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INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE MEGAN LATHAM

PUBLIC HEARING

OPERATION RICCO

Reference: Operation E14/2586

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON MONDAY 29 FEBRUARY 2016

AT 1.35PM

Any person who publishes any part of this transcript in any way and to any person contrary to a Commission direction against publication commits an offence against section 112(2) of the Independent Commission Against Corruption Act 1988.

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

THE COMMISSIONER: Yes, Mr Moses.

MR MOSES: Commissioner, we have provided to the Commission blow ups of the documents behind tab 3 but regrettably the first page behind tab 3 wasn't copied but is being brought down now. Just as that's happening I might just close off on a few issues.

Mr Mark, you mentioned RotorMaster - - -?---Yes.

10 - - - as being one of the entities that you obtained computers from?---No.
No, no.

No. Where did you get – what did you get from RotorMaster?---
RotorMaster is a Mazda performance centre.

Oh, thank you?---To do with the cars.

Thank you?---Yeah. Can I correct something I've said earlier that may have
20 been misleading to you.

Sure?---Please. In looking over everything else - - -

Ah hmm?--- - - - the second of the Comprehensive Office Supplies invoices
- - -

So just so that the Commissioner knows what you're referring to, what,
what document are you referring to now?---How do I identify it?

30 THE COMMISSIONER: Is it behind tab 2 in the bundle?---No, no, no.

No?---It's in volume 5.

In volume 5. Right.

MR MOSES: So it's volume 5, page 24 I think, Commissioner. Is that the
one, is that the email you're now referring to?---No, no.

No. Okay?---The page numbers are in the bottom right-hand corner. Is that
40 right?

Okay. So - - -?---Yeah, page 9.

Thank you?---That one I think I - - -

This is – let me just grab that one. So this - - -?---Yeah, sure.

So page 9, volume 5. Yeah?---That's the one with the toners - - -

Yeah?--- - - - on it.

Yes?---I think you asked me a question and I said that that was delivered.
In looking at it I don't - - -

Yeah?---- - - believe it was.

It wasn't delivered?---I don't think so, no.

10 No. And why do you think it wasn't delivered?---I seem to recall that I offered it to be done because obviously you have toner on hand.

Yeah?---But as I looked at it I recalled a conversation with Gary saying look, just submit the invoice.

Yeah?---We'll pay it but don't deliver it.

Okay. Again was that because that was money that was going to go to him?---No, that was – that actually went to me - - -

20

Okay?--- - - - as a repayment of – towards the repayment of the debt.

Okay. So the repayment of the debt of the 160,000?---That's right, yes.

Thank you?---I beg your pardon.

Okay. And that was - - -?---I only realised that - - -

That was 2011?---I'm sorry, whatever was on the – 2013 I believe.

30

Thank you. Thank you. Now just go back to tab 2 for me if you could of the folder that I gave you earlier?---Yeah.

Headed Computer Intersection. Those invoices range in date as you would have noticed over the luncheon adjournment when you were looking at them from September, 2005 to 24 May, 2006. Correct?---Yes, yeah.

Okay. And when did you have your accident was it October, 2005?
---October I believe 2005.

40

And that's when you ceased performing any work. Correct?---That's right.

And after that time is this your evidence that you were still contacted by Mr Goodman to provide the delivery of items to the council, correct, such as - - -?---No.

- - - toners and - - -?---No.

No?---In looking at these invoices, they look legitimate to me.

They look what?---Legitimate.

Okay. Well, we're going to come to that?---Sure.

So just, just hold on. In relation to those invoices you ceased being able to perform work in October, 2005. Correct?---Fit for work, yes.

10 MR LEWIS: Commissioner, I'm sorry to interrupt my friend but there seems to have been a distinction developing here between work and physical work and perhaps that question could be clarified to that extent.

MR MOSES: When you refer to cessation of work or physical work, and this arose during Counsel Assisting's questions, what you were meaning to refer there was that the computer IT services that you provided to Botany ceased upon you being injured, that is, you were no longer able to undertake the help desk work and dealing with the IT problems as they arose. Correct?---That's correct, yes.

20

Yeah. And you then went to Bundaberg. Correct?---Yes.

Yeah. And that from there even though of course Computer Intersection had a PO Box, and you will see this throughout these invoices for Five Dock, in fact that's not where moneys were being sent were they?---I don't know the - - -

So look at the PO Box 434, was that a legitimate PO Box?---That was my post box in - - -

30

Yeah. Is that where - - -?--- - - - Five Dock, yeah.- - -

Is that where mail went?---Yes.

And who collected it there for you?---I did.

So you flew down from Bundaberg and collected your mail from - - -?---No, no, no, no.

40 Well, let's get - - -?---No, we - - -

We'll have to get the story right. In terms - - -?---We actually had mail redirected.

Okay. So mail went to the PO Box in Five Dock?---Yes.

And it would be redirected where?---To Bundaberg.

Okay. When did that cease?---Oh, 12 months I think was the period.

12 months?---I think so.

From October?---No, it would have been – I'm not sure actually.

Okay?---It would be shortly thereafter I would imagine. I'm not sure.

10 Okay. And these invoices as I said you issue them up until 24 May, 2006?
---Yes.

Correct?---Yeah.

And you would have noticed because you say you looked at them and you're pretty certain that they're legitimate, they have there don't they the delivery of items said to be to Council. Correct?---That's right.

20 And in respect of those 16 remittance advices they in effect see the delivery
of 265 toner cartridges per month between November, 2005 to May, 2006.
Correct?---If that's the correct number.

Well, you looked at the invoices didn't you?---Yes. I didn't total up the number of - - -

Yeah, but listen, sir, you're telling the Commissioner that you've looked at them and you consider them to be legitimate. Correct?---Yes.

30 Prior to the luncheon adjournment you stated that some of them may have
been fabricated?---Yes.

Correct?---Yes.

And you said sitting there you were unable to tell which were fabricated and which were not. Correct?---Without looking at the, at the thing, and I - - -

Do you recall saying that?---Yes, I do.

Okay?---And I recall saying to you now I believe that they're legitimate.

40 When you say you believe they're legitimate, you do not sitting here now
know whether or not some of these may have been fabricated by you or not.
Correct?---I – because of the period that they're produced I believe them to
be totally legitimate.

You believe them to be totally legitimate - - -?---Yes.

- - - because of the period?---Yes.

So the 265 toner cartridges per month?---If that's the total, like I say I didn't actually add up - - -

You didn't look at them?---I didn't add up all the toner cartridges.

So if I want to put it to you that those 265 toner cartridges that you're referring to there per month were not in fact delivered by you to the Council what would you say to that?---I'd say that's incorrect.

10 Incorrect?---Yes.

So you do have a memory of delivering them?---I know anything that I invoiced – what I invoiced was delivered.

How?---Because I would either pick it up and put it in myself or it would be left out the front. I would physically grab it and put – there was a, a series of shelves where all the toner cartridges and everything would be put. I would physically put them on the shelves myself so I knew for a fact that they were there, and bear in mind this isn't just for the Council Chambers in Mascot, in Coward Street. There are many other offices that these supplies would go into.

Are you finished now? These invoices relate to - - -?---I'm answering your question.

Sir, these invoices relate to a period when you were in Bundaberg?
---Yes.

Okay. So you couldn't have been physically putting them anywhere, could you?---Not these, no.

Well, that's – so I'm asking you about these invoices. Do you understand I'm asking you - - -?---Specific to these, yes.

Sir, I'm asking you about these invoices behind tab 2. Do you understand that?---Yes.

So you accept don't you that in respect of those invoices issued after you ceased – I'm not sure what that is, Commissioner.

40 THE WITNESS: I'm not touching it.

MR MOSES: We'll start again maybe.

THE COMMISSIONER: There's some interference. Go on, Mr Moses.

MR MOSES: Thank you, Commissioner.

THE COMMISSIONER: It could be people working above us.

MR MOSES: Thank you. So in relation to the invoices from October 2005 up until May 2006 that are contained behind tab 2, you do not know for a fact whether those items were actually delivered to Council, do you, because you weren't there?---I'd have to agree with you. I physically wasn't there.

No?---So yes.

10 And where were you sourcing the toner cartridges from you say?---Again from a company called Alloys in Melbourne.

Where?---Alloys, A-l-l-o-y-s.

Yeah, thank you. Ah hmm?---They're located in Melbourne.

Ah hmm?---And another company called Dicker Data - - -

20 Ah hmm?--- - - - located in Taren Point in Sydney.

And those invoices, of those invoices that were paid, \$112,000, where did that money go?---That was to me.

Yeah. Where did it go, into your bank account, Suncorp?---Into my bank accounts, yes, yeah.

Okay? Did you - - -?---Well, I don't know if it was Suncorp, it may have been - - -

30 Well, which bank account?--- - - - the St George Bank at that time. When we moved to Queensland, after a time, that's when we closed the Sydney bank account, so I'm not sure if it was in Suncorp at that time.

You don't know?---No, no.

Okay?---I can check it.

40 You told the Commissioner that the last tax return you put in was 2005. Is that right?---Yes, I think so, yes.

So in terms of that \$112,000 that you got in 2010 from Botany, you've paid no tax on that?---I paid the tax in the 2005 return.

You paid the tax in the 2005 return, but you - - -?---For, for the - actually, no, I can't have.

No?---No.

No. Do you want to think about that - - -?---Yes.

- - - and do you want to correct the evidence you just gave the Commissioner?---Yes, I just realised, yes.

Okay?---Yeah.

So let's, let's, let's ask the question again, hey?---Yes.

10 Okay. Let's do that. So last tax return was 2005?---I think so, yes.

Well, when you say you think so, you don't know?---I don't have my tax returns in front of me.

No?---I believe that that's right.

Okay. And you haven't paid tax on that 2010 amount?---Again I would have to check.

20 Well, if you haven't placed, put in a tax return since 2005 it stands to reason that you haven't paid tax on that amount. Correct?---That is, that is something that I will have to check.

You'll have to check. Okay?---It may, yeah, it possibly - - -

So you'll check that?--- - - - might have been the 2006 tax year. I'm remembering off the top of my head.

30 So you'll check that and let the Commission know?---Absolutely.

Mmm. Okay. Now, in relation to the, in relation to payments that you received from Council, is this your evidence – after you, after 2005 they formed three categories, but you correct me if I'm wrong?---Ah hmm.

You say it's the 112,000-odd payment that we see in that - - -?---Yeah.

- - - remittance advice behind tab 2. Correct?---Yes, yes.

40 It's the fraudulent amount paid to the entity Australian Landscape Creations of about 55,000 in 2015?---Yes, yes.

Correct. And it's the Comprehensive Office Supplies amount in 2011 of about \$14,000?---That's right, yeah.

Ah hmm. And you say that you received no other payments from the Council during that period?---No.

Is that the best of your recollection?---As best I can recall, yes.

See, because the document hasn't arrived yet, but what I wanted to put to you, which is an amplification of the document behind page 1 of tab 3 is that during the period February 2006 to March 2007 you received an amount of \$73,323.20 from the Council in respect of what was said to be the supply of goods. Do you know that you received that amount?---No.

No. And sitting here today you just don't know whether you did or you didn't. Is that right?---I would say I didn't but - - -

10

You would say you didn't?--- - - - if you show me what you have - - -

Okay?---I don't believe so, no.

No, you don't believe so?---No.

No. Okay. Is it you don't believe – what, you don't believe so because you don't remember?---I don't remember. I would remember, I remember \$112,000, I don't remember 73,000.

20

Mmm. You remember 112 in 2010. Correct?---Yes.

And you don't recall payments of money being received in 2006 to 2007? ---In 2006/2007.

Yeah?---Is this the 73,000 you're referring to?

THE COMMISSIONER: Well, can I just - - -

30 MR MOSES: So, Commissioner, what I'm referring to - - -

THE COMMISSIONER: No, I just wanted to clarify something. I think the 112,000 that Mr Mark is referring to, that was received by you in one sum, wasn't it?---Ah, yes.

MR MOSES: It was, Commissioner.

40 THE COMMISSIONER: So that was the whole 112,000. But what's being put to you now, Mr Mark, is that between February 2006 and March 2007, so in the space of approximately a year, over that period of time you received a total of 73,000?---No, I don't recall that at all.

MR MOSES: So your evidence is you don't recall it. Correct?---That's right, yes.

You're not denying you didn't receive it, you just can't recall it?---Yes, I, I couldn't categorically deny it I suppose.

No, okay?---But no, I can't recall it.

Thank you. I think that's it.

Commissioner, we have, as I said, blown up the documents. I might seek to tender if I could the folder entitled Computer Intersection as well as the blown up version behind tab 3. We will supplement it with the page 1 of the document that appears behind tab 3.

10

THE COMMISSIONER: Yes. Exhibit R4.

#EXHIBIT R4 - FOLDER OF COMPUTER INTERSECTION DOCUMENTS

MR MOSES: That's a blow up version, Mr Mark, of the document behind tab 3?---I'm still having trouble in - - -

20

And the page that I wanted to take you to isn't here, which is page 1, and I was going to identify that period?---I'm still having trouble in, in actually seeing this.

Yeah, that's okay. Well, I'm not going to ask you to look at the document now?---Oh, okay.

30

Okay. Those are the questions of Mr Mark, Commissioner. I note Mr Goodman's unavailability so far in respect of this inquiry but it might mean that we may seek your leave to revisit examining Mr Mark, depending on what Mr Goodman's story is in terms of this arrangement between him and this individual.

THE COMMISSIONER: Yes.

MR MOSES: Thank you.

THE COMMISSIONER: Does anyone else presently have questions for Mr Mark?

40

MR OVERALL: Yes, Commissioner.

THE COMMISSIONER: Yes.

MR OVERALL: Mr Mark, how many properties do you own?---I own - - -

THE COMMISSIONER: Sorry, could I just – sorry, for the record could I clarify for your benefit, Mr Mark, Mr Overall appears for Mr Goodman.

Yes, go on.

THE WITNESS: Yeah, I've stated before I own property in [REDACTED]
[REDACTED] it's a house on an acre and I own two other
blocks of land in [REDACTED].

MR OVERALL: When were they purchased?---Oh, 2004/5.

10 Well, let's do one at a time. The one, one with the house, when was it
purchased?---Oh, you're testing me here, 2004-ish I think.

And was there a mortgage on that property?---No.

And in order to pay for that property in 2004-ish, did you sell another
property?---No.

You paid for it in cash?---That's right.

20 How much did you pay for it?---It was \$125,000 for the land and then it was
- - -

This is just the house, the property with the house on it?---We built the
house on, on the land.

Yes, okay. So 125 for the land and how much did it cost to build?
---I believe 600-odd thousand for the house. Something of that order.

A total of approximately \$725,000?---Something around there, yes.

30 No mortgage?---No mortgage, no.

Okay. Let's take the other two blocks one at a time. The first block, how
much did you pay for that? Sorry, when did you buy it?---It would have
been roughly around the same time, maybe 2005. I can verify them for you,
I have, I have details at home where I can verify the dates for you, but I
believe around that time. One is in a street called [REDACTED], that was I
think 56,000 at the time, and the other one was - - -

40 No, just deal with the one at a time?---Yeah, sure.

So in 2005 you purchased one in [REDACTED]?---Yeah.

It's a block of land for approximately \$56,000?---I think so, yes, about that.

Is there a mortgage on that?---No.

And the second block?---The second block is in a street called [REDACTED]
[REDACTED]

Could you spell that, please?---Yeah, [REDACTED] - - -

Oh, [REDACTED] Yeah, yeah. Two, two words.

Yeah?---[REDACTED] in [REDACTED] [REDACTED] and again they're all in
[REDACTED]

10 Yeah. And when was that purchased?---That was about the same time as
[REDACTED] around, within months.

Yes. And how much did that cost?---That was I think about 160,000,
something of that order.

And there's no – is there a mortgage on that?---No.

And you're still, you still own those properties?---Yes.

20 Now, when you left Sydney to Queensland you gave evidence that you had
no money?---No, when we were in Queensland, we'd been living for several
years off savings - - -

Yes?--- - - - and it's only recent times when we had, we had diminishing
money.

Okay. I misunderstood your evidence. I apologise for that. Is there any
other property either in your name or in a close relative's name that you
purchased?---No.

30 Or in a company name?---No.

Now - - -

THE COMMISSIONER: Can I just clarify something, sorry, Mr Mark.
The purchase of the land in 2004 and the construction of the house, is that
your residential address?---Yes.

That's where you, that's where you're living?---That's right, yes.

40 Right.

MR OVERALL: On another issue, are you able to prove by any document
at all other than your own verbal evidence, by any document or any other
evidence that you provided Mr Goodman with any cash from the false
invoices or the, or the overcharging invoices from 1997 to 2005?
---Not with, oh, I would have to, to, to check on the, on the cash. That
would be difficult I would think. There was a, there was a transfer of
money once our drag car was retired and the next, the subsequent one was

purchased by, by Gary and Joe Signorelli, there was a transfer of I think about \$127,000, something like that, to a group I Puerto Rico to buy their car and ship it out.

Yeah, but - - -?---I think I might have - - -

Isn't your evidence that you effectively passed on \$1.3 million cash to Mr Goodman?---No, not of cash. It consisted of cash, cheque payments to him and to - - -

10

Yes?--- - - - other entities.

Yes. And, but there was a significant amount of cash?---There was some cash involved, yes.

Yeah. How much cash do you - - -?---Oh, I have no idea.

But you can't provide any other evidence to this Commission that you provided that cash to Mr Goodman, can you?---Of the cash, no, I don't think so.

20

Now, I've just done a little bit of mathematics on your property purchase? ---Ah hmm.

You've paid approximately \$941,000 in cash, no mortgage, for three properties from 2004 and 2005 in Queensland.

Yeah, and I can show you bank statement of gradually increasing amounts over \$1 million of which that was paid from.

30

So you had \$1 million in the bank?---Yes.

Where did it come from?---That was from my computer work and from my, I was receiving \$1,750 a week from my consultancy work.

\$1,750 a week and you've accumulated \$1 million in cash?---I can show you bank statements. Not now, but - - -

40

Now, in relation to toner cartridges - - -?---Ah hmm.

- - - is this the case, that you've purchased the cartridges at wholesale prices?---Yes.

And you sold them to the Council at retail prices?---I marked them up, yes.

Yes. And in fact it probably would've been cheaper for the Council to go down to the local retailer and buy the cartridges themselves rather than buy them from you?---It may have been, yes.

I have no further questions, Commissioner.

THE COMMISSIONER: Yes, thank you. Does anyone else have any other questions of Mr Mark? No?

MR THANGARAJ: Just a few questions, Commissioner. Mr Mark, after your accident in 2005, having seen these further documents, did you or did you not do physical work for Council?---Did no physical work at all. No.

10 All right? And you - - -?---For Council or anywhere else for that matter, yeah.

You were asked about the reason why you changed company names and you ended up using the Office Supplies title rather than Computer Intersection?---Oh, yeah.

At first you said, I'm not suggesting they're inconsistent but you said Lorraine Cullinane did not want to use the original name?---Computer Intersection, yes.

20

And then you said that Mr Goodman said that you were persona non grata with her?---That's right, yeah.

Can you tell us – did you speak to Ms Cullinane about this?---No.

All right. So when you said that Ms Cullinane did not want you to use that, where did you get that information from?---I was inferring that from what I was told from Gary.

30 All right. So what did he actually say to you?---He actually said Lorraine's not happy dealing with Computer Intersection anymore, don't give us anymore business under Computer Intersection.

And did you ask him - - -?---Words, words to that effect.

All right. And did you ask him or did he explain why she had that difficulty?---Oh, she just, no, I didn't, didn't ask for specifics.

40 Well did you have any understanding or did you have a thought as to why she did not - - -?---No. No it was a bit of a surprise, to be honest.

All right. All right. Nothing further. In the event that we did take Mr Mark's phone number or address could those be suppressed?

THE COMMISSIONER: Yes. That identifying information is suppressed from publication under section 112 of the Act. Mr Mark, can I just ask you, what year did you marry?---2010.

2010?---2010, beg your pardon, yes.

And were you married before that?---Yes. Many years before.

Right?---Leah's my second wife.

Right. So when you started work for the Council about 1997 were you single at that stage?---Yes, yeah.

10 And for the 10 years that you were on that salary that you referred to, were you single throughout that period?---I was single up until – well Leah and I started going out, I think she might correct me, I think about 2001. Prior to that I was single for, for all that time.

Right. Mr Lewis, do you have any questions?

MR LEWIS: No, no, Commissioner.

20 THE COMMISSIONER: Mr Mark, unfortunately we can't excuse you entirely from the inquiry but we certainly appreciate that you have to return to Queensland. It may be well we'll try and avoid it as much as we can, it may be that you will be required to come back if there's any further questions that need to be asked. Do you understand?---We've been asked to stay until Wednesday.

Well, you can - - -?---Should we still - - -

30 Well, unfortunately I'll have to revisit that question when I know what's occurring with Mr Goodman and I don't know about that yet. Do you have any information, Mr Overall?

MR OVERALL: My instructing solicitor has written a letter to the hospital and we're expecting a reply within 24 hours, your Honour, Commissioner.

THE COMMISSIONER: All right. Well, I think at this stage probably Mr Mark, you're better off staying till Wednesday?---Yeah, sure.

And then we'll see what happens?---Okay.

40 All right. Thank you. You may step down?---Thank you.

THE WITNESS STOOD DOWN

[2.03pm]

MR THANGARAJ: I call Raj Haria, H-a-r-i-a.

THE COMMISSIONER: Just come forward, Mr Haria. You don't have anyone appearing for you today?

MR HARIA: No.

THE COMMISSIONER: Can I just explain to you that the questions that Mr Thangaraj is going to ask you, you have no option but to answer those questions truthfully. You understand that?

10 MR HARIA: Yes, I do.

THE COMMISSIONER: Even if the answers might implicate you in some form of wrong doing. I can make an order under the Act which effectively means that you will be protected from the use of your answers in any future civil or criminal proceedings. But the order doesn't protect you if it should be found that you are deliberately giving false or misleading evidence to the Commission. Because if that were the case your answers could be used against you in a prosecution under the ICAC Act. Do you understand that?

20 MR HARIA: Yes, I do.

THE COMMISSIONER: Do you want the section 38 order?

MR HARIA: Yes, please.

THE COMMISSIONER: Pursuant to section 38 of the Independent Commission Against Corruption Act, I declare that all answers given by this witness and all documents and things produced by this witness during the course of the witness's evidence at this public inquiry are to be regarded as
30 having been given or produced on objection and there is no need for the witness to make objection in respect of any particular answer given or document or thing produced.

**PURSUANT TO SECTION 38 OF THE INDEPENDENT COMMISSION AGAINST CORRUPTION ACT, I DECLARE THAT ALL ANSWERS GIVEN BY THIS WITNESS AND ALL DOCUMENTS AND THINGS PRODUCED BY THIS WITNESS DURING THE COURSE OF THE WITNESS'S EVIDENCE AT THIS
40 PUBLIC INQUIRY ARE TO BE REGARDED AS HAVING BEEN GIVEN OR PRODUCED ON OBJECTION AND THERE IS NO NEED FOR THE WITNESS TO MAKE OBJECTION IN RESPECT OF ANY PARTICULAR ANSWER GIVEN OR DOCUMENT OR THING PRODUCED**

THE COMMISSIONER: Would you like to be sworn or affirmed, Mr Haria?

MR HARIA: Sworn in, please.

THE COMMISSIONER: Yes. Can we have the witness sworn.

MR THANGARAJ: Mr Haria, could you give the Commission your full name, please?---Raj Saradkumar Haria.

And is that spelt, middle name spelt S-a-r-a-d-k-u-m-a-r?---Yes, it is.

10 All right. Could you give us a very brief background with respect to your work, please?---I was working in the computer industry. I started working at CND Computers in 2004. In 2007 I actually became a partner in the business and that's where I've been ever since and I am currently unemployed.

All right. When did you stop working for CND?---2011, end of 2011.

Did the business close?---Yes, it did.

20 Did you at some point with CND have a contract with the Botany Bay Council?---Yes, we did.

And what was that contract for?---It was for installing and maintaining CCTV camera equipment.

Anything else?---That's all.

All right. And did you have to tender for that contract?---No, we didn't.

30 How did it come about, how did you obtain that work?---It came about through a personal contact from one of the employees of CND.

And who was the contact?---Kevin Maton.

M-a-t-o-n?---Yes.

And he worked at Council?---No, he didn't.

40 What was the contact?---He actually used to provide services to the Council and Gary Goodman for maintaining and installing alarm equipment.

Right. And so how did you end up getting the work at Botany Bay Council?---The work actually came for Kevin to do that because he used to have his own business but since he was unable to actually fulfil the requirement he approached us and that's how the relationship between us and Botany Bay Council started. At which point in time Kevin closed his business and (not transcribable) hired him as an employee.

All right. And how then did you obtain the business at Botany Bay?---We were given the specification requirements as to what they needed done and provide quotations upon which they were accepted and we start a project with them.

10 All right. And who – were you the person dealing with Council from CND?---No. In the beginning it was my business partner, Thomas Ku and Kevin Maton. I only got involved, actively involved with it once Thomas Ku actually left the country and went to China for a short period of time but never came back. So in his absence I was actually involved with Botany Bay Council with Kevin Maton.

And who were you dealing with at Council, who was the company or you dealing with at Council?---The main contact person was Gary Goodman but there were numerous other people that we had dealings with within the Council.

20 Do you remember who they were?---Yes. There was John (not transcribable) Mark Thompson, I can't remember the other names but I believe I've given the documentation to the Commission by email. The names are on that list.

Okay. Do you know a company by the name of Gas Motorsports?---Yes, I do.

And how did you know them?---We did work for them as well. We installed or replaced their CCTV camera system and provided computer maintenance and servicing.

30 And who did you deal with there?---With Gary Goodman.

40 Did you understand – what did you understand was the relationship between Gas Motorsports and Mr Goodman?---The relationship was already established between Gas Motorsport and CND by Thomas Ku prior to me being actively involved with this product. At that point in time we didn't really have an understanding as per my knowledge as to how it's going to turn out in terms of invoicing and billing. It was at a later stage whereby we were chasing an invoice from Gas Motorsport and were led to believe that that invoice should be remade and sent to Botany Bay Council.

All right. I'll get to that. What role did you understand Mr Goodman had at Gas Motorsports?---He was the owner.

Okay. All right. Can you tell us, did you ever bill Gas Motorsports directly?---Yes.

All right. And what was that for, do you remember?---For the camera, for the CCTV camera replacement.

And do you remember roughly how much that was for?---That would have costed around \$22,000.

And were you paid for that?---No.

10 All right. So did you do anything about that outstanding bill?--- Yes we did, we chased it for probably a month upon which we were told to actually include that amount in our next invoice being invoiced to Botany Bay Council.

And were you doing work for Botany Bay Council already by this stage?--- Yes, we were.

And who told you to do that?---Gary Goodman.

And is that what you then did?---Yes, we did.

20 And were you paid the, for the bill - sorry I withdraw that. The work that you did for Gas Motorsports, was that ultimately paid?---Yes, it was.

And who paid that or which entity paid that?---Botany Bay Council.

All right. When you put your invoice in to Botany Bay Council for the Gas Motorsports work, how did you describe the work?---We were told every invoice that went to Botany Bay Council should only have two lines on it mentioning supply and installation of CCTV camera equipment as per quotation.

30 Who told you to describe the work in that way?---Gary Goodman.

All right. Was there anything in the invoice that suggested that the work or the installation was for Gas Motorsports?---No.

Which bank were you using at that time or the company was using at that time?---National Australia Bank.

40 And when the company closed down, what happened to that account?---It was closed as well.

All right. Was that a CND Australia Account?---Yes it was. Initially, when we started dealing with Botany Bay Council there was a different account involved, it was under the name of Computer Network Division.

Okay. Did you do any other work apart from that camera installation, did you do any other work for Gas Motorsports?---Yes, there were tiny bits here and there. There was one instance whereby we did supply some computer equipment otherwise it mainly servicing of computer equipment that they

already had which over that period between 2007 and 2011 probably would have amounted to roughly \$8,000.

And was that paid?---Yes it was, by the same means whereby the amounts were actually added onto invoices being billed to Botany Bay Council.

And were they separate to the CCTV camera installation invoice?---Yes, they were.

10 And was that work also described in a way that did not mention Gas Motorsports?---That's right.

Were you involved in drafting these invoices that included the Gas Motorsport work?---Yes, I was.

And who did you provide them to?---Internally they could have been provided to Kevin Maton who would forward them to Gary at Botany Bay Council or I would actually personally (not transcribable) to Gary or Mark Thompson.

20

And how were you being, how were these invoices paid ultimately?---Initially they were being paid by cheques after a while they actually changed to being paid electronically.

So the invoices that had the Gas Motorsport work included within them - - - ?---Yes.

- - - do you remember how they were paid?---That would have been the first invoice being sent out to Botany Bay Council and like I said, I was not part of that project at that time so I'm not too sure how that was paid but I would lean towards it being paid by cheque.

30

All right. Do you know who authorised the payment of these invoices that involved the, that included the Gas Motorsport work?---All those invoices would have been sent out to Gary Goodman, the one that had the Gas Motorsport added onto the Botany Bay invoices because they would have a variation from the initial quote that had been sent out to Botany Bay.

The work that you described on the invoices that you've told us - sorry I might have asked you this - who told you to use those words?---Gary Goodman.

40

All right. Had you previously sent an invoice with more detail?---Yes I had.

What happened?---That was the first invoice that I sent um, and I was actually asked to reword that and get rid of all the details on it.

Sorry, let's just go back a step. The first time you sent an invoice to them, was that, what sort of detail did you have on that invoice?---It has all the individual parts required to build up the entire CCTV camera installation plus the labour charge.

All right. And did that mention, was that an invoice that included the Gas Motorsport work?---No, it didn't.

10 And when you sent that more detailed invoice through, what happened?---
Basically Gary Goodman had, had a conversation with Thomas Ku and I was told by Thomas Ku that Gary has requested for me to resend that invoice without all the details on it and just to have the two lines on it which mentioned supply and installation of CCTV camera equipment as per quotation.

Okay. When did you stop doing work for Botany Council?---It would have been towards, somewhere in 2011.

20 Okay. Now, there is evidence that between January 2009 and June 2011 that \$1 million or over \$1 million was paid into Mr Goodman's accounts for invoices under the names of CND Computers. Can you assist us with that?---Yes I can.

And what do you say?---I'm not aware of them at all.

THE COMMISSIONER: You mean, your company or the company that you were working with was not responsible for that payment?---We didn't issue the invoices and we did not receive any payment from them.

30 MR THANGARAJ: Have you ever had an arrangement with Mr Goodman where invoices that you submitted would be paid into his account?---No.

All right. All invoices that you submitted were to be paid either by cheque or direct deposit into your company account, is that right?---That's right.

All right. What's the company 360 Vision?---That was one of the trading names under the CND Australia Pty Limited.

40 Did it have, did it use the same ABN as CND?---Yes it did and same bank account as well.

Was there an instance where, when you were chasing a payment from Botany Bay Council that there was a problem with which account the payment had gone to?---Yes, there was.

What had happened there?---We'd been chasing, I believe a two separate invoices, we'd been chasing for two weeks over two weeks and finally when we managed to get hold of Gary he said you need to speak to Mark

Thompson. I spoke to Mark Thompson personally, he told me that the invoice had been paid. I told him that I had been told the same thing the previous week but the money hadn't hit the account. Mark Thompson put me on hold and said he's going to check for me right there and then and he did bring it up on his computer system and he said that he can see that the invoice has been paid and I asked him to read out the account number which the invoice paid to which he did and it wasn't our, CND's bank account.

10 Did you find out who's account that payment had gone to?---No.

And were you ultimately paid that account?---Yes, we were.

Was there any time that CND did work for, did any other work for Mr Goodman personally?--- Yes we did at his residence.

What did you do?---Um, he had a computer problem, internet problem with his computer at home.

20 And did you charge him for that?---No.

And why did you do that?---As a personal favour.

Now when Mr, when you chased up the Gas Motorsports payment and you were unsuccessful with that, you kept chasing it?---That's right.

And Mr Goodman asked you, you've given this evidence that he asked you to put it in through Botany Bay Council.---That's right.

30 Why did you agree to do that?---To get paid for the work that we had done.

All right. Did you understand that Botany Bay Council would be paying that?---Yes, we did.

You understood that there was a difference between Gas Motorsport and Botany Bay Council?---Yes I do.

And you knew that there was no connection whatever between the two of them.---That's right.

40 And did you then understand then that, did you understand how it is - sorry I withdraw that. What did you understand Mr Goodman was doing by having the Council pay for his personal bills?---The wrong bills.

All right. And so why did you then agree to do it?---Did the wrong thing as well.

All right. And you agreed to do it to get paid?--That's right, after which we did minimise our contact with Gas Motorsport in terms of having done work

that would amount to big invoices but the first one was a significant amount \$20,000 plus, in a way we had no option but yes we did have an option so I cannot defend myself there.

Nothing further.---Thank you.

THE COMMISSIONER: Does anyone have any questions of Mr Haria.
Yes Mr Moses.

10 MR MOSES: Sir, I act for Botany Council. You informed Counsel Assisting that in respect of monies that were going into Mr Goodman's account - - -?---Yes.

- - - based on invoices that had been seemingly issued by CND Computers that was, they were not invoices that had been created by your company?---
No, they weren't.

Commissioner, can I just ask that Volume 6 page 94 be put up on the screen for the witness please, 94 Volume 6. So that invoice that's come up on the
20 screen now for \$9,570 of an invoice of the 29 October, 2010 page 94.
That's a fabricated invoice, correct, that is that was not an invoice issued by your company?---(No audible reply)

If it would assist you, sir, to form a view upon that, can I ask that it come up on the screen is page 172 of Volume 6, this is the bank account record of Mr Goodman and you'll see that on 10 November there's a transfer from Botany Council into that account for the \$9,570 that I've just referred to on your invoice?---Yes.

30 And just while you're on that page so we don't trouble The Commission to go back to it, look at the last entry 17 November, \$28,114.90 transfer. Do you see that?---Yes I do.

Okay. I'm going to come back to that through an invoice. Thank you. You go back to page 94, having looked at that bank account detail and in response to what you answered to Counsel Assisting, is this one of the invoices that you say were never issued by your company, sir?---I can't be particular - - -

40 You can't.---? - - - it doesn't look like one because all our invoices would have the account number at the bottom.

Would have the account number where the money is to go into?---Yes, that's right.

Thank you. And if you then to go to page, if I can ask The Commission to go to page 96 of Volume 6, do you recall the last entry I took you to on the

bank account of Mr Goodman, was that for that sum of \$28,114.90, do you see that?---That's right.

And this, is this, does look like an invoice generated by your company?---
No.

And again, is that because it doesn't have the account number on there?---
That's right.

10 Okay. Could I ask that the witness, could I ask that we have up on the screen Volume 34, page 41, Volume 34 page 41, this is an invoice generated by CND IT Solutions.---That's right.

And down below you'll see the payment directed to a bank account of the National Australia Bank, do you see that?---Yes, I do.

Is that a legitimate invoice issued by your company or one of its related entities?---Yes it would be, yes it is.

20 And the reason we say that is because it's got where the payment is to be directed?---That's right.

Okay. Thank you. And just to complete that, at Volume 34 another example is page 77, if you could go to that too, thank you. This account, this one of 27 July, 2010, is this a legitimate invoice?---This is not actually an invoice, it's like an account statement.

Thank you. So is this the position, in respect of those tax invoices that don't have a bank account detail for your company's bank account being the
30 NAB, you would take the view that they are not a legitimate invoice because it's not directed payment into your company's bank account?---
Yes, I would.

Thank you. And that's how you would form the view that the invoices that we've seen were not legitimate, is that right?---That's right.

You probably won't know the answer to this question but in terms of, do you know how it is that these invoices could have been created by Mr Goodman, the false invoices?---I would say it's not that difficult if you
40 know your way around a computer. The invoices that we would send to Gary at Botany Bay Council or that matter would have all been a PDF format and they are not actually locked files so anyone that has the ability or have the software that edit PDF files can make any changes on them.

Thank you. Now I think that you said that you were the partner in the business of CND Australia, correct?---That's right.

I think I don't need to take the witness to this Commissioner, but at Volume 6 page 3 of the ICAC brief you're listed as a director and secretary of the company, who were the other business partners?---Thomas Ku.

K-H-O-O---K-u.

Thank you. And it has trading name CND Computers, CND 360 Vision and CND IT?---That's right.

- 10 And are you aware that in respect of invoices to Council that how much it was that was legitimately charged to Council by your business?---I'd say it would be somewhere within the figure of \$170,000 to \$200,000.

Thank you. And not the \$1 million that Counsel Assisting referred to?---No, nowhere close to that.

And CND Computers didn't for instance bill Botany Council \$590,000 for works through the CND Computers name?---No.

- 20 No.---We did provide a quotation based on a similar figure but that project never went ahead, no.

No. So if those payments were made they were not made to you, to NAB? ---No, they are not.

Thank you. You were asked this but just want to understand this, Mr Gary Goodman, how did you come in contact with him?---I came in contact with him through Kevin Maton.

- 30 And just for the record, who's Kevin Maton?---Kevin Maton used to be a customer of CND Computers initially um, he used to have his own business called Emu Alarms, he used to buy CCTV recording machines from CND Computers. His main dealings used to be with Thomas Ku at which point in time Kevin actually got the first contact with Botany Bay Council to get the CCTV camera project up and running for them but since he was unable to do what they wanted he approached us and at that in point, that's how we got in contact with Botany Bay.

- 40 Okay. Thank you. I have no further questions for this witness Commissioner.

THE COMMISSIONER: Does anybody else have any questions for Mr Haria?

Thank you Mr Haria, you may stand down.---Thank you.

THE WITNESS EXCUSED

[2.29PM]

MR THANGARAJ: Mr Veljanovski.

THE COMMISSIONER: Just take a seat Mr Veljanovski, you're not represented here today?

MR VELJANOVSKI: No.

THE COMMISSIONER: I take it you heard what I said to Mr Haria
- - -

10

MR VELJANOVSKI: Yes, I did.

THE COMMISSIONER: - - - just before. You need to understand that if I make an order it protects you from the use of your answers against you in any future civil or criminal proceedings.

MR VELJANOVSKI: Yeah.

20 THE COMMISSIONER: It doesn't protect you if you are found to have given false or misleading evidence. Do you understand that?

MR VELJANOVSKI: Understand.

THE COMMISSIONER: Do you want the order?

MR VELJANOVSKI: Yes, please.

30 THE COMMISSIONER: Yes. Pursuant to section 38 of the Independent Commission Against Corruption Act, I declare that all answers given by this witness and all documents and things produced by this witness during the course of the witness's evidence at this public inquiry are to be regarded as having been given or produced on objection and there is no need for the witness to make objection in respect of any particular answer given or document or thing produced.

40 **PURSUANT TO SECTION 38 OF THE INDEPENDENT COMMISSION AGAINST CORRUPTION ACT, I DECLARE THAT ALL ANSWERS GIVEN BY THIS WITNESS AND ALL DOCUMENTS AND THINGS PRODUCED BY THIS WITNESS DURING THE COURSE OF THE WITNESS'S EVIDENCE AT THIS PUBLIC INQUIRY ARE TO BE REGARDED AS HAVING BEEN GIVEN OR PRODUCED ON OBJECTION AND THERE IS NO NEED FOR THE WITNESS TO MAKE OBJECTION IN RESPECT OF ANY PARTICULAR ANSWER GIVEN OR DOCUMENT OR THING PRODUCED**

THE COMMISSIONER: Would you like to be sworn or affirmed?

MR VELJANOVSKI: Sworn.

THE COMMISSIONER: Swear the witness, thank you.

THE COMMISSIONER: Yes.

MR THANGARAJ: Mr Veljanovski, could you give the Commission your full name, please?---Ah, Jovance Veljanovski.

10 And is that spelt J-o-v-a-n-c-e Veljanovski, V-e-l-j-a-n-o-v-s-k-i?
---Correct.

Right. You ran a company that did some metal works and structural steel-type work?---That's (not transcribable)

And has that company been going for some time?---That company been going maybe four, four or five years and previous company was different name.

20 All right. Do you know a person by the name of Gary Goodman?---I do.

And how do you know him?---We used to work in same complex in 38-44 Elizabeth, Elizabeth Street, Wetherill Park.

Same complex?---Same complex, yes.

All right. So it was an industrial area?---Industrial area, it's maybe 20-something units in it.

30 All right. And what was his business in that complex?---Like a car mechanic and cars, sport cars.

All right. What was your relationship with Mr Goodman?---Nothing, just, just friends, became friends.

All right?---I didn't know the person before.

40 And what was the name of the company that you were using at this stage?
---Ah, Wetherill Park Metal Works could be and Wetherill Park Metal Fabrication.

Now, you did, you ended up doing some work for Botany Council?---Yes, I did.

Which company or companies was doing that work?---Ah, supposed to be Wetherill Park Metal Works (not transcribable) very long time, and I think I got one under Wetherill Park Metal Fabrication.

What sort of work did you do for Council?---I did the main entrance on the main road.

Sorry, we'll do it, we'll do it slowly. The main entrance?---Main entrance on the Botany Bays.

Yes?---I did the gate, I did the boom gates and I did the bollards.

10 Right?---That's one job. We did Mascot Oval, all fence around, and we did some child cares but I can't recall that which, which one was it, you know, a few of them. I think was one Pagewood and just fencing.

All right. Do you remember when that was, that work?---That would be more than seven or eight years.

All right?---I can't, I can't remember exactly when it was.

20 How long did you do work for council for?---Was on and off ah, on and off thing ah, I didn't do very long.

Was it over six months or a year or - - -?---No, no.

- - - a couple of years?---Was, was bigger space than that.

So over a few years or - - -?---Maybe five, six years, yeah.

Five or six years?---Yeah.

30 All right. Have you done any work for Council trucks?---I did.

What did you do?---I did the Council sweeper, Isuzu truck, I did the, I rebuild the, what was the, what was it called, I rebuild the chassis where the sweeper, rebuild the sweeper because was all rusty, rusty and stuff, cut out and profile cut all the, all repaired, refurbish.

And roughly how long ago was that?---Only that thing was, I got it with me, I can tell you exactly how long was, was that. I got the invoice with me (not transcribable) That was on 22/11/2011.

40 All right. Do you mind if I have a look at that?---Not a problem.

Thanks. Did you ever have to put in any quotes or tenders to get this work? ---For this, for this work we just put it 75,000, \$75 for hourly rate and that's how we got the job.

All right?---That was our charge and still same charge.

And what about the work that you did at Mascot on the gates?---That was a quote.

A quote?---Tender, yes.

All right. And who asked you to or who suggested you put in a quote?
---Gary Goodman.

10 Right. And what about the truck repair work, how did that come about?
---He, he just brought it round and said, mate, can you do this. I said, mate, we're going to do it, not a problem. And the truck was down there more than one and a half months in my yard was doing bits and pieces on it.

All right. And all the work that you've told us about with respect to the truck, the work at the Mascot Oval and the boom gates et cetera, was that all paid?---Yes.

20 And who was it paid by?---Ah, through Botany Council, only I think this is a different one, were paid through Airport I think.

All right. So did the Sydney Airports Corporation pay it or did Botany - - -?
---Yes, I think that's the one.

All right. And which account – how were you paid?---By direct transfer.

Into?---Into Wetherill Park Metal Fabrication National Bank.

Into the company account with - - -?---Yes.

30 - - - National Australia Bank?---Yes.

Right. So is it, did you work on more than one truck or just that one truck?
---I did just one truck and I do remember it's another truck that's Hino, we changed the door hinges on the tipper. I just remember soon as I went last time I was here, I did remember we did that one as well.

All right. And how much - - -?---Two trucks, two trucks and that's it.

40 And how much do you think that second job was worth roughly?
---Was not much, I think 2,000-something.

3,000 something?---2,000 and something.

2,000 and something?---That's from my memory but I couldn't find any evidence for that.

All right. Have you ever heard of the, do you have any knowledge of a business called the Truck Service Centre or Truck Service Centre?

---That's pretty new to me, I just find out last, last time I was here.

Okay. So when you were asked questions about it before, that was the first time you'd hear of it?---First time I heard here, yeah.

All right. All right. Well, do we take it then that you never did any work for Truck Service Centre?---That's exactly right.

Has Mr Goodman ever asked you to do work on trucks for him?

10 ---I did, I did some small repairs on the little trailer, little trailer, merchandise trailer - - -

Yeah?--- - - - which was like \$2,000 something on it.

And was that a private arrangement?---Private arrangement and he pay me, he pay me by cash.

It was his own trailer, was it?---His own trailer, yes.

20 All right. Well, did you, did he ever ask you or did he ever engage you to work for him for trucks?---No.

All right. Have you ever paid – so the trailer, how was, how were you paid by Mr Goodman for that?---By cash.

Okay. Apart from that couple of thousand dollars for the trailer job, was there any other time that you were paid cash by Mr Goodman for work?
---I can't, I can't recall it but I don't think so.

30 No. Well, the only other work that you did through him was for Council. Is that right?---Yes.

All right. Can I show you this document?---Yeah.

Volume 18, page 32?---Sorry, my English reading is a little bit bad.

All right?---Yep.

40 Okay. So you see at the bottom, sorry, the bottom right-hand page, bottom right-hand corner there's a page number, 32. Do you have that page?
---32, page 32?

Page 32?---Yep, yep.

All right. This is an invoice that has Truck Service Centre written on the top?---Yes.

And one of your company trading names below that?---Yes, that's my, my, my company.

With a date, 27 March, 2012?---Yeah.

And some bank details on the bottom left-hand corner, St George Bank, Kogarah?---No, that's not mine.

10 Okay. So have you ever had an account at the St George Bank?---Never.

See that this invoice says the Isuzu Airport suction sweeper?---That's right.

Is that the truck that you did some work on?---That's the one.

Did you do the work that this says such as taking the tank out?---No.

All right. And can you just remind us again what work you did do on that truck?---Sorry, what was that was?

20 The invoice that you've shown us this morning - - -?---Yeah.

- - - of November - - -?---'11.

- - - 2011, that's the truck, the same truck?---That's exactly right.

All right. I'll tender that, Commissioner.

THE COMMISSIONER: Exhibit R5.

30

**#EXHIBIT R5 - WETHERILL PARK METAL WORKS PTY LTD
TAX INVOICE DATED 22 NOVEMBER 2011**

MR THANGARAJ: And the invoice you've given us today is before the invoice that we're looking at the moment which is March, 2012?---Yes (not transcribable) - - -

40 Yeah?--- - - - before March, 2012.

All right?---Yes.

Now I won't take you through any other invoices but do you know anything about Mr Goodman using your company name for invoices?---I did find out.

Sorry?---I did find out last time.

Okay. And before you were asked that - - -?---Nothing, I didn't know nothing about it.

All right. All right. Nothing further.

THE COMMISSIONER: Any questions for Mr Veljanovski? Yes, Mr Moses.

10 MR MOSES: Thank you, Commissioner. Exhibit 5 that was just shown to you by Mr Thangaraj, do you have that in front of you?---Which one?

THE COMMISSIONER: That was your invoice Wetherill Park Metal Work?---Yeah, I do.

MR MOSES: So the bank account that appears on the left-hand side of that invoice that's your company's bank account. Correct?---That's exactly right.

20 So any invoices which were sent to the Council's Airport Business Unit - - - ?---They all go through here.

- - - with your bank account details?---Sometimes they came cheques as well.

Okay?---Yeah.

30 But at the bottom of the document would be where they should - - - ?
---Sorry, excuse me. There was Commonwealth Bank before. Was Commonwealth Bank and after we change it to NAB.

Okay. Thank you. And any invoices which has the bank account details on it that was on volume 18, page 32 which is the St George account. If you can just look at that. The Truck Service Centre invoices, none of them are actually issued by your company. Correct?---That's exactly right.

So the payments – so I think during the period 2010/2015 that Truck Service Centre using your company name was paid about \$531,000 and none of that went to you?---Not a single cent.

40 Okay. Thank you?---Thank you.

And that – okay. Thank you. No further questions?---Thank you.

THE COMMISSIONER: No other questions of Mr Veljanovski? No. Thank you, Mr Veljanovski. You can stand down?---Thank you.

THE WITNESS STOOD DOWN

[2.43pm]

MR THANGARAJ: Mr Seng, Commissioner.

MR HARRIS: Commissioner, if it assists, Mr Seng is seeking the section 38 declaration.

THE COMMISSIONER: Thank you, Mr Harris.

MR HARRIS: I'm sorry.

10 THE COMMISSIONER: Thank you.

MR HARRIS: He'll take an oath on the Bible.

THE COMMISSIONER: Thank you. Mr Seng, I just need to make sure that you understand that the order that I am able to make protects you from the use of your answers against you in any future civil or criminal proceedings but it doesn't protect you if it should be found that you have given false or misleading evidence to the Commission. Do you understand that?

20

MR SENG: I understand.

THE COMMISSIONER: Pursuant to section 38 of the Independent Commission Against Corruption Act, I declare that all answers given by this witness and all documents and things produced by this witness during the course of the witness's evidence at this public inquiry are to be regarded as having been given or produced on objection and there is no need for the witness to make objection in respect of any particular answer given or document or thing produced.

30

40 **PURSUANT TO SECTION 38 OF THE INDEPENDENT
COMMISSION AGAINST CORRUPTION ACT, I DECLARE THAT
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DURING THE COURSE OF THE WITNESS'S EVIDENCE AT THIS
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GIVEN OR PRODUCED ON OBJECTION AND THERE IS NO
NEED FOR THE WITNESS TO MAKE OBJECTION IN RESPECT
OF ANY PARTICULAR ANSWER GIVEN OR DOCUMENT OR
THING PRODUCED**

THE COMMISSIONER: Would you like to be sworn or affirmed, Mr Seng?

MR SENG: Sworn, thank you.

THE COMMISSIONER: Yes. Could he be sworn. Thank you.

Pursuant to section 38 of the Independent Commission Against Corruption Act, I declare that all answers given by this witness and all documents and things produced by this witness during the course of the witness's evidence at this public inquiry are to be regarded as having been given or produced on objection and there is no need for the witness to make objection in respect of any particular answer given or document or thing produced.

10

MR THANGARAJ: Mr Seng, could you give us your full name please?
---It's Stewart Khim Leong Seng.

And is that K-h-i-m L-e-o-n-g?---Yes, it is.

10 Can you give us a brief work background?---I did mechanics apprenticeship originally at TAFE, apprentice mechanics and then I went to Wetherill Park for six months and did mechanics there for TAFE. Then after that having dermatitis I then travelled onto car audio section which was with Strathfield Car Radios and Auto Acoustics and a few other companies south side and after that I went and opened by own business which was On Q Installations in around 2003/2004.

And where are you now?---I'm at a the City of Botany Bay Council. I work for the Airport Division Business Unit.

20 How long have you been there?---Been there since 2013.

And what's your job there?---Originally it was truck driver, emergency spills driver and labourer and I hurt my back in the 3rd of the 3rd, 2014 and I've been on light duties ever since which is basically administration work, some mechanical work, the electrical mechanical work that's light duties.

When Mr Mark Goodman was still at Council was he your boss?---Yes, he was.

30 All right. How did you get the job at Council originally?---Originally, as you mean in 2013, that's what you're talking about, from 2013?

Yeah?---Sorry. 2013 – 2012 I come back from working at Ludowici which was up at Newcastle and I was in between jobs with the company that I – a recruiting company called DCR. At that time I knew Gary Goodman and he had asked me if I wanted to do some part-time work while I was waiting for the other job to come on at the Gatehouse which was down at Botany Depot, basically just looking after the security gate down there.

40 All right. And how did you know Mr Gary Goodman?---I've known Gary oh, be going back – I first met him at Auto Acoustics. Him and Keith Mark had actually come down to Auto Acoustics one day at lunchtime. I was – that was at Alexandria to look at some stereo gear - - -

Right?--- - - - for their vehicles, for Keith's vehicle I think it was at the time.

All right. So sorry, this is, you were working where at that stage?---Auto Acoustics.

Okay. And who owned that business?---Yerg Nydegger.

All right. When you opened up your own business on On Q Installations what sort of work were you doing?---I was doing mobile phone installations, car trackers, car alarms and high-end car audio.

And did your clients include Botany Council?---Yes, they did.

10 And how did you get that - - -?---I approached Gary Goodman to see if he wanted any work down for mobile phones and that for the Council.

And by this stage you already knew Goodman, Mr Goodman from - - -?
---Well, I knew Mr Goodman, yes, because at the time he come down to Auto Acoustics and at that time he was into high-performance vehicles and he invited me over to Wetherill Park to have a look at some of his vehicles.

All right. And after – how long from the time that you met him to the time you asked him for work at Botany do you think?---Oh, probably a good
20 12/18 months.

All right?---Maybe more.

Do you know – do you remember roughly when On Q started and finished?
---Started I think it was around 2004 from memory and I closed up towards the end of 2011, probably just the beginning of, probably 2012.

All right. Now in that time were you doing anything differently for Council than what you've told us On Q was doing?---Yes, I started doing um,
30 computers um, toner cartridges um, what else? Mainly that's about it.

Did you do anything for car equipment?---Just mobile phones and basically rewiring the vehicles, some vehicles, I was rewiring trucks.

All right. Did you do any traffic navigation systems, that's sort of - - -?---
Yes, navigations were one of them.

All right. When you started this work, did you, as far as you knew, did you have to quote for it or tender for it?---No, the only stuff I ever had to quote
40 form, I mean I used to give verbal quotes over the phones, over the phone to Gary or Mark Thompson or Greg Baker or but everything always went back to Gary Goodman.

All right. And how did you work out what you would charge?---Basically just my hourly rate and whatever I paid for the equipment with an amount of money on top.

All right. Did Mr, who did you confirm those rates with?---Um, I never had to confirm the rates.

All right. That was part of, you built into your quote was it?---It was just built into the quote, yes.

All right. Now you started working for Council in about 2004 I think you said?---I think it was that.

10 Through On Q. Did that change, did you move onto a retainer at some stage?---Yes, I did, I moved onto a retainer I think it was in about 2009 roughly.

And was that retainer for a particular time period, was it - - -?---Um, I wasn't really told how long it was for um, basically the retainer was just per month instead of, basically getting \$1,100 a week including the GST was what I was told by Gary.

20 Right.---And it was basically to be on call from whenever they needed anything.

And how did this come up, did you ask for it or did he suggest it?---No, no, he approached me on it because I think the bills were getting too high on the hourly rate.

Right.---I mean, I was charging the same hourly rate to Armaguard and Linfox and a few other companies that I was dealing with.

30 So the retainer, was that a full time retainer?---Um, yes, it's just basically to be on call whenever they wanted it.

So what did you then, what did you do then with the rest of your existing clients?---I let some of them slide.

THE COMMISSIONER: Was this \$1,100 a week that you were being paid whether you were there or not?---Yes, I could be there or not.

Right.---I was basically on call, if they called me I had to be at the Council.

40 MR THANGARAJ: Were you doing other work for other clients during this period?---Private clients yes.

How much time was that taking up?---Depending on what jobs they were. If it was high end audio or it was just mobile phones it could be two hours a day sometimes it just depends on what it was, I was always on the road. I was either on the road or I was at the workshop, Gary's workshop at Wetherill Park.

And what were you doing at his workshop?---Basically I was working out of his workshop on the agreement that if I would help man the phones down there when I was there and doing any other errands that he wanted.

All right. And when did you start doing that?---Probably about 2008 I think, 2008.

So how long did that continue for?---Probably right up to the time I finished On Q probably about, mid 2011.

10

And before you were put on the retainer and while you were still work at Mr Goodman's complex or Mr Goodman's workshop, how was he paying you?---He wasn't paying me. The situation there was that I would be allowed to use his workshop to do my high-end vehicles because I had nowhere, I was a mobile person.

Right.---Install obviously, customer cars down there when I was working on them and entail that I would answer his phones and do banking for him or whatever he sort of asked, that's basically it.

20

So when you started then on retainer with the Council for the say, two years or say that you were on retainer.---Yes.

Were you based in Mr Goodman's workshop?---Um, not always, no.

When weren't you there, where were you if you weren't there?---If I weren't there I was on the road doing vehicles.

30

All right. Apart from when you were doing work for Botany Council - - -? ---Yes.

- - - were you based in his workshop otherwise?---Yes.

And does that mean while you're on retainer for Council you were doing work for him running errands for him?---Well I mean the retainer was basically for on-call.

40

That's what I'm asking you. The period that you were on retainer with Council - - -?---Yes.

- - - you're also running errands for Mr Goodman?---I yes I would be yes.

All right. You told us this ended 2011/2012, why was that?---I'd say approximately most of my work was coming through Botany, I'd let a lot of clients slide um, and due to also the common car changing with car kits being installed and bought already when you buy the vehicles my clientele was starting to slide and high end audio was starting to go basically out the window because of the car stereos in vehicles were too hard to pay with

anymore. By that time I wasn't make enough money to support myself and the business so I decided to close it up and look for a job and also at that time, I was told by Gary that a new GM was coming on board and that they had their own preferred clientele.

Did he tell you whether or not they had a problem with your or your company?---No, no.

They didn't say anything like that?---No.

10

All right. Did you think that by having a retainer with Council that Mr Goodman had organised for you and also doing free work or doing work for him might have represented a conflict of interest?---I didn't at the time, no.

Do you know anyone by the name of Sam Alexander?---Yes, I do.

20

And how do you know him?---Sam worked um, casually at Auto Acoustics for I think roundabout eight months. He was the telecommunications guy there and then he moved on um, I think about twelve months or more before I left Auto Acoustics. He moved on and started his own business. When I started On Q I used to use Sam Alexander over at the time, I think he was at Leichhardt, I used to use him to buy stock from.

What stock were you using?---Car kids, mobile phones um, mainly that, mobile phone cases, batteries, sometimes get him to do the, sorry, the repair works.

And he ended up working for Council, as you know.---Yes.

30

And how did that happen?---Um, I was in Newcastle, just excuse me a moment, I was in Newcastle at the time working for Luduwici, I got a phone call from Gary Goodman and asked me if I knew anyone that was a Telstra dealer and um, at the time when I was doing Council's mobile phones and that Sam was a Telstra dealer so I put him onto Sam.

Right. Do you remember how long roughly it was between On Q shutting down and you starting at Council, I think you told us - - -?---It would be 2012, I was gone twelve months, about twelve months.

40

Can you tell us what the process was for invoicing Council when you were doing work with On Q?---Yes. We would basically, Gary or whoever it may be, Greg Baker would then would ring up and ask for parts. He would invoice the parts just as what we supplied. So whether it was six car parts or whether it was six mobile phones. The more expensive ones the model numbers were put down. Computers were actually, from memory the computers from CND invoices that you've got there they were actually put in categories. There was nothing and my retainer was just put down and work done as requested from one date to another.

All right. Well before we get to the retainer period, the normal invoices that you sent through for On Q, who prepared those?---I did.

And who did you send them to?---They were either sent to Gary Goodman or via email or they put on his desk. When I'd go up there and pass them to Mark Thompson or Sharon - - -

Dale?---Sharon, I'm not sure of - - -

10

Dale?---Yeah. It might be Dale.

All right. Who did you understand, who did you understand was approving your invoices, the ones that were paid?---As far as I knew it was Gary Goodman.

And how did you know that?---I seen him approve one when I was there once before.

20 Now you've told us then because of the amount that you were billing, the number of hours involved that you then went on a retainer?---Yes.

Of 1,100 a week?---Yes.

Now of course that would not include the cost of you providing hardware. So if you provided hardware it would come out of your pocket?---No, if we provided hardware it was - - -

Over on top of that?--- - - - it was over and on top of that.

30

And you've told us that that retainer agreement was in place till you left the company?---Yes.

So that would mean, would it that from the time you went on to the retainer till the time you left, so that period of a year or two that you were being paid \$1,100 a week as part of your retainer?---(No Audible Reply)

That is - - -?---Can you repeat that again, sorry?

40 You told us you were on a retainer for a year or two?---Yes.

Setting aside what you might've paid yourself for hardware that you then billed Council for?---Yes.

Put that to one side?---Yeah.

For your actual work - - -?---I was getting paid \$1,100 a week is that - - -

A week, right. So from the time you went on the retainer to the time you left, stopped doing work for Council though On Q, the amount of money that you should've been paid every week \$1,100, is that right?---I'm sorry, you've got me, you've confused me, sorry?

Sorry, it's my fault. You went on retainer - - -?---Yes.

- - - towards the end of 2009, you think, 2009/2010?---Yes.

10 You left, On Q stopped doing work for Council in 2011/2012?---That's right.

There was a period there for that period of a year or two you were on retainer?---Yes.

And you were on retainer for \$1,100 per week?---Yes.

So for that period of time what you should've been paid every week was \$1,100?---That's right, yes.

20

And the only extra you would've been paid would've been for hardware that you sourced?---For hardware, that's right.

Right. Were you – so setting aside the hardware that you were, right?---Yes.

Was there anything else, any other category beside your labour and hardware for which you were billing Council?---No.

30 All right. So setting aside the hardware, we know that you should've been paid \$1,100 a week?---That's right.

Were you paid \$1,100 a week?---Not always, I don't think, no.

All right. And why was that?---Because some of them were all my bills. I think when I did some of the billing it was, included work done as requested.

Sorry?---You're right.

40

You had a retainer to do whatever your labour required?---Yes.

So that meant, didn't it, and I understood that meant that they could get you doing full-time hours - - -?---That's right.

- - - of work and you would get \$1,100 in return per week?---That's right.

So there wouldn't be any scope would there for you to add - - -?---No.

- - - other work as requested?---No.

Do you agree?---That's right, I agree.

All right. So like I said, setting aside hardware you were to be paid \$1,100 a week whether you did nothing or whether you were working full-time?---
That's right.

10 And so for your work you should've always received \$1,100 per week and no more?---That's right.

Did you in fact receive \$1,100 per week or did you receive more than that?--
-I can't, I can't recall. I mean what my bills, what bills you would have of mine or what invoices you had of mine is what I would receive.

Well that's, we'll get to that later. But is there any room - - -?---I should've, yes, I should've. But I can't recall exactly what I did receive.

20 All right. Was there any legitimate reason why you would've received more than \$1,100 in a week from Council for your work?---Only for, only for hardware and that.

Yeah. That's what – so setting aside hardware?---Yes.

There was no reason why you would legitimately have received more than \$1,100 per week?---I shouldn't have, no.

30 All right. If you're on a retainer for \$1,100 a week, which was not dependent because it was a retainer, not dependent on how many hours you did?---Yes.

Did you still need to invoice?---Yes, I did.

And why was that?---That's what, that's what Gary wanted. Gary wanted me to invoice the \$1,100 a week every month.

40 So does that mean that – how would that work? I mean if you're doing it for \$4,400 a month that's not quite \$1,100 a week?---No, I – well - - -

So what was the arrangement?---Well, that was, that was the – it was \$4,400 a month. That's what I looked at it as.

All right. So 44 times 12 was what, 4,400 times 12 is what you were – your retainer was per year?---Yes.

All right. And you were asked to send an invoice were you every month?---
An invoice work done as requested or work done as required with date from
month to month.

All right. But the work that you – the work description that you used - - -?--
-Yes.

- - - whenever it was that you've just told us would actually not matter
because you were on a retainer, is that right?---(No Audible Reply)

10

You could say work as requested every month or because you're on a
retainer anyway?---I don't understand what you mean?

All right?---I'm sorry.

No, that's all right?---You've just - - -

What were asked to put on the invoice by Mr Goodman?---I was asked to
put on it work done as required or work done as requested.

20

All right. So that would mean that every month your invoice should've been
\$4,400?---That's right, that what it should be, yes.

And there's, okay. All right. And how were you being paid?---Direct
deposit into an account.

And which account was that, do you remember?---That would've been On
Q's cheque account.

30

And I think there were a couple that might've gone into a personal account?--
--That would be later on towards the end, yes.

All right. All right. I'll come back to your invoicing per your retainer in a
moment. But I just want to ask you something first. There was an account,
there was an invoice of 6 January, 2009 that used the name On Q
Installations, you've been asked about this but I just need to ask you again?--
--Yes.

40

6 January, 2009, a payment for On Q Installations in the amount of \$34,540.
The account listed on that invoice was one associated with Mr Goodman?---
Yes.

Do you know anything about that?---No, I don't.

Before you were asked about this recently, did you know anything about it
at all?---No.

Was there ever an arrangement that you had with Mr Goodman whereby any On Q monies would be paid into his account?---No.

For tax reasons or otherwise?---No.

All right. I just want to show you these cheques. Can you just have a look at this?---Yeah.

10 You've seen this before. All right. You see that these are – I'm just focussing on the second cheque for \$6,000?---That's right.

It's a cheque - - -?---From On Q Installations.

Well, if you look down the bottom you'll see the description of On Q Installations?---Yes.

Right. And that matches the second cheque on the page for \$6,000? ---That's right.

20 All right. And this, this payment was made into the account of Gas Motorsports?---That's right, it was.

Do you know anything about this cheque?---Yes, I do. At the time when I was here last time I didn't.

Yeah?---Since then I have checked and it was for stock from Gas Motorsport.

30 What do you mean by that?---Well, Gas Motorsport is a high-performance parts warehouse and high-performance engine building. Um, during the time I used to buy parts off them for customers, like my own private customers. So at the time I didn't realise that this cheque, the \$6,000 cheque was actually from me.

So whose writing is the On Q Installations?---That's Gary Goodman's.

40 Right. So can you tell us how this came about, do you remember any more details?---Um, I can't remember, I can't remember who it might have been that I bought the parts for but I would have, I would have, I would have bought parts and basically has an invoice done, a cash invoice done out to On Q and he was, he was given the 6,000 obviously the cheque was made out to Gas Motorsport.

All right. I tender that document.

THE COMMISSIONER: Yes, that will be Exhibit R6.

**#EXHIBIT R6 - CHEQUES TO GAS MOTORSPORTS PTY LTD
DATED 9 OCTOBER 2009**

MR THANGARAJ: Did you over time lend any money to Mr Goodman?
---Yes, I did.

And was any of that money repaid?---No.

10 How much did you lend him overall?---I can't recall how much it would be.
I know it's in the vicinity of over 60 to \$70,000.

Right. You - - -?---Could actually be more.

All right. Can I just have one moment. A company on behalf of – sorry,
you prepared a statement for the benefit of Botany Council?---Botany
Council, yes, I did.

20 All right. And in that statement you refer to the debt is somewhere between
80 and 100,000?---Yes. At the time that's what I was, that's – at the time
that's what I think it could be and, and, and as I said to you, 60 to 70,000 at
the moment is probably being reasonable.

All right. Well, this, this statement was prepared by you a few weeks ago?
---That's right.

30 You, were you trying to get as much detail in as possible? It's a pretty
lengthy statement?---Well, it was just, it was just what they – basically we
went down there and talked, that was, that was it.

All right. How did you come to that figure?---It's just an estimate. It's not
an exact figure.

Is this - - -?---Because it's over a period of time and I have not received the
money back from him over a period of time, a good, probably about
2011/2012 when I closed, when On Q closed, I basically almost wiped the
debt because every time I have asked him for the money back I've been
refused it.

40 All right?---I've even been refused in his office at Council.

How did it first come about that you lent Mr Goodman money?---Originally
it was just being a friend, we were, we were friends before we were, before I
was doing work for Council um, and I loaned him money and then he kept
on saying to me that he'd come back and I knew how much money that he
was makin' through Gas so I always thought that he would, like I'd see the
money come in from Gas, I thought eventually that I'd get paid back um,
and I didn't.

Sorry, how could you see the money that was coming in through Gas?
---Well, I, as I said, I used to be down at Gas and he, he would get me to bank - - -

Okay?--- - - - money for him.

10 Yes, you said that, sorry. All right. Well, how did the – what was the first conversation, did he tell you why he wanted the money?---No. Well, the first conversation was when – the first lot of money he asked me for was that he was, he didn't have the money to pay some of his stock bills.

Through Gas Motorsports?---For Gas Motorsport.

Yeah?---And then the next time I got asked to pay for his mooring on his boat. He's very – he's got a boat down at St George Motor Yacht Club.

20 Yeah?---And another one was that his brother had called him and his Newington College school fees were due and he asked me would I pay for those and that he would give me the money back when he saw me in the afternoon, and I never got that back. So it was just a continuation of lies saying I'll give you the money, I'll give you the money, and I never received it back.

And when did this start?---Oh, I, I, I couldn't tell you. I'd, I'd, I'd be lying to tell you when. I would have to go through multiples of bank statements and my credit card statements to tell you when, 'cause they were paid basically on credit cards.

30 So how – are you saying that you did not keep a record of - - -?---It's all on – I had a record of all my dealings or when I say dealings, all the money that I had borrowed Gary ah, loaned Gary basically and I had all my records for my business all on my computer system and I had a hard drive collapse in 2011/2012 I think it was, which I lost all my backups. I then tried to get it recovered and I got part of it recovered and then I lost, I lost it again in two thousand, I think it was 2013 and I had to end up buying another computer. So everything that I've got um, all my MYOB stuff, my business, my ledgers that were on a computer, got destroyed in 2011/2012.

40 But I thought you said that you were keeping a record effectively because you were paying these bills by credit card?---I had, well, that's what I'm saying to you, if I, if I needed to go through a record now I would have to pull all my credit card statements.

Right. Are you saying that all the money that you lent him came through your credit card by paying bills?---Yes.

All right?---It would be on credit card.

That means that you could work out with some precision how much you did lend him?---Basically, yes, because the bills, the bills wouldn't be mine.

All right. Did you have much money at this time?---Not a great deal, no. I was, I was earning decent money and what decent money I was earning, I was basically using to live on and, and, and obviously loan Gary money.

10 When he told you that he would return the money for say the first borrowing
- - -?---Yep.

- - - did he tell you that he would return it before he asked you for the second borrowing - - -?---No.

- - - and the third and the fourth?---No.

20 Right. So were you lending money before you understood he would repay the existing debt or did you think that he should have paid it?---No, well, I thought that he would pay me, he said to me eventually he would pay me the money and I, I didn't, I took him for his word basically.

Right. Well, you've told us that you've advanced him up to 100,000, maybe 60 or \$70,000 - - -?---Yeah.

- - - through your credit card. That means, have you paid he credit card statements down?---We've paid the credit cards, yes.

30 All right. So that means you've carried him for 60 or \$70,000 at least?
---Yes.

40 How are you able to afford to do that?---Well, I wasn't at first, I was, I was getting money, I was working money, I was doing, basically doing the Council money, I had Council money that I was earning and I was using that. I'd also borrowed money off my mother to pay some of the cards, I've borrowed money off my godfather in 2010 I think it was or 2011 and it's taken me right up to 2012, I mean 2012/2013 to pay my tax returns because I was behind. And I've lived at home, because of the reason being that I owed so much money I had to move out of the apartment and move back to home to my mum's.

40 All right. Did you think anything would happen – did you think there would be a problem if you did not lend him money with your work?---No, I didn't – at the time I didn't, no.

All right. Did you think that later?---Only now.

All right. Have you ever worked for Mr Goodman?---As, as – what do you mean?

Have you ever been employed by him?---No.

All right?---No. All he did was he made me a business card under Gas Motorsport basically that was on – I would go with him down to the racetrack on the weekends because I was – that’s – my interest is the race cars and stuff. I would go down with him and just hand out cards for contacts for the company. That was it.

10 All right?---But I never got paid by him and I never actually physically worked for him as an employee. It was just as a - - -

All right. Did he ever –was there ever any suggestion by him or otherwise of using Council money to repay your debt one way or another?---No.

All right. Can I just take you to some of your – some invoices that you put into Council?---Yes.

20 Can we start with volume 15, page 61?---Yes.

Are you right to read that off the screen?---Yes, I’m right to read that off the screen.

All right. So that’s On Q Installations work done as requested as you told us - - -?---That’s right.

- - - for about a month as you told us and the balance was the amount that - - -?---4-4.

30 - - - the amount that you told us?---Yes.

All right. Now go then to page 65. This is an example of hardware that you were sourcing?---Yeah. Sony laptop and a HP laser printer, yes.

All right. And then go to 67. Now is there some reason – the figures aren’t really that far off but is there some reason why - - -?---Oh, that’s wrong.

Beg your pardon?---That’s wrong, the bottom figure.

40 Did you ever put in an invoice for a figure other than \$4,400?---Shouldn’t have been, no. That might have been with the – I don’t know how that’s come about. That’s wrong.

MR HARRIS: Commissioner, could I clarify we’re on page 67 here.

THE COMMISSIONER: Yes.

MR HARRIS: Thank you.

THE WITNESS: No, it should have been 4-4.

MR THANGARAJ: All right. All right. And what about 77?---No, they should have been 4-4.

And 79?---(not transcribable) I can't give you an answer on that.

10 All right. So - - -?---I'd have to, I'd have to – this is the problem. I would have all this down in the records. I'm just trying to think what – the only - - -

Well, it's a precise, it's a - - -?---No, I understand. No, I'm just trying to think what would be the reason for it.

Well, 2,300 is not even half so it wouldn't even be half a month?---Well, no, it's over half isn't it.

20 Well, it's not a question of whether it's a little bit over or a little bit under? ---Yeah.

I'm just trying to - - -?---No, I know. I understand.

All right?---I'm just trying to think whether, whether it was – because obviously I wouldn't get paid if I wasn't here so I'm just trying to think whether in that, that time in the 10th of the 1st, 2010 whether I was away or not. I wouldn't be paid if I wasn't at work.

30 Available. Yeah?---That's what I'm just trying to think. So I couldn't tell you. I'd have to - - -

All right. So as far as your memory is this correct, that for the entire period that you were on retainer you were putting in invoices for \$4,000 a month plus GST and no other figure apart from the times that - - -?---That's what I should have been doing, yes.

Apart from the times that you might have been on leave?---Yeah, that might have been over.

40 All right. Do you know when Gas Motorsports stopped functioning?---I only heard rumours that it was stopped functioning in 2012.

When did you stop working there? You might have, sorry, you might have told us this?---I left, I, I, I left there in – actually, no. Sorry, let me refrain. 2013 – 2012 I'd gone up to Newcastle so, yeah, I'd, I'd, I'd not been down at Gas Motorsport since about just after December, 2011.

All right. Did you ever ask to be paid by cheque for your – when you were on retainer?---I can't remember. I don't think so.

All right?---Shouldn't be any need to. It would have been put straight into my account.

Now you – a lot of money was deposited through – into sorry, accounts from Mr Goodman coming from you. You had some mutual clients did you? There was a significant amount of money, \$275,000 that went –
10 payments into his accounts?---As in how?

Well, they were deposits made by you into accounts associated with - - -?--- Into Gas Motorsport itself?

Yeah, yeah?---Yes, that would have been his takings of Gas Motorsport.

All right. Was there – were you doing any work for any of his clients?
---No.

20 All right. Did you deal with any of his clients as far as - - -?---I spoke to them, yes. Of course, I was down there so - - -

Did you deposit money on behalf of his clients into his account?---I don't – what do you mean? I don't understand what - - -

Well, you were running errands including banking?---Yeah. Well, if, if a client came – for instance it's like a shop. If he came in and put \$20,000 on the table for a deposit for an engine, yes, I would go and deposit it into the account for him so it wasn't sitting there.
30

And would the deposit slip have your name on it?---It's got my signature on it. I saw them last time.

Yeah. All right?---Yes.

Were you an employee of Council when you were on retainer?---No.

Were you on the books?---No.

40 All right. How – so what was your status with Council when you were on retainer?---I suppose contractor, just on call.

All right. Do you know anyone that works for a company called Gardens2envy?---I know of them because of where I work now.

All right. You did not know them before you started your current job?--- No.

All right. Do you know who the invoices from Gardens2envy go through at Council?---No, I don't know who they go through at Council, I know, I know that basically I know the process now because I deal with them in this section now - - -

When you say the process now, how long?---The process has obviously changed since this situation.

10 So what about the process before - - -?---The process before um, basically would go into um, the office, basically I suppose, well what I used to see was now if we would get the invoice of what the companies do, what our contractors do whether it was Mal or whether it was David Wellington and then they would go inside to obviously Mark Goodman's office or Marny Baccum's office and they'd be processed from there and then obviously they'd go up to, I'd say they'd go up to head office from there.

All right. Who do you know at the business unit that deals with Gardens2envy?---Mal Foo, he was in Gardens2envy um - - -

20 Before September last year was there anyone else besides him?---Um, no not that I can recall.

Did Mark Goodman have anything to do with Garden2envy?---Well, Mark Goodman was the boss I'd say he would.

Well, to your knowledge was he dealing with Gardens2envy or you don't know?---I don't know.

30 All right. What about Marny Baccum?---Don't know, I think, oh, she's only on invoices.

I beg your pardon.---On invoices.

What do you mean by that?---Well, obviously she'd, they would go in and check invoices.

40 Do you have any role in invoice processing at the moment?---No, I don't, no. All I have a role in at the moment is um, doing MROs which is getting stock and that for um, mechanical section at the moment and basically I get two quotes, two quotes and then go into the acting manager at the moment, the acting manager then signs it and decides what quote unless it's a preferred dealer and then that goes into the um, I suppose we call it the finance department in our area now, the little goes into Ross how is there and he would sign it off and get us a purchase order.

All right. Do you know anything about these contractors Jovane, these are airport business unit contractors?---Jovane.

Have you heard that name?---(No audible reply)

Iced Air?---No.

Alex Electrical?---No.

Green Thumb?---No.

Highland Profiles?---No.

10

Cube DNC?---No.

Ari Landscape and Solutions?---No.

Now I want to ask you about Council vehicles.---Yes.

Did you observe something to do with a Council vehicle and Mr Goodman as a result of this investigation an F250?---F250 yes.

20

What did you - - -?---Well the F250 used to be down at Wetherill Park.

And how long was it there for, are you talking about that complex where Gas Motorsport was?---Yes.

And how long was it there for?---A long time.

30

And who did you see, if anyone, driving that car?---I didn't see anyone driving it, it was usually, when I, well, when we were down there, we used to drive it but we were told that it wasn't Council's vehicle we were told it was Gary's vehicle.

When you say, we would drive it, does that mean when you were doing errands you would sometimes?---Yeah, if we had to go and take something up like pick up parts or something, we would drive the vehicle.

And you talked about doing, this is Gas Motorsport?---That's Gas Motorsport stuff.

40

All right. When was the last time you saw the F250?---When it was brought back into the workshop after ICAC had raided - - -

Which workshop?---It was brought back into the business unit.

Yes, the Council workshop?---Council workshop, yes.

So you knew that ICAC had come to Council with a search warrant?---Yes.

And in relation to that, when did you next see the F250?---A month, a month and a half later.

And that was at the airport business unit was it?---Yeah, a whole heap of cars came back.

All right. Do you know what other cars came back?---Toyota, was it a Toyota Carola, a Nissan, Toyota, I can't remember what else.

10 Do you know where they came from?---No, no, oh, and a Toyota Land cruiser.

Do you know who was driving that?---Well, originally, as far as I knew originally it was Gary's Gary's company vehicle.

Right. The F250 there's an On Q installation invoice from August 2009 - - - ?---For a navigation system, yes.

20 And other things. The \$3,800, did you supply and fit that into that car?--- Yes, I did and it's still in that car today.

All right. And is that, from at least 2009 until 2015 that was at the workshop was it?---Yep.

Being used by - - -?---And it's been replaced twice that screen.

All right. All right. I want to ask you something else that's in your statement that relates to private work being done at another Council employees place.---Yes.

30 Can you tell us what you saw with respect to that please?---Um, I was asked to go down and get a gas bottle from Mr Mark Goodman's house during business hours um, and fill it up but due to the reason that I can't lift I had to take one of the other staff with me um, and when we got down there was a Botany Council vehicle and couple of workers, I didn't see who they were, down there working on the house, carrying a piece of wood.

40 When you say they were workers - - -?---Well you could tell by the Botany Council shirts.

All right. Yes, sorry, keep going.---And basically we were to pick up a gas bottle, change vehicle for Mr Goodman and take the gas bottle back and the other vehicle and get his gas bottle filled up which he paid for.

And did you know, could you see what the people in the Botany shirts were doing?---At the time they were carrying a piece of wood up on the side level, you can't see because the fence is fairly high.

How long were you there for?---Probably twenty minutes, probably a bit more.

Was the truck, did you say you saw a truck there?---Council vehicle.

All right. Did you ever take this up with Mr Goodman, Mr Mark Goodman?---No, Mark and I don't get on too well as you will probably see in my statement.

10

Commissioner, I want to ask him one question that he was asked in his compulsory examination so can I lift the suppression order at page 560 lines one to ten.

THE COMMISSIONER: Yes the previous suppression order in relation to that transcript is lifted to the extent indicated by the question in cross-examination.

20

SUPPRESSION ORDER LIFTED IN RELATION TO MR SENG'S COMPULSORY EXAMINATION PAGE 560 LINES ONE TO TEN

MR THANGARAJ: Mr Seng, you were asked, remember coming here before and being asked questions.---Yes, yes.

You were asked whether you ever had a discussion with anyone about why Council staff were at Mark Goodman's house?---Yes.

30

Do you remember your answer was Mark wants, do you remember that? ---No, no, I'm sorry

And then you were asked, well what was the discussion and it was that you were told that it's none of my business, do you remember giving that answer a couple of weeks ago and you said that that happened in April last year?

---No, I'm sorry, I don't recall that one. I probably did.

1540nh

Well is it the case that you asked Mark Goodman why Council staff were at his house?---I can't - - -

40

All right?---I'm sorry, I can't recall whether he did or - - -

All right. Nothing further.

THE COMMISSIONER: Any questions? Yes, Mr Moses.

MR MOSES: Sir, I act for Botany Council?---Yes.

I just want to ask you some questions?---Yes.

Auto Acoustics?---Yes.

That's where you met Mr Goodman, is that right?---That's right.

And did you also meet Keith Mark at Auto Acoustics?---Yes, I did.

And Sam Alexander?---Yes, I did.

10

And Peter Fitzgerald, Junior?---No. Peter Fitzgerald, Junior I met him later on at obviously through - - -

Council?--- - - - Botany Council.

Thank you. And Auto Acoustics, just remind me, what did that company do?---We used to do high end audio.

20

Thank you?---Navigation, mobile phones, car trackers.

Thank you. And you met Keith Mark and Mr Goodman through the work you did there, correct?---Yes. Yes, I did.

And On Q Installations, did you register that business name?---It was, yes, I registered that business name. It was registered as a sole trader.

Sole trader. And the work that you were doing at On Q Installations was that being carried out through Mr Goodman's premises at Wetherill Park?---No. It wasn't originally. It was, it was all mobile.

30

Okay. But then - - -?---It was mobile.

But then you came to be based at his Gas Motorsports premises?---Yes, I did, I did. Well, I based it there for a while because of the reason being that I needed somewhere for stock to go and I also needed somewhere to work for big high end audio.

And you've answered phones and did sales work for his - - -?---That's right.

40

- - - business in return for paying no rent?---Yes.

Okay. And On Q Installations, most of that work I think as you've told Mr Thangaraj, was through Botany Bay Council?---Yes, it was. Eventually, eventually it became that I was reliant through Botany.

And that's the retainer we've seen for \$4,400 a month?---Yes.

For the period 2005 to 2011?---That's right.

And - - -?---Well, it wasn't 2005, it was, it was, it was – the retainer only came into around about 2009.

Okay. Can I ask that page 30 of volume 15 be put on the screen for the witness. That's an example of one of the retainer letters that you would issue from time to time?---Yes.

10 And it wouldn't set out the work you're doing but just work done as requested?---That's right.

And who would request that you do work?---It would be Gary, it would be whether Greg Baker called me from the ranger division. Any, any number of, any number of the people that would call.

Who was your main contact point at Council during this period?---It would be Gary Goodman.

20 Thank you. And you would also provide additional invoices for supplying equipment, I think as you've told Mr Thangaraj?---Yes.

And an example of that appears at page 71 of volume 15?---Yes.

Now were any of the invoices that you issued to Council inflated at all?---I could not – they weren't inflated - - -

That's Okay?--- - - - to make money.

30 No, Okay?---They were, they would be at prices that I would buy and then I would add - - -

I'm not suggesting - - -?---No.

No?---I know, I understand.

What I'm trying to ask you is this. Were any of the invoices, the amount on the invoices inflated so that you would give money to Mr Goodman?---No.

40 Okay. Now in terms of – if I can ask that up on page 235, volume 15 if that could come up on the screen. This is a bank account statement from On Q Installations. So page 235, you'll see there are two - - -?---Yes.

- - - payments on 9 October?---Yes.

You see those ones there?---Yeah.

Transaction 513 and 514?---Yes.

Did you withdraw this money and give it to Mr Goodman?---Which one, the 513?

Both of them?---514 was the cheque that on page 230.

Well, so page 235?---Yes.

10 The payment, the two payments on 9 October - - -?---No, 9 October, 513 cheque was payment to my mother for a loan which she'd given me.

Payment to your mum?---Yes.

Okay. Can I ask that page 232 come up on the screen. So if you look at these two deposits into Gas Motorsports?---Yes.

They appear to be identical to the payments that I've just taken you to?--- Well, they're not identical.

20 Just let me just, let me just finish. The amount for \$6,000 - - -?---Yes.

- - - to be precise, that seems to be a payment coming from you to - - -?--- That's right.

- - - Gas Motorsports which is identical to the amount of money - - -?---Off the cheque.

- - - that was drawn on from your account. What was that for, the 6,000?--- That was for stock, for high performance stock.

30 So you purchased stock?---I bought high performance stock which was, well it could have been a (not transcribable) it could've been a race, race computers and - - -

When you say it could have been, you don't know sitting here today what it was?---Well, I'm not exactly a 100 per cent sure. But anything that was paid into Gas Motorsport like that from a cheque from my account, would be for the reason of being stock. Yeah. It's not to give him money.

40 Okay. So when you said earlier that money was paid to your mother to repay your mother a loan were you mistaken when you said that earlier to the Commissioner?

MR HARRIS: Commissioner - - -?---No, no, no, no. Hold on.

I'm sorry, to interrupt.

THE COMMISSIONER: No, sorry. There are two - - -

MR HARRIS: Different amounts, sir.

THE COMMISSIONER: There are two - - -?---There's two different amounts.

MR MOSES: Which, which amount went to your mother?---Well you've got – if you go back to my statement - - -

You're going back to page 235?--- - - - one is 5,500 - - -

10

And that one went to your mother?---And that went to my mother. And then the other one would be 6,000 which would've went to – well if you look 514 is 6,000, that's Gas Motorsport and 513 is 5,500 which went to my mother. The cheque butts that you showed me on this one on the deposit slip, one is 3,500 and one is 6,000.

Okay?---Yes, I admit the 6,000 one was a cheque there - - -

20

So from time to time you would write out cheques from On Q Installations to Gas Motorsports?---Only when I needed stock.

Okay. Well can the witness be shown page 35, volume 27. That's a cheque from On Q Installations for \$5,000 to Gas Motorsport on 19 February, 2009. Again for us what's that in relation to, what would you say?---I couldn't tell you if that's stock or whether that's money that I've loaned him.

You don't know?---No, I can't tell you. As - - -

30

All right. Because by this time, by this time were you still operating On Q Installations?---19/2/'09. Yes, I was still - - -

Okay. But you don't know whether that's a loan or whether it's money for something?---That's right.

40

Okay. Now I think you've told the Commission that you stopped performing work through On Q Installations because Mr Goodman informed you that when the new General Manager started that he was told that the work that you were doing had to go through a preferred supplier agreement, correct?---That's right.

And you're now employed by Botany Council?---Yes.

MR MOSES: Yeah. And how did you get the job?---I – as I said - - -

Who arranged the job?---I, I asked – originally I, originally I had seen Gary Goodman in December, was it December or January. In January, 2013.

Yes?---He asked me if I wanted a part-time job doing five to six weeks in the Gatehouse, security Gatehouse down at Botany Depot. At the time I – before that I was working for DCR up at Ludowici in Newcastle. I had asked DCR –because my wife was living with my mum – obviously we’re living down at Wollongong area and my, my wife was living down there and I was travelling to Newcastle back and forward every weekend.

Okay?---I’d asked DCR to see if they could get me a job down south coast. They said to me that they could get me a job working on the overpass, the
10 new Gerringong overpass – Berry, sorry, Berry overpass and then I couldn’t get hold of that job till February, February/March so I worked at the Gatehouse for the meantime and I was actually employed – Botany Council was actually paying me a wage. It was a very small wage but it was a wage. It kept money coming in and then towards the end of the Gatehouse situation I’d seen Peter Fitzgerald Junior which I knew at the time was the manager of the Airport Division and I’d had a truck licence, I’d had a lot of licences, a lot of tickets already and I said to him when he came through the Gatehouse one day is there any work down at the Airport because I was
20 getting worried that I wasn’t getting the other job with the other company. So he said I’ll see what I can do, see, see what evolves and then I got told that I had to go – Peter came back and told me a couple of days later that I would have to go for an interview and I turned up at the interview – I turned up at Botany Council to go for an – what I classed as a proper interview in a suit and when I got there everybody else was in jeans and a T-shirt. So we went in and we did a contract. They did a contract that was with Mark Goodman (not transcribable) and them and I basically started work the next day.

Now in terms of your relationship with Mr Goodman, did he ask you if he
30 could put your name on contracts, for example, contract with Kennards Storage Facility at Wetherill Park?---No, he didn’t.

Thank you?---And I think - - -

Are you aware that he did do that?---I was aware of it. I think I told Sink Solutions.

Yeah?---I called Cath.

40 And how did you become aware of that?---I got a phone call, when was it. I left on the 8th, 7th, I think it was the 6th.

Yes?---The 6th of December just before I left to go and see my girlfriend in the Philippines because having a baby.

Yeah?---I got a phone call from Kennards saying is that Mr Seng and I said yes. And at that time they asked me about a unit 41 I think it was.

Yes?---I did tell Cath.

Yes, that's okay. Please tell the Commissioner?---I think it was unit 41, and would I like to have it closed down because it's got no lock on it, no – and I, and I had no idea – I said I don't know what you're talking about.

Okay. Now did Mr Goodman ask you to transfer money overseas for him?
---Yes, he did.

10 And how did that come about?---I got a call from Mark Goodman to say that Gary wanted to see me at the office and I went to the office and he wasn't at the office and I rang him and then he said he was down in Mascot bank.

If I could just stop you there. When was this?---I think it was April.

April of?---I don't know the exact - - -

20 The year, April of which year?---Last year.

April of 2015. Yes?---Yes, last year.

Yes. Sorry. You – so you went down to the bank?---I went down to the bank.

Which bank?---SGU I think it is.

Thank you?---It's the - - -

30 The credit union?---Credit, what do they call it. No, not credit. What's the money transfer?

THE COMMISSIONER: Western - - -?---Western. Thank you.

MR MOSES: Thank you?---Right. It was Western and I went down there and when I got there he had passed me an envelope with half of the details on it.

40 Yes?---And he said to me, "Can you transfer this for me?"

To where?---To The Philippines.

Yeah?---And - - -

In your name?---Well, yes.

Yeah. And did he ask, did he tell you why he was asking you to do that?
---Well, he said that he had, he'd already sent too much money- - -

Okay?--- - - - is what he said, and then when I got in there I had no idea of, of how to transfer. I mean I transfer money to The Philippines to my (not transcribable)

Yeah?---But I had no idea how to, what I had to put on or anything so I actually rang him from the bank - - -

10 Okay?--- - - - and spoke to him on the phone.

And he gave you the details?---He gave me the details over the phone, yes.

And do you know what connection he has with The Philippines?
---I don't know.

Okay?---As far as I'm concerned it's a friend or from what I've been told it's a friend.

20 Okay. Now, I think you've told Counsel Assisting that Mr Goodman still owes you an amount of money?---Yes, he does.

And how much do you now say that is?---Look, as I said, it's an approximate.

That's okay. How much?---It's approximate, probably about 60 to, anywhere between 60 and \$80,000 I'd say.

30 Okay. And your mother has also lent money in the past to Mr Goodman?
---Yes, she has, she has lent him money in the past.

Yeah. And do you know how much she lent Mr Goodman?---She originally, as, as far as I knew she lent him \$3,000 and I was paid that back, I was paid that back sometime, I can't remember now.

Well, was that money given back to you to give to your mother?---Yes, it was. It was given to me - - -

Now, was that paid - - -?---It was given to me in Botany office.

40 Was that paid to you on the day of the raid by the Independent Commission Against Corruption by Mr Goodman?---No.

No?---No.

Before or after?---Before.

Thank you. And when is the last time you saw Mr Goodman?---I saw him, I'm trying to think of the date now, I had to go pick a truck up of Botany Council's from Elias Smash Repairs.

Is that at Wetherill Park?---Yes, it is.

Is that where Gas Motorsports are?---Yes, it is.

10 And you went there to pick up a Council vehicle?---We went to pick up a Council truck that was down there for repair. We were told to pick it up and bring it straight back.

And was he at Elias & Sons?---He was sitting out the front.

Of their premises?---Of their workshop, yes.

Thank you. Now, I think you mentioned earlier that you saw Council workers doing work at Mark Goodman's house?---Yes, I did.
20

Is that at Leichhardt?---Yes, it is.

Okay. And did it strike you as strange that Botany Bay Council workers were in Leichhardt undertaking work?---Yes.

Thank you. I have no further questions for the witness.

THE COMMISSIONER: Any other questions of Mr Seng?

30 MR DHANJI: Very briefly, Commissioner.

THE COMMISSIONER: Yes, Mr Dhanji.

MR DHANJI: Mr Seng, you indicated that there was some money paid and in fact - - -

MR MOSES: I'll just interrupt. Just one further – I do apologise, Commissioner, I just wish to tender through the witness, I apologise to my learned friend, a statement that Mr Seng provided to Sink Solutions as part
40 of the investigation. I understand ICAC have been provided with a copy of it. It's probably (not transcribable) to tender that statement.

THE WITNESS: Yes.

MR MOSES: I might just do it through the witness so he can identify it.

THE COMMISSIONER: Do you – have you seen that, Mr Thangaraj?

MR THANGARAJ: We've had it for some time.

THE COMMISSIONER: Sorry?

MR THANGARAJ: We've had it for some time.

THE COMMISSIONER: It's not in the present brief?

10

MR THANGARAJ: No.

MR MOSES: If I could just ask the witness to identify it, Commissioner.

THE COMMISSIONER: Yes.

MR MOSES: I'm sorry, my learned friend, I should have done that (not transcribable) Sir, I just want you to identify that that is your signature that appears on each page and that to the best of your recollection - - -?---Yes, it is.

20

- - - and believe this is a true and correct statement by you?---Yes, it is.

Signed on the 5th of February, 2016?---Yes, it is.

Yes, thank you, sir.

THE COMMISSIONER: Yes. Exhibit R7.

30

#EXHIBIT R7 - SINC SOLUTIONS STATEMENT FROM KHIM LEONG SENG

THE COMMISSIONER: Yes, sorry, yes, Mr Dhanji, just, just for the record though, Mr Dhanji, you appear for Mr Gajic?

MR DHANJI: That's so, Your Honour.

40

THE COMMISSIONER: Yes.

MR DHANJI: It's a very brief thing, Mr Seng. You made a reference a moment ago to some money that was loaned by your mother to Mr Goodman?---Yes, it was.

And you said that that money was repaid before the rain on Botany Bay Council?---Yes, it was.

Do you recall when the raid on Botany Bay Council was?---Ah, last year in ah, what was it, October, October I think, October.

And the money was, the money you say was paid sometime before then?
---Yes, it was.

Thank you.

10 THE COMMISSIONER: Nothing else for Mr Seng?

MR DUNNE: Commissioner - - -

THE COMMISSIONER: Yes.

MR DUNNE: - - - my name is Dunne.

THE COMMISSIONER: Yes, Mr Dunne.

20 MR DUNNE: I represent Mark Goodman.

THE COMMISSIONER: Yes.

MR DUNNE: I've just been handed a copy of Mr Seng's statement.

THE COMMISSIONER: Yes.

30 MR DUNNE: Now, Mr Seng has given evidence orally today but as inconvenient as this might be, I would ask the opportunity to look at this statement overnight and reserve whether I have further questions for cross-examination of Mr Seng until tomorrow morning.

THE COMMISSIONER: All right. Well, Mr Dunne, can I ask you to let Counsel Assisting know whether or not you require Mr Seng to return, and we might have to fit in with his commitments, but if it's not tomorrow it will be some other time.

MR DUNNE: Yes.

40 THE COMMISSIONER: All right.

MR DUNNE: If I could just reserve the position on it.

THE COMMISSIONER: Yes. All right. Thank you.

Nothing else at this stage? Any questions, Mr – oh, sorry, Mr Harris, you have a question?

MR HARRIS: Commissioner, no, I have no questions but you heard Mr Seng refer to The Philippines, he has a family situation there.

THE COMMISSIONER: Yes.

MR HARRIS: And in relation to him coming back here, he would be very anxious if he's recalled that it be sooner rather than later.

THE COMMISSIONER: I understand that, yeah, I understand that.

10

MR HARRIS: Thank you.

THE COMMISSIONER: When is he planning to go?

MR HARRIS: Well, as soon as he could I think.

THE COMMISSIONER: All right.

MR HARRIS: So subject to his commitments here, you see.

20

THE COMMISSIONER: Mr Dunne can let us know first thing tomorrow morning. Right. Thank you.

MR HARRIS: And to labour the point, should Mr Seng make himself available for tomorrow?

THE COMMISSIONER: Well, he probably should, but I'm wondering, Mr Harris, rather than have him traipse all the way in here tomorrow morning, perhaps we can get a message to you and he can come in sometime later tomorrow.

30

MR HARRIS: Be grateful, thank you.

THE COMMISSIONER: All right.

MR HARRIS: Thank you very much.

MR MOSES: Commissioner, just before we adjourn, could I provide to the Commission page 1 of the blow up of the first page behind tab 3 of Exhibit R6?

40

THE COMMISSIONER: Yes, yes, I'll join that with Exhibit R 6.

Now, oh, sorry Mr Seng, you may step down. We'll let you know tomorrow if you're needed at any further time. All right. Thank you.

THE WITNESS: Thank you, Commissioner.

THE WITNESS WITHDREW

[4.04pm]

MR THANGARAJ: That might inform Mr Goodman's lawyers as to what Mr Harris has just said as to whether they'll need to consider whether they need, so I'm sure - - -

10 THE COMMISSIONER: Yes.

MR THANGARAJ: Your Honour, I'm sorry, Commissioner, for tomorrow the order of witnesses subject to Mr Seng is Kevin Maton then Suman Mishra then Marny Baccam and if we get to him, Mark Goodman.

THE COMMISSIONER: All right. Mr Overall, any further news in relation to your client or do we expect to receive something tomorrow?

MR OVERALL: We expect a report tomorrow.

20

THE COMMISSIONER: Tomorrow, right. Right. Thank you. I'll adjourn till 10.00am tomorrow.

AT 4.02pm THE MATTER WAS ADJOURNED ACCORDINGLY

[4.02pm]