeah, I’ve finished translating.

MS HEGER: Were you telling the truth in answer to those two questions or not?---\*Now, at that time, the interpreter interpreted it as a male, at that time when they went, it was all about the kitchen waste (not transcribable) about anything else. They focused on the kitchen waste, yeah. And then if it’s not the kitchen waste, then it wouldn’t be anything else. I remember I did not read anything. I just had in my mind that it was for the kitchen waste only, yeah.\*

40 Well, just focus on your answer at the bottom of the page. I said, “Yeah, but you told him” that is Mr Hindi “that the agreement was about Landmark

Square, is that right?" You said, "Yes, I believe, yeah, yes." Was that truthful evidence or not?---\*All right. Well, I'll let you finish.\*

No, I just asked you was your answer then truthful or not?---\*It was wrong because I never told him about that, yeah. I've been confused by so many questions. When they went, they kept saying that it was for kitchen waste. They did not want to know about anything else. Yeah, Con Hindi told me so.\*

10 All right. You say you were confused when answering that last question on the page. What was confusing about the question, Mr Uy?---\*I have been asked questions day after day after day. How can I remember at that time?\*

All right. If we go over to the next page, I asked, "Yeah. And you told Mr Badalati this agreement that was being signed was about Landmark Square?" And you said, "Yes. And they, they refused to turn up, yeah. Yeah, they say that they only, yeah, care about environmental protection." Was your answer then truthful or not?---\*I was very confused at that time and when I returned I recalled that I (not transcribable) when I tried to recall  
20 that. At home I remembered that I actually didn't tell them about the Landmark Square. My sole responsibility was on kitchen waste.\*

All right. In between 7 July and 12 July, did you talk to anybody about these answers, leaving aside Mr Patterson?---\*Of course not.\*

All right. And what caused you to realise that the answers you gave that I just read out were wrong in that time period?---\*Each time I would go back and reflect. I have to, and I have been asked questions day after day, and it was something that related to six, what happened six years ago, sometimes  
30 even 10 years ago, and I have to take time to think.\*

All right. Mr Uy, you were asked some questions by Mr Shariff, who appears for Philip Sansom.---\*That's right.\*

And you said in answer to one of his questions that you never told Mr Sansom you were involved in Treacy Street or Landmark Square. You recall that?---\*Agent. He took me as the agent. He might have taken me as the agent. It's so long ago. I have opened an agency business for 15 years. It was 15 years ago.\*  
40

All right, well, when you told Mr Shariff you never told Mr Sansom you were involved in Treacy Street or Landmark Square, you just meant you never told Mr Sansom you or your company was going to build either development, didn't you?---\*That's right.\*

10 All right. But you've already given evidence that you discussed 1-5 Treacy Street with Mr Sansom even before the DA was lodged, and that was truthful evidence, wasn't it?---\*As an agent and as a lobbyist, to know more. Just, just as a local agent to know more. And I, and I have the right to ask, right?\*

Yep. And before Hurstville City Council voted on the Landmark Square planning proposal on 20 April, 2016, you also discussed Landmark Square with Mr Sansom, didn't you?---\*I was relaying the opinion of the, as a representative of the local residents and the merchants, of their, I mean, I was relaying to him their opinion. It can't be, it's, it's not really a discussion. Telling him what their wishes were for him to consider.\*

20 Well, you explained the benefits of the Landmark Square development to him, didn't you?---\*I told him what benefits it would bring if there was an hotel, a, a, a, if there was an hotel there, what benefit it would bring to the merchants.\*

Yeah, and you did so for the purposes of persuading Mr Sansom of the benefits of the development, didn't you?---\*Yes. Yes. And as, as a representative of the merchants and with him being a councillor, I have the right to represent the merchants and reflect that to him. Benefits, in terms of benefits that it will bring to Hurstville, the benefits from the development.\*

30 Yes, but around this time, that is 2015/2016, you were more than just a representative of the local residents in respect of the Landmark Square development, weren't you?---\*As a representative of the merchants, as an agent and as a lobbyist.\*

Yeah, but you had your own commercial interest in the Landmark Square development, didn't you, when you were having those discussions with Mr Sansom?---\*Commercial interest? Do you mean that I will make money out of it myself or not?\*

40 Yes.---\*Yeah.\*

All right. And you say you never mentioned that to Mr Sansom, is that your evidence?---\*Mentioned what? Mentioned about what?\*

That you had a commercial interest in this project.---\*I never told him so. No, because I know that I can't tell him. My only, my, my role was a representative of the local merchants and, and as an agent and I was only for the purpose of seeking benefits for the development of Hurstville.\*

10 Well, you made it very clear to Mr Badalati and Mr Hindi, didn't you, that you were more than just a representative of the local residents in relation to Landmark Square, didn't you?---\*As an agent and they, they emphasise a lot of the, and emphasise a lot about the, the benefits of, to local people and the development of Hurstville.\*

Well, no, Mr Uy, you accepted you attended a meeting with Mr Hindi at a Japanese restaurant with Mr Dickson, haven't you?

20 THE INTERPRETER: Sorry, I missed the last bit. In a Japanese restaurant?

MS HEGER: With Mr Dickson.---\*Yes.\*

Yeah. And you made very clear to Mr Hindi in that meeting that your role wasn't just a representative of the local residents, in fact you were involved in instructing Mr Dickson on the planning proposal for Landmark Square. ---\*Dickson might be looking after the proposal but I forever have been telling them that I am just an agent and the representative of the local merchants looking for developments in Hurstville.\*

30 Well, I suggest you did make it clear at that meeting with Mr Hindi at the Japanese restaurant that you were instructing the planners on this planning proposal. You reject that, do you?---\*No. It was Dickson who was talking to them about what to do. I had no idea how to do it. I'm inexperienced and I had no idea what to do in these sort of things.\*

40 Well, I suggest you did make that clear to Mr Hindi and, in those circumstances, it would make no sense that you'd withhold that from Mr Sansom. What do you say about that?---\*Nothing was withheld. I had no idea of the planning and this is not my area. What could I have said? You can't make me confess. I can't.\*

All right. In answer to one of Mr Shariff's questions, you accepted that Mr Sansom provided you with general advice on council matters from time to time. You recall that?---\*That's right.\*

Yeah, but you also understood from 2007 that Mr Sansom was a councillor at Hurstville City Council. Correct?---\*That's right.\*

10 And you understood from 2007 that as a councillor he'd likely vote on any development applications or planning proposals coming before Hurstville City Council?---\*That's right.\*

And Mr Dickson has given evidence that by 7 March, 2014, GR Capital Group had instructed him on the 1-5 Treacy Street project. You don't dispute that, I take it?---\*That's correct.\*

Yeah. So as at 7 March, 2014, you expected that GR Capital Group would lodge a DA in respect of 1-5 Treacy Street, didn't you?---\*That's right.\*

20 And you accepted in answer to Mr Shariff's question that your relationship with Mr Sansom was valuable to you, didn't you?---\*Valuable, yes.\*

Can I suggest that one of the reasons it was valuable is because you expected – I withdraw that. One of the reasons it was valuable to you in March 2014 is because you expected GR Capital Group would lodge a DA for 1-5 Treacy Street and that Mr Sansom would need to vote on it? ---\*Wrong. He has helped, provided help to many people in Hurstville, many elderly in Hurstville, some of them were homeless. You can't stand there and keep saying this to me out of your imagination. They are councillors and they have done many good deeds. So we respect them a lot just like we would respect the Commissioner.\*

All right. And in fairness I'll just put to you squarely, that's why you paid for Mr Sansom's flights to Hong Kong in March 2014, it was for the purpose of influencing him to vote in favour of any DA that GR Capital Group might lodge in respect of 1-5 Treacy Street. What do you say about that?---\*Wrong.\*

All right. Those are all the questions I have for Mr Uy.

40 THE COMMISSIONER: Thank you.

THE WITNESS: \*I have a headache.\*

THE COMMISSIONER: Yeah, well that's okay. We're going to stand you down now. Mr Uy, you are free to go. I'm not going to discharge you from your summons which means if I ask you to come back you have to come back. I hope that won't be necessary. Thank you for your assistance.---I understand.

Thank you for your assistance.---Thank you.

10

MS HEGER: Could I just tender some documents before we adjourn? You can leave now, thank you.

THE COMMISSIONER: And thank you very much as well, Madam Interpreter.

THE INTERPRETER: Thank you.

20

THE WITNESS: Thank you, Commissioner. Thank you, Senior Counsel.

**THE WITNESS STOOD DOWN [1.01pm]**

MS HEGER: I've been promoted. MFI 25, which was volume 3.6, that will be Exhibit 247.

30

**#EXH-247 – VOLUME 3.6**

THE COMMISSIONER: Thank you.

MS HEGER: MFI 33, which was volume 3.9 will be Exhibit 248.

**#EXH-248 – VOLUME 3.9**

MS HEGER: MFI 42, which was also identified as MFI 61, they were both references to volume 24.6, table of cash transactions, that will be Exhibit 249.

**#EXH-249 – VOLUME 24.6**

10 MS HEGER: And MFI 60, which is volume 27.1, another table of cash transactions will be Exhibit 250.

**#EXH-250 – VOLUME 27.1**

THE COMMISSIONER: Thank you. All right. We'll adjourn until 2 o'clock.

20 **LUNCHEON ADJOURNMENT**

**[1.03pm]**