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INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE HELEN MURRELL SC
COMMISSIONER

PUBLIC HEARING

OPERATION MANTIS

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TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON THURSDAY 6 JUNE, 2024

AT 10.00AM

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This transcript has been prepared in accordance with conventions used in the Supreme Court.

MS HUXLEY: Commissioner, I understand Mr Anderson will return to the witness box.

THE COMMISSIONER: All right. Mr Anderson, do you mind coming back. Just stand there for a moment, Mr Anderson. Now, it's a couple of days since you've given your evidence so I might have you resworn or affirmed. What was it, an oath or an - - -

MR ANDERSON: Oath.

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THE COMMISSIONER: Oath, was it? Yes. I'll ask my associate to administer that.

THE COMMISSIONER: Sit down, thanks. Now, is it Mr Pararajasingham?

MR PARARAJASINGHAM: Yes.

10 THE COMMISSIONER: Just bear with me for one second. No, I'm right, actually. Yes, please proceed.

MR PARARAJASINGHAM: Thank you, Commissioner. My name is Pararajasingham. I appear for Mr Webb. I just have a few questions for you.---Is the mike working?

THE COMMISSIONER: Keep it up or get closer to that microphone, Mr Pararajasingham.

20 MR PARARAJASINGHAM: All right. Mr Anderson, you gave some evidence earlier in the week to the effect that all project officers and all team leaders reported to you. Do you remember giving that evidence?---Yes.

And it is the case that at all times you were in charge of their everyday work, correct?---No, not really. On the large projects Ben Webb was, they were reporting directly to Ben Webb.

It's the case that you allocated their tasks, correct?---Both I, myself and Ben Webb.

30 They reported to you about the tasks that they were performing, correct? ---As I said, on the major projects they would report to Ben and, and myself.

You had weekly meetings with these workers, correct?---Yes.

And just so I understand your position, do you say on the larger projects they did not report to you?---No, I wouldn't say that. I was still involved in the conversations with Ben on some of them.

40 So is your position this, that on the larger projects they reported to both yourself and Mr Webb?---Yes.

Thank you. Now - - -

THE COMMISSIONER: Well, how did that work, Mr Anderson?---When you've got so many projects, well, this year we've, I think it's 200 projects, I was doing the more the bread and butter projects because of the roundabouts, footpaths, minor works. The larger projects tend to be more politically driven, so Ben involves himself much into those.

Yes, but when there was a larger project - - -?---Yes.

10

- - - and you indicated that people reported to both of you, how did that work as between you and Webb and the reporting?---As it was said we would do weekly meetings with project officers and they would be held in Ben's office and I would be involved in those meetings as well.

All right.

MR PARARAJASINGHAM: And was it the case that from time to time Mr Webb would attend those meetings in your absence?---Sorry? He was always at the meetings.

20

He was always at the meetings, but were there times when, say, he wasn't present and you conducted the meeting?---Possibly, yes, where he had to go to another meeting.

So it was really, in terms of these larger projects and the reporting that went on and the meetings, it was sort of shared as between yourself and Mr Webb, do you accept that?---Yes.

30 Now, do you recall on 6 March this year participating in a record of interview with an investigator here at ICAC and you were legally represented at the time as well?---Yes.

Can I just show you a document, if someone could kindly take it from me. It's just for the witness, yes. I understand that this should be available to all the parties, Commissioner.

THE COMMISSIONER: Yes.

40 MR PARARAJASINGHAM: Can you just confirm that what you have before you, Mr Anderson, is a transcript of the interview conducted on 6

March 2024. Present was Peter Bishop, investigator ICAC, Stan Kondilios, Hall & Willcox, and Samantha Frost. Do you see that?---Yes.

And it spans for 60 pages. Do you see that?---Yes.

Could you kindly turn to page 23. Have you done that?---Yes.

If you cast your eye down to line 32. Do you see that? It commences “Bishop” and then the word “did”, do you see that?---Yes. Yes.

10

So can you just follow this with me (not transcribable) so Bishop is the investigator, asks you, “Did, did you feel like that your staff, the contractors, that you had control of them, or did you feel that Ben Webb was more of a” and then you interject, “Control of what? Their everyday work or,” then the investigator says, “The hierarchy was, was the project manager’s view, and then Ben Webb,” and then if you turn over the page kindly, you say, “Yep.” The investigator says, “Did you feel that, that was how it worked or did you feel that Ben Webb,” you then say, “No, I felt as though I was in charge of their everyday work, yes.” And your legal representative says, “So did you allocate their tasks?” You say, “Yes.” Legal representative says, “Did they report to you about their tasks?” You say, “Yes.” Your legal representative says, “Is it fair to say everything about them being at the council was that you accept their higher?” You say, “Yes, we would weekly meetings with each, each of them. Ben was involved in those meetings. That was to discuss project issues.” And your legal representative says, “Did he always make sure that he was in those meetings?” and you say, “Um, no, occasionally he would have to leave and I finish them.” You agree I’ve read that portion out correctly?---Correct.

20

30

And what you’ve said there is true and correct?---Correct.

Can I ask you this. It is the case, isn’t it, that in the period 2020 to 2022 Mr Webb was quite busy attending to a number of matters, wasn’t he?---We all were.

Certainly, and so you were and as was Mr Webb, correct?---Yes.

It was a very busy period of time at council.---Yes.

And to your observation Mr Webb wasn't keeping a particularly close eye on any workers in particular, was he?---As in hours or what they were actually doing?

Sorry, as in - certainly, as in hours, what they were doing. You didn't get the sense that Mr Webb was keeping a particularly close eye on what individuals were doing and what they were up to. Do you agree with that? ---Some, yes, he was.

10 Some he was.---Yes.

And those that he was, were they of a particular kind or did it just really depend on the individual?---Depending more on the project.

Okay. So some projects called for closer supervision than others, is that a fair comment?---Yes.

20 And if you just go back to page 24 kindly, and just cast your eye down to line 24, you're asked this question, "Yep. Yep." And you said, "Is it fair to say that your opinion of the onboarding process was that it was poor or non-existent?" You say, "Yes." Your legal representative says, "Which one?" You say, "Poor and non-existent, it was both. As I said before it wasn't unusual. It happened a couple of times that staff would be standing next to my desk on a Monday morning and I had no idea they were coming." Then you're asked, "Did, did you do anything to try and resolve that issue?" You say, "Yeah, I asked Ben to give me a heads up when they're staffing." You're asked, "And what did he say?" And then over the page you say, "Yeah, will try, will do." Do you agree I've read that portion out correctly?--Yes.

30

---Is the comment you're making there about, to your observations, a sort of deficiency in the process at council at that time?---For the agency staff that were coming in, yes.

And can you just explain that a little bit more for me.---I wasn't aware of a particular process so I was only aware of a process that was done for FTEs, the full-time employees.

40 Yes.---So I had no vision of everyone that was starting up.

And are you describing in that extract a sort of situation where people would just kind of materialise from time to time and they'd have to be sort of dealt with and - - -?---Correct.

- - - in the sort of ordinary way, but there was no real order or understood process that was applied.---Correct.

Thank you. Now, you can just turn that document over for the moment, thank you. Now, you understand that Mr Cossu was engaged by council in
10 about May 2020, does that sound about right to you?---Sounds about right.

And you gave this evidence earlier this week, but it was your understanding that he was brought in to run projects, correct?---Correct.

And he was brought in by Mr Webb, correct?---Correct.

And as at around the time that Mr Cossu commenced at council, do you recall having a conversation with Mr Webb about Mr Cossu?---No.

20 You gave evidence earlier this week that you were aware that Mr Webb and Mr Cossu worked on the B-Line Project.---Correct.

Presumably that was something conveyed to you by Mr Webb in a conversation?---After Pietro had started, yes.

Yes. Sorry, if I wasn't clear, so after Mr Cossu had commenced - - -?
---Yes.

- - - I'm asking that there was likely a conversation between yourself and
30 Mr Webb about Mr Cossu?---No, not really. It was more about Mr Webb and Mr Cossu were talking about what they had done at the B-Line Project and the people they had worked with.

Sorry, do you have in mind a particular conversation?---No, not really. There was one, they were talking about a Christmas party and a few things that went on at the Christmas party.

Sure, but just coming back to this information that you gleaned about the at least work history between Mr Cossu and Mr Webb, that was a conversation
40 that occurred in your presence?---Yes.

But you say both Mr Cossu and Mr Webb were there, is that right?---Yes.

And you were present. Was anyone else present?---I can't recall.

And do you recall what else was said in this conversation?---Not really, no.

Do you recall the duration of this conversation?---No.

10 Is it possible that in this conversation, Mr Webb conveyed to you that Mr Cossu was a highly competent worker, something to that effect?

---Something to that effect.

Thank you. Now while you were at council, you were able to sort of observe Mr Webb at fairly close quarters. Do you accept that?---Yes.

And it's right to say isn't it, that his attention, to your observations, was sort of being pulled in different directions. Do you understand what I mean by that?---No.

20 Okay, fair enough. You understood that Mr Webb had significant responsibility across the capital works program?---Correct.

And what that was all about was really about delivering projects. Correct?---Yes.

Because what had occurred previously is that, for whatever reason, projects just weren't being delivered. Correct?---They were being delivered, but probably not as timely as was expected.

30 Okay. So there were delays, deadlines weren't being met, things of that nature.---Correct.

But it's also right to say, isn't it, that just in terms of the sheer number of projects being delivered pre-Webb versus post-Webb, pre-Webb was less projects. Do you agree with that proposition?---I would agree with that, but that's part of the parcel with the upstarting.

40 So now I'm not, please don't misunderstand me, I'm not - - -?---No, look the previous manager, I had no grubs with him either.

Yes.---Sean Naidu, he was very good.

Certainly. But you accept the fact that before Mr Webb, less projects were being delivered in number.---Yes.

I'm not asking about blame. Do you accept that as a fact?---Yes.

Thank you. And in terms of observations and interactions with Mr Webb, he appeared to you as someone who was certainly committed to delivering on these capital works projects.---Yes.

10

It's right to say that on average, to your observation and your knowledge, Mr Webb was working 60 hours plus a week. Do you accept that?---Yes.

You were aware that he would often go out to night works of an evening. ---Yes.

And the purpose of that was to oversee whatever was going on.---Correct.

He would often work weekends.---Yes.

20

And you accept that his key responsibility was the managing, survey design and delivery of capital works. Correct?---Correct.

But he had a number of additional tasks, didn't he?---Being?

Certainly, well was he responsible for establishing and managing the council project management office?---At one stage, yes. That later got handed over to Vangi.

30 THE COMMISSIONER: Sorry, later got handed over to?---Anthony Vangi.

Vangi, okay.---Yes.

MR PARARAJASINGHAM: And what was the work, in a sentence or two, the work of that office?---They were putting together a system of gates that projects had to go through and have certain things done before they were allowed to move on to a next stage.

Mr Webb was also involved in something called Sydney Metro.---Yes, we had a specific officer that was brought in to deal with most of those issues, but Ben would be brought in on some of the discussions.

And again, in a sentence or two, what is Sydney Metro?---Sydney Metro is the metro line that's going from Bankstown into the city.

Right. Was it the case that Mr Webb, from time to time, had to oversee the communications unit.---We had a communications unit that he developed in
10 our area which was about dealing with the residents and stakeholders, sorry.

Okay. And what was the work of that unit?---It was to, that they took a lot of the dealings for the project officers to do communications with the residents and stakeholders within council.

And is it right to say that the communications team in works and projects was tasked with managing and organising visits of councillors to sites, opening events, things of that nature?---From time to time, yes.

20 And that's something that Mr Webb oversaw?---Yes, on, on occasions, it wasn't always - - -

On occasions. Are you aware of a project or a unit named Asset AI?---Yes.

What is that?---Look, I couldn't tell you really. I've heard of it, but I've never - - -

Just based on whatever it is you have in your mind about it, can you just explain what you think it is?---Not really, no.
30

Okay. There are also a number of project control groups. Is that right?
---Project control groups.

Yes, project control groups which provided guidance and direction to project delivery and governance on project delivery.---They were, yes, they were some control groups that usually generate in other sections and ours to give birth to the project.

Okay. And again, to your understanding, that was something that Mr Webb
40 was involved in?---Yes.

THE COMMISSIONER: Sorry, what did these groups do?---It was more the initiation stages where they'd make certain decisions about what the project entailed and what we were actually going to put into the project.

MR PARARAJASINGHAM: Can I just finally take you back, please, to the statement, sorry, the record of interview between yourself and the investigators. Do you still have that document there?---Yes.

If you just kindly turn to page 29 please. You've done that?---Yes.

10

And just from line 3, just follow with me please. You were asked this, "How would you describe Ben's management style?" You say, "Well that's a good question. Hard but direct. Hard direct." You say, "I know some people struggled with it. I've never struggled with that sort of thing, I'll say it as it is." Just pausing there, from your observations, it was not unusual for Mr Webb to come into conflict with people from time to time?
---Correct.

And those people included management from time to time.---Correct.

20

It included workers from time to time.---Correct.

Do you know a person by the name of Sadaat Tareen?---Barely. I just remember him.

Is he someone that Mr Webb terminated his employment?---I can't recall on why he left.

And if I suggested to you that Mr Tareen was a PMLV worker who was terminated by Mr Webb, you are not in a position to dispute that?---No.

30

Thank you. Coming back, picking up from page 29, line 7, "Bishop: Did you ever get the sense that Ben Webb had an agenda in relation to permanent council employees." You say "Had a?" Question, "An agenda". Your legal representatives, "Can you explain that a bit please?" Then, "Well did you ever get the sense that he was trying to remove some council permanent employees and replace them with contractors or that was his agenda?" You say, "No, no." Question, "You never?" And then you say, "There was, there's no doubts there was one or two employees permanent, there's one down there now, he helped me.", "Sorry, there's one?" And you say, "There's one down there now, can you help me get him out?" In your

40

answer , you're saying there were permanent employees he was trying to get rid for performance issues but, and then you say, in fact probably the opposite, "The talk was always about getting our restructure finished so we could put FTEs back on." Just pausing there, in that answer where you refer to "our restructure finished", what are you referring to?---We were going, Ben had come in and he had broken the team up into wards where he put a team leader for each ward and then gave each team leader a couple of project officers in order to run that ward.

10 I understand.---And it had never been formalised by our HR department.

All right. I suppose what I'm asking is, your response to the suggestion that Mr Webb was trying to get rid of performance issues is, to say in fact the opposite and then you cite this, "Getting our restructure finished so that we could put FTEs back on"?---That was my understanding, yes.

Yeah, sorry, are you saying that part of the restructure involved an emphasis in getting FTEs back on in the place of contractors?---Correct.

20 And - - -

THE COMMISSIONER: Sorry, to interrupt, Mr Pararajasingham. Mr Anderson, correct me if I'm wrong but my understanding was that because this restructure was ongoing the organisation wouldn't know what permanent employees would be required until the restructure was finalised and therefore they got in the agency workers pending finalisation of the restructure?---Correct.

Okay.

30

MR PARARAJASINGHAM: And then finishing off this document, Mr Anderson, it picks up, and this was from him, what he wanted, you say it was above him, "Okay. So not from him," and you say, "Well, he would." Question, "This is council's position?" "That's right. We're not, we're talking his position. Well, he would regurgitate exactly." And then over the page you're asked, "What did he, what did he want? Would, could you see from his actions and the words that he said?" "The same. The same, but that's only him repeating what's been said." You heard me read that out to you just now.---Yes.

40

Is this the position, that in those answers you're conveying that at no point did you form the view that Mr Webb was attempting to remove permanent employees?---Correct.

And in fact Mr Webb would often talk about getting the restructure finished such that more FTEs could be engaged, correct?---Correct.

And what Mr Webb was saying was, to your understanding, consistent with management's position, correct?---Correct, it was coming down from them.

10

And just finally can I show you a document. I can come down.

THE COMMISSIONER: My associate can.

MR PARARAJASINGHAM: Can you just give one to Counsel Assisting. Do you have before you, Mr Anderson, a document that states - sorry, just bear with me. Just one moment, Commissioner, I'm sorry. Commissioner, I have one for you.

20 THE COMMISSIONER: Thank you.

MR PARARAJASINGHAM: So, Mr Anderson, you've got there a document, the face of it says Unit Structure and Capability Review, do you see that?---Yes.

Department City Assets Unit Works and Projects, do you see that?---Yes.

And then in a box it says prepared for Ben Webb, Manager Works and Projects, Department Director Anthony Vangi, date created June 2022, do you see that?---Yes.

30

Are you familiar with this document?---No.

Have you ever seen it before?---No.

If I suggested to you that this was as document prepared by Mr Webb and his team for presentation to Mr Vangi, you'd accept that?---Possibly.

You can't dispute that.---No.

40

And if you just open the document up for me, and if you see, you sort of just leaf through it, you see on page 5 it says, "Number 1, current state," do you see that?---Yes.

And if you go over to, just keep leafing through the document, and if you get to page 10 you see, "Number 2, future state"?---Yes.

And then if you go over to 2.4, just over the page, do you see it has the letters S-w-o-t, SWOT. Do you know what that stands for? So page 11.

10 ---Yes, it stands for each of the squares there.

Okay.---Strengths, Weaknesses, Opportunities and Threats.

There you go. And if you look at the Weaknesses box, do you see the third point there is as follows, "High contractor, casual workforce with 30% permanent staff," do you see that?---Yes.

And then if you just finally please turn over to page 33 of this document. Have you done that? And do you see point 8 is Recommendation, do you see that?---Yes.

20

And do you see that the second, number 2 there says, "Fill the 14 positions vacant, (a) advertise or (b) engage contract staff, (c) convert long-term contract staff to permanent and backfill with contractors in keeping with current 70:30 ratio," do you see that?---Yes.

Can you just explain, what's the 70:30 ratio a reference to?---70% permanent staff, 30% contingent.

30 That document can be returned.

THE COMMISSIONER: Just a moment, Mr Pararajasingham. That's this witness's opinion, but it's not what the document necessarily - oh maybe it says that, yes.

MR PARARAJASINGHAM: Yeah.

THE COMMISSIONER: Yeah, all right.

MR PARARAJASINGHAM: That document can be returned, and I have no further questions. Sorry, I just note that I do intend to tender that in due course but I've given a copy to Counsel Assisting.

THE COMMISSIONER: All right. Well, perhaps we can give it an MFI marking for what it's worth, which I think it will be 2.

MR SUTTON: Commissioner, if we're going to do that can I request that the training document and receipt that I provided yesterday gets an MFI
10 also, just so we don't mistake them.

THE COMMISSIONER: All right. Sorry, I neglected to do that. So then this one should be 3 and your one should be 2.

#MFI-002 - Training document and Receipt

#MFI-003 - Unit Structure Capability Review Document

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MR SUTTON: That's right. Thank you.

THE COMMISSIONER: Good. I'm unsure where the actual documents that could have such markings put on them, where they are physically located, but anyway. I'm sure somebody knows, maybe Mr Baine or Ms Huxley.

MR SUTTON: Or (not transcribable) your Honour.
30

THE COMMISSIONER: All right then. Now, that's Mr Pararajasingham's questions. Mr Sutton.

MR SUTTON: Thank you. Mr Anderson, my name is Sutton. I'm Mr Cossu's legal representative. Sorry, I'll sort the microphone out first so you can hear me. And I apologise if I'm a bit disjointed and we go backwards and forwards on things, but just please bear with me. I'm going to start first of all by going through what I see as points that I need to speak to you about from your evidence of yesterday, do you understand that?---Yes.
40

Okay. Before I do I just want to pick up on one thing you said today which is also from your evidence from yesterday, and that relates to what you described as the onboarding procedures being non-existent. Do you remember Mr Pararajasingham - - -?---Yes.

- - - asked you about them, okay. With that in mind your evidence yesterday at transcript page 113 - - -

10 THE COMMISSIONER: I might be losing the plot, Mr Sutton, but I think it was the day before.

MR SUTTON: Yes. Yes, your Honour is right, thank you. No, your Honour is not losing the plot. It's entirely my plot to lose. Notwithstanding that, for the record purposes, transcript 113 above line 35, you were talking about contractors getting codes of conduct and things of that nature.

THE COMMISSIONER: Would you like that brought up for the witness or it's not necessary?

20 MR SUTTON: It's not necessary but if - - -

THE COMMISSIONER: If you want to actually see the transcript, say so, but let's just see if you understand the question without it, yes.---No problem.

Sorry, start again, Mr Sutton, please.

30 MR SUTTON: Thank you. You were asked the question about the procedures of onboarding and what that entailed, and I just want to bring that to what you've said today as well and put a proposition to you, because there was a suggestion, as I understand it, that you possess knowledge of Mr Cossu being provided with a code of conduct.---No, I didn't say Pietro's in particular, no.

And that's what I want to make clear. I'm not saying, I'm just saying that's my interpretation. I want to clear that point up.---Okay.

40 So it's the case that you are not asserting that Pietro received a code of conduct. You just don't know.---Couldn't comment.

And indeed I suggest to you given what you said this morning, it would be probably the same for most other people and agency workers that joined, that you would have no idea if they got codes of conduct?---I could go back and check on my records - - -

But sitting here now - - -?--- - - - which ones I did - - -

- - - you've got no idea, is that the case?---That would be the case.

10 Thank you.

THE COMMISSIONER: So are you saying that some people got a code of conduct but you couldn't say who they were?---Correct, if they reported directly to myself, well, came and saw me, I would get a code of conduct on - - -

All right.

20 MR SUTTON: Just on that, are you absolutely confident, given your answer to Mr Pararajasingham this morning, you're absolutely confident that anyone who reported to you always got a code of conduct?---That's a difficult one. No, I wouldn't say everyone. Everyone that, when they first started at council and was sent to me to on-board, I would do a code of conduct.

When they were first sent, but we're talking now about the 2020 through '22 period which was difficult to get employees because of COVID and difficult - - -?---No.

30 Sorry, just let me finish.---Sorry.

And further was difficult because of the volume of work that was coming through. Is that right?---True. True.

And so during that time, you, Mr Webb, other people in other departments no doubt were extremely busy and trying to keep up with what was going on, yes?---Yes.

40 And so it would be your intention if all things were equal, if all processes were in place, that people would have got codes of conduct.---Correct.

But the fact is, because of the reasons that I've just gone through and set out and the recruitment policies, you can't say that is the case.

THE COMMISSIONER: Well are you asking him about people who initially reported to other people, or are you asking about people who initially reported to him?

MR SUTTON: People in the works area, but then specifically who reported to him.

10

THE COMMISSIONER: No but, okay, can I just, I understood that the witness was distinguishing between the fact that people reported to him in the course of ongoing work on the one hand and that when people sort of showed up on day 1, they reported to him and he on-boarded them and my recollection was that, and please correct me if this isn't completely right, I thought you said that initially people would be showing up and reporting on day one to you and you would be onboarding them, but subsequently Ms McEwen took over that role?---Correct, that's what I was about to - - -

20 HER HONOUR: Okay, all right. Well I think in that context, do I understand you to be saying that earlier on when they showed up and you on-boarded them, that you did provide them with a code of conduct as a matter of practice.---Correct.

But you couldn't say what happened with Ms McEwen presumably.---No.

You mean you agree with that?---Yes, yes.

Okay, all right. Sorry, Mr Sutton. I just wanted to get this right.

30

MR SUTTON: No, thank you for that clarification, Commissioner. So I'll go back and say, because my interpretation, and you correct me if I'm wrong, is that even when you were on-boarding them, sitting here today, you couldn't be satisfied, with complete knowledge, that everyone got a code of conduct.---No, everyone I on-boarded got a code of conduct.

Okay. Did you on-board Mr Cossu?---I can't recall, to be honest. I don't think so.

40 And so therefore you would accept the proposition that you don't know if he got a code of conduct.---Correct.

Thank you. I just need some clarification, transcript 120, about line 10, and again it doesn't need to be put up, just to assist others in the room. Talking about Canterbury Bankstown time sheets, talking about other time sheets. How many time sheets were there that the agency workers or contractors would complete?---To my knowledge, two.

10 And what were the purposes of those documents?---The Bankstown, the Canterbury Bankstown time sheet was in order to be able to capitalise what time they spent against what project and the other time sheet that we would get was from the agency staff about the agencies - - -

Can you explain what you mean by "capitalise on a project"?---It's, they're worked out as a charge out rate and it's recorded how much time was spent and how much management time, how much design time, is done on a project.

20 So can I reduce that to this, and tell me if this is a wrong interpretation please, that if a worker performs four hours of a day, the Greenacre Splash Park is a project we've heard about, working on the Greenacre Splash project - - -?---Yes.

- - - then their time sheet for that day should show four hours for that project and then other hours on other things, whatever.---Correct.

And then the work, the cost of their time then gets allocated for four hours to the Greenacre Splashdown project or whatever it's called.---Correct.

30 And the balance to other projects.---Correct.

Whose responsibility was it for entering those time sheets and to ensure that work got captured to put as a cost against the particular project?---There was some admin staff that worked with Anthony Vangi. I would check the time sheets, sign the time sheets, and then save the, into a folder and the admin staff was supposed to then put that into the payroll system.

All right. So the time sheet would come to you.---Correct.

40 You would look at it and make sure there are eight hours in the day.---Yes.

Make sure those eight hours, or whatever the time might be, had project names next to them.---Correct.

Once they left your desk, as in you've cited them, the correct number of hours, projects to allocate against, you send them to an admin person.---No, I just put them into a folder within the system and - - -

Oh, so you're talking about, it's a soft copy.---Yes.

10 Okay. So you tick a box or whatever - - -?---Correct.

- - - and it sits in the system for somebody else to come along, figuratively - - -?---Correct.

- - - and review and properly allocate to the relevant projects. Is that right? ---Correct.

20 What, if any, role do you have in looking at whether or not it's been allocated to a project, the work, that is?---The only time we would look at - - -

Sorry, not "we", you, I'm just asking about you.---Oh, the only time I would look at it is if I was involved in a project that was grant funded and whether that grant funding allowed for time to be charged to it in order to realise the grant amount.

Okay. So if its, we heard about WestInvest the other day as a grant.---Yes.

30 I'm just trying to use that as an example.---Yes.

So you would make sure that the admin staff, if you were looking at a WestInvest grant, had allocated time to that particular grant. Is that correct?---To that project.

Yes, to that project that was funded by that grant.---Correct.

Okay. But otherwise, you had no input or supervision once you put it in the folder. Is that right?---Correct.

40 Okay. Just a slight digression for a moment. We've heard evidence from another witness about monthly meetings and quarterly meetings for

management purposes. Are you familiar that they occur?---PLT and SMT, yes.

In those meetings, as I understand it, and if you don't know the answer just say, there are documents that are provided that show monitoring of things, such as project costs, labour costs, things of that nature. You don't know? ---I don't know. No.

Okay, that's fine. I'll move on.

10

THE COMMISSIONER: So we had the two time sheets, Mr Sutton.

MR SUTTON: Yes.

THE COMMISSIONER: We've got the first one.

MR SUTTON: Yes. Well the second one, the second I suggest is the one that's completed that's forwarding off to the recruitment company. Is that correct?---Correct.

20

And that allows the recruitment company to then pay downstream eventually to the employee.---Sending invoices and, yes.

Yeah. It was the mainly the first one of interest, Commissioner, sorry.

THE COMMISSIONER: That's all right.

MR SUTTON: You certainly know today that PMLV was engaged in the recruitment process for some people.---As of today or late 2022?

30

Well you know today, so the next point or the next, or the question is, when did you find that out?---In around November/December 2022.

And how did you find out?---When Comensura started, there was a lot of discussion and banter around discussions with the contract staff and I became aware then that some of them were actually employed by PMLV.

40

Did that come up, do you say, because of Comensura not working properly and people's rates being displayed?---I believe so, yes. To say it's not working properly, I wasn't sure at the time how it was supposed to work. We'd only just been started on it.

Well can we accept it's not ordinarily the case that people's - - -?---Rates are - - -

- - - employment package benefits are displayed to everybody in an organisation.---Yes.

You'd agree with that?---Yes.

- 10 So it's fair to say that Comensura wasn't working properly.---At that point in time, yes.

MS HUXLEY: Sorry, Commissioner, I understood the evidence to be that it displayed the rate, not everyone's rates, but it displayed - - -?---The persons.

- - - the pay rate to council, so the employee saw the pay rate, sorry, the charge rate to council.---Correct.

- 20 And noticed the discrepancy between the charge rate and what they were receiving themselves, so I don't think it was displaying everyone's salaries. That's how I understood the evidence.

THE COMMISSIONER: Is that what you were saying?---My understanding was as just that, and it was just the individual could only see theirs only.

Right.---I had a little bit more vision on it because I was signed on as a authoriser of the time sheets.

30

Okay. So how did you, did you see PMLV in that, did you?---No, that came out just in discussions with some of the contract staff.

Okay. So you had more visibility and so what did you see?---I saw the pay - - -

The charge rate?---The charge rate, and that's when they, everyone started to ask that can't be right.

- 40 Okay.---You can't be charging it because they'll get nowhere near that.

Yes, sorry, Mr Sutton.

MR SUTTON: Thank you, Commissioner. Thank you for that clarification. Were you aware that PMLV had 26 over the course of the 2020, '22 period - - -?---No.

- - - persons working there?---No.

10 And you say that no one had ever discussed that Pietro Cossu, and I mean no one as in the 26 people - - -?---Not with me.

- - - had brought them into the organisation?---Not with me, no.

You never heard that at all?---No.

Not a single word?---No. I don't, as a, as a habit I don't discuss people's pays with them at all.

20 No, no, not limited as to pays.---But, okay, well - - -

I'm just saying, as a proposition, sorry, as a fact, there were 26 people who were employed by PMLV there in that period and I am suggesting to you that it was an open secret, if I can use that.

MR MOSES: I object.

MR SUTTON: Do you know what I mean by an open secret?---Not for me.

30 MR MOSES: I object. I mean if this is a positive case that is going to be put under the practice direction, I think my friend can't just say it's an open secret, he needs to say if it was directly drawn to the attention of the witness, otherwise this is nonsense and it goes nowhere.

THE COMMISSIONER: Yes, yes, that's true.

MR SUTTON: Okay. I withdraw. Is it correct to say that you have no idea about any, in terms of PMLV and the recruitment issues - - -?---Would be correct.

Just one second, sir, I haven't finished the question. You have no idea what relationship, if any, was between Mr Webb and Mr Cossu in terms of financial advantage or disadvantage.---Correct.

Okay. And yet you were prepared to make an assumption when you gave evidence. Do you recall that?---

THE COMMISSIONER: So sorry - - -

10 MR SUTTON: Transcript 125.

THE COMMISSIONER: What assumption is the witness being asked to agree?

MR SUTTON: I'll read the transcript.

THE COMMISSIONER: Yeah. Well perhaps we can just - - -

MR SUTTON: Certainly.

20

THE COMMISSIONER: What page is it?

MR SUTTON: 125.

THE COMMISSIONER: Page 125, okay. Can we bring that up, please. Thank you. What line is it?

MR SUTTON: Line 25, "at the time". Can you see that, sir?---Yes.

30 "At the time you raised this with Mr Webb, did you understand Mr Cossu was profiting from this arrangement? I assumed as much."---Yes.

Yeah. But the point I put to you is it's, you had no specific knowledge on that issue.---This is after it, it came out, this is late 2022.

At the time - - -?---I am, I am just talking about, yes.

40 Yeah. Thank you. Excuse me, Commissioner. What did you know about Mr, I withdraw that, that's not for me to ask. In terms of the Appian Way matter, sir, and the non-destructive digging culverts, that project, do you know what I'm talking about?---Yes.

It's the case, is it not, that in fact Mr Cossu declared a conflict of interest in that matter?---I couldn't say.

MS HUXLEY: Sorry, just in which matter, is it the non-destructive digging works or the culvert upgrade?

THE COMMISSIONER: Yes, that's right, you referred to the non-destructive digging, yeah.

10

MS HUXLEY: Because they were two different projects.

MR SUTTON: That's fair. The culvert, the part of the project that involved GWAC, Obnova, and ultimately PMLV, he was on the evaluation panel, was he not?---He was nominated on the panel but was taken off the panel when he refused to sign the conflict of interest.

But in fact he declared a conflict interest, didn't he?---I don't believe a form was filled in at all.

20

No, a form was not filled in, I agree with you there, but he told council that he had a conflict of interest.---He must have.

Yes. And so he withdrew from the panel, didn't he?---Correct.

Thank you. And in fact, and you may or may not be able to answer this, please tell us, he didn't sign the conflict of interest because he said he didn't need to because he wasn't on the panel. Are you aware of that conversation?---No.

30

Thank you.---I couldn't tell.

In relation to the construction of the culverts themselves, you were always aware that General Works & Construction were not going to actually fabricate those items themselves, weren't you?---They didn't nominate a subcontractor, but it was whether they were affiliated with another company or not, I'm not sure.

With respect, sir, that's not the question I asked.---Sorry then.

40

That's all right. I'll put it to you again and if I'm being confusing please let me know. You were always aware that General Works & Construction were not going to be fabricating the culverts themselves.---Correct.

Thank you. In fact, as you say, and as you've said in transcript 150, "We were of the understanding they had someone else they worked with." So you acknowledge that a third-party was going to prepare - - -?---Correct, I believe that's in the report as well, that it's nominated states that - - -

10 THE COMMISSIONER: Sorry, in the report, which report?---The recommendation report.

In the recommendation report.

MR SUTTON: Almost there, sir, sorry. In relation to the culvert tender, and again, you might not be able to say you know this or you don't, in fact Mr Cossu volunteered that he knew both Jeremy Clarke as the individual director and GWAC as the business. Are you aware of that?---It was well known he had done other projects for us.

20

Okay. Are you aware, and if you're not just say so, that there were times when Mr Cossu rejected GWAC pricing and caused it to be reduced or challenged invoices?---I could not name any one occasion, but that would be his, his role.

All right. Now, with respect to those culverts you're aware that Obnova is the business that was contracted to fabricate them?---Since I've learnt.

30 Yes. In fact council is still working with Obnova, aren't they, on various projects?---They're working with them on that particular project.

Okay. And that particular project is still ongoing, is it?---Correct.

Are you aware of the reason, the specific reason why the contract with GWAC was cancelled?---My understanding was they were, we were having great difficulty getting certification for the culverts, and at one stage the culverts were even the wrong size.

40 But isn't it the case, just in relation to the sizing issue - sorry, before I go there, are you aware that the cancellation, and if you're not, say so, the cancellation of the GWAC contract let to GWAC to cancel PMLV, led to

PMLV cancelling Obnova? Are you aware of that sequence? If you're not, say so.---No.

Okay. Just in relation to those culverts that were made that were the wrong size, I think we heard evidence of a 5 or 10 mil, something to that nature, is that right?---Something of that nature.

Didn't Obnova continue with the contract and use those very same culverts to finish the job?---Couldn't tell you.

10

Who could?---The project officer that's in charge of that project at the moment.

Who's that?---Robert Dudley.

Thank you. Thank you, Commissioner.

THE COMMISSIONER: Thank you. Now, Mr Moses, you questioned the witness the other day. I don't know if there's - - -

20

MR MOSES: Nothing arising, thank you.

THE COMMISSIONER: No. Good. Thank you. Ms Huxley.

MS HUXLEY: Mr Anderson, you were taken to a page of the interview that you participated in with investigators from ICAC. Could I just take you back to page 29 of that document.

THE COMMISSIONER: Would you like it brought up?

30

MS HUXLEY: I think so, Commissioner, thank you. It's up to you whether you prefer to work on screen or on paper. And you were asked some questions about the answers that you gave in relation to whether Mr Webb had a particular agenda to hire more contractors as opposed to permanent employees, and that the talk at line 23 of that page, "In fact probably the opposite, the talk was always about getting our restructure finished so that we could put full-time employees back on." Was that talk as communicated by Mr Webb to you from what management wanted?
---Yes.

40

And do you know when those conversations were taking place?---There was numerous conversations held about the restructure itself.

Was there talk about the restructure in mid-2021?---There would have been.

And early 2021?---Yes, and there been at the, and council for the year nearly by then.

10 So was the consistent position during that time then that management wanted the restructure finished so that full-time employees could be put back on?---That was my understanding at the time, yes.

THE COMMISSIONER: By the way, Mr Anderson, you may well not know the answer to this question, but do you know anything about why this restructuring was taking so long?---No, not really.

Okay.---I've been acting for four years so - - -

20 MS HUXLEY: Was it anticipated in early 2021 that it was a kind of two-year examination and implementation of the restructure or was it not really known at that time?---Not really known.

Okay. Have you still got this unit structure and capability review in front of you?---Yes.

30 And I'll just take you to page 33 of that document. And it was a recommendation, and you were taken to paragraph 2(c) where it said, "Convert long-term contract staff to permanent and backfill with contractors in keeping with current 70:30 ratio."---Yes.

This review was created in June 2022. Do you remember what the contract to permanent staff ratio was in the unit at the time?---June?

2022.---I couldn't give you specific numbers, sorry.

But was it mostly contingent workers?---Mostly contingent workers.

So above 50% contingent workers?---Definitely.

40 Potentially 70% contingent workers?---I can't give you numbers because I didn't know the numbers about the Design Group. I only knew the numbers

within my own team, and then there was also Comms Team and Contract staff.

And if I can just take you back to another page that you were taken to, which is the SWOT analysis at page 11. Sorry, I'll take you back to page 10 first. So to, the chapter is called Future State.---Yes.

10 So a kind of anticipated state as a result of a restructure. And then in the strengths number 6 on page 11, it says, "Flexibility with 70% contractor/casual workforce."---Yes.

And it's got in weaknesses, "High contractor/casual workforce with 30% permanent staff."---Yes.

So that suggests the ratio of 70% contractor and 30% permanent staff.---It would appear so, yes.

20 So when you go back to the recommendation at page 33, having regard to those sections and the current, and what the ratio of contract to permanent staff was at the time, does that suggest what's recommend there is a 70% contract staff, 30% permanent staff ratio?---Yes, sorry, I misread that before.

Thank you. Those are my questions, Commissioner.

THE COMMISSIONER: All right. Can the witness be released from his summons or would you like to reserve that position, Ms Huxley?

30 MS HUXLEY: No, I think he can be released, thank you, Commissioner.

THE COMMISSIONER: All right. Thanks for coming back, Mr Anderson. You're released from your summons and free to go.---Thank you, Commissioner. Much appreciated.

THE WITNESS EXCUSED

[11.07am]

40 MS HUXLEY: Commissioner, would it be possible just to take a five to ten minute adjournment just for a comfort break?

THE COMMISSIONER: Yes, of course.

MS HUXLEY: Thank you.

THE COMMISSIONER: May as well take 15 minutes. I mean, we're not going to be presumably going back lunchtime in any event. Not that it matters but - - -

MS HUXLEY: Thank you, Commissioner.

10

THE COMMISSIONER: Yes, we'll take an adjournment.

SHORT ADJOURNMENT

[11.08am]

MS HUXLEY: Commissioner, I understand Mr Vangi is here.

THE COMMISSIONER: Would you come forward, please, Mr Vangi.

20

MS HUXLEY: I've just got a few questions before Mr Pararajasingham and Mr Sutton.

THE COMMISSIONER: Yes. Now, Mr Vangi, 'cause it's a couple of days since you gave your last evidence I think we'll have the oath or affirmation readministered. Do you take an oath or an affirmation?

MR VANGI: Affirmation.

30

THE COMMISSIONER: Affirmation. I'll ask my associate to do that.

THE COMMISSIONER: Thank you. Please be seated. Right, Ms Huxley.

MS HUXLEY: Mr Vangi, on Tuesday I was asking some questions about whether Mr Webb had ever disclosed to you a pecuniary interest in relation to Mr Cossu or his company PMLV, do you remember that?---Yes.

10 And you said that he hadn't.---Correct.

Did he ever disclose a non-pecuniary interest in relation to Mr Cossu?---Not that I'm aware of.

Is that the kind of thing that you would remember if he had?---Yes.

If Mr Webb had disclosed to you either a pecuniary or non-pecuniary interest in relation to Mr Cossu at the time that Mr Webb was involved in recruiting agency workers, what would you have done?---We would have had a discussion about the matter and I would have escalated it to the CEO.

20 And what kind of steps might have been taken by council?---To find out what, they would investigate what the relationship was and whether it was pecuniary or not pecuniary, yeah.

If it was would council have removed the hiring function from Mr Webb? Is that one option available?---Definitely that could be one option, or even removing Pietro from the organisation as well, yeah.

30 Would there have been any other options?---Well, could, potentially some further restrictions would have been placed on Mr Ben's, Mr Webb's delegations as well, yeah.

Would Mr Webb have been permitted to continue to engage workers with - - -?---Definitely not, no.

Thank you. Those are my questions.

40 THE COMMISSIONER: All right then. Yes, Mr Pararajasingham.

MR PARARAJASINGHAM: Thank you, Commissioner.

THE WITNESS: Sorry, is it possible?

THE COMMISSIONER: Yes, some water. I'll ask my associate to do that.

MR PARARAJASINGHAM: Are you happy for me to commence, Mr Vangi?---Yes. Yeah.

10 Mr Vangi, my name is Pararajasingham. I'm counsel for Mr Webb. I just have a few questions for you. In the period preceding Mr Webb's engagement in 2020 it is the case that the Works and Projects Unit was underperforming, correct?---No.

Are you sure about that?---Yes, we needed to increase our Capital Works Program but, yeah, I wouldn't say it was underperforming, yeah.

Okay. Well, was it delivering the capital works up to budget?---No, it still wasn't delivering when Ben was there as well.

20 Just confine yourself to the questions I'm asking, if you don't mind.---Yep.

So you accept that in the period before Mr Webb commenced the unit was not delivering capital works up to budget, correct?---Correct.

And you were present at that time - - -?---Yes.

- - - in the position of director, I gather?--- Yes, I was.

30 From your vantage point, what was the explanation for that failure to deliver those capital works up to budget?---I can't recall exactly what the, what the reasons were but one of them could have been - well, one of them would have been under-resourcing, yep. Yep.

Sorry, I missed that.---Under-resourcing, yeah.

So by that you mean not enough workers - - -?---Correct, yeah.

- - - to do the job.---To do the job, yeah.

And of the workforce that was in existence at that point in time, what was its composition by reference to contingent and permanent?---I don't recall the percentage but the majority would have been full-time employees, yeah.

And it's right to say that as director you were determined for the unit to deliver the capital works?---Can you repeat the question, sorry.

10 Certainly. As director, making these observations such as you were, you obviously resolved that, "Well, we need to improve things here. We need to deliver on these capital works."---Correct.

It was important to you professionally that that occur, correct?---Well, it was important for council, yeah.

It was also important for council, but it was also important for you and your position that that occur, correct?---It's, I have a lot of responsibilities, but, yes, I, I need to deliver a number of KPIs, yes.

20 Certainly. I'm not suggesting that there's anything improper about it, but surely you must accept that it was important to you in your position as director that these projects be delivered.---As I said, yes, and it's important for the community as well.

Certainly. And the purpose of the works was really to benefit the people in the Canterbury LGA, correct?---Correct, the community, yes.

The community. Now, 2020, Mr Webb is engaged as Manager of Capital Works Program, correct?---Yes.

30 It's right to say, isn't it, given what's fallen from you a moment ago, early in his engagement you said to him something to the effect that he should get the resources he needed to deliver the program?---Something to that effect, yes.

And is it also right to say that early in his engagement you inquired of Mr Webb something to the effect as to whether he knew people who could assist with the delivery of the program?---Definitely not.

40 You're certain of that.---Yes.

So you accept that you had a conversation about, to the effect of getting the resources you need, but you're adamant that you didn't ask him whether he knew anyone who could assist with the delivery of the program, is that right?---That's, to the best of my recollection I don't, don't recall if he knew anybody to help us deliver the works program, no.

Let's just be clear what I'm asking here, right. I'm asking you about conversations that occurred with Mr Webb, and I'm simply asking whether in those early conversations it's at least possible that you said, that you
10 inquired of him something to the effect whether he knew of people who could assist with the delivery of the program.---I don't recall that conversation, sorry.

Right. So you can't discount it.---I do not recall the conversation. If he did know anybody he would have to go through the procurement process.

Yes, I understand that, but I'm just asking about an exchange that may have occurred between you and Mr Webb. You understand?---I'll say no, yeah.

20 Why would you say no?---Because it didn't happen, okay, I'm sorry.

All right. So your position now is that as a positive proposition it did not happen. Is that your position?---It did not happen, yes.

It's obviously different to what you said a minute ago, isn't it?---(NO AUDIBLE REPLY)

You're nodding.---Well, if you keep, if you keep poking, yeah. My answer is no. My original answer was it did not happen.
30

Mr Vangi, I haven't started. Okay. Let's move on here. Now, I want to suggest to you that in an early conversation with you Mr Webb identified Mr Cossu as someone who was worth bringing on board.---No.

You have a firm memory of that not occurring, is that right?---Yes.

How is it that you remember that so clearly?---Because the first time I met Mr Cossu was on, in the office and he was introduced to me. I'd never met him before or neither come up in conversation.
40

Now, I want to suggest that in an earlier conversation with Mr Webb it came, it was brought to your attention that Mr Webb and Mr Cossu had worked together on the B-Line Project.---That was, he mentioned that when he first introduced me to Mr Cossu.

He being Mr Webb mentioned that?---Correct.

Okay. So you - - -?---On his first day in the office.

10 Okay. So you're now referencing a specific memory of an interaction, correct?---Correct, yes.

Okay. And you say this interaction occurred on the first day that Mr Cossu commenced at council.---Yes.

Sorry, I missed that.---Yes.

Yes, okay. Where did this conversation occur?---In the office on Level 1 of the Civic Tower, Bankstown.

20

When you say the office, your office?---No, level 1 of the administration building, yeah.

Okay. And who was present for this conversation?---Obviously myself, Mr Webb and Cossu. I don't recall if it was in the kitchen or whether it was in the general space of the office, but there would have been others around but I cannot recall who was there, yeah.

30 But in terms of those participating in this conversation, it was you, Webb, Cossu, correct?---Correct, yes.

And do you have a recollection of how long this conversation extended? ---Not really. Maximum five minutes. It wouldn't have been a long conversation.

And you say that one of the things raised in this conversation by Mr Webb was that he had worked with Mr Cossu on the B-Line Project.---Yes.

40 Okay. Well, that's 15 seconds. What was the remainder of the time? What was discussed in the remainder of the time?---Just welcome, welcome to organisation. Just, you know, small talk. Nothing, nothing significant.

Did Mr Webb mention in passing that he and Mr Cossu were friends?---I don't recall, no.

Okay. Something you can't discount, correct?---It may have come up but I don't recall in that conversation, yep.

Now, it's the case that once Mr Webb commenced you had fortnightly meetings approximately with him as well as other managers, is that right?
10 ---Correct, yeah.

Were those meetings one on one with a particular manager or was it a meeting with many managers?---The, well, there was both. There was the one on one with the managers.

Yes.---And then we have our monthly manager meetings, yeah.

So the fortnightly meetings were just with an individual manager.---Correct, yes.
20

All right. And just in broad terms, what was the purpose of those meetings?---Well, just to discuss how the, his Business Unit was running, "Any, any issues you need to bring to my attention? Any issues we need to discuss?" Yeah.

And it's right to say that the nature of the topics discussed at those meetings was wide-ranging as it related to the unit?---To the unit and also the, and his responsibilities in terms of delivering the Capital Works Program, yes.

30 And so it's likely, isn't it, that at these meetings the question of recruitment and staffing was raised and discussed?---Yes.

These fortnightly meetings with Mr Webb, did they commence shortly after he was engaged by council, to the best of your recollection?---Yes.

And do you recall a conversation, I withdraw that, do you recall a meeting with Mr Webb shortly after, perhaps a month, after Mr Cossu had commenced at council?---No. Sorry, what, do I recall the conversation a month after Cossu - - -
40

No, no, I withdraw that. Let me say it again. These meetings were happening on a fortnightly basis. It follows that there was a point in time when these meetings occurred after Mr Cossu had been engaged with council.---Well they, yes, they occurred right through his employment, yes.

And what I am asking you is do you have a recollection of a particular meeting occurring shortly after Mr Cossu commenced in which the topic of the importance of the capital works program was discussed?---No I do not.

- 10 But that is a topic that would likely be discussed at one of these meetings, correct?---Yes, but not with, not in relation to Mr Cossu.

No, no, sorry, that was just to kind of fix it to a point in time, all right.
---Okay, yeah, yeah sorry, all right.

Which was my fault, but just asking you about the topic at one of these meetings, I'm suggesting that in all likelihood there was a discussion about the importance of the capital works program being delivered.---Correct, yes.

- 20 And do you recall in this meeting, or a meeting like it, Mr Webb saying something to the effect that "Pietro Cossu can get some people"?---
Definitely not.

You're adamant about that?---I am adamant, yes.

And can I suggest that in this same meeting, you replied something to the effect, "Well whatever you need to do, make it happen." Something to that effect, did you say that?---No, no.

- 30 And in this same meeting, you conveyed that you were receiving pressure from management to ensure that these projects were delivered. Do you recall saying something like that?---No.

Well that's your position. Let's work backwards here. It is the case that there was pressure on you for these projects to be delivered.---There is, there is pressure on me to do lots of things, yes.

Right. So it follows from that, that there was a bit of pressure on this particular issue, correct?---I don't recall the conversation, sorry.

40

Okay. Just, I understand your position with the conversation, but I'm just testing that. So do you accept that around this time, as a matter of fact, there was pressure on you, from management, to deliver these projects, do you accept that?

MR MOSES: I object. I mean Mr Vangi is management. Who is my friend referring to? You need to be more specific about that.

THE COMMISSIONER: Right.

10

MR PARARAJASINGHAM: Certainly, I take that on notice. Well was pressure applied to you, I withdraw that, that Mr Matt Stewart, who is he?--- The CEO.

Right, and he was the CEO from the period 2020 to 2022?---Yes.

20 All right. So is it the case that Mr Stewart was putting pressure on you to deliver these capital works?---As I said, there is lots of pressure on me to do lots of things in my discussion with the General Manager and that could have been one of them but there was pressure to deliver in everything that we do. That's the community expectation.

I'm not suggesting there's anything improper in the application of this pressure, please don't misunderstand me. But I think you accept, at least the likelihood, that this was the case. Now it is also the case that you had a keen interest in delivering these capital works projects, correct?---Can you, what do you mean by "keen interest"?

30 Fair enough, that it's something you wanted to see happen.---Of course.

Right. Mr Webb was brought in for the purpose of making this thing happen, correct?---Well the previous manager had moved onto another project, the delivery, the, the design and delivery of the Canterbury Leisure and Aquatic Centre so we had to backfill that role, so Mr Webb was brought in to fill that role and deliver on the capital works program.

Right, okay. So the answer is yes to my questions.---Yes.

40 THE COMMISSIONER: Well hang on, Mr Pararajasingham. I think you put to the witness, in effect, that Mr Webb was brought in specifically or with his priority to get things up and running and deliver, impliedly, they

hadn't been delivered as well as they could have been immediately prior to his commencement. I think that's what you were suggesting to the witness and I'm just not sure that he agreed with that proposition.

MR PARARAJASINGHAM: I thought he did, but I will try it again. The purpose, I withdraw that. One of the functions that you understood Mr Webb was to perform was the delivery of the capital works projects.---Yes.

10 Right. And you understood that in order for that to happen, there needed to be an increase in resourcing. Correct?---Correct.

And you understood that Mr Webb was essentially responsible for that taking place. Correct?---Correct.

So in that context, isn't it possible that Mr Webb conveyed to you that Mr Cossu, whom he brought in, was able to source some people or get some people, something to that effect?

20 MR MOSES: I object. If my friend has instructions from Mr Webb that that conversation took place, he should put it directly, not as a possible. That's not going to take the case anywhere. If that's the affirmative case they're running, put it directly to him.

THE COMMISSIONER: All right.

MR PARARAJASINGHAM: Well that's been done. What I am doing is I am trying to extract a concession from this witness as to the likelihood or possibility of that conversation occurring. I've put it, I've put that conversation.

30

THE COMMISSIONER: Yes. Well look, is it possible that conversation occurred and you just don't remember?---It did not occur.

MR PARARAJASINGHAM: Now there was an occasion when, well I am asking you, was there an occasion where there, was there a construction lockdown due to COVID?---Sorry, was there an occasion?

40 Yes. During the COVID period, there were occasions when the LGA was in lockdown, correct?---Correct, yes.

Right. And do you recall a conversation around that time with Mr Webb on the topic of resources for the unit?---I do not recall, no.

Okay. And can I suggest that Mr Webb, in a conversation at around this time, conveyed to you that it was proving difficult to get good people into council. Do you recall Mr Webb saying something like that at around this time?---I don't - - -

THE COMMISSIONER: At about the time of a lockdown?

10

MR PARARAJASINGHAM: Yes, yes.---I don't recall, but that was, that was the market in general, yes.

Right. So that was, as you understood, that was actually a fact that it was difficult to get good people into council.---Yes, I said that the other day, yes.

Yes. And can I suggest that in the context of a conversation of that nature, Mr Webb said to you that Pietro Cossu is finding a few people. Do you recall him saying something like that?---Definitely not.

20

You have a positive memory about that, do you?---I would remember something like that, yes.

Did you take notes in all your conversations with Mr Webb?---We did have, not in all my conversations, no, but in our meetings I took some notes, yes.

Okay.---Just, yeah, as was the question the other day, I would regularly speak with Ben, or Mr Webb, on a daily basis and there was no way I was going to take notes of every conversation.

30

THE COMMISSIONER: Sorry, Mr Pararajasingham, I didn't, I don't know if I recorded correctly the proposition of what the witness said, sorry, what you asked him about what Webb said. Was it, did you allege that Pietro Cossu is finding people or that Pietro Cossu would find people? I just didn't record it properly.

MR PARARAJASINGHAM: So I put this, I believe Commissioner, that Mr Webb conveyed to Mr Vangi, in a conversation around this time, that is during a lockdown.

40

THE COMMISSIONER: Yeah.

MR PARARAJASINGHAM: That Mr Pietro Cossu is finding a few people.

THE COMMISSIONER: Okay, thank you.

MR PARARAJASINGHAM: Mr Vangi, just coming back to this issue of the delivery of the capital works. If I suggested to you that in the financial year 2019 to 2020, council delivered on approximately \$60 million worth of projects in the capital works space, does that sound about right to you?

---Yes, possibly, yeah.

Sorry, I missed that.---I, I don't have the figures in front of me, but yes.

That sounds about right.---It sounds about right, yeah, 60 or 70, yeah.

And if, let's assume for one moment, that in the relevant annual report it states that in terms of assets, 84% of council's capital program was either completed under construction or in design, does that sound about right for that period that I've just referenced?---If that's what the council report says, yeah. yeah.

And then in the period 2020, 2021, the financial year, this is at a point in time after Mr Webb has commenced working at council, you understand that. If I suggested that the value of the capital works was approximately \$90 million complete and \$30 million under construction, does that kind of accord with your recollection, however vague it may be, of those figures? ---Yes.

30 And again if you accept from me that in the relevant annual report it stated that 90% of council's capital works program was either completed under construction or in the design stage, does that accord with your recollection? ---Yes.

Then just finally on the period 2021 to 2022, financial year, if I told you that the value of the capital works was approximately \$80 million, does that sort of accord with your recollection?---The value or the value completed?

40 Sorry, value completed.---I can't recall, but yeah, possibly, yeah.

And would it make sense that in the period 2021 moving forward to '21, '22 that there may be a slight dip because of the impact of COVID, for example?---Possibly, yes, yeah.

And if I, again, suggested to you that, or just assume for me, that the relevant annual report said broadly the council's operational plan progressed well over the '21, '22 financial year with 83% of the programs and initiatives either completed or substantially completed, this is considered a strong result in light of the COVID-19 pandemic restrictions and extreme weather that significantly impacted services, does that actually accord with your experience at the time?---Yes.

So it's right to say, isn't it, that a significant reason for the upturn was the resourcing of the contingent workforce. Do you accept that?---Yes, that would have been part of it, yes.

Just moving slightly to a different topic, Mr Vangi, do you recall at any point in time Mr Webb discussing with you, that is in the period 2020 to 2022, the need for council to take on more fulltime employees?---No, I don't recall sorry.

You're unable to discount that such a conversation occurred?---It would have, may have been possible, I don't recall, yeah.

And if I suggested that these were things that were being, these were conversations that were had from time to time in the period 2020 to 2022, there is nothing in your mind that can discount such a thing occurring? ---No.

30 Can I show you a document, could MFI 3 please be shown to the witness, this is, Commissioner, the unit structure capability review document.

THE COMMISSIONER: Right.

MR PARARAJASINGHAM: Actually I think, just give it back to me.

THE COMMISSIONER: Yeah well I, sorry, is there one in the witness stand is there, or, no there's not, okay. Yes, the witness has it.

40 MR PARARAJASINGHAM: That's not your copy is it, Commissioner?

THE COMMISSIONER: No, no. No, I have not surrendered my copy.

MR PARARAJASINGHAM: Okay. Mr Vangi, you have in front of you a document that's titled Unit Structure and Capability Review, Department of City Assets Unit, Works and Projects prepared for Ben Webb, Manager Works and Projects, Department Director Anthony Vangi. Date created: June 2022. Do you see that?---Yes.

10 You've seen this document before?---I do recall seeing this, but I can't recall what's exactly in it, but yeah, yeah.

So I will take you to a couple of portions, but just before I do that, so you accept this is likely a document that would have been brought to your attention and you would have considered at the relevant time?---Yes.

Am I right in understanding that this is a document that was prepared by, as you understood it, Mr Webb and his unit? Is that what we're to draw from the front page?---Yes.

20 And do you know whether a document of this sort was something that was requested or provided kind of unbidden?---I can't recall, sorry.

Have you seen documents of this nature?---Yes, yes I have seen, it is part of our process to, when we re-aligning our units to prepare documents, but whether this is a template, I don't know, yeah.

30 Okay. Right. So it's the type of document that is prepared in certain circumstances and, but is requested by a director, like yourself?---I don't recall requesting, I'm not sure, I can't recall if I requested it or whether Mr Webb put that as a proposition, yes.

Sure. And if you just sort of leaf through this document, just kind of turn over the pages until you get to page 11 for me please, just take your time to familiarise yourself with it. As you do that is it coming back to you, what this document is?---Yes. It, it appears to be along the lines of a template that we use when we're restructuring our units. But whether it was reviewed by a human resources department or whether it was just produced by Mr Webb, I, I don't, I can't comment, yeah.

40 Certainly. Thank you. Just bear with me. If you turn to page 11, do you see there's a SWOT analysis there.---Yes.

Yeah there.---Yeah.

And do you see under “Weaknesses”, the third point is “high contractor/casual workforce with 30% permanent staff” cited as weakness, do you see that?---Yes.

Does that better enable you to confirm, one way or another, whether Mr Webb, from time to time, did in fact identify the need to increase the - - -

10

MS HUXLEY: I object to that question, Commissioner. That’s not what this document says. It’s just identifying a particular weakness with the structure.

MR PARARAJASINGHAM: Yes, and what I am doing is, this all fits in the context. I’m asking questions about his recollection of conversations. This is a document presented to him by Mr Webb.

THE COMMISSIONER: Yes, I will allow you to ask it, Mr Pararajasingham.

20

MR PARARAJASINGHAM: I will just step through that again, Mr Vangi. I’ve taken you to page 11 of this document in which one of the weaknesses identified within the unit was “a high contractor/casual workforce with 30% permanent staff.” Do you see that?---Yes.

And all I am asking is, having taken you to that, are you able to say, one way or another, whether in conversations with Mr Webb, he conveyed to you something to the effect that we need more FTEs?---It is possible, yes.

30

Thank you. That document can be returned. Can I show you another document. One for the witness, one for Counsel Assisting and one for yourself, Commissioner.

THE COMMISSIONER: Thank you.

MR PARARAJASINGHAM: If you just orientate the document I’ve given you to landscape, do you see what you’ve got there is a floor plan for the works and project unit. Is that right?---Yes.

40

And just looking at this document a little closely. On the right-hand side towards the top, we see the name Ben Webb. Was that Mr Webb's office?
---Yes.

THE COMMISSIONER: I'm sorry, I'm struggling to - - -

MR PARARAJASINGHAM: Sorry, Commissioner, if you just put it this way.

10 THE COMMISSIONER: Yes, I have it that way.

MR PARARAJASINGHAM: It's written in very small letters in red.

THE COMMISSIONER: Yes, it is. Oh, I see.

MR PARARAJASINGHAM: Do you see that, Commissioner?

THE COMMISSIONER: I think I can read it now, yes.

20 MR PARARAJASINGHAM: Yes, it's very small. So that's Mr Webb's office and that was his office in the period 2020/2022?---Yes.

Can we see your office on this floor plan?---Not all of it, no, but it's on the bottom left.

When you say your office is in the bottom left, are you indicating a location, if we go to the left-hand side of the page, look about halfway down, we see in teal background, it says "Bowie and Danielle". Do you see that?---Yes.

30 Do you say that your office was on the map further down the page in that rectangular block?---Yes. Next, next office along, yes. Next office below- -
-

Below.---Below Danielle, yep, and, and Bowie, yes.

Could you kindly - I'll give you a pen. Is there a pen there? I'm grateful to the Commissioner's associate. Can you just mark where your office is on that floor plan?

40 THE COMMISSIONER: Could you just hold it up so that I can see it and then just point to it. Okay. Could you just turn around and show counsel?

MR PARARAJASINGHAM: Yes. Thank you.

THE COMMISSIONER: Thank you.

MR PARARAJASINGHAM: Now, just looking again at this document in that the blue section, that's all, I gather, open plan?---Yes.

10 And we'd understand that is where the permanent staff and the contingent workers were based when in the office?---And they're still based there.

Is it the case that all those workers, that is contingent and permanent staff in this unit, were in an open-plan setting?---Yes.

And was it just yourself and Mr Webb who had offices?---No. Other managers had offices as well, yeah, but, yes, senior management had offices on that level.

20 Could that be marked for identification, Commissioner, and I would ask it to be tendered in due course?

THE COMMISSIONER: Yes, I think that's four.

MR PARARAJASINGHAM: Four, I think that's right.

#MFI-004 - Office Floor Plan

30 MR MOSES: If it is to be tendered our position would be it should go on the restricted portal. We don't really want office layouts being publicly available for security issues.

THE COMMISSIONER: Yes, it's got names and so on.

MR PARARAJASINGHAM: There's no difficulty with that, of course.

THE COMMISSIONER: Yep.

40 MR PARARAJASINGHAM: That can be taken down. Finally, Mr Vangi, you gave some evidence earlier this week to the effect that in November

2022 Mr Webb sent you, or gave you, a letter of resignation. Do you recall giving that evidence?---Correct, yes.

It's right to say that in the period 2020 to 2022 it was not uncommon for Mr Webb to be involved in disputes of colleagues from time to time?---Correct.

Be they managers or workers?---Yes.

10 In the period late-2021 do you recall Mr Webb offering his resignation to you?---Yes, I do.

And do you recall - I'll take a step back - that was done in a conversation with him?---Sorry, the - - -

That was done face-to-face in a conversation where he made this offer of resignation?---No. It was in writing,

It was in writing, okay.---Yep.

20 Did you also speak about the offer of resignation at that time with him? ---Yes.

And do you recall he sighted working up to 80 hours or thereabouts a week as part of the reason why he was contemplating resigning?---I don't recall, no.

But do you recall workload being a reason?---I, I recall he was very frustrated in how council operated, yes. I don't recall workload and, et cetera, yeah.

30 So just picking up on what you said. So you recall him expressing some frustration with council and parts of the business within council?---Yes.

And is it the case that at that point in time, that is late 2021, you talked him out of resigning, advising him something to the effect of, well look, things will change, something like that?---I don't recall, sorry.

40 But do you accept that you sort of talked him out of resigning at that point in time?---Yes, yes. Yeah, we talked him out of resigning but I don't recall the explaining why, each little, yeah.

But it must have been the case that at least one of the reasons, if you talked him out of resigning, was that you wanted him to continue the work that he was doing?---Correct.

And you must have conveyed to him something to the effect that you would try and take measures to alleviate the concerns that he had at the time?---I do recall, I do recall mentioning that, or saying that, that things, yes, you know, the wheels take a long time to get into motion in local government.

10 Yes.---So it's, we were on a journey basically and he had only been there, I think, 12 months.

Yes.---So, yeah, working together, I, I, I would have said that we would put things in place to improve the way we operate, and that's just the way of doing business.

Certainly. To keep him on the journey, as it were?---Keep him on the journey, yes.

20 Commissioner, those are my questions. Thank you.

THE COMMISSIONER: Thank you. Mr Sutton?

MR SUTTON: Thank you, Commissioner. Mr Vangi, just picking up on that very last point. It flows, does it not, at that point you were happy with Mr Webb's services that he was providing to council as an employee?
---Generally happy, yes.

30 And no doubt had he left, that would have presented council with a very difficult problem of a role to fill?---Well, as losing any senior manager, yes, yeah, that's a relevant thing, yeah.

Because, particularly at this time, you were aware that the marketplace was difficult for engineers, surveyors, project managers, people of competence?
---Correct, yep.

40 So I'm just going to go through your evidence from the other day. So if I'm a bit disjointed, I don't know if you were sitting in the back when I explained it to Mr Anderson, I apologise, but I just need to go - - -?---No, I wasn't sitting but, yeah.

So just to explain why it might be disjointed to you.---Yep.

Just a point of clarification for me, I'm sure everybody else understood it. When we were talking about delegations that Mr Webb had, and you had, and who could approve what, was it the case that as a standalone issue Mr Webb had \$150,000 worth of delegation?---In terms of approving purchase orders?

Yes. Sorry, yes.---Yes.

10

I apologise.---Yes.

I know what I'm reading, I need to convey that to you, so I'm sorry.---That's fine, yeah.

But if you, say, approved a project of 400, 500, 600,000, that he then had a delegation that could take him up to 300,000 within that body?---Correct.

Thank you. Yes. As I say, everyone else probably understood but I was confused.

20

THE COMMISSIONER: So I'm not sure that I - so it's up to 300,00 for what?---Approving expenditure.

Oh, thank you.

MR SUTTON: If a project was already approved above his 150,000 limit, he could go up to 300,000 if that fell within the approval of that budget? ---Correct.

30

Yes.---But he couldn't, yeah, the person who approves a purchase order cannot also approve expenditure.

Yes. I appreciate that, thank you. You were asked some questions by Mr Pararajasingham today about the relationship between Cossu and Webb. Do you recall those questions?---Yes.

It wouldn't be unusual for people who were working in the industry of civil engineering - you're a civil engineer yourself, aren't you?---Yes.

40

To know each other across professional projects, there wouldn't be anything unusual about that, would there?---No, no.

There was a document that was shown yesterday and you might want it brought up, I think it's volume 31.4, page 82, and it was, as I remember, a spreadsheet. Excuse me. Yes, I think that's the document. Now the column that relates to you is one, two, three, four, five along, City Assets, is that correct?---Correct.

10 Okay. Now am I correct in understanding that this document is informed by monthly reports, or is this the monthly report?---That is an extract from a monthly report, yeah.

Okay. And then do you get another report, a quarterly report, that looks at similar data?---The quarterly report that I get is the Capital Works Program report, yeah.

Okay. And the capital works program, does that look at expenditure, and if I'm using the wrong terminology, please correct me.---Yeah.

20

The expenditure on the physical capital items, so that is buying the park bench or buying the swing for the park or buying the concrete to lay or, is that - - -?---Not to that, not to that to detail. It's - - -

No, I appreciate - - -?---But yeah it's against the actual project, so - - -

So the physical, I suppose what I am trying to do, to make sure I understand it, is distinguish the physical asset from the labour cost.---Yes.

30 Okay.---There is a labour cost item in that, a line item in the Capital Works Program.

In the quarterly report?---Yes.

Yes, thank you.---Always, yeah.

40 Yeah. So returning back to what's on screen. If we go down to the second row, "Agency Staff Costs", at June 2022, they are shown in the red, I presume this, and correct me again, that means they've exceeded the expectation or the budget by 867.9%. Is that correct?---Correct.

And - - -?---Sorry, when you say “they”, who is they, sorry?
They, the costs.---Oh, the costs, yeah.

They have, sorry.---Yeah, yeah.

Not an individual.---Good.

10 The numbers. Although eventually there were “theys” who were working,
who were doing the work that’s lead to that.---Yes, yes, yeah. I thought you
were referring to works and projects because this refers to the whole
department, yeah.

Right. So this is what I need to understand from you. Within the sphere of
the agency workers that Mr Webb was responsible for, do you say that this
867.9% blow out is not solely Mr Webb’s area?---Correct. No.

20 Do you know, as you said here, or have you looked at, what percentage Mr
Webb’s area, I mean I, as I don’t know, did it exceed its budget, was it
within its budget, was it below its budget? Does this document assist you in
that?---No, it doesn’t assist me in, in determining what, how, how much the
budget was exceeded in the Works and Projects area.

30 Okay. When this topic was discussed previously, or certainly there’s been
evidence about this, I think it was you who said that the differential, if I can
use that term, so to be not pejorative, was due to people not allocating work,
so hours in the day, to particular projects. Is that correct?---No. What I,
not, not quite correct. What I said was that the time sheets that were being
filled in by particularly the contingent labour has not been entered into the
financial system. So they were filling in the time sheet, but that was not
entered into the system, yeah.

Okay. So with respect to that failure in process, if I can call it that - - -?
---Yes.

40 - - - was that an incremental failure in process, in other words, if we just
take, and I’m not saying it starts in January particularly, but I am just trying
to give an easy to follow example, is it a case that it started to fall over in
January and then it was more that wasn’t entered in February and more that
wasn’t entered in March and so there’s an incremental growth each month,
or is it the case that it just, it was being done for some months and then it
stopped, do you know what the case is?---Yeah, I don’t know when it, yeah,

I know what you're saying. I don't know, from my recollection there was significant months of backlog of time sheets that have not been entered, so this increment, if they had been entered as per the process, this would have been, this would have been captured earlier, but I don't know when, when the process failure commenced, or started, sorry, yeah .

Okay. But from what you're saying, it sounds like there was a growth in the number, month on month on month.---It would have, yes, it would have accumulated, yes.

10

Okay. How does it get to, I withdraw that. I think you said in your evidence that it was the Director of Corporate that brought this to your attention?---I said, yeah, director, I didn't, what I said was the Director of Corporate or the Manager of Finance but - - -

You did, I'm sorry, you're correct.---Yeah, one of those two, yeah.

Yes, it is. But you get this report every month, don't you?---Yes.

20 How is it that you don't see that that's growing every month?---Sorry, that
- - -

Well in your capacity, and you've got an MBA as well.---Yes.

Yeah, and my understanding of MBAs is they are heavily number focussed about being able to plan and strategize and things of that nature, so the question is, if this is increasing every month, how does it get to 867.9% over budget without you noticing it?---I don't recall, but the bottom line does say I'm actually under budget, so - - -

30

Well not on that number though.---Well the bottom line, 97.1% I'm actually under budget, so - - -

But not on that number.---Not on that number, no, but - - -

Can we get an agreement on that, I'm talking about that particular number?
---Yeah, yeah, I'm in agreement with that. I, I can't recall why.

40 Sure.---But these, these reports, they come, they can come, for example
when the report, when the month closes at the end of June, you may not get the report until a month and a half later to review, yeah.

So you're saying, sorry, I withdraw that.---Because this is what I said the other day, that this became evident, clearly evident, post, when we went to close the books in quarter four, which would have been in July or August, yeah.

10 Sure. No, I understand the proposition you're putting about the end of financial year, but what, I think what you've agreed, and please tell me if I'm incorrect, is that this number would have been growing each month steadily, so even if you've got January's midway through, sorry, yeah
midway through March, there would have been something, and February's
midway through April and so on and so on and so on.---I would, without
seeing the document, I would assume so, yes.

20 Yeah, okay. So is it the case that you ignored, I withdraw that, is it the case that that number was not high on your radar because you were more focussed on the work getting done?---Yeah, I don't, in terms of contingent labour, I, I, I don't know, but like I said, I know, I knew that we had lots of contingent labour to deliver the program and some of that, you could see
the, well sorry, the, my main focus was, I guess, the bottom line was that I
was actually under budget overall, so yeah.

Sincerely I appreciate the bottom line. I just want you to focus on that one though, if you don't mind. And so the question I put to you, or the question I ask you, is that, was that just a number that you could live with, given, I suppose, if we acknowledge the bottom line, providing the work was getting done?---For, for a period, yes, yeah.

30 Okay. So it's not the fact that you were taken by surprise when it was noted by manager of corporate, sorry, Director of Corporate or Manager of Finance, in fact what you're now saying is, it's a number you're aware of, but you could have lived with because of the work getting done.---No.

MR MOSES: I object. I'm not sure what my friend is referring to by reference to the Director of Corporate. I think he may be conflating - - -

THE COMMISSIONER: Sorry, I can't hear you, Mr - - -

40 MR MOSES: I'm not sure what my friend is referring to by reference to the Director of Corporate, something being drawn to the attention of the witness. That just seems to have crept into the question.

THE COMMISSIONER: Right, okay.

MR MOSES: He's conflated two issues, I think, the questioner.

THE COMMISSIONER: I see, okay.

MR SUTTON: With respect to my learned friend, I have not. The evidence
of the witness is that this number was drawn to his attention by the Director
10 of Corporate or the Manager of Finance.

THE COMMISSIONER: Right, yes. And what were you putting to the
witness, Mr Sutton?

MR SUTTON: I was putting to the witness that this was a number that he
was prepared to ignore because he simply wanted to get the work done.

MR MOSES: That wasn't the question.

20 THE COMMISSIONER: Well, okay, so you're putting to the witness that
he was in effect well aware of it.

MR SUTTON: Yes, yes.

THE COMMISSIONER: But he was prepared to live with it.

MR SUTTON: Yes.

THE COMMISSIONER: So well aware of it, what, well prior to June '20?
30

MR SUTTON: That is - yes.

THE COMMISSIONER: Or well prior to the document coming to his
attention or - - -

MR SUTTON: Well, given what I have put to him, that this was - and he
has accepted - that this was a figure that incrementally increased every
month.

40 THE COMMISSIONER: Yes.

MR SUTTON: That he sees it on the reports every month and whether - - -

THE COMMISSIONER: And didn't worry about it because he was much more concerned about the bottom line?

MR SUTTON: Correct. Much more concerned about getting the work done and there was the bottom line that said he was overall within budget.

10 THE COMMISSIONER: All right. So, my understanding, Mr Vangi, it's been put to you, first of all, that you had been aware of this, if you like, overspend on casuals for a number of months. Is that correct?---It's possible, yes.

Possible. And that your focus had rather been on getting the job done and the bottom line.---Yes.

MR SUTTON: Thank you. And so with that mindset, I'm going to return to an issue that Mr Pararajasingham put to you before and that's to do - just so you can orient your mind - that's to do with the recruitment of contingent
20 labour. In fact, probably before I go there, I apologise. As a senior manager, an executive manager?---Yes.

Yes. I don't want to demote you.---That's fine.

As an executive manager in the council, you would have a number of KPIs, key performance indicators, or some other term that fits that category. Would you accept that?---Yes.

And my friend put to you that there was pressure on you from Mr Stewart to
30 deliver on the Capital Works Program. Do you recall that?---(NO AUDIBLE REPLY)

Do you just recall that question?---Yeah, I recall that question, yes. No - - -

I'm not asking you to answer it again, I just want to - - -?---Yep, yep. I recall that question, yes.

So in fact what I am going to suggest to you is that there was pressure on you by yourself as a professional to live up to, or deliver on, whatever turn
40 of phrase you feel is appropriate, your KPIs?---Sorry, I put pressure on myself to deliver on the KPIs, is it?

Yes. You are a high-performing individual, you are an engineer, an MBA graduate.---Yes.

You're a senior executive.

MR MOSES: I object to this line of questioning, Commissioner. Could I just put it this way, I don't understand what the relevance of this is. I mean, is it being suggested to the witness that there was pressure to deliver on the
10 KPIs but somehow by osmosis that excused the conduct of my friend's client in terms of - but it's - - -

THE COMMISSIONER: Well, I don't know, Mr Moses, but I'm assuming that we'll find out. So I'll allow it at the moment.

MR MOSES: Well, it's taking a bit of time, Commissioner.

THE COMMISSIONER: Yep, yep.

20 MR MOSES: Waiting for the punchline.

THE COMMISSIONER: All right.

MR SUTTON: It's coming.

THE COMMISSIONER: Good. Continue, Mr Sutton.

MR SUTTON: Do you need me to repeat that question or do you recall it?
---Yes, please, yeah.

30

So in short, because hopefully you remember the long version, you were putting pressure on yourself because of your KPIs and there was internal requirement, pressure, to deliver the Capital Works Program. Would you agree with both of those propositions, or one or other, or neither?---I, as I said when I was asked the question previously, there was always pressure to deliver. Yes, I do myself up, I do hold myself up to a high standard but I'm not sure what you, this, one of our values - - -

40 Don't overthink it, sir, just those questions that I'm asking.---Yeah. One of our values that we act with integrity.

Certainly.---Yep, okay.

And you can rest assured that Mr Moses will be on his feet if he thinks he need to, to protect you.---Yeah, thank you.

Thank you. So what I'm trying to paint is an environment which was allowed to run a bit blurred on the lines, if I can use that a turn of phrase, where the main incentive, or the main imperative, was completion of the Capital Works Program. That was the primary - and I'm obviously limiting
10 this to Mr Webb's area okay?---Mm-hmm.

Would you agree with that as a cultural mindset?---No.

I must put to you my instructions. You were aware, because Mr Webb told you, that Mr Cossu could provide skilled labour, and by implication that Spinifex, Randstad - - -

MR MOSES: I object. I object. I mean, if he's putting a conversation to
20 the witness, then he can't say something by implication. It either was said or not said.

THE COMMISSIONER: Yes.

MR MOSES: And to be clear, is he saying that his client was present during this occasion or this is something that Mr Cossu was told by Mr Webb? Let's be very clear about this.

THE COMMISSIONER: All right, yes.

30 MR MOSES: Because his client will be fronting to be examined.

THE COMMISSIONER: Yes.

MR MOSES: So let's be clear so we're not wasting time here.

THE COMMISSIONER: All right.

MR SUTTON: Your Honour, I did not put Mr Cossu was present.

40 THE COMMISSIONER: No, you were at least putting two things there. Right. So what's the first thing that you want to put to the witness?

MR SUTTON: That Mr Webb, in a conversation Mr Webb had with you, my client not being present, words to the effect of Mr Cossu could provide labour.

MR MOSES: I object because that question - - -

THE COMMISSIONER: Well, that's already been put by Mr Pararajasingham whose client was present.

10

MR SUTTON: Correct. Thank you.

THE COMMISSIONER: Yes, okay. No, disallowed.

MR SUTTON: And because of that conversation that occurred you had knowledge.---No.

THE COMMISSIONER: Of, of, if?

20 MR SUTTON: Of Mr Cossu being able to supply labour.

THE COMMISSIONER: All right. So the answer to that is?---No.

MR SUTTON: There was the punchline. Are you aware of any questions of competence with any - sorry. I suppose I should ask this first. Are you aware of whom Mr Cossu provided to council? Are you aware of the specific individuals names, in other words?

THE COMMISSIONER: You mean now aware?

30

MR SUTTON: Now aware.---Not off the top of my head, no.

Are you - - -?---Like, there was a number of them but I can't - yeah.

Well, there were 26.---26, exactly. So I can't.

You would be doing well to remember them obviously.---Yeah, I don't recall.

40 Were you aware of any with whom there were competency issues? Are you now aware?---I am now aware, yes.

And are you - - ?---Well, when I say that, it wasn't brought to my attention but I became aware once I reviewed post this event, or post the incident, I reviewed all the purchase orders and all the CVs that were attached and a lot of them were not suitable for those roles.

And what happened to them?---Sorry?

10 And what happened to those people, did anything happen to them? Did they stay, keep working?---I, I can't recall what - this is, this is the beginning of this year that I took a review of those, yeah. So whether they are still with us I don't recall.

Well, do you recall whether you directed any of them be terminated?---No.

THE COMMISSIONER: So, you don't recall one way or the other whether you directed that any of them were terminated?---No, I don't recall, no.

20 MR SUTTON: Termination is a serious step, is it not? Termination of a person's employment affects home life, mortgages, loans, whatever, whatever?---Yes.

You don't remember if you gave an order for anyone to have their contract terminated?---No, I do not.

Sorry?---I do not.

30 Thank you. Do you recall questions from Counsel Assisting two days ago - transcript 190 - about a person by the name of Miro who you questioned the value of that person?---Yes.

And also a Mr Bejar that you questioned the value of that person?---Yes.

Are you aware that both of those people were not placed by Mr Cossu?---I, I'm not aware, no.

And if I put that to you, that they were not, is that possible?---I don't know where they came from, I'm sorry, yeah.

All right. Counsel assisting, again on 190, put to you that contingent hires are more expensive than fulltime employees. That's a statement of fact, is it not?---Yes, it is, yes.

And they're always about 25% more expensive to allow for uplift for benefits they don't receive.---Plus the, the agency's commission, yes, so it's at least 25% more, yeah.

10 Yeah, thank you. Do you remember being shown some emails, transcript 191, where you were copied in on emails with Mr Anderson and Mr Webb and Mr, sorry, I withdraw that, yes, about Mr Cossu's rate, it was exhibit, volume 3.1, page 71, apparently it's Exhibit 30. I don't know if it needs to be brought up, but you might remember there were emails that spoke about a three-month engagement and an extending of six months and a six-month engagement extending to 12 months, yeah?---Yes.

Is that an example, or are those emails examples of things you are willing to overlook, much like the increase in the budget that we spoke about before?

20 THE COMMISSIONER: Sorry, sir, I'm not quite clear what you're asking there, Mr Sutton.

MR SUTTON: Certainly. I'm asking, I'll be blunt, are these not innocent errors, but rather you noted what the document contained, but you were willing to approve them anyway?---No.

30 Okay. You were asked a question, transcript 194, 40, about, sorry, I withdraw that, that's Mr Webb, not my client. In relation to disclosures of conflicts of interest, are you aware of Mr Cossu, at any time, disclosing a conflict?---No.

You're aware that he was on an evaluation panel for the culvert works on the Appian Way Project?---I was aware post, post the event, yes.

Are you aware that he disclosed a conflict of interest because he knew Mr Clarke and General Works & Construction?---I have not seen that, this, the conflict of interest disclosure, yeah.

40 No. No, document was ever completed, but I am putting to you, I put to you what I say has occurred, that he disclosed his knowledge of Mr Clarke and General Works & Construction, and as a consequence, stood down from the

evaluation panel of the culverts. Are you aware of that?---All I am aware of is what I've seen in emails and that is when the project manager has asked supply teams, the procurement team to excuse Pietro Cossu from the panel. The procurement team then asked permission from the manager, Mr Ben Webb, and he granted permission for Pietro to step aside from the panel, but I have not seen any reasons why he, he did, he was removed, or he removed himself from the panel.

10 Yes. And that's the proposition I'm putting to you and asking if you have knowledge of it.---No.

But it was he himself, by his declaration, that removed himself from the panel.---I do not, all I can say, as I said, all I've seen is the email, but there is no, I have not seen any reason why he was removed.

Very good. You were aware of Mr Cossu having staff in the council some six months before Mr Web resigned, weren't you?

20 MR MOSES: Objection. What - - -

THE COMMISSIONER: Having what at the council? Having - - -

MR MOSES: Staff.

THE COMMISSIONER: Staff, okay.

MR MOSES: But I'm not sure if my friend is referring to what, his staff, staff from, what - - -

30 THE COMMISSIONER: Right.

MR MOSES: Just so we're clear.

THE COMMISSIONER: I think Mr - - -

MR SUTTON: Contract staff.

THE COMMISSIONER: Okay.

40 MR SUTTON: Agency staff. Contingent staff. I think we, we all know what we're talking about.

THE COMMISSIONER: So you're putting, well Mr Webb resigned in I think November 2022, so you're putting that by mid-2022 or something like that, he was aware of it?

MR SUTTON: Yes, yes.

THE COMMISSIONER: Is that right??

10 MR SUTTON: Yes.

THE COMMISSIONER: That by mid-2022, you were aware that Mr Cossu had, if you like, his people working at council?---No, I, I first became aware, as I mentioned the other day in my statement, that I became aware when it was brought to my attention by the Director of Corporate of the company PMLV. I don't recall the actual date of when that occurred.

MR SUTTON: Well unless I, and I am open to being told I am wrong, I have been several times already, you, I believe, answered the question saying, I withdraw that. Page 195, "It would have been before Mr Webb stopped working at council." This was put to you by Counsel Assisting. You said, "Yes."---Yes, that's correct, yes.

20

Yes. "Can you say how long before?" And you say, sorry, you said, "Say within six months of him resigning, yeah." Sorry, "Six months of him resigning."---Correct, that's what I said, yeah.

Now you haven't said from resigning, you said "of him resigning" so I presume "of" is from. So - - -?---No, sorry, of, yeah.

30

Well it says - - -?---And the six, yes, I know what I said, but it was in six months of him, of Mr Webb leaving council.

Well I am going to read this to you again because I want to be clear for both of our sakes. "It would have been before Mr Webb stopped working at council." Answer, "Yes, yes." See down at line, about 23?---Yes.

"Can you say how long before?" And you say, sorry, you said, "Say within six months of him resigning, yeah."---Yes.

40

So "of him resigning" means prior to him resigning?---Correct, yes.

Okay.---But that's not what I meant. I mean of him completing his, his contract with council, yeah.

So in fact are you saying to us, six months after he resigned?---No. He resigned, sorry, he, he ended his term with council on 9 December, so I'm saying - - -

2022?---2022.

10

Yeah.---Six, within six months of that.

So as the Commissioner said, around about June or July, some - - -?---Like, well the only reference point I have is when it was brought to my attention by the Director of Corporate, and I can't recall the exact timeframe.

All right. Because within that period of you finding out about it, PMLV was still replacing people in the council, weren't they?---I, I don't recall, it's possible, yes.

20

Well in August 2022, Ehsan - - -

MR MOSES: I have to object, I mean, Commissioner, the witness has already given evidence about that issue on Tuesday and why that was occurring. They were matters out of his hand because of what the General Manager was doing, vis-à-vis this commission, so I am not sure what this is going to, some sort of implied condemnation or consent argument that they're trying to set up, I don't understand what this has got to do with anything, unless my friend wants to challenge what the witness said on

30

Tuesday.

THE COMMISSIONER: Well I don't know, is it, perhaps it's going to be put to the witness that he authorised the continued employment of some people.

MR SUTTON: It's an issue I want to explore.

THE COMMISSIONER: All right. Well do we have, I don't know if there's a document concerning notification by the Director of Corporate, I don't know if there's any documentation regarding this.

40

MR MOSES: In terms of to the witness or to the Commission?

THE COMMISSIONER: In terms of whether the Commission has that document, if there is such a document.

MR MOSES: There is a section 11 notification which the Commission has in its possession which presumably started this whole thing off, so you should have it Commissioner.

10 THE COMMISSIONER: Yes, I know, but when the Director of Corporate informed Mr Vangi, that would be prior to that date.---Yes.

MR MOSES: I don't know, well Mr Vangi can answer the question, I think, Commissioner, rather than me answering it. Thank you.

THE WITNESS: Yeah, it was obviously prior to this section 11, but I can't recall the actual date or month that he brought it to my attention, yes.

20 THE COMMISSIONER: Okay. Yes, all right. Well that's about as good as it gets at the moment, Mr Sutton.

MR SUTTON: Thank you. Well I'll just ask this, which should be finished at this point. Are you aware that in August of '22, Ehsan Goharinasab, so August '22, that person was employed within council?---No, I am not aware.

30 Okay. On finding out about Mr Cossu's role, whenever that was, June/July, whenever. Why didn't you simply terminate him?---On the direction, well, because we were going to put in the section 11, we didn't want to change any things that were occurring and let them go on, yeah.

But isn't it the case, rightly or wrongly, you formed the view something at least in breach of the code of conduct was occurring?---Yes.

And Mr Cossu was a contractor. He wasn't a full-time employee.---Yes.

And it was open to you at any time whatsoever to terminate that contract. ---Which it was, yeah.

40 But in fact it wasn't terminated until after Mr Webb left.---Correct.

So my question is, given the flexibility, for want of a better word, why not terminate him immediately?---Well, from my understanding it was to allow the investigation to occur.

Just give me a moment, sir. I'm just trying to - - -?---That's fine.

I'm not being condescending when I ask this question, because it's probably well below your pay grade, but in relation to the GWAC, sorry, General Works & Constructions, the culvert matter, are you aware of the reason why
10 the culverts were rejected?---Sorry, can you be more specific?

Certainly, but my understanding is that the culverts were constructed by Obnova. Are you aware of that?---I am now, yes.

As in this moment now or during this inquiry now?---No, prior to the inquiry, yeah.

And are you aware that there was said to be an issue with the construction of them, how they were made - sorry, I withdraw that, the size of them once
20 they were made?---Yes.

Are you aware, as you sit here now, aware that Obnova took over the culvert contract once GWAC had been rejected or thrown out, whatever term you want to use?---Yes.

And did they in fact use those same culverts that were initially rejected to complete the job or commence or continue with the job?---They weren't, when you say rejected, we accepted them. We knew they were short. I think 40 mil or something like that. If they were rejected we wouldn't have
30 paid for them. They were accepted, and the design had to be changed to allow for those changes in the length of the units.

Okay. I think we've heard evidence of 5 to 10 mil too long, but whatever, there was some difference in the length.---I think it was too shortly, but anyway, yeah.

You were asked questions about possible risks in PMLV and Mr Cossu having part of the recruitment process. Do you remember that question?
---No, can you - - -
40

THE COMMISSIONER: Would you mind repeating that.

MR SUTTON: Page 202.

THE COMMISSIONER: Right.

MR SUTTON: Mr Vangi was asked about his concerns, and I said possible risks about having PMLV in the recruitment process, and he went on - - -

THE COMMISSIONER: Oh okay. Can we bring up that page, please.

10

MR SUTTON: Page 202, and it goes over to 203. And you said, “Well, I guess, I guess they would be, there are a number of concerns. One would be obviously that they would be approving variations that may not be” - - -

THE COMMISSIONER: Just a moment.

MR SUTTON: Sorry.

THE COMMISSIONER: I’m looking at - - -

20

MR SUTTON: Yes, I think - - -

THE COMMISSIONER: Okay. Just give me a moment because Mr Vangi might need it as well.

MR SUTTON: Sorry, I’ve put it in the wrong context. I apologise, Commissioner. This is in the context of Mr Cossu having a role in the GWAC contract.

30 THE COMMISSIONER: Being superintendent’s representative, by the look of this.

MR SUTTON: Yes, and that was, my instructions are that was Mr Cossu because he was the only one prepared to do night work.

THE COMMISSIONER: Well, we don’t need to know about that at the moment, Mr Sutton. So what did you want to ask the witness?

40 MR SUTTON: That in relation to having a person who was part of that process also working for council - - -

THE COMMISSIONER: A superintendent's representative?

MR SUTTON: Yes, being Mr Cossu.

THE COMMISSIONER: Yes.

MR SUTTON: That Mr Vangi highlighted a number of potential risks given Mr Cossu's - - -

10 THE COMMISSIONER: If a superintendent's representative was not completely independent.

MR SUTTON: Correct.

THE COMMISSIONER: Yes.

MR SUTTON: Yes.

20 THE COMMISSIONER: So what's the question?

MR SUTTON: And Mr Vangi highlighted, where I've taken you to in transcript, a number of those risks, but I put to you that there is no evidence, you saw no evidence of any risk or any actual detriment?

THE COMMISSIONER: Sorry, but that's a very general question. No - - -

MR SUTTON: No financial detriment flowed to the council.

30 THE COMMISSIONER: I think you might need - - -

MS HUXLEY: I object to that. I don't know if this witness can actually answer that question.

THE COMMISSIONER: No. No.

MR SUTTON: Well, if that's the case he can say he can't answer it and then I'll move on.

40 THE COMMISSIONER: Well, the thing is that it's not at all clear that the witness had any direct involvement with this project and the, if you like, nuts and bolts and what the superintendent's representative was doing at the

time and so forth. It's far from clear that that would have been the case. But if you've got a specific question about finances or something, put it, but it will need to be quite targeted.

MR SUTTON: No, if he doesn't have knowledge then he doesn't have knowledge and I'll move on.

THE COMMISSIONER: Well, you can ask him about it, about his knowledge.

10

MR SUTTON: Do you have knowledge of any actual risks that came to fruition?

THE COMMISSIONER: Financial risks?

MR SUTTON: Financial risks?---Not specifically, no.

Thank you.---But the risk was always there, yeah.

20 Of course. I accept your list of risks is valid. Thank you. Thank you, Commissioner.

THE COMMISSIONER: All right. Now, Mr Moses, did you - - -

MR MOSES: I just had a question arising out of MFI 2, if that could be returned to the witness.

THE COMMISSIONER: Yes.

30 MR MOSES: Which is the unit structure capability review document.

THE COMMISSIONER: Oh yes. Yes. The witness can be shown that document again.

MR MOSES: 3, I think, my friend is telling me.

THE COMMISSIONER: Oh right. Okay. Yes.

40 MR MOSES: Yes, thank you, Mr Vangi. You were asked some questions by my learned friend for Mr Webb about this document. I just wanted just

to ask you three matters arising out of the document. If you go to the first page, where it's got date approved, do you see that?---Yes.

Yeah. In terms of final processes in order to have a document approved, and I'm not suggesting this document was approved, I'm just asking you the question, in terms of the process to have the document approved, what would happen in terms of that process to have something like this approved?---Well, initially this document should have been reviewed by the Human Resources Department and then it's reviewed by myself, the
10 General Manager, and as it says in the back there, was it page 35, "A number of signatures need to be applied before it's approved," yeah.

And in terms of this particular document you have no recollection of it being provided to you in August 2022, which I think is the date within the document at the top right-hand corner at page 5?---Yeah, I don't, sorry, I don't recall, yeah.

Okay. Okay, thank you. I have no further question.---Thank you.

20 THE COMMISSIONER: Ms Huxley.

MS HUXLEY: Mr Vangi, before you put that document away, do you remember anything that came out of being given this document?---No.

You can put it to one side now, thank you. If I can just go back to have the transcript page 195 put back up on the screen, please. This is the part of the transcript where you said on Tuesday that the Director of Corporate brought it to your attention. When you say "within six months of him resigning,"
30 were you giving an estimate or that would have happened six months before he resigned? Like, is that an estimate?---That's an estimate, but I want to say was within six months of, not resigning, but he resigned only a couple of weeks before he left council anyway, but yeah, yeah.

Could that have been, you know, when you say within six months do you mean any time from one month before to up to six months before?
---Correct, yes.

So you don't mean June/July.---No, I don't mean, that's, within that
40 window, yes.

Did the Director of Corporate say how he became aware of that - was it a man or a woman, sorry, the Director of Corporate?---Male, yeah.

Did he say how he became aware of that information?---I think I did cover this the other day, but yeah, it, I can't, I don't recall how he became aware of it, but the name Richard Osborne was mentioned. I'm not sure who he spoke to.

10 So it was in relation to a complaint made by Mr Osborne or an issue raised by Mr Osborne?---Issue raised by Mr Osborne, yeah.

There's material that suggests that took place in October.---Okay, yeah.

So does that assist with your recollection as to when this conversation might have occurred?---Yes. Yeah.

So it would have been from anytime from October to - - -?---From October to, well, from when Mr Webb left council, yeah.

20 And does the Director of Corporate report to you or do you report to the Director of Corporate?---We're equal, well - - -

Equal.---Yeah, sorry, yeah.

And so whose decision was it to make the section 11 declaration?---That would have been the CEO's decision after being informed, yeah.

30 So would it have been discussed amongst the directors and then escalated to the CEO or how does the process - - -?---Not necessarily, no. My recollection, it was discussed between the Director of Corporate, our internal council and the CEO, yeah.

So did you have any involvement in that?---No.

So was the Director of Corporate just informing you for your information or - - -?---Correct, yes.

40 And did you understand that the section 11 process had happened by that point?---No.

Did they ask you not to take any action in relation to Mr Webb or Mr Cossu during that period of time?---Yes.

Who asked you that?---I recall the conversation with the director. He basically said, his words were, “Don’t do anything. I’m going to report it to the CEO and we’ll go from there,” yeah.

Okay.---Yeah.

10 Those are my questions, Commissioner.

THE COMMISSIONER: All right. Is there anything further before we adjourn, Ms Huxley? By the way should the witness be - yes, you’re released from your summons. Thanks very much. Thanks for coming in today. You can step down.---Thank you. Thank you.

THE WITNESS EXCUSED

[12.54pm]

20

MR PARARAJASINGHAM: Commissioner, sorry, can I just raise two matters.

THE COMMISSIONER: Yes. Yeah, sure.

30

MR PARARAJASINGHAM: Firstly, some of the documents that some of the witnesses were questioned about, including the bank statements, I’m not sure they’ve made their way up to the public site. I understand that if not they would be uploaded to the restricted site at some point today. I just want to check that that’s still occurring.

THE COMMISSIONER: I’m not sure what the plan is. Ms Huxley?

MS HUXLEY: So I think the plan is to upload the documents that witnesses have been taken to on the restricted website sometime today, and then they’ll be tendered on Tuesday next week.

THE COMMISSIONER: Right.

MR PARARAJASINGHAM: Grateful for that indication. The only other thing, Commissioner, is if we could be advised approximately when we'll be notified of the witness list for next week.

MS HUXLEY: I understand that will be happening today, Commissioner, and hopefully very soon after we adjourn for the day.

MR PARARAJASINGHAM: I'm grateful to Counsel Assisting.

10 THE COMMISSIONER: Good. All right.

MR SUTTON: And, Commissioner, if I could just raise one issue.

THE COMMISSIONER: Yes.

MR SUTTON: Just in relation to banking documents and the like that were put on the screen, can I confirm addresses will be redacted?

20 THE COMMISSIONER: They're going to be put on the restricted - - -

MR SUTTON: On the restricted but eventually they might go to - - -

MS HUXLEY: Yes, I understand there is a redaction process that will be undertaken so that it comply - - -

THE COMMISSIONER: There's been an order to that effect, Mr Sutton, so hopefully there will be compliance.

30 MR SUTTON: I appreciate that but I was involved in another matter where something slipped through.

THE COMMISSIONER: Yeah, no, sure.

MS HUXLEY: I think there's a chain of people who are responsible for reviewing and re-reviewing that process, so - - -

40 THE COMMISSIONER: Oh good. Good. Thanks. All right then. Well, as far as the further hearing in the public inquiry, I will adjourn that to next Tuesday, 10am, and I will adjourn.

AT 12.56PM THE MATTER WAS ADJOURNED ACCORDINGLY
[12.56pm]