

GALLEYPUB00763
30/06/2022

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pp 00763-00813

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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 30 JUNE, 2022

AT 10.00AM

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THE COMMISSIONER: Mrs Hindi, the oath you took yesterday continues to bind you. Do you understand that?---I do.

Thank you.

10 MS HEGER: Mrs Hindi, you attended a meeting at Addison's lawyers on 15 June, 2017, correct?---Correct, yeah.

And that meeting concerned the Landmark Square planning proposal?---Yes.

Can I show you Exhibit 159, the statement of Mr Kahagalle, who is a partner at Addisons?---Yeah.

20 Can I ask, have you read this statement previously?---Yes, I did. Not, not in details, along with my lawyers, yeah.

I understand.---Yeah, yeah.

Can I take you to paragraph 6?---yeah.

You see there Mr Kahagalle – do you know if I'm pronouncing that correctly, by the way?---I know him as Harshane, Mr, Harshane, his first name, yeah.

30 Okay. I'll keep referring to him as Mr Kahagalle and I apologise to him if I'm mispronouncing it. He says "I believe the client was referred to Addisons by Dr David Mullan. David is a professor and knew Malcolm Hindi as a student through university." Is that your understanding, that it was through Dr Mullan that the meeting with Addisons was arranged?---Yes, that's my understanding.

Who actually made the first approach to Addisons, do you know?---I did.

40 Okay. So is it the case that – well, what was Dr Mullan's involvement then if you made the first approach? Can you just explain that?---I'm trying to recollection what happened at the time. From memory, I did ask Malcolm at the time to, if he knew anyone, a good planning lawyer or anyone uni

knew somebody. He then had a chat to his, Dr David Mullan and he suggested to use Harshane as a good planning lawyer. I believe he's worked on Barangaroo, so that's how the introduction came about.

Oh, okay.---Yeah.

10 So Professor Mullan simply mentioned Addisons and that came back to you via Malcolm and then you approached Addisons to arrange the meeting, is that right?---I, I suggested to Elaine at the time, because she asked me if I knew a planning lawyer, and then with the meeting, I, I don't recall exactly who organised the meeting, could have been me, the initial meeting with Addisons.

And the purpose of that meeting was for One Capital Group to seek some advice on the Landmark Square planning proposal, as far as you understood it, correct?---Correct. Yeah.

20 And at this time One Capital Group still had the options for Landmark Square but had nominated another company, Prime Hurstville, as nominee, is that right?---Correct, yes.

Which you understand at the time meant that Prime Hurstville could elect to buy the property?---That's true, yeah.

And that's whether Greg Hynd was there as a representative of Prime Hurstville, is that right?---Yes.

30 Of course Prime Hurstville being a subsidiary of a company, well, being partly owned by a company you knew as Aoyuan, is that right?---I didn't understand where the connection came to be honest. I went into that meeting and I wasn't sure who was who but I had the impression that what you said earlier was the case, that there is someone else interested in the site.

Yes. And if we go to paragraph 10 of the statement, the notes which Mr Kahagalle has annexed record the attendees - - -?---Yeah.

40 - - - which includes Michael. Michael Gheorghiu was at this meeting. Correct?---Yes.

And he was a planner engaged by The One Capital Group at the time.
Correct?---Yes.

10 It also records Mireille and then lists a telephone number. Mr Kahagalle says, “Her mobile number is likely listed in the notes as she was initially identified as the contact person,” Is that right? Did you identify yourself as the contact for this matter?---I don’t have a clear, sorry, clear recollection if that took place but I do recall obviously, they had my contact details ‘cause I would have arranged that meeting. So they had me there as a contact person.

All right. And you obviously provided your mobile phone number to Addisons so that they could contact you regarding this matter. Correct?---The phone number was provided to Addison, yes, I gave them the number. When I, ‘cause when I made the phone call, they asked for my details, so I provided my name and number. The receptionist who answered the phone asked for my number and I gave it to her.

20 This is when you first arranged the meeting. Is that right?---Yeah.

Did you provide your phone number again in this meeting on 15 June, 2017?---I don’t recall. If they, I, I assume they had it. I don’t recall giving it again. I assume the office had it.

But if someone’s written the phone number down in the notes of the meeting, that likely suggests you provided it at the meeting. Correct?---It’s possible if, if it’s written down, yes.

30 And Elaine Tang was there. Correct?---Yes.

And Philip Uy was there, as well. Correct?---Yes.

And Mr Hindi was there, too, wasn’t he?---To the best of my recollection at that meeting, Con stayed there for approximately five or 10 minutes. It was a quick chat. Then he left the meeting.

THE COMMISSIONER: Why was he there?---I, at the time that that meeting took place, Con wasn’t on council - - -

40 That’s not an answer to my question.---Yes. Sorry.

Why was he there?---I'm trying to explain. I, I don't know why he was there. I would have told him that there's a meeting taking place at Addison
- - -

All right. But why was he there?---I'm not sure.

You must know that, surely? Let's go back a step. Why were you there?
---Because Elaine or Philip has asked me to attend. That was the first
10 meeting then because I did the introductions, so I came along to that
meeting.

To give introductions?---Yes, 'cause I introduced Addisons to them, so they've asked me to come to that introduction meeting.

Who asked you to come to the introduction meeting?---Elaine or Philip.

I don't follow that. You weren't the client. They turn up. I just can't understand why you were there and, more, I can't understand why your husband was there. And you say to me you don't know why your husband
20 was there. You do know that you're going to get yourself into serious trouble if you tell fibs? I'll ask you again and give you an opportunity to answer. Why was your husband at the meeting, whether it was five minutes, 10 minutes or whatever? Why was he there?---I would have - - -

No, not would have. I'm asking you why was he there?---'Cause I asked him to be there, that's, I would have asked him to come to the meeting if he's available.

Why?---Elaine has asked for my advice for my assistance. She said to me,
30 "Can you please come to that meeting?" And I said, "Yes."

Yeah, but why was your husband there?---Sit there and listen.

But why? I just don't understand. This is a discussion concerning a development where you had a financial interest. Correct?---Correct.

I'm going to ask you again. Why was your husband there?---Sorry. Can I just ask the, again, the date of that meeting if you don't mind?

MS HEGER: 15 June, 2017.---15 June, 2017. Sorry, Commissioner, I did say earlier the reason my husband was there. I would have asked him to come along to that meeting purely just to listen.

THE COMMISSIONER: I don't understand that. I mean purely to listen to what?---The discussion because he's always, to my understanding he's always had an interest of a hotel being built in the area so he was for that application from day one.

10 Yeah.---And this is why he took, took an interest and he came to that meeting.

So you remember how the reason he came was because he had an interest in a hotel that might form part of the development?---That was my understanding at the time.

And - - -?---But that's a question, sorry, you can clarify that with Con.

20 I beg your pardon?---So you can clarify that with Con. I'm not here to answer my - - -

No, I'm trying to clarify with you why you say he was there. A moment ago you said you didn't know. Now you're suggesting it's because he had an interest in a hotel in the development. Which answer was true?---I'm trying, Commissioner, to give you to the best of my recollection the reason of him being there.

Yeah.---Without being - - -

30 You told me a while - - -?---Without giving you a wrong answer.

You told me a moment ago that you didn't know and you said it more than once and now you're telling me he was there because he was interested in a hotel. You're making this up as you go along, aren't you?---I'm sorry, Commissioner, this is going back a few years ago. I'm giving you what I could remember at the time.

Very well. Thank you. Proceed.

MS HEGER: Did you invite Mr Hindi along so that he could provide some advice on the planning proposal?---No, I didn't. He's, there are experts there that can provide that advice.

Yes, but Mr Hindi had been involved at Hurstville City Council in deliberating on this planning proposal, hadn't he?---He had, yeah.

And if he stood for re-election he was going to continue deliberating on this planning proposal, wasn't he?---I'm not sure about that.

10

Well, if he was re-elected to Georges River Council you knew at this time that the planning proposal was still in progress. Correct? It hadn't been gazetted yet. You understood that at this time. Correct?---I understood that at the time but also he wasn't planning on running. He had, he had no intention of running again on council because of all the negative publicity that he had at that time.

20

Well, your evidence yesterday was that he hadn't made up his mind at this point, not that he had finally decided not to run. That was your evidence, wasn't it?---Sorry, I did, I did indicate that he wasn't planning on running. He had no intention of running again, but he made a decision last minute to run again for council.

All right. So your evidence is that at this point in time, 15 June, 2017, he had decided not to run?---Sorry, I didn't, no, that's not my evidence. I need to correct that. So we're saying June 2017. I'm just trying to recall the date. Prior to that he wasn't planning on running but I'm not sure at that time what he was thinking so I need to make that clear. I don't want to mislead the Commissioner.

30

THE COMMISSIONER: Are you telling us that you didn't know one way or the other whether your husband was going to run for election?---Sorry?

You say at that point in time you didn't know one way or the other whether your husband was going to run for re-election.---I don't recall the specific timing. It was leading prior to the election taking place. That was my evidence yesterday, Commissioner, that he wasn't planning on running but things have changed last minute. So I'm not sure what time exactly in, what point in time he decided to nominate. I'm not in his mind to know that.

40

But you say he was there because he had an interest in a hotel or the alternative was that you didn't know. Yes.---That was my view to the best of my recollection, Commissioner.

I find that very hard to accept I have to say. Yes, please proceed.

MS HEGER: You said he was there for about five to 10 minutes. Is that right?---To the best of my recollection, yes.

10 What did he say in those five to 10 minutes?---I don't recall the exact conversation. It was just a general discussion.

Well - - -

THE COMMISSIONER: About the development.---Could have been.

Well, it would have been, wouldn't it?---Could have. The, the contents of the conversation was along the lines, something to do with planning but I don't recall the specific conversations that took place.

20

MS HEGER: Well, did he talk about his experience with planning proposals as a councillor?---I don't recall.

Did he talk about his experience deliberating on the Landmark Square planning proposal?---I don't have a clear or a positive recollection of the exact conversation that took place.

Why did he leave after five to 10 minutes?---I'm not sure why he left.

30 Well, he must have provided some explanation. You don't just get up and leave 10 minutes into a meeting, especially a first meeting with lawyers, do you?---The meeting wasn't with him. It was with the people involved in Landmark Square.

THE COMMISSIONER: It was with him 'cause he was there, correct? ---Correct, he was there.

MS HEGER: And it's only polite to provide an explanation if you get up and leave in the middle of a meeting, isn't it?---I'm trying to gather my
40 thoughts what took place at the meeting and I'm trying to do the best that I

could. The impression that I got when Con left the meeting was there was no need for him to be there, the experts were there, and he left. He just - - -

THE COMMISSIONER: Have you stayed - - -?---Whether he left, sorry, on, on - - -

10 Yep, you go ahead.--- - - - on his own terms or Harshane, I'm trying to recall exactly what happened, asked him to leave or he said, "Maybe you shouldn't be here, Con," and Con left, I don't recall. That could be a possible, that sort of comes to mind.

And why shouldn't he have been there?---Sorry, can you repeat that question, Commissioner?

Did the solicitor explain why he shouldn't be there?---The solicitor obviously knew that Con was on, oh, he didn't know that he was on council. I don't have an explanation what, why Harshane thought at the time if he did make that suggestion for Con to go.

20 So when you say if he made that suggestion, you've got no real recollection of whether he did or he didn't?---Sorry, whether he did leave or he didn't?

No, where he was asked to leave by the solicitor.---I don't have a clear recollection, but that might have taken place.

30 But if you've got no recollection, how can you say it might have? That's just speculation, isn't it? You're just speculating, guessing.---I'm trying to gather my thoughts and remember what took place on that day at that meeting.

MS HEGER: Well, can I show you a document that might assist?

THE COMMISSIONER: While that's coming, you didn't leave the meeting, did you?---No, I stayed in the meeting.

Yeah, why did you stay?---I thought there was no issue of me staying there and listen, listening to the conversation.

40 I'm not suggesting there was an issue but I'm asking why you stayed.---I stayed because Elaine has asked me to come to the meeting, and I stayed for the meeting.

I thought that was to introduce people, which is something I don't quite understand anyway, but that was your evidence. So having introduced various parties, why did you just stay?---Sorry, not, I, I, not introduce everybody, just because I made the recommendation to Addison, Elaine at the time asked me to come to the meeting.

For what purpose?---I don't know.

10 Oh, please.

MS HEGER: Ms Tang has a very good command of English, doesn't she?
---Yeah, she does.

And she's had, up to this point, a great deal of experience dealing with the Landmark Square planning proposal, as you understood it?---I believe so.

She was quite capable of explaining the nature of the advice that was being sought, correct?---Yes.

20

And Michael Gheorghiu, of course, is a very experienced planner, correct?--
-Yes.

And he was quite capable of explaining the nature of the advice being sought, wasn't he?---That's right.

And he did in fact explain the nature of the advice being sought on this occasion, didn't he?---I believe so.

30 So there was absolutely no need for you to stay after the initial introductions, correct?---Me staying in that meeting, I didn't see anything wrong with it so I just stayed for the meeting because Elaine asked me, as a friend, to stay, to, to come along.

THE COMMISSIONER: But she didn't ask you stay thought, did she?---
But why should I leave?

Well, don't ask me questions. I'm just asking you why you were there and why you stayed there. Your husband had left, according to you. Why did
40 you stay?---to me, if I go to a meeting and I've got no reason to leave the

meeting, a friend as asked me to come to that meeting, I would stay and listen.

I suppose you had an interest in finding out how things were going to proceed, correct, because you had the potential to earn \$500,000?---By that time, Commissioner, the agency agreement was about to end, to expire and I wasn't really paying, I wasn't thinking about my financial interests at that time.

10 It hadn't expired though, had it?---It was close to be expired.

It hadn't expired, had it?---(not transcribable) yeah, it hasn't but I, it hasn't technically expired at that date, that's correct.

No technicality about it, the fact is it hadn't expired.---That's correct.

Thank you.

MS HEGER: Can I show you volume 2.12, page 18? In message number
20 50, that's a message from Mr Hindi to yourself, correct?---Yes, correct, yeah.

On 15 June, 2017 at 3.47pm, do you see that?---Yeah.

Which is of course the date of this meeting.---Yes.

Mr Hindi says "I am outside." Do you see that?---Ah hmm, yes, I can see that.

30 And then if we keep going down the page, scroll down, please, at message 52 you say "Do you think I should come in or no?" Do you see that?---Is that Con asking me?

That's you to Mr Hindi. "Do you think I should come in or no?"---Oh, okay. Yeah.

And then the next message, number 53, Mr Hindi says "Yes, go in" and if we keep scrolling down, message 54, Mr Hindi says "Where are you? I'm downstairs" then he says "Come down." And if we keep going, he sends
40 another message "Are you inside?" and then you reply at message 57 "I am

inside of course. I meant to say if you should come in.” Do you see that?---
Yes.

You were uncertain whether Mr Hindi should attend this meeting, is that
right?---It seems like it from those messages.

And why were you concerned about that?---Why was I concerned about him
attending the meeting?

10 Ah hmm. Why were you unsure whether or not he should attend the
meeting this day?---Well, if he decides to run for council, that might put him
in a difficult situation.

And so you understand that - - ?---That’s my understanding.

- - - on one view it was inappropriate for him to attend this meeting as
someone who might be considering the Landmark Square planning proposal
in the future, didn’t you?---I didn’t think of it being inappropriate. I didn’t
think of it that way.

20

How did you think of it?---Whether, is there a need for him to come or not,
since the experts are there. That’s the explanation that I have for those
messages.

All right. Can we go back to Mr Kahagalle’s statement, page 25.

MR RIZK: Sorry to interrupt, but just before Counsel Assisting moves on,
Commissioner, there were some questions that were just raised about the
agency agreement and when it expired. We don’t have a copy of that
30 document yet, but our understanding, Counsel Assisting can correct me, but
this meeting is a year after that document is recorded as expiring, and as a
matter of fairness - - -

THE WITNESS: Yeah, sorry.

THE COMMISSIONER: Well, if that’s right, then I withdraw my
questions.

MR RIZK: Thank you, Commissioner.

40

THE WITNESS: Sorry, that’s correct, thank you, yeah.

MS HEGER: Thank you for raising that. I might just bring it up to confirm that so that we're all on the same page. It's volume 3.22 I think. Volume 3.22, page 6. Exhibit 196. Go to the next page, please. Yes, it does say there 21 July, 2016. I'm indebted to my learned friend for clarifying that. All right, can we go back to Mr Kahagalle's statement at page 25. This is an email next to his statement from a lawyer at Addisons to yourself. You see that?---Yes, I do.

10 It says, "Dear Mireille, as requested, please find attached our draft cost agreement for this matter." See that?---Yes.

So obviously you had put yourself forward as a contact for this matter going forward, correct?---Not to deal with the matter, but as a – just they were, they had my contact number as a contact person to arrange a meeting, the first meeting.

But they obviously understood that you were to be the recipient of any draft cost agreement, correct?---They understood that, yes.

20

And they understood that because you'd put yourself forward at the meeting as the contact person, correct?---That wasn't the case. I did not, I don't think I asked for them to contact me for that matter 'cause I'm not the client. It's either, it's One Capital or the parties who were there. They're the clients, not me, so.

All right. The author of this email says, "It's generally in accordance with what we discussed yesterday." Did you have a conversation with this lawyer about the cost agreement the day before.---I, I don't recall that.

30

But you have no reason to doubt that you did have a conversation, correct? You just can't remember.---That's right. I'm not doubting that, yeah.

Okay. Can we go through to page 33 of the same statement, please. These are notes from another meeting annexed to Mr Kahagalle's statement. They're dated 26 June, 2017. Do you see that?---I can see that, yes.

And you attended this meeting as well, didn't you?---26 June. Are we still talking about the first meeting?

40

No, this is another meeting on 26 June. The earlier meeting was 15 June.
---Okay, yes.

You recall attending a second meeting?---Now I do. Yes, looking at this I didn't have a clear recollection previously before seeing these documents.

And on this occasion Greg Hynd attended, correct?---Yes.

And Philip Uy?---Yes.

10

Elaine Tang?---Yeah.

Michael Gheorghiu?---Ah hmm.

Who's Danica, do you know?---No, no idea.

All right. And this was again for the purposes of seeking some legal advice on the Landmark Square planning proposal, correct?---Yes.

20 And obviously Ms Tang and Mr Uy had been introduced to the Addison lawyers at this point, hadn't they, at the previous meeting?---Yes, correct.

So why did you attend this meeting?--- Again, Elaine and I became, become more friendly around that time and she, she asked me to attend, just to attend at the meeting as a friend.

THE COMMISSIONER: Well, why were you taking notes concerning - - - ?---They're not my notes. Sorry, they're not my notes, Commissioner.

30 MS HEGER: They're not Mrs Hindi's notes. They're the lawyer's notes.

THE WITNESS: Yeah.

THE COMMISSIONER: I'm sorry. But I don't understand. You attended as a friend. I just don't understand that.---Sorry, Commissioner. Can I just say something?

40 Of course.---On a number of occasions, I have attended meetings with architects on behalf of client or with clients or where someone's just simply asking me for assistance. People assume that 'cause I was on council and

I'm a real estate agent, they ask me for assistance I do that. I've done it on a number of occasions.

Did somebody ask you to give assistance on this occasion?---It's, Elaine asked me or Philip, both of them. And this is why. I simply went for that reason.

MS HEGER: And what assistance were you capable of providing on this matter?---I didn't contribute 'cause obviously there were more experts than
10 I am in that field but maybe Elaine felt comfortable with me attending or maybe, I don't know. That's, that's not an, that's an explanation for the other party to give.

So you have a recollection of what contribution you made at this meeting? What did you say?---I don't have a clear recollection of what I said at the meeting. I, I can remember that I didn't talk much, I didn't say much at all. The rest, the other party were talking.

Right. Can we go to page 40, please, of the same statement? This is
20 another note prepared by an Addisons lawyer also dated 26 June.---Yeah.

It says "TC Mireille" which seems to be a reference to a telephone call. Do you remember having a telephone call around the time of this meeting on 26 June?---It's possible.

Okay. The note says, "All corro to be sent. Don't CC Mireille into corro." Do you see that?---I can see that, yes.

Did you ask this lawyer not to copy you in to correspondence?---Yes, I, I
30 remember now, I did ask that.

Why did you ask that?---I'm not the client. Why should they should CC me with the, the, the fees are a matter between the client and the lawyers.

Well, but it says "All corro" not just corro regarding fees but "All corro, don't CC Mireille" and you'd now attended two meetings, and as I'll show you in a moment, you attended further meetings in this matter. Why would it be a problem if you were copied in to correspondence?---There's no need for me to be CC-ed in the meeting. I'm not, my role is not relevant in any of
40 those discussions. I don't have, I'm not their planner or adviser/consultant, so why should they CC me with any correspondence?

THE COMMISSIONER: I thought you were there partly because you were a former councillor and I think you've said a real estate agent and you often attended meetings with architects and the like. So why were you there?
---Simply, a request of a, a friend who asked me to attend and I attended.

MS HEGER: Can I go to page 54 of the same statement. Another note prepared by an Addisons lawyer dated 27 June, 2017. So that's the next day. And it records the attendees as Greg Hynd, Michael Gheorghiu and
10 Mireille. You attended this third meeting with Addisons, didn't you?---I don't recall attending the third meeting.

But given you've been recorded as an attendee, you don't deny your attendance, you just can't recall. Is that right?---That's right. I don't deny the attendance, yeah.

And if you did attend this meeting, can you explain why you attended it?
---Sorry, that's a meeting where neither Elaine or Philip were there. Is that
20 right?

That's what the note records. Is that your recollection?---That's my recollection yes. I do actually, now that I'm, looking at this I do remember Elaine asking me once on an occasion that she can't make it to the meeting. She said, "Can you please, are you able to get to the city?" And I said, "Yes." This is now I can remember the, the reason why I think at that meeting. Elaine wasn't able to make it.

All right. And your evidence is still you were just helping a friend. Is that
30 right?---Yes.

Can I go to page 81 of the statement. This is another note prepared by an Addisons' lawyer, this time dated 6 October, 2017. Do you see that?---Yes.

And it has Mireille at the top then some handwritten notes. You'll see halfway down the page it says "Mireille – time frame?"---Yeah.

You attended another meeting with Addisons on 6 October, 2017. Correct?
---I don't recall that meeting. I'm actually, I honestly do not recall attending that many meetings at Addisons. My recollection was one or two meetings
40 but now I'm looking at those documents.

THE COMMISSIONER: But this note suggests you were there. Correct?
---Sorry?

This note suggests that you were there. Do you agree?---I, I'm not sure if they're, does it say I attended that meeting? I just, I don't recall being there or unless they've just written my name because I was a contact person.

Oh, please.

10 MS HEGER: Well, halfway down the page when it says "Mireille – time frame?"---Yeah.

That does seem to record you asking a question. Would you agree with that?---I don't have a positive recollection but I'm not denying, if, if that's what, if it says that I was there I'm not denying that but I don't have a recollection of that.

Well, it may be this was an in-person meeting, it could have been a telephone discussion, but either way you - - -?---Yeah.

20

- - - don't deny that you had a discussion with an Addisons' lawyer on this date. Is that right?---Um - - -

You don't deny it, you just can't recall.---I don't deny it. I just don't recall whether it was a meeting or a phone call.

Oh, but do you say you do have a recollection of having a discussion on 6 October or you can't even recall that much?---I don't recall.

30 Okay. And again if you did it would just be helping out Elaine as a friend. Is that your evidence?---Yes.

I referred to volume 2.12 earlier. I should mark that for identification as 29, MFI 29.

#MFI-029 – VOLUME 2.12

40 MS HEGER: Can I go back to MFI 29, volume 2.12, please, page 21. I am now reminded that Mr Kahagalle annexes an invoice which records that

there was in fact a meeting on 6 October, 2017 but I think your evidence is it's possible there was a meeting you just can't recall. Is that right?---That's right. Yeah, it's possible there was a meeting but I don't recall me being at that meeting.

All right. Message number 61 is from Elaine Tang to yourself. Correct?
---Yep.

10 13 July, 2017 at 11.00am Ms Tang says, "Okay. No probs. I looked further and, and found the whole report. It is recommended that IHAP supports the request." Do you see that?---Yes.

You understood IHAP is a reference to the Independent Hearing Assessment Panel. Correct?---Yeah.

Which was around this time considering the Landmark Square planning proposal. Correct?---Yes.

20 And why was Elaine Tang messaging you about this on your understanding?---She kept keeping me posted with progress of the application. Initially I had an interest because obviously I had the agreement but Elaine, Elaine wasn't aware of that of course. Well, I'm not sure if she was aware. I, I haven't, obviously I haven't told anyone about the agreement other than the other party.

THE COMMISSIONER: I don't think that's an answer to Counsel's question.---Sorry?

30 I think the question was why, as you understand it, was Elaine keeping you informed as to the progress of this development?---Because I was, I've assisted on a number of times and she kept me posted with the progress.

MS HEGER: Because you were continuing to provide advice on the Landmark Square planning proposal to Elaine Tang around this time, is that right?---Just a personal opinion, a general advice as - - -

Were you being paid anything in respect of this advice?---No.

40 Did you expect to receive some money or other benefit from providing this advice?---No, I didn't. No.

All right. If we go down to message number 66, please.

THE COMMISSIONER: Sorry, 63 first, I think.

MS HEGER: 63, Ms Tang messages you, correct?---Yes.

20 July, 2017.---Yep.

10 She says “Deferred... with conditions.” That’s another reference to the
Landmark Square planning proposal, correct?---I think so, yes.

THE COMMISSIONER: And then 64.

MS HEGER: 64 is another message from Elaine Tang to yourself on the
same day, which says “It’s online now. Can you please look?”---Yes.

THE COMMISSIONER: Why was she asking to look at that document?---
I, I don’t recall that message.

20 No. I’m sure you don’t but looking at it now, why was she asking you to go
online and look at the document?---I don’t, I don’t recall that so I can’t give
you an answer, Commissioner, I’m sorry.

MS HEGER: And you understood that was some report published
regarding the Landmark Square planning proposal, correct?---Yeah. Well,
I’m looking at that now, that’s - - -

You accept that?---I accept that, yeah.

30 Well, if we go to the next page, please. You respond on the same day to Ms
Tang, “Just checked it. I’ll give you a call tomorrow to discuss.” Do you
see that?---Yes. Sorry, what number are we looking at?

Sorry, 65, first row.---Oh yeah, okay.

So you were indicated you’d checked the report that had been published
regarding the Landmark Square planning proposal, correct?---Yes, yeah.

40 And you were saying you would give Elaine Tang a call about that report,
correct?---Yes.

And did you call her?---I possibly would have called her.

All right. And the next message, number 66, that's from Elaine Tang to yourself, correct?---Yep. So she called me, sorry, I messaged yeah.

Yeah. So this is the next day, 21 July, 2017.---Yeah, ah hmm.

10 It says "Are you all free to meet today at about 12.00 or 12.30 in the city so that Michael can be there?" That's a reference to Michael Gheorghiu, the planner, correct?---Yes.

And when she says "Are you all free", who is she referring to? You and someone else by the looks of it.---Ah hmm. I'm not sure. That could be a group message maybe. I'm not sure. Maybe she's asked others to attend.

20 THE COMMISSIONER: What about your husband, could he be one of the "all"?---She's saying 12.00 or 12.30. I don't recall that because that's, he's normally at work around that time. He had a full-time job, so that's during the day, so I don't recall if she was referring to Con. I'm not sure if she was referring to him. That's her message.

All right.

MS HEGER: Did you and Mr Hindi have any further meetings with Elaine Tang or Philip Uy or anyone else regarding the Landmark Square planning proposal after that Addisons meeting on 15 June?---After that meeting, after that, okay. I'm not, I don't have a clear recollection of meetings taking place after that time. However, that's, it could be possible so I don't - - -

30 It's possible?---Yeah. It's possible.

THE COMMISSIONER: What's your best recollection though, that you did meet with your husband and Elaine at some point after this?---I don't have a clear recollection, but it might, we might have met over a coffee. We might. I'm not a hundred per cent sure.

Thank you.

40 MS HEGER: And at this time you and Mr Hindi had no reason to meet with Elaine other than in relation to the Landmark Square planning

proposal, correct?---I would sometimes meet with Elaine just for a catch-up or coffee or for lunch occasionally.

And if it was a social catch-up, would Mr Hindi come along as well?---If he's free or if he's in the area, I'll catch up for a coffee. He, he might have attended.

Do you have a recollection of having a purely social catch-up between yourself, Mr Hindi and Elaine around this time?---Not a clear recollection.

10

Can we keep moving through the messages, please. You'll see message number 67, another message from Elaine Tang to yourself a few days later, on 25 July. "Can we meet today?"---Yep. Yes, I see that.

And did you have a meeting with her around this time regarding the Landmark Square planning proposal again?---We possibly caught up. If she sent me a message and I responded, I'm assuming we had a meeting. But it doesn't necessarily relate to Landmark Square.

20 Could have been a social catch-up, is that what you're saying?---Yes, yeah.

But why would you need to meet so regularly? You seem to be organising a meeting on 21 July and then another meeting four days later. It can't be a social catch-up on both occasions, can it?---It could be. I had, I had more time around that time. Obviously was free around that time to catch up with her regularly. After the two trips to China, Elaine and I became closer, so it is possible that we caught up just to have coffee, a social catch-up.

30 All right. Can we go to the next page, please. And keep scrolling down to the next page, please. Message number 73. This is the next day, Elaine Tang to yourself, 26 July, 2017. "Can we meet in the office?" Do you see that?---Yes, I can see that.

Whose office was she referring to?---"Can we meet in the office?" That was, sorry, the date of the meeting, 26 July.

Is she referring to the One Capital office at Forest Road?---I think so, yes, 'cause that's the only office that I knew Elaine was working from at the time.

40

And so that must have been a meeting about the Landmark Square planning proposal, correct?---That is possible to have it in the office, yes.

You wouldn't have social catch-ups at her, at that office, would you?---No, that's correct.

All right. Can we scroll down, please. Keep going to the next page. Now this is October 2017, message number 75. Elaine Tang to yourself, correct?---Yeah.

10

"Can we change the appointment to 11.30am tomorrow?"---Ah hmm.

When she says an "appointment", that doesn't sound like a social catch-up either, does it?---Oh, it could be a social catch-up.

THE COMMISSIONER: Well, the word "appointment" suggests that it wasn't. Do you agree?---I, I sometimes enter things in my diary as "appointment" too if it's like a catch-up so I don't forget it. That's me. But I'm not sure if Elaine records it that way.

20

You use the word "appointment", do you, to refer to a friendly catch-up, social catch-up?---I do, occasionally, yes.

MS HEGER: The Gateway Determination for the Landmark Square planning proposal was issued on 19 October, 2017. Did this meeting concern that determination?---I don't recall.

30 Can we scroll down the page, please? Message number 77, this is on the same day, Elaine Tang to yourself. It says, "I meant can we postpone to 2.30? My boss is in the city, so we will get back at 2.30." Who was she referring to by her boss, on your understanding?---Could have been Philip 'cause that's, some, yeah, I knew her being Philip's secretary.

And did you understand Philip Uy was going to attend this meeting?---Yes. That was my understanding, yes.

40 Okay. And do you have a recollection of meeting with Elaine Tang and Philip Uy around this time?---I'm not sure if that meeting took place. There were, there was a number of meetings with either Elaine or Philip or both Elaine and Philip so I don't recall specific dates for what, for each meeting.

So sometimes we'd say, we'd cancel meetings. So for this particular one, I'm not sure.

THE COMMISSIONER: Why were you having meetings with Philip?
---With Philip?

Mmm.---Just, so with Philip, we, I used to meet with him on and discuss a number of matters, a number of issues, real estate opportunities outside the area. This is why I'd meet with Philip.

10

What about Landmark Square?---No. After that date, I had no interest in Landmark Square, I had no financial interest in the Landmark Square after the agency agreement had expired. But they would, they would, they would keep me posted on, you know, on occasions, either Philip or Elaine - - -

Why?--- - - - just out of interest.

Just out of interest. Okay.---Yes.

20 Okay. I see.---Yeah.

Very well.

MS HEGER: Can we move to page 27, message number 83? Message number 83 is a message from yourself to, you see the reference to "Philip" there in the participants?---So is it message 83?

Yes.---Yeah.

30 And it says this was via WeChat. Were you communicating with Philip Uy via WeChat around this time, November 2017?---I, I don't recall that. We very rarely communicated via WeChat but it could have been on, on that occasion.

Right. Well, let's assume this is a message from yourself to Philip Uy. You say, "We are parking now." Is "we" a reference to you and Mr Hindi?--- This is in October 2017, I don't recall that.

40 Well, it's likely it was him, isn't it, 'cause whoever you're referring to has travelled there in your car with you by the looks of it. Do you accept that?
---Yes.

I rolled too much into that question. You accept that whoever you're referring to has travelled in your car with you. Do you accept that?

THE COMMISSIONER: For the purpose of attending this meeting?---Yes. Yeah.

MS HEGER: And it's likely that was Mr Hindi. Correct?---Yes, it is likely. Yeah.

10

And if you and Mr Hindi were meeting with Philip Uy, it could only have been about the Landmark Square planning proposal. Correct?---Not necessarily. We were, Philip and I were talking about other opportunities, other investment opportunities, as well.

20

What were those?---There was one that's, we're talking in 2017, just trying to remember the timing 'cause over that period of time, at some stage, if I have development sites or properties available for sale, I'd ask Philip if he knew someone who was interested. There was a site in Newcastle that I was working on, as well, but I don't remember the timing. We've had a chat. There's other, there's a number of, like, opportunities that we'd chat to Philip about, sometimes on my own, sometimes Con would come to that meeting. A discussion would take place.

THE COMMISSIONER: Well, that doesn't explain your husband's presence, though, does it?---No, sometimes he'd come along to those, to this type of meeting.

30

MS HEGER: Well, Mrs Hindi, you've earlier given evidence that you deliberately didn't tell your husband about your business dealings 'cause you were worried about him being conflicted. So it's one or the other, isn't it?---Yeah. Sorry. Can, like, I, business dealings outside his LGA. That's the only interest that he has or conflict will he, that he might have is in his, inside his LGA. Outside the area, I'm talking about. Just to clarify.

Okay.

40

THE COMMISSIONER: Well, that makes it more curious that he was there, doesn't it? You're talking about things that were outside that Local Government Area, Hurstville. It makes it more unusual, doesn't it, that he would be turning up?---No. It is for him to sit down and listen to a

conversation of a potential opportunity outside his area. He would come along to something like that.

Why? Because he might have an interest in purchasing it?---No, not purchasing it. It could be any business opportunity. We, we were, I was, we were talking, sorry, also about, trying to remember what we, what sort of opportunities we spoke about.

10 Opportunities for who?---Business opportunities with Philip outside, outside the area. We'd have conversations. Like there was a site in Moorebank as well that I had, I had a chat to Philip about. There would be a number of discussions.

But why as you understood it would your husband have had an interest in that?---Because he's interested in investing outside the area.

Your husband was?---Yeah. He might be interested in investing. That's - - -

20 Yeah, and you could have told him all about that and investments that he might want to invest in at home. You didn't have to go to a meeting to do that, did you?---There's nothing stopping him from coming to a meeting with me to talk about business opportunities outside - - -

Yeah, and you said to me a moment ago including business opportunities for himself. He didn't need to go to a meeting to discuss business opportunities that he might have, did he?---I'm sorry, Commissioner, that's your understanding but - - -

30 MS HEGER: Can we go to message number 87, please. This time a message from yourself to Elaine Tang a month later or so, 11 December, 2017. You say, "Is tomorrow 5.00pm at Hurstville okay." Do you see that?---Yep.

And what was that meeting about?---Again I don't remember the purpose of each meeting that, that took place with Elaine because we've met a number of times.

40 All right. Either it was a social catch up or it was about the Landmark Square planning proposal. Is that right?---Yes.

Can we go to page 32, message 100. A message from Elaine Tang to yourself, 22 February, 2018. "Good morning. Hope you're well. Have you got time for a coffee say about 3.30?"---Yeah.

What was the purpose of that meeting?---Again could be just a catch up and have a chat.

Could be either a social catch up or about the Landmark Square planning proposal. Is that your evidence?---It's more likely a social catch up - - -

10

Why do you say that?--- - - -at that time.

Why do you say that?---This is, we're talking in 2018 was the message so I wasn't that concerned, you know, about Landmark Square. Just out of general interest. Nothing other than that. So it's possible.

Well, you're aware around this time that the planning proposal was still on foot with council. Correct?---Yes.

20

And in fact you're aware that only a few months later Elaine Tang was writing to council expressing frustration with the delays with the planning proposal. Correct?---Yes.

All right. So this meeting could well have been about the Landmark Square planning proposal, couldn't it?---Could be.

All right. Can we go to message number 103. Another message from Elaine Tang to yourself, 23 April, 2018. "Good morning. Are we still good for today?" This meeting also could have been about the Landmark Square planning proposal. Correct?---So is this 104?

30

103.---103. "Are we still good for today?" That's April 2018. I'm not sure. I can't remember. I don't recall.

You don't have a recollection of this meeting?---No.

Again either a social catch up or about the Landmark Square planning proposal. Correct? Those are the only two logical possibilities.---Yes, correct.

40

Message number 105, a message from Elaine Tang to yourself, dated 6 June, 2018, correct?---Yes.

“Can we meet later?” it says. Do you have a recollection of this meeting?--- I don’t have a recollection of that meeting. Like I said, we, we have met many times, Elaine and I.

Again, this was either a social catch-up or about the Landmark Square planning proposal, correct?---Yes.

10

Message number 112, a message from yourself to Elaine Tang on 18 March, 2019, correct?---Yes.

“Good morning. Are we still meeting today at 9.30?” you say. Do you have a recollection of this meeting?---See, sometimes she would send me a message and we don’t end up meeting, I can’t make it or she can’t make it. So - - -

But this is you sending her a message on this occasion.---Yep.

20

Do you know whether this meeting actually occurred?---Yeah, that’s right. I’m not sure.

All right. But if it did occur, again the only two possibilities are it was either a social catch-up or about the Landmark Square planning proposal, correct?---Yes.

If we go to 118, please. This is a message from Elaine Tang to yourself on the same day. She says “I won’t be there. Just the your friends and mine.”

30

Who was she referring to when she said “your friends”?---I don’t know who she’s referring to.

Who is she referring to when she said “my friends”?---I don’t recall that message. I don’t, yeah, I’m trying to remember what it was about.

If the meeting did take place it obviously wasn’t a social catch-up with Elaine Tang because she wasn’t going to be there, correct?---Yes.

You have no recollection of whether this meeting took place?---That’s in March 2019. I don’t, I don’t recall. I don’t have a clear recollection about this meeting that she’s referring to.

40

All right. Can I show you a media article, volume 10.2. It's from the Sydney Morning Herald, dated 2 April, 2019. The title is Councillors Referred to Watchdog.---Yep.

10 You'll see it says "Two Sydney councillors have been referred to the state's corruption watchdog over a Chinese trip they took with a developer whose projects they helped to push through council without declaring any conflict of interest." And then it goes on to refer to Mr Badalati and Mr Hindi. Do you see that?---Yes.

You read this article around this time, April 2019, correct?---Yeah.

20 And it suggests, in the article, if we go further down, you'll see at the bottom of the page it says "Contrary to Councillor Badalati's claim that he and Councillor Hindi footed their accommodation bill in Tangshan, Yuqing Liu, whose company Xinfeng hosted the group said, through his lawyers, that his organisation had paid for the visiting party's accommodation." Do you see that?---Yeah.

And you read that around this time, April 2019, correct?---Yes.

Mr Badalati later commenced defamation proceedings against the Sydney Morning Herald about this article, didn't he? Are you aware of that?---I am aware of that, yes.

Okay. I'll show you – sorry, I'll tender that. Exhibit 205.

30 **#EXH-205 – VOLUME 10.2**

MS HEGER: Can I go back to volume 2.12, which was MFI 29. Page 37. Message number 120. It's a message from yourself to Mr Hindi. Do you accept that?---Yes.

Dated 23 May, 2019, which is after the date of this article.---Ah hmm.

40 And you've sent Mr Hindi an image. I'm just going to magnify that image now, which you'll find at 2.13, volume 2.13, page 23.

THE COMMISSIONER: Did you usually communicate with your husband via WhatsApp?---Either via WhatsApp or normal messages.

Why would you use WhatsApp in relation to your husband?---Just a way of communicating.

MS HEGER: So the image that you've sent Mr Hindi is an image of some typed notes on an iPad. Do you recognise whose iPad that is?---I don't recall that image so I'm trying to read it to see what it was about.

10

Well, you'll see it says, "Sometime in March a meeting was arranged through my PA with a Chinese person to meet me in my office, which is normal in my role as mayor." You see that?---Yeah, yes.

And then it goes on to refer, about halfway down the page in April, "Hindi and I decided to go on a private trip as a holiday to Hong Kong, then Shenzhen and Beijing." Do you see that?---Ah hmm. Yeah.

20 This rather looks like Mr Badalati's account of his trip to China in April 2016, do you accept that?---It seems like, yeah, he's the one typing this.

So can you explain to me how you came to have a photograph of Mr Badalati's notes of his trip to China?---I don't recall that at all.

Did you draft these notes for Mr Badalati?---No, definitely not. Whose iPad was it on? I don't remember that at all.

I'm asking you that question.---I have no idea.

30 You don't recognise the iPad?---No, I don't recognise it.

Did you obtain these notes from Mr Badalati?---No. I don't recall seeing that document.

You don't have any explanation for how this photograph of these notes came to be on your phone?---Sorry, did you say phone or iPad?

40 Well, it's a photograph of an iPad. You see that?---Yes. I can see the iPad, yeah.

And the photograph was found on your mobile phone. Do you understand that?---Yes. Don't know how that came to my mobile phone. No idea.

And why were you sending it to Mr Hindi?---I can't say why because I don't recall that document at all.

THE COMMISSIONER: One possibility is they were trying to get their stories straight. Do you agree?---I can't comment on that, Commissioner, because I'm, I don't even recall that document existed.

10

MS HEGER: I'll mark that for identification, volume 2.13, page 23, MFI 30.

#MFI-030 – PHOTOGRAPH OF IPAD

MS HEGER: Can I also show you volume 2.24, page 8. No, I won't show you that document. I withdraw that. going back to 2.12, which was MFI 20 29, I think, page 37, please, message 122. This is a message from someone described as "Faye", which is Philip Uy of course?---Yes.

It's to yourself, 12 July, 2019, 2.54pm.---Yep.

It says "Please send me handbag photo".---Yes.

And then you respond in the next message "Oh, okay. I sent the photos to your other number. I will send now." Do you see that?---Yes.

30 And then if we go over the page, you've sent him a photo of a scarf. Do you see that?---Yes, yeah.

If we keep scrolling down, it's a photo of a handbag. I can show you the magnified photos if you like but - - -?---No. I, I know that photo, yes.

Do you recall sending him a series of these photographs of handbags and a scarf?---Yes, I do. Yep.

40 And they were all from luxury brands such as Yves Saint Laurent, Louis Vuitton, is that your recollection?---Yeah. It is my recollection, yes.

Right. Why were you sending these photos to Mr Uy?---Before we had travelled to Hong Kong, I believe, or China, I think, on that, on that occasion, I did ask him, or just trying to, how that came about, if he finds anything there of the ones, the photos that I've sent him, when he comes I'll pay him for it. But they're not, let me, they're not the authentic luxury brands, they're actually a cheap, like, that's a copy version of it.

Oh, you were asking Philip Uy to buy copy versions in - - -?---Yeah, yeah. Because they sell them - - -

10

In China, is that right?---Yes. And he's asked me to send him photos so I've sent him photos.

Okay. And did he in fact purchase these items for you?---No, he didn't.

Have he ever purchased items like these for you?---If, if, I don't recall. If he ever did I would reimburse him for it, of course.

20 And that would be in cash, I assume?---Yes. But I don't recall him purchasing anything. I think with these I've sent him the photos and nothing happened after that.

Did Mr Uy ever buy you gifts in return for your assistance with Landmark Square?---No.

Did he ever buy you gifts in return for Mr Hindi's assistance with Landmark Square?---No. Not to my knowledge. Not that I'm aware of, sorry, yeah.

30 All right. Well, can I suggest to you this, Mrs Hindi? Over a number of years you've provided assistance to Elaine Tang and Philip Uy regarding the Landmark Square planning proposal, correct?---Yes, I did.

Including attending meetings with lawyers, reviewing reports, liaising with the owners of the Landmark Square site through Taylor Nicholas, correct?---Yes.

And that assistance continued even after the expiry of that agency agreement in July 2016, correct?---Correct, yeah.

And what you did went far beyond the sort of help you might offer to a friend, didn't it?---No. I, I helped my friends to the best that I could. I, if my friends asked me for help, I'll do the best that I can to assist them.

You provided this assistance because you'd been promised some kind of money or other benefit in return for your help by Philip Uy or Elaine Tang?
---No, no.

10 You provided this assistance because they had provided you with some sort of money or other benefit?---No.

Did you provide the assistance because Mr Hindi had been provided with some money or other benefit?---No.

Did you provide the assistance because you expected Mr Hindi would be provided with some money or other benefit?---No.

20 Can I show you another document which is volume 24.3, a table of cash transactions for Sydney Realty which was MFI 26. Now, as I explained earlier this is a table of deposits of cash into Sydney Realty's bank account and you said you, and you confirmed that that account number there was Sydney Realty's account. Correct?---Correct, yeah.

30 Now, you have undertaken a search for records that correlate with this transaction, these transactions, haven't you?---I did the best that I can, Commissioner, and with the time that I was given. I didn't have the chance. Firstly, I need to speak to my accountant. This is going back in 2014 so my, and that business transaction account has recently been closed so I've got to go back to the bank and ask them for statements or more details on how these transactions came about. And this is why, for a couple of transactions, sorry, transactions I was able to provide you an explanation.

Yes, I'll go to that in a moment.---Yep.

First of all, when Sydney Realty was paid commissions that was via EFT or cheque. Correct?---Majority of the times, yes. Over the period of 10 years most commissions were in, by cheques or electronic transfer. However there could have been one or two or very few commissions paid in cash.

40 THE COMMISSIONER: Did you hear Mr Constantine's evidence yesterday?---Yes, I did.

And he of course said that he had never taken cash for a deposit, didn't he?
---Okay. So let me, can I just, Commissioner - - -

I'm not asking, you heard him say that he had never taken cash as a deposit.
Correct?---Okay. As, I'm talking about sorry commissions after the
properties have sold.

MS HEGER: I did ask about commissions first of all to be fair.---Yeah.

10

So there are two different things here.---Yes.

Sometimes you're paid commissions, sometimes you're paid deposits - - -?
---Yes,.

- - - for the purchase of properties. Is that right?---Yep. So I was only given
a very small amount of time so by the time I finished from here,
Commissioner, the banks were closed and my accountant is not the same
accountant that we're using at the moment. So I have to go back to my
20 previous accountant to get the tax returns so I can give that explanation.

All right. So you're saying it's possible that insofar as receiving
commissions is concerned that might have been by cash on one or two
occasions. Is that right?---It's possible, yes.

But when it comes to deposits paid by purchasers for properties that - - -?
---Yep.

30 - - - you're selling you'd never take those in cash, would you?---There has
been, and I've got documents. I need to bring them. I haven't, I didn't have
time the last couple of days I've been here. That shows sometimes when
buyers come to pay me a deposit for the property they'd give it to me in
cash so I'd go and deposit that in, in Sydney Realty's account. Obviously
they'd be provided with a receipt for that. And then the balance of the 5 per
cent or the 10 per cent comes later. So there'd be occasions, but to the best
of my recollection it's normally not a large amount of money because a
deposit is only 0.5 per cent generally.

40 THE COMMISSIONER: But a holding - - -?---So I need time to explain
those transactions, Commissioner, if possible.

All right. Well, we'll give you time and get you back at some stage. Can I ask you this, the account you're referring to there - - -?---Yep.

- - - which is, was it CBA0542?---Yeah.

You described it as a transaction account. Do you remember saying that a moment ago?---Yes.

It wasn't a trust account, was it?---No, it wasn't a trust account.

10

Yeah. And as you were taking money from members of the public as parts of the deposit and the like you would have put it in your trust account. Correct?---Commissioner, just to explain. Because I only do sales and I don't do that many. I did not have to set up a trust account, and I clarified that with, or I asked questions at the time before doing this process. So what normally happens if, when someone pays me a deposit, I'd create an account under Sydney Realty. And, normally, the account would say the, the deposit amount in trust of or in trust for the vendor and the purchaser and the address of the property. And it sits in that account until the property is settled. Then the moneys will be disbursed after the property sale.

20

How do you create a separate account? I don't quite understand that.---I write a letter to the manager of the bank and I fill out a pink form. So I have, I can obviously provide those documents if the Commissioner needs to know.

Yeah. We just want to explain these amounts and we've given you an opportunity. You say it's not enough time. I'm going to give you a further opportunity.---Okay.

30

Who told you that you didn't have to have a trust account?---Well, going back years ago, like, when I started the business, I contacted Fair Trading and I spoke to someone on the phone and I explained what my situation is and that's the advice that I got.

Right.---So there is a pink form that I normally fill out for those transactions.

40 MS HEGER: I'll take that table down for the moment. But can I ask you this. If money was paid by cash as a deposit for a property you were selling,

your practice was to write to the bank with one of these pink slips, as you've said?---Yes. Yeah, pink forms, yeah.

Okay. And you'd still have a record of those pink forms, wouldn't you?
---Yes.

Or the bank would?---Yeah. Yeah, definitely. Yeah.

10 All right. And if you were receiving a commission by way of cash, you'd
obviously write some form of receipt for that, wouldn't you?---Yes. And,
and I'm assuming if I'm depositing a commission, and a cash amount as a
commission, the accountant should have, it's, it'll be an income, obviously.
Yes.---Yeah.

So it would be very important for your purposes - - -?---Yes.

- - - to keep a receipt of that?---Sure.

20 And it'd be very important for the person giving you a large amount of cash
- - -?---Of course.

- - - to have a receipt for that. Correct?---Of course. Yeah.

All right.

THE COMMISSIONER: We're going to take a break, I think?

MS HEGER: Yes.

30 THE COMMISSIONER: You choose a time but there's one matter that I
want to raise with the witness, too.

MS HEGER: Yes. I only have a few more questions but I think it's
appropriate to take a break now, Commissioner.

THE COMMISSIONER: All right. Before we do that, are we able to get
the public transcript up on the screen?

40 MS HEGER: For which day, Commissioner?

THE COMMISSIONER: 29 June.

MS HEGER: That can be arranged. Sorry? Morning or afternoon session, Commissioner? They're in two different documents.

THE COMMISSIONER: Morning.

MS HEGER: Morning session, please?

THE COMMISSIONER: I'm interested in something that the witness said
10 at page 686. There I was asking you some questions about the buyers'
agency agreement and I pointed out to you at the top of the page that he
hadn't signed it in his own name, "he's named as Malcolm James" and you
said to me, "This could simply just be an error. He was, he's just assisted
me with filling that out. That's, that's, that's recollection that I had for that,
of that agreement." Then I raised this question, "But surely, on what you've
told me, he shouldn't have done it, correct?" And you said, "I, I, my
explanation to that, as I said earlier, Commissioner, that Malcolm just
simply assisted me in filling that application out, and Mr Liu knew all along
his dealings were with me. I had the meeting with him. Malcolm wasn't
20 involved." And then I asked you this question, "But I'm trying to find out
why it was that his name was on it at all. And you say, all you can tell me is
that he assisted from time to time for his \$150 per week, and here he is, his
name appears on a multimillion-dollar contract." "But he was a student at
the time." And you said, "Yeah, and he was my son, he's my son and he, I
would have asked him to assist me in filling it out, and that could simply
just be the only reason why his name was on there. 'Cause he had no
dealings with Mr Liu." And then I asked you this, "Do you recall asking
your son to fill it out?" And you said, "I do recall on a number of occasions
Malcolm assisting me in filling it out." And then I made the point, "But
30 that's not an answer to my question." "Okay." "My question is do you
recall Malcolm filling this form out?" And you said, "I do recall that, yes."
And then I asked you this question, "And did you ask him to do it?"
Answer, "I did, yeah." That evidence was untruthful, wasn't it?---In what
way, Commissioner, untruthful?

Because he didn't fill it out. You did.---I filled it out, yes.

Yeah, and to tell me that he did - - -?---Sorry, I meant to say assisted in
filling it out. I might have asked him a couple of questions on the phone
40 and that was about it.

My question is “Do you recall Malcolm filling this form out?” Your answer was, “I do recall that, yes.” That answer was false.---Sorry, that wasn’t a false answer, Commissioner.

Well, that’s how it reads to me.---I’m sorry, you were putting me under a lot of pressure asking me these questions, and you were threatening me in a way with my son. So I, I was under a lot of pressure.

And did you ask him to do it? That is - - -?---No, I didn’t ask him to do it.

10

I’m taking you back to your answer.---Yeah.

My question is, “Do you recall Malcolm filling it out?” You said, “I do recall that.” And I asked you, “And did you ask him to do it?” That is, fill it out. And you said, “I did, yeah.” And I said, “Why didn’t you do it yourself?” Answer, “I could’ve been in a rush at that time and asked - - -” “Is that what you recall or is that just guessing?” You said, “Sorry. That’s my recollection.” Yes, and I then asked you, “You were in a rush so you asked your son - - -?” You said, “Before, yes, before I went into that meeting.” “- - - to fill out in respect of a multimillion dollar development and using the name Malcolm James, not Malcolm Hindi, correct?” The answer, “Correct.” That evidence was false, wasn’t it?---I’m sorry, Commissioner, I didn’t give a false evidence. Under the circumstances that you were questioning me yesterday, you were putting me under a lot of pressure, and I made it clear by the end of it, it is my writing. Malcolm did not fill this out. He has nothing to do with this.

20

Yeah.---What I meant by – if I need to, can I be given an opportunity to explain?

30

Well - - -?---Why I gave those answers.

Yeah, sure.---Okay, so I’m sorry to say you were very intimidating yesterday.

So you gave false evidence because I was intimidating?---No, it’s not false, I’m sorry, it’s not false.

Are you telling me it’s true? It’s one or the other, it’s either true or false.

40

---What my statement said, sorry, not going into details with this, I’m just going off what I told you yesterday. Malcolm might have assisted me

because when I saw his name there, that's the only explanation that I had in my mind. He might have assisted me over the phone. I might have asked him a couple of questions.

But yesterday you told me that he filled it out.---I did - - -

And that was false.---I might have got that wrong. He did not fill it out.

Very well.---'Cause it was in, it's, it's my handwriting.

10

Mr Rizk, I'm going to adjourn in a moment. I have no difficulty in you speaking with your client. I have some concern she's going to get herself into terribly hot water. I don't want that to happen. If she wants to change her evidence in any respect, I'll give her the opportunity when I come back. You understand that?

MR RIZK: I'll take that on board, Commissioner.

20

THE COMMISSIONER: You might remind her what happens when you give false or misleading evidence. I should say in her presence that sometimes when people have been convicted of an offence under section 87, they go to gaol.

MR RIZK: I understand, Commissioner.

THE COMMISSIONER: Thank you.

SHORT ADJOURNMENT

[11.34am]

30

THE COMMISSIONER: Mrs Hindi, is there any evidence that you have given which you would like to change?---Yes, Commissioner.

And what's that?---I'd just like to clarify my position on your question yesterday.

40

Yes.---I'll, I can explain. The evidence that I gave yesterday regarding the document presented to me, as you can understand, Commissioner, that document was created many years ago, and the only, it was filled out and it sat in my folder at the time. And the first time I saw this document was

years later, and I was trying to do the best that I could on recollection to give an explanation as to why my son's name was on that agreement. So reading my transcript that you've just presented to me earlier, my position is clear on that question. I was the one who filled out the agency agreement 'cause that is my handwriting, that's my signature and that is my – all the details are mine. So Malcolm has nothing to do with it.

So what, sorry?---Malcolm has nothing to do with that agreement.

10 But you – the agreement I think was shown to you before those questions were asked, and you would have recognised immediately that it was your writing.---I was trying to do the best that I could on recollection, Commissioner, to give an explanation why Malcolm name was on that document. And I, it, the only explanation that I was able to form based on recollection, that it, it – sorry, it was an administrative error on my behalf. And because my handwriting and Malcolm's writing was similar in a way, this, I, I had to really take my time and think about what took place at the time. It is some years ago.

20 Are you telling me that when you first saw that document, you didn't realise it was your handwriting?---Not straight away.

Very well.---By looking at it, it's clear to me that it is my handwriting, nothing to do with Malcolm.

Thank you.---Thanks.

MS HEGER: Mrs Hindi, you're aware that Prime Hurstville bought the Landmark Square properties in November/December 2017?

30

THE COMMISSIONER: Sorry, can I just, before we proceed with that, can I just ask one further thing. Why did you put his name on it?---I, honestly, Commissioner, I do not recall the reason why I had his name there. I could have had my name. The agreement normally happens between two parties, so it could be sometimes verbal agreements. You had the evidence of Mr Constantine yesterday.

But your son had nothing to do with this development, did he?---He, because he worked with me at the time in Sydney Realty and sometimes
40 he'd put his contact name down for inquiries.

But you put it down.---Yes, I did.

And was the reason for that that you did not want anyone to know that a Hindi was involved in this project, whether that be you or whether it be your husband?---That was not the reason, Commissioner. And the reason I say that, that agreement stays between the two parties. Only Mr Liu and myself had a copy of that agreement. So there was – and even if it went out to the public, everyone knows who Sydney Realty and everyone knows that Michael is my son. So there's nothing there to hide.

10

Well, there was, wasn't there? Because you stood to make a significant financial benefit out of a development upon which your husband would eventually vote. And as I recall, it may have already been put to you that, or another witness perhaps, that the council's own code of conduct prohibits that happening, that is that the councillor can't have an interest that's undisclosed nor can his wife have an interest without it being disclosed. And I'm suggesting to you, I'm not going to suggest it to you but I'm going to ask you was that the reason you used your son's name and filled out the form yourself and signed his name? There must have been a reason. I find it very difficult to accept that it was a mistake - - -?---I'm sorry, Commissioner. I do accept that it was a, it is a mistake on my end but my intention at the time wasn't to hide behind his name.

20

Very well.---Yeah.

MS HEGER: Mrs Hindi, you're aware that Prime Hurstville bought the Landmark Square properties in November and December 2017. Correct?
---Yes.

30

And at that point, you got in touch with George Constantine at Taylor Nicholas. Correct?---Correct. Yes.

Could I just show you Mr Constantine's statement, which is Exhibit 195, paragraph 14 of that statement? He says in the second sentence of paragraph 14, "Mireille Hindi called me and said, 'I got to get paid. It's time for me to get paid.'" Is that what happened?---I don't recall that conversation taking place, I don't have a clear recollection of that.

40

All right. But after finding out that the sale had gone through, did you then call Mr Constantine at Taylor Nicholas and ask about your portion of the commission?---I believe I did, yes.

Right. You just can't remember the exact words that were used?---Yes.
Yeah.

Okay. And you had referred buyers to Mr Constantine on previous occasions. Is that right?---That's correct. Yeah.

He gives an example of Princes Highway, Rockdale. Do you remember that?---Yes.

10

And the address for that was, if we go through to the end of the statement, please, the last paragraph of the statement, 398-412 Princes Highway, Rockdale?---I believe that was the address, yes.

When did that property settle?---Trying to, this is, this property sold around 2015/2016, approximately around that time.

All right. And so when you called Mr Constantine – I should say this was around about March 2018 when the cheque was issued. Is that right?---Yes.
Yeah.

20

You approached Mr Constantine in March 2018 and said - - -?---Yeah, around about that time, yeah.

- - - inquired about your commission. Is that right?---Yes. Yeah.

And so given the Princes Highway property settled in 2015, this inquiry in 2018 can't have been about that, is that right, from your perspective?---The relationship that I had with Constantine, for Taylor Nicholas generally, they'll send me a list of development sites over the years and I do, from my end, I'll try and find them buyers. And we had a level of trust between, between us and a number of agreements were done verbally between Taylor Nicholas and myself. So, sorry, going back to your question, what was your question again, yeah?

30

Well, the question was if you're making an inquiry of Mr Constantine in 2018 about a commission - - -?---Yeah.

- - - it can't have been for a property that settled a couple of years ago, can it?---It could possibly be.

40

You would have waited that long to follow up your commission from a sale in 2015?---Yes. Normally, for development sites, it works slightly different to residential properties 'cause they do take a long time to eventuate. And sometimes a commission is not paid straightaway. It takes time to, to get paid the commission - - -

But not two, three years, does it?---Sometimes a couple of years. There, there is one that I actually worked on Taylor Nicholas with a couple of years ago and that hasn't happened, I haven't chased him for my commission yet.

10

THE COMMISSIONER: Is that because the development hasn't been completed?--- That's partly the reason. It has there, I note the applicant's working on that currently but I know when the timing comes and what that, when that property is due to settle, I can have a, a discussion with them and we can work something out. That's an arrangement that we had.

I may be wrong, and I'll be corrected if I am, the commission you were going to get paid in respect of Landmark Square, the liability arose when the properties were purchased, correct?---Sorry, Commissioner, are you referring to - - -

20

I may have got it wrong but I thought earlier part of that statement referred to "sale".

MS HEGER: Yes. Mr Constantine's obligation to pay you a portion of his commission for Landmark Square arose upon the sale of the property in November 2017, didn't it?---Well, legally speaking, Mr Constantine had, had no obligation to pay me because the conjunction agreement wasn't even signed.

30

All right. But you understood had an oral agreement with him to that effect, correct, at least?---I, I did not have an expectation to get paid for Landmark Square. I didn't - - -

Well, you must have, that's why you contacted him in March 2018, didn't you?---Okay. At, in March 2018, I, I overheard obviously, I, I was aware that that property settled and Taylor Nicholas commission was a big commission on that sale so I saw an opportunity to go and see George and talk to him, if he can pay me a part of that commission.

40

For Landmark Square?---Not specifically for Landmark Square.

Well, but it included Landmark Square.---It included Landmark Square, I, yes, and other properties as well, and other, other properties or development sites that I've worked with George or Michael on, including referral.

The other example Mr Constantine gives is the property at 508-510 Kingsway, Miranda. Is that another one you referred to him?---Yes.

10 All right. So you understood at this time, you were asking for a portion of his commission for Landmark Square as well as Kingsway, Miranda and Princes Highway, Rockdale. Is that your evidence?---They're the three main ones that we spoke about and, look, for a number of years I've worked with Taylor Nicholas on a lot of sites and very few that came into fruition and this is why George was able to, and I, were able to agree to a figure in relation to everything, like a number of things that I did with them.

All right. I'll go back to Mr Constantine's statement at paragraph 15. He says you went to his office, is that right?---Yes, correct.

20 And he says you said something like "You gotta pay me something because I referred to client." And you'll recall he said that should be "the client." Did you say something like that to Mr Constantine on this occasion?---I don't recall the exact conversation but something along the lines that I would like to get paid if possible and then we, we started talking about it.

And did you mention Landmark Square?---Yes. It was mentioned.

By you?---I'm not sure if he brought it up or myself. We spoke about it. I did say "I referred the buyer to, to you."

30 Referred the buyer for Landmark Square?---Not Prime, the initial buyer, which resulted in a successful sale to Taylor Nicholas and a big commission.

So you said something like "I referred One Capital to you" or - - -?---It's not, well, One Capital are the only ones who I referred to that site, yeah. So I couldn't refer to Prime because I didn't know who they were.

40 Okay. And in the next paragraph Mr Constantine says he was about to write out the details for the cheque and he asked you "What should I put down?"

Is that what happened?---I don't recall that specific conversation. I don't, I don't recall that specifically.

All right. And then it says in the statement she relied "Just put 508-510 The Kingsway, Miranda down." Do you see that?---Yes, I can see that.

And you were present for his oral evidence, correct?---Yes, yeah.

10 And you recall he was uncertain about that at one point but ultimately confirmed that you said that? Do you recall that?---I don't recall that. I don't recall, my recollection says that he suggested that. He mentioned that address. Only because if he was to list on the cheque, on his, sorry, on his cheque butt a number of properties it wouldn't even fit on the, on the cheque butt. This is why, that's to the best of my recollection that 508 Miranda he's put that down on his cheque butt.

20 All right. So Mr Constantine's evidence ultimately was that you requested that he put down Kingsway, Miranda. You're denying that, are you?---I don't have a clear recollection so I'm not sure who, but I'm leaning more towards that he suggested that, he mentioned that property but I don't have a clear recollection who suggested it.

All right. And why would he suggest that it be Kingsway, Miranda when the last property that had settled was Landmark Square from your understanding?---Well, if he was to pay me a commission only for Landmark Square I would have been entitled to a fair bit more than 67,400 because the conjunction agreement says I'm, I'm entitled to 20 per cent of that commission, of his commission which equates to over \$100,000.

30 Yes.---So it is obvious that that commission was not for Landmark Square only. So part of that commission covered my work on Landmark Square and other properties we worked on.

Well, if it covered other properties as well it should have been more than \$100,000, shouldn't it?---Other properties where there was no agreement in place for him to actually pay me so it was a level of trust. We agreed on a fee. We both agreed on a fee and I was happy with the figure he suggested.

40 All right. Well, did you say to him I'm actually entitled to \$100,000 for Landmark Square, why - - ?---No, I didn't.

- - - are you only suggesting 67,000?---No, I didn't because I knew I didn't, I was not entitled to that commission regarding Landmark Square because the buyer wasn't mine.

Who came up with the figure of \$67,400?---I don't recall how we came up with that figure but we've both discussed and we both agreed on that figure.

All right. So you understood that figure was for part of your Landmark Square entitlements?---Yes, yeah.

10

As well as Rockdale and the Miranda property. Is that right?---Yes.

Can I ask you this, did you suggest to Mr Constantine that he put down Kingsway, Miranda in an attempt to somehow hide your involvement with Landmark Square?---No.

Did you tell Mr Hindi that you received this commission?---No, I didn't.

20 THE COMMISSIONER: Why not?---I receive commissions all the time. That's my job as a real estate agent. So I don't tell Con every time I get a commission. It's my business. The commission goes into Sydney Realty's account not Con's account.

MS HEGER: You recall that I showed you a handwritten note of some monetary figures that was found on Wensheng Liu's phone. Do you remember that?---Yes, I remember.

30 And you recall it referred to the \$4,240 figure which matched the price of your flights to China in April 2016. You recall that?---It happened to match that figure, yes.

Yes. It also had a \$3,200 figure. What was that for?---I don't recall that. I didn't actually recall the note being there or even me writing that note.

But it's your handwriting you said.---It is my handwriting, yeah.

40 Well, was the \$3,200 for your expenses in China in April 2016 including accommodation and the like?---Which, sorry which trip are you referring to?

The April 2016 trip.---No, it wasn't.

What was the \$3,200 figure for then?---I don't know. I don't remember the whole note, that the note even existed so I can't give you that answer, sorry.

Okay. You gave some evidence yesterday I think that you'd been involved in some other dealings regarding properties worth \$36 million or thereabouts. Do you remember that evidence?---Yes, I do.

10 Can you give some specific examples of that?---Yes. The, I was given a number of sites by Taylor Nicholas, information on a number of sites around New South Wales. One of them was a site in Moorebank. One was in Newcastle.

Just pausing with the Moorebank site. Where was that?---Where was that?

Mmm.---I don't, this is some time ago. I don't have the exact address.

What kind of site was it?---It was a development site.

20 And what year was this?---Oh, I don't know because over the years I would receive different information regarding different properties. So I don't recall which year exactly.

Mmm. And did you - - -?---Could have been around twenty, around 2014, 2015, 2016. I'm not a hundred per cent sure.

Did you enter into any agreements for the Moorebank site?---No.

30 Was that a site on which there was, do you recall, some discussion about floor space ratio for that site?---Yes, it was a big site, yeah.

And who were you having those discussions with?---Potential buyers.

Who were the potential buyers?---I can't, I don't like to name people if there's no need to name them.

Well, do you - - -?---Potential like investors. No one obviously involved in that inquiry, so I prefer not to mention names if that's possible.

40 Well, I'll think about that and maybe return to that topic on another occasion.---Sure.

The other example was Newcastle.---Yes.

And where was that site specifically?---I think it would have been on International, International, International Road.

What kind of site was it?---National Road. A big development site too.

10 But what was there at the time that you were having these discussions?
---Generally with development sites there would always be discussions about FSR and height and - - -

Yeah, but can you remember what was there on the site? Was there already a building or some kind of business or - - -?---No. No, I think there was – I was given the information by Taylor Nicholas on that one too. I, I can't remember specifically but I have to check the information.

20 All right. And what year was that that you were talking to Taylor Nicholas?---I think it was a bit later around 2019, possibly.

All right. And the Moorebank site, can you remember what was physically on that site at the time you were having discussions about it?---Probably would have been industrial or commercial. No, not commercial, probably industrial. I remember it would have involved, that site, a planning, had to lodge a planning proposal. So it was something similar to Landmark Square.

30 So you think there was a building there put to some sort of industrial use?
---I believe so. I'm not a hundred per cent sure. I'm just giving you roughly what I can remember.

Sure. And you said there, you referred to a Newcastle site. I think you also gave evidence earlier you'd been speaking to Philip Uy about a Newcastle - - -?---That's right.

Is that the same one?---Yes. He mentioned that he might have some buyers on that one too.

40 All right.

THE COMMISSIONER: What was your involvement in the Moorebank and Newcastle sites?---If I refer a buyer and that buyer is successful in buying those properties, I would get paid a fee.

And were you successful?---No. None of these were successful, yeah.

MS HEGER: When your son Malcolm was working for Sydney Realty, did you ever pay him a portion of a commission you'd received on a sale?---If he's assisting me with it and he's involved, yes.

10

Can you give some examples of that?---The one in, on Princes Highway, Rockdale.

What was the address of that site?---398. The one that just came up earlier, came up earlier.

Oh, it's the same one?---Same one, yeah.

398 Princes Highway, Rockdale.---Yes.

20

And how much did you pay him for that site?---Approximately 20,000.

And you sent that to him by EFT?---Correct, yeah.

And is there another example?---There was one on the Princes Highway, Carlton, as well, that he assisted me with.

What was the address for that site?---I don't remember the, the street address, it was, I think, 178 and 176 Princes Highway, Carlton.

30

Sorry. Bear with me a moment.---No, that's okay.

THE COMMISSIONER: And those amounts were transferred into your son's account by way of electronic fund transfer?---Correct. Yes.

MS HEGER: All right. Yeah. Commissioner, Mrs Hindi has mentioned she needs to undertake some further searches and there's been a reference made to potentially lodging some applications with the bank with a pink slip, I think you said?---Yeah.

40

I'm not sure if that's covered by the existing order?

THE COMMISSIONER: I think it would be because - - -

MS HEGER: Yeah. It should be - - -

THE WITNESS: Yeah.

THE COMMISSIONER: It should be. Well, what I propose to do, Mr Rizk, I'm going to have your client recalled the week after next.

10

MR RIZK: Yes, Commissioner.

THE COMMISSIONER: That should give her plenty of time to do what I've asked her to do. I can't give a precise date at the moment but we'll try and give you as much notice as we can.

MR RIZK: Thank you, Commissioner.

20 THE COMMISSIONER: All right. And I won't be releasing your client from her summons today but you're finished for the moment.---Thank you.

MS HEGER: Commissioner, sorry. Could I also ask for a direction that Mrs Hindi produce any records she has regarding the Moorebank site she's referred to and the Newcastle site that she's referred to, please?

THE COMMISSIONER: Yeah.

MS HEGER: Commissioner, could I also ask for that direction to include records relating to 398-412 Princes Highway, Rockdale?

30

THE COMMISSIONER: 398 to?

MS HEGER: 412, I think it was. And also for 176 and 178 Princes Highway, Carlton. That's it, Commissioner. Thank you.

40 THE COMMISSIONER: All right. Pursuant to section 35(2) of the Independent Commission Against Corruption Act (1988) I direct the witness to produce in addition to the matters she's already required to produce, any documents relating to her involvement in the Moorebank and Newcastle properties which she has just referred to in her evidence, together with the same records concerning her involvement in 398-412 Princes Highway,

Rockdale, and 171-178 Princes Highway, Carlingford, was it?---Sorry, I think one seven - - -

MS HEGER: I thought it was 176-178- - -?---176-178, yeah.

- - - Princes Highway, Carlton.

THE COMMISSIONER: 176 to, Princes, Carlton, sorry, Princes Highway, Carlton, by Thursday, 7 July – no, I withdraw that, Friday, 8 July, so that’s
10 next Friday, Friday week, I should say.

MS HEGER: Could I ask for Thursday, 7 July, Commissioner?

THE COMMISSIONER: Yeah. Thursday, 7 July. I’ll correct that. Yes. Very well.

**DIRECTION TO PRODUCE: PURSUANT TO SECTION 35(2) OF THE INDEPENDENT COMMISSION AGAINST CORRUPTION
20 ACT (1988) I DIRECT THE WITNESS TO PRODUCE IN ADDITION TO THE MATTERS SHE’S ALREADY REQUIRED TO PRODUCE, ANY DOCUMENTS RELATING TO HER INVOLVEMENT IN THE MOOREBANK AND NEWCASTLE PROPERTIES WHICH SHE HAS JUST REFERRED TO IN HER EVIDENCE, TOGETHER WITH THE SAME RECORDS CONCERNING HER INVOLVEMENT IN 398-412 PRINCES HIGHWAY, ROCKDALE, AND 176-178 PRINCES HIGHWAY, CARLTON, BY THURSDAY, 7 JULY.**

30

THE COMMISSIONER: Thank you.---Thank you.

THE WITNESS STOOD DOWN

[12.35pm]

MS HEGER: Commissioner, I now call Wensheng Liu. I’m in our hands as to whether we break now or we go for half an hour.

40 THE COMMISSIONER: We have an interpreter, don’t we?

MS HEGER: We do.

THE COMMISSIONER: All right. I think we'll adjourn and start at twenty to 2.00 and I assume that that can be set up during that hour?

MS HEGER: Yes.

THE COMMISSIONER: Okay. Thank you.

10

LUNCHEON ADJOURNMENT

[12.35pm]