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INDEPENDENT COMMISSION AGAINST CORRUPTION

PATRICIA McDONALD SC
COMMISSIONER

PUBLIC HEARING

OPERATION DASHA

Reference: Operation E15/0078

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON TUESDAY 2 APRIL, 2019

AT 10.00AM

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

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

THE COMMISSIONER: Now, before we administer the oath again, Mr Azzi, Mr Buchanan, yes.

MR BUCHANAN: Yes, Your Honour. The schedule of exhibits that I attempted to tender yesterday, which is MFI 4, Exhibit 265 made it into evidence but the rest of them are provisionally assigned exhibit numbers.

THE COMMISSIONER: That's right and - - -

10 MR BUCHANAN: We haven't been given notice of any objection.

THE COMMISSIONER: Right. I was about to say, there was homework last night. Where's Mr Andronos? Any objections?

MR ANDRONOS: No, no, Your Honour, but it was nice to be asked.

THE COMMISSIONER: You're always asked, Mr Andronos. Any other objections?

20 MR PULLINGER: No, Commissioner.

THE COMMISSIONER: All right. Look, I'll try and do this pretty quickly. Exhibit 260 is the transcript of an interview with Mr Lakos of 17 January 2017.

**#EXH-260 – TRANSCRIPT OF THE RECORD OF INTERVIEW OF
TIM LAKOS DATED 17 JANUARY 2017**

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THE COMMISSIONER: Exhibit 261 consists of three statements from Commissioner officers, all three dated 9 April, 2018.

**#EXH-261 – THREE STATEMENTS FROM COMMISSION
OFFICERS DATED 9 APRIL 2018**

40 THE COMMISSIONER: Exhibit 262 consists of a transcript of a compulsory examination of a Benjamin Black on 7 June, 2018, and a copy of the revocation order under section 112 of the Act.

**#EXH-262 – COMPULSORY EXAMINATION TRANSCRIPT OF
BENJAMIN BLACK DATED 7 JUNE 2018 AND REVOCATION OF
CORRESPONDING SUPPRESSION ORDER UNDER SECTION 112
OF THE INDEPENDENT COMMISSION AGAINST CORRUPTION
ACT 1988**

THE COMMISSIONER: Exhibit 263 are a series of letters to the Department of Planning in respect of various Canterbury IHAP reports and copies of the IHAP reports. The IHAP reports start in 2012/2013 and finish in 2016/2017.

10 **#EXH-263 – LETTERS TO THE DEPARTMENT OF PLANNING WITH RESPECT TO CANTERBURY IHAP REPORTS AND COPIES OF IHAP REPORTS FROM THE YEAR 2012-2013 TO 2016-2017**

THE COMMISSIONER: Exhibit 264 is Electoral Commission New South Wales local government election 2012 for Canterbury City Council, 8 September, 2012, candidates in sequence of election report.

20 **#EXH-264 – DOCUMENT TITLED “CANDIDATES IN SEQUENCE OF ELECTION REPORT” REGARDING ELECTORAL COMMISSION NSW LOCAL GOVERNMENT ELECTION 2012 FOR CANTERBURY COUNCIL 8 SEPTEMBER 2012**

THE COMMISSIONER: Exhibit 266 is an extract from attachments to the business papers for the meeting of the Canterbury Council of 26 July, 2012.

30 **#EXH-266 – EXTRACT FROM ATTACHMENTS TO BUSINESS PAPERS FROM MEETING OF COUNCIL DATED 26 JULY 2012**

THE COMMISSIONER: Exhibit 267 is a DA tracking download regarding DA 579-214 lodged on 9 December, 2014.

40 **#EXH-267 – DA TRACKING DOWNLOAD REGARDING DA 579/2014 LODGED 9 DECEMBER 2014**

THE COMMISSIONER: Exhibit 268 is the transcript of an interview with S. Layman on 20 September, 2018.

#EXH-268 – TRANSCRIPT OF THE RECORD OF INTERVIEW OF STEVEN LAYMAN DATED 20 SEPTEMBER 2018

THE COMMISSIONER: And Exhibit 269, two volumes entitled Corruption Prevention Brief.

#EXH-269 – TWO VOLUMES ENTITLED ‘CORRUPTION PREVENTION BRIEF (VOL 1)’ AND ‘CORRUPTION PREVENTION BRIEF (VOL 2)’

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MR BUCHANAN: Maybe we resume with Mr Azzi.

THE COMMISSIONER: All right.

MR BUCHANAN: Thank you. Mr Azzi, I'm going to show you a copy of an exhibit, Exhibit 163, a transcript of a telephone call made by Mr Hawatt to Mr Maroun on 17 February, 2016, at 5.06pm and you can see that in the middle of it, Mr Hawatt said to Mr Maroun, "You'll be there," as a question, "at the gym?" And Mr Maroun said, "I'll be there." Do you see that?
---Yes.

10

Thank you. And that's on 17 February, 2016. If I can take you please to Exhibit 149, we'll show it to you on the screen, at page, sorry, at page 109. This is the first page of a statement of an account in your name with the account number ending in the numerals 1-7-9-2. Do you see that?---Yes.

20

We go to the next page. Amongst the transactions, against the date 25 February, and just to reassure you, we go to – the first page indicated that the statement is for 17 February, 2016, to 17 March, 2016. So going over the page to page 110 of this exhibit, the transaction recorded against the date 25 February is for a deposit to this account in the sum of \$700. And if I can take you to the next page, page 111, it's a bank trace, and if we go to the bottom right-hand corner, you can see that the account number is the same account number, it ends in the numerals 1-7-9-2. And a little further down, it has posting date and value date, and the date there is 25 February, 2016. The transaction amount just above the posting and value dates is \$700.
---Yeah.

30

And so that's the transaction referred to in the statement of account of 25 February, and it identifies the form of the deposit as cash, \$700. Do you see that?---Yes, sir.

Did that \$700 come from Michael Hawatt after he met Jimmy Maroun on 17 February, 2016?---No, sir.

Did it come from Mr Maroun?---No, sir.

Where did it come from?---From my business, my, my work.

40

Did you used to keep quantities of cash at home?---Always have cash at home from my work. It's my, a lot of money comes from my taxi business, sir. Most of the cash and credit.

Was there an account into which you regularly put the cash you derived from your work?---I don't understand the question.

Was there a bank account, a financial institution account, into which you regularly put the cash you received from your work?---The cash, oh, I keep it at home, and I deposit it on my, off to my account on the credit card,

most, my credit card used for my business, and I have to keep it up to date, because use it for the e-TAG, the toll system, and I have a saving account.

And so are you telling us that you regularly put the cash you derive from your work into your savings account?---Mmm, saving account, sometime I put it in the saving account if I save the money, or my credit card account.

10 Still asking you questions about the development application at the car wash site, 538 Canterbury Road, Mr Maroun's site, can I show you please Exhibit 164? And – sorry, excuse me a moment. You see that this is a transcript of a telephone conversation initiated by Mr Hawatt on 19 February, 2016, to Mr Maroun, asking whether Mr Maroun was at “the gym”. And when he was told by Mr Maroun that he was, Mr Hawatt said, “Okay, I’ll see you, I’ll see you in the next hour, within the hour, all right.” Do you see that? ---Yes.

20 Can you assist us as to your understanding of why Mr Hawatt was quite regularly making arrangements to meet Mr Maroun at what he called “the gym”?---I have no idea, sir.

Does it come to you as a surprise that that was what Mr Hawatt was doing in relation to seeing Mr Maroun?---I don't know what Mr Hawatt does. I'm not interested what he is doing all the time. I don't know. I have no idea what he's doing, sir.

30 Yes, but can you, did you understand at the time that Mr Hawatt was seeing Mr Maroun on this regular basis?---He doesn't tell me all the time when he going to see anyone. When, he brief me sometime when it's something important but I have no idea what, how many times he visit him or where he goes.

And what is your understanding of why Mr Hawatt was seeing Mr Maroun at his gym, as he called it, on this basis?---I don't know, sir. I never asked him.

40 Well, I'm just trying to understand. You worked very closely with Mr Hawatt in relation to many planning matters that were the business of Canterbury Council, didn't you?---When it's, I work with Mr Hawatt when it need to work just about council matters, and we discuss if any issue belong to the council, any matter should be discussed we have to discuss it if it's important, but if anything shouldn't be discussed, I don't know. Not with every matter.

No, it was only some matters, particular developers' applications and proposals, wasn't it?---No, it doesn't be necessary we discuss everything that have any issue with the community.

Mr Azzi, I'm just curious, you spent a lot of time talking with Mr Hawatt about Mr Maroun's business at council, didn't you?---We spoke about the item but it take some time, a lot of time to get answers. It doesn't mean if any request from any developer or any applicant or any person. When he has a request the answer should come within a day. It take one, two, three weeks until the other party come back and ask the question.

10 It just seems strange, I'll invite you to respond, it just seems strange that given the relationship we can see that you had with Mr Hawatt in relation to Mr Maroun that it doesn't come to you as a surprise that you see now that there were these regular arrangements that Mr Hawatt had to go and see Mr Maroun at his house, it doesn't come to you as a surprise.---I don't know what I believe. I don't know what his, what his job, what he is doing and if, I have no idea what he is going to see him. I don't know.

Well, what do you think was going on?---Nothing. It's, Mr Maroun said he always has an issue. I have no idea what, what the problem is.

20 But, Mr Azzi, you've seen now and I've told you that there are many more transcripts that the Commission has of telephone calls between Mr Hawatt and Mr Maroun in which Mr Hawatt arranges for the meeting for him to go and see Mr Maroun. And the question is why is Mr Hawatt to your knowledge, as you understand it, why is Mr Hawatt initiating these meet-ups with Mr Maroun during the time that Mr Maroun's development application was before council?---I have no idea. Maybe discussing council issue. I have no idea. He never told me about all these meetings, sir.

30 Even though he never told you, you say, do you, that it doesn't come to you as any surprise?---Mr Hawatt he always respond a lot of calls and he always have, he is always around, responded to calls, meetings with, with the people, the community people. That's what he used to tell me.

Your reaction to this evidence suggests that you were aware that Mr Hawatt was arranging these fairly regular meet-ups with Mr Maroun at his house but you're not prepared to tell us what you understand was going on. ---Because I don't know, sir.

40 That's why I suggest to you it is strange that you are not surprised by this evidence.---Because, sir, I don't care what Mr Hawatt doing. It's not my, my problem and I don't, he don't, he never told me what he is doing all the time, what he is - - -

So that was the, I think, 19 June – excuse me a moment. 19 February, 2016. You didn't receive the money that you deposited on 25 February from Mr Hawatt after he had visited Mr Maroun on 19 February?---I never received any money from anybody, sir.

Did you receive it from Mr Maroun in any other way?---No, sir.

Can I take you please to Exhibit 165. This is another telephone call, very short, initiated by Mr Hawatt to Mr Maroun in which Mr Hawatt arranged to see Mr Maroun in the next hour. Do you see that?---Yeah.

And there's not even a discussion about where the meeting will occur. It seems that both gentlemen understand where it will occur. Do you see that?---Yes, sir.

10 And Mr Maroun doesn't question what is this about, what do you want to see me about, he just agrees. Do you see that?---Yes.

Can you assist us as to your understand as to why Mr Maroun wouldn't be asking Mr Hawatt, "What do you want to see me for"?---I don't know.

So that's on 26 February, 2016. Did Mr Maroun give Mr Hawatt any money on that occasion, as you understand it?---I never heard about, anything about it, no.

20 Do you believe that that might have occurred?---No.

Can I show you please Exhibit 92, a transcript of a telephone conversation and can you see that this is an extract of a telephone conversation between yourself and Mr Hawatt on 3 March, 2016?---(No Audible Reply)

Can you see that at the top?---Yes, sir.

And then the parties were identified and the initial part of the conversation that is in this extract of the recording is about Mr Vasil's negotiations with
30 Mr Demian to get the agency to sell 548, the Harrison's site.---Yeah.

And I've taken you to that previously.---Yes.

What I want to take you to is page 4, I think, of this transcript. Now, do you see a bit, it's where the cursor is on the left-hand side, next to the name "Hawatt".---Ah hmm.

Mr Hawatt said in Arabic to you, "There is that one, what's its name, for the business paper for what's his name, Maroun." And then the two of you had
40 a discussion about what happened with the IHAP, if you could just read that to yourself.---Yeah.

And essentially you didn't know what the outcome was of the IHAP having met in relation to Mr Maroun's application. You knew that the meeting had been "last Monday", and Mr Hawatt told you that – I think we can read into this – Mr Maroun asked him, Mr Hawatt, if there, if anything happened and he told Mr Maroun that he didn't know.---(not transcribable)

You and Mr Hawatt then had a discussion of trying to find out what was happening with the IHAP in relation to Mr Maroun's DA. You said that you would ask Spiro, and Mr Hawatt raised whether the business papers would come soon, and that they would contain the information in them about what the IHAP decision had been. You see that?---Yes.

And you went on to say that you would, at the bottom of that page, "find out from Spiro as well" and Mr Hawatt agreed with that. Do you see all of that?---(No Audible Reply)

10

Can I ask you, Mr Azzi, why was it, in talking with Mr Hawatt in that telephone conversation, that you were interested in the outcome of the IHAP meeting so far as it concerned Mr Maroun's development application for the additional two storeys on the car wash site?---It's, it's normal.

What's normal about it?---We always like to find out what the recommendation is, and what they are thinking.

20

But you knew that you would find out in the business papers, when you received them from council.---Yeah, well, normally we receive IHAP before business paper.

Why did you want to find out separately from that?---I don't know what the, was the circumstances at that day. There was a lot of issue about this one. And I tried find out the, some information and what was going on with it, and I like to, to know what was going on.

30

But it sounds as if you had an interest in what the recommendation of the IHAP would be on Mr Maroun's development application.---Oh, it's normal. I have to know what's happening, and to find out I have to ask the question because when this matter come back to the council, I have to know all the information surrounding, and normally I ask the director what his opinion is, I get some information from him what's, what's right, what's wrong, and to base your decision on. I have to get some information, that's all.

But in this particular case, you wanted to find out before the business papers arrived.---No. I have to find out if it's, it's coming out. That's all.

40

You had a particular interest in ensuring that there was approval for this particular development application, didn't you?---No, not for approve nothing. Just, I need information to base my decision on and get some who have a question to ask, get some information.

Did you contact Spiro Stavis to find out the outcome of that IHAP meeting?---I don't remember if I did that day, sir. I can't remember.

Did you have a discussion with Spiro Stavis about the IHAP recommendation in respect of the car wash site?---I can't recall what I, what's happened those days. Could be yes, could be no, but normally I always discuss with the, with the director. Most of the items comes in on, it's a, it's, like, decision has to be made. I have to make question to understand and to base my decision on it.

10 Do you remember any controversy or concern about the outcome for this particular development application?---I didn't have any interest which way it has to go but I want to make sure all the decision, any decision I make is going to be the correct one.

Correct on what criteria?---Correct on, I base it on what's the code and I'm doing the right decision, that's all.

On what basis? How do you decide what's the right decision?---If it's under the, the code, the law and it's not any other, you know, what, I want to make my decision under the code and control, that's all.

20 Did, in this case, you want to make a decision to make sure that Mr Maroun got his approval?---No. Not just about, I'd always follow recommendation by the officer. If he has the right, should get it, he has no right, shouldn't get it.

30 Excuse me a moment. So if I can refresh your memory, if perhaps we could go to volume 17, page 272 in Exhibit 69. This is the business papers for the City Development Committee meeting of 10 March, 2016, and halfway down you can see that reproduced is the assessment and recommendation of the IHAP in relation to the matters that were before it. And if you look at the top of that page, you can see that this one is about 538 to 546 Canterbury Road, Campsie, the construction of two additional floors. So that's Mr Maroun's application. Do you see that?---Yeah.

And do you see that underneath panel assessment, second paragraph, the panel is of the opinion the application should be refused. Does that refresh your recollection? Do you remember that now?---No, I can't recall it. Yeah, so - - -

40 Do you remember what the basis was on which the panel recommended refusal?---No.

Do you remember any issue with this particular development application in terms of it exceeding the building height limit for that site?---I can't remember all, it's a long way, I don't remember what was the issue and what, what was going on.

Well, if you think about it, six storeys on the car wash site had already been approved, two additional storeys. Did you ever look into what the building

height limit was for that site?---I don't know what, sir, I can't remember anything about what happened a while ago. I don't - - -

Yes, you can. Yes, you can, Mr Azzi. Don't you remember that you were talking in more than one conversation with Mr Hawatt about conversations that you'd had about clause 46?---Yeah, well, that - - -

And you understood that clause 46 was a law that required the applicant to give the community something back - - -?---Yes.

10

- - - in exchange for varying the planning control?---Correct.

Yes.---(not transcribable) I did understand from Mr Stavis when we discuss it about - - -

So you knew that this development application significantly exceeded the building height control for that site, didn't you?---Well, I questioned Mr Stavis but he explained to me under the control people can apply to have under this clause if they can give back something to the community to benefit.

20

Yes.---This is a condition.

Yes.---And it's under the, the law, under - - -

Yes. And more to the point, these telephone conversations that we heard and saw yesterday show that you understood that Spiro was telling you that Mr Maroun wasn't complying, was not complying with clause 4.6. In other words was not giving something back to the community in exchange for the variation to the building height controls.---That's what he said. He, he said he didn't, what I heard yesterday, I can't recall from the conversation what Mr Stavis said to me, Mr Maroun didn't forward the information he, I need to, to do the section 96 or a 4.6 clause.

30

So what happened about that?---I don't know if it went, I'm not, I don't remember if it went under 4.6 or the section 96. I can't recall what happened.

Well - - -?---But - - -

40

You can, if I can take you perhaps to the next page of volume 47. The IHAP recommendation is on page 273 and the recommendation was for refusal on the grounds that the clause 4.6 variation submission had not adequately addressed and demonstrated the things it needed to demonstrate in relation to the building height variation.---Yes.

And in addition it said, "Additional housing and lack of specific environmental harm does not address clause 4.6."---That's what I can see.

So you found that out. Is that right? Sorry, I withdraw that question. I'll be a bit more precise. You found out that this was the IHAP recommendation in respect of Mr Maroun's DA?---I can read it now. I can't remember at the time I did find out.

Well, you would have found out at the time, wouldn't you?---It's talk about years ago. Of course I could read, I did read it.

10 Well, do you think that you voted on it without reading the business papers?---On that time I can't say, yeah, we read a recommendation.

So are you telling us truthfully, Mr Azzi, that despite the interest you had shown in the conversation with Mr Hawatt about what the outcome of the IHAP meeting would be, you can't tell us whether you read the IHAP report or indeed even the business papers in relation to this matter?---Yeah, I don't read. I only read the recommendation, sir. I don't care which way it, it goes, refusal or approval. It has the right - - -

20 Which recommendation?---Well, it's a recommendation here for IHAP should be refused. I don't know what the vote.

So that's all you cared about?---Mmm?

Is that all you cared about?---I follow recommendation.

THE COMMISSIONER: So you followed the IHAP recommendation?---I follow recommendation by the IHAP sometime and by the officers. Depends. You have officer's recommendation and IHAP recommendation.

30 MR BUCHANAN: What does it depend on as to which one you follow?---I mostly, most of the time follow the officer's recommendation.

THE COMMISSIONER: But why?---The council. Because we have, officer's recommendation always you have to support our council officers and they can explain during the meeting what they base their information on and if we have a question we can ask them at the time being and most of the time councillors vote on council recommendation, officer's recommendation.

40 MR BUCHANAN: Commissioner, can we play please a recording of a telephone conversation, LII 4884, recorded on 4 March, 2016. Sorry, 4 March, 2016. I am informed it's an extract of a conversation. That is to say it starts after the beginning of the conversation.

AUDIO RECORDING PLAYED

[10.51am]

MR BUCHANAN: Commissioner, I tender the audio file and the transcript of that extract of that recording.

THE COMMISSIONER: The audio file and transcript of the extract of the recording, LII 4884, recorded on 4 March, 2016 at 12.31pm will be Exhibit 279.

10 **#EXH-279 – TRANSCRIPT SESSION 04884**

MR BUCHANAN: Excuse me. Mr Azzi, you heard that recording being played and you recognised the voices of yourself and Mr Hawatt?---Yes.

You understood that the first topic in the extract that was played was that the IHAP had recommended Mr Maroun's DA for refusal, is that right?
---Yes.

20 And Mr, I'm sorry, I think it's the first page. No, the second page, please. Do you see at the top of the second page of the transcript of this extract, you said, "They went against Spiro. Spiro said to me they went against him for a few things, a few DAs." And Mr Hawatt said, "Well, we'll, we'll go as the officer's recommendation, bugger them." You said, "Yeah, you know, the, what, the said, the excuse they didn't give anything back to the community, he didn't," and then you tried to explain to Mr Hawatt your understanding of what Spiro had told you, as to the reason for the IHAP recommendation.---Mmm.

30 Is that right?---(No Audible Reply)

Is that correct?---Yes.

You agreed with Mr Hawatt to go with the officer's recommendation, rather than the IHAP recommendation, as soon as Mr Hawatt suggested it.

---No, I, I agree here what I can see, Mr Stavis give his recommendation and on that time being, Mr Stavis explained to me, this been, this, this application should be approve, and he gave me all the details why he's based his recommendation on, and he believe – what, what I can read from
40 here – that he's happy because he gave a lot of things and he went his recommendation based on this.

Yes, but you didn't say anything like that before Mr Hawatt said to you in the conversation that, "We'll go as the officer's recommendation, bugger them," and you agreed with him.---Yeah, because I already, Mr Stavis, he explained to me what was going on.

Why, as you understood it, did Mr Hawatt at that point say that, “We’ll go as the officer’s recommendation, bugger them”?---It’s Mr Hawatt opinion, but I based my opinion after Mr Stavlis advised me that IHAP was made, the, he wasn’t happy with the recommendation, and he believe this application should be approved and that was his explanation for, and I agreed with Mr Stavlis. That’s why I based my recommendation on, not because Mr Hawatt want this. Because - - -

10 And not because you wanted to ensure that there was a favourable outcome to Mr Maroun’s DA in any event?---I don’t do any favour to anybody. I follow the instruction of what the director told me.

But you had been doing favours for Mr Maroun for as long as the DA had been before council - - -?---No, I - - -

- - - in terms of providing him with a service, hadn’t you?---No, I didn’t do, I didn’t provide him with any service. He didn’t like me. I didn’t like him, either.

20 When Mr Hawatt said to you in that conversation, “We’ll go as the officer’s recommendation, bugger them,” who did you understand him to mean by the word “we”?---Maybe, like, I don’t know. The council. He, he - - -

And so you understood, from everything you knew about Mr Hawatt, that if Mr Hawatt said “We, the council, will go as the officer’s recommendation,” then that would be what would happen?---Doesn’t mean necessarily has to go and explain why. He has to go and, he has to make – when he move something, move it, he have to sit up and ask question and explain why he base his recommendation, why he’s going to officer recommendation, and the council has the right to, to debate it, and the director he must give his opinion on it, and council must base on what the director’s opinion is, and vote on it.

30

Well that might be what should happen but Mr Hawatt was assuming that “Council will go as the officer’s recommendation, bugger the IHAP.” ---That’s his opinion, sir, but I - - -

And you agreed with it.---I, I agree only what I believe. If I have the right answer and I have, after Mr Stavlis told me, earlier assured me he is happy with the application, I always base my recommendation on the directors, what they advise me to do.

40

Now, if could go, please, to, probably the third or fourth page, page 3. Can you see that in this transcript of the extract, page 3, Mr Hawatt said, “And you’re meeting today,” where the cursor, if the cursor could be wiggled again, thank you, a bit above halfway down the page. “And you’re meeting today or,” and you replied, “Ah, I have no idea. I think so.” And Hawatt so as I said, “Cause I need to have a chat.” And he repeated that and then you

said, "Yeah, I'll give you, look, give me a call before you arrive anyway." You were talking with Mr Hawatt there, he was talking with you about going and seeing Mr Maroun?---No, sir. I am meeting, I have a lot of meetings at my place. Wasn't necessary Mr Hawatt to be attending this meeting.

10 And so you're saying, are you, that that's an exchange which is actually something you understood as a reference to Mr Hawatt coming over to your place and he's just checking on your availability?---He said what he can, well, I can hear and I can read, it says he wants to see me and have a chat but I had something else to do.

I see. Thank you. Can I ask you, though, about the last line on this page, where you said to Mr Hawatt, "Oh you, you're going to see him in Earlwood?" Do you see that?---Yeah.

That's a reference to Mr Maroun, isn't it?---I don't know what I meant that day, what he was talking about.

20 Well, who else could it be?---We've got many friends in Earlwood, sir. We got, the colleague, he, he done, we go to Mr Vasil's a lot of times. We've got many friends there.

But what you can see is just a second or so earlier, you had been talking with Mr Hawatt about Mr Maroun's development application and how it would be dealt with in council.---Well, I spoke to Mr Hawatt about it but I don't know what he wants, he wants to meet with in Earlwood.

30 Well, you're the one who said it. "You're going to see him in Earlwood," as a question after having talked about Mr Maroun's development application.---Yeah, but I, I don't remember what I meant, to see him, who.

Well, the most logical conclusion is that you were asking Mr Hawatt whether he was going to go and talk to the proponent of the very development application that you and he have been discussing as to what decision you, council, will make.---No. Doesn't have to be.

40 Why is that not the most logical reading of what you said in that context?---I can't guess, sir. I don't remember what I meant that day and what was, I have too many people. I can't answer it.

And then if we could go to the next page, please. On the fourth page of this transcript, and Mr Hawatt said, "Okay then, are you at home?" You said, "All right. After, I am home now. When you finish give me a call." Hawatt said, "I'll see." You said, "Marwan, yeah my, Marwan is coming over to my place. 3 o'clock, he want to talk to me about something. If you want to come at this time, it's all right."---Yes, sir.

That would be Marwan Chanine?---Yeah. Marwan, I know, Marwan Chanine was coming at my place. One - - -

Mr – I'm sorry. I keep on interrupting you. I apologise.---Yeah, Marwan's coming here today, you know, yesterday I told Hawatt, like, Marwan's coming for a coffee and must be that day because only I've seen Marwan once my place. It must be the day.

10 Mr Chanine was a friend of yours, wasn't he?---No, wasn't a friend. I never known him before.

Before what?---Before I've been a councillor.

I see. He became a friend of yours when you became a councillor?---Not really.

20 Why not, why is that not - - -?---Because I don't have any, a lot of contact with him, no, nothing. Is just a person I know. Yeah, no relationship, no - - -

How many coffees would you have had with Marwan Chanine by the time you finished being a councillor?---One or two. Maybe one or two. I don't, I don't remember. I met him once at a charity organisation.

THE COMMISSIONER: Sorry, met him where?---Charity organisation, like charity - - -

Function?---Function.

30 MR BUCHANAN: And when you met him there did anyone introduce him to you or you to him?---I don't remember how it happened, sir. Too many people around the tables talking to each others and it must be someone, it has to be.

So Marwan Chanine on this occasion had told you, this is as at 4 March, 2016, that there was something he wanted to talk to you about and could he come over and have a cup of coffee at a particular time.---Could be, sir. Has to be an issue. Want to come over

40 One of his issues?---Of course.

Mr Chanine had regular access to you if he wanted to talk to you about something, didn't he?---What do you mean regular? I don't understand.

Regular as in on a regular basis.---I haven't had a chat with Mr Chanine. I said only, I can't remember how many times. Only once. I've got, he got my phone number like everybody else but we don't have a chat, we don't discuss too many things with Chanine.

What do you discuss in this period?---What, I didn't discuss anything with him what, at the, if he, at the meeting.

What did you discuss with him when he came over? What was the typical subject matter that you discussed with Mr Chanine when he came over and had a cup of coffee with you?---Oh, yeah, Mr Chanine said he want to see me. He come for a coffee and he was raising an issue relating his application in Canterbury.

10

Can I take you to another telephone conversation between Mr Hawatt and Mr Maroun. This is on the day, the same day, 4 March, 2016, that you have seen and heard that you and Mr Hawatt discussed the IHAP recommendation in respect of Mr Maroun's DA and Mr Hawatt said we'll go with the officer's recommendation, bugger them. And you agreed with that and you asked, "Are you going to see him in Earlwood?"---I did ask
- - -

20

You asked - - -?--- - - - Mr Hawatt?

- - - Mr Hawatt, "You going to see him in Earlwood?"---Yes.

And you denied knowing that that would have necessarily been to your knowledge Mr Maroun.---I didn't know at the time (not transcribable) I didn't deny it, sir. I don't remember what I meant by that. It could be.

30

Well, does it come to you as a surprise then to learn, Exhibit 170, that shortly afterwards, less than an hour later, Mr Hawatt called Mr Maroun and arranged a meet-up with Mr Maroun at his gym?---It's normal.

And when you say it's normal, is that because of the evidence you've seen and been told about at this Commission or is it because you knew that was Mr Hawatt's normal behaviour?---No, sir. I have no idea why, what Mr Hawatt want to discuss with him and what the issue. It could be about this application but I have no idea. He never raise it with me.

40

Well, I want to suggest to you that you knew exactly what was going on. You knew, you expected in fact that Mr Hawatt would go and see Mr Maroun after you and Mr Hawatt had made a decision as to what the council decision would be on Mr Maroun's development application notwithstanding the IHAP recommendation for refusal.---I have no idea what Mr Hawatt discuss with Mr Maroun, was going to discuss.

You nevertheless expected him to go and see Mr Maroun to talk about it. ---I'm not interested, sir. I interested what I - - -

Well, you were interested. You said you're going to see him in Earlwood after talking about that very development application.---It is Mr Hawatt business. I don't interfere with - - -

No, it wasn't. You knew what his business was, Mr Azzi. That's why you asked him, automatically assuming you'll go and see him in Earlwood now. ---Might be.

10 Now, on the occasion – I wonder if we could just have a look quickly at Exhibit 170, please. Thank you. There is a copy of Exhibit 170. It's 4 March, 2016 and it's 1.01. So it's half an hour later after your conversation with Mr Hawatt about the IHAP recommendation and what the council decision would be and Hawatt says, "Hi Jimmy." Maroun says, "How are you going?" Hawatt says, "Good, good. Are you in the gym?" Maroun says, "Yes." Hawatt says, "Okay. I'll, give me 10, I'm just in Campsie. I won't be long, all right." Maroun says, "See you soon, bye." What was happening there?---I don't know.

20 What would you, can you assist us at all as to this person, Michael Hawatt, you were dealing with on a very regular basis, that you were very good friends with, that you were organising the business of council with, where you'd just been discussing this particular proponent's development application and what will happen with it, where you asked whether Hawatt's going to go and see that proponent and you see that there is a call half an hour later that Hawatt makes in which he simply says, coming over, and Maroun accepts that.---I, I don't understand. Can you repeat, please, sir? This question is too long.

30 What do you understand, now that you see that transcript of the conversation, what was going on as to why Hawatt had arranged to see Maroun at his place shortly afterwards, within the hour, of you discussing with him what the council decision would be, notwithstanding the IHAP recommendation?---I don't know what he is, what's happened between him and Mr Maroun.

40 Didn't you expect that Mr Hawatt would report to Mr Maroun that, "Look, don't worry about the IHAP decision. The council decision will be to approve the DA."---I don't think he can guarantee what's going to be the decision, sir.

He seemed to think he could and you seem to think he could too.---Doesn't mean necessary.

Now, on that occasion, did Mr Hawatt give you any money that you understood it came from Mr Maroun?---No, sir.

This 4 March, the meeting with Mr Maroun at his place between 1 o'clock and 1.30?---Mr Maroun gave me money?

Did Mr Hawatt give you money?---No, sir, no.

That you understood came from Mr Maroun?---No.

10 If I could take you please to, in Exhibit 149, and to page 123. So that conversation between the two of you about what the council decision would be was on 4 March. The meeting with Mr Maroun and Mr Hawatt at Mr Maroun's place was shortly afterwards. This is the first page of a statement account for you. Can you see that the last four numerals of the account number are 0-9-9-1?---Yes.

And if we go to the next page, page 124 of this exhibit, you can see an entry for 7 March, three days later.---Yeah.

And there's a cash deposit at the Roselands branch in the sum of \$4,000.---Yes.

20 What was that deposit about?---Deposit?

Yes. Where did that money come from?---That's my savings, sir. My wife.

I'm sorry?---That's my savings.

Your savings?---Yeah.

Your wife?---My wife and me, we save money all comes from my business because normally I cash all my credit and cash sometimes.

30 So when you received money from your business, what form did it take? It was cash, but are you talking about coins, notes?---No, no. You can exchange EFTPOS in cash.

How do you do that?---Through the provider. Any petrol station.

Through which provider?---When they provide (not transcribable) machine. You have private providers. Have you been in a taxi before?

40 If you could explain to us.---Yeah.

We're not taxi drivers.---I know.

If you could explain to us.---You been, because you pay the taxi driver. When the taxi driver do the card on the EFTPOS machine, the portable one, it's a private machine. You can cash it from the provider.

Yes.---(not transcribable)

THE COMMISSIONER: Sorry, what do you mean you can – so if I - - -?
---You take, you - - -

You drive me somewhere, I swipe my Commonwealth Bank - - -?---Your card. It's either - - -

- - - card and it gives you a credit of \$50.---Have you seen the cordless one? It's cordless machine, the credit machine, ma'am.

10 Yes.---When you swipe your card, when you get the ticket I get the, the other copy.

Yes.---At the end of the shift, whatever you made, you can go to the petrol station or any provider because he has a connection everywhere. You can go and they cash it straight away.

So if I swipe my EFTPOS card, which is giving a credit of \$50, you get the receipt.---Yes.

20 You then can go to a petrol station and say here's - - -?---Yeah, cash - - -
- - - here's the \$50 receipt.---(not transcribable) cash.

And they give you \$50. How do they get - - -?---Because this provider of the machine has connection everywhere, like petrol stations (not transcribable) they can exchange, drivers can exchange it from certain petrol stations.

30 So you need the holder of the receipt - - -?---Yeah, you see, you get the copy, I get the copy.

Yes. The holder of the receipt, whether it's you or the person who runs the petrol station gets the money.---Yeah, they have to give him the receipt. What is it, \$50 let's assume. Get one copy, the driver get another copy. The copy I get, I go to the petrol station or the provider, you can exchange it for cash.

40 MR BUCHANAN: Can I ask you to have a look at the next page, 125, in Exhibit 149, and it's a bank trace for that deposit. If we look in the bottom right-hand corner, you can see that the account number ends in the numerals 0-9-9-1.---Yes.

And the transaction amount is \$4,000 and it's identified as cash.---Yes. Yes.

Can you see that? In this instance the trace identifies the denominations of the deposit as being \$50 notes for the entire amount.---Yes.

Eighty \$50 notes.---Yes.

Where did the eighty \$50 notes come from?---When you put the money, and I get it in fifties. Always put them in the, in the house and fifties, going to be in notes, 50 or sometimes 100 and fifties because you can't put \$10 when you collect the money or spend the other, and you kept (not transcribable) and you kept (not transcribable). And sometime I collect money from the club, all in fifties.

10 Can I take you, please, to Exhibit 171? Excuse me a moment. Commissioner, just excuse me one moment. Can I take you back, before going to Exhibit 170, can I take you back to Exhibit 149, page 124, which is the list of transactions in the statement for the account, with the account number ending in 0-9-9-1? Your deposit is recorded as being on 7 March, in cash, \$4,000, and we know that that was in \$50 notes. Can I ask you to have a look at the entry for 3 March? It's a direct credit by Legion Cabs. ---Yes.

In a particular amount, including cents.---Yes.

20

Can I take you to another entry, 31 March? It's a direct credit from Legion Cabs.---Yes.

Again, it's in a particular amount, which is not rounded, and it ends in 46 cents.---Yes.

Can you assist us, given the evidence you've just given about the way you converted the value of your fares into money, cash, can you explain for us, please, these two entries?---I don't understand what you mean.

30

Can you explain to – well, let's take 3 March.---Yeah.

Can you explain that entry for us, please, of \$3,889.90?---It's from, yeah, account at the Legion.

Why was Legion giving you that money if the way in which you received your income was cash, in the manner that you've just explained to us?---Sir, this \$4,000 been saved for maybe over a year. I saved this money. This income comes from the company, because I have another EFTPOS machine linked to the company, and we have (not transcribable) will pay for the, the fees for the company. The rego fee, the lease, and everything cover, and what's left they deposit to you in the monthly basis, and you have the other one you can cash it. But this \$4,000 has been maybe a year saving.

40

THE COMMISSIONER: But you're getting it, you get just under \$4,000 on 3 March from Legion Cabs, then on 31 March, you get 3,700 from Legion Cabs.---On monthly basis, each month, each months, every months.

You get money from Legion Cabs.---Yeah, every month.

And that reflects fares paid by customers?---Yes.

And those fares paid by customers can be paid by Cabcharge?---EFTPOS.

Or EFTPOS?---EFTPOS machine or Cabcharge.

10 So why do you get some of your fares from Legion Cabs and others you
take the voucher and go to the petrol station?---Because cash doesn't exist
anymore, ma'am, and we have to, you can't wait for every month to get the
payment from Legion to give you. You have to go and get petrol, fill in.
You have the expenses during daytime and you have to base it on 50/50
basis, you know, your income. You can't, you need money to, for a daily
basis you need cash in the hand, but this payment come from the base come
monthly.

MR BUCHANAN: Can you have a look at the entry for 5 April, the first
entry for 5 April.---Yeah.

20

Cash deposit Roselands branch \$5,000.---Yes.

A monthly income of \$8,781 is not a bad income for a taxi driver.---No, sir.
I can't remember, we won a lot of jackpot at the club. My wife used to take
the cash and save them and I deposit the rest. Every time I won the jackpot
my wife took the cash, the 5,000, \$6,000 in cash and I deposit the rest and
she save the money and that come, must be come from the, the jackpot I
won in the club because she took the cash, 5,000 every time since I, we won
about like three or four times or five times the jackpot. I don't remember
30 how many times.

Did you keep the records of those jackpots?---It's in, in the bank record,
where I have to keep record but I won it a few times. Where I have to keep
record.

So which one was a win from the Lantern Club? The 4,000 on 7 March or
the 5,000 on 5 April or neither of them or both of them?---I don't know, sir.
You have to ask my wife. My wife keep the saving. I don't keep the cash.
I give her the cash. She take care of it.

40

And you also had cash lying around the house that could have been lying
around the house for a year.---Yeah.

Why would you keep cash in the order of say \$4,000 lying around the house
for a year?---I, I can't answer this question. My wife keep the cash and she
save the money.

And you're sure that none of the cash that you have put through your bank accounts has come from Mr Maroun or from any other development proponent?---I never took any money from anybody, sir. No.

Can I take you, please, to Exhibit 171, please. This is a transcript of a conversation on 7 March, 2016 between Mr Maroun and Mr Hawatt initiated by Mr Maroun. About two-thirds of the way down, where the cursor is, Mr Maroun asked Mr Hawatt whether he had received the agenda for this Thursday. That Thursday was the meeting of the CDC to consider
10 amongst other things the development application for the extra two storeys at the car wash site. You understand that?---Yes, sir.

And Mr Hawatt said to Mr Maroun, "We're going to, we had a discussion regarding that that they're not happy with, with the IHAP anyway so we're going to, we're going to go as officers' recommendation. I think it's the right thing to do." Do you know what discussion Mr Hawatt was talking about there?---I have a discussion with him. That's the only one I can, can answer. I have no idea what he, what, what, if he discuss it with anybody else, but the discussion with me and (not transcribable) and I told him what I
20 heard. I have no idea if he discuss it with somebody else, sir.

THE COMMISSIONER: Sorry, you told him what I had heard?---Ma'am, I told him in, in the previous what - - -

And what had you - - -?---What's happened and what Spiro Stavis said, about the recommendation, if he's happy, what he is happy about and about what the discussion I have with him. If he discuss with somebody else, I have no idea.

30 MR BUCHANAN: Exhibit 172, please. This is a transcript of a conversation initiated by Mr Hawatt to Mr Maroun on 10 March, 2016, and 10 March, 2016 was the Thursday. Mr Hawatt said that he had missed a call from Mr Maroun yesterday. Mr Maroun said, "Are you free this afternoon around 5.00-ish?" Hawatt said that he had a council meeting. Maroun said, "Oh, you've got a council meeting tonight. Yeah, okay. On your way, if you can see me." And Maroun repeats it, "If you can see me before you go there." And Hawatt agrees to drop in on the way. Now that you read that, can you assist us as to why, as you understand it, Mr Hawatt would have
40 been prepared to drop in on Mr Maroun's place on the way to the council meeting where this DA was going to be considered?---I have no idea, sir.

But you know Mr Maroun, you know about the relationship – I'm sorry. You know Mr Hawatt, you know about the relationship with Mr Maroun. There's no understanding that you would have on what's likely to be happening here?---I, I don't know.

And Maroun said, "I just want to show you something and get your opinion on it, okay? It's urgent now." And Hawatt said, "Yeah, I will have a look

at it tonight.” At the – I’m sorry. Could we have a look, please, at volume 17, page 273 and then 278. Perhaps before we go to that, Commissioner, I note the time. Would this be a convenient moment?

THE COMMISSIONER: All right.

MR BUCHANAN: I’m happy to continue on.

THE COMMISSIONER: How long? Is it a discrete point?

10

MR BUCHANAN: Oh, we’re going now into the council meeting and there are some calls thereafter.

THE COMMISSIONER: All right. Look, we’ll take the morning tea break. If we can resume just after 10 to 12.00.

SHORT ADJOURNMENT

[11.33am]

20

THE COMMISSIONER: Now, just before we resume today, instead of the Commission sitting until 4.00pm, we have to finish a little bit early, so we will be finishing at 3.00pm today. As previously notified, we’re not sitting on Wednesday or Thursday but we will be resuming at 10.00am on Friday.

MR BUCHANAN: Could I ask for an earlier start on Friday, say 9.30, please?

30

THE COMMISSIONER: Yes, that’s fine. Does that inconvenience anybody for this - - -

MR BUCHANAN: Majorly.

MR PULLINGER: It just means I’ll have to get up earlier.

THE COMMISSIONER: It should be good for you, Mr Pullinger.

40

MR PULLINGER: That’s all right. I’m glad you’re concerned about my welfare. Thank you.

THE COMMISSIONER: All right. 9.30 start on Friday.

MR BUCHANAN: Thank you, Commissioner. Could I ask whether we can show Mr Azzi, please, Exhibit 69, volume 17, page 273. Mr Azzi, this is the minutes of the meeting on the City Development Committee on 12 March, 2016, and you can see that at the top, the agenda item being considered is 538 Canterbury Road, that’s the car wash site. You can see the IHAP recommendation is reproduced there, about a third of the way

down the page, we saw that earlier and then there is a resolution in respect of it. This is of the meeting of 10 March and the resolution was that the clause 4.6 submission be supported and the development application be approved. You see that?---Yes.

I can't see in here any record that you declared a potential or any other sort of conflict of interest. Is that because you didn't?---Because I didn't what?

Declare any conflict of interest.---Why I should declare?

10

Well, you didn't declare your relationship with Mr Maroun.---My relation with Mr Maroun doesn't affect my decision. I have no relationship with him.

You had a clear conflict of interest, though, didn't you, because you plainly were working very hard to provide Mr Maroun with a service, namely a favourable outcome for his development application?---No, sir.

But we can see on page 278, you voted in favour of the resolution.---Yes.

20

Can I take you, please, back to Exhibit 149 and if I can show you page 141, and whilst that's coming up, if I can tell you that there is evidence before the Commission that on 18 March – so the meeting of the CDC was 10 March, on 18 March, Exhibit 175, Mr Hawatt called Mr Maroun and left a message trying to arrange to catch up with Mr Maroun in Earlwood for a coffee. Then on 18 March, Exhibit 176, there is evidence of Mr Maroun calling Mr Hawatt and saying that he would be at the gym and Mr Hawatt saying that he would come over. So that's 18 March. Can I just ask you to have a look, please, at page 140. This is the first page of a statement of your Commonwealth Bank account. Can you see that the account number ends in the numerals 1-7-9-2?---Yes.

30

Can we take you, please, to the next page, the first page of the transactions, and it indicates that on 21 March you made a payment of \$1,000. Do you see that?---Yes.

And if we go to the next page we can see a bank trace on that transaction, and if we go to the bottom right-hand corner you can see that the bank trace is in respect of a transaction for a deposit of cash of \$1,000 into account with the last four numerals being 1-7-9-2 and that the date of that was 21 March, 2016.---Yes.

40

Did that \$1,000 cash to your knowledge come from Mr Maroun?---No, sir.

Did it come from Mr Hawatt?---No, sir.

I'd like to ask you about a different development now, please. You recall that Marwan Chanine had a development comprising two development

applications in respect of properties with the addresses 212-218 and 220-222 Canterbury Road and/or Close Street?---Yes.

Near the railway station?---Yes.

You were involved in the consideration of those two development applications?---I don't understand what you mean.

10 Well, you were involved in voting on them?---Yeah, I did.

Now, did you talk to Spiro Stavis about those development applications? ---Yeah, I, yeah, I spoke to him about it once.

Did you speak to Marwan Chanine about them?---I believe Marwan raise it once with me and just inquiry and I made my inquiry by myself with Mr Stavis about it.

20 And did you talk to Mr Khouri about these development applications?---No, he never discuss them with me.

Did he have any contact with you in relation to them?---No, I never, I can't remember.

Well, is it, you're saying it's possible that he did but that you can't remember any?---I can't remember he discuss DAs with me, Mr Khouri.

Did you understand that Mr Khouri had an interest in these development applications?---I have no idea, sir. I know only - - -

30 Did you know that Mr Khouri with his wife had a company that they used for, amongst other purposes, investment?---No, sir.

Mr Chanine, Mr Marwan Chanine had a conversation with you you can recall on one occasion about these development applications.---Yeah.

Did Mr Ziad Chanine have a conversation with you about them?---I don't remember I discuss, I don't remember, sir.

40 Did Mr Ziad Chanine ever explain anything to you about the development applications?---I don't remember now.

Did you understand Ziad Chanine was the architect, that his firm designed the developments the subject of the development applications?---It, it was on the application, yeah. I know Chanine Design designed them.

And you don't recall Mr Ziad Chanine ever explaining anything to you about the applications?---No, oh, the only one I can remember, Marwan write it with me.

Mr Chanine, Mr Marwan Chanine was involved in a number of development properties in the Canterbury local government area, wasn't he?---I believe so.

And did you ever hear the label or the name for the 212-222 Canterbury Road development site as the Doorsmart project, or the Doorsmart site? ---It's, I think so. I don't know what used to be the old one. Maybe.

10 Did you understand that Mr Marwan Chanine was involved in a development project at 418-426 Canterbury Road, Campsie?---I can't remember that, sir.

Your relationship with Marwan Chanine was that of a friend, wasn't it? ---Mmm, no, I know him, just a person, no relationship.

Could we have a look, please, at Exhibit 249? This is a transcript of a telephone conversation that you made, where you made the call to Mr Hawatt on 18 December, 2015, and it was the Friday before Christmas.
20 And there was a discussion between the two of you about going to a venue called Ivy's that night.---Yes.

I think we looked at it earlier.---Yes, sir.

But we will bring it up again because it's particular language that you used I want to ask you about.

THE COMMISSIONER: Sorry, what was it?

30 MR BUCHANAN: Oh, I'm being assailed by questions which indicate I've probably got the number wrong.

THE COMMISSIONER: It was the TI, was it, on 19 December?

MR BUCHANAN: 250. I made an error. Thank you for the correction. Could we see, please, the transcript for the telephone conversation, Exhibit 250? And you can see there that it's recorded as having occurred on 18 December, 2015, you rang Mr Hawatt. And Mr Hawatt asked you, "Look," oh, sorry, "Listen, are you, are you coming tonight?" And you said, "Oh, yeah." And Hawatt said, "Yeah, okay, because," and then you said, "All the boys going." And Mr Hawatt asked you whether Bechara was coming, and you told Mr Hawatt that that was what Bechara had said the previous night. And go over the page, please. You said, "We'll have to make sure tonight." And then Mr Hawatt said to you, "Well, could you chase them up, because Marwan mentioned if you can chase the boys up. So, if you can," – and you said, "Yeah," – "ask him if he wants to come," that's referring to Bechara Khouri. And you said, "Yeah, we'll find out and I will speak to you," and then you change the subject to another venue. You knew that Marwan

Chanine was going to that particular social gathering at Ivy's that night?---It seems like what I can hear here. It must be something happened - - -

And you referred to the people going as, "All the boys," and Mr Hawatt said that Marwan Chanine had wanted all the boys to come.---That's what he said, yeah.

10 Yes. The relationship you had with Marwan Chanine as well as Bechara Khouri as well as Mr Hawatt was one of familiarity, one of friendship, where you referred to the gang, as it were, as the boys.---Doesn't necessary to be that. I don't know what was the occasion, sir.

Well, I can tell you and ask you to accept that it was a social gathering at a nightclub in Sydney called Ivy, and there was a dinner beforehand downstairs and you knew about it and were going to go, and indeed you said, "All the boys are going." So you knew who was going or at least you had a rough idea.---Yeah, well, all the boys, I don't know what - - -

20 It indicates a degree of familiarity, doesn't it, with the people concerned? ---Looks like I, I know the boys.

It wasn't a business function, it was a social function.---Could be.

And the people who were the boys are part of your social circle, weren't they?---I don't, not necessarily.

Well, you seem to think they were because you refer to them as, "All the boys."---Yeah, the boys.

30 When was the first time that Mr Marwan Chanine spoke to you about one of his developments?---I can't remember a date, sir.

Can you remember the development?---Yeah, the only one he discussed with me, I, it was the one I can't remember, the Canterbury site.

212-222 Canterbury Road?---That's the only one I know, I've been aware of.

40 Do you remember a development project that Mr Chanine had at 45 South Parade in Campsie?---South Parade?

Yes.---It's, I have to refresh my memory. Was it DA or the site? Maybe I - - -

Yes. A DA for a mixed - - -?---I, I can't remember, sir.

For a mixed-use development in around 2013/2014. Did you speak to Marwan Chanine about that DA?---I can't remember have I, like, discussion with him about it. I can't remember, sir.

Is it possible that you did?---I can't remember, I can't remember at all what, about this DA.

So Mr Khouri was a person who had a close friendship with you and your family.---Become, we become close later on, yeah.

10

And he was a close friend of yours, wasn't he, close family friend?

---It become like close family friend, yeah, after.

When you say after, what do you mean?---Like the last, the last couple of years.

When you say that, do you mean in the last couple of years that you were a councillor?---Yes.

20

And you shared a lot of social time with Mr Khouri, didn't you?---Yeah, he used to come to my place, yeah.

And he had an interest in property development, didn't he?---I have no idea.

Mr Azzi, that's not a truthful answer, is it?---Mr Buchanan, I don't understand what you mean by interest, like his job or he own. I don't have, I don't have an idea if he owns any property.

30

Did you have an idea whether he had an interest in property development?
---Not specifically.

Did he never talk to you about a development project?---No, he always - - -

Or any development project?---He always goes to the council when he needs something.

THE COMMISSIONER: He what, sorry?---He always goes to the council when he needs something. He never - - -

40

MR BUCHANAN: He never talked to you about Canterbury Council and how it was dealing with applications for property development of any kind?
---Sometime he raise when we had a problem at the council. That's all generally - - -

What one that you can recall?---Generally when sometimes that he complain to the council like about the delays and the process, something like that. The function of the council.

Did he ever talk to you about arranging meetings of property developers with anyone at council?---No, he, he used to go by himself and do it. Never
- - -

Did he ever talk to you, though, about arranging such meetings?---No. I don't remember.

Did he ever try to arrange a meeting which you attended?---I can't remember. He never discuss with me any arrangement.

10

You see, the evidence before the Commission is that Mr Khouri had a consultancy arrangement with Mr Demian.---I heard about it.

When did you first hear about it?---Oh, I can't remember (not transcribable) time, you know, when I start knowing. It's, I can't remember the date but I heard he has, he used to have a business with him.

20

And did you hear that he had a business with Marwan Chanine?---No. He said he, he once said he use a lot of firms to do his business. Chanine is one part of them. He knows them. I knew he knows them.

Did you understand though that Mr Khouri provided services, consultancy services to Marwan Chanine in relation to property development?---We never discuss it with him.

30

And so do you mean to say that despite the fact that he became by the last two years of you being a councillor a close family friend, you had no idea that Mr Khouri was doing property development consultancy work for Marwan Chanine, particularly in relation to development applications at councils?---Mr, Mr Khouri never discuss his own business and his private business with, with me.

Did he discuss the business of Marwan Chanine with you?---No.

Or in your presence?---No. I don't remember.

Did he discuss the property development business of Mr Demian in front of you or with you?---No. I don't remember.

40

Never heard him mention these things?---I, what I heard from him once that he's not dealing with Mr Demian once, at one stage. That's what he said to me.

I'm sorry, I didn't hear that. Could you just say that again, please.---He said to me he is not working with Mr Demian anymore. That's what I heard from him once.

THE COMMISSIONER: He said he was not working with Mr Demian?
---Yeah.

MR BUCHANAN: Did you ask him, oh, what work had you been doing?
---No.

Weren't you interested what work he had been doing for Mr Demian?---No.

10 That seems very unusual given the amount of contact you had with different
people, including Mr Demian, in relation to Mr Demian's properties.
---Yeah, but he never discuss Demian's property with me.

So what, in all the time that Mr Khouri came over to your place, did you and
he talk about?---About politics.

What sort of politics?---Involved in the Labor Party. That's why most of my
relationship with him.

20 Labor Party politics at local government level?---Local and state.

And of course you were involved in Labor Party politics at local
government level particularly at Canterbury Council particularly in relation
to property development.---I don't understand this question, sir.

30 It just seems unbelievable that you did not talk with Bechara Khouri about
the politics of Canterbury Council in relation to the progressing of
development applications, particularly for Mr Demian and Mr Chanine.
---No. I always, Mr, Mr Khouri always he stayed, he never discuss,
especially property because I, I don't know why.

He said that to you, did he?---He said we shouldn't discuss, I don't want to
involve you in any of my business or involve anybody, "I know my, my
way."

He said that to you, did he?---He said he doesn't to involve me in anything.

Did he say that to you?---That's what he said. "I don't, I'm not here to
discuss any business with you."

40 And how did that subject arise?---No, no. Because what I said, like, it's
happened, said that it's no good to discuss business with you.

Yes, but what was it? What were the circumstances that caused him to say
that to you at that time?---I don't know.

Where were you?---I don't remember when but he said, "I don't want to
involve any, I don't want to discuss anything with you."

Something must have caused him to say that thought. Was it because someone asked a question about property development?---I don't know. He says everybody, I have, he said "I have my way. I don't involve anyone. I don't want to be in trouble with anybody." Because he said, "I'm here just because your family is a friend and thank you for inviting me sometime for lunch or dinner. I'm not here to discuss business with you. Just friendship and only if we can discuss politics."

10 And did you have a discussion with Mr Khouri about Mr Stavis when he had applied for the job as director of city planning?---No. I, I didn't discuss with him because I didn't discuss it with anybody. I refused.

Well, that seems also very difficult to understand, given the evidence before the Commission about how deeply Mr Khouri became involved with Mr Stavis in preparing him for his interview with you.---Excuse me?

It seems difficult to understand what you've just told us, given the evidence before the Commission, as Mr Khouri became deeply involved in preparing Mr Stavis for his interview with you and Mr Hawatt and Mr Robson and Mr
20 Montague on 17 November, 2014.---I wasn't aware of, about this until I have seen it here.

There was no telephone conversation between you and Mr Khouri about Mr Stavis?---I can't recall. He knows my opinion about what's happening that day and I didn't discuss it with anyone.

How did he know your opinion about what was happening that day?---It went, it went public and went from, maybe from other sources because when, everywhere, everyone knew.
30

About the interview on 17 November, 2014.---I don't know. I said he knows my opinion.

Yes. How did he find out your opinion about Mr Stavis or about the interview on 17 November, 2014?---Sir, I don't understand. You ask me after I said, before you ask me – I get a bit confused here. What happen in the public or before? Before, I have no idea what was going on. He never discussed with me. After went public, it's a different issue.

40 THE COMMISSIONER: You were asked about Mr Khouri being deeply involved in preparing Mr Stavis for his interview and you said, "I was only aware of this when I saw it here." And then you said, "He knows my opinion of what was happening that day," and then Mr Buchanan's asked you, "Well how did he find out your opinion?"---I was misunderstand the question, Madam Chair, Commissioner. I thought when everything went, I never discussed the interview but when everything went, went public, when we have the conflict - - -

What with Mr Montague?---Yeah, with, everybody knew what was going on but before I had no discussion or no interference from, I have no idea.

MR BUCHANAN: Now, you say that you had only one conversation with Marwan Chanine about the development applications at 212-222 Canterbury Road.---That's what I can remember, sir.

10 Do you think there could have been more than one?---That's what I can remember. Could be yes, could be no. But that's what I can recall, because
- - -

And what is the conversation that you can recall?---About, about - - -

With Marwan Chanine about the development applications at 212-222 Canterbury Road.---Marwan has been asking about the, the delay. I said I have no idea.

20 What else was said?---That's all said, why you delaying and what's going on. I said, I said to him, "You know better than me."

Why did you say that?---Because he always do his own work with the council. He goes and to prepare everything with the, the directors, with the, the council staff and everything.

Was there anything else said in that conversation?---No, he said to me, he's worried about the delays and the process of his DA.

30 Did you, did anything happen as a result of that conversation?---Well, at one stage, yeah, I did address the situation with Mr Stavis.

What happened?---And Mr Stavis said to me, I can't remember what he advised me and what he said to me, he said the problem is not with the council, and the problem is with the railway. And that's all.

Did you tell Mr Chanine what you'd been told by Spiro Stavis?---Oh, I, I, I can't recall if I called him or I told him, because, I don't remember I called him.

40 Mr Chanine went to your house a number of times.---I can recall once, sir, only once I can remember.

Well, if we've got evidence that he went to your house quite possibly four or five times, why would he have been at your house possibly four or five times?---Never happened, sir, four, five times.

Never happened?---I don't think so.

Was there an occasion when Mr Chanine was at your house and so also was Mr Montague?---I can't remember such occasion. I can't remember.

Did the three of them, were the three of them – I withdraw that. Were the two of them present on one of the Friday evenings when you provided hospitality at your house?---I can't recall.

10 Were there occasions when after – I withdraw that. Were there occasions when you were with Mr Chanine, Mr Marwan Chanine, and you in his presence then made a phone call to Mr Stavis about Mr Chanine's development project at 212-222 Canterbury Road?---Excuse me? Can you repeat the question, please.

Sure. Was there an occasion when you were with Marwan Chanine, in the same space, and you, in front of him, made a phone call to Spiro Stavis? ---I can't recall this, I can't, I don't remember, sir.

20 Was there any occasion when you were with Marwan Chanine and he was talking to you about this project, the 212-222 Canterbury Road project, and you made a call to Mr Montague about that project, on behalf of Mr Chanine?---I, I don't remember this, sir.

Is it possible that that happened?---If it's happened, it's maybe possible (not transcribable)

Why would you have done that?---I don't know if I did it. Possible if any, if I have any query I have to contact the GM, I will ask him.

30 Why couldn't you have asked Mr Chanine, well, you can write a letter to council and I'm sure it will be attended to?---I could if I made the call, sir. It could be possible.

Why would it be possible, though, that you would have made such a call to Mr Montague on Mr Chanine's behalf?---If necessary to call and ask question and find out about something, I'll make the call (not transcribable) any information.

40 Was there an occasion when Mr Marwan Chanine was at your house and so too was Ziad Chanine?---I don't remember, sir.

Was there ever an occasion when Ziad Chanine and Marwan Chanine came to your house and spoke to you about the 212-222 Canterbury Road, Canterbury development applications?---It's the only one I can recall, sir, when Marwan raise it with me.

You don't recall Ziad Chanine ever explaining anything to you about the development applications?---I can't remember now.

Did Mr Khouri ever organise a meeting between you and Mr Marwan Chanine?---No, I don't remember this.

Is it possible that he did?---Maybe yes, maybe no. I don't know.

Was there an occasion when Marwan Chanine was at your house and so too was Spiro Stavis?---I can't recall one of this.

10 Was there an occasion when Stavis was at your house and Marwan Chanine was at your house and they discussed development applications that Marwan Chanine had in council at that time?---I can't remember one of this happened, sir.

It's the sort of thing that could have happened, isn't it?---I don't think so, because Marwan and Mr Stavis, we always discuss about the council (not transcribable) from Mr Stavis.

20 You see, your place was a venue at which issues to do with council were discussed between the people involved from time to time.---Not my houses, my, my house is open for everyone because my office is in my house. It's open for everyone who knock the door and he has an issue, and I never, like, say no to everybody.

And the social occasions that occurred at your house, in particular the Friday nights when hospitality was provided, were occasions when property development business was discussed.---Not necessarily.

That's what happened from time to time, isn't it?---Not necessarily, sir.

30 Because there were property developers who came to your house for these social occasions, correct?---Yeah, sometimes.

Local government politicians.---Yeah.

40 And occasionally local government authority staff such as Mr Stavis and Mr Montague, not necessarily with each other.---Oh, it's, what I can recall, sir, I don't know if Mr Stavis been at my house more than once or (not transcribable) maybe twice. But Mr Montague, like, most of the Friday afternoon.

Yes. Sorry, you're telling us that Mr Montague was there most of the Friday afternoons? I understand.---Yeah, most of the Friday afternoon.

I see. And you're saying that it's possible that Mr Montague brought Mr Stavis?---No, never brought him with him.

Well, how was Mr Stavis was there? How come? He must have been invited by somebody.---I said I can't remember if Mr Stavis been at one occasion.

I see.

THE COMMISSIONER: I thought you said you thought at least once, maybe twice, Mr Stavis was there?---Yeah, during that period like he has been at my house. Once or twice all.

10

During the period you were a councillor?---Yes.

MR BUCHANAN: Did you have a meeting at council chambers with Ziad Chanine, Michael Hawatt, Jim Montague and a man called Greg Gav, G-a-v, about one of the Chanine's development applications or development projects?---About Chanine?

20

One of the Chanine development projects, and I want to suggest to you specifically 418-426 Canterbury Road, Campsie?---408, it could be happen, sir. I don't remember.

Well, if there is evidence before the Commission, and I can assure you there is, that there was a meeting scheduled by Mr Montague's assistant comprising Mr Montague, Mr Stavis, Ziad Chanine, Greg Gav, G-a-v, yourself and Mr Hawatt for 6 October, 2015, why would that have occurred?---Could be happen, sir. I have no, I can't remember what - - -

30

Why would you have been attending that with Mr Hawatt?---Must be been invited by the GM.

Could it be because you and Mr Hawatt were the people who controlled council?---No, not necessarily. I have no idea.

Controlled the votes on council?---I control myself.

Excuse me a moment. Can I play you a recording of a telephone conversation LII 4402.

40

AUDIO RECORDING PLAYED

[12.43pm]

MR BUCHANAN: Commissioner, I tender the audio file and transcript of that recording.

THE COMMISSIONER: The audio file and transcript of the recording LII 4402, recorded on 28 February, 2016 at 12.44pm will be Exhibit 280.

#EXH-280 – TRANSCRIPT SESSION 04402

MR BUCHANAN: Mr Azzi, you heard that recording being played. Did you recognise the voices of yourself and Mr Hawatt?---Yes.

10 Can I ask you some questions about the conversation, please. First of all, I just want to go to page 3 of it, you referred to Brad McPherson as a bastard. Do you see that?---Yeah.

Why did you use that description for Mr McPherson?---I have no idea what, what was an issue. I don't know what, I don't remember what was an issue in the council between him and the GM. So I heard from the GM.

Between who and the GM?---Mr McPherson, Montague when he was sending, I don't know what was the issue but he was sending some emails to people not cc'ing the GM.

20 Sorry, I didn't quite hear what you said there.---What I can remember - - -

He was sending some emails?---To sending emails to outsiders without cc'ing the general manager.

Oh, without cc'ing in the general manager.---The general manager.

I see. And you thought that made, in your opinion, Brad McPherson a bastard, is that what you're telling us?---That's what, he was angry, Jim Montague - - -

30 That's what you said, yes. Why did you say it?---Because he shouldn't do this. He must let the general manager see all the emails sent out by - - -

I see. It wouldn't have anything to do with – your use of the epithet bastard wouldn't have anything to do with the fact that Brad McPherson's job was manager of governance at council, would it?---I don't know what his job.

You didn't know what his job was?---No. I don't ask what his job.

40 Well, in this conversation, if you look at the bottom of the second page, you can, and we'll go to who Bechara and this other man are in a moment, but you say, "Because it's going to be more work and are scared from that bastard, Brad McPherson."---I can't remember what I was talking about, what they - - -

Well, it's very clear, though, that you and Mr Hawatt thought there was an ethical issue and that's what you had raised. Indeed, that was a message that you were conveying to Mr Hawatt. "Marwan doesn't want to," this is

the bottom, halfway, sorry, about point 8 on the second page, "Marwan doesn't want to, you'll have to stop calling Marwan, you know, this time, you know, because," and Hawatt agrees and you continue to say, "through Bechara, because yesterday he sent the list with Bechara. Bechara said to him, don't come, I will talk because going to be more work and are scared from that bastard, Brad McPherson." And then Mr Hawatt seems to think that it's an ethical issue you've raised because he goes on to say, "Yes, yes. I agree. I agree with you a hundred per cent. Just let everything be transparent and be at arm's length. That's the best thing."---That's what I
10 can remember, sir, like, only one issue was Brad McPherson want, he used to send email not cc'ing the general manager. That's means it's a, but I believe it's by the, the management of the council, every email has to go out and go in, has to be cc to the general manager.

Mr Azzi, it is very clear that you thought Brad McPherson was a bastard. We know, even if you didn't, that he was the manager of governance. It is clear you are talking about an ethical issue involving contact between a property developer and a councillor, and you were scared or you thought
20 Marwan was scared or Bechara was scared that the person responsible for that sort of ethical issue might come down on you, or might come down on Hawatt - - -?---I am not scared.

- - - for having that sort of contact with Marwan Chanine.---Not me.

That's what that conversation is about.---No, not me, sir.

That's what that message, more to the point, is, that Bechara, you said, conveyed to you from Marwan Chanine.---To me?

30 To give to Hawatt, and you did.---Yeah, has nothing to do with me. I said, from the beginning of the, this call, oh, I don't know what they were talking about, maybe about this property. I, that's the message. I, I have no idea what they were talking, you know, I can't remember what was the issue. But what I can remember is only these things.

Why did you think it might be his property?---What, what the message, what the, the first at beginning of the call about.

40 Why did you think it might be about property?---(not transcribable)

What was it about the telephone call - - -?---The, the telephone conversation, yeah.

Did you think it might be about a property of Michael Hawatt's?---I do understand from the conversation here. I can recall now when they, about the lawyers.

So it's towards the top of page 2.---Yeah.

You said, "He said to me," this is Bechara Khouri.---Yes.

"Said to me that the lawyer, the lawyer for the others, the ones that bought the site off you up there, are ringing your lawyer, and he isn't answering their calls. You talk to your lawyer to contact them."---Yes.

10 Then you go on to say, Hawatt says, "Is everything okay?" And you say, "Everything is okay, but he said to me," in other words, Bechara said to you, "that Marwan doesn't want, you'll have to stop calling Marwan, you know, this time, you know, because through Bechara," oh, sorry, "because," and then Hawatt said, "Yeah, I agree." And you said, "Through Bechara, because yesterday, he sent the list with Bechara. Bechara said to him, 'Don't come, I will talk, because it's going to be more work,' and a scared from that bastard Brad McPherson."---I have no idea what the, what was between them.

20 You understood, didn't you, that Marwan Chanine was negotiating to buy a property off your friend, Michael Hawatt?---Yeah, but I, I do, I do know about it. I sent the message.

And that raised an ethical issue, didn't it?---(not transcribable) I sent the message. I have no idea what (not transcribable) doing.

That raised an ethical issue as you understood it, didn't it?---I don't, I, I don't, I don't understand what you mean.

30 A property developer with applications in council buying, entering into a commercial transaction with one of the councillors. You don't think that raised an ethical issue at all?---I don't know at the time, sir. I, I just sent a message.

No, no, no, no, no.---(not transcribable)

40 Well, I'll approach it another way. Do you think – oh, sorry. Did you, was it your state of mind, was it your understanding as at February 2016 that if a property developer who had applications in council entered into negotiations to purchase a property owned by a councillor that that might raise an ethical issue?---Could be, sir.

Why do you think?---That's what I - - -

What would be wrong with that?---Well, I don't know, but - - -

You don't know?---Oh, I don't know, I'm not involved in it. I sent a message.

No, no, no, no, no. I'm just asking you generally, hypothetically, a property developer with applications in council to be considered by council enters into negotiations to purchase property from a councillor at the council. What could be wrong with that, anything?---Well, I have no idea what could be wrong. If something wrong (not transcribable)

THE COMMISSIONER: So you don't think anything's wrong with that? ---I, I, I, I, I, I never, like, made an investigation to find out what's wrong (not transcribable)

10

I'm not asking – no, no, no. Mr Buchanan is putting to you, he described it as hypothetically, theoretically if a property developer with development applications, planning proposals before council at the same time starts negotiating to purchase a property owned by one of the councillors on the council who is going to decide whether to approve the property developer's application, does that raise ethical issues? Is it wrong?---Madam Commissioner, I have no idea legally, but if I can answer my opinion, if it's happened with me, I won't do it.

20 You wouldn't do it?---No.

MR BUCHANAN: Why not?---I don't know. I won't do it.

Yes, but why not? Why wouldn't you do it? What's the reason why you wouldn't do it?---Because I don't, for me it expressed my view. I don't feel comfortable to do it but legally I have no idea if it's legal or illegal.

But why shouldn't a councillor do it?---I told you, sir. I don't feel comfortable to do it.

30

You see, in this conversation on 28 February, 2016 you well understood, didn't it, that it raised an ethical issue and indeed a problem for Mr Hawatt if he was in negotiations with Marwan Chanine, who had applications in council, to sell Marwan Chanine one of his properties because that's why you described, you used the words "are scared from that bastard Brad McPherson".---That was they said to me.

And you knew exactly what that meant, that it was a governance issue. ---Mr Buchanan, I was clear that's what they said to me at the time and I delivered a message, but for my knowledge I have no idea.

40

So if you think it would be something that you wouldn't do, nevertheless you were aware that Mr Hawatt was doing this, negotiating to sell property to a developer who had applications in council. You knew that that was happening.---I just know (not transcribable) start when they tell me to deliver this message. I have no idea before.

Why didn't you say I'm not going to deliver a message like that? I'm not going to be involved in trying to cover up a relationship between a property developer and a councillor?---Like I said, I have no idea it was legal or illegal, just I'm delivering a message, sir.

Well, I want to make it very clear that the way you described Brad McPherson and the fact that he was the manager of governance makes it very clear that you thought there was at the very least an ethical issue that was raised by Mr Hawatt selling or trying to sell a property to Marwan Chanine.---(not transcribable) they did raise with me and I deliver a message.

And you were prepared to be party, weren't you, to covering up the fact that this was happening?---No, I wasn't covering anything. No, sir.

To making sure that things appeared to be, to use Mr Hawatt's words, "transparent and at arm's length".---No, I don't, I don't, I'm not aware of, I don't mean to be covering anything.

20 Because the message from Marwan Chanine was that he didn't want to have direct communications anymore with Mr Hawatt and instead for it to be indirect, perhaps through Bechara Khouri.---That's what happened. Yeah, that's what (not transcribable)

Now, can you tell us about this property, please, as much as you knew at the time or as much as you, yes, as much as you knew at the time about this property that Mr Hawatt was negotiating with Mr Chanine to sell him?
---That's what I know, he has a property in Penrith.

30 Yes.---That's the only thing I know.

And where did you find that out from?---Oh, later on, after this start happening. When, when I receive, when they raise it with me I didn't know that Mr Hawatt has any investments.

Well, can I just point out that you said to Mr Hawatt, this is page 2 of the transcript of Exhibit 280. You refer to "the lawyer", "the lawyer for the ones that bought the site off you up there".---Yeah. They want the lawyer to talk to each other. They can deliver the message.

40 Yes. So you knew that Mr Hawatt was negotiating with Mr – I withdraw that. You knew that Mr Hawatt was negotiating to sell that property, is that right?---Yeah, I know when I, they start planning this with me to do but I messaged Mr Hawatt, I didn't know before.

What was it that Mr Hawatt told you?---Mr Hawatt, when I spoke to him, he said, "Yeah, I had property for years there. I'm trying to sell it," and that's it.

And when was it that he first told you about that?---I can't remember, sir, when I did find out would be.

And did he indicate who he was negotiating with to sell it?---No, I, I knew, I did understand.

10 And who was that?---He said, that one I heard from here, he said try to sell to the third party. I don't understand, I, I don't know, like, I didn't get involved in his investment but I deliver that message and it stopped here. It has nothing to do with, with me and him.

Well, the words you used were, "He said to me that the lawyer, the lawyer for the others," plural, "the ones that bought the site off you up there are ringing your lawyer and he isn't answering their," plural, "calls." That's more than one person, whereas Marwan Chanine was only one person. So what I'm asking you is, who were you referring to when you said to Mr Hawatt, "The lawyer for the others" plural, "the ones that bought the site off you up there and he isn't," the lawyer, "answering their," plural, "calls"?
20 Who are you referring to?---I don't understand what I, Mr Chanine was acting.

No, but you're the one who used this language and you used language that describes multiple people.---Because he said to me the buyers. That's what I know.

Did Mr Hawatt say anything to you about buyers, multiple people?---Well, he mention he got a lot of problem with it. I didn't get that specified information from him. He said he got investment and he tried to sell it,
30 that's all.

Now, can I ask you about – sorry, I got caught up.

THE COMMISSIONER: All right. We'll adjourn for lunch and resume all right 2.00pm.

LUNCHEON ADJOURNMENT

[1.03pm]