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INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE PETER M. HALL QC
CHIEF COMMISSIONER

PUBLIC HEARING

OPERATION SKYLINE

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TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON FRIDAY 10 MAY, 2019

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, the Commission was advised today via Ms Bakis that Mr Petroulias sought medical treatment last night and is not available today.

THE COMMISSIONER: Right. So what's the program, then, for today?

10 MR CHEN: Commissioner, in my submission, in light of that, and I've raised this with my learned friend Mr Lonergan, it would be my submission that the best use of the Commission's time would be, bearing in mind where we're at in terms of the investigation of the evidence, that Mr Green be re-examined by my learned friend, sorry, examined by my learned friend Mr Lonergan now. I would have some short further questions to ask of Mr Green, as I indicated yesterday, Commissioner, in relation to some original documents, which will be but a few minutes.

THE COMMISSIONER: Yes.

20 MR CHEN: That, in my submission, would be the appropriate course to take. Mr Green would, subject to what develops in relation to Mr Petroulias, need to be made available if and when that matter, if and when that point arises, that could be dealt with then, but he couldn't be released in my submission at this point.

THE COMMISSIONER: All right. Well, then, Ms Bakis is not here I see today, but the transcript could be made available to her of today's proceedings.

30 MR CHEN: Yes, Commissioner.

THE COMMISSIONER: And we can make any required directions arising out of that on Monday.

MR CHEN: Yes, Commissioner.

THE COMMISSIONER: All right.

40 MR CHEN: And certainly Ms Bakis has cross-examined, or her counsel has cross-examined now, Mr Green fully yesterday and of course on the last occasions, in fact in July and in September I think, Commissioner.

THE COMMISSIONER: Yes. Yes.

MR CHEN: Thank you.

THE COMMISSIONER: Yes, thank you.

MR CHEN: The second matter I wish to raise, Commissioner, is Ms O'Rourke will be seeking your leave, Commissioner, to appear now for Ms Dates, and if she could make this application now, Commissioner, if that's convenient.

THE COMMISSIONER: Yes. Yes, Ms O'Rourke.

MS O'ROURKE: Yes, Commissioner. If I could seek leave to appear for Ms Dates. Ms O'Rourke.

10

THE COMMISSIONER: Yes. Yes, I grant leave, Ms O'Rourke. All right, now, Mr Lonergan, have you got any matters you want to raise?

MR LONERGAN: No, Commissioner.

THE COMMISSIONER: All right. Thank you. Ms Dates, would you mind coming forward?

MR CHEN: It's Mr Green, sorry.

20

THE COMMISSIONER: Sorry. Mr Green. Apologies, Mr Green. All right. Mr Green, I might just get you to take the affirmation today.

THE COMMISSIONER: All right. Mr Lonergan, I see you've got the short microphone. If you need - - -

MR LONERGAN: Actually, I might go back.

10 THE COMMISSIONER: Can that be adapted to, get a staff member to – it might be more convenient for you, I think, to have it than not. I don't know why we don't have all these extended microphones, but anyway.

MR LONERGAN: I'll go back because it is in the way.

THE COMMISSIONER: Oh, no, no. No, I think you should stay where you are, but we can readily fix that up. All right. Is there somebody here who could ask one of our technical people to come in? We might just pause there for a moment. Thank you.

20 MR CHEN: Commissioner, I had a couple of questions of Mr Green to deal with such original documents, and whilst the microphone is being changed, would it be convenient if I started that examination now of Mr Green?

THE COMMISSIONER: Yes. Yes. Yes, that's a good idea, yes. Just before you do start, I see Ms Bakis has just arrived. Ms Bakis, your email about Mr Petroulias having sought medical treatment has been received. I've decided that today we will continue with Mr Green and that Mr Lonergan's been invited to ask Mr Green whatever questions he has, and I think Counsel Assisting has just indicated that he has a few matters he first
30 wants to raise with Mr Green and then the procedure will be I'll call upon Mr Lonergan. That's today's program.

MS BAKIS: Thank you for the update, Commissioner.

THE COMMISSIONER: Yes, well, while the microphone is being fixed up, Mr Lonergan, you wish to proceed?

MR CHEN: If that's convenient, Commissioner, I will.

40 THE COMMISSIONER: Yes, it is. It is.

MR CHEN: Mr Green, I'd like to show you first a document that's been marked as MFI 51, and it's a variation agreement, and I've put for your assistance only a blue tag on the second page of that document. Would you just have a look at the document itself and then turn to the second page, please. Mr Green, do you recognise the document that's been put in front of you, MFI 51, as being a variation agreement with a date of 23 October, 2015?---Can't say I remember it.

I'm not asking you to remember it. I'm asking you to identify it, please.
---Yeah, yeah, I can, like, now?

Yes.---Yes.

And if you look at the second page, do you agree that your original signature appears above the handwritten name Richard Green?---Is this the third page, is it?

10

The second, well, the document itself, the agreement, is only two pages.
---Okay.

You can see there's a blue tag, can you?---Yep.

Can you can see there's a section, executed for and on behalf of the Land Council?---Yep.

20 And there's a place, it says, "Name of deputy chairperson," do you see that?---Yep.

And do you see your name has been written there?---Yep.

Is that your handwriting?---Oh, I would say so.

And above it is a signature, is it not?---Yep.

Is that your signature?---Yeah, I'd say so.

30 And they're both originals, aren't they?---Yep.

The signature and the handwritten name?---Yep.

And if you look down the bottom, you can see as well that your name and your signature and your initials appear but have been crossed out. Do you see that?---Down the bottom?

Yes.---Down the bottom?

40 I'm sorry, it's not signed there, that's all right. Thank you. Commissioner, I tender that document.

THE COMMISSIONER: Yes, thank you. Yes. Can the document be obtained from Mr Green, please?

MR CHEN: And perhaps the blue tag could be removed as well.

THE COMMISSIONER: Yes. I might just have a quick look at it. Thank you. Mr Green, just on the document you'll have seen your signature there and you signed it as deputy chairperson. Do you accept that the board of the Awabakal Land Council had not, by any decision, conferred authority on you to sign on behalf of the Land Council this document, is that right?

---Agree.

And can you explain why then you did execute it for and on behalf of the Awabakal Aboriginal Land Council?---I can't explain.

10

All right. It also bears the signature of what purports to be the signature of Debbie Dates. It is the same position, so far as authority is concerned, that the board did not, to your knowledge, pass any resolution conferring her with authority to execute this variation agreement?---I - - -

Do you agree or disagree with that?---I don't like talking for Ms Dates. I - - -

I'm sorry, I can't - - -?---I don't like talking for Ms Dates.

20

No, but you were unaware of any decision of the board of the Council to ask Ms Dates to act on behalf of the Awabakal Aboriginal Land Council in relation to this variation agreement?---No, I'm unaware.

All right, thank you. All right. That'll become Exhibit 125, thank you. Formerly MFI 51, Variation Agreement, dated 23 October, 2015 (version 1) will be admitted and become Exhibit 125.

30 **#EXH-125 – VARIATION AGREEMENT DATED 23 OCTOBER 2015 (VERSION 1) – FORMERLY MFI-051**

THE COMMISSIONER: Thank you.

MR CHEN: Mr Green, would you have a look at another document, which is MFI 52, which again is a copy of the - - -?---Just can I, Mr Chen, can I just ask a question, please?

40 THE COMMISSIONER: Yes, what is it?---That document that I seen, Mr Chen said my name was crossed out or – I didn't understand that.

MR CHEN: I withdrew that, Mr Green, to be clear. It's actually not on that document, it's on the one I'm about to show you and so it's clear, nothing was crossed out on the document which was shown to you just a moment ago, MFI 51, Exhibit 125. Do you understand that?---I do, yeah.

Good. Just have a look, if you would, at MFI 52, which is another copy of the variation agreement, sated 23 October, 2015, and you'll see as well, Mr Green, that I have, for your assistance only, put a blue tag on that document.---Take it out?

Take it out, please. And do you have the two pages of the variation agreement there, Mr Green, in front of you?---Yep.

10 And you can see on the second page that there's a place for you to sign and write your name, Richard Green. Do you see that?---Yes.

And that's an original signature and your handwriting, is it not?---Yes.

And the handwriting is as well original, isn't it, Mr Green?---Yes.

And if you look down the bottom of the second page of that agreement, you can see that there's your name and your signature and an initial, and it's crossed out there, can you not?---Yes.

20 And you signed and wrote your name on that document and crossed it out, didn't you?---I'm not sure if I crossed it out.

Well, it looks like your initial, doesn't it, RG - - -?---Yeah.

- - - above the cross, does it not?---Yeah, yeah.

Commissioner, I tender MFI 52.

30 THE COMMISSIONER: Yes. Thank you. Return the document from Mr Green, thank you. Mr Green, in relation to this document, the same position applies, is it, that the board of the Council had not given you authority to sign this document?---No.

And do you know in what circumstances you did come to sign it?---I can't recall.

You can't recall the document being placed in front of you by anyone or how you came to sign it?---No, it was that long ago, I can't, I can't remember.

40 And again the position is, is it, that you can't explain why you did sign it for the Council if you didn't have the authority of the Council?---No, I can't explain.

That document, Variation Agreement 25 October, 2015 (version 2), formerly MFI 52, will become Exhibit 126.

**#EXH-126 – VARIATION AGREEMENT DATED 23 OCTOBER 2015
(VERSION 2) – FORMERLY MFI-052**

10 MR CHEN: Commissioner, I just wonder whether I could, there's a series of documents that were marked for identification, commencing MFI 45 to 48 inclusive, and this is for those behind me, transcript references from page 3136 to 3139. There are only three of those agreements, Commissioner, but the transcript records in fact that there are four such documents marked for identification. I think those behind me when they read the transcript will realise that a reference to what is supposed to be MFI 48, there is no such document, there are only three documents and so they should be respectively 45, 46 and 47.

THE COMMISSIONER: Ah hmm.

20 MR CHEN: If there's any problem with that, I've looked at the document, what's been produced by property, Commissioner, sorry, those that have been marked, there are only three. Commissioner, I just wonder whether I could seek your indulgence and return to that after Mr Lonergan completes his examination.

THE COMMISSIONER: Yes.

MR CHEN: I just want to work out the order of those a little bit more exactly if I can.

30 THE COMMISSIONER: All right.

MR CHEN: Thank you.

THE COMMISSIONER: Now, Dr Chen, just before – that completes your segment?

MR CHEN: Subject to returning to that issue.

40 THE COMMISSIONER: Subject to that, yes. In terms of Mr Green's evidence, I should inquire whether there's anybody here who wants to question Mr Green on anything before Mr Lonergan's called upon.

MR CHEN: Yes, Commissioner, you should, yes.

THE COMMISSIONER: All right. Well, it's - - -

MR HARROWELL: Commissioner.

THE COMMISSIONER: Mr Harrowell.

MR HARROWELL: Yes. I have two very brief questions for Mr Green.

THE COMMISSIONER: Yes, very well. Just pardon me a moment before we get to that. Ms Bakis, is there anything you wanted to raise, any questions of Mr Green?

10 MS BAKIS: No, nothing further.

THE COMMISSIONER: Thank you. Yes, Mr Harrowell.

MR HARROWELL: Thank you, Commissioner. Mr Green, do you recall yesterday when Mr Petroulias was examining you, he mentioned blue folders in the CEO's office?---Yes, yeah.

20 Did you ever see blue folders in the CEO's office?---Oh, look, I've been in the CEO's office a few times and I, there, there is a, there is a lot of folders in there, but I didn't take notice of just blue folders.

So you can't remember seeing a shelf of blue folders?---Well, I actually wasn't looking for blue folders, I, yeah, no, not just blue folders.

30 And were you there, there was some cleaning up done at the office at one stage. Did you go to the office whilst any cleaning up was being done? ---Well, Ms Dates rang me up and told me that the office was getting cleaned out and everything was getting chucked out, so I lived about a block and a half away in Mayfield so I jumped in the car and I went around there and I could see a big skip bin there and a lot of furniture there, so I said to I think Ms Dates, "What's going on?" And she told me and, and so all the furniture, and so I jumped in my car and I went back home and I got my trailer and I chucked a bit of furniture on the trailer for the, for the men's shed that I was setting up instead of it going to the rubbish dump, I scrounged it all and took it back to my house, not much, a couple of desks and a few chairs and a little bit of other stuff, yeah.

40 Thank you, Mr Green. And whilst you were there did you see yourself any documents being thrown out?---No, I didn't see any paperwork getting thrown into the skip bin.

More specifically, did you see any blue folders being thrown out?---No, I didn't.

No. I have no further questions, Commissioner.

THE COMMISSIONER: Thank you, thank you, Mr Harrowell. Yes. Ms O'Rourke, do you want to – you have no questions?

MS O'ROURKE: No, Commissioner.

THE COMMISSIONER: Thank you. Yes, Mr Lonergan.

MR LONERGAN: Mr Green, Mr Petroulias asked you yesterday some questions about Wollombi and a gentleman by the name of Jimmy Wright. Do you recall that?---Yeah.

10 Yes. Now, when was the first time that you met Mr Petroulias?
---Physically?

Yes.---Or in person, whatever?

Mmm.---Yeah, it was about that time, yep.

All right. And that being in Wollombi at Jimmy Wright's property?---I think we met somewhere, I'm not really sure, so he could follow me.

20 Right. But it was that day or thereabouts?---Yeah, it was that day, yeah.

THE COMMISSIONER: So when was this that you first met Mr Petroulias at Jimmy Wright's property?---I'm not sure what date, it might - - -

But that was the first occasion you met him, was it?---Yes.

Can you relate that meeting to any event which might help you put it in a timeline or not?---No.

30 MR LONERGAN: Why did you meet him, what was the purpose of this meeting at Jimmy Wright's property?---I think we had a discussion over the phone about rehabilitation centres for Aboriginal people.

Right.---Because they're dying before they get into the rehabilitation centre.

And so how does that relate to this Wollombi meeting?---Well, Mr Jimmy Wright has passed away now and him and I, we've been friends for 40-odd years and they had a property called Wollombi, or what they wanted to sell, that had cabins on it, it had kitchens on it and, and all that sort of stuff. So
40 Jimmy, I rang up Jimmy and I, I said, "Mate, this bloke's interested in rehabilitation centres," and I thought, well, we thought that would be an ideal place to have it. It's out of town, well and truly, yeah.

And who was this bloke that was interested in rehabilitation centres?---It was Nick.

And do you know why he was interested in rehabilitation centres?---Oh, he said that he knew a few solicitors on the court system that, you know, that, they needed to build some rehabilitation centres for Aboriginal people.

All right. And how long after this meeting with Mr Petroulias at Wollombi until Mr Petroulias met you or saw you at the Awabakal Council's offices? ---Not really sure. Maybe a month, a month after but I think in the meantime, we had, we had a few phone conversations that he was going to, well we started talking about land because - - -

10

Sorry, are you talking about here the telephone conversations?---Yeah, in the telephone conversations and he came up a couple of times and looked at some of the land.

Sorry, when you say some of the land, what land are you talking about, Mr Green?---Oh, probably all the land.

Are you talking about Awabakal land or are you talking about - - -?
---Awabakal land.

20

THE COMMISSIONER: Talking about Warners Bay or somewhere else?
---No, Warners Bay. Warners Bay, Braye Park and, and where else, oh, yeah, there was about, and, and the golf course.

Did Mr Petroulias, at that time, indicate to you what his interest was or what his business was?---Oh, he just told me that he, he had investors that could help us.

30

He had investors?---That could help us, you know, to, to - - -

It's another land council?---Pardon?

Is that another land council?---Um - - -

No?---No, I can't. Another land council?

What was the name of the place you just referred to?---Wollombi.

40

Oh, Wollombi.---Oh, you're talking - - -

Anyway, you understood that he had some investors, is that right?---Well, he told that he had investors. When I told him about all our land what we've got in the Awabakal Land Council, he said, "Yes, I've got investors that could help you guys do A and B and I would introduce them to you, I could bring them up and show them the land, we would show them the land." And it all sounded good to me so I said, "Yeah, okay,"

Thank you.

MR LONERGAN: And so this conversation happened when, Mr Green?
---Oh, maybe a week after, over the phone.

A week after you were in Wollombi?---Yeah, something, I can't remember correctly.

10 All right. So what happened with the Wollombi rehabilitation centre or project?---Oh, he said, he said to me that it wasn't the type of land to do the rehabilitation centre on and said, hang on, I said, "I've seen a lot of rehabilitation centres, you know, over the years and it would be an ideal place."

But it's from this Wollombi meeting that you subsequently showed, I think your evidence was, a month or so or a couple or a couple of weeks later?
---Yeah, something like that. I'm not sure, yeah.

20 And is it your evidence, Mr Green, that Mr Petroulias enquired and then came up and saw the Awabakal lands?---Yeah.

And when he saw those lands, what was your understanding as to why he was coming up to look at the relevant properties held by the Awabakal Land Council?---Well, the way I looked at it, I thought it was, you know, if there's investors and they've got plenty of money, you know, here's a chance for us to start getting our land rezoned and developed.

30 Now, are these your thoughts or is this what you've been told?---No, these are my thoughts, Debbie's thoughts and a few of the board members' thoughts. We, you know, we have a lot of conversations, just like normal people do, sitting, sit down, have, have talks.

So, Mr Green, you've given evidence in this Commission that you were endorsed or authorised by the board to show investors the Awabakal Land. Do you recall that?---Yes.

Now, what did you understand that your authorisation was to do?---To show people in general, to look at land just like normal people do.

40 Well, normal people don't just look at land, Mr Green. But - - ?---Well, normal people, they look at land to purchase. It's just like, just because we're a black organisation, there's no difference.

Well, I didn't mean it in that context.

THE COMMISSIONER: Sorry, when you said you understood you had authorisation to show people land, what form of authorisation were you referring to?---Well, there was minutes of the meeting we've discussed at the board that I show people land such as the post office, such as Braye

Park, such as Warners Bay, such as up where the golf course was. They give me the authority to go and, to do all this, you know, to show the land just like a real estate agent would do.

You're saying this was a formal decision of the board?---Yeah.

Or is it some informal arrangement?---No, it was minuted by the board.

And when was that?---I'm not sure what the date was.

10

Well, approximately what period are we talking about?---It would have been early in the, it would have been early, when Mr Petroulias, around the time we first met. Like I said, I'm not sure which date, but it would have been '14/15 maybe.

MR LONERGAN: And that was minuted by the board?---Yes, as far as I know.

20

And that preceded any discussion or, sorry, that was before you had any discussions with Mr Petroulias regarding the Awabakal lands?---Can you repeat that, please.

The minute of the board meeting, or the board meeting where this was authorised for you to show Awabakal lands, was before or after you showed Mr Petroulias the Awabakal lands?---I think it was before.

THE COMMISSIONER: Mr Lonergan, do you have any instructions as to when this is - - -

30

MR LONERGAN: Commissioner, there is actually in evidence - - -

THE COMMISSIONER: There is a - which, yes, I'm just trying to recall now what is the date of this.

MR LONERGAN: I'm just trying to find the evidence reference to the minute.

THE COMMISSIONER: Anyway, perhaps come back to that in due course.

40

MR LONERGAN: Yes, maybe over morning tea I can find that reference, Commissioner.

THE COMMISSIONER: That's fine.

MR LONERGAN: So you believe you're approved, you believe the board had approved you to show the Awabakal land to investors, is that right? ---Well, I do believe because it was mentioned in the meetings, yes.

And then you showed Mr Petroulias the land?---Yes.

Now, when the Commissioner asked you a question before, you made reference to A and B, as in investors come and look at the land for opportunities – sorry, I’m paraphrasing A and B. What did you understand that investors coming in to look at the Awabakal land were going to invest in?---Yeah, to help get it rezoned, talk to councils, not land councils, local land councils, like Warners Bay for a start where a lot of the land was, and they would develop the land, get it rezoned and this is what Mr Petroulias was saying, there will be a trust fund set up to do all this stuff and I don’t understand how it works but I was just there to, to try to, to try to get, get things going for the Land Council.

So Mr Petroulias is representing these things to you. Is that what you’re saying?---Yes.

Now, did you understand why investors would do all this work or potentially spend all this money? What was in it for them, to your understanding?---Well, there was, there was talk about, you know, say you build 500 houses, what was it, house and land packages, that the investors would sell so many house and land packages and the Land Council would get so many houses and land packages, that they would sell so many houses to, to get the, to make a profit and a lot of the Aboriginal people, as we was having discussions amongst ourselves, I was telling a few people and they said, oh, we will move in, we’ll get some flash houses, we’ll move in here, move in there, and maybe just going off the track for a while, but I said, “Don’t move into the flash houses, don’t move into the, the proper real, the big flash real estates,” I said, “because white people won’t move in there where Aboriginal people are and you lose all the money.” And some of them looked at me, and then a couple of days later they said, “You’re probably right, Richard.” I’m sorry for saying white and black, but I put it as it is, the way that I, that I put people, that I say things to my people.

So you’ve given also evidence that you understand the process of Awabakal land being sold. Do you recall that?---Yes, I do.

And you understand that in order for any land to be sold, that it’s got to go through the New South Wales Land Council.---Yes, I know that, I’ve known that, yep.

So how do you explain that knowing this, how that was going to work with all these investors putting in or potentially putting in money?---Well, I thought the, you know, I thought that, that the investors would have the money to, they were saying that we will talk to council, that we will talk to State Land Council and, and then, and all that. Like I said, I don’t, I didn’t know the, the, the, how can I put it, the, the rigmarole what goes on with

solicitors and all that sort of stuff, that's what I understand that was going to happen.

So how many investors did you show the Awabakal properties?---I'd say about eight to 10.

10 And did that, can you remember the names of any of the investors or potential investors that you showed the properties to?---Well, a few of the, a few of the people that, that's been mentioned, Advantage, Sunshine, Omar, I can't remember their companies, and, and there was an Indian guy called Dr Vic, there was Dyldrums [sic], I knew, I, I took notice of Dryldum [sic] because they were two Greek guys, they're big developers out in Parramatta, Andy and Ray, and yeah, and a few more. Some of them came in groups but I didn't take all that much notice of.

And who was bringing these investors to look at the properties?---Nick.

20 All right. And did Nick explain to you, pick Dyldam for example, so Dyldam come up to look at the properties, what's the process that goes on for this to occur?---Well, I think, I'm not sure, but I think Dyldam rang me up – how did I get in touch with them? I'm not sure but, but Nick went up there with them once, after I showed him all the land, then, I think he started taking people up there.

With or without you?---Without me.

30 How can he show people the Awabakal land without you or - - -?---Well, because I've already showed him. He probably took it upon himself to go and do that. I know he took Dyldam up there.

Without you?---Without me, yeah.

How do you know that?---Because Dyldam came back and then said some very harsh words about him, what he was saying about Aboriginal people, "Give them a handbag and a wallet, they will do anything for you." And if Dyldam would have come into this inquest, they would have probably said the same thing.

40 So you recall showing Tony Zong and some of his colleagues the relevant properties, being Warners Bay and, well, actually, I think all of the properties?---Yeah, I remember Tony Zong because it was very hard to, to relate because he hardly speaks English.

What is your – going back now, to the, do you remember the meeting and you've seen the evidence of the photo, of yourself, Tony Zong, Debbie and one other gentleman, I think it was - - -?---Sam.

Was it Sam, was it?---Samer Say, I think it is.

So you remember the day where that meeting occurred, where you signed documents?---Yeah.

All right. And that was around 31 October - - -

MR CHEN: 23 October.

10 MR LONERGAN: Was it 23 October, 2015, do you recall that?---Yep.

So when you signed these documents, what do you think that you are signing?---Well, I believed that we were signing stuff to start this, to start this project in, in rezoning the land because it's all zoned environmental. They give us land that we can't do anything with.

Sorry, "they" being who?---It means the government.

20 So the government gives you land or, I presume you mean native title claimed land, is that what you're talking about?---Yeah, yeah, yes, yes.

And you've signed a document with, you know, obviously in the presence of a number of people?---Yeah.

And you're signing this document for what purpose, to your understanding?---Well, I've just explained it, that, you know, we thought it was getting under way to get all the land rezoned and, and start to make a bit of progress. Yeah, that's about it. That's what I thought I was doing.

30 Now, you've been asked a number of questions by the Commission and Counsel Assisting. You understand that you didn't have authorisation of the board of the Land Council to enter into transactions for the Land Council? Do you understand that?---Oh, do I understand? Yeah, a bit of it. But, you know - - -

So then you're signing these documents, Mr Green.---Mmm.

40 Why do you think that you can sign the documents when you're not authorised by the Land Council to sign documents for them?---Well, I probably didn't realise at the time how, how, what is it, how important they were. As I've been going through this bloody, the Commission here, and I realise that they were important and that I, I, I did some things that I shouldn't have did.

Sorry, when you say you did some things that you shouldn't have did, what do you mean?---Like signing, like signing documents like that. I really didn't know, I really didn't know what the documents was that I was signing, like I was, I said, I'll repeat it again, I thought it was to start getting the land redone. I, I, didn't, probably didn't understand clearly what my,

what my authority was to show them the land and I, look, I was blind what I thought was going to happen for the black people, and I didn't think a lot, which I should have done. Because like I said, there was a lot going on in my life at that time and I, I wasn't at every meeting. I was trying to, I was trying to start to get all the employment out of Whitehaven. I was negotiating with native title and big CEO of companies and all that sort of stuff. Yeah.

10 So your evidence has been you didn't read the documents. You've signed them. You accept that you sign them and you shouldn't have done so, is that right?---If I would have read them, I probably wouldn't have signed them.

Yes, I know, but even not reading them, you knew that you shouldn't have signed the documents for the Awabakal or on behalf of Awabakal when you didn't have the authority to do so.---Well, the only way I can answer that is, yeah, I knew I probably didn't have the authority, but if, but – there's a but – but if people understand the way that Aboriginal land councils work, which they don't until they sit in meetings, people put things in front of us
20 while we're at meetings and you're sitting there like this, people sit, sit it there and you sign it.

But was this one of those type of meetings, I'm talking about 23 October - - -?---No, it wasn't one of those type of meetings, you know. Mr Lonergan, it's been, you know, you know, we know that, that got signed in the office where there was about four, four people, four to five people I think, yeah.

30 So that was one document that you signed. Your evidence has been that you've signed, and you accept you've signed, a number of documents, is that right?---Yeah, yep.

You're not sure of the - - -?---I'm not sure of the numbers because a lot of my signatures look pretty, pretty much the same. I found out through this inquiry there's so, there's things like electronic signatures which I never knew before, and I'm doubtful about some of them but there's original ones that put in, got put in front of me and how can I say I never, never signed them?

40 And, Mr Green, is it your evidence that the documents that you do agree that you did sign were all presented to you by Mr Petroulias?---Yes.

So did Ms Dates present any documents, sorry, Ms Bakis present any documents to you to sign?---No, no.

And of the documents that you remember signing, why did you sign them?
---Like I've said, you know, it's probably just to take the Land Council forward because we were in shambles at that time and - - -

Sorry, just stopping you there, signing the document, step 1, taking the Land Council forward, step 2. At the time that you're signing these documents, how are you thinking that by signing them, you're taking the Land Council forward?---How am I thinking I'm taking the Land Council forward by signing it?

Yes.---Well, if you sign something, you're taking the Land Council forward or you're trying to take the Land Council forward.

10 How?---To do this, all this rezoning.

So you're thinking, if I understand what you've just said, you think that signing the document is about rezoning and that is taking the Land Council forward?---No. It wasn't only about rezoning, it, it, there was a talk about a lot of stuff. There was talk about building houses, there was talk about building shopping centres and, and, shopping centres and Aboriginal employment. There was going to be Aboriginal companies to do all the building, all the landscaping, all the fencing. To work in, to, to work in, in, in, warehouses and, and, and Coles and Woolworths. You know, and, and, and it all sounded good to me because it's very, very hard for Aboriginal people to get work out there and if that was belonged to us, we would make the, our choices, what we wanted to do. That's why it, it all sounded all good to me.

And so is this your understanding of what was going to happen or this is what you had been told was going to happen?---I'd been told.

And you were told by whom?---By Nick.

30 When?---Oh, probably through the process, a lot of this stuff, before, you know, before it all, because I say down and I, I talked to him about, you know, about all the stuff that we wanted to happen and yeah, yeah, this can happen, this can happen, that can happen.

Those things that can happen, being what you described.---What I just described.

40 Shopping centres and - - -?---Yeah, houses, we got a lot of old people, like, needs to be put in retirement villages which we, in our culture, we sort of don't believe in doing that. Our people stay with us all their lives but we, we have people that, their kids have gone and left them so we need, you know, retirement villages, which we haven't got, still haven't got, where we wanted to put all the old Aboriginal people together.

All right. And so Mr Petroulias puts a number of documents in front of you which you've signed without reading and to your evidence understanding. ---Yeah. My eyes are running.

Are you right?---Yeah.

How are you satisfying yourself that these documents are going to achieve the things that you just talked about like, you know, rezoning, building hospitals, Woolworths et cetera on the properties?---How was it satisfying me?

10 How are you thinking, like how are you satisfying yourself that this is what it's about?---Well, if someone comes to me and, and explains all that stuff to me, it sounds good and, and, you know, I wanted to go ahead.

20 So is it your evidence, I'll paraphrase, that you were explained the big picture of this by Mr Petroulias, i.e. that the rezoning would happen, the buildings would be built, Woolworths et cetera, and that then you've gone and signed all these documents believing that it was all in relation to this big picture?---That's exactly right, because, Mr Lonergan, I've been frustrated for the last 45 years with State Land Council, with government, that we, that we still live in poverty, that we still, we're still behind the eight ball, we still live on riverbanks, our, our health is still, they talk about close the gap, I'm sorry for preaching but they talk about close the gap, there's no gaps been closed, we're still dying at a very, very early age, and all that stuff sounded good to me because I'm, I'm very frustrated that, that my people, we own this country, this is our country, and what have we got in this country? We've got nothing. Nothing. I've got to go out to work, get up 4 o'clock every morning and work my guts out and here's all the coalminers taking all the coal out of our country. That's, that's why it sounded good to me.

30 Sounding good as in Mr Petroulias you thought was finally, what, helping the Aboriginal people out?---Yeah, yeah, that's what I thought at the time.

But you understand, Mr Green, that people don't gratuitously help each other out to the extent of building 500 houses or whatever it be. There's always got to be something in it for them, right?---Well, like I said to you before, you know, so much of the, the house and land packages was going to the, the person that did all this and get their money back, and so many house and land packages went to the state, to the local land council. That's, that's the way it got explained to me.

40 Now, the name Gows Heat, you've heard that in this Commission?---Yes, I have, I have.

You've been asked a number of questions about Gows Heat. When was the first time that you can recall having knowledge about the company or the name Gows Heat?---I was sitting in this Commission one day and I was shown the, the minutes of the meeting and how Gows Heat was written in there by somebody's handwriting. That was the first time I seen it.

Is that the first time that you heard it, the name?---I'd say so.

So is it your evidence, Mr Green, that before sitting in this Commission you've not heard or seen the name Gows Heat?---No. Even if it was on those, that paperwork that I seen, I never read that name, because when I seen it written, written in the minutes by, by, by some other person, and it wasn't written in there by the person that was taking the minutes, that's when I, I took notice of it.

10 Just while we're on the minutes, if I can bring them up, I believe it was Exhibit 42, page 64. Exhibit 42, volume 2, page 66. Yes, so you'll see there, Mr Green, the handwritten minutes are on the screen, and on the left-hand side you'll see the first paragraph being scribbled out and the second paragraph saying, "Propose a contract of sale to," then there's some words there. Do you see that?---Up the top where it's scribbled out?

Well, you see the scribbled out, but I'm concentrating on the next paragraph.---Rightio.

20 I've just read that first sentence in part to you, "Propose a contract of sale to".---Yeah, I can see that.

Now, have you ever instructed anyone to change the minutes, in particular the minutes of this meeting, being the minutes of the meeting just after the presentation by IBU to the Land Council? Have you ever asked anyone to change those minutes?---No. Hundred per cent no.

Have you ever asked Ms Dates to change those minutes?---No.

30 Have you ever asked Candy Towers to change or insert words into the minutes of the Land Council?---No.

So to your knowledge there was no request by you to anyone to change the minutes of the Land Council?---No. No.

So if Ms Towers was to say that you asked her to change the minutes, what would you say?---That is a lie.

40 If we just go to page 66 now. Mr Green you'll see about two-thirds of the way down there – sorry, my apologies, at the top you'll see there where the arrow is just moving up and down, it says, "Propose sale to Gows and/or on-market value minimum per heads of agreement, including standard terms and conditions." And then it says, "Plan A, all five properties. Plan B, four properties not including Hillsborough Road, Warners Bay." So just, this resolution or motion do you ever recall, at the board meeting, anyone saying or resolving to propose a sale to Gows?---No. I can't recall.

But you do recall the meeting following the presentation by IBU?---I don't know if I was at that meeting.

I'm talking about the meeting where Mr Cyril Gabey and his friend - - -?
---Yeah, I remember that, yeah,

And so you can remember that and you can remember the meeting after?
---Oh, I don't know if I can remember the meeting after. I can't say I do.
You know, Mr Lonergan, a lot of the time when motions are being moved
here, you know, I normally like people to sign their signature under those
minutes where they're like, "Move Mr Ronald Jordan, seconded Debbie
10 Dates." But because the Land Council was in turmoil at all this time, things
weren't getting done properly. That's the reason why I just chucked my
hands in the air and walk out and go. Everybody's arguing, but anyway.
You never know when these minutes were done up.

But you never did them up, did you?---No. I never ever done meetings up,
minutes of meetings in any Land Council. We always have a person that
can read and write to take minutes. Normally out of 10 people, there'd be
one there.

20 Now, Mr Green, I'm moving on to a different area, that being the bank
accounts. I just want to ask you some questions. Firstly, you were asked a
number of questions regarding bank accounts and cards that were provided
to you by Mr Petroulias. Do you recall that?---Yes.

Now, why did you think it was acceptable or okay to spend money out of, or
to use cards provided to you by Mr Petroulias? Why did you think that you
could spend that money or use those cards and obviously the money that
was in the accounts behind them?---I can remember, if we go back a little
bit, before the cards, I can remember that I was getting paid by Mr
30 Petroulias, the devil.

So Mr Petroulias, what?---The devil.

The devil, being Mr Petroulias?---Yeah. I remember getting paid by him.
He put money into my bank account and, and I would get the money out and
I would do a lot of travelling. I'd, I'd look after my family. I've got nine
kids, I've got 20 grandkids, and I would look after my family with that
money, and my travel. I'd sleep in the car a lot. But getting back to the
cards - - -
40

Sorry, what period of time are you talking about here, Mr Green?---Well, I
don't know what period of time but I'd say that all that should be on record.

Well, that's not the question.---Well, mate, like I say, I can't, I can't
remember dates and, and years and times.

Right. So you - - -?---I struggle, I struggle with that.

Okay. But so you accept that Mr Petroulias was putting money into your bank account - - -?---Yes.

- - - and that you were spending it?---Well, I'm a poor man. If someone puts money in my bank account I'll spend it, spend it.

Right. Okay.

10 THE COMMISSIONER: How could that work? Did you give him invoices?---No.

Then - - -?---I wasn't asked to give invoices.

Well, did you in some way provide Mr Petroulias with evidence as to your work, what it involved in terms of travel and that sort of thing?---Oh, I'd ring him up a lot.

20 But a formal process of letting him know what work you had done, what travel you had done, what expenditure you incurred, that sort of thing? Was there any documentation sent through to him so that he could work out how much to pay you?---Well, Mr Commissioner, I'll answer it this way.

No, just tell me whether there was or there wasn't, just yes or no, was there any or not that you recall?---No.

No. That's all right. I just wanted to know whether there was any formal process, but there wasn't. Is that right?---Blackfella don't do that.

30 So when he put money into your account, he wasn't putting it in calculated according to how much travel time or distance you had travelled for work purposes or how much money he should put into your account for your, for your labour or for your efforts or for any expenditure you might have incurred for accommodation or petrol or anything of that kind?---No.

He just put money in.---He never asked me.

Okay.---I do it now.

40 So he was just putting money amounts that he would choose, is that right, or amounts that you asked for, which was it?---No, I never asked for.

Well, you say he of his own accord would decide how much money to put into this bank account we're talking about.---Yeah, maybe every couple of weeks.

All right. But as to the amount and how often, that was his decision, was it? ---Yeah.

And you didn't give him any information so he could calculate how much to put in?---No.

Okay.

MR LONERGAN: And when did this start in terms of how did this relationship start where he was putting money into your bank account? ---Well, I think, because he told me that he's already, he's already got money, right, to do a lot of this stuff, and I - - -

10

To do a lot of what stuff, Mr Green?---A lot of the stuff with the, with the, with the properties, and I think, I'm not - - -

Sorry, what properties are you talking about?---All the Awabakal Land Council properties.

Okay.---Is that clear?

THE COMMISSIONER: I'm not quite clear on what you're saying about Mr Petroulias in relation to this question of money and of the Awabakal land. What are you saying?---I'm saying that when we, when we first started doing a lot of stuff, he said that he's got money to, to get things going to, he said that he had money, and I didn't question that.

20

MR LONERGAN: You mean he was an investor who was going to put money into the Awabakal - - -?---No, he didn't say that, he didn't say that, he said that he had money.

30

Okay.---And I thought, you know, well, here's a start, but I, I, I think that when Mr Zong put the money into the account, which I don't know how much, I don't know when he did it - - -

I'm not asking about Mr Zong. Let's just stay on Mr Petroulias. So the question I'm asking, Mr Green, is Mr Petroulias started putting money into your bank account.---Yeah.

Right?---Yeah.

Why did he start putting money into your bank account, to your understanding?---So I could, that I could run up and down the south coast, north coast, out west, out to Bathurst and Orange and all them places, so I could have fuel money, meals. Just because I'm a blackfella, I get the same wage as a white man too.

40

That's not the question.---And I still eat.

THE COMMISSIONER: Did he say anything or give you any instructions as what he wanted you to do when you were running up and down the south

coast, et cetera? Or did he just leave it to you to - - -?---No, we, we had discussions, what, what, what I'm supposed to do. Well, always said this is, we can go and see land councils because I know they all need help.

Just tell us, what did he say about you going to these land councils? What did discussion did you have with him?---Well, around that.

Yes, but what was said about that?---I don't remember word for word.

10 No, but the effect of what these discussions amounted to.---Discussions were, you know, go and see what land they've got for farming, for growing of cattle, sheep, vegetables, and then, and, and buildings. That, that, that was the discussions.

And then what? You were to go and have a look how many sheds, cattle, et cetera, have a look at the property?---I was to - - -

20 Was there anything else he asked you to do?---I was to, remember, it's just not me working. There was a team of men.

No, but just tell us, what was he asking you to do is what my question - - -? ---To go and have meetings. We would call up land councils and go and meet with their boards to say this is what we want to do, these investors.

What would he ask, what were you to do with these land councils if you did go to the board? What were you expected to do?---Well, we were expected to do, try to develop their land for them.

30 But you'd drive down the south coast, you might call in at a land council, you're saying you just would turn up and go to a land council meeting and say, "Hello, I'm here. I'm acting for some investors. We want to buy your land"? Is that how it went or was it different from that?---Well, we go back to blackfella organisation now.

No, no. Just tell me what - - -?---No, no, no, no. Look - - -

What was the method? What was - - -?---You, you want me to answer these questions. That is the way that we do business.

40 What - - -?---We go into the, to a land council and say, "Could I speak to the chairperson, please?" So then they probably ring the chairperson. The chairperson would come to the land council. If they're not there, they're not there. We, we would try to get a date when we met them, when we could meet, and that's the way we do business.

Was there any documentation prepared so that you could present anything to these land councils about developing land or selling land?---No, no. What you do, you talk to them first.

But did - - -?---And when you get a meeting with them, then, then they put it in the minutes.

So did Mr Petroulias give you any documents to show them or to ask you to keep some documents about what you found at a particular land council or what you had discussed at - - -?---There were - - -

10 - - - or, no, let me finish, or what you had discussed at a land council?---No, no, no. There was some paperwork that we've seen about what we were supposed to give to the land councils. I think it was an agreement or something. A lot of the land councils used to look at the agreements and just say, you know, we will call a meeting.

So when you come back from the south coast, you come back, meet up with Mr Petroulias. What was the procedure then? Would you tell him where you had been?---Yeah.

20 And did you present him with any information or documents about - - -?
---Oh, we'd, we'd tell him that, that the people are calling meetings and dates.

Sorry, you would tell him - - -?---We would tell him that there was going to be meeting calls, called, and they'd get back to us with dates.

Was there any paperwork around this - - -?---No.

- - - when you came back and reported to him?---No.

30 No. And, I see.---That's the way we do business.

That's the way you do business, yes.---Yeah.

That's the way Mr Petroulias did business, too, was it? Not paperwork, you'd just have these informal chitchats, discussions?---Yeah, yep.

40 Did he take notes and write down what you were saying in a book or anything like that or would he just - - -?---Yeah, he always had, he always had a, a diary or - - -

Yes, a diary.---If it was a diary, and write down a lot of stuff. He, when he did go to meetings, he had his diary and took down notes.

No, but I'm talking about the discussions you had with Mr Petroulias when you came back from the south coast, for example, was there any documentation produced at those discussions?---No, no.

And this is the way it worked, you say, and money to be put into your account by him, at times he chose, in amounts he chose, is that right?
---That's right. Like I say, remember it wasn't only me that was working.

MR LONERGAN: So were you given documents to, well, to take with you to give to any of these land councils?---Yes. I, I, I said that and that, those agreements that we, that we seen for, I think they had the headings of Kempsey, Ballina, bloody, Coffs Harbour, you name it. All of the, all those towns - - -

10

THE COMMISSIONER: And what did you do with the agreements, these documents called agreements?---Well, I give them to a lot of the people.

What, would you say, "Here's a document," and just give it to them?
---Yeah. And these, these are the agreements and the terms.

And, what, would they look at you surprised as though, "What agreement? What terms?"---No, they, they don't look at me surprised.

20 Well, how would they know what you're handing to them?---Well, when they read them.

Well, if they can read.---Like, Mr Commissioner, I say, that's the way us Aboriginal people do business and, you know, people can look at it - - -

But who prepared these agreements you're talking about?---Nick did.

And what would he say to you to do with them?---Give them to the land councils.

30

And he had not himself discussed anything with the particular land councils, it was done through you, was it?---It was done through us.

Who's us?---I've said in this Commission, there was about three or four guys doing it.

Can you name them?---Yeah. Greg Griffiths.

40 Greg?---And Derek Hartman and there was a couple of blokes down at Wollongong, I can't recall their names now.

Well, what do all these guys do?---That's what they used to do.

What was their job?---To go and talk to local land councils.

About what?---About the developing land.

And if the Land Council said, “Oh, yeah, we might be interested in selling land,” what would happen then?---Then they, they’d call a meeting and ring us up and we would go back to the meeting.

10 What, with the agreement?---No, no, not all the time. You, you, you’d go back and have discussions with them. You’d go back and have, Mr Commissioner, it’s not like, our organisations are not like, you know, I’ll say it again, like a white man’s organisation. You, you call all these meetings, you date them and all this and that, but we talk, like we’ve been doing all our lives, we talk.

Yes, but I’m just trying to understand the process. You go down to the - - - ?---Well, that is the process.

20 No, you go down to the south coast or one of these other people go down to the south coast, have a chat to the land council people and come back to Sydney, speak to Mr Petroulias and at some stage he produces an agreement and you say you would take the agreement to a particular land council, right?---Ah hmm.

Well, what happened between the time you would come back and report to Mr Petroulias and how this agreement would then have been put together? What’s the process? What, what would Mr - - -?---Mr Petroulias, sorry - - -

30 What would Mr Petroulias – how would be draft up these agreements if all he had was a discussion with you or one of the other guys and hadn’t himself gone face to face with any of these land councils to work out terms and conditions?---Well, as far as I can remember, he’d have one agreement, right, and when you talk to a land council, you would write their name on this agreement. So all these agreements were the same.

So any terms and conditions in these agreements hadn’t been the subject of any discussion with the land council but it was already pre-prepared, was it?---Yeah. Yeah, that’s as far as I can - - -

So the one, one type of agreement, standard form agreement, was it? ---Yeah.

40 For all councils?---Yeah, if you can put it like that.

Okay.---And then, then the discussions would go on from there and if they wanted to agree with that agreement, you know, you had to do, they would read the agreement and they would ring us up and then they’d make a meeting date, but none of the, a lot of the agreements never got, never got looked at, they probably did look at them and they threw them in the bin.

End of process?---In the process.

The garbage tin?---Yeah.

Okay.---That's how we work.

Mr Lonergan, sorry, I've interrupted you.

MR LONERGAN: No, not at all, Commissioner. So some of these documents provided to you by Mr Petroulias were in your shed in a box. ---Yeah.

10

And you provided those to the Commission. Is that right?---Yes, I did.

And they were documents Mr Petroulias gave to you to give to land councils. Is that - - -?---Yes.

THE COMMISSIONER: Mr Lonergan, sorry, I've taken my attention off the clock. We might take a morning tea adjournment, if that's convenient.

MR LONERGAN: Please the Commission.

20

THE COMMISSIONER: Is it a convenient time?

MR LONERGAN: Yes.

THE COMMISSIONER: Mr Green, we're going to take a short break, come back and resume your evidence then. We'll adjourn.

SHORT ADJOURNMENT

[11.36am]

30

THE COMMISSIONER: Thank you, Mr Green. Just while Mr Green's coming, I'll be adjourning at quarter to 1.00. I'll resume at 10 past 2.00, if we're still going. Thank you.

MR LONERGAN: Commissioner, before the break, I did – sorry, if my friend wants to – regarding board minutes in relation to Mr Green's authority. Commissioner, the highest I can take this is that there was evidence, firstly by Ms Dates, that there was a board resolution appointing Mr Green, and I'll identify to the Commission the transcript reference for that in a second. Secondly, at Exhibit 42, volume 1, page 315, is the report to the board by the Chief Executive Officer of the Land Council at the time, who provides a report over a number of possible joint ventures that the Land Council was potentially going to consider in relation to the development of the Awabakal lands.

40

THE COMMISSIONER: What was the date of that report, do you know?

MR LONERGAN: The report was to the board, it says in the document, the board report 10 September, 2014.

THE COMMISSIONER: 10 September?

MR LONERGAN: 2014, yes. And the evidence of Ms Dates is set out, transcript reference 3151, around line 23, and transcript reference 3150, line 15 to 30, and that's where Ms Dates makes reference to the authorisation of Mr Green to take developers et cetera, investors out to look at the Land Council land.

THE COMMISSIONER: All right. Thank you, Mr Lonergan.

MR LONERGAN: And, sorry, just one other point on that, Commissioner, there were a number of proposals that were – or joint venture proposals – that were taken to the Land Council and I'll just draw those for reference. Exhibit 42, volume 1, page 529, was a proposal of Mavid Properties regarding a joint venture with the Land Council and then there is also Exhibit 42, volume 1, page 299 to 305, and the same volume, page 257, all relating to joint venture proposals regarding Awabakal Land Council land that were not necessarily to the board but were addressed to either the board in aggregate or the CEO at the time, I believe that was Mr Steven Slee. So that's the context in which I raised Mr Green's understanding of his authorisation by the board to engage in conversations with investors.

THE COMMISSIONER: Thank you, Mr Lonergan.

MR LONERGAN: Now, Mr Green, before the break, I was asking you some questions in relation to moneys that you were paid by Mr Petroulias. Was there any formal arrangement for you to be an employee of Mr Petroulias in relation to the visiting and discussions with land councils around New South Wales?---Oh, like, just word of mouth.

So can you recall the conversation where all this was set up?---Well, the conversation, I can't recall it all exactly, I, I, it was just sort of, you know, we'll go round and try to get a lot of the land councils' properties developed and, and us as Aboriginal people, we would go and approach them and see what, what, what they're got and what we've got to offer them.

I'll ask you some questions about that in a minute, Mr Green. What I'm asking you about is, can you remember sitting down or otherwise having a conversation with Mr Petroulias about what you were to do, how you were to do it and any other information that was presented?---Oh, no, I can't remember the exact words, but yeah, we, we would have sat down and had discussions about what we were going to do.

Right.

THE COMMISSIONER: But you have no recollection at all of having - - -
?---Yeah, yeah, yeah, I, yeah, but like I said, no - - -

You don't recall having any such discussion?---Yeah, we did have
discussions but I can't remember word for word.

Do you remember anything about what was discussed at those meetings?
---Yeah, developing land.

10

No, but Mr Petroulias talking to you, what did he say about the work that
you were to do?---I was to go up and down the south coast, north coast.
I've said it, said it on several occasions, go up and down the north coast and
talk to land councils about what we can do with their land.

MR LONERGAN: So you were provided by Mr Petroulias some
documents, and were these documents taken with you and handed over in
the first meeting or - - -?---Oh, well, I handed over at a lot of meetings.

20 Right. Did you ever read these documents?---No.

Right. So you hand over the - - -?---A little, little, yeah, probably little
looks at them, yeah.

So what did you understand they were about?---It was about, oh my God, it
was about developing land and that and what potential their lands had to, so
we could help. We was trying to set up, or I was trying to set up a company
to go and help local land councils out. It's a discussion I've had with
thousands of people over the years.

30

Okay. So how did you think that you were getting paid for your efforts?
---Well, through Nick.

A dollar amount a month or - - -?---No, I didn't have any idea. I think he'd
just pay me a couple of grand, \$1,500 per fortnight, which is pretty poor for
the amount of travelling and the work that I was doing.

Right. So do you know how much money you were paid by Mr Petroulias
over the period that you were employed by him?---Got no idea.

40

Why not?---Because I didn't keep track of it all.

So I mean how do you work your finances, Mr Green? Like, do you look at
your bank account on a weekly, monthly, daily basis and see how much
money's in there?---I look at a balance every now and then.

Do you budget?---No, I don't budget.

So mean your evidence is that you don't know how much you were paid by Mr Petroulias. Is that right?---That's right.

You check your balance in your bank account every so often.---Yeah.

10 How do you know you've got enough money to survive or pay your rent or buy food, all of these type of things?---You know, how many times I've got to say this, you know, it's, it's, it's, I'm a black man, my bank's always, my bank's always mainly always empty, right? I'm just about broke all the time. I could get money one day, I could have a couple of thousand dollars in my bank one day and the next day it's gone.

So is it your evidence that whatever money is in your bank account, you spend?---Yeah.

If there's no money in your bank account, you don't spend it because you can't?---Yeah. Remember I've got nine kids and 20 grandkids and I still look after all them kids and - - -

20 So do you manage your finances?---I don't manage my -- yeah, I do. I manage my finances now in a proper way.

No, I'm talking about 2015-2016.---Yeah, I did, yeah. Just with a key card, yeah.

THE COMMISSIONER: Do you recall when these amounts of money started being deposited in to your bank account by Mr Petroulias?---No, I don't.

30 Well, were they reasonably regular amounts coming in?---Probably fortnightly. Mr Commissioner, I was asked, asked by the Commission to bring in all my bank statements once upon a time and I, I've had them here but no one's never asked me to produce all them, them bank statements and I think I've still got them at, at home.

40 And as to some of the amounts in your bank account that were deposited over time, did you receive cash moneys from Mr Petroulias from time to time, which either ended up in your bank account or was used for expenditure?---Well, I, I've explained to the Commission that he give me two to \$300 sometimes when we, we were away, that's about it.

And would you usually bank those cash amounts or did you just use them for various forms of expenditure?---Yeah. Yep.

Just for expenditure purposes?---Yes, meals and travel, fuel.

You'd use the cash amounts?---Yeah.

And were the cash amounts that he gave you, again, coming on a pattern or a regular basis or fortnightly basis or weekly basis or - - -?---No, it wasn't, no, no. It, it, it, maybe once he gave me a couple of dollars up, I think it was Yamba, and - - -

When you say a couple of dollars, you literally don't meant \$2, do you?
---No, no, no, no, no, no.

10 He gave you some money when you were in Yamba?---Yeah.

I see. And how much cash was that?---About three hundred.

All right, thank you.

MR LONERGAN: So you were asked questions by Counsel Assisting regarding the purchase of quad bike. Do you remember that?---Yes, I do.

20 Now, you used a card to purchase that bike, do you remember that?---Yes, I did.

Whose card was that?---It was my card.

And where did the money come from to buy the quad bike?---From, I think I did buy that, maybe it came out of that Westbank [sic] account or did it come out of the St George account, the card that I'm still paying off? It might have come out of the Westbank [sic] account, maybe.

30 The purchase of a necklace, do you remember being asked questions about that?---Yeah.

Same thing?---Yeah, same thing, I think.

As in it came out of moneys from a bank account?---Yep.

40 Now, do you know how the money went into the bank account that you were able to spend on the quad bike, the necklace and other items?---I think, I'm not really sure at, at this time, but I think that came out of the Westbank [sic] account which I was questioned by Mr Chen about it. I, I'm not really sure which bank account now it was.

All right. But putting aside the exact bank account, money doesn't just generate out or, or grow on trees, so to speak, right, and you're spending this money.---Mmm.

Why is that money in your bank account, to your understanding?---Well, I'd say Nick put it in there for wages.

Wages for doing what?---For doing work.

But the thing is, do you know how much your wages were, Mr Green?
---No, we didn't, we didn't work out a, an amount.

THE COMMISSIONER: In other words, you - - -?---I didn't have a contract.

You didn't have a contract and you and he had not worked out any specific moneys to be paid by wage or otherwise?---No.

10

Right.

MR LONERGAN: So how do you know whether Mr Petroulias was paying you enough money or, you know, not paying you enough for your efforts?
---Well, I, I did know and I didn't ask any questions.

THE COMMISSIONER: But you're a bit of a negotiator, aren't you, you know, you've been involved for some years, haven't you, in negotiating with mining companies?---No, that just started.

20

Okay. Well, whenever it started, you've been able to negotiate deals with mining companies, haven't you? That's your job, isn't it?---Yeah, but depends, Mr Commissioner, what, what you are talking about because like I explained, I don't know if you want me to go on, but like I explained yesterday, I, I get, I get a, a, a contract off the mining company given to me with my rates for my men, the machines, I get given that, and I don't negotiate any moneys.

30

But I mean what I'm saying is, to put it in ordinary language, you know what a deal is and how to make a deal with a person, like bargain an agreement?---Yeah, yeah.

That's what you've done in your line of work with mining companies, you have a chat to them, work out what's a reasonable deal?---Well, you've got to do that with the mining company or you don't go anywhere.

That's right.---Yeah.

40

But I mean you've got a fair idea that in order to work out whether a program or a job is worthwhile doing, you talk to the company and work out, well, what are you prepared to pay me, because I'm not going to do this for, you know, nothing. You've got to work out a rate in other words, don't you, in your line of work?---Yeah. Well, we didn't do that.

No, but you have, in the course of your work with mining companies for example, done deals of one kind or another over time?---Yeah. It's only been going for a little while.

All right. Well, for however long it's done, been done. That's part of your function, to talk to the management or whoever in the mining company to try and strike a reasonable deal.---Yeah, rates what my nephew do, yeah.

Rates and so on.---Yeah.

And if you think the rate's a fair enough rate you're prepared to do the work?---Well, we don't, we, people tell us what the rates are and this is, this is competitive, whatever, yeah.

10

Well, you've got to compete against others for the work obviously. ---That's right.

So it all depends upon - - -?---If you go any higher you don't get it.

No.---Yeah.

20

So coming back to the work you're doing for Mr Petroulias, did you sit down with him and work out what you thought was a reasonable deal, reasonable for you, reasonable for him?---No, we never did that.

You didn't do that.---Didn't do that.

So - - -?---I just worked for what I was given.

You just worked and he just put in whatever amounts of money he decided on.---Yeah.

30

Is that the way it went?---That's the way it went.

Well, you wouldn't call that a deal, it was just an arrangement. Is that right? ---Yeah.

Okay.---Yeah.

MR LONERGAN: And how many hours a week were you working for Mr Petroulias?---(No Audible Reply)

40

Was it a full-time job, was it part-time?---No, it wasn't a, wasn't a full-time job, it was just a lot of travel, a lot of sleeping in my car, a lot of takeaway meals.

THE COMMISSIONER: Well, did you anticipate doing this work, if you happened to get a land council, sorry, a yes, an Aboriginal land council who said, "Yes, sure, we're interested in a deal on sale and development of our property," that there was something in it for you at the end of the day that, if you weren't being paid some sort of agreed rate, you would at least get something out of the deal at the end of the process? Was that the

arrangement that worked for you and Nick?---No. Never ever discussed that.

Well, were you going to get a slice of the action, is what I'm saying, if you know that expression, for all the work you did, running up and down the coast and so on, not on any agreed rate but just doing it in the hope that you might land a contract with one of these land councils and that you'd get a slice of the action at some stage later in time?---No. What I was trying to do was trying to set up a business.

10

What sort of a business?---A business to, to do deals with, with local Aboriginal Land Councils.

And this led to the work with Nick Petroulias, going up and down the south and north coast?---Yes, and with investors, and they might help me, help me do things. I helped them do things. I, I think that's normal practice in a business.

20

So Mr Petroulias wanted to do the same, he wanted to explore opportunities with land councils to develop land and you did too?---Yeah, that's right.

So you both had the common interests?---Not just me.

No, no, no, but - - -?---There was other people too.

30

There may have been others too but I'm saying you and Nick saw eye to eye. He is - - -?---No, no, no, they, no, Your Honour, Mr Commissioner. There, there, I will make it clear, there was not a partnership and there was not, how can I put it, we weren't making deals. I was trying to do the right the thing for Aboriginal land councils.

But at the end of the day, you were not doing it just for the love of running up and down the north coast, to look at - - -?---Yes. It, it is for the love of it.

Oh, I see.---Yep. Like I said, mate, Mr Commissioner, I am, I am an old man and I've been doing, doing it for the love of my people and for the love of myself for a lot of, lot of years.

40

Well, apart from the love aspect of it - - -?---Never got paid.

But apart from the love aspect of it, it did happen to result in moneys being dropped into your account every fortnight by – or every fortnight or almost every fortnight for a period my Mr Petroulias.---Yeah, yes, I had to be paid to do that.

So you were doing this work both for love and for money, weren't you?
---Yeah, yeah.

Okay, fair enough.

MR LONERGAN: But you don't know how much money?---No. I've got no idea how much money I was paid from A to B.

And your evidence is that you'd check your bank account every so often and see whether you had money in there or not?---I'll tell you what, I saved a bit of money by camping in my car for accommodation and that's where I, I'd buy some stuff for my children.

10

And the money that you spent on, for example, the quad bike, it was a few thousand dollars I thought, three or \$4,000. You understood that to be your money, as what?---When it's sitting in my bank account, yeah.

So if money sits in your bank account, then - - -?---It's my money.

So if there's \$100,000 in your bank account, you're happy to say that's your money?---Yeah, I'd like to know where it came from, though, \$100,000. That's a bit.

20

If there's \$10,000 sitting in your bank account, you don't question where it came from, you just spend it?---No, I'd question that too. If I wasn't entitled to it, I would not take it.

So the money that was in your bank account, you thought you were entitled to spend?---Yes, because I work, because I was running around doing things and I'd done a lot more travelling and camping and, and eating and, you know, and I made sure a lot of the times, I would drive for eight hours so I could get back home and so I didn't have to spend money, 16 hours or whatever.

30

Righto, now you talk about running around. There were a number of cars that were in, that you were asked questions about.---Yep.

I think we started with a Mercedes car that you said Ms Bakis gave to you, is that right?---Gave to me to, yeah, to do work, yep.

Was this the same work that you're talking about?---Yeah.

40

And there was a second Mercedes, there was a BMW, there was an XR6. ---Yeah.

And these were all for the same purpose, were they?---Yeah, all for the same purpose. Most of them were bombs. I had to get rid of them.

You traded the Mercedes that Despina Bakis gave you in for a Kluger, is that right?---That's right.

And your trade-in value on the Mercedes was \$16,000, do you recall that?
---That's, yeah, that's about right.

And you gave evidence that you had done some repair work on that car before you traded it in, is that right?---Yes, I did.

How much money did you spend repairing the car, do you know?---Oh, practically nothing because I done it myself.

10 You're a mechanic? You're not a mechanic, are you?---Well, I fix all my machinery and I fix all my cars, and my sons do, my two sons do the same thing. We're what you call bush mechanics. That's what we are. You get a machine fixed, that's cost you \$2,000.

So just stepping back, the Commission, Counsel Assisting has asked you – and I don't intend to go through all of the bank account transactions and so forth – but you've been asked about a lot of transactions and where the money came from, how you spent it. Did you ever take any money from Mr Petroulias in relation to any land dealings with the Awabakal Land
20 Council.---No. No, no.

So is it your evidence, Mr Green, that the money you were given or paid by Mr Petroulias was for reasons other than land dealings with Awabakal?
---That's true.

And your evidence is that the money that you received related to work that you did - - -?---Yes.

- - - for Mr Petroulias in his various company or companies?---Yes.
30

And the cars that you were given by Ms Bakis and/or Mr Petroulias were for the same purpose?---That's exactly right.

And the trip to New Zealand, do you recall that?---Yes, I do.

What did you think you were going to New Zealand for?---Well, Nick asked me to go to New Zealand to get a New Zealand licence and that we was going to do business over in New Zealand with the - - -

40 What sort of business were you going to do in New Zealand?---Oh, with the, with the, we were going to talk to all the chiefs over there, which didn't happen, and talk about the treaty which the government give to the Maori people, which don't work. So we wanted to get, get our heads around why it doesn't work, why everyone is homeless over there. Yeah, so I went over there but none of that stuff did happen. I got my licence and I got left over there.

Mr Green, did you know that a number of companies were set up in New Zealand with you as a director of?---Well, I, I seen a couple of certificates but I didn't give any permission to anyone to set me up as a director. That is the reason why I told him to take all my name off any company that I was put down as a director. I didn't know at that time.

Well, when did you know?---Oh, I, I, I remember him giving me a couple of certificates of incorporation and I asked him, "What's this?" and that's when I said take me off any company.

10

Do you recall when that was relative to when you actually travelled to New Zealand?---No, I don't - - -

Was it a day later, a week later, a year later?---I don't remember. I don't remember dates. Year, I don't even know what year it was.

And you received some money for either football jumpers or furniture, do you recall that?---Yes, I do recall that.

20

And who gave you that money?---Well, as far as I can recall, I talked to Mr Zong. Like I said in this Commission, I, I try to get sponsorship for, for a lot of stuff, for rugby league, for men's groups, for elder groups, and as far as I'm concerned, that money came from Mr Zong because I asked him, but for some reason, some reason, it came from another, another source and I got the money and went and bought some stuff for the, for the, for the, for the men's shed.

30

And the men's shed's what?---The men's shed is a place that I, I, I, I set up for abused men and to talk about their problems with the law, why they're, why they're being charged and a lot of them were homeless and being discriminated against, so we all used to sit down and have, have meetings like a toolbox talk. A toolbox talk is when we all sit down in a circle and talk about what's going on in our lives and how we can better it.

Okay. Email accounts, Mr Green. You've been, you had a couple of email accounts that Counsel Assisting's brought to your attention, a Gomeroi email account and an Indigenous Business email account.---Indigenous Lands, First Peoples, United Lands. They wasn't set up by me.

40

Who sets them up for you?---Nick set them up.

All your email accounts - - -?---Yeah, yeah.

- - - you just mentioned were set up by Nick?---Only one that I set, that, who did I get to set that up? My nephew. Is - - -

And which one is that, sorry?---Murrisunited@gmail.com.

And during, so going back now to 2014/2015, did you use the email accounts that had been set up for you by Nick?---(No Audible Reply)

Did you send emails from them?---No.

Right. But you accept that you received emails into the inboxes and - - -?
---Might of, yeah, I might, I can't recall reading any of them or, because when I, when I, when I get emails I always hand it over to, to a friend of mine to read the emails to me.

10

What's your process, Mr Green? You know, do you log on to a computer and have a look at your email account?---I don't know how to log on to a computer. You give me a computer right now, I wouldn't have no idea, because I don't do that stuff. I've got a nephew, all I do is go and work.

Okay. So let's go back to 2015. How do you know you've even got emails in your account?---Well, I didn't know. I, I'd have a look at them every now and then but I can't recall leading a lot of emails. I used to have a girlfriend then. I wouldn't want my wife to find out. No, I didn't mean that, I meant - - -

20

Sorry, what's the purpose of the girlfriend? Sorry – I withdraw that.
---But - - -

In relation to the emails, what's the - - -?---No, I had a girlfriend then, I didn't have a wife, and she used to read a lot of my stuff to me.

And this is when, when did you have this girlfriend?---Oh, back in about '14 when my wife and I broke up for about a year or so.

30

And when did the relationship with your girlfriend end? Oh, maybe two and a half years ago I think.

Just one last area, Mr Green. Your educational background, just explain to the Commission what it was. What it is, sorry, your education.---Well, you can practically say I never went to school.

Well, how long did you go to school for?---Maybe over 15 years I probably went about, all up, maybe five years.

40

Kindergarten, year 1, year 2, year 3.---Oh, I can remember going to, not much in my really young life.

THE COMMISSIONER: How old were you when you left school?---About 14. About 14 I was.

MR LONERGAN: Were you able to read and write when you left school?
---No. No.

Go back to 2014. You're able to read and write in 2014 a bit or not?---I can read, yeah, little bits of stuff, but not, not, not real good.

2014/2015, could you use a computer?---No. Like I just said, I can't even use a computer today.

10 So today your ability to read, how would you describe it?---Oh, I, I'd go, I'd probably go five out of 10. It takes me a long, long time to – yeah, I can read little words, but when it comes to big words, that, I've got to work them out.

20 With Mr Petroulias putting documents in front of you, were you embarrassed by your level of reading ability?---Yeah, I do get embarrassed about my reading ability because I don't, I, I try to read things but I, I, you know, it's very embarrassing for us people. We, my generation probably went to school and, and when I was a young boy the stolen generation was still around. We was always running from the, from government, the law, and a lot of, a lot of domestic violence back in them days, and we'd starve, we couldn't concentrate on going to school, we'd live in tin humpies with no floor, no running water, live next to massacre sites where all the skeletons are in the ground next to our house. They're still there today. Yeah, we had a lot, a lot of stuff going on back in them days.

30 So the Commissioner has asked you questions, and clearly today you're able to enter into, you know, negotiations with, you know, various mining companies and you've got a business up and running and you're employing staff, so how do you explain to the Commission that your conduct back in 2014/2015 in relation to signing all the documents that you're being presented with, you know, versus now where you are running a business and you're employing people and have, you know, in colloquial terms, you know, a degree of street smarts about you?---Well, back then I, I, I was in, how can I put it, I was, I was in a state of mind back then that I, I wasn't concentrating properly. I probably wasn't doing the things I was supposed to have done and I probably should have done them a lot better and it's actually woke me up to myself, to if I'd have knew I had to kept diaries of where I went and where I didn't go and, and mileage of cars and all that stuff, now I know that, because this is the first time in my life that I've, I've set up a company, with help of a, a couple of very good, very good white people, that helped me do this and they've learnt me the ropes and what to do and what not to do, but I just wish that was the first time I was sort of involved in a lot of these transactions. And I wasn't aware of it and now I am. I probably let my people down.

So when you're talking about letting your people down, Mr Green, are you saying that you accept that your efforts and your signing documents without properly reading them or understanding them, you accept that that wasn't good enough now?---Yep.

And that if you had your time again, you would, well, you know, firstly do a better a job and that you understand that you, as a former director of the Awabakal Land Council, had a duty that you didn't perform to the expectation of that duty?---Yep.

Commissioner, I have no further questions.

10 THE COMMISSIONER: Yes, thank you, Mr Lonergan.

MR CHEN: Commissioner, I simply need to – I understand you have to adjourn, Commissioner. I'm happy to come back and - - -

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

MR CHEN: About a few minutes. I just need to have the witness that his original signature appears on two - - -

20 THE COMMISSIONER: Is that all?

MR CHEN: That is it, Commissioner.

THE COMMISSIONER: All right. Well, why don't you do that.

MR CHEN: Thank you, Commissioner. Mr Green, I'm going to show you, please, MFI 45. It's not stapled, there's a cover sheet on it as well. Just have a look at that if you would. You'll see, the cover sheet of the agreement will read, Deed of Rescission, date 12 October, 2015?---Yep.

30 And if you turn, please, to the last page, you'll see that there should be a blue tag on it?---Yep.

And does your original signature appear on that document, Mr Green?
---Yes, it does.

And does your original handwriting appear on it as well?---Yes, it does.

40 And that appears obviously in the box, "Signature of director, secretary, et cetera," does it not?---Yes.

Commissioner, I tender MFI 45.

THE COMMISSIONER: Yes. That'll be admitted and it will be marked as Exhibit 127, thank you.

**#EXH-127 – DEED OF RESCISSION DATED 12 OCTOBER 2015
(VERSION 1) – FORMERLY MFI-045**

MR CHEN: Commissioner, just to keep the record in order, could I tender MFI 46, which is Deed of Rescission, dates 12 October, 2014, version 2. It's obviously not signed my Mr Green, that one.

THE COMMISSIONER: Yes. The MFI 46 will become Exhibit 128.

10 **#EXH-128 – DEED OF RESCISSION DATED 12 OCTOBER 2015**
(VERSION 2) – FORMERLY MFI-046

MR CHEN: Thank you. Now, Mr Green, would you have a look please at MFI 47, and you'll see as well, I've put a blue tag on that as well to assist you, Mr Green. So just have a look at the cover sheet of the agreement, if you would, and you'll see it's called a deed of rescission.---Yeah.

20 And if you turn to the last page, please, Mr Green, you'll see in the box an original signature of yours.---Yes.

As well as your original handwriting underneath it.---Yes.

And if you'd just look at the first page of the agreement, there are some initials. So turn two pages over, please, and you'll see within the body of the agreement itself there are some signatures and some initials at the bottom of that page. Do you see that?---Yeah.

30 Are any of those yours?---No.

Commissioner, I tender MFI 47.

THE COMMISSIONER: MFI 47 will become Exhibit 129.

#EXH-129 – DEED OF RESCISSION DATED 12 OCTOBER 2015
(VERSION 3) – FORMERLY MFI-047

40 MR CHEN: And that was the only examination of this witness, Commissioner, but perhaps whilst the witness is in the witness box, he did indicate that he had documents or financial records, and could I just indicate to Mr Lonergan that if he wishes to produce those documents to us, we'll assess them and consider them and if necessary, tender them, Commissioner.

THE COMMISSIONER: Yes, thank you. Mr Green, you did say that you accept that when you signed these various agreements when you should not

have done so and you were asked why you signed them and you said, well, you thought it was taking the Land Council forward, and you said that there was things said to you by Mr Petroulias about developing the land, rezoning it and housings and shopping centres and Aboriginal employment and all that sort of thing would flow out of this redevelopment proposal.---Yep.

At the time you had that conversation with Mr Petroulias, you had not known him all that long, had you?---No.

10 You had no idea as to whether he had any experience in property development, did you?---No.

And did you understand that he had no experience in the development of Aboriginal land?---Oh, probably like everybody, first meet Aboriginal people and - - -

No, did you know whether he had any?---No, I didn't know that, I didn't know.

20 You didn't know. All right.---No.

Now, you said that these things being said about developing the land and shopping centres and the rest, you said sounded good to you.---Yeah.

All right. But if somebody says something to you, really you need to know before you accept it or act on it that the person you're dealing with is reliable, don't you?---(No Audible Reply)

30 You need to know that the person you're talking to who's saying these things is a reliable person?---Well, it's not a practice of ours.

No, no, no, but in ordinary life you judge whether you're going to accept what somebody says by what you know about that person. If he's been truthful in the past or reliable in the past, you're more likely to accept what he says is going to happen if he says I'll do something in the future. Is that not right?---Oh, I will disagree with you, Mr Commissioner.

40 Well, put it this way. You're more likely to accept somebody as a reliable and truthful person if you know that person than if these things are said by a complete stranger. Correct?---Can I answer this question - - -

No, no, no, you just answer my question. Is that correct as a general proposition?---That's a tough question to answer.

No, it's not, it's simply putting the obvious, that you're more likely to accept the statements of somebody you know to be truthful and reliable than somebody who's a complete stranger.---Yeah, that's true.

Yes, right.---Yeah.

That's obvious, isn't it?---Yeah.

Yes, right.---Mmm.

And you had no information as to whether Mr Petroulias could be regarded as a reliable and honest person by what you know about him or what you then knew about him. Correct?---That's correct.

10

So for all you knew, when he said he's going to, these properties could be developed and you'd have shopping centres and Aboriginal employment opportunities and so on, you were not in a position to be able to evaluate as to whether he was being truthful?---No.

Or honest?---No.

Or reliable?---No.

20

He didn't produce any documents, reports from experts and so on to say, look, I've looked into all this redevelopment of the land and you can see from these reports that these experts support me and say, yes, you can develop the land and you can have shopping centres and so on? He didn't produce any - - -?---No, he didn't.

In fact he didn't produce any evidence at all to you, did he - - -?---No, he didn't.

30

- - - as to whether what he was saying was soundly based or whether it was just something he was, was just something not much more than a dream. ---Yeah.

Well, I think you've accepted that you, as a director of the Land Council, had an obligation to protect the Awabakal Land Council and its interests and its people, is that right?---Yes.

40

When you said you decided to go ahead and sign these agreements because it sounded good, you went ahead simply on the say-so of what Mr Petroulias was saying to you about the potential to develop the property and develop these land/house packages and so on, is that right?---Yes.

Well, that was no basis at all, in effect, was it? There was no basis upon which to sign the agreements because you didn't know whether he was telling the truth or whether it was a pipedream.---That's true, yeah.

Well, then why would you have gone ahead and signed the agreements if, for all you knew, what was being said to you was a load of rubbish?---Well, I didn't know it was a load of rubbish then.

But there must have been something in it for you or there must have been some reason why.---No, there wasn't.

10 There must have been a reason why you would sign the agreements. I mean, if you trusted the man, that might be one reason why you would sign the agreements, but as you said, you didn't have any basis to know whether you could trust him. So there's got to be an explanation why you would go ahead and do something, and I'm looking and searching for the explanation as to why would you sign agreements that a man you hardly knew was putting in front of you and you couldn't or didn't read them, didn't know what you were signing?---Like I said, Mr Commissioner, you know, it sounded good to me, there was an opportunity to go forward, but it, it, it didn't, it didn't work out like that.

You must have had a motive. You must have had a reason.---Yeah, the - - -

20 You must have had a purpose in going ahead and signing these agreements when you didn't know whether it would be good for the Council or that it could be very bad for the Council. What was the reason? Why were you persuaded by what he was putting to you?---How can I answer that?

Well, only you know.---Well, it was the motivation, the motivation was to get the Land Council up and running, to get all these projects going. That, that's the only way, Mr Commissioner, that I can answer the question.

Well, if it were put to you that there must have been some personal benefit to you in - - -?---No personal benefit.

30 No, let me just finish the question.---All right.

I'm just giving you an opportunity to respond if this was put.---I am responding.

Okay. If it was put to you that there must have been some personal benefit in you going along on this project with Mr Petroulias, and it was not a reason that would benefit the Land Council but would benefit you, what would you say if that proposition was put to you?---Say that again.

40 Okay. If somebody was to say in this inquiry there must have been some personal benefit as to why you went along with Mr Petroulias in this land project affecting the Awabakal Land Council, some personal benefit, what would you say? How would you respond to that if somebody suggested that to you?---That it's a personal benefit to me?

Yes, a personal benefit for you, financial or otherwise.---Well, if he, if he's, you know, we're talking about setting up a business to - - -

But just staying with my question, would you?---Yeah.

I'm saying if it's put to you that the reason you signed all these agreements was because there was something in it for you, either money or some other benefit for you, how would you respond? Would you accept, yes, that's true or, no, it's not true?---No, well, I, I don't expect any, any, any special benefits or funding. I, I was thinking about a job because I wasn't working, had no money. And, you know, and my motivation was, there, there was going to be something in it for the Aboriginal people but, Mr
10 Commissioner, as it worked out, you know, I, I, I was blind by a lot of stuff. I was, how can I put it, I was duped or conned as, as they say but I, I, I, I will never ever practice that again, what I've done, and I've lost sleep over a lot of this stuff. I just want to get back to my family.

All right. Is that all you want to say in response to that?---Yeah.

Okay, thank you.

MR CHEN: I think that's as far as we can go today and certainly with Mr
20 Green, he will obviously - - -

THE COMMISSIONER: Mr Green – sorry, may we release Mr Green?

MR CHEN: Not yet, Commissioner, because Mr Petroulias way wish to revisit - - -

THE COMMISSIONER: Of course, there may be. Mr Green, Mr
30 Petroulias is not here today and whether or not he wants to ask you any further questions, we'll have to wait and see but you'll be notified. What arrangements do you want, so far as Mr Green is concerned, on Monday next week? Or is it possible to put him on notice, he may be require Tuesday or some other day next week?

MR CHEN: Could we just leave that and we'll liaise with Mr Lonergan about that.

THE COMMISSIONER: Mr Green, counsel's going to speak to your
40 lawyer and see what the future holds. At the moment, it's a bit hard to make any forward planning. All right?---I've just got to get back to work.

I understand that. You're still bound by the summons but we'll do our best to not inconvenience you.---Okay, thank you.

Nothing else?

MR CHEN: No.

THE COMMISSIONER: Thank you. I'll adjourn until Monday.

MR CHEN: Until Monday, Commissioner, yes.

THE COMMISSIONER: Yes. 10 o'clock.

THE WITNESS STOOD DOWN

[12.57pm]

10 **AT 12.57PM THE MATTER WAS ADJOURNED ACCORDINGLY**

[12.57pm]