

GALLEYPUB01562
18/07/2022

GALLEY
pp 01562-01584

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 MONDAY 18 JULY, 2022

AT 2.00PM

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.

MS HEGER: Commissioner, I understand Mr Hood does wish to ask Mr Sansom a couple of questions.

THE COMMISSIONER: Sure.

10

MS HEGER: And for that purpose wishes to show Mr Sansom a couple of documents. I won't describe what they are but, Commissioner, I'm going to give you the volume and page reference and ask you to vary the section 112 direction that was previously made in respect of those documents - - -

THE COMMISSIONER: Yep.

MS HEGER: - - - to permit their publication and the two documents are found at volume 7.34, page 2.

20

THE COMMISSIONER: Yep.

MS HEGER: The second document is at volume 7.37, page 3.

THE COMMISSIONER: That's it?

MS HEGER: And that's it.

30 THE COMMISSIONER: I vary the section 112 order previously made by me in respect of the documents appearing in volume 7.34 at page 2 and volume 7.37 at page 3 to allow publication.

VARIATION OF SUPPRESSION ORDER: I VARY THE SECTION 112 ORDER PREVIOUSLY MADE BY ME IN RESPECT OF THE DOCUMENTS APPEARING IN VOLUME 7.34 AT PAGE 2 AND VOLUME 7.37 AT PAGE 3 TO ALLOW PUBLICATION.

40 THE COMMISSIONER: Mr Hood.

MR HOOD: Thank you.

THE COMMISSIONER: Do you want to just move a bit closer to the microphone?

MR HOOD: Yes, certainly. Mr Sansom, a site plan will be brought up on-screen for you in a moment, I just want you to have a look at it. Thank you. Do you recognise the area with the green border as being that area that's been referred to as the Gloucester Road car park?---I believe so.

10

Okay, thank you. Do you see that there are a number of blocks within the green area numbered 78 to 82 and 22 to 24. Do you see that?---Yes.

Each of those blocks ordinarily are given what is called a folio number. Is that right?---That would be, yes.

Would be. Thank you. Okay. Do you see that there's some handwriting in the top section in the row which I take to be Gloucester Road. You see that zone, city centre business zone, do you see that handwriting?---Yes.

20

Okay. And, in addition, in the individual blocks that I've referred to, again, there are numerals written. Do you see that?---Yes.

So somebody has worked out the areas of the individual blocks, it appears? ---Yes.

And then the total of that is set out apparently up above the green, delineated area. Do you see that?---Yes, the 33, seven, 1.7?

30 Yes. Thank you. All right. Now, firstly, would the dimensions be available to council, the dimensions of each of the blocks?---Yes.

Thank you. Would the folio numbers, sorry, would the folio numbers be available to councillors?---To, sorry?

Yes.---To who?

40 To councillors. Is there a database held at the council that sets out the individual folios for blocks of land?---I'm not 100 per cent sure. The councillors wouldn't be able to access that that way but folio numbers, as far as I understand, like, if you go and buy a property, your lawyer or your

solicitor will look up and find the folio number and everything to see, in terms of buying the land. So I don't think they're, I could be wrong but I, I think they're accessible.

You think they're accessible, did you say?---Yes.

10 Okay. All right. But your recollection now is that such accessibility may not be available to councillors. Is that what you say?---I'm not sure if, if you buy a property, a solicitor can look up and find the folio number and whatever else. So I'm assuming that that isn't all that difficult to do.

Right. Okay. All right.---But I've not done it and I - - -

All right. No, that's fine. Thank you. If that can just be taken down. I just want to show you the second document, which is a contract. Sorry. You don't recognise the handwriting, do you, on that document?---No, I don't at all.

20 No. Thank you.---It's too messy. It wasn't mine.

I'm sorry?---I said it's too messy. It wasn't mine. But, no, I don't recognise it.

Okay. Thank you. All right. Okay. So you see this contract that's on the screen now. If we drop down to the land, there we see the relevant folio identifier numbers. Do you see that?---Completion date, land, yes.

30 Yeah. And do you see at the top, it has this "without the intervention of an agent"?---Yes.

Okay. Have you seen this document before at any time?---Not to my recollection, no.

Right. It apparently relates to the Gloucester Road car park area, from what you can make of it. True?---No, not, not to my understanding. It's not one that would be made available to councillors or given to councillors.

40 But do you recognise from the descriptions on the land 1-17 Carrington Avenue, et cetera, Gloucester Road, that that relates specifically to the Gloucester Road car park area that was set out in the plan shown to you just a moment ago?---Yes, that would look like it.

Thank you. Thank you. I have nothing further.

THE COMMISSIONER: Thank you.

MS HEGER: I'll just tender those documents, volume 7.34, page 2 will be Exhibit 269 and volume 7.37, page 3, the contract, will be Exhibit 270.

THE COMMISSIONER: Thank you.

10

#EXH-269 – VOLUME 7.34 PAGE 2

#EXH-270 – VOLUME 7.37 PAGE 3

MS HEGER: I have no further questions for Mr Sansom.

20 THE COMMISSIONER: Thank you. Mr Sansom, you are free to go today. I'm not going to discharge you from your summons yet, just in case we've got to get you back to clarify anything, but you're free to go today.---Thank you.

THE WITNESS STOOD DOWN [2.34pm]

MS HEGER: I call Wensheng Liu.

30 THE COMMISSIONER: I'll have the interpreter sworn in again, and the witness as well.

<GARMAN (JOANNE) LUM, affirmed [2.35pm]

THE COMMISSIONER: Thank you.

THE ASSOCIATE: Oath or affirmation?

40

MR LIU: *Affirmation*.

<WENSHENG LIU, affirmed

[2.35pm]

THE COMMISSIONER: Take a seat. Mr Hood, I extend the section 38 declaration I made the other day.

MR HOOD: Thank you, thank you.

MS HEGER: Mr Liu, on the last occasion you appeared in the public
10 inquiry I asked you some questions about the Gloucester Road car park. Do you remember that?---*Yes.*

And I showed you the expression of interest that GR Capital lodged with council in October 2011 with the \$800,000 cheque. Remember that?
---*Yes.*

And I showed you the letter back from Hurstville City Council which returned the \$800,000 cheque. Remember that?---*Yes.*

20 Can I now show you volume 7.4, which is Exhibit 242? So you'll see at the bottom of the page there's an email from a Hurstville City Council address to Lan Liu on 10 February, 2012.---*Yes.*

And at this time Lan Liu was your wife, of course?---*Yes.*

And at this time she was also a director of GR Capital Pty Ltd, correct?
---*Yes.*

30 And you'll see the subject of that email is "Tender notification. Tender for sale and development of council land" and it attaches a plan, what's described as "A plan of level and details, Gloucester Road car park".
---*Yes.*

And then what's happened is, on 13 February your wife has forwarded that email to yourself at the liu.cvm address. Do you see that?---*Yes.*

And then you have sent that on to Kurt Vegners saying, "Hi Kurt, the email from Hurstville Council." Do you see that?---*Yes.*

40 And at this time Kurt Vegners was a builder, correct?---*Yes.*

And he worked together with Philip Uy at this time, correct?---*Yes.*

And so you were sending these plans to Kurt because you understood that he might be involved in constructing the development on the Gloucester Road car park if that development went ahead, correct?---*Yes.*

So obviously around this time, 14 February, you became aware that the Gloucester Road car park was up for tender, correct?---*Yes.*

10 And you see there's a CC to Yuqing Wah. That's Philip Uy's email address, of course?---*Yes.*

And you copied him into this because you anticipated he might be involved in constructing the development if it went ahead, correct?---*Yes.*

Was there an agreement between you and Philip Uy at this stage as to what sort of profit he might make from this development if it went ahead?
---*Yes.*

20 And what was that agreement?---*He will be, he will be the consultancy company, and if, if - - -*

THE INTERPRETER: Sorry, I'll get him to repeat the second bit.

THE WITNESS: *And after the land has been acquired, his figure will be calculated based on the number of units as stated in the DA.*

MS HEGER: Okay. Was there a certain percentage of the profit that would be allocated to him, as you understood, at this point?---*10 per cent on top
30 of the construction costs.*

Okay. Can I show you volume 7.7, which is Exhibit 187. At the bottom there's an email from a Hurstville City Council address to Lan Liu. See that?---*Yes.*

And that email attaches what's described as a List of Tender Submissions Gloucester Road Car Park. You see that?---*Yes.*

40 And you then forwarded that email on to Philip Uy on 2 April, 2012, correct?---*Yes.*

If we go to the next page, it includes a list of companies that put in a tender for the Gloucester Road car park, you understand that?---*Yes, I see that.*

So around this time, April 2012, you obviously became aware of the companies that had put in a tender for the Gloucester Road car park?---*I did not read carefully at that time.*

10 All right. Did you have a discussion with Philip Uy around this time about the fact that Deicorp had put in a tender for the Gloucester Road car park, as you'll see in the second-last box there?---*No.*

Did Philip Uy express any concern to you around this time that Councillor Hindi had any sort of connection with Deicorp?---*No.*

Now, you're aware that Mr Wong has given some evidence that Philip Uy attended a meeting at Councillor Hindi's house where he gave Councillor Hindi allegedly \$10,000?

20 THE INTERPRETER: 100,000 or 10?

MS HEGER: 10,000.---*10,000.*

You're aware of that evidence?---*Yes, yes. From here.*

Yes. And you're also aware Mr Wong gave evidence that Philip Uy said to Mr Hindi "Mr Liu is interested to submit a tender for the Gloucester Road car park. Please don't assist other developers"?---*I only recall him, I do not recall him mentioning my name.*

30 Well, just I want you to assume that's the evidence that Mr Wong gave when I ask my next question. All right. As far as you know did Philip Uy have a meeting with Councillor Hindi at his house about the Gloucester Road car park?---*I'm not sure.*

All right. And as far as you know did Philip Uy give any money to Councillor Hindi relating to the Gloucester Road car park?---*I'm not aware.*

40 And as far as you know did Philip Uy say to Councillor Hindi "Mr Liu is interested to submit a tender. Please don't assist other developers"?---*I'm not sure.*

All right. Are you aware of Mr Uy paying any money to Councillor Hindi in respect of the Gloucester Road car park?---*I'm not aware.*

Did you pay Councillor Hindi any money in respect of the Gloucester Road car park?

THE INTERPRETER: To Hindi?

10 MS HEGER: Yes.---*No.*

All right. On 4 July, 2012 council resolved to negotiate with Deicorp. Were you aware of that at the time?---*I didn't know.*

But you became aware around that time, July 2012, that GR Capital had been unsuccessful in the tender process, correct?---*I can't remember very well.*

20 Well, do you recall having any discussion with Philip Uy about the outcome of that tender process?---*I did remember – that did happen.*

Yeah, and was Mr Uy angry about the outcome of that tender process? ---*He was.*

All right. And what did he say to you about the tender process?---*I can't remember the details. I can't remember.*

30 Did he tell you he thought Councillor Hindi had been helping other developers?---*No, I, no.*

All right. You're aware that council then voted to withdraw the Gloucester Road car park from sale?---*I, all I knew was it was suspended, it was withheld.*

Okay. And then you gave evidence on the last occasion that in March 2014 you travelled to China with Philip Sansom to meet developers who were interested in the Gloucester Road car park, correct?---*Correct.*

40 And you met with some developers who were interested in the Gloucester Road car park, correct?---*Yes.*

And on your understanding, was Philip Sansom there to demonstrate that the council supported the Gloucester Road car park development?---*My understanding was at that time the reason for the suspension was unknown, so he was there to explain to developers, that's my understanding.*

And what did he explain to the developers?---*Can I get some water?*

Of course.---*So what was the question again?*

10 What did Philip Sansom explain to the developers about the Gloucester Road car park?---*That I don't know because I was with another, another developer for other, another project.*

You didn't attend any meetings together with Philip Sansom in China?
---*No, I think we were together at meal time. At meetings we were, we went separate ways.*

20 Okay. Can I show you volume 7.38, which is Exhibit 262. So it looks as though you've been sent some flight details for yourself and Mr Sansom and you'll see they're for the flight on 12 March.---*Correct.*

And it also has the cost of those flights set out. The total is \$4,455 Australian.---*Yes.*

You booked these flights, correct?---*I believe so.*

That is for both yourself and Mr Sansom, correct?---*I believe so.*

30 And did you pay for Mr Sansom's flights as well?---*I can't remember very clearly. It was arranged by Philip, I think, and he, I have got the money back from Sansom.*

Well, what did Philip Uy actually tell you about the payment of these flights? Did he tell you he'd paid for them?---*He said that I cannot pay for the flights and that he will recover the money from Sansom.*

All right. Did he actually say that he'd paid for the flights though?---*I can't remember.*

40 But you understood from the conversation you had that he had paid for them, at least initially, is that right?---*I believe so.*

And did he actually say he intended to recover the cost of the flights from Philip Sansom or are you just making the assumption that that was his intention?---*He did say so to me. He'd said, he said, he told me that I can't pay for anyone's fees.*

And he told you that he intended to get the money back from Mr Sansom, is that what he said?---*Yes, he did.*

10 And do you know whether he did get the money back from Mr Sansom?
---*I don't, I don't know the details.*

Okay.

THE COMMISSIONER: When he said to you that you can't pay for the airfares, did he explain why you couldn't pay?---*He said that I was a developer. I cannot be related to these people and that I can't pay for their accommodation and flights.*

20 And particularly councillors?---*I believe so.*

Thank you.

MS HEGER: So how did Philip Uy get the details to pay for these flights? Did you give it to him, how did that work?---*Yes. I think I have printed it to him and that it showed the amount there. I think there was a receipt, I think.*

30 Excuse me. All right. I'm just going to move to a different topic now, and I'll show you volume 2.30. It's a message on 17 November. I'll just give you the page reference. 17 November, 2015. Message number 52. All right. So this is a message from Philip Uy to yourself on 17 November, 2015. Just read the Chinese characters to yourself and then I'll ask you a question about them.---*Which one?*

Message 52. 17 November, 2015, at 6.31pm. Can you see that one? So just read the Chinese to yourself and then I'll ask you a question. Yep, just quietly. You don't need to read it out loud.---*Yep, done.*

40 Oh, okay. So I'm going to read out the English to you, and you tell me if that's an accurate translation for Chinese. It says, "Mr Liu, you are our

leader, our light. Our project hasn't been approved yet and are worried that someone might cause trouble at our back. Will explain and report to you clearly on return. Chubby and Middle East told us to be quiet." Is that what the Chinese says?---*Yep.*

And when Philip Uy refers to "our project", which project was he referring to on your understanding?---*At that time I think it was – I can't remember exactly which one.*

- 10 Well, by this time the planning proposal for Landmark Square had already been lodged with Hurstville City Council in June 2015. You recall that?
---*Yes.*

But around this time GR Capital Group was also about to lodge the modification application for 1-5 Treacy Street for the extra five storeys. That application was lodged the next month in December 2015, you recall that?---*Yes.*

- 20 So in that context, when he says "our project hasn't been approved yet", it's more likely he's referring to the Landmark Square planning proposal, correct?---*It's possible.*

And when he refers to being worried that "someone might cause trouble at our back", what was he referring to there, as far as you understood?---*I don't know.*

And he refers to "Chubby and Middle East", which you understood to be a reference to Mr Badalati and Mr Hindi, correct?---*Yes.*

- 30 And he says, "They told us to be quiet." What did you understand him to mean by that?---*I'm not too sure what he meant.*

Well, you understood from this that Philip Uy had been discussing the project, likely Landmark Square, with Mr Badalati and Mr Hindi, correct?
---*I am not too sure.*

- 40 Did Mr Uy tell you what, if any, advice he was getting from Mr Badalati and Mr Hindi about Landmark Square or Treacy Street around this time?
---*He did say that he was speaking to his consultancy company but I don't know whether he was referring to any particular person or these two.*

All right. Can I show you volume 2.15, page 21, which is Exhibit 146? This photo was taken on 16 May, 2016. That's you in the photograph, correct, along with Philip Uy and Yuqing Liu and Mr and Mrs Hindi and Mr Badalati?---*Correct.*

And this was at Mr Hindi's house, correct?---*Yes.*

And the previous month council had voted in favour of the Landmark Square planning proposal, correct?---*I can't remember.*

10

Well, I want you to assume council voted in favour of the Landmark Square planning proposal on 20 April, 2016. Was this occasion to celebrate council voting in favour of the Landmark Square planning proposal?---*I don't think so.*

Well, what was the reason for the gathering on this day?---*Firstly, to introduce China Liu's girlfriend to them. Secondly, is to express their gratitude for their, for their hospitality in China. And thirdly, to introduce about the waste project.*

20

All right. China Liu's girlfriend is the one in black, sitting to his left, correct?---*Yes.*

And when you say they were expressing their gratitude, you meant Mr Badalati and Mr and Mrs Hindi were expressing their gratitude to China Liu, is that what you meant?---*I believe so, yes.*

And that was in respect of the trip to Tangshan in April 2016, correct? ---*Correct.*

30

And when you say the waste-to-energy project, you're talking about the one that Mr Hindi and China Liu were discussing around this time?---*Yes, for them, yes.*

Can I show you volume 2.15, page 40, which is Exhibit 147. That's you on the right-hand side, eating some Peking duck by the looks of it.---*Yes, I could look a little bit more polite.*

40

THE COMMISSIONER: What was that?

THE INTERPRETER: "I could looking a little bit more polite than this."

MS HEGER: It caught you at a bad moment.---*Just unlucky.*

And next to you on your right is Mr Badalati, and next to him is China Liu, correct?---*Yes.*

And opposite is Mr Hindi and Mrs Hindi, correct?---*I, I can't tell whether that's Mrs from here.*

10 Yeah, but you recall Mrs Hindi being at this dinner, don't you?---*I can't remember.*

And was this China Liu's house?---*It was previously.*

And what was it at this time?---*Do you mean what occasion it was?*

So, I mean, you'll see that – if we scroll down a bit, you'll see the photo was taken on 21 July, 2016. Whose house was it at that time?---*China Liu's.*

20 Had you loaned him some money to purchase this house?---*Yes.*

All right. And what was the reason for this dinner?---*That was after they have signed the contract in China for the waste project. After the waste project, I think.*

Yes, that's true. But what was the reason you were having this dinner in July 2016?---*I can't remember.*

30 Would you accept that by this time you were getting reasonably friendly with Mr Badalati?---*Not really.*

You wouldn't call yourselves friends by this point?---*I wouldn't say so, even now.*

Well, how would you describe your relationship with Mr Badalati around this time?---*Well, mainly for the purpose of helping with China Liu's waste project and if they need to meet up then I would turn up.*

40 Okay. And what about Mr Hindi, were you friends with him by this point? ---*No. We rarely meet up, met up.*

All right. But by this time you had spent some time together at the dinner in Chinatown on 18 March, 2016, correct?---*Well, there were, they, they were the few occasions that happened.*

Yes, but one occasion was at that dinner in Chinatown that you saw Mr Hindi, correct?---*Correct.*

And then you spent some time with Mr Hindi in Tangshan for the first signing ceremony in April 2016, correct?---*Correct.*

10

And then you spent some more time with Mr Hindi for the second signing ceremony in Tangshan in June 2016, didn't you?---*Not individually.*

But as part of a group on that trip to Tangshan the second time around you spent some time with Mr Hindi, correct?---*Yes.*

So even if you weren't friends, by this point you were on reasonably friendly terms with him, would you say?---*We did not communicate.*

20 Well, what do you mean? You didn't speak to him at this dinner, is that what you're saying?---*Not individually between the two of us but just in front of everyone.*

Well, you understood at this point that although Mr Hindi and Mr Badalati weren't then councillors, because council had been dissolved, there was a likelihood that they would be re-elected to council when it reformed, correct?---*No.*

30 Did you want to add something?---*Because of the dissolution I, I knew that Hindi was doing the waste, was working on the waste project with China Liu. I did not think that he would become on council again.*

Well, you didn't hope that he would be re-elected to council once it reformed?---*It's not that related to, that's, that wasn't that related to me, really.*

Well, at this time the planning proposal for Landmark Square was still in progress, correct?---*I wasn't too involved since October 2015.*

40 Well, but you were aware that it was still in progress at this time, July 2016, weren't you?---*I believe so.*

And you understood there was a possibility that if Mr Badalati and Mr Hindi were re-elected, they'd need to vote on that proposal in the future, didn't you?

MR HOOD: Well, I object to that, Commissioner, because it cuts across the answer that's already been given in respect of Hindi.

THE COMMISSIONER: Can you repeat yourself?

10

MR HOOD: Yeah. That proposition ignores the answer given by this witness in regard to his understanding of Mr Hindi's status and what he was going to do.

THE COMMISSIONER: But Counsel can question around that, surely.

MR HOOD: Well - - -

THE COMMISSIONER: We'll test that answer.

20

MR HOOD: All right.

MS HEGER: Well, you understood at this time there was a possibility that Mr Badalati and Mr Hindi might be re-elected to council in the future, didn't you?---*I didn't know.*

All right. Now, can I ask you, around 2015 to 2017, you were involved with 1-5 Treacy Street and Landmark Square, but were you working on any other projects around that time?---*Yes.*

30

What projects were those?---*A project near the airport and the Chinatown project. And a few others to which, of which I can't recall very well.*

All right. Well, can I take it that if expenses were incurred on any of those projects, you wouldn't usually withdraw cash from your personal account to pay for those expenses, correct?---*Not usually.*

And you wouldn't usually withdraw cash from your joint account with your wife either to pay for those sorts of expenses, would you?---*Correct.*

40

In that period 2015 to 2017, can you recall any significant expenses that you paid for in cash? And by significant I mean \$5,000 and over.---*Yes.*

And what were those?---*Yes. Firstly, the largest one, the most significant one would be for the period 2015 to '17. Each time when China Liu came, I would prepare cash in advance for him and especially for her girlfriends' expenses here.*

10 But you wouldn't withdraw that cash from your person account, would you, the account in your name?---*Not, not very often, very rarely. I used it very rarely.*

Well, so on the occasions that you did withdraw from China Liu, which bank account did you take it from?

THE INTERPRETER: From China Liu, did you say?

20 MS HEGER: On the occasions that you did withdraw cash for China Liu and his girlfriend, which bank account did you take it from?---*I believe from the company account, GR. Sometimes Elaine helped me do the withdrawals, sometimes Chris did.*

30 Okay. Can I show you volume 24.4? This is a table of cash transactions, some from the joint account with your wife and some from your own account. So let's start with the ones in 2015. On 26 May you withdrew cash in the amount of \$20,000 from the joint account with your wife. What was that for?---*Well, from 2015 to '17 these withdrawals were all for China Liu and every time they took receipt of the money they would sign for it.*

Well, the first one is 26 May, 2015 and China Liu didn't come to Australia until March 2016, did he?---Mmm.

So that first one can't have been to give to him to have spending money in Australia, can it?---*That's right. Maybe the first one, the first three was not, were not.*

40 So what were the first three for, May, June and October? Those were all withdrawals of cash from those accounts. What were those withdrawals for?---*I can't remember.*

All right. And what about the ones in 2016?---*Basically those between '16 to '17 were for use by China Liu.*

Well, China Liu visited Australia in March and May 2016. Do you understand that?---(NO AUDIBLE REPLY)

10 Did China Liu visit in Australia in August or September 2016?---*Those were preparations made for him. Also preparations for his girlfriend, his partner and his, his child was studying here as well. They were, these were preparations made for them.*

You say that in respect of all the 2016 cash withdrawals, do you?---*I believe so, yes.*

And do you say that in respect of – well, you see there's two cash withdrawals in May 2017, \$10,000 and \$15,000. What were those for?

THE INTERPRETER: Two thousand and – sorry, which ones?

20 MS HEGER: It was 8 May, 2017 and 18 May, 2017. First 10,000 and then 15,000. What were they for?---*I believe they were for his girlfriend.*

And what about the 5 July, 2017 cash withdrawal for \$3,000?---*I can't remember but I believe it was for her, for his girlfriend to use.*

All right. You said earlier that when you provided this cash to China Liu, he'd sign a receipt for it, is that right?---*I believe so, yes.*

30 Do you still have those receipts?---*I can go back and look for it.*

All right. I might ask you to do that in a moment. And what about when he gave the cash to his girlfriend? Was a receipt signed for that too?---*I believe I have. The receipts I might have already been given to my solicitor, I think.*

40 All right. Well, we'll look into that. But can I just check, if you gave the cash to the girlfriend, there'd be a receipt for that one too. That was your practice?---*Yes, but it might not be on that, that day. It's during that time.*

I understand. All right, the transfer to Elaine Tang on 24 May, 2017 for \$60,000, what was that for?---*Well, she had some personal circumstance where she needed money for, which she needed money for. And she also had invested in investment with me. So the return was 10 per cent per year, so I gave her 30,000 in one year and second year another 30,000. All up, 60,000.*

10 Okay. 8 August, 2017. There's a transfer to Ching Wah Uy, which is Philip Uy, for \$10,000. And then on 21 August, 2017, another transfer to Philip Uy for \$50,000. What were those for?---*I forgot about those. I might have given him for – I forgot what they were. I believe they could be his consultancy fee. I can't remember.*

All right. Well, did you make those transfers to Philip Uy because you understood he was going to give some money to any councillors at Georges River Council?---*I don't know.*

Well, are you saying it's possible that's why you transferred it to him?
---*No.*

20

All right. You're aware that Mr Badalati has given evidence that he received \$70,000 in cash from Philip Uy in about 2015. You're aware of that evidence?---*Yes.*

And did Philip Uy give Mr Badalati \$70,000 as far as you know?---*I did not see it.*

Well, did he say anything to you to suggest that he had given some cash to Mr Badalati in respect of 1-5 Treacy Street?---*No.*

30

You're aware Mr Badalati has also given evidence that Mr Hindi told him that Mr Hindi received a similar amount of cash for 1-5 Treacy Street?---*I do not know.*

Well, you're aware that that evidence has been given though, aren't you?
---*What does that mean?*

You're aware that Mr Badalati says that that's what happened, aren't you?
---*Yes.*

40

And did Mr Uy give approximately \$70,000 to Mr Hindi in respect of 1-5 Treacy Street?---*I don't know.*

All right. Mr Badalati has also given evidence that Philip Uy paid him \$100,000 in respect of Landmark Square. You're aware of that evidence?

THE INTERPRETER: 100,000, Landmark Square?

MS HEGER: Yes.---*I know now.*

10

And did Philip Uy give Mr Badalati \$100,000 for Landmark Square?

THE INTERPRETER: Did Philip Uy give Mr Hindi?

MS HEGER: Badalati.

THE INTERPRETER: Badalati.

MS HEGER: \$100,000 for Landmark Square.---*I don't know.*

20

And you're aware Mr Badalati also has said that Philip Uy gave Mr Hindi \$100,000 for Landmark Square?---*I know now.*

And did Philip Uy give Mr Hindi \$100,000 for Landmark Square?---*I don't know.*

Are you aware of Philip Uy giving any money to Mr Badalati or Mr Hindi regarding 1-5 Treacy Street or Landmark Square?---*I don't know.*

30 All right. Can I show you volume 2.34? Sorry, I'll just tender volume 24.4, Exhibit 271.

#EXH-271 – VOLUME 24.4

MS HEGER: I'll show you volume 2.34, Exhibit 235. This is a photograph taken from Philip Uy's phone. Have you seen this photograph prior to this public inquiry?---*No.*

40

Did Philip Uy show you this cash? In person, I mean.---*No.*

And I should say the date of the photograph is February 2015. Still your evidence he didn't show you this cash around that time?

THE INTERPRETER: Do you mean in person?

MS HEGER: Yes.---*No.*

I'll show you volume 2.36, which is Exhibit 236. This photograph is dated April 2015. Had you seen this photo prior to this public inquiry?---*Not
10 before. I mean I haven't seen it before.*

And did Philip Uy show you this cash in person around this time, April 2015?---*No.*

Can I show you volume 2.32, page 7. Exhibit 241. Have you seen this photograph? And I'll tell you it's dated 2018 and it was found on Philip Uy's phone, do you understand that? Had you seen this photograph prior to the public inquiry?---*I saw it here.*

20 Not prior to the inquiry?---*No.*

Did Mr Uy show you this cash in person sometime in 2018?---*No.*

Do you know what the cash was for?---*He has mentioned originally that there was cash to be given to Everest Finance. I'm not sure whether that was the one.*

All right. Well, the other day I showed Philip Uy some text messages where someone said to him, "Who's the cash for?" and he replied, "Chubby and
30 Middle East." Do you know whether this cash was for Mr Badalati or Mr Hindi?---*I don't know.*

Do you know if there was an agreement to pay Mr Badalati or Mr Hindi any further money upon the Gateway Determination for Landmark Square?
---*I'm not sure where.*

Do you know if there was any agreement to pay Mr Badalati or Mr Hindi money upon the gazettal of the Landmark Square planning proposal? That is upon it becoming law.---*I do not know.*
40

And I should ask you, the other two photographs of cash that I showed you, do you know what that cash was for?---*I don't know.*

All right. I have no further questions for Mr Liu but first of all I should ask does anybody have an application to cross-examine Wensheng Liu? I'll take that as a no.

THE COMMISSIONER: Radio silence.

10 MS HEGER: I understood Mr Hood wishes to ask some questions of Wensheng Liu but some portion of that will be done in a private hearing. Are there some questions you wish to ask publicly as well?

MR HOOD: Correct as to both, Commissioner. I note the hour. I wonder if we could do this tomorrow. It's going to take more than 15 minutes to do the shorter of those two, which is the matter in private hearing.

THE COMMISSIONER: How long do you think you'll take?

20 MR HOOD: Well, half an hour. What I propose to do is allow the witness to explain the difficulties that became apparent last week in regard to the chronology of events surrounding the tender for the Gloucester Road car park. It's clear that there is a great degree of ambiguity surrounding the circumstances and documents.

THE COMMISSIONER: Are you happy to adjourn until tomorrow?

MR HOOD: Yeah, until tomorrow.

30 MS HEGER: Well, it would be good if we could use 10 minutes productively but if you're not able to start now then I'm not going to press you to do that.

MR HOOD: I'm in your hands, Commissioner.

THE COMMISSIONER: Well, let's do 10 minutes.

MR HOOD: In the private hearing? That's - - -

40 MS HEGER: Can you do the public portion of it now? I understand it's just there's logistical difficulties which - - -

THE COMMISSIONER: Look, why don't we adjourn until tomorrow morning. I think that's - - -

MS HEGER: All right.

THE COMMISSIONER: But we'll start at about quarter to 10.00, I think, so we don't lose any time.

10

THE WITNESS STOOD DOWN [3.47pm]

AT 3.47PM THE MATTER WAS ADJOURNED ACCORDINGLY
[3.47pm]