

SKYLINEPUB00754
09/04/2018

SKYLINE
pp 00754-00822

PUBLIC
HEARING

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INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE PETER HALL QC
CHIEF COMMISSIONER

PUBLIC HEARING

OPERATION SKYLINE

Reference: Operation E17/0549

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON MONDAY 9 APRIL, 2018

AT 10.00AM

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

THE COMMISSIONER: Yes.

MR CHEN: Commissioner, Mr Petroulias has provided to Mr Broad an amended application for a notice summons for production to Tony Zong and an amended basis for further cross-examination of Mr Zong. There are two applications. Could I hand those up, Commissioner?

THE COMMISSIONER: Thank you.

10 MR CHEN: Could I add to the bundle? There's also a document which Mr Petroulias has provided to Mr Broad, called Basis for Cross-Examination of Hickey, presumably in reference to Mr Hickey, a witness on the list for tomorrow.

THE COMMISSIONER: Yes, thank you. Well, for the moment, just so that we can keep track of these documents I'll mark them for identification. The first document entitled Amended Application for a Notice Summons for Production to Tony Zong will be marked as MFI 21.

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**#MFI-021 – AMENDED APPLICATION FOR A
NOTICE/SUMMONS FOR PRODUCTION TO TONY ZONG**

THE COMMISSIONER: The next document is entitled Further Basis for Further Cross-Examination of Mr Zong and Further Applications bearing date 8 April 2018, marked as MFI 22.

30 **#MFI-022 – AMENDED BASIS FOR FURTHER CROSS-
EXAMINATION OF TONY ZONG & FURTHER APPLICATIONS**

THE COMMISSIONER: And the third document entitled Basis for Cross-Examination of Hickey I'll have marked as MFI 23.

**#MFI-023 – BASIS FOR CROSS-EXAMINATION OF CLAYTON
HICKEY**

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THE COMMISSIONER: Those applications will be dealt with in due course and I intend to revisit them tomorrow morning.

MR CHEN: That was the only matter of a housekeeping kind that I wish to raise, Commissioner, subject to that matter.

THE COMMISSIONER: Yes. Just on timetabling, I anticipate that the hearing will not finish this week. It will, after this week, be adjourned until the week of 7 May, the whole of that week. As to further programming beyond that week, I'll seek to have that determined within the next day or so.

MR CHEN: The other matter perhaps I should have raised, Commissioner, is the sitting hours tomorrow. As I understand it, the Commission for operational reasons won't be able to sit beyond 3.00pm.

10

THE COMMISSIONER: 3.00pm, that's right, so we'll adjourn at 3.00pm tomorrow.

MR CHEN: Thank you., Commissioner.

THE COMMISSIONER: Yes.

MR CHEN: Commissioner, if it's convenient now, I'll call Leonard Quinlan who is at the back of the - - -

20

THE COMMISSIONER: Yes, Mr Quinlan there. Thank you., Mr Quinlan. Mr Quinlan, before you start evidence, we need to know whether you will swear on the Bible to tell the truth or whether you prefer to take what's called an affirmation to tell the truth.

MR QUINLAN: I'll swear on the Bible.

THE COMMISSIONER: Thank you. Did you state your full name?

30 MR QUINLAN: Leonard James Quinlan.

THE COMMISSIONER: Thank you.

THE COMMISSIONER: Thank you, Mr Quinlan. Just take a seat there. Mr Quinlan, as you're not legally represented, I'll just give you some appreciation of giving evidence either on objection or not. If you don't wish to take an objection, that's fine, that's a matter for you. Do you understand, has anybody informed you about this aspect?---No, sir.

10 The Independent Commission Against Corruption Act under which this Commission operates, makes provision, provides for, a witness to object to giving evidence. That doesn't mean that the witness doesn't have to answer, the witness does have to answer and give a truthful answer to all questions, but taking an objection to giving evidence has the effect of protecting you in the sense, that is to say that the transcript of the evidence you give can't be used in the future in other proceedings such as criminal, civil or disciplinary proceedings.---Okay, yeah.

20 And, that doesn't mean that you could not be prosecuted under the ICAC Act for giving false evidence, for example.---Yeah.

But, it could be used for that purpose, but it can't be used in a general sense in the future in other proceedings. Do you understand?---Yeah, I do.

30 So, that's the purpose behind allowing a witness to object and then I can make a declaration. You don't have to object, you can give evidence if you wish without objecting, that's entirely a matter for you and if you follow that course, you're entitled during the course of giving evidence to ask at some point for a declaration that you object. What would you like to do?---I object.

Very well. In respect of the evidence of Mr Quinlan, pursuant to section 38 of the Independent Commission Against Corruption Act, I declare that all answers given by him and all documents and things produced during the course of his evidence are to be regarded as having been given or produced on objection. Accordingly, there is no need for Mr Quinlan to make particular objection in respect of any particular answer given or document or thing produced.

40 **IN RESPECT OF THE EVIDENCE OF MR QUINLAN, PURSUANT TO SECTION 38 OF THE INDEPENDENT COMMISSION AGAINST CORRUPTION ACT, I DECLARE THAT ALL ANSWERS GIVEN BY HIM AND ALL DOCUMENTS AND THINGS PRODUCED DURING THE COURSE OF HIS EVIDENCE ARE TO BE REGARDED AS HAVING BEEN GIVEN OR PRODUCED ON OBJECTION. ACCORDINGLY, THERE IS NO NEED FOR MR QUINLAN TO MAKE PARTICULAR OBJECTION IN RESPECT OF**

ANY PARTICULAR ANSWER GIVEN OR DOCUMENT OR THING PRODUCED.

THE COMMISSIONER: Yes, Mr Chen.

MR CHEN: Thank you, Commissioner. Mr Quinlan, you became a board member of the Awabakal Local Aboriginal Land Council in about September of 2013 did you not?---It'd be around about that time. I can't
10 remember but, yeah, it'd be around then.

And you ceased being a director – sorry, I withdraw that. You ceased being a board member in about July of 2016. Does that sound right?---Yeah, it'd be about two years I got it for.

Of course, prior to that and perhaps continuing you've been a member of the Land Council have you not?---Yeah, since I was 18.

Now, I want to ask you some questions, Mr Quinlan, about board meetings generally.---Yeah.
20

Now, when the board of the Land Council met the minutes of the discussion and resolutions would be recorded in a book would they not?---Yeah, they have to, yeah.

And that's a red hardcover book. Isn't that right?---I think it would have been. I'm not sure.

I'll just show you Exhibit 50. Just have a look at Exhibit 50 which are the board members' meetings from 20 March, 2013 until 2016. I'm just going to ask whether you recognise that generally as the book of the minutes of the Land Council?---Yeah, that's, that's pretty much what it is, yeah.
30

And during the course of – could that be returned, thank you. And during the course of the meeting there'd be a dedicated individual who would take the minutes and record it in that book. Isn't that right?---Yes, they would.

And during the time that you were the board member, principally those minutes were taken by Mr Hancock?---From the start when we all first got on the board, yeah, he was the one.
40

THE COMMISSIONER: Sorry, say that again.---From when we first got on the board, when I got on he was the one that took the minutes, yeah.

Mr Hancock did?---And, yeah, at the time.

Yes. If you could just keep your voice a little bit higher just so that we can - - -?---Away from it. Okay. Sorry.

- - - clearly hear it because it's all got to be taken down by the transcription people.---Okay.

Thank you.---Yeah. Sorry.

MR CHEN: And after he ceased being a board member did it fall to your mother, Jaye Quinlan, to take the minutes?---Yeah, she did.

10 And when she was not able to take the minutes Nicole Steadman, who is your partner, took the minutes. Is that right?---Yes.

Now, you yourself never took the minutes - - -?---No.

- - - whilst you were a board member did you?---No. I'm a terrible writer.

All right. And you never had reason to make an entry in the minute book at any time did you?---Not that I can remember of. I don't think so.

20 You can't think of any reason now why you had to have access to write something in the minute book at all?---No.

Now, from time to time during the course of meetings of the board resolutions would be passed would they not?---Yeah.

And they would be discussed obviously by the board?---Yeah.

And if they were, or the outcome of a motion put before the board would be recorded in the minutes?---Yeah, they have to.

30 And in due course those minutes would be typed. Is that right?---Yeah, as far as I know.

Well, what you observed and experienced your time as a board member was at subsequent meetings minutes of the earlier meeting in a typed form would be presented?---At the next meeting, yeah.

40 Well, typically at a following meeting whether it's the next or not but at a following meeting - - -?---Oh, yeah. Sorry. Yeah, well, yeah, when the next one - - -

- - - they would be presented?---Yeah.

And the board members would be asked to review them to determine whether or not they were a true and accurate record of the earlier meeting?---Yeah.

Now, sometimes there was a considerable amount of delay wasn't there between producing the typed minutes and presenting them back to the board?---I've never taken any notice.

Now, you yourself were not involved were you in typing up any of the minutes?---No, I'm not really good at stuff like that.

10 Where was the handwritten minute book, Exhibit 50, kept in the Land Council's offices?---As far as I knew they were always in the CEO's room.

And who was entitled to have access to it whilst you were a board member, Mr Quinlan?---I'm not really sure. I'm, I'm just assuming it was the, it was the CEO and the receptionist that typed them up.

THE COMMISSIONER: Sorry, you said you assume the CEO and?---The receptionist that types them.

Receptionist?---Yeah.

20 MR CHEN: Well, just think of the book at the moment, I'm just directing your attention to the red book that I showed you a moment ago. That would be kept in the CEO's office so far as you were aware.---Yeah.

Is that right?---Yeah.

And that office would be locked when the CEO wasn't using it. Would that be right?---Pretty much.

30 And who would have access to the CEO's office when the CEO was not there?---I don't know, the CEO and I don't know if anyone else had a key or not, but I was just assuming only the CEO had a key.

And did you know that minutes – I withdraw that. Did you know that resolutions were separately typed up and recorded by the board?---No, not that I knew of.

40 Did you know that the individual resolutions that were passed were kept in a separate folder?---No, I thought they were in the same folder. Thought I had to type them up after the board meeting.

Right. Are you talking about the minutes or separate resolutions or you're not sure?---Oh, I'm not really sure, but I was just, everything had to be typed up together - - -

I'll just show you - - -?--- - - - far as, far as I know.

Right. Just have a look at volume 2, page 6. This will come up on the screen, Mr Quinlan. Mr Quinlan, if you prefer to look at this in hard copy,

that's fine, we can bring the folder to you. Are you happy to look at it on the screen?---No, I can see it, yeah.

All right. Just accept if you would, Mr Quinlan, that they are typed resolutions, in particular resolutions that occurred on 21 March, 2014. Do you see that?---Oh, yeah, yeah, up the top, yeah.

10 Did you know that resolutions were typed up and kept in that format, Mr Quinlan, or not?---No, I've got no idea how they do it, to be honest.

And you don't know they're kept at reception or not, in a separate folder?---No.

You never had access, if it was kept in a folder, to the resolution book?---No, I wouldn't touch 'em.

And I take it you'd never had reason to type up any of the resolutions yourself?---No.

20 You've never been shown any of the typed up separate resolutions at all whilst you've been a board member?---No, I, no.

Or at any time?---No.

Now, in the second half of 2014, a number of proposals relating to land came before the board. Isn't that right?---Yeah, there was about one or two, I remember one for sure when he first come there but - - -

30 Who was that, Mr Quinlan?---A Torres Strait fella and an Asian fella, but I honestly can't remember their names.

Right. Was one of the, the Torres Strait Islander called Cyril?---It might ring a bell. I honestly don't remember his name. I just know, yeah.

You keep going, sorry?---No, just, no, just that he was an islander, a Torres Strait Islander fella.

40 And the other fellow, do you recall his name as being Omar?---That rings a bell 'cause I haven't heard it before so - - -

He was an Asian-looking gentleman I think you said?---Yeah, he was, yeah.

You certainly remember them coming?---Yeah.

And you remember they handed out a brochure or a flyer?---Yeah, they, they did, yeah.

And you remember receiving a copy of that, do you?---Yeah.

All right. Have a look on the screen if you would, please, at volume 2, page 67. Do you recognise what's on the screen in front of you now as the document that was handed out at the meeting involving the Torres Strait Islander gentleman and the Asian gentleman you referred to?---Yeah, I've seen it before.

10 Do you think that's the document that was provided at that date?---I could be but I can't, honestly I can't remember but it, it I've seen it before but I don't know if it was that meeting or not, but I think it might.

Now, do you recall that in fact they were presenting by the Indigenous Business Union or IBU?---Oh, I couldn't remember the name of 'em.

Would you have a look, please, at volume 2, page 64. Do you recognise that as the front page of the minutes of a board meeting on 31 October, 2014 of the Land Council?---All the minutes look like that so, yeah.

20 Well, I'm just asking you whether you recognise that as apparently being the minutes of the 31st of October, 2014.---Well, it's got the date on it, yeah.

Do you agree?---Yeah, it's got the date on it.

And you'll see that you're recorded as having attended, Lenny Quinlan.---Yeah.

Just have a look at number 3, please, under the heading Development Proposal. Just read it to yourself if you would.---Yeah.

30 You've read that?---Read that. Yeah.

Does that assist your recollection at all in now saying whether or not IBU were in fact the people that you recall presenting on that day?---I would have been there. I remember talking about it, the properties and that.

Do you remember them talking about five separate lots?---No, I don't, I remember them talking about what the ones that are on there, the golf course, the Waratah, Warners Bay and post office.

40 Well, it talks about two. One next to the golf course. Do you see that?---Yeah, next to the golf course.

So that's Hillsborough Road.---Yeah.

And opposite the golf course is also Hillsborough Road, is it not?---Yeah, it runs a long way from (not transcribable) down to Warners Bay from Charlestown, sort of.

In any event, you've got no reason to doubt that that's anything other than an accurate record of what, in broad terms, the development proposal was, do you?---Yeah, yeah.

You agree?---Sorry?

10 Do you agree – well, I withdraw that. You've got no reason, having read it now, to doubt that that's not a generally accurate version of the presentation that was presented on the 31st of October, 2014?---I can't remember, but it, it, I remember just talking about stuff like that that's on that, yeah.

Do you remember anything being resolved following this presentation or not?---No. Because we can't resolve nothing unless it goes to the board, to the members, and then the State Land Council.

So do you have any recollection about what was discussed in terms of going forward with this proposal, if anything?---Not, just taking it to the members to vote on it.

20 That's what you recall, is it?---That's the only thing that can happen from it. Nothing else can happen from it.

I understand that, Mr Quinlan. I'm just asking you whether you have a recollection about whether there was a discussion along those lines. Namely, should it go to the members or not?---Oh, yeah, we would have had to discuss it a lot.

Anyway, that's your best recollection, is it?---Yeah, sorry about that, mate.

30 That's all right.---Yeah.

So have a look, please, at the next page, if you would, and just look at point 7 under the heading development proposal.---Yeah.

Do you see it talks about propose a – I'm sorry, it'll come up in a second. "Propose a contract of sale to IBU," et cetera.---Yeah, I see it. Do you want me to read it?

40 Well, yes, please. Just to yourself.---Okay. Yeah, I read it.

It talks about, obviously, proposing a contract of sale. Do you see that in the first sentence?---Yeah, I seen the first bit, yeah.

And the last sentence talks about if there was an agreement to the earlier matter to be put to the members.---Yeah.

Is it your evidence that, in fact, only what was discussed was that something should be put to the members?---No, as far as I know, rule and regulations

that if we discuss them and we're going to try and sell our land, we have to take it to the members and they'd have to agree to it.

So are you saying that was discussed was not proposing a contract of sale but simply to put forward a proposal to the members to see whether they would agree to it?---I know we discussed about the land and that, but like I said, we can't do nothing unless the members say okay.

10 THE COMMISSIONER: I think what you're being asked is - - -?---Yes, sir.
What you're being asked is when it says on item 7?---Yeah.

You can see on the screen, propose a contract of sale to IBU. Do you have a recollection of anybody - - -?---No, I don't.

- - - making that proposal or suggestion?---No, I don't remember. No.

20 MR CHEN: Is it your best recollection that all that was discussed was that a proposal should be put to the members?---Yeah, and take to the members, like the rules and regulations says.

It refers only to IBU as well in the apparent motion that's being moved and passed. Do you see that?---Yeah.

There was no reference at all during the meeting to a company called Gows, was there?---No, I said I've never heard that, of that one before.

30 And there was certainly no reference to Gows Heat at all, was there, during this meeting?---No, I can't remember.

Well, you'd never heard of that before either, had you?---No.

THE COMMISSIONER: When you say you can't remember, you mean to say you have no recollection of the name Gows Heat being raised at the meeting, is that what you're saying?---Pretty much, if you put it that way.

40 MR CHEN: Now, I just want to show you, please, the handwritten minutes at volume 2, page 62. Would you accept first, Mr Quinlan, that on the page that's on the screen in front of you, on the right hand side, that appears to be the handwritten minutes of the meeting of the board on 31 October 2014?
---Yeah, that's what it says. Yeah.

And you'll see in attendances that your initials are there, LQ?---Yeah, LQ. Yeah.

And if you go down a little bit further, you'll see the words "Presentation Cyril"?---Okay, all right.

And if you look to the right of that you'll see Richard Green declared interest?---Okay, yeah.

Do you recall now Mr Green declaring an interest during that meeting?---I can't remember.

All right. Now, if you just have a look at the next page, please, Mr Hancock has told the Commission that he took these minutes?---Okay.

10 And that largely this is his handwriting that appears in the minutes at volume 2, page 63, and you'll see that there's a paragraph that's been scribbled out?---Yeah.

And beneath that there are the following words, "Propose a contract of sale to", and Mr Hancock has said that it should continue on in his handwriting, "IBU", and include landscaping, fencing, apprenticeship, etcetera?---Oh.

Do you see that?---Yeah, I see it.

20 Now, Mr Hancock has also told the Commission that there seems to be some additions in that first line after the word to, t-o, on the left hand side, g-e and after IBU, the word Gows. Do you see that, Mr Quinlan?---Yeah, on the right hand side of the to, yeah, yeah.

And after IBU the word Gows appears to have been added in there. Do you see that?---Yeah.

Now, Mr Hancock has said that he didn't – that is not his handwriting and he did not put those words either side of the initials IBU. Did you put those
30 there, Mr Quinlan?---No, sorry, mate, I didn't put that there. No.

Do you know who did?---No. No idea.

You know nothing about it at all?---Mate, that's, there's no way I would do that.

And so far as you're aware, the only presentation on 31 October was by IBU. Isn't that right?---Well, that's as far as I can remember, as much as I
40 can remember, sorry.

Now, I earlier showed you the minutes which showed the resolution that had been apparently proposed by Ms Dates and seconded by Mr Walsh and carried. Do you want to have a look at it again?---Yeah, please, I – I can't - - -

All right. We'll just go back to that now. So it's volume 2, page 64. It might be 65. So this is volume 2, page 65 and these are the typed minutes

of the meeting of 31 October, 2014. Now, you read before at point 7 development proposal. Do you see that?---Yeah, yeah, yeah.

Now, I take it you'd expect the resolution on that day to be in those terms namely, what is recorded in the minutes would you not?---Yeah.

Now, would you have a look, please, at volume 2, page 66 and you will see there what appears to be a board meeting resolution on 31 October, 2014. ---Yeah.

10

And you will see, Mr Quinlan, that it says proposed sale to Gows, not IBU. ---Okay.

Do you see that?---Yeah, yeah, I do. Sorry.

And you would appreciate would you not that that's different to what's contained in the typed resolution contained within the minutes?---It looks different to the other minutes that you showed me.

20

Have you ever seen this proposed board meeting resolution referring to Gow?---I can't remember seeing it. Can't remember seeing it.

Do you know anything about how it may have come about, Mr Quinlan? ---No, sorry, I don't.

Nobody asked you to prepare it?---No.

Nobody told you they've prepared it had they?---No, I don't know. No one said nothing about it.

30

Are you able to offer any explanation as to how the word Gows has appeared in that resolution, Mr Quinlan?---No, I wouldn't even be able to spell it.

Now, are you able – thank you. So far as you can recall, Mr Quinlan, what happened to the proposal that had been put by the Torres Strait Islander gentleman and the Asian gentleman?---I thought he'd withdrawn it. I didn't, that's all I can remember of it.

40

So in your time as a board member so far as you can recall the proposal was put on one day and nothing further happened with it?---No.

Are you agreeing with me?---Yeah.

Now, would you have a look, please, at volume 3, page 123. You mentioned earlier that not only had you not heard of Gows or Gows Heat you probably wouldn't be able to spell it, Mr Quinlan?---Yeah. Sorry.

Are you okay?---Yeah, just my throat.

I take it you've never seen any agreement involving Gows Heat Pty Ltd whilst you were a board member?---What do you mean by that?

Well, I'll just show you this document. If you look at volume 3, page 123. Do you see there a document described as Heads of Agreement, General Heads of Agreement date 15 December, 2014?---Okay. Now I know.

10 All right. And if you have a look at the second page you will see that that purports to be an agreement between Gows Heat Pty Ltd and the Land Council.---Okay.

Do you see that?---Yeah.

Have you ever seen that before, Mr Quinlan?---No, I haven't.

20 Did Mr Green ever tell you that he'd signed – I withdraw that. If you look at, please, the end of the document you will see that appears to have been signed by Richard Green.---Okay.

Do you see that?---Yeah.

So that's at page 128 of volume 3.---Yeah, I see it.

30 Did Mr Green ever tell you that he'd signed such an agreement?---He's the chairperson so I wouldn't, I wouldn't know, I would know if he did. I haven't, I honestly can't remember but I don't know if he would tell me or not.

Well, what I am asking you is whether he did tell you?---Oh. No, I haven't.

I rather took it from your last answer because you've never seen the document before - - -?---Yeah.

- - - that perhaps there hadn't been any discussion between you and Mr Green about this?---Probably, yeah.

40 You're agreeing - - -?---Probably not, yeah.

THE COMMISSIONER: By the date of that agreement, it's 15 December, 2014 - - -?---Yeah.

- - - had there been any meeting of members to consider the question of entering into a contract of sale with this company, Gows Heat?---I can't, I can't remember if we had a meeting or not. Sorry about that.

You can't remember one way or the other?---Yeah, I can't remember if we had a meeting about it.

MR CHEN: It's a pretty significant agreement is it not, Mr Quinlan, if it purports to create a right to acquire five of the Land Council properties would you agree?---Yeah.

10 And I take it that that would be something that if a proposal or an agreement of that kind had occurred whilst you were a board member, it's something likely you would remember, would it not?---Well, yeah or see, yeah.

Well, you'd have to discuss it, wouldn't you?---Yeah, you do.

And what you've told the Commission is, you've never heard of Gows?
---No.

You've never heard of Gows Heat?---No.

20 And you've never seen this agreement before?---No.

Is it not the case that it's likely that Mr Green never had any discussion at all with you about this agreement?---Probably not.

Well, there was a board meeting in fact on 15 December, 2014, Mr Quinlan.
---Oh.

I want you to assume - - -?---Yeah.

30 - - - that you attended. If such an agreement had been signed, would you not expect it to have been put before the board or at least recorded by the board at that meeting?---Probably, yeah.

Well, you don't have any doubt about that, do you?---No. Well, like I said before - - -

THE COMMISSIONER: What's that?

40 THE WITNESS: - - - it has to be written down in a book if we had a meeting.

THE COMMISSIONER: Well, what would you make of the position that if the board had never been asked to consider the question of selling to this company, Gows Heat, and there had been no meeting of the members about it, how do you see Mr Green's behaviour in signing the agreement in those circumstances?---I don't know, probably reckless, I don't know.

Mmm?---Reckless probably.

Reckless, did you say?---Mmm.

Well, it's dealing with the Land Council's own property, its own land, and if one of the board members took it upon himself to sign up the Land Council to selling a significant portion of its land to some company you've never heard of before, what would you say about Mr Green's behaviour in doing that?---I don't know, it would be wrong for one.

10 And when did you first hear that he had done that?---Not till you showed me.

MR CHEN: I'm sorry, I didn't catch that last answer?---Oh, not till you just showed me. I went he, I mean you. I don't, can't remember his name.

You see Mr Green had never raised – I withdraw that. At no point during any board meeting that you attended was authority given to Mr Green to sign that agreement, was there?---No.

20 And there was never any discussion at any board meeting you attended about delegating to Mr Green the authority to sign that agreement, was there?---Not that I can remember.

So far as you can recall, at no point had there ever been authority given to one individual board member to enter a transaction such as that. Isn't that right?---Well, yeah, they can't do it, not unless the board gives them the okay.

30 Now, in your time as a board member, Mr Quinlan, had you ever heard of any agreements being entered between the Land Council and Sunshine Property Investment Groups Pty Limited involving Land Council land? ---We did, we did, as far as I remember, remember, I remember talking about something like that.

Right. And do you remember when that was?---No, no way.

Did Mr Green – I withdraw that. Were you ever told that an agreement had been signed between the Land Council and Sunshine Property Investment Group Pty Limited involving Land Council land?---No, I can't remember.

40 Is it your evidence that you were simply told that there was something going on with Sunshine but not told the details?---I'm just trying to remember, but I remember talking about it but I don't remember - - -

THE COMMISSIONER: Who was talking about them?---No, we was as a board, at a board meeting, talking about Sunshine.

MR CHEN: So was this in about April of 2016?---I can't remember what day it was or - - -

Well, at this meeting did anybody say to you as a board member, we have signed a series of agreements purporting to dispose of or create an interest in the Land Council's land in favour of another party?---Oh, no, I can't remember.

Well, would you remember something like that?---Mmm, probably.

If it happened?---Probably, yeah.

10

Were you aware of any – I withdraw that – at any time during any board meeting that you went to, was there ever any discussion that the Land Council had entered into an agreement with Sunshine Warners Bay Pty Ltd involving Land Council land?---No. No, I don't remember.

And, you're not aware of any agreements or proposed agreements between that company and the Land Council at all?---No.

20 Did Mr Green ever raise that he had signed a number of agreements with those parties?---No, I can't remember.

Well, again, would you accept that that's something that's fairly significant?---Yeah.

And that's something that if it had occurred, should have been disclosed to the board?---Yeah.

You agree with that?---Yeah.

30 You don't have any doubt about that, do you?---No, you have to discuss it with the board, but I don't remember.

All right. And did Mr Green ever raise with you personally that he signed these agreements?---No, I don't remember.

Again, is that something you would remember if it had occurred?
---Probably.

40 THE COMMISSIONER: What sort of relationship did you have or do you have with Mr Green?---I didn't even know the bloke before I got on the board. Never met him before.

Well, since you joined the board - - -?---Yeah.

- - - what was your relationship with Mr Green?---Only just seen him at the board meetings and that – when we have do's or karaoke and stuff like that.

Did he become a friend of yours?---I don't know if you'd call it a friend, just mates, more or less, mates, more than mates than friends.

MR CHEN: Did Ms Dates ever tell you that she had signed agreements on behalf of the Land Council with Sunshine Property Investment Group Pty Limited?---No, not that I remember.

Again, is that something that if she had disclosed you would have remembered?---Probably.

10

She never raised with you she signed these agreements personally?---No.

And at no board meeting that you attended was there ever any discussion about giving either of them the authority to sign those agreements, was there?---No, not that I can remember.

Nor was there any discussion at any board meeting that you attended about delegating to them the authority to sign such agreements, was there?---No, I can't remember.

20

They're pretty significant things aren't they, Mr Quinlan, giving to one or two board members the power to sign agreements involving Land Council land, would you agree?---Yeah, they are.

And it's a significant step, is it not, to confer the power on just one or two board members, wouldn't you agree?---Yeah, but they're the chair and the deputy chair, too.

30

Well you think it would be okay to delegate it to those two, would you? ---Mmm. If it did happen, yeah, it would.

THE COMMISSIONER: You mean to say give one or two people full powers of the board? Are you suggesting you'd be party to that?---No, I, I know what you mean but, yeah.

Have you ever known that to occur?---No, not really, no.

In your time as a board member?---No, I should've said no in the first place. Yeah.

40

What?---I should've said no in the first place, no, I never, I never, ever seen it before.

You've never seen or heard of it before being done?---Yeah.

Whilst you were a member of the board. Is that right?---Yeah. Yes.

MR CHEN: And surely if that were ever raised, Mr Quinlan, you'd want to know why the power would be given to one or two individuals rather than the board deciding it, would you not?---Yes.

And that never occurred, did it?---Not that I remember.

Now, have you ever heard of Solstice Property Corporation Pty Ltd?
---Vaguely, I've heard of it once.

10 All right. When did you hear of that name once?---In a board meeting.

Do you remember when that board meeting was?---No.

Was it on or around 8 April 2016?---I couldn't tell you what day it was.

And what was discussed in the context of that reference to Solstice?---I think it was just sort of the same thing that we've been hearing about people wanting to come and develop our land and help us.

20 What, that they wanted to put a proposal to the board?---Mmm. Yes.

And in your time as a board member, were you aware of any agreements or proposed agreements between the Land Council and Solstice Property Corporation Pty Ltd involving Land Council land?---No, I don't remember.

Well, again, is that something that if it occurred, you would remember?
---Probably.

30 The most significant assets that the Land Council had whilst you were a board member was its land, was it not?---Yeah, it is.

And it's a significant step, is it not, for it to dispose of some of its property, would you agree?---Yeah.

And it should only occur with full and proper consideration in the first instance by the board about whether it's in the interests of Land Council members?---Yes.

40 And so if you, as a board member, had heard of a potential dealing with land, you would take a keen interest in it, would you not?---Well, you'd think I would.

Well, I'm asking you at the moment - - -?---Yeah.

- - - about whether you would?---Yeah.

You would?---If there was going to be a proposed – what you said.

So, when you say, "I can't recall", whether you'd heard of anything, for example, involving Solstice and the Land Council and Land Council land, isn't it the case that if there was such a proposal that was raised, it's most likely that you would have remembered it?---Well, I said vaguely I remember their name.

THE COMMISSIONER: Just listen to what was put to you?---Sorry.

10 It would be most likely you would remember what's being put to you?---
Okay.

Is that right or not?---Yeah.

If something was put up before the board about selling Land Council land to an outsider, to a company, that's something you would have been particularly interested in as a board member?---Yeah, yeah, you would.

Is that right?---Yeah.

20 And if that had been raised at board level - - - ?---Yeah.

- - - do you think you would then remember such a matter?---Yeah.

All right.

MR CHEN: And although you said you remember Solstice or the name being mentioned once- - - ?---Yeah.

30 - - - you were never told, were you, about any agreements between the Land Council and Solstice involving Land Council land?---No, I don't.

You're agreeing, you were never told that, were you?---No, I don't remember either.

Would you have a look, please, at folder 8 page 22? You'll see there in front of you is a document described as General Heads of Agreement with a date 19 November 2015, Mr Quinlan?---Yeah.

40 If you have a look at the second page, you'll see that that is a proposed agreement between three parties, Solstice, the Land Council and Gows Heat?---Okay.

And if you go to the end of that document, please, you'll see that at page 28 that's been signed by Ms Dates and Mr Green?---Okay.

Do you see that?---Yeah.

Have you ever seen that document before?---No, I can't remember.

Did Mr Green ever raise that he signed that agreement at any board member that you attended?---No, I can't remember either.

Did Mr Green ever raise he signed this agreement with you personally?---No, I can't remember.

10 Was there any discussion at any board meeting you attended about giving Mr Green the authority to execute that agreement?---No, I can't remember that either.

What about Ms Dates, did she ever raise with you at any board meeting that she signed this agreement?---No, I can't remember.

And was there any discussion about giving Ms Dates the authority to execute the agreement?---No, I can't remember that either.

20 Was there any discussion about giving or delegating to Ms Dates the authority to execute that agreement?---No, I can't remember.

If this agreement had been signed, Mr Quinlan- - - ?---Yeah.

- - - should that not have been put before the board?---Well, yeah, you think.

Well, you think, don't you, it should've been?---Yeah.

Are you agreeing with me?---Yeah, it should've been.

30 And so you tell the Commission, though, that it was never put before the board at any meeting you attended. Is that right?---No, not that I can remember.

Now, in March of 2016 on 8 March in particular, you went to a meeting of the board where a number of proposals concerning ratification were raised. Do you remember going to such a meeting with the board where ratification was raised?---What do you mean by ratification?

40 What do you understand it to mean?---I don't even know what it means, that's what I'm asking, I don't – I honestly don't know what it means.

All right. I just want to get you to have a look at the minutes of a meeting on 8 March 2016?---Yep.

It's volume 10 page 100. Do you recognise that as the cover sheet of the minutes of the board meeting of 8 March 2016?---Yeah.

And you'll see in attendees you were recorded as being present?---Yeah.

And if you look, please, at page 101 you'll see that there are three resolutions that are raised?---Yeah.

Now, prior to this meeting, were you given any agenda that identified that these resolutions were to be raised for consideration by the board?---No, not that I can remember.

10 Was it the practice of the board when it determined that a meeting would take place to put in the agenda items – I withdraw that – to provide an agenda to board members, or not?---Normally it is an agenda for the board to follow, the whole meeting.

And was it the practice of the board for it to contain within the agenda the proposed resolutions that were to be raised during the board meeting or not?---Sorry?

20 Was it the practice in those agendas to identify proposed resolutions that would be put before the board, or not?---Yeah.

You recall that, do you, that that was the way that the agendas would be put together, Mr Quinlan?---No, I don't put agendas together, the - - -

Just listen to my question. The agendas that you say were circulated before board meetings, do you say they contain the proposed resolutions that are to be raised, or not?---I can't remember.

30 Now, on this meeting, do you have any recollection at all about being asked to support resolutions which are identified under Point 6?---Say that again. I was reading, I wasn't concentrating on what you were saying.

All right. Do you recall during this meeting being asked to determine or decide upon three resolutions, one, Richard Green's role with Native Title for Gomerai Corporation?---We must have, it's in the minutes.

Well, I'm just asking whether you recall it?---I honestly don't, I can't remember anything.

40 What about adoption of best practice corporate governance policies and procedures?---I can't remember.

What about ratification and regularisation of decisions made?---No, I can't remember either.

Well, you don't know what ratification means, do you?---No, that's why I'm asking you.

What about regularisation of decisions made? Do you know anything about that?---No.

All right. Mr Quinlan, if a board member wanted to raise a particular matter at a meeting, I take it they could just attend the meeting and raise it, could they?---Yeah, at the end of the meeting.

10 So, it's quite possible, isn't it, that somebody, perhaps Mr Green, simply raised these resolutions during the course of a meeting?---He could've, but I don't remember.

Now, the proposed resolution 3 sought a decision by the board to ratify and regularise decisions and payments, etcetera. Do you see that?---Yeah, the bottom one you're talking about?

Yeah. Have you read that, Mr Green? I'm sorry, Mr Quinlan?---No, I haven't. Do you want me to read it?

20 If you like?---Okay. Yeah, I don't understand some of the words, but yeah.

Do you understand what was proposed to be done, having read that now, Mr Quinlan?---No, I don't.

You would want to know, I take it, a lot more before you'd agree to support such a resolution. Is that so?---Well, I don't know what it means, though.

30 THE COMMISSIONER: If you saw a resolution that you didn't understand what it meant, did you normally ask somebody to explain it to you?---No, I didn't.

MR CHEN: What would you do if you didn't understand it? Would you vote on it or would you abstain from voting on it?---I don't even remember who voted on it or not.

No, no. If you didn't understand something, I think you told the Commissioner, sometimes you wouldn't ask questions about it?---Mmm.

Is that the case or not?---Sometimes, yeah.

40 If you didn't understand something that was raised by motion by another board member, would you ask questions about it or not?---Sometimes I would, but yeah.

And if you didn't ask questions about it, and you still didn't understand what was being raised, would you still vote or not?---Yeah, I think I did, probably.

Did Mr Green tell the board on that day that the resolutions had been drawn up by Knightsbridge North Lawyers?---I can't remember.

Had you ever heard of Knightsbridge North Lawyers as at 8 March 2016?
---Yeah, I have heard of them.

Had you heard of them by 8 March?---I can't remember.

10 If that was raised and somebody said they'd been drawn up by the solicitors, would you want to know why they'd drawn them up?---I don't know, probably.

Well, if Mr Green had told the meeting that it was in the best interest of the Land Council to adopt it, would you not want to know why it's in the best interests to adopt them?---Yeah, probably.

And you don't know whether you did or you didn't?---No, I don't, not really.

20 Do you know whether these resolutions were ever passed?---No, I can't remember.

Do you recall whether Mr Larry Slee asked some questions about these resolutions?---No.

You've got no recollection one way or the other?---No, I can't remember.

30 Now, you mentioned earlier you had heard at some point of Knightsbridge North Lawyers?---Yeah.

Do you know when it was that you first heard of them?---No, no.

Do you remember them, or one or two people apparently from Knightsbridge North Lawyers coming to a board meeting and presenting?
---Yeah, they did, I think they did come to one meeting and told us that there was.

40 Prior to that meeting had you heard of Knightsbridge North Lawyers or not?---No, I can't remember.

Who did you understand when you first came to the board to be the lawyer for the Land Council?---When I first got on the board?

Yes.---No, I can't remember his name.

Mr Sheriff?---Oh, yeah, that's it.

And Mr Sheriff had had dealings with the board at least up until January of 2015 had he not?---I think so, yeah.

Well, do you remember he was dealing with the property transaction Olney Road, Adamstown?---Yeah, I think so.

He was the solicitor that the Land Council had used on that transaction, isn't that right?---Yeah, he was our lawyer.

10 And so far as you can recall he'd been the lawyer for the Land Council since the time you first commenced as a board member?---Yeah.

You'd known of no other had you?---No, sorry.

Would you have a look, please, at folder 2, page 10. Sorry, Exhibit 43, page 1. Have you seen this letter – I withdraw that – you recognise that as a letter dated 28 November 2014 from Knightsbridge North Lawyers to the directors of the Land Council?---I mean, that's what it says.

20 Have you ever seen that letter before?---No, I can't remember.

Mr Quinlan, a letter such as that – I withdraw that – you'll see in the first paragraph the letter refers to, "Thank you for asking me to assist you." Do you see that? So, second line onto the third line?---Yeah, yeah.

Do you recall there ever being a request at any board meeting you attended at or around this time by any of the board members to seek assistance from Knightsbridge North Lawyers?---That's a long time ago, I can't remember.

30 THE COMMISSIONER: What did you understand Knightsbridge North Lawyers were doing in relation to the Land Council?---Being our lawyer.

What was their role, do you know?---Being our lawyer.

Pardon?---Just being our lawyer.

Being the council's lawyer?---The Land Council, yeah.

40 Well, how did you come to an understanding that Knightsbridge North Lawyers were acting as the lawyers for the Land Council and not Mr Sheriff?---I couldn't tell you. I wouldn't be able to – I couldn't tell you.

MR CHEN: Did Mr Green ever tell you in, or around November 2014, or any time that he'd signed an agreement on behalf of the board with Knightsbridge North Lawyers?---No, I can't remember.

So far as you're aware, Mr Quinlan, had the board given Mr Green authority to enter such an agreement?---No, I don't know, I can't remember.

THE COMMISSIONER: Before giving evidence today have you spoken to anyone about giving evidence here?---No, I haven't. No.

No-one?---No-one.

MR CHEN: Have you spoken with Mr Green at all recently?---No, I haven't seen Richard since the last board meeting that we got, we all got kicked off for when the administrator comes in.

10

Well would you just have a look at the next page, please? I'm sorry, keep going. So, that's page 4. Have you ever seen this cost disclosure statement and client service agreement?---No, I don't know what it means.

All right. Would you just have a look, please, at one of the clauses there, clause 20, so it's page 8. Do you see those instructions through your agents?---Yeah.

Do you know who Nicholas Peterson is?---No, I didn't know who he was.

20

You didn't?---No, I didn't.

Do you know who he is now?---Yeah, I know who he is now, I didn't know who he was.

THE COMMISSIONER: Who is he?---When Knightsbridge North Lawyers come on, I thought he was our lawyer.

30

Sorry?---When Knightsbridge North Lawyers come on, I thought he was our lawyer.

What's that based on?---Just that he was in the board meetings with us.

MR CHEN: Sorry, you thought he was, at some point, your lawyers, did you? A lawyer for the Land Council?---Yeah, when we appointed him. I don't remember what day that was.

THE COMMISSIONER: When you say, "We appointed him", who is "we"?---The board.

40

The board?---Mmm.

MR CHEN: So when did you appoint them?---I can't remember.

On what basis did you appoint them, Mr Quinlan?---That Ian Sheriff withdrew his work from us.

I see?---Yeah.

He told you that, Mr Sheriff, did he?---Well, as far as I know.

Well, how do you know? That's what I'm asking?---At one board meeting we got told that he didn't want to work with us anymore.

Who told you that?---I can't remember.

10 Well, do you know when that apparent statement was made in relation to what board meeting?---No, I don't.

You'd expect a statement such as that to be in the minutes would you, Mr Quinlan?---If it was, it should be.

So, if the statement was made it should be in the minutes. Is that right?---I think so.

20 Now, just have a look at clause 20 if you would please, Mr Quinlan?---
Yeah.

I asked you who Nicholas Peterson was. You understand him or understood him to be a lawyer for the Land Council?---Yeah.

Was there any discussion about appointing him the agent of the Land Council at any meeting you went to?---What do you mean by agent?

Well, someone who is authorised to enter into an agreement on behalf of the Land Council.---Not that I can remember.

30 It's pretty important, isn't it?---Yeah.

I mean can you think of any good reason why the board would want to appoint its lawyer or give him the power to enter an agreement - - -?---No, I wouldn't.

Who's William Tofilau?---Never heard of him.

What about Andrew Margi?---Never heard of him.

40 Those last two gentlemen have never been board members of the Land Council, have they - - -?---No.

- - - so far as you're aware?---Not that I know of.

And they're not even members of the Awabakal Local Aboriginal Land Council. Isn't that right?---Not that I know of.

And can you think of any reason why those two should be authorised to give instructions to the lawyers for the Land Council?---No.

Do you not think that something along those lines should have been disclosed to the board?---Pretty much.

And I mean do you accept that the inclusion of those individuals was something that should not have occurred without board approval?
---Probably.

10

Well, you don't have any doubt about that, do you?---No.

And not only should it not have occurred without board approval but without good reason. Isn't that right?---Well, if they're not on the board they shouldn't be talking for us.

Anyway, Mr Green never told you that he'd entered this agreement, did he?
---No, not that I know of.

20

And it was never put before the board, was it, this agreement, Mr Quinlan, at any meeting you went to?---No.

You're agreeing with me, aren't you?---Well, I haven't seen it before.

Now, would you have a look, please, at Exhibit 42, page 162. Have you ever seen that – I withdraw that. Do you see that's a letter from Knightsbridge North Lawyers to the board of the Land Council dated 27 November, 2015?---Yeah, yeah, I see it.

30

Have you ever seen that before, Mr Quinlan?---Not that I remember.

Would you have a look, please, at the cost disclosure statement dated 27 November, 2015?---Okay.

Have you seen that before?---No, I don't know what it means.

Did Mr Green ever tell you that he'd signed that cost disclosure statement and agreement?---No.

40

Was it ever raised at any board meeting that you went to, Mr Quinlan?---No, not that I can remember.

Now, Mr Quinlan, I take it that if you didn't understand a particular matter that was being raised for discussion by a board member you wouldn't propose a resolution. Is that fair?---No, I wouldn't propose a resolution.

And you wouldn't second a resolution, would you, if you didn't understand what was being discussed?---Well, yeah, probably.

Well, you don't have any doubt about it, do you, Mr Quinlan?---Probably not.

Now, you've already told the Commission you don't understand what it means to ratify something.---Okay, yeah.

I think that's what you have said?---Yeah.

10 Would you have a look at the minutes, please, of the meeting on 11 June, 2016, volume 10, page 7. Now, do you recognise what's on the screen as being the minutes of the meeting on 11 January, 2016?---Yeah, I see that.

And you're recorded there as attending. Do you see that?---Yeah.

If you turn, please, to page 8, you'll see under the heading, "Other Business," there's a series of motions that have been moved and passed? ---Okay.

20 Do you see that?---Yeah.

And underneath that Micky Walsh raises some questions about when the AGM is to be held. Do you see that?---Okay, yeah.

And beneath that the minutes record as follows, "Richard Green read a board resolutions that Awabakal Local Aboriginal Land Council formally ratifies the appointment of Knightsbridge North Lawyers to act for Awabakal LALC." Do you see that?---Okay. Yeah.

30 It's moved by Mr Green.---Yeah.

And seconded by you.---Okay.

What were you seconding, Mr Quinlan?---Well, like I said before, I don't know.

THE COMMISSIONER: Sorry, what did you say?---Like I said before, I don't know.

40 MR CHEN: How did that motion get raised by Mr Green, Mr Quinlan, do you recall?---No, I don't, sorry.

Do you know whether it was an agenda item or not?---I'm assuming it would have been.

You don't know though do you?---Yeah, but I'm assuming it should have been.

THE COMMISSIONER: Mr Quinlan, do I take it that you took your position on the board seriously or was it just - - -?---Well, like I said - - -

Or did you not? In other words, were you serious about responsibly acting as a board member or were you not really interested?---I wasn't really interested about then because I had depression. I wasn't really - - -

Sorry, I can't hear you.---Not about, about that time of my life I wasn't like, because I had depression. I wasn't really into it.

10

You were a board member between September, 2013 and July, 2016. Is that right?---Yeah, I think so.

And we're now talking about January, 2016 with these resolutions. Do I take it that in general terms you took your role on the board seriously, in other words, it wasn't just a joke?---I don't know. That's what I, like, I can't remember.

20

MR CHEN: Were you just making up the numbers, Mr Quinlan, you were just turning up and that's it?---Yeah.

And were you just supporting whatever Mr Green put up?---I just wanted the Land Council to move forward.

Well, come back to my question.---Yeah.

If Mr Green put up a resolution you would happily go along and support it would you?---I must have. I seconded it.

30

THE COMMISSIONER: You might have what?---I said I must have. I seconded it.

MR CHEN: And you would do so even if you didn't know what it meant? ---Yeah. Well, I must have.

THE COMMISSIONER: Well, why must you have?---Well, my name's there so that's what I mean. I must have seconded it.

40

Well, there's two explanations. Either you supported his resolution here not knowing really what the resolution was about - - -?---No.

- - - talking about ratifying the appointment of Knightsbridge, you didn't really understand what that meant?---I didn't, sir.

But the question is whether you were at this board meeting and if you did whether you supported this motion to appoint Knightsbridge not even knowing what you were doing or whether you in fact did not support it and

somebody has put your name down there as somebody who did. Now, can you assist us on that?---No, I can't. I can't remember.

MR CHEN: You see, if Mr Green in this time period put up a resolution you would always support it would you not?---I don't know.

And if your mother put up a resolution, Jaye Quinlan, you would always support it wouldn't you?---I don't know. Probably.

10 And if Debbie Dates, who is your aunt, put up a resolution you would always support it wouldn't you?---I don't know. Probably not. Probably.

Well, which is correct, which of those two answers is correct, would you or wouldn't you?---I don't know.

Well, can you think of any time now where you have opposed a motion put up by Debbie Dates?---No, I can't remember.

20 Can you think now about any resolution or motion put up by Mr Green that you opposed?---No, I can't remember.

Would you have a look, please, Mr Quinlan, at volume 15, page 162. On the screen in front of you, Mr Quinlan, is a document described as Confirmation of Variation of Retainer and Engagement dated 7 June, 2016. Do you see that?---Yeah.

And if you scroll down the bottom you will see that appears to have been signed by Ms Dates and Mr Green. Do you see that?---Okay.

30 Have you ever seen that before?---No, I don't know what it is.

You know nothing about it?---No, I don't know.

Now, would you have a look, please, Mr Quinlan, at volume 11, page 312.

Now, Mr Quinlan, you told the Commission a little while ago that you remember Knightsbridge North Lawyers coming along and presenting at a meeting.---Yeah. Yeah.

40 And do you remember there was a lady came along?---Yeah.

And do you remember her name?---No.

Was it Despina Bakis?---Rings a bell. Rings a bell.

Would you know of any other lawyer from Knightsbridge North Lawyers other than Ms Bakis?---No.

And was the other person who you thought was Mr Peterson?---Yeah.

Is that the gentleman that's in the hearing room now?---Yeah. Yeah, that's him.

And he's the gentleman that attended the meetings, is that right?---Yeah.

And you understood him to be a lawyer from Knightsbridge North Lawyers?---Yeah.

10

Is that right?---Yeah.

Now, you'll see from the minutes that are now up on the screen of 8 April, 2016 that you attended that meeting.---Yeah.

And you'll see that Nicole, who's Nicole Steadman, introduced the board to what's described as Mr Nick Pearson and Despina Bakis. Do you see that? ---Yeah.

20 What did she say when she introduced them?---No, just simply that, that she was just introducing them.

Did you ask why they were there?---Well, they went into it while they were there after it.

I see. Did you have notice that they were going to attend on that day? ---Yeah, I think so.

30 You remember that, do you?---Yeah.

Do you remember that?---I don't remember the meeting but, yeah, I remember them coming to the meeting.

Well, do you remember being given notice that they would attend on that day or not?---Yeah, I think so.

And how did you get that notice?---Just when I got to the Land Council.

40 So at the time that you turned up for the meeting, you were told that? ---Yeah.

Is that right?---Oh, yeah, I think so.

Now, you'll see the first matter was – sorry, I'll withdraw that.

You'll see item 3 refers to “matters arising from Larry Slee email”.---Yeah.

What was that about, Mr Quinlan?---No, I've got no idea what it was about.

Do you remember seeing a copy of Mr Slee's email?---No, I don't, sorry.

It wasn't tabled at the meeting, was it?---I don't know. I can't remember.

Did you ask any questions about it?---I probably might have but I can't remember.

10 Well, would you have a look, please, at Exhibit 54, page 4.---Yeah.

You've never seen that email before, have you?---Do you want me to read it?

Yes. Just identify whether you've seen it. It's not directed to you.---No, it's not. So I wouldn't have seen it.

You wouldn't have seen it?---At, at a board meeting I, if it got, if it's been tabled.

20 Well, I just at the moment want you to - - -?---On the, on the agenda.

Have you ever seen that email before?---No, I can't remember.

And you knew that Mr Slee was a board member, obviously, as at 7 April, 2016.---Yeah.

30 And part of his duties, indeed all board members' duties, are to make sure that the board and the Land Council is operating in a manner that - I'll withdraw that. You'd accept would you not that as a board member it would be important to ensure that there was good records from a financial perspective?---Well, you'd think there would be.

And that there would be accurate records kept by the Land Council?---Yeah.

And you would accept, would you not, that you as a board member would have an obligation to draw to the attention of other board members if you thought that there was some problem with any of the financial records or the keeping of records, would you not?---Mmm.

40 Do you agree?---Yeah.

Do you understand my question, Mr Quinlan?---No, I don't.

Well, as a board member part of your job was to make sure that the financial part of the Land Council was being run efficiently. Is that right?---Not entirely, just normally the, the accountant bring us still for us to read.

All right. But you have a role, do you not, as a board member to make sure that the financial record-keeping is kept up to date?---Yeah.

And to make sure that the Land Council is running operationally in accordance with good accounting practices. Do you agree?---Yeah.

And if it came to your attention, Mr Quinlan, that there was problems with record-keeping or accounts, it would be your responsibility as a board member, would it not, to draw it to the attention of other board members?
10 ---I don't remember any, anything like that happening.

Well, I'm just asking if it came to your attention or you thought - - -?---If it did, yeah, if it did.

Just allow me to ask the question if you would, Mr Quinlan. If it came to your attention or you thought that there was a problem with record-keeping or accounts not being paid, you agree that that's a matter that you as board member should draw to the attention of the board?---If I knew, yeah.

20 Yeah. Or even if you had a concern about it.---Yeah.

Do you agree?---Yeah.

And you can see Mr Slee is doing just that, is he not, in this email, namely drawing to the attention of other board members that there are some potential issues with the accounts?---Yeah. Do you want me to read it?

30 THE COMMISSIONER: Well, you see he says in the letter, "I ask for three months of full bank statements for all accounts," and so on. He's obviously concerned about the position of the financial accounting. You can read the whole email if you like, but that's what he's calling for.
---Yeah.

A report, a full report from the CEO and he's asking for a financial report for the last three months and things of that kind.---Yeah.

Okay. That's Mr Slee, Larry Slee, board member, asking for these documents to be produced. Right?---Okay.

40 So you can see he's apparently concerned about something.---Yeah.

And he wants to make sure that the board looks into it.---Yeah.

Right?---Yeah.

Do you remember him doing this?---No, I don't, sorry.

You were still on the board at that time weren't you, in April 2016?

---No, like I said, I had depression then and it wasn't, wasn't a nice place.

Mmm?---I had depression then and it wasn't a nice place.

MR CHEN: Well, you certainly attended the board meeting the next day, I've shown you the minutes?---Yeah.

But just on that email and what Mr Slee is raising - - -?---Yeah.

10 - - - these are matters that as a board member, if you had concerns about, you should direct an inquiry in the first instance to the CEO. Isn't that right?---Yeah.

That's a reasonable thing to do, don't you think?---Mmm, probably.

And also to draw it, or ask for it to be drawn to the attention of the board. ---Yeah.

20 Because the board can then discuss, can it not, whether there are any true concerns?---Yeah.

And it also can work out whether or not it needs these reports to be able to work out whether the financial operations, operations of the Land Council, are running smoothly or not.---Okay.

Do you agree?---Yeah.

30 Now, you don't have any recollection about whether that email was put before the board, do you?---No, I don't remember.

And you don't have any recollection at all, do you, about any discussion about it at that board meeting?---No, no, I don't remember.

But you would have been, or you would have accepted, would you not, that they were reasonable requests made by Mr Slee?---Mmm, probably.

And do you know anything about a cease and desist letter being then sent to Mr Slee by Knightsbridge North Lawyers?---No, I can't remember.

40 Do you know or were you asked for whether you thought such a letter should be given to him?---No, I can't remember.

Do you know what a cease and desist letter is at all?---I don't know. Just assume that's not bringing up stuff and that. Is that - - -

Well, just have a look, please, at Exhibit 54, page 5. Mr Slee has told the Commission that he was given this letter at the meeting on 8 April, 2016.

Have you ever seen this letter before?---I might have read in a, in the board meeting, but I don't remember. I don't remember it. I don't remember.

So if you did read it during the board meeting, it means that it's been prepared before the board meeting, would you agree?---Probably would have had to.

Well, it didn't involve you, did it?---No.

10 Nobody sought your consultation. Sorry, nobody sought your input into the content of it.---No.

It was never discussed, so far as you're aware, at the board meeting prior to giving it to Mr Slee, was it?---No.

You can't say how it's come about, can you, Mr Quinlan?---No, I can't, sorry.

20 And you don't know who provided the information to Knightsbridge North Lawyers which is contained within this letter?---No.

It certainly wasn't you.---No.

And I take it you wouldn't have supported it because you thought the request was reasonable that Mr Slee made in his email.---Yeah. Mmm.

Is that right?---Yeah.

30 THE COMMISSIONER: What was your opinion of Larry Slee? Was he a competent board member?---Yeah, I had respect for him.

And was that respect that you had for him based on, at least in part, his performance as a board member?---Yeah. And I had respect for him as an elderly person of my, of being Aboriginal descent.

Yes. And what was his reputation in the Land Council? Did he have a good reputation in other words?---I don't know. Probably.

40 People look up to him?---Yeah.

And - - ?---We look up to our elders to give us guidance too.

I'm sorry?---We look up to our elders to give us the guidance.

MR CHEN: Commissioner, I notice the time. Would that be a convenient time to - - -

THE COMMISSIONER: Yes. Yes, we'll take the morning tea adjournment. So I'll adjourn.

SHORT ADJOURNMENT

[11.27am]

THE COMMISSIONER: Yes.

10 MR CHEN: Thank you, Commissioner. Mr Quinlan, before the break I was asking you some questions about a meeting on 8 April, 2016.---Okay.

And I showed you the minutes as they related to recording an email that Mr Slee had sent and matters of that kind.---Yeah.

I'll just show you up on the screen as well volume 12, page 9. You will see the second page. See number 4, "Further ratification of previous payments and actions."---Yeah.

20 And do you have any recollection at all about this particular part of this meeting?---Vaguely, not - - -

What do you remember about the meeting discussing further ratification of previous payments?---I don't know about the previous payments.

THE COMMISSIONER: Did any of the payments involve legal fees do we know?---No, I don't.

30 I just raise it because a resolution in such general terms you don't know what payments you're ratifying. It's a nebulous generic class, or not even a generic class of payments. It's just payments without any specification.

MR CHEN: That's so, Commissioner. I was trying to think of Mr Lawler's evidence on that topic. It just doesn't immediately come back to me, Commissioner.

THE COMMISSIONER: Anyway, come back to it later.

40 MR CHEN: Yes. Anyway, you don't have a good recollection at all do you, Mr Quinlan, about what was - - -?---No.

- - - discussed in terms of the ratification of previous payments and actions? ---No.

And I take it, Mr Quinlan, that because it's talking about ratification it's likely you had no real understanding about what the resolution was trying to do. Is that fair?---No, not really, no.

You're agreeing with me that you didn't really have much of an idea of what this was about?---No, not ratification of it, no.

And you will see, Mr Quinlan, that a motion was put and it was carried. Do you see down the bottom of the page that four were for and two abstained, being Mr Walsh and Mr Slee?---Yeah.

If these minutes are accurate you supported that motion not really knowing what it was about. Is that right?---No.

10

You're agreeing with me?---Yeah.

You are, that you supported this motion or voted in favour of it notwithstanding you didn't really know what it was about?---If I knew what, what it was about then I could remember but I don't. If I can see what we were doing.

THE COMMISSIONER: Are we still dealing with the pages on the screen here?

20

MR CHEN: Yes, Commissioner.

THE COMMISSIONER: So it's moved by Richard Green, seconded by Jaye Quinlan, is that right, is that what you're referring to?

MR CHEN: It was, Commissioner, yes.

THE COMMISSIONER: That's Jaye, it's not - - -

30

MR CHEN: His mother.

THE COMMISSIONER: Hmm?

MR CHEN: His mother.

THE COMMISSIONER: His mother.

40

MR CHEN: Yes. And it's likely isn't it though, Mr Quinlan, that because your mother seconded it, even if you didn't understand what it was about you would have supported it. Isn't that right?---Well, obviously she knew what it was for.

I'm asking you a different question though. It's likely though is it not that even if you did not know what it was about - - -?---Yeah.

- - - that because your mother seconded it you would have supported the motion?---Yeah, probably.

Now, do you remember there being a discussion about land or land proposals at this meeting?---We always discuss about our land but I can't remember at that meeting or what we did discuss about.

Well, I think you said that one occasion you'd heard once a mention to Solstice?---Yeah.

But otherwise your evidence was you had not heard of any agreements with Gows Heat?---Yeah.

10

And you hadn't heard of any agreements with Sunshine?---Yeah.

Now, do you remember Mr Petroulias speaking to the meeting about land proposals?---No, I don't remember.

Not at all?---No, I don't.

Do you remember Ms Bakis speaking to the meeting about land proposals at all?---No, I can't remember.

20

What about Mr Green?---No, I can't remember who spoke about what at the meeting.

What can you remember about what was discussed about Solstice if anything?---Just that they wanted to try and do the same thing about, with our land and try and help us develop it.

THE COMMISSIONER: Sorry, I couldn't hear that. You have to speak up I'm afraid.---No, just about that they wanted to help develop it like, like everyone else that comes there, so - - -

30

MR CHEN: But that was as far as you knew about what they had proposed? ---Mmm, yes.

Have a look at the next page if you would, please. You'll see that what's described in the minutes as, "Summary of Proposals for Developments of Awabakal Lands," do you see that heading?---Yeah.

40 And I take it consistent with what you've just told the Commissioner you've got no understanding or recollection about these proposals that are referred to here. Is that fair?---(No Audible Reply)

You're reading through it now, are you, Mr Quinlan?---Oh, did you want me to read it or not?

Well - - -?---Sorry.

Have you read the first paragraph?---Yeah, I did, yeah.

Do you have any recollection about the matters there referred to?---Yeah.

You do, do you. Do you recall them saying that the board had resolved unanimously to sell most, if not all the land?---If we, if we could.

You recall them raising that, do you?---Well, it's in the minutes.

10 No, no, no. I'm just asking you whether you've got a recollection of that.
---Yeah, we talked about it.

And that's your recollection is it, that there was a discussion on this day about the board having resolved unanimously to sell most, if not all the land?---Yeah, if we could. But we couldn't do nothing unless we take it back to the members.

Right. Well, how many lots did the Land Council own in November of 2014, Mr Quinlan?---I don't know how many lots they owned.

20 And how many were proposed to being sold?---The one that was near the
golf course and at the back of it and Warners Bay, Waratah I think that was,
and - - -

You're referring to the properties that are referred to in the minute that I drew your attention to earlier.---Yeah.

Aren't you?---Yeah.

30 That is the one on 31 October, 2014.---Okay.

Well, they're the properties you've just identified, isn't that right?---Yeah, well we, we talked about all them with everybody.

Well, here Mr Quinlan, it seems to be expressing it far more generally. It says to sell most, if not all the land. And I'm asking whether you've got a recollection of that being discussed at this meeting or not.---No, I can't remember all of it.

40 And you don't know how many lots of land the Land Council owned - - -?
---No, I don't.

- - - as at 15 November, sorry, 14 November, 2014?---No.

You don't know whether there was - - -?---There could have been - - -

- - - five or 50?---Five or, yeah, that's right.

You don't know what their value was?---No.

You've never been shown a valuation for any lot of land, have you?---No, not for all of it.

You're not in a position to say whether to sell all the land for \$5 million or for \$500 million would be a good buy, a good sale, would you?---No.

So when it's referring to selling most if not all, that has never occurred, has it, Mr Quinlan, at any time you were at a board meeting?---Sorry?

10

It had never been discussed at a board meeting to sell most, if not all of the land of the Land Council?---Oh, I don't know, probably not.

Well, surely, Mr Quinlan, if the Land Council was proposing to dispose of what was the most significant assets it held, namely its land, you would know about it, wouldn't you?---Well, yeah.

And surely you would have a recollection if the Land Council had proposed in a board meeting to get rid of its land, that you would have some recollection of it?---Well, I'm telling you I don't remember but.

20

And does that not tell you that it didn't occur?---Not necessarily. If I don't remember, well - - -

And can I suggest to you, Mr Quinlan, there was never any discussion at this meeting about selling to a consortium partner such as Gows. Do you agree?---I don't know.

Well, I'm putting to you, Mr Quinlan, that there was no such discussion at all.---Well, I'm telling you I can't remember, so - - -

30

Who is Able Consulting, Mr Quinlan?---No, I don't know.

Never heard of them before, have you?---No, I can't remember.

Did you ever participate in a board meeting where it was suggested, gee, we should get Able Consulting to give us a summary of the proposals.---Yeah, don't remember either, yeah.

You don't know what they do, do you?---No, I don't.

40

You don't know whether they're lawyers?---I know what consulting is but I don't know, don't know what, don't know what, didn't know what they do.

What's the zoning of all this land that the Land Council owns, Mr Quinlan, do you know?---No.

Do you know if it's rezoned is it worth more or less?---I know if you rezone it we can build more property on it.

Did you know that?---Yeah, just from, yeah.

All right. And what about the value? Does it go up a little bit or a lot?---I don't know.

10 Now, if you go further down you'll see that the Sunshine Group agreements were discussed. Do you see that?---Yeah. Yeah.

Do you have any recollection about that, Mr Quinlan, at all?---Yeah, we did but obviously we rejected their proposal.

You're just reading off the note, the minutes, aren't you?---Yeah, but you asked me if I remember. I don't remember. But, yeah.

20 Because what you told the Commission earlier is that you'd never heard of Sunshine.---Yeah.

And you'd never seen any agreements from Sunshine?---No.

You're agreeing with me? You'd never seen them?

MS NOLAN: I object. That's not my note. I mean, I took a specific note that he remembered Sunshine, so Counsel Assisting might want to review his or those of his junior.

30 MR CHEN: No, I put that he'd never seen an agreement.

MS NOLAN: No, you said that "You didn't remember Sunshine?" and he's agreed with the proposition, but that was not his evidence.

THE COMMISSIONER: No, it was put earlier. There was a reference to an agreement between the Land Council and Sunshine, and his response was, "No, can't remember." So it was put to him that there was such an agreement, and he said, well, he couldn't remember anything about such an agreement. So, what's your question again?

40 MS NOLAN: It was a broader question that I'm objecting to. I understand that that may be the tenor of my learned friend's question, and I don't have any objection to that. It was a broader question, as I understand it. Perhaps it should be withdrawn and re-asked.

THE COMMISSIONER: Yes.

MR CHEN: I'll approach it a different way, Commissioner. Do you have a recollection of hearing about Sunshine before this meeting?---Yeah, that was discussed in a meeting once, but I can't remember what meeting it was.

And in relation to this – sorry, you don't know whether it was at this meeting or some other meeting?---I don't remember.

I think you agreed, though, earlier that you'd never seen any agreements involving Sunshine.---No.

10

And none of them were tabled at this meeting, were they?---I don't know.

You'll see as well that it refers to them being discussed. Who was discussing them?---I don't remember. Just everyone was.

Well, what was said, Mr Quinlan, about them?---I don't know. Just that they wanted to come and develop, try and help develop our land.

And Mr Walsh has told the Commission that he never moved a motion to reject Sunshine. Are you able to say who moved that motion if it wasn't Mr Walsh?---No, I don't know.

20

Well, you seconded it according to these minutes.---Yeah.

Why were you seconding a motion to reject the Sunshine Group, Mr Quinlan?---I don't know.

Well, you've told the Commission that you'd never seen any agreements with them.---Well, obviously that's why, then that's probably why I rejected it.

30

Right.---Because we didn't, hadn't had enough to go on.

I see. And what about David He and Salamander down below?---Probably - -

What was discussed in relation to that offer?---I can't remember.

Do you know what land Salamander and David He were purporting to try and develop?---No. No.

40

And it records again that Mr Walsh apparently moved a motion.---Yeah.

And that you seconded it. Do you see that?---Yeah.

Mr Walsh has told the Commission that he didn't move such a motion. Do you know who did?---Move a motion to reject it?

Yes.---Yeah.

Do you know who did?---No.

Why were you seconding it?---Probably the same, well, I didn't believe it.

10 THE COMMISSIONER: Do you remember seconding this or don't you remember?---No, I don't, sir, that's why I'm trying to, I'm honestly saying, I, I, the depression was right in my head and I honestly don't remember any of it.

Have you ever heard of the Salamander offer before?---No, to be honest, I don't - - -

On the face of it, that's the fact that Mr Walsh has had to have moved it and you seconded it, from what you say, you haven't a clue in the world what this Salamander offer was about?---No, I don't, sir.

20 Would you have seconded a motion if you didn't have a clue in the world as to what it was about, or do you think it was- - - ?---If I knew who it was, or if I remember who it was.

Pardon?---If I remembered who it was then I would say yeah, I remember.

No, but if the fact of the matter is that you've never heard of the Salamander offer - - - ?---Yeah.

30 - - - and I think that's your evidence, isn't it, you've never heard of it?---No.

Is it likely that you would have supported a motion about the Salamander offer if you didn't have a clue in the world what it was all about? Do you think you would go that far?---I don't know. Probably not.

Why probably not?---If we didn't discuss it, I probably wouldn't have - I wouldn't have seconded it, if we didn't discuss it.

40 So, is this generally true, that you wouldn't second a motion in circumstances where you didn't have a clue in the world what it was directed to? Is that true?---If we talked about it, if we talked about it, I don't remember it.

I know you keep saying you don't remember it and it sounds like you've got a very, very limited memory for things, but maybe it's just an expression that you're using to convey the idea that, "It's news to me", as it were?---Well, probably. Yeah.

Yeah. Anyway, you say you think you would not have seconded this motion about the Salamander offer because you didn't have any information about what the Salamander offer was. Is that your evidence?---Probably, yeah. Probably, yeah.

10 MR CHEN: If you turn to the next page and have a look, Mr Quinlan, you'll see that the Solstice agreements were discussed and it's recorded as you asking Nick through the chair what offer do you think would be best to take, 30 million straight up or take 16.5 million and 20 house and land packages. Do you recall discussing that, Mr Quinlan?---Yeah, I remember saying that.

And what were you basing these figures on, Mr Quinlan?---Just the, the value of a house.

And what's the value of a house that you're factoring into the question you're asking?---Well, normally you can't get a house for less than 400,000.

20 Right. So, how were you coming up with these figures sitting in a board meeting?---It's just my guess, mate, I'm not, not a scientist or nothing, I'm just having a guess.

Right. So, is what you're proposing then in terms of at least a 16.5 million and 20 house and land packages, you having a bit of a stab in the dark about that, is it?---Yeah, about the figure. Yeah.

30 All right. Well, what property is being potentially transacted in the Solstice agreements?---I think it was the same with all the, with all the, with the, probably all just discussing about all the lands.

Those five lots that you referred to earlier?---Probably. Yeah, probably.

Well, what was your understanding?---Just that, just, probably we were just discussing it, whether it's viable or not.

Right. Well, where were you getting the 30 million straight up from?--- That's what they set out in the meeting.

40 Who is they?---Whoever said it, I can't remember who said it.

Well, it says Nick?---Yeah.

That you're discussing, or you're raising this with, so did he raise it?---Well, he must have.

All right. And what's Nick's background in all of this, as you understood it, Mr Quinlan?---I don't know, he was just telling us about it, I was just asking the question. That's all.

All right. Well, what did you understand his role to be in presenting to the Land Council?---Just that someone must have went and seen him and - - -

I'm sorry?---Someone went and seen him and brang it to us to, to, to go over it.

What do you mean, a developer?---I don't know.

10 Well, you're in the meeting, I'm just trying to understand why you're asking him the question?---Yeah. I'm trying to tell you to my recollection what happened in the meeting, I'm not - - -

Well, why are you asking Nick this question?---Because I – I was assuming that he was our lawyer so I was asking him whether it's - - -

And, did you assume him to be the lawyer because of the way he was introduced to the meeting?---Probably.

20 Well, you were told he was from Knightsbridge North Lawyers, were you? ---Well, yeah.

You have no real understanding or insight into this apparent transaction with Solstice, do you?---No.

And, really, to the extent this is recording what you have apparently said in the meeting, it's just a straight-up guess, isn't it?---Pretty much.

30 And you don't know, for example, whether the development could potentially accommodate 50 houses?---That's right.

100 houses?---That's why it was just a guess, mate.

Or 1,000 houses?---You said that, yeah.

Yes. You had no idea then, did you?---(No Audible Reply)

You have to answer, I'm sorry, sir.---No. Sorry. No, no.

40 And you've got no idea now?---No.

THE COMMISSIONER: Do you think you really did say what's written there if you didn't have all those facts?---I know I said, like, the 30 million or, why don't we take the 30 million or the house and a, 16 and a house package.

Well, where did you come up with 16.5 million alternative?---I think that was the other figure they were throwing out to us.

And then 20 houses and land packages on the second proposition?---Yeah.
Yeah.

You didn't have those facts at your fingertips, though, did you?---No, that's
what we were getting told.

You were getting told?---Yeah.

10 But this is saying that you're telling people these numbers.---Yeah, because
we got - - -

You're telling Nick through the chair - - -?---This is what was said at the
meeting.

- - - what offer do you think would be best.---Yeah.

So you're seeking his advice.---Yeah.

20 Either to take 30 million straight up or take 16.5 million and 20 houses and
land packages.---Yeah.

It's suggested that you said these things, and I'm really asking did you
actually say it or do you think these, this is not something you said at all?
---As far as I remember, I think I said, I asked him a question about where
had we, to take amount, a certain amount or the house and package and the
16 million, which was together.

30 You seriously put the figure 16.5 million and 20 houses from something you
worked out yourself? Or are you just parroting back something - - -?---That
we got told. That's what I'm saying.

Mmm?---Something that we got told.

You got told?---Yeah.

In this meeting?---Yeah.

40 By whom?---I'm not sure. I think it might have been Nick.

Might have been Nick?---Mmm.

So he's outlined the two alternatives.---Yeah.

And you're putting back "Which one do you think we should go for?" Is
that what you're suggesting happened?---Yeah.

MR CHEN: Well, he was the only one, Nick, that was promoting this deal, wasn't he?---I can't remember but, yeah.

Well, you weren't, were you?---No, I wasn't.

You didn't have any particular disposition towards favouring this deal or any other deal, did you?---No, that's right. Yeah. That's right.

10 And you weren't in any particular hurry for this transaction to be pushed through the board and through a members' meeting?---No, I couldn't care.

Yes.

THE COMMISSIONER: Well, why are you talking about selling Aboriginal land if there's been no support from membership or members haven't even been consulted about it?---That's right. We can't do nothing unless we take it back to the members.

20 Well, why are you asking him for his advice - - -?---So when - - -

- - - should we take 30 million or should we take the other offer?---Well, we can't take nothing back to them if we don't talk about it. And the members don't know nothing until we go and talk to the members.

MR CHEN: Well, Mr Quinlan, you'll see, then, a resolution that was read about the establishment of Awabakal LALC Trustees Limited, et cetera. Do you see that?---Yeah.

30 What's all that about?---I can't remember.

THE COMMISSIONER: Was it your idea to set up the Awabakal LALC Trustees Limited as trustee? Was that your suggestion?---No, it wasn't.

Whose suggestion was it?---Might have been Nick's. I can't remember.

Might have been Nick.

40 MR CHEN: Can you think of any reason now why you needed to have a separate trustee company set up?---No, I can't remember, no.

Well, think about it now. I mean, you're just developing potentially the land once you get approval from the members, isn't that right?---Yeah, if they do it.

Well, why do you need a trustee company established there, Mr Quinlan.---I don't know.

You're not able to help at all?---No.

And do you remember Debbie Dates proposing or moving that motion?
---No, sorry.

You don't at all?---No.

Do you remember her speaking about why the Awabakal LALC Trustees Limited should be established?---No, sorry.

10 Do you recall Mr Green saying anything about it?---No.

Mr Walsh has told the Commission he never seconded that motion. Are you able to assist as to who might have done so?---No.

Was it you?---Obviously it wasn't. My name's not there.

Well, Mr Walsh's name is there and he's told the Commission he didn't second that motion.---Well, I can't tell you if it was me or not.

20 You don't know who?---No.

Did Ms Bakis tell the meeting about why the Awabakal LALC Trustees needed to be established?---We got told but I can't remember what was said.

Do you have a recollection of her actually addressing the meeting, giving the board members advice?---No, I can't, sorry. I don't remember.

When you say you can't remember - - -?---Yeah.

30 - - - do you mean that no such advice was given or you have no recollection one way or the other?---I have no recollection.

How long did this meeting go for, do you - - -?---No, I don't remember how long it went for.

It's a lot of business discussed isn't there?---Well, some meetings go for hours. Some meetings can go for an hour.

40 Well, this only went for about an hour and 15 according to the minutes.
---Well, there you go.

It doesn't seem like a long time for all these - - -?---No, it doesn't.

- - - matters to be discussed does it?---No, I don't know.

Do you know whether Mr Petroulias told the board his involvement in all of this?---No, I don't remember.

Did he other than apparently outlining these various proposals say anything about what his interest in it all was?---No, I don't think he did.

And what about Ms Bakis, did she disclose what her interest in all of this was?---No.

Did Mr Green tell the meeting what his role in all these various transactions were?---No.

10 What about Ms Dates, did she?---No, she never.

You will see also the resolution talks about ultimate sale to Solstice. Do you see that?---Yeah.

And you know do you that no transaction with Solstice ever took place? ---No, not that I remember.

Do you know what happened?---No, I don't, sorry.

20 Was it ever discussed at any board meeting about why the Solstice agreements fell over?---No.

You don't know anything about it?---No, I don't know what happened.

Would you look please, Mr Quinlan, at volume 14, page 198. Now, do you recognise these, sorry, what's on the screen now as the minutes or at least the front page of the minutes of 6 May, 2016?---Yeah.

Do you recognise them, Mr Quinlan?---Yeah.

30 And you will see you attended that meeting?---Yeah.

And do you remember attending a meeting where the board went through the process of recording a number of minutes as being true and correct? ---Can you say that again.

Do you remember going to a meeting where part of the board's business was dealing with a number of minutes of meetings to determine whether they were true and correct?---Well, we have to do that at every meeting.

40 But do you remember going to this particular one where you had to do it dating back to 2014?---No, I don't.

Just have a look at the second or the bottom. You will see you've approved the minutes of 15 December, 2014. Do you see that?---Yeah.

And you've moved that motion that it's correct.---Okay.

Do you see that?---Yeah.

Have a look at the next page if you would, 198. See all the minutes that are being put up before the board?---Yeah.

They're all being approved as correct, sometimes moved or seconded by you. Do you see that?---Yeah.

10 Do you remember this meeting?---Vaguely.

The reason why that was done was because the auditor had requested copies of the minutes of the board and there were no minutes that were recorded as true and accurate from December of 2014. Isn't that right?---I don't know.

You don't have any recollection one way or the other?---No, I don't know whether we - - -

20 Well, it looks to be so, doesn't it, if you're passing motions along these lines, doesn't it, that the board has not got round to approving the minutes of previous meetings?---Well, we must have moved them on that, on that, that meeting on that day.

That's my point, Mr Quinlan, that you hadn't done it beforehand.---No, we haven't.

And the reason why you were doing it then is because the auditor had requested - - -?---The minutes on that - - -

30 - - - the minutes. Isn't that right?---So we moved then.

Yeah. Now, if you just go down, please, to the next page, page 201, you'll see at the top of the page resolution 1, that owing to a failure to come to terms with the Solstice Group entities that the Solstice proposal be rejected. ---Yeah.

Now, were you given any notice that that was a motion that was to be moved on that day, Mr Quinlan?---No, we don't read nothing till we get to the meeting.

40 When you say we don't read nothing, do you mean you're not given anything?---No, not, not prior to the meeting, only when we get to the meeting.

And so what was the discussion about Mr Quinlan about failing to come to terms with the Solstice Group entities?---Dunno.

You have no recollection at all of that?---We must have just been told that they didn't, they pulled out or something, I don't know.

Who told you that, if that was said?---I don't know, must have been the lawyer.

Well, they're not recorded as being there, Mr - - -?---Oh.

So are you able to assist further?---No.

10 The only person that was particularly interested in promoting the land - - -
?---Yeah.

- - - and land sale was Mr Green, was it not?---I don't know, probably.

Well, it wasn't you, was it?---No.

And Mr Walsh has denied moving such a resolution.---Yeah.

20 So it wasn't him, if we go back to the first page, that only leaves Mr Slee
who knows nothing about it - - -?---Yeah.

- - - Debbie Dates, Jaye Quinlan or Richard Green.---Yeah.

Now, was your mother particularly interested or involved in the Solstice
Group agreements - - -?---No.

- - - so far as you're aware?---No, she was the same as me.

30 Right. And so that only leaves, doesn't it, on the way in which we've gone
through this, Mr Green or Ms Dates?---Yeah.

Do you agree?---(No Audible Reply)

You need to answer, I'm sorry, sir, it's recorded.---Oh, sorry, yeah, there's
only two of them left.

All right. So did Mr Green have any particular interest in developing land?
---I don't know.

40 Well, was he the one that would speak at meetings regularly about these
things?---Yeah, but everyone spoke about developing our land.

Well, I'm just talking about Solstice at the moment, if you would Mr
Quinlan. Who would it be that's talking about Solstice at this meeting and
who would have informed the meeting that the Solstice Group position had
been rejected?---Dunno, must have been Richard or Debbie.

But you know nothing about it at all?---About?

Solstice and the deal not proceeding?---No, I didn't know nothing about it.

Now, would you have a look, please, at volume 15, page 73. You recognise that as the minutes of the meeting or the front page of the minutes of a meeting on 2 June, 2016?---Yeah, they look like our minutes.

And you'll see you attended according to it?---Yeah.

10 Right. Now, if you have a look, please, on the next page you'll see, "5. Despina spoke about resolution that they would like the board to pass." Do you see that?---Yeah.

Now, Despina is the lawyer from Knightsbridge North Lawyers?---Yeah, and the accountant.

All right. And she's not recorded as being present during that meeting, you would have noticed?---Yeah.

20 So, who's reading, or how is she speaking about a resolution that they would like, or she would like, the board to pass?---No, I don't know.

Now, did you have any notice prior to turning up to the meeting that there was such a resolution that she would like the board to pass?---No.

And was there any discussion about why Advantage should be replaced?---No. I don't know.

30 Well, do you know anything about Advantage?---Just the same that they wanted to develop our land.

Right. And what did you know about them as at 2 June 2016?---Just that they wanted to develop our land.

Have they given you any material at all, Mr Quinlan?---I can't remember.

What were they proposing to do?---Just help develop our land.

What land?---That Land Council land that you said earlier.

40 What, the five lots that you identified in the minutes?---I don't know, I don't even know what I'm talking about.

What were they proposing to do?---Build houses on it.

Do you know that or you're just thinking that from - - - ?---I'm just guessing what they were going to do on it.

You don't know anything really, do you, about advantage at this time?---No, I don't, sorry.

You're recorded, Mr Quinlan, as seconding that motion. Do you see that?---Yeah.

Assuming that's accurate, is the fact that you seconded it simply because your mother raised it?---Probably.

10 All right. So you just followed what she wanted to do. Is that right?---Well, it's me mother.

All right. And if she moved a motion, you would always dutifully second it or support it. Is that right?---Yeah.

And so, too, with Debbie Dates, you would do the same, would you not?---No, she's not my mother.

20 No, but I understand that. But if she raised a motion you would always support it, wouldn't you?---Not that I can remember that I did.

Can you recall any occasion where you voted against a motion moved by Ms Dates?---No, I can't. Yeah.

There weren't any, were there?---No. Like I said, I can't remember.

And what about Mr Green?---I can't remember either.

30 THE COMMISSIONER: Did you support this motion, or second it?
---Second it.

Because Ms Bakis had apparently wanted the resolution passed? Did that come into your thinking?---No, it didn't, sir. I can't remember what she was talking about, but yeah.

This is a motion to replace Solstice with another company, Advantage. Is that right? For advantage to take over - - - ?---That was to take it back to the members, to - - -

40 To purchase Aboriginal land?---Yeah, to take it back to the members. Yeah.

You would know who Advantage is, you wouldn't know anything about their bona fides, if you know what I mean? You wouldn't know whether they're an honest outfit or not, would you?---No, I don't, sir.

Pardon?---No, I don't. I don't know if they're honest or not.

Well, why would you support them coming into the picture if you didn't, if you didn't know whether they were a good company, as they might well be, or a - - - ?---It's the same thing about trusting you or not.

Pardon?---It's the same thing about trusting you or not. It's the same thing about trusting you or not.

MR CHEN: Mr Quinlan, really, you were just making up the numbers at this meeting, weren't you?---As I said, mate, I was deep down in
10 depression, I – that's what I said to you, I said I was just in my own body.

All right. And, you would just vote, always, with what your mother wanted?---Yeah, that's my mum, mate.

And also what Ms Dates wanted?---No, not really.

Well, you've accepted, have you not, that you can't think of any occasion at all where you opposed any motion of Ms Dates, can you?---No.

20 And if Mr Green wanted something, you'd support it, wouldn't you?---I don't remember, that's all I can tell you.

Well, you can't think of any instance now, can you, where you actively opposed any motion of Mr Green, can you?---No, no, I can't, well, I'm not going to lie to you. I can't remember.

And you don't think you did, did you?---No, probably.

30 Because the four of you were all part of a particular faction. Isn't that right?---Well, you get that in a board.

Well, that's what happened to this board. Isn't that right?---Well, this happened a long time ago.

I'm asking you whether you four were a faction. Do you agree?---No, not really.

40 What do you disagree with when I put that to you? Why do you disagree? ---Because I didn't really know Richard that well, so I didn't really – and Debbie was my aunty and my mum was my mum.

All right.

THE COMMISSIONER: But you worked together. You worked together, didn't you, on a lot of these issues that came up before the board, the group of four including yourself?---What do you mean?

Richard Green being one of them, too. You worked together very often, didn't you, and came to the same decisions?---At a board meeting, yeah.

Board meeting and even outside board meetings?---No, I never met Richard outside of the board meetings.

Anyway, you say you follow when you were asked to second the motion without applying your mind. You just blindly would support?---Yes, sir.

10 Is that right?---Yeah.

Supporting a motion on the blind, as it were that you knew nothing about the subject matter?---Yeah.

Is that right?---Probably.

Is that what you're saying, probably? You did that, did you?---Well, I - - -

20 Why would you do that? Can you explain that to me? Why would you blindly support something that you don't understand and have no interest in?---Because I just wanted to get off, I was just depressed, I didn't – I wasn't paying any notice.

MR CHEN: Now, would you have a look at the minutes of 7 June 2016, Mr Quinlan, and which are 14 and 15, page 96. Do you recognise this as what appears to be the minutes of the meeting held on that day?---I don't, they don't look like the same that we normally have.

30 They don't, do they?---No.

But just assume for me that they appear to be, or have been passed off as the minutes of the board meeting on that day. Would you accept that for the moment?---Well, I can't because they don't look the same.

All right. In any event, I want you to assume that on 7 June there was a board meeting and that Advantage Property Experts attended. Do you recall going to a meeting when Advantage Property Experts Limited turned up? ---No, I can't recall.

40 You've got no recollection at all of three or four individuals coming along and giving a talk about who Advantage were?---They may have.

Is it not unusual that within five days of another meeting, this meeting is held?---No, not really.

Well, what's happened, Mr Quinlan, just looking through the notes, the minutes, is that on 2 June, the board has passed a resolution about

substituting Advantage for Solstice. I've just taken you to those minutes, do you remember?---Yeah.

Within five days, Advantage are then presenting at a meeting. Who organised them to turn up, Mr Quinlan?---No, I don't know.

And what were they there to speak to the board about?---Same thing about development, developing our land or helping.

10 And did they hand out any flyers to you or brochures to you?---I can't remember.

Do you know what's been discussed at all at this meeting?---Like I said, just to help develop our land and that.

Well, you'll see here that it's apparently – that you moved the motion that the agreements with Advantage affecting previous board resolutions be executed. Do you see that?---Yeah.

20 Did you do that or not?---I can't remember, I don't - - -

Do you think you would have done something like that, Mr - - - ?---If I remembered.

Allow me to finish. Do you think you would have done something like that if you really didn't understand what was going on?---Probably not.

Do you think the minutes might be inaccurate, that you didn't move?---I don't know if they're inaccurate, I don't – I can't say that, I don't know.

30 You don't have any recollection or understanding about what was discussed as at 7 June 2015 by Advantage?---Yeah, no.

And sitting here now reflecting on it, you can't say what the Advantage proposals were at all, can you?---No, no, I don't.

So, does it not seem likely that you wouldn't have moved such a motion?---Probably not, I don't know.

40 But if you did, what, you just did it not knowing what you were doing?---Well, like I said, probably, probably not.

Didn't Mr Walsh often vote in a way that was opposite to you and Ms Dates and your mother and Mr Green?---I don't know.

Well, did you speak at all in support of this motion?---I can't remember.

Mr Quinlan, do you know at about this time the Land Council had embarked on or about to embark on an action against the Minister?---Yeah, I think I sort of remember.

Do you remember that the Minister sent a letter to individual board members indicating that she proposed to give consideration to appointing an administrator?---Yeah, we all received that.

10 And you read it, I take it?---Yeah, but I don't, I don't remember what was written in it.

Right. But you understood that that would mean that - - -?---Yeah, we'd be dismissed as board members.

Yeah.---Yeah.

And a person would come in to - - -?---And take over.

20 Yeah.---Yeah, administrator.

And the administrator would run the Land Council - - -?---Without a board.

- - - until it was put into proper order?---Yeah.

And then it would be returned - - -?---To the members.

- - - to the members.---Yeah.

30 And you understood that that was the case?---That's the rules and regulations of the Land Council.

Right. And that obviously was a matter of concern for you, was it?
---Um, yeah and no.

Well, why the no first?---Because I didn't really care.

40 Right. And why the yes then?---Um, just that it was going into administration and that could be a while before we got a board member, board members back running our Land Council and you know, back to where, where it should be.

You realise the background to that letter was that investigations had been conducted into matters involving the governance of the board?---Oh.

Did you know that?---Yeah, I, yeah, saying that I, yeah.

Yeah. And the initial view of the Minister was that the board was not properly governing for its members. Do you remember?---I didn't, I don't remember what was written in it.

Well, did you support bringing a claim against the Minister, the Registrar of the Land Council and Mr Kelvin Kenney who was an investigator appointed by the Minister?---We didn't want an administrator to come in.

10 I'm asking you whether you supported the bringing of a claim against those three?---Well, I must have.

And why did you do that? Sorry, I'm going to correct something. That you brought a claim, or the Land Council was to bring a claim against the Minister, the Registrar and the New South Wales Aboriginal Land Council. Do you remember that?---I knew we, we was trying to stop 'em to come in.

And what was your reason for supporting it?---Just that we, I honestly just thought I was doing the right thing and I wanted to run the Land Council.

20 Well, you've told the Commissioner you weren't really functioning at all during this period.---No, not at that time, that was really like, when we got put off and then I just didn't care.

Right. Well, anyway, you supported, did you, the Land Council bringing a claim against those three entities?---I honestly don't remember but I must, I might have, I might have.

30 Well, you know don't you, Mr Quinlan, that within a matter of three or so months proceedings had been commenced and discontinued by the board. Did you know that?---No.

And it cost the Land Council members a considerable amount of money in legal fees, didn't it, to bring that claim?---I don't know. I'm not an accountant.

And what was achieved by it, Mr Quinlan, by bringing that claim?
---Nothing, obviously.

40 Yes. The only thing that it did achieve, wasn't it, Mr Quinlan, was delay and cost?---Pretty, pretty much.

And the only reason why there as any need for pushing off the appointment of the administrator was so that this Advantage proposal could be put before the members. Isn't that right?---Yeah, but we didn't have a meeting for the members to approve it.

Well, you did have a meeting involving the members on 20 July?---With Advantage?

Yeah.---I don't remember.

Well, just come back to the question I was originally asking.---Yeah.

You accept, don't you, that all that occurred by the commencement of these proceedings was delay and considerable financial cost to the Land Council?

---Yeah, I think I said yes to your question before.

10 Yes. And the only thing that delay would achieve would be to enable this Advantage Proposal to be put before a members' meeting, isn't that right?
---But it didn't happen, so you can't say if it did or not.

Well, I want you to assume that it did happen, Mr Quinlan.---Or if it would – you can't assume, mate.

Sorry?---You can't assume anything.

20 Well, I'm not. I'm asking you to.---But you're asking me to assume something that I don't know what's going to happen.

Well, Mr Quinlan, the members' meeting, a member's meeting was held on 20 July, 2016. You don't know about that, do you?---No, I can't remember.

And you didn't attend it, did you?---I don't know. I don't think I - - -

30 So if I have a record of the minutes of the meeting on that day when this issue was to be proposed and was in part discussed, you're not in a position to deny that or dispute it, are you?---Well, I can't remember being there. If you've got the minutes, show me. If I was there, I was there. If I wasn't, I wasn't.

THE COMMISSIONER: You were not there. You weren't there on 20 July.---Well, I don't even know if there was any minutes or anything for that meeting.

40 MR CHEN: Mr Quinlan, it's the case, isn't it, that the only thing that was achieved by these proceedings being commenced was it enabled the Advantage proposal to be put before a members' meeting, isn't that right?
---But I don't know if it did or not.

Well, you didn't have or see any urgency in any land proposal at all, did you?---Not if we were kicked off the board. It didn't worry me after that.

No, I'm just asking you at this time period, Mr Quinlan. You didn't see there was any need for any form of urgency in relation to any land proposal that you were considering?---Now, you're asking a question properly that I understood, yes.

All right. You're agreeing with me? There was no urgency, was there?
---No, not, not that I can remember.

Because what should happen is there should be full and proper consideration not only by the board but by the members at a members' meeting?---Yeah. Like I keep saying.

10 And the members should receive information and an opportunity to consider and digest it, do you agree?---Like I said, yeah.

And also for the board to do likewise.---Yeah.

And so can you think of any particular reason why this Advantage proposal had to be put to a meeting on 20 July, 2016?---No.

20 Would you have a look on the screen, please, Mr Quinlan, at Exhibit 43, page 22? You see there it's a document described as Memorandum of Agreement Regarding the Procedural – there's a typographical error – Process for the Awabakal Advancement Agreements, dated 8 July, 2016. ---Yeah, I see it.

And if you just scroll to the last page, please. You'll see that appears to have been signed by Richard Green.---Yeah, I don't know his signature but - - -

I see. Do you know anything about this agreement?---No, sorry.

30 Never seen it before?---No, sorry.

You don't know what it's about at all?---No.

Never discussed at a meeting you attended?---Not that I can remember.

Now, do you remember when Steven Slee was the CEO?---No, not really. But I know he was. '14, '15.

And he was stood down, was he not, in early 2015?---'15, yeah.

40 And you weren't consulted about him being stood down, were you?---I got a phone call, yeah.

You were, were you?---Yeah.

Were you told that he was to be stood down or that he had been stood down?---I think it was just, we were just told – I don't know if they were going to do it or they already did it. I can't remember.

Were you asked for your opinion on whether he should be suspended or not?---Yeah, I can't remember. Trying to - - -

What did you know about why he was to be suspended?---Because we just thought he was doing the wrong thing by the Land Council.

Now, Mr Quinlan, when you say we, you thought that did you?---Some of the board.

10 Who's on the board, Debbie Dates and Richard Green?---Yeah.

And what are the specifics they told you about if anything about him doing something wrong according to the board?---He couldn't find receipts for the credit card.

THE COMMISSIONER: It's the wrong one.

MR CHEN: Well, you know do you not that the Registrar conducted an investigation into allegations that had been made by Ms Dates and
20 Mr Green?---Yeah.

And you know that there were some allegations raised against Ms Dates?
---No, I didn't, sorry.

And you knew did you not that the Registrar conducted a report during 2015, isn't that right?---Yeah, I think so.

And he had a meeting didn't he with the board members on 6 August, 2015
- - -?---Yeah, I can't remember the date.

30 - - - in the offices of PKF, do you remember?---Yeah, I can't remember the date.

But you remember the Registrar attending a meeting with board members?
---Yeah, at PKF Lawler.

And one of the things to be discussed was the outcome of his investigation. Isn't that right?---Yeah, I think so.

40 And he told the board did he not that he found no evidence at all to support the allegations against Mr Slee. Isn't that so?---Yeah, I think he said something like that.

THE COMMISSIONER: Mr Quinlan, just interrupting for a moment. There's been a number of witnesses who have given evidence who have attested to the good work that Mr Slee did as CEO.---Okay.

Would you agree that the work he did when he was CEO was done well by him?---Yeah, I thought he was - - -

Sorry?---I thought he was doing an all right job.

Yes. So if others have said Mr Slee performed well as CEO when he was in the job, you would agree with that assessment would you?---I don't know about well but an all right job.

10 He seemed competent?---Yeah.

Trustworthy?---Yeah, well, I thought he was trustworthy.

Sorry?---Yeah, I thought he was.

Trustworthy, diligent, doing his job?---Yeah.

He did what he had to do as CEO?---Did what he had to do and that, yeah.

20 Hmm?---Yeah.

So overall he performed well in the role of CEO?---Yeah.

Is that right?---Yeah.

You agree?---Yeah.

You're agreeing with me aren't you?---Yeah.

30 MR CHEN: And the Registrar told the board did he not that Mr Slee on his advice should be reinstated. Isn't that so?---Yeah, I think he did.

And Mr Sheriff, the solicitor for the Land Council, attended that meeting did he not?---I can't remember if he did or not.

Well, can I suggest to you he did and he gave similar advice to the board members?---Yeah.

40 Now, the fact is that Mr Slee had been exonerated had he not by the Registrar at that meeting?---Well, he said he didn't do anything wrong so
- - -

And you had no other reason to think otherwise did you?---Only that what I said he didn't, couldn't find \$5,000 worth of receipts for the credit card.

Well, the Registrar had been through that.---Well, it's a different opinion isn't it. I was just going off - - -

Sorry, what were you going off, Mr Quinlan?---Just that itself.

And where did you get that from?---Not the accountant. I don't know. I just seen something where he couldn't, he couldn't say, he didn't have any receipts for so much stuff as on the credit card being bought.

Mr Quinlan, that's simply not true is it?---What?

10 What you're saying now that there's this \$5,000 irregularity that you found?---No, I didn't find it. I just said I just read something.

THE COMMISSIONER: Did you ever see any evidence to support that suggestion that there was \$5,000 gone missing?---Senior the credit - - -

Did you ever see evidence that \$5,000 was missing?---Off the credit card?

Yes.---No.

20 MR CHEN: So aside from that unsubstantiated and unproven thing that you were told, the advice that you had received as a board member from the Registrar was that Mr Slee should be reinstated. Isn't that right?---Yeah.

And can I suggest to you that Mr Sheriff, the lawyer for the Land Council had given the same advice?---Ah.

Now, you supported though, did you not, a motion moved by Mr Green that Mr Slee be terminated. Isn't that so?---Yeah, I think so.

30 On what basis did you support that motion, Mr Quinlan?---Well, as I said before, I thought – that's what I mean, like, I thought he didn't equate for \$5000 on the credit card.

THE COMMISSIONER: But that's nonsense, isn't it?---Hey?

That statement that you just gave, a wide answer then, is complete and utter nonsense, isn't it?---I don't know.

40 Well you had never seen any evidence of any irregularity concerning the \$5000, you told me that a moment ago, didn't you?---Well, I said I seen a credit card thing before.

Yes. But you said a moment ago that you had seen no evidence of any irregularity which you could sheet home to Mr Slee. That's correct, isn't it? That is correct, isn't it?---What?

That you had seen no evidence that Mr Slee had been responsible for any credit card irregularity?---I seen a credit card statement from the bank to say that he couldn't, he couldn't get \$5000 worth of receipts.

You said a moment ago that you had seen no evidence of any irregularity for which Mr - - - ?---Yeah, but - - -

Just listen to what I'm putting to you- - - ?---I don't know if that's evidence or not.

You said a moment ago, you agreed with me when I put it to you - - - ?---Yeah.

10

- - - that you saw no evidence against Mr Slee concerning the credit card issue. That's correct. You did tell me that, didn't you?---Yeah.

Right. Now if there was no evidence that you saw - - - ?---Yeah.

20

- - - and if the registrar had investigated the issue and found there was no evidence to suggest Mr Slee was, in any way, involved in any missing credit card, involved in any credit card irregularities, why would you support a motion to dismiss Mr Slee when as you otherwise said, he had done a good job?---I don't know.

You don't know.

MR CHEN: The only explanation that you're able to offer the Commission, isn't it, Mr Quinlan, is that because Mr Green, Ms Dates and your mother supported his termination. Isn't that right?---Yeah, I think we did.

30

And the only reason why you were voting in support of his termination was because those three were. Isn't that so?---No.

What other reason can you offer?---I told you, I didn't think he was doing – yeah, I know what I said to you but, yeah, I just - - -

So, did you draw these irregularities to the attention of the registrar, Mr Quinlan, for him to investigate?---I thought he did investigate it.

You agreed that he told the board that there was no evidence of any financial irregularities at all?---I don't know.

40

Did you know Mr Slee received a substantial payment after he was terminated?---Yeah.

Were you involved in that decision, Mr Quinlan?---Yeah. I didn't want to give him that much.

I see. So who consulted you, Ms Dates?---We talked about it at a board meeting.

Who is we, in that?---The people that were on the board.

Did you know that it had been investigated and found that the decision was made only by Ms Dates and not at a board meeting?---I thought we did.

All right. Well, you're certainly clear that you discussed it with her, did you?---Well, yeah.

Is that right or not?---Yeah.

10

You did, did you?---I think I did.

And what did you think was a fair amount?---Twenty grand.

What were you using – how did you come up with the \$20,000, Mr Quinlan?---It was just a start.

Right. How did you come up with it?---Didn't, just - - -

20

Plucked it out of the air, did you?---Yeah.

Why were you paying him money?---Because he was – he was looking for a payout.

You were paying him money, Mr Quinlan, or agreeing, participating in the decision to make him money, because he had claimed that he was wrongfully terminated by the board. Isn't that right?---Yeah, that's why.

30

And you knew he had been wrongfully terminated. Isn't that so?---Yeah.

And that's why you and Ms Dates and others agreed to pay him money. Isn't that right?---Well, that's what normally happens.

Well, it normally happens, perhaps, Mr - - -

THE COMMISSIONER: We know it happened. Just listen to the question.

40

MR CHEN: The reason why it happened is because you participated in a decision of the board to wrongfully terminate Mr Slee, isn't that right?---I suppose so.

Well, there's no doubt about it, is there, Mr Quinlan? You had no evidence at all to support the termination of Mr Slee, isn't that so?

MS NOLAN: I'm going to object to these questions because I've been pulled up before on this, and these are legal conclusions that are being put to this witness, and the questions are unfair. Now, I don't object to most of the unfair questions that Counsel Assisting asks.

MR CHEN: I've really asked - - -

MS NOLAN: I'll make submissions about that in due course, but - - -

THE COMMISSIONER: Yes, thank you.

MS NOLAN: - - - this really is an unfair line of questioning, with respect,
Commissioner.

10

THE COMMISSIONER: I allow the question. Put it again.

MR CHEN: I'll just ask my learned friend to withdraw her comment that,
namely, she hasn't objected to most of my unfair questions. I'd invite her to
do so or to clarify immediately what they are.

THE COMMISSIONER: Yes, I think the answer is on you.

20

MS NOLAN: I'll make submissions about it in due course. I don't
withdraw it.

THE COMMISSIONER: About the unfair questions put by Counsel
Assisting?

MS NOLAN: About a number that I have not objected to, which I will
make submissions about in due course.

THE COMMISSIONER: Which you are characterising as unfair questions?

30

MS NOLAN: They're unfair questions, yes.

THE COMMISSIONER: That's right.

MS NOLAN: There's been a number. I've objected to those which affect
the interests of my client, but I'm not going to catalogue them now. I - - -

THE COMMISSIONER: No, well, I'm asking you to identify at least which
questions are you referring to? What was the subject matter of the
questions.

40

MS NOLAN: There's been a number. So that the manner - - -

THE COMMISSIONER: Well, that's what I'm asking you, to tell me how
many is it. When you say "a number", is it two or more than two? And if
so, which questions are you now asserting were unfair questions?

MS NOLAN: I'm not in a position to be able to catalogue them as I stand
here. I have a number of notes.

THE COMMISSIONER: Well, think about it over lunchtime because it's important the Counsel Assisting knows before this witness is discharged what they were in your contention. So we'll come back to that after 2.00. Now, would you re-put the question that was objected to.

MR CHEN: You agreed to pay, with Ms Dates, a sum of money because you knew that Mr Slee had been wrongfully terminated.---Yeah.

10 Now, do you recall going to a members' meeting on 29 June, 2016?---No.

Do you recall going to any members' meetings of the Land Council in the last year that you were a board member?---Think so.

When were those members' meetings that you attended?---No, can't remember. Can't remember the dates.

Do you recall going to a board meeting, sorry, a members' meeting at the Croatian Club in Wickham?---Yeah.

20

You do, do you?---Yeah.

And do you recall that as being in 2016?---I think it was after we got stood down.

So you mean after 13 October, 2016?---I'm trying to think of what day it was. I can't remember if I was a member, a board member, then or not.

I think earlier you said you didn't go to a board member on 20 July, 2016.
30 ---Yeah, I said I can't remember.

Do you mean by that you've got no recollection? Or do you dispute going?
---No, I'm just saying I can't remember whether I went to a meeting or not.

Do you recall at a meeting that - - -?---Or the date, anyway.

Do you recall going to a meeting where, sorry, a member's meeting where Ms Bakis and Mr Petroulias spoke?---That might have been at the Croatian Club.

40

You remember a meeting where those two attended, do you?---Yeah, they attended. I don't know if they spoke or not, but they attended.

And were they introduced to speak or you can't recall?---Can't recall. I don't think I was a board member then. I'm not sure.

Commissioner, is that a convenient time?

THE COMMISSIONER: Yes, it is, yes. Mr Quinlan, I intend to adjourn for the luncheon period.---Yes, sir.

We'll resume at 2.00pm.---2 o'clock.

Thank you.---Yes, sir.

Adjourned.

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LUNCHEON ADJOURNMENT

[12.59pm]