

INDEPENDENT COMMISSION AGAINST CORRUPTION

RECORD OF INTERVIEW BETWEEN INVESTIGATOR ANDREW BROWNING AND
CONSTANTINE VASILIADES AT CAMPSIE ON 6 JUNE 2017

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TIME: 10:50
PRESENT: ANDREW BROWNING
SIMON BERRY
CONSTANTINE (CON) VASILIADES
10 GEORGE LALLOTIS

BROWNING: Okay it's Tuesday the, the 6th of June, 19 - 2017. The time is 10:50am. Currently at the premises of former Canterbury Council building in the meeting room. Present is Investigators Browning and Berry, Con Vasiliades, a former Councillor of Canterbury-Bankstown and George La, Laliotis. This is an interview with Con Vasiliades. Just for the purpose of the recording, Simon can you state your name please.

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BERRY: For the record my name is Simon Berry.

BROWNING: George can you state yours and spell your name please.

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LALLOTIS: Yes for the record my name is George Laliotis (spells) L-A-L-I-O-T-I-S.

BROWNING: Okay Con, do you agree that prior to this recording started that I told you I wanted to record the interview?

VASILIADES: Yes.

BROWNING: Do you agree to having your voice recorded?

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VASILIADES: Yes.

BROWNING: Do you understand that this is voluntary and you can leave at any time?

VASILIADES: Yes.

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BROWNING: Okay. I'm going to ask you some questions. You do not have to say or do anything unless you wish to do so. Anything you so say or do will be recorded and may be used in evidence at a later stage. Do you understand this?

VASILIADES: Yes.

- 5 BROWNING: Okay also pursuant to the Independent Commission Against Corruption Act, Corruption Act, it is a criminal offence to deliberately provide false or misleading information to an officer of the Commission exercising their functions under the Act, which Simon and I are today. Any information you provide in this interview needs to be true and correct to the best of your knowledge and belief. Do you understand that?
- VASILIADES: Yes.
- BROWNING: Okay so that doesn't mean that you have to answer our questions but, if you do decide to answer them, they can't mislead us okay?
- 10 VASILIADES: Yep.
- BROWNING: Alright there's five allegations which I'll read, and I have explained them to you prior to the –
- VASILIADES: Uh-hmm.
- 15 BROWNING: - recording of the interview. Between November 2014 and January 2015 Michael Hawatt engaged in conduct that could, that ad, adversely affected or could have adversely affected, either directly or indirectly, the honest or impartial exercise of official functions by Jim Montague, the General Manager of Canter, Canterbury City Council by expressly or impliedly threatening to cause the termination of Mr Montague's employment with the intention of in, influencing the exercise of Mr Montague's public duty
- 20 in relation to the appointment of Spiro Stavis as Director of City Planning.
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- 35 Allegation 4, since October 2014 Hawatt, Azzi and Stavis dishonestly exercised their official functions in connection with resolutions or approvals in connection with a development proposal at 548-568

Canterbury Road, Campsie in order to benefit his own interests and those of Charbel Demian and others.

And 5, that in November 2014 Michael Hawatt dishonestly exercised his official functions in connection with his motion to support the planning proposal for 15-23 Homer Street, Earlwood in order to favour the interests of Assad Faker and that in February 2016 Michael Hawatt corruptly received a payment from Assad Faker as a reward for his improper influence of Stavis regarding the planning proposal for 15-23 Homer Street, Earlwood.

10 Do you understand those allegations?

VASILIADES: Yes.

BROWNING: Okay what's your full name?

VASILIADES: Constantine Vasiliades.

BROWNING: Okay and do you have a middle name?

15 VASILIADES: Theodore.

BROWNING: Theodore. And are you referred to as Con?

VASILIADES: Yes.

BROWNING: Can I refer to you as Con –

VASILIADES: Yep.

20 BROWNING: - during the interview?

VASILIADES: Yes, yep.

BROWNING: Okay. Con what qualifications do you have?

VASILIADES: Finished school Year 10. Did a real estate certificate, the full licence when I finished. For – the reason why I left school early was because I was training, weightlifting full-time. I was going overseas. I basically did that 'til I was about 25, 26. Stopped due to back injury and yeah, and then, and then sort of the time came where it was a bit, didn't know what to do next. And then the opportunity came if I wanted to run for Council and I saw there was a lot of older people on the Council so I thought a good, it would be a good opportunity to get some young blood in there and try to get some sport happening in the area, which live in – or my family's

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in Earlwood so see a lot of, there's a lot of parks and young families in the area which you see things in other councils that Canterbury didn't have. So I thought that would be a good opportunity to, to start getting some activities happening.

5 BROWNING: Okay. So do you work at Ray White Earlwood?

VASILIADES: Yes.

BROWNING: Okay, what's your role there?

VASILIADES: Admin, accounting.

BROWNING: And are you full-time?

10 VASILIADES: Yes.

BROWNING: So five days a week or?

VASILIADES: Yeah, yeah.

BROWNING: Are you involved in the real estate side of it?

VASILIADES: No I'm not.

15 BROWNING: And you also work at the Olympic Gym?

VASILIADES: Yes.

BROWNING: Is that what it's called?

VASILIADES: Yep, yep.

BROWNING: And where's that?

20 VASILIADES: Just further up from Ray White on Homer Street, 221-235 Homer Street, Earlwood.

BROWNING: 235 Homer.

VASILIADES: Yeah, 221-235 yeah.

BROWNING: Are you an owner of that gym?

25 VASILIADES: Yes.

BROWNING: Who with?

- VASILIADES: My brother.
- BROWNING: And that's?
- VASILIADES: William Vasiliades.
- BROWNING: Okay. And how often do you work there?
- 5 VASILIADES: Every afternoon and every Saturday morning.
- BROWNING: Okay and so from the afternoon what time?
- VASILIADES: Four 'til eight.
- BROWNING: Okay so you go to work at Ray White –
- VASILIADES: Yep.
- 10 BROWNING: - first?
- VASILIADES: Yes, yeah.
- BROWNING: And then –
- VASILIADES: Afternoons are there.
- BROWNING: Okay and what do you do at the gym?
- 15 VASILIADES: Coach, train and coach.
- BROWNING: Okay and –
- VASILIADES: Coach Olympic weightlifting.
- BROWNING: Okay so future –
- VASILIADES: Yeah. There we've got people that compete as well so –
- 20 BROWNING: Yep.
- VASILIADES: - it's, it's an Olympic gym club –
- BROWNING: Yes.
- VASILIADES: - like it's Olympic weightlifting club.
- BROWNING: Okay so trying to get people for the Commonwealth Games –
- 25 VASILIADES: Yeah.

- BROWNING: - Olympic Games, things like –
- VASILIADES: If they can make, yeah.
- BROWNING: - that if they're, if they're good enough.
- VASILIADES: Yeah.
- 5 BROWNING: Did you represent at any of those?
- VASILIADES: Commonwealth Games yes.
- BROWNING: Okay, and which one?
- VASILIADES: 2006 and 2010.
- BROWNING: Okay. Who, who controls Ray White Earlwood?
- 10 VASILIADES: My father's the licensee, George Vasil.
- BROWNING: Is he the sole licensee?
- VASILIADES: Yes, yep.
- BROWNING: What about Peter, he's your uncle isn't he?
- VASILIADES: Yep, sales.
- 15 BROWNING: He's just sales.
- VASILIADES: Yes, sales manager.
- BROWNING: So he's not the licensee?
- VASILIADES: No.
- BROWNING: Is, is he - is there a trust that's involved with, with Ray White Earlwood?
- 20 VASILIADES: No.
- BROWNING: Okay so does Peter have any controlling influ – with the finances?
- VASILIADES: For the real estate side?
- BROWNING: Yes, yes.
- VASILIADES: As in what?

- BROWNING: Oh I, I guess I'm trying to work out who, who controls the money with Ray White Earlwood?
- VASILIADES: Well there's the sales side and –
- BROWNING: Yep.
- 5 VASILIADES: - then there's the property management side so.
- BROWNING: Okay so I guess – although your father's the licensee –
- VASILIADES: Yeah.
- BROWNING: - does he actually own the business or does a trust own the business or do –
- 10 VASILIADES: I don't –
- BROWNING: - the brothers own it? That's what I'm just trying to work out.
- VASILIADES: I'm not too sure.
- BROWNING: If you don't know you don't know.
- VASILIADES: Yeah okay.
- 15 BROWNING: I don't want you having a guess.
- VASILIADES: Right yeah no I'm just trying to think. I'm not too sure.
- BROWNING: Okay so you don't, you're not sure.
- VASILIADES: Nah.
- BROWNING: That's okay. Okay now you said you ran for Council. When were you
20 elected?
- VASILIADES: (Mumbling) '16. It was 2012.
- BROWNING: Sorry?
- VASILIADES: I think it was 2012. I've lost track. The last election.
- BROWNING: Four years, that would be right 'cause –
- 25 VASILIADES: Yeah.
- BROWNING: - it was last year they were going to have – were going to hold Council –

- VASILIADES: Yeah.
- BROWNING: - elections weren't they and they got postponed?
- VASILIADES: Yeah.
- BROWNING: So '12 to '16.
- 5 VASILIADES: Yeah.
- BROWNING: For just the one term, four years?
- VASILIADES: Yeah one term yep. It was three years 'cause it was cut short.
- BROWNING: Okay do you know when that, when it was cut short?
- VASILIADES: About this time last year.
- 10 BROWNING: Yeah I –
- VASILIADES: Yeah.
- BROWNING: - think it might've been –
- VASILIADES: March?
- BROWNING: - 13 May was it Simon?
- 15 VASILIADES: May, May yeah.
- BERRY: May.
- BROWNING: It'd be May yep.
- BERRY: Amalgamations 12 May.
- BROWNING: Sorry mate?
- 20 BERRY: Yeah May.
- BROWNING: Yeah May. Okay and were you associated with any political party?
- VASILIADES: Liberal Party.
- BROWNING: Liberal.
- VASILIADES: Yep.

- BROWNING: Did you – within the Council, what was the makeup of the Council do you know?
- VASILIADES: Canterbury Council?
- BROWNING: Yes, as in political.
- 5 VASILIADES: Three Liberal, one Greens and the rest were Labor, maybe five I think.
- BROWNING: Okay so who were the Liberals?
- VASILIADES: Myself, Michael Hawatt and Ken Nam.
- BROWNING: Okay and the Green?
- VASILIADES: Linda Eisler.
- 10 BROWNING: Okay and, and who were the Labor ones?
- VASILIADES: Brian Robson, Karl Saleh, Mark Adler, Esta Paschalidis, Fadwa Kebbe. That's all of them.
- BROWNING: Okay. And who was the Mayor?
- VASILIADES: Brian Robson.
- 15 BROWNING: And was he directly elected or was it elected by Councillors?
- VASILIADES: Yeah elected by vote –
- BROWNING: By the voters.
- VASILIADES: - by the people yeah.
- BROWNING: Okay. What were the voting patterns within Council? Did factions form, voting factions?
- 20 VASILIADES: No. Like with, within the groups you mean or?
- BROWNING: Yes.
- VASILIADES: Well we used to – Michael, myself and Ken, would get together and sort of discuss things prior.
- 25 BROWNING: Sure.
- VASILIADES: Yeah.

- BROWNING: But it only being three Liberals –
- VASILIADES: Yeah.
- BROWNING: - they wouldn't have been able to control Council would've they?
- VASILIADES: No.
- 5 BROWNING: Okay what was your relationship with Michael Hawatt?
- VASILIADES: Basically through business, through, through Council.
- BROWNING: Is that where you met him?
- VASILIADES: No. My father, a friend of my father.
- BROWNING: Friend of George.
- 10 VASILIADES: Yep.
- BROWNING: What about Pierre Azzi?
- VASILIADES: Met him on Council.
- BROWNING: Okay and I just want to go back to the voting patterns, is it correct to say that Michael Hawatt and Pierre Azzi controlled the voting patterns on Council?
- 15 VASILIADES: No, oh, Michael was – we used to meet together so discuss sort of our things and we'd talk about things but I wouldn't say so much controlled like.
- BROWNING: But they – is it true to say they voted together a lot?
- 20 VASILIADES: Yeah. Oh well it's documented like.
- BROWNING: Yeah that's – but I'm trying to work out how that occurred?
- VASILIADES: Yeah okay. Near the end sort of there was a little bit but not, not so much in the beginning like.
- BROWNING: Okay because I mean, as you saw from the allegations –
- 25 VASILIADES: Yeah.
- BROWNING: - that I read out, we're looking at the influence that those two people had on the Council –

- VASILIADES: Okay.
- BROWNING: - and what happened there. And we're looking at their relationship with developers. Now one was Labor, one was Liberal and normally you wouldn't think they would have much to do with each other but, as you
- 5 VASILIADES: I think that sort of started to happen because they were getting frustrated with IHAP.
- BROWNING: Right.
- 10 VASILIADES: There was a lot of IHAP issues and just things kept coming back and coming back and then.
- BROWNING: And so what was that frustration?
- VASILIADES: Oh things, things kept getting deferred.
- BROWNING: Okay. By IHAP or were IHAP – I'll come back to that. Oh I'll –
- 15 VASILIADES: Okay.
- BROWNING: - no, no –
- VASILIADES: Well IHAP were imposing conditions. I think they weren't making too much sense.
- BROWNING: Okay.
- 20 VASILIADES: So that's why the Councillors were sort of saying well why are these IHAP recommendations and not the Director's recommendations.
- BROWNING: Right.
- VASILIADES: And that was happening a lot -
- BROWNING: Okay.
- 25 VASILIADES: - at one stage and then I think that's when –
- BROWNING: Okay. Were they both pro development?
- VASILIADES: Michael and Pierre?
- BROWNING: Yeah. In your, in your opinion, I mean looking back.

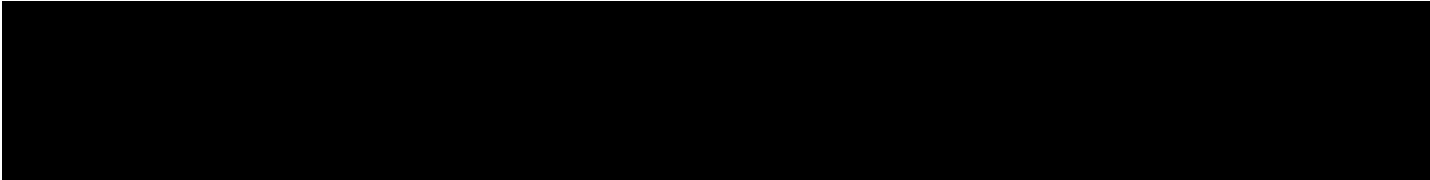
VASILIADES: The area needed it so I'd say yes.

BROWNING: Okay. You, you said you, you were interested in going in because of the young people –

VASILIADES: Yeah.

5 BROWNING: - sport. What was your view on the development when you first started?

10 VASILIADES: Canterbury was very behind the times. I came into this without being in a sort of political background so just from what I saw, and I'd see other councils, Hurstville for instance, Kogarah, Strathfield, they all sort of had their, their areas where commercial was happening but Canterbury had nothing and it was being basically the same, 'cause I've lived in Canterbury my whole life. So it was the same as it was 20 years ago. That was my view.



BROWNING: Okay. I just want to ask you your relationship with a number of people.

VASILIADES: Yep.

5 BROWNING: Charbel Demian?

VASILIADES: He lives opposite the, my parents' house, if it's the same guy I'm thinking of. Charlie yep.

BROWNING: Charlie yeah, Charlie, yeah.

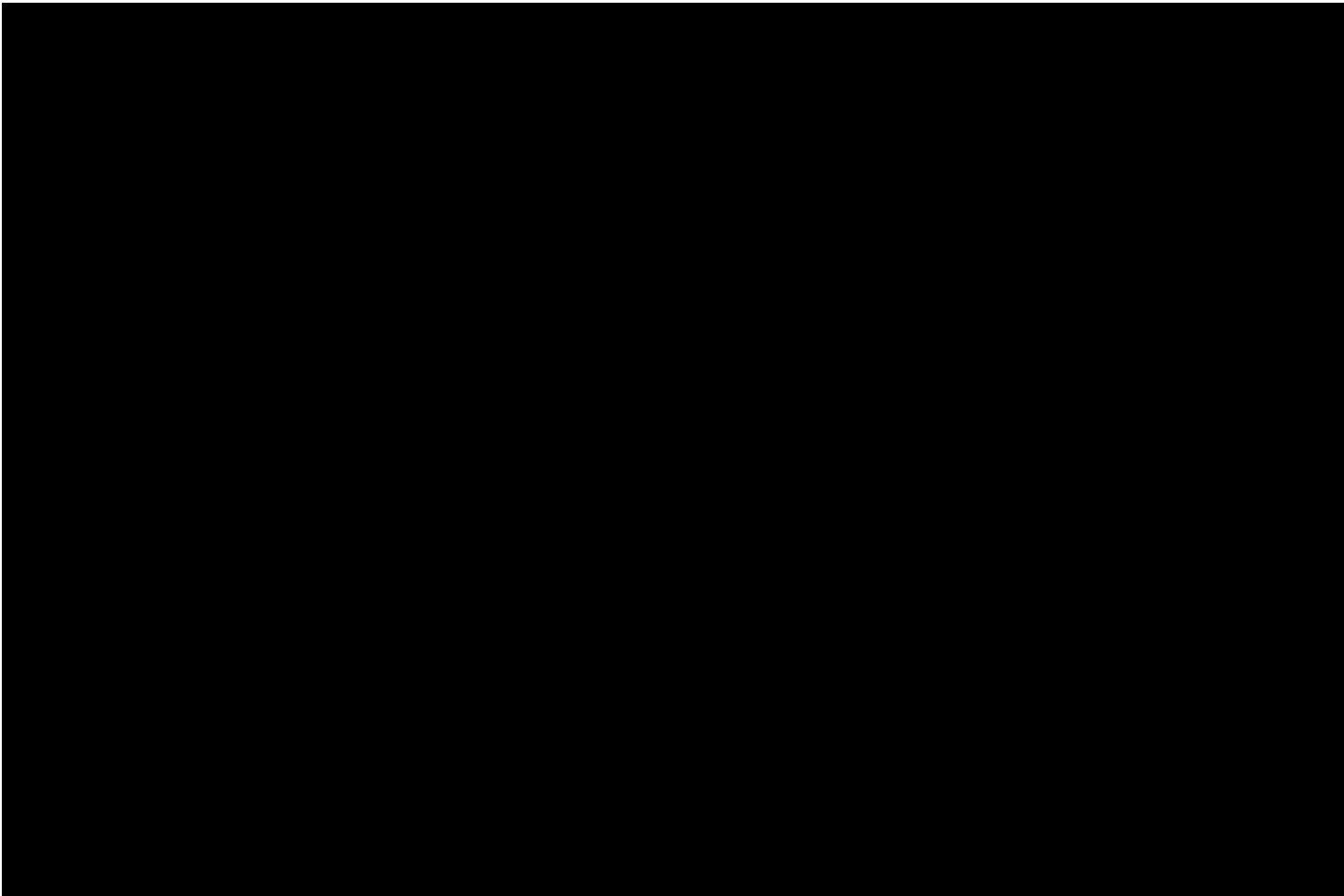
VASILIADES: Yes.

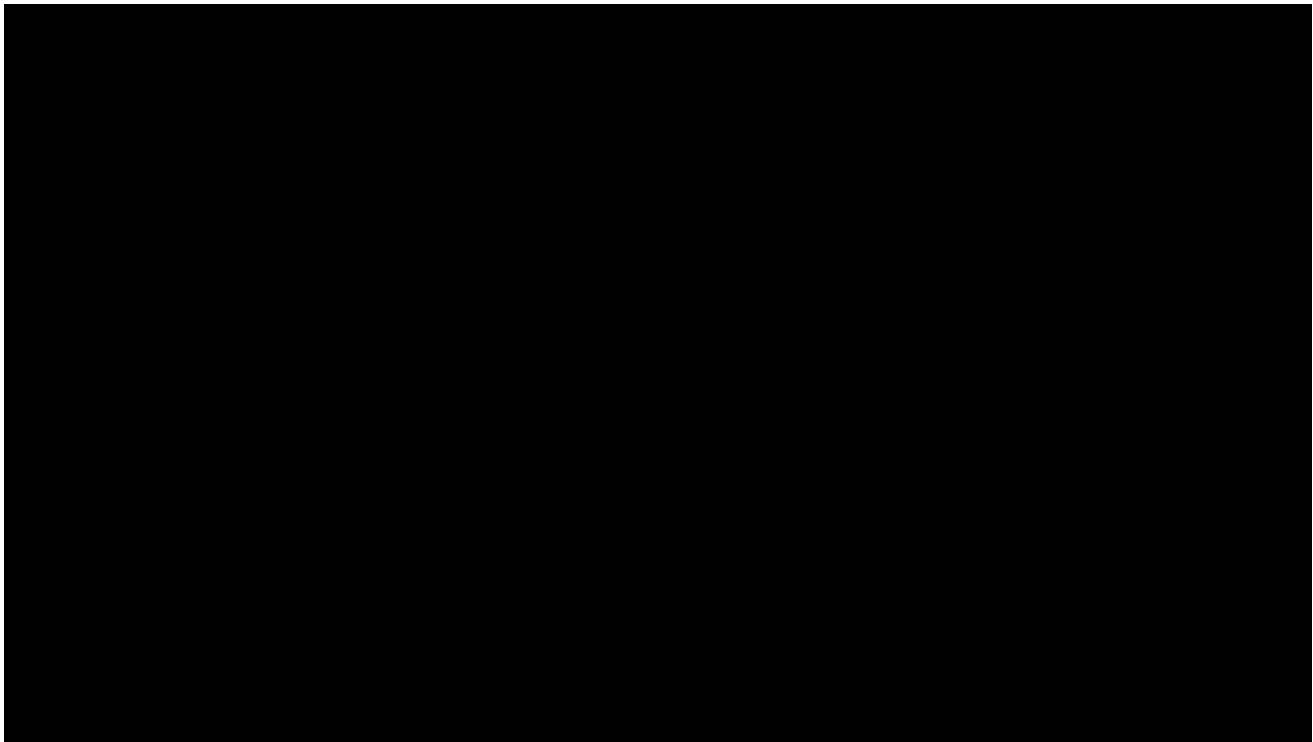
10 BROWNING: So what street's that?

VASILIADES: Hamilton Avenue.

BROWNING: Okay.

VASILIADES: Earlwood.





10 BROWNING: Okay. Laki Konistis?

VASILIADES: I know he was, he's a friend of my uncle.

BROWNING: Which one?

VASILIADES: Peter.

BROWNING: Peter.

15 VASILIADES: Yeah.

BROWNING: Have you met him?

VASILIADES: Yes.

BROWNING: When?

VASILIADES: A number of times in the office.

20 BROWNING: And what were those meetings?

VASILIADES: Oh I didn't have meetings with him. I'm sort of in the back on the computer and—

BROWNING: Okay.

VASILIADES: - so if he passed through —

25 BROWNING: Yep.

- VASILIADES: - I'd say hello and that was basically it.
- BROWNING: And why would he be at – 'cause he's a – Laki Konistis is a school teacher I believe so –
- VASILIADES: Yeah I –
- 5 BROWNING: - why would he, why would he be in –
- VASILIADES: - I don't know.
- BROWNING: - in the office?
- VASILIADES: I think he was doing, trying to buy property or something.
- BROWNING: Do you know what one?
- 10 VASILIADES: No I'm not sure.
- BROWNING: John Dabasis?
- VASILIADES: He, he works with our office.
- BROWNING: Doing what?
- VASILIADES: Sales.
- 15 BROWNING: So he's a sales per –
- VASILIADES: Yeah.
- BROWNING: - for Ray White?
- VASILIADES: Yeah, he's not – he's with, he's with the office but he's, I think he does his own, he's got his own company too. So he's not in the office but he works –
- 20 BROWNING: Own company.
- VASILIADES: Yep.
- BROWNING: Jimmy Maroun?
- VASILIADES: The name's familiar. No I'm not too sure of that one.
- 25 BROWNING: Okay.
- VASILIADES: I can see the face maybe but.

- BROWNING: That's alright. [REDACTED]
- VASILIADES: Yes.
- BROWNING: Is that the one who lives opposite you?
- VASILIADES: Yep.
- 5 BROWNING: Okay so that's not Charbel Demian.
- VASILIADES: No.
- BROWNING: Okay Charlie Demian and [REDACTED] are two different people.
- VASILIADES: Okay yeah.
- BROWNING: So you know [REDACTED] because he lives opposite.
- 10 VASILIADES: Yes, yes.
- BROWNING: What about, we're back to Charbel Demian, or Charlie Demian?
- VASILIADES: No.
- BROWNING: Okay he has the Harrison's site.
- VASILIADES: Yeah.
- 15 BROWNING: And do you know that?
- VASILIADES: This morning I looked it up on the internet.
- BROWNING: Yeah, but okay.
- VASILIADES: I saw an article.
- BROWNING: So you didn't know it otherwise?
- 20 VASILIADES: No, no.
- BROWNING: Okay.
- VASILIADES: I'd heard his name but I hadn't, didn't know what.
- BROWNING: But you haven't met him?
- VASILIADES: No.
- 25 BROWNING: Doesn't know him, is that fair to say?

VASILIADES: Yep.

BROWNING: Okay, Assad Faker?

VASILIADES: No don't know that one.

LALIOTIS: What was the one before?

5 BROWNING:

[REDACTED]

LALIOTIS: Yeah and after –

BROWNING: [REDACTED] then I went back to Jimmy Maroun.

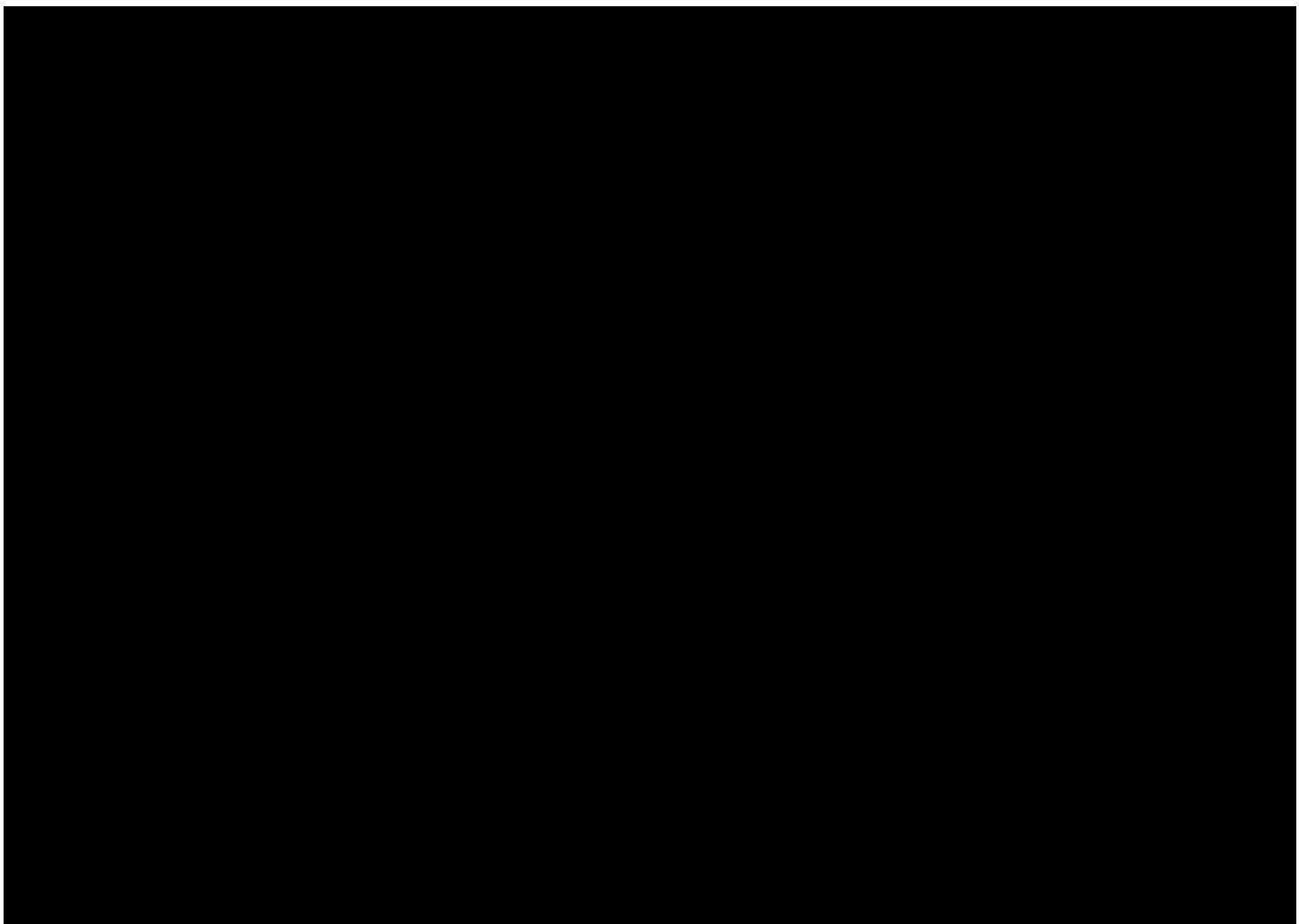
LALIOTIS: Yep nobody. [REDACTED]

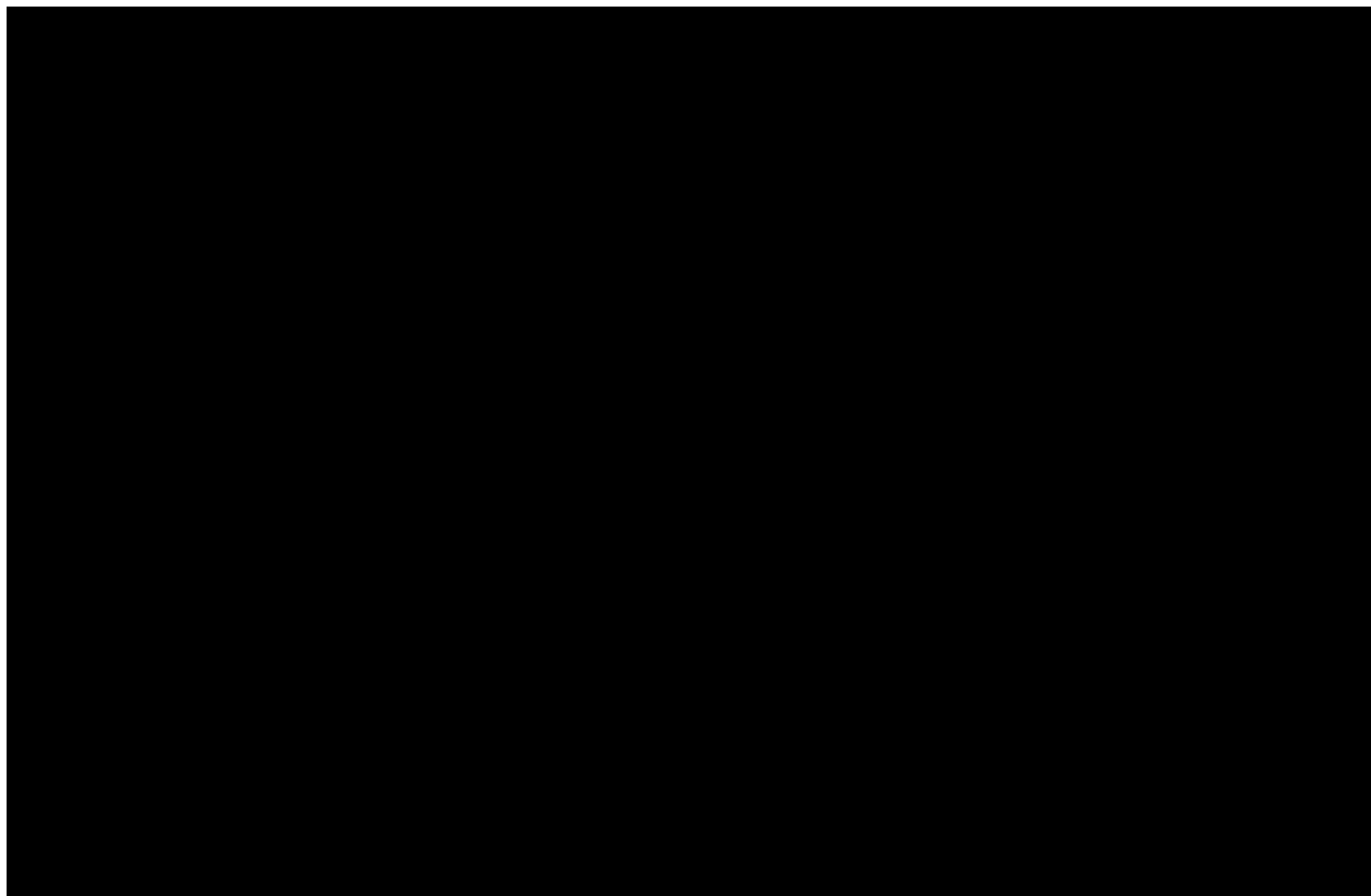
BROWNING: Oh I went back to Charbel Demian again, who was the first one.

10 LALIOTIS: Alright, yeah okay, alright.

BROWNING: Because I thought he might've got them, had them mixed up.

LALIOTIS: Mmm.





BROWNING: Okay. Alright now your father, he works at Ray White Earlwood and you said he's the licensee.

15 VASILIADES: Yep.

BROWNING: Did he advise you to go and join Council?

VASILIADES: No.

BROWNING: No?

20 VASILIADES: I was, I was in the gym one night and I think Michael and my father were there and they mentioned, they were talking about it and I was, when I was finishing weightlifting and it was all I had done for the last 10 years so saw it as an opportunity and –

BROWNING: So they may have suggested that –

VASILIADES: Yeah.

25 BROWNING: - you could do it?

VASILIADES: Yep.

- BROWNING: Did you ever feel pressured by them to vote certain ways?
- VASILIADES: No, on developments and things?
- BROWNING: Yeah, or any, any way?
- VASILIADES: No.
- 5 BROWNING: Anything that went before Council.
- VASILIADES: No. Everything that we voted on, if I ever had a question I'd speak to Michael about so there was never pressure like you have to do this or, nah.
- BROWNING: Yep. Did you think that you'd have to vote how Michael wanted it, wanted to vote as a Liberal Party member?
- 10 VASILIADES: Not really 'cause we, like I said we discuss everything so things made sense like.
- BROWNING: Yep. Okay.
- VASILIADES: Yeah. If there was something I didn't feel comfortable with I wouldn't sort of vote with it but yeah, like there was never anything where you have to do this or anything.
- 15 BROWNING: Okay, and when it came, I guess when it came to planning rules and regulations, that would've been an area you didn't have much experience in when you first joined.
- VASILIADES: Yep.
- 20 BROWNING: I'm assuming you obtained that as, during the four years.
- VASILIADES: Yes, oh enough, a little bit like.
- BROWNING: Did you get advice from your father -
- VASILIADES: Yes.
- BROWNING: - regarding that?
- 25 VASILIADES: Yep.
- BROWNING: On a regular basis?
- VASILIADES: Yeah because he knew a lot of what was going on with Council and.

- BROWNING: So would you discuss DAs before Council with him?
- VASILIADES: No. If there was sort of things that I needed advice on but not, like if it was confidential matters and that, no.
- BROWNING: Okay with development applications then?
- 5 VASILIADES: Most of them with Michael and, if there was ever an issue, that's when we sort of just asked for advice but.
- BROWNING: Okay.
- VASILIADES: Yeah.
- BROWNING: Did – were there regular meetings at Ray White? You, Michael and your
10 father talking about DAs?
- VASILIADES: Michael and my father but I would sometimes here and there I would be there.
- BROWNING: Would you attend those -
- VASILIADES: Yep.
- 15 BROWNING: - sometimes?
- VASILIADES: Oh not – yeah sometimes yeah.
- BROWNING: So Michael and your dad would regularly have meetings?
- VASILIADES: I wouldn't say regularly but he would ask my father for advice on, on certain planning –
- 20 BROWNING: Okay.
- VASILIADES: - proposals and that.
- BROWNING: Was your dad a qualified planner?
- VASILIADES: No.
- BROWNING: Had he, had he ever done any planning courses?
- 25 VASILIADES: No.
- BROWNING: Where did he get the knowledge from?
- VASILIADES: It's just interest. It's something he researches, he likes it.

- BROWNING: So it's fair to say that Hawatt would discuss the planning, some planning matters with your father?
- VASILIADES: Yep.
- BROWNING: And occasionally you would attend, you'd be there.
- 5 VASILIADES: Yeah I, very rare, very rarely. I was sort, sort of doing my own thing.
- BROWNING: Okay.
- VASILIADES: I wasn't too involved with the, too interested.
- BROWNING: Okay that wasn't your –
- VASILIADES: No.
- 10 BROWNING: - point of interest.
- VASILIADES: Yeah.
- BROWNING: Okay. Before we go onto Spiro, have you got anything Simon?
- BERRY: Con I'd just like to follow up on a few points -
- VASILIADES: Yep.
- 15 BERRY: - if you don't mind please. You describe in 2012 you entered Council. Is that correct?
- VASILIADES: Yeah.
- BERRY: And that was based on a conversation you had between yourself, your father and Michael Hawatt. Is that correct?
- 20 VASILIADES: Oh it might've been a few like.
- BERRY: Okay.
- VASILIADES: Yeah it was sort of an ongoing thing.
- BERRY: Ongoing discussion.
- VASILIADES: Yeah.
- 25 BERRY: How long do you think that ongoing discussion happened?
- VASILIADES: Maybe a few weeks.

- BERRY: Okay. Was there an indication that they would support you or get you numbers into Council, and I'm taking from either your father or Michael Hawatt or (unintelligible).
- VASILIADES: Numbers how?
- 5 BERRY: You know to get onto a, a ticket. Did there - was there some support for you in that?
- VASILIADES: Oh yes, yes.
- BERRY: Okay and what support was given to you to run?
- VASILIADES: That was organised through Michael, through the Liberal Party.
- 10 BERRY: Uh-hmm. Did you spend any of your own money?
- VASILIADES: Yeah, yep.
- BERRY: When you joined Council did you undergo an induction with Council in terms of conflict of interest policy, code of conduct –
- VASILIADES: Yes.
- 15 BERRY: - matters to that effect? Did you understand that?
- VASILIADES: Yes.
- BERRY: Okay. You mentioned briefly with Andrew that you received some advice from time to time –
- VASILIADES: Yep.
- 20 BERRY: - from your father about planning matters. Did you also receive advice from the Council planners on certain matters?
- VASILIADES: Yes.
- BERRY: Okay.
- VASILIADES: Whatever, whatever I would discuss with my father I'd always go back and sort of email George Gouvatsos or Marcelo at the time and just have their opinion.
- 25 BERRY: So for the record you're talking about Marcelo Occhiuzzi?
- VASILIADES: Yes.

- BERRY: He was the Director of Planning.
- VASILIADES: Yeah.
- BERRY: Okay.
- VASILIADES: I would, I would often email them and, and get their opinion and.
- 5 BERRY: I suppose I'm interested in – I know your father had some interest in planning and, being his son, you would probably seek his advice from time to time and I understand all that.
- VASILIADES: Yep.
- 10 BERRY: When you came to making a determination, given that you may have some information from the Director of Planning and some information maybe from your father, could you tell me in your own words how that would affect you, which way you would consider leaning on, or, or –
- VASILIADES: If there was something that sort of didn't add up I would keep going back and trying to find out why like so it was, there was never any really
15 conflict that sort of my father might've said okay this is how it should be, and then the Director said this is how it should be. It was always pretty straightforward.
- BERRY: Right okay.
- VASILIADES: I would always go back to the Directors and –
- 20 BERRY: Okay.
- VASILIADES: - seek advice.
- BERRY: So from my understanding the Director's advice is – the planning staff advice is the one you would rely on -
- VASILIADES: Yes, yes.
- 25 BERRY: - more often than not. Is that –
- VASILIADES: Yeah.
- BERRY: - is that an accurate –
- VASILIADES: Yes.
- BERRY: - and fair assessment of how you would –

- VASILIADES: Yep.
- BERRY: - approach this matter? Okay. Were you in a position to at that stage approach Marcelo directly and seek advice from him, or was there a protocol in place?
- 5 VASILIADES: Through, yeah through emails, that's –
- BERRY: Through emails.
- VASILIADES: - protocol yeah.
- BERRY: Okay and did you ever sit down with Marcelo and speak with him directly or was it always through emails?
- 10 VASILIADES: There might've been before a Council meeting here and there.
- BERRY: Okay.
- VASILIADES: I might've just seeked his advice quickly.
- BERRY: Right okay. How did you find Marcelo Occhiuzzi as a Director of Planning?
- 15 VASILIADES: Was, was okay.
- BERRY: Was okay?
- VASILIADES: Yeah. I never had an issue with, with him.
- BERRY: Okay. And did you think his advice was reasonable and fair and –
- VASILIADES: Yeah, yeah.
- 20 BERRY: - in accordance with the Planning –
- VASILIADES: Yep.
- BERRY: - Act and –
- VASILIADES: Yeah. Well from what –
- BERRY: - LEP?
- 25 VASILIADES: - I understood at the time yeah, yep.
- BERRY: Okay, great. No that's it.

- BROWNING: What was the criteria for Councillors need, wanting to talk to planners?
- VASILIADES: Within the Council?
- BROWNING: Within the Council.
- VASILIADES: Generally they were emails. I used to like to email because then I had it documented and I could always refer back.
- 5
- BROWNING: And were you able to approach a planner directly?
- VASILIADES: I never would because then that would mean I have to come to council. I could either, phone call or –
- BROWNING: Okay so could you –
- 10 VASILIADES: - or send an email.
- BROWNING: - ring the planner or did you have to go through the Director of Planning?
- VASILIADES: Oh no it was with the Director.
- BROWNING: Okay.
- VASILIADES: Yeah no sorry –
- 15 BROWNING: Yes.
- VASILIADES: - I never went through anyone else.
- BROWNING: Alright so you –
- VASILIADES: Yeah no, just the –
- BROWNING: - never contacted a planner?
- 20 VASILIADES: No, never.
- BROWNING: Okay. So you'd go through the Director?
- VASILIADES: Yep. Sometimes I might've asked George Gouvatsos if Marcelo was out or something, but then that was it.
- BROWNING: Okay and did you ever meet with Marcelo outside Council chambers?
- 25 VASILIADES: No.
- BROWNING: Okay. I want to now go onto the employment of Spiro Stavis.

- VASILIADES: Yep.
- BROWNING: Tell me what you know about his employment at the Council?
- VASILIADES: I think at the time there was two people being considered and then Jim had
5 chosen Spiro and then he reversed that decision, and that's when
everything sort of happened because we were trying to find out well why
did you reverse the decision, and he wasn't giving us an answer, and then
that's when the Councillors said well that's not, unacceptable and.
- BROWNING: Okay. What do you know about who can employ Council staff?
- VASILIADES: It's the General Manager.
- 10 BROWNING: Okay so as far as you're aware it's the General Manager.
- VASILIADES: Yeah.
- BROWNING: And did he have responsibility of notifying Councillors about that
decision?
- VASILIADES: Yes.
- 15 BROWNING: Okay. Do you know how the General Manager came around to selecting
Spiro, what the process was prior to the selection of him?
- VASILIADES: No.
- BROWNING: Okay was it a interview panel?
- VASILIADES: It was in the documents but I, I can't remember like –
- 20 BROWNING: Yep.
- VASILIADES: - what the process was and that.
- BROWNING: Okay.
- VASILIADES: Yeah.
- BROWNING: Do you know who was on the interview panel?
- 25 VASILIADES: I know it was Spiro and I think there was another lady.
- BROWNING: Okay.
- VASILIADES: I can't remember the name and that.

- BROWNING: No, but I mean, sorry I meant –
- VASILIADES: Oh when they – no.
- BROWNING: Who, who was on the panel to select the people?
- VASILIADES: No I'm not sure. Again I think that's in the confidential paper but I can't
5 remember.
- BROWNING: Okay were you ever asked to be on the panel -
- VASILIADES: No.
- BROWNING: - selection panel?
- VASILIADES: No.
- 10 BROWNING: Would you expect a Councillor to be on that selection panel?
- VASILIADES: No.
- BROWNING: Okay. Have you ever heard of a Councillor being on a selection panel to employ a staff member in your time there?
- VASILIADES: As a senior staff, no not that I know of.
- 15 BROWNING: Okay. Were you aware that Michael Hawatt and Pierre Azzi were on that selection panel?
- VASILIADES: Oh we heard that they were having discussions with Jim.
- BROWNING: Okay, about being on it or after it?
- VASILIADES: Well I think after.
- 20 BROWNING: Okay. But you weren't aware that they were on it –
- VASILIADES: No.
- BROWNING: - at the time?
- VASILIADES: No.
- BROWNING: Do you know if any other Councillors were asked -
- 25 VASILIADES: No.
- BROWNING: - to be on it?

- VASILIADES: No I don't think so.
- BROWNING: Did you know that the Mayor was on the selection panel?
- VASILIADES: No.
- 5 BROWNING: Okay how'd you become aware of, of the issue of Stavis – sorry I'll, I'll withdraw that. Go back one step before that. Do you know if Stavis was offered the position by –
- VASILIADES: Originally?
- BROWNING: Yes.
- 10 VASILIADES: Yes I think he was and then Jim rejected it and then that's when all the issues happened and then we were trying to find out from Jim why but there wasn't an answer.
- BROWNING: So how do you know that Jim rejected it?
- VASILIADES: I think he mentioned it twice.
- BROWNING: Did he mention it to you?
- 15 VASILIADES: It was in the Council, in the confidential closed meeting.
- BROWNING: Okay, or did – and when was that?
- VASILIADES: I can't remember.
- BROWNING: Or did Michael Hawatt mention it to you?
- VASILIADES: No, I never spoke to Michael about anything to do with that.
- 20 BROWNING: Okay you never spoke to him at all?
- VASILIADES: No.
- BROWNING: Okay. Did you attend any meetings with Stavis, when Stavis attended Ray White?
- VASILIADES: No.
- 25 BROWNING: Did you ever see Stavis at –
- VASILIADES: No.
- BROWNING: - Ray White?

- VASILIADES: Nah.
- BROWNING: And no knowledge of that?
- VASILIADES: No.
- 5 BROWNING: Okay tell me about the extraordinary meeting that was tr – was, was arranged?
- VASILIADES: I think it was to discuss his employment. It was in the pink paper. I can't recall like.
- BROWNING: Whose idea was it to have one?
- VASILIADES: The meeting?
- 10 BROWNING: Yep.
- VASILIADES: I think it was protocol, to let the Councillors know.
- BROWNING: Were you involved with any conversation with Hawatt asking – discussing that, that a meeting would need to be held?
- VASILIADES: No.
- 15 BROWNING: Okay. You're aware that we conducted search warrants at, a search warrant at Ray White -
- VASILIADES: Yes.
- BROWNING: - last year?
- VASILIADES: Yes.
- 20 BROWNING: I think you were there for some of it.
- VASILIADES: No.
- BROWNING: You weren't there?
- VASILIADES: No.
- 25 BROWNING: Oh maybe it was your brother. As part of that search warrant your father has one area there, he has his own desk and there's a desk in the middle surrounded by filing cabinets.
- VASILIADES: Yep.

- BROWNING: And then there's a door that goes out to a back laneway.
- VASILIADES: Yeah.
- BROWNING: Okay. As you're facing that door that goes out to the back laneway, there's a, a large grey filing cabinet on the right –
- 5 VASILIADES: Yeah.
- BROWNING: - right near the doorway. Is that the filing cabinet you used to store stuff?
- VASILIADES: Where my father's, on my father's side?
- BROWNING: Okay, so you're facing the door, you've got your, that big long table then there's the door that goes out into the laneway.
- 10 VASILIADES: Into the kitchen and then the laneway?
- BROWNING: Yes.
- VASILIADES: Yeah. No I don't store anything.
- BROWNING: Okay.
- VASILIADES: I've got some –
- 15 BROWNING: The reason I say that, I was searching that one and I think your father told me that was your filing cabinet, or the top part of it may have been.
- VASILIADES: Yes. Yeah, we've moved things since. We've got – things always get shuffled around like.
- BROWNING: Okay. Did you store some of your Council records –
- 20 VASILIADES: Yes.
- BROWNING: - at Ray White?
- VASILIADES: Yeah, yeah, yeah that's –
- BROWNING: In a filing cabinet?
- VASILIADES: In a few yes -
- 25 BROWNING: Okay.
- VASILIADES: - 'cause it was a lot of files.

- 5 BROWNING: Alright. One of the documents we seized, and I want to show this one to you, and I'm going to mark this CV1. Okay it's a two page document. It's obviously a photocopy and it's got handwriting on it. And the first word is 'Contract' underlined then it has the number 1 and 'Offer', 2 'Acceptance' and 2 'Consideration', just probably meant to be 3. Can you have a look at that please and tell me if you've seen that document before?
- VASILIADES: (Reads CV1) Nah I haven't seen this one.
- BROWNING: Okay if you have a look at the top right hand corner of that document –
- VASILIADES: Yeah.
- 10 BROWNING: - it's got a number that we've put on it.
- VASILIADES: Yep.
- BROWNING: That's what our exhibit number was when we seized it from Ray White. And that was seized in a suspension file and folder titled 'TP documents and emails'. I don't know what TP stands for. And this one was actually
15 found in the top drawer of the grey desk in your father's work area. So I think it was probably in his desk. Do you recognise the handwriting on the pages of that?
- VASILIADES: No (Mumbling) I don't think so. No.
- BROWNING: That's okay. Thank you. If you haven't seen it, you haven't seen it.
- 20 VASILIADES: No.
- BROWNING: And that's not your handwriting?
- VASILIADES: No.
- BROWNING: And not your father's?
- VASILIADES: No. Not that I can tell, the second one no.
- 25 BROWNING: Is he that neat when he writes on the second one?
- VASILIADES: No he's not. That's why I don't think it's his.
- BROWNING: Is that Michael Hawatt's, any of that Michael Hawatt's handwriting?
- VASILIADES: No I couldn't, couldn't tell you.

- BROWNING: Okay that document pointed out that part of the reason to hold an extraordinary meeting would be the, the cost that would be incurred to council if Stavis wasn't employed and they had to pay him out 'cause he'd signed a contract.
- 5 VASILIADES: Yep.
- BROWNING: Did, does that – do you remember that discussion?
- VASILIADES: Yes, yes.
- BROWNING: But the general meeting was about, extra, extraordinary meeting of which the Mayor didn't allow, and then a subsequent meeting was held with
10 Deputy Mayor Kebbe presiding, do you remember that?
- VASILIADES: Yes that's when they walked out of –
- BROWNING: Yes when they –
- VASILIADES: - the chamber, yeah.
- BROWNING: - walked out.
- 15 VASILIADES: Yep.
- BROWNING: And you were there -
- VASILIADES: Yep.
- BROWNING: - and you stayed.
- VASILIADES: Yeah, yep.
- 20 BROWNING: Moved that Hawatt should, ah – sorry that –
- VASILIADES: Kebbe.
- BROWNING: - the General Manager should be removed.
- VASILIADES: Yeah, yeah.
- BROWNING: Wouldn't the removal of a General Manager cost the council a lot more
25 money than paying out a contract of someone who actually hasn't started in the employee of council?
- VASILIADES: No. It makes sense. I couldn't tell you the answer 'cause I don't know the process but.

- BROWNING: Did you ever ask that question?
- VASILIADES: No I didn't.
- BROWNING: See the issue I'm having trouble with is it, is it appears to me that it may have been more of a way of controlling what the General Manager was doing rather than –
- 5
- VASILIADES: The issue with Spiro.
- BROWNING: - rather than the issue of Spiro. Can you understand that?
- VASILIADES: Yes.
- BROWNING: Was there any discussion at all about that?
- 10 VASILIADES: No.
- BROWNING: Not that you were involved in?
- VASILIADES: Not, nah.
- BROWNING: Did you ever discuss the removal of the General Manager with the other councillors who remained, apart from Hawatt and Azzi?
- 15 VASILIADES: I'm just trying to think of it. I think we did because we – I can't. Oh I can't remember.
- BROWNING: Did your father to your knowledge ever discuss the employment of Stavis with you?
- VASILIADES: No.
- 20 BROWNING: Was your father a supporter of Stavis?
- VASILIADES: Not that I know of.
- BROWNING: Okay. Simon do you have any questions in relation to the employment of Stavis?
- BERRY: Con I'd like to ask you some questions about the engagement of Spiro Stavis. I'll take you back to 2014 when Marcelo Occhiuzzi resigned, do you know why he resigned –
- 25
- VASILIADES: No.
- BERRY: - his position?

- VASILIADES: No.
- BERRY: After his resignation through October/November, there was a recruitment process. Were you aware of it at that stage?
- VASILIADES: I'm not sure.
- 5 BERRY: Okay. On the 17th of November 2014 a panel was convened to conduct the recruitment process. That's for your information. You've indicated earlier that you were not informed or invited to sit on that panel. Is that correct?
- VASILIADES: I wasn't invited. I'm not sure if I was informed –
- 10 BERRY: Okay.
- VASILIADES: - 'cause I know there was discussions, but I'm not sure if it was prior or, or after.
- BERRY: Alright and those discussions you refer to, what were they in regards to?
- VASILIADES: The employment of the –
- 15 BERRY: Of the Director?
- VASILIADES: Yeah of the Director, that's the word.
- BERRY: Okay. Can you recall who the discussions were with?
- VASILIADES: No.
- BERRY: Do you remember the nature of those discussions?
- 20 VASILIADES: No.
- BERRY: Do you recall having any discussions with Michael Hawatt prior to the engagement of Spiro Stavis?
- VASILIADES: No.
- BERRY: Do you have any recollection of discussions with Pierre Azzi –
- 25 VASILIADES: No.
- BERRY: - prior to the engagement of Spiro Stavis?
- VASILIADES: No.

- BERRY: Did you have any discussions with Jim Montague, the General Manager, regarding the engagement of Spiro Stavis?
- VASILIADES: No.
- 5 BERRY: Subsequently we are aware that Spiro Stavis' contract was put on hold while there were some issues to be sorted out. Do you recall that?
- VASILIADES: Yes.
- BERRY: Can you recall the first time you heard about these matters?
- VASILIADES: It might've been in the council meeting.
- BERRY: In the council meeting?
- 10 VASILIADES: Yeah in the, in the closed, closed meeting -
- BERRY: Okay.
- VASILIADES: - from Jim.
- BERRY: Is that the extraordinary meeting –
- VASILIADES: Yes.
- 15 BERRY: - you're talking about? So that happened in 2015, that's some two to three months after the initial November period, the engagement of him, is that correct? Is that the timeframe you're referring to?
- VASILIADES: I couldn't be sure. I remember inside the council chamber but I don't remember what meeting and –
- 20 BERRY: Alright.
- VASILIADES: - and when.
- BERRY: So for the benefit of trying to illicit some clear information –
- VASILIADES: Yeah.
- 25 BERRY: - from you, in November the panel convened. In early December the job was awarded to Spiro Stavis. By Christmas Eve, so that late December period, there was a motion, a call for a motion I should say, by Hawatt and Azzi to the Mayor Robson to hold an extraordinary meeting –
- VASILIADES: Yep.

- BERRY: - which took place in February 2015.
- VASILIADES: Yep.
- BERRY: Okay. That's for your information. Given that that's the timeframe, can you – does that assist your memory as to when you may have heard about this matter being raised for the very first time?
- 5
- VASILIADES: No.
- BERRY: Okay. Do you have any recollection of exchanging text messages with Michael Hawatt or other councillors about this matter?
- VASILIADES: There was a message from Brian. I can't remember what it was about. I think it was around December. I think it was near –
- 10
- BERRY: Do you recall –
- VASILIADES: - the end of the year.
- BERRY: - what that was about?
- VASILIADES: No.
- 15 BERRY: Did it have something to do with the Spiro Stavis engagement?
- VASILIADES: I'll try – was it Brian or Jim? It was to do with, with this matter, but I can't remember what it was about.
- BERRY: Okay. Did you receive any text messages from Michael Hawatt?
- VASILIADES: Not that I can remember no.
- 20 BERRY: Did you, did you attend any meetings at Ray White Real Estate with Councillors discussing the engagement of Spiro Stavis?
- VASILIADES: No.
- BERRY: Do you have any recollection of having discussions with Councillors about removal of Jim Montague from his position as General Manager?
- 25 VASILIADES: Yes.
- BERRY: Okay can we – given that now I've told you the timeline, can that be narrowed down a little bit more for us?
- VASILIADES: As to?

- BERRY: As to the discussions about Jim Montague and the, the motion that was eventually put forward to remove him from his position?
- VASILIADES: No nothing, no I can't.
- BERRY: You can't recall?
- 5 VASILIADES: No sorry.
- BERRY: Okay. Do you have a recollection of who was, using a colloquial term, rallying the troops to support the motion to have Jim Montague removed?
- VASILIADES: Well Pierre and Michael were sort of –
- BERRY: Leading the charge –
- 10 VASILIADES: Yeah.
- BERRY: - so to speak?
- VASILIADES: Yep.
- BERRY: Okay.
- VASILIADES: But from what I understood, the reason was because Jim hadn't given us a
15 reason as to why he was going back on a decision that he earlier agreed upon so.
- BERRY: In your mind was this a serious matter?
- VASILIADES: Yes, yeah.
- BERRY: Okay and can you recall how you voted on this matter?
- 20 VASILIADES: I stayed in the meeting when they left –
- BERRY: Yep.
- VASILIADES: - and Fadwa called it –
- BERRY: Yes.
- VASILIADES: - and I voted for removal.
- 25 BERRY: Okay. What, if anything, did you do to find out the facts about the matter, about the not – the, the failed engagement in its initial stages of Spiro Stavis, what did you do?

- VASILIADES: We all, we spoke to Jim during the Council meeting, but there was no answer given to us so we sort of went with, with what everyone else was –
- BERRY: You just went with everyone else?
- VASILIADES: Yeah.
- 5 BERRY: So is it fair to say that you either didn't or have no recollection of why Jim made his decision not to employ Stavis?
- VASILIADES: Well from what I heard afterwards, this was after all that, that he found out from someone that Spiro was no good, but then Jim wouldn't still elaborate as to who and why and –
- 10 BERRY: Oh okay. When you say we found out after that, what's the after that? Is that after the meeting?
- VASILIADES: After the meeting yep.
- BERRY: After the –
- VASILIADES: Yeah, yeah.
- 15 BERRY: - extraordinary meeting. Did you find out any information prior to that? So is it fair to say you simply voted in line with everybody else -
- VASILIADES: Yep.
- BERRY: - not knowing the full facts?
- VASILIADES: Yes.
- 20 BERRY: Okay. After the extraordinary meeting what can you recall you were told about that process?
- VASILIADES: That the meeting should've been valid and then there was a - Brian was saying that it wasn't. And then nothing happened from that meeting I think afterwards. It was, it was just scrapped.
- 25 BERRY: So for clarification, I apologise, the 27th of January was the Council meeting. There is another one later on, however that's the one we're referring to.
- LALIOTIS: 16?
- BERRY: 27 of Jan.

- LALIOTIS: Of the 15?
- BERRY: 15th.
- BROWNING: 15th.
- LALIOTIS: 15.
- 5 BERRY: 15 yeah sorry.
- LALIOTIS: That's okay.
- BERRY: Do you have any information as to the involvement of Kate McClymont, a journalist from the Sydney Morning Herald?
- VASILIADES: I remember she wrote a story about, about Brian and Jim I think.
- 10 BERRY: Okay. Do you know how that came to her attention?
- VASILIADES: No.
- BERRY: Alright.
- BROWNING: Did you give her the information?
- VASILIADES: No.
- 15 BERRY: Subsequently we are aware that Spiro Stavis was engaged as the Director of Planning. Is that correct?
- VASILIADES: Yes.
- BERRY: Did you have professional dealings with Mr Stavis in his role as Director of Planning?
- 20 VASILIADES: Through Council?
- BERRY: Through Council.
- VASILIADES: Yes, yes.
- BERRY: Did you used to, considering your approach with Marcelo Occhiuzzi, was there a different approach with Stavis?
- 25 VASILIADES: No, same.
- BERRY: Did you ever go to his office or meet him for face-to-face discussions?

- VASILIADES: We met once with Jim I think at Canterbury Leagues –
- BERRY: Okay.
- VASILIADES: - with the other councillors. This was after he was employed and Spiro had a sheet showing his plan for the next year or so –
- 5 BERRY: Right.
- VASILIADES: - and yeah that was only time out of Council that I met with him.
- BERRY: That's the only time?
- VASILIADES: Yep.
- BERRY: Did you meet him in Council like in his office, apart from that one
10 occasion –
- VASILIADES: No.
- BERRY: - occasion at Canterbury Leagues?
- VASILIADES: No.
- BERRY: No okay.
- 15 VASILIADES: I might've spoke to him before a Council meeting to ask him a question on an, on an item, but it was always through emails.
- BERRY: How did you find Spiro Stavis' work?
- VASILIADES: It was okay.
- BERRY: Okay?
- 20 VASILIADES: Yeah. Didn't have an issue.
- BERRY: No issues?
- VASILIADES: No.
- BERRY: Did you find his advice to be reasonable in the circumstances -
- VASILIADES: Yeah, yep, yep.
- 25 BERRY: - or not?
- VASILIADES: No reasonably yes.

- BERRY: Okay. No I'm right. Do you have a, a knowledge of Stavis attending Ray White Real Estate?
- VASILIADES: No.
- BERRY: I think you may have been asked that.
- 5 BROWNING: Sorry was that no?
- VASILIADES: Yep.
- BROWNING: Okay. You never saw him then?
- VASILIADES: No.
- BROWNING: Did he ever go to your gym?
- 10 VASILIADES: No.
- BERRY: That'll do for now.
- BROWNING: Okay just taking on from what Simon was just asking you, I think Stavis commenced employment on around the 5th, on the 5th of March 2015. Is that right Simon?
- 15 BERRY: I think so.
- BROWNING: I want to show you a document.
- VASILIADES: Okay.
- BROWNING: Again this one actually was, it's got, it's, it's got some typed written points and then it's got some handwritten points. Unfortunately they are a bit faint 'cause that's how they photocopied up, but I have seen the original. This document's got the number 12 on it, which means it was actually seized from four manila folders which contain motions, DCP, LEP proposed changes, latest DCP, LEP pro, proposals and general notes from Ray White when we did the search warrant. And they were found in the top drawer, grey filing cabinet in what we call George's work area near the doorway to the rear storage room. That's that filing cabinet I was talking about. I'm pretty sure that's the one your father said you –
- 20
- 25
- VASILIADES: Yep.
- BROWNING: - was your area.

- VASILIADES: Yes.
- BROWNING: I show you this document. I'm going to mark this CV2.
- VASILIADES: Yep.
- BROWNING: Okay. Did you write that document?
- 5 VASILIADES: No.
- BROWNING: The typed part?
- VASILIADES: No.
- BROWNING: Do you know whose handwriting that is, and I apologise for the quality of it?
- 10 VASILIADES: No.
- BROWNING: Do you know –
- VASILIADES: I do, I do remember discussions about medical centres.
- BROWNING: Okay, do you know, know who prepared that document?
- VASILIADES: No.
- 15 BROWNING: Do you know the purpose of it?
- VASILIADES: Yes 'cause there was issues with a few things.
- BROWNING: Okay so it was prepared for what purpose though?
- VASILIADES: I think just to go over the, the discrepancies in the LEP.
- BROWNING: With who?
- 20 VASILIADES: Well one of them was a medical centre. I remember that there was an issue with that. I can't recall exactly what it was though, but there was something that one thing said one, one thing and another document said another.
- BROWNING: Okay so who were they going to go over the issues with?
- 25 VASILIADES: Well the Councillors like in a committee.
- BROWNING: Okay.

- VASILIADES: Yeah.
- BROWNING: Could it have possibly been to go over with Spiro Stavis -
- VASILIADES: No.
- BROWNING: - as the new Director of Planning?
- 5 VASILIADES: No not that – I don't – not that I remember.
- BROWNING: Okay can I just have that back please?
- VASILIADES: Yeah.
- BROWNING: And sorry, you said you didn't recognise the handwriting.
- VASILIADES: No.
- 10 BROWNING: As poor quality as it is. Okay. I'll show you another – did, do you remember a meeting with Stavis after he commenced work?
- VASILIADES: Yeah at the Leagues Club.
- BROWNING: Okay.
- VASILIADES: Yeah.
- 15 BROWNING: And was all, were all the Councillors there?
- VASILIADES: I, I was. Mark was.
- BROWNING: That's Mark Adler?
- VASILIADES: Yes. Michael was.
- BROWNING: Michael Hawatt?
- 20 VASILIADES: Yeah, and I'm not sure if Pierre was. It was one afternoon, late, late afternoon I think.
- BROWNING: So Hawatt was, you were.
- VASILIADES: Yep.
- BROWNING: Azzi may have been.
- 25 VASILIADES: Yep. And Mark Adler.

BROWNING: And was there anyone else?

VASILIADES: And Jim and Spiro.

BROWNING: Jim was there?

VASILIADES: Yep.

5 BROWNING: So it wasn't a meeting with all the Councillors?

VASILIADES: No.

BROWNING: It was just a select few.

VASILIADES: Well I was invited so I don't know who else was –

BROWNING: So who invited you?

10 VASILIADES: I can't remember.

BROWNING: Okay. Did you prepare anything for that meeting?

VASILIADES: No.

BROWNING: In fairness I better show you a document.

VASILIADES: Yep.

15 BROWNING: As soon as I find it.

VASILIADES: So do you mind if I just pop off to the bathroom?

BROWNING: No.

VASILIADES: Yeah.

20 BROWNING: Okay, the time is 11:50. Suspending the interview while Con goes to the toilet.

Interview suspended at 11:50

BROWNING: Okay the time is now 11:52 and the interview is recommenced with Con Vasil, or Vasiliades. Which name do you use?

VASILIADES: Vasiliades.

25 BROWNING: Vasiliades. Now just go back to the original, the exhibit CV2 that I showed you. I forgot to give you three other pages of it, so I'll pass that

across. They are all – the headings on each of the pages are, the first page was ‘Immediate Planning Issues’. The second page is ‘General’. Third page is ‘DCP tidy up and proposed changes’ and the fourth page is ‘LEP Suggestions’. I apologise for not giving that to you earlier.

5 VASILIADES: There was a motion that I put to Council about an index in the LEP and DCP whatever and they, they did that so.

BROWNING: Okay.

VASILIADES: That’s what these notes might’ve been into, regards with that.

BROWNING: Okay.

10 VASILIADES: So this was to do with that, that committee that was supposed to, that was to be set up.

BROWNING: Which, what was to do with that, with that?

VASILIADES: These documents is that –

BROWNING: Well I’m asking you.

15 VASILIADES: Oh yeah it looks like it.

BROWNING: Were you involved in the preparation of those documents?

VASILIADES: No.

BROWNING: ‘Cause they were found in the folder that had your Council stuff in them. Do you know who would’ve been, who would’ve prepared those?

20 VASILIADES: Oh see that – DCP tidy up, that’s not a word I would’ve used so, I know –

BROWNING: Who, who would’ve used that?

VASILIADES: It could’ve been Michael prepared this.

BROWNING: Michael Hawatt?

VASILIADES: Yep.

25 BROWNING: Would he, would’ve your father been involved in that?

VASILIADES: Possibly, in conversation.

BROWNING: With Michael?

- VASILIADES: Yeah.
- BROWNING: So it's possible your father and Michael were involved in that?
- VASILIADES: As at – yeah had advised, yep.
- 5 BROWNING: Okay and did you sit in any of those meetings? I know I've asked you that before, but I've –
- VASILIADES: No.
- BROWNING: - going to ask you again. Okay. Alright if you've finished looking at those –
- VASILIADES: Yep.
- 10 BROWNING: So that was CV2. I want to show you another one now we're gonna call CV3. This is an email which appears to have a Greek name on it from, or a Greek name which I've been told stands, well your father told me it stood for Constantine -
- VASILIADES: Yeah.
- 15 BROWNING: - Vasiliades.
- VASILIADES: Yep.
- BROWNING: And you'll see the hotmail address is there. I won't read it out for the record in case this ever gets printed out.
- LALIOTIS: Mmm, mmm.
- 20 BROWNING: It's dated Wednesday the 4th of March, 2015 and the time's 3:52pm. The subject is 'Spiro'. Now at the top it's got 'Michael', which tends to indicate it may've been printed out on Michael Hawatt's –
- VASILIADES: Or forwarded.
- 25 BROWNING: It's normally that gets printed out when you – that, that appears when you print it out. Down the bottom it's got 'Regards Michael Hawatt' okay, but it has your, what I believe is your email address.
- VASILIADES: Email address yep.
- BROWNING: I'll show that to you and you can have a read of that.
- VASILIADES: Yep. [Reads CV3]. Yep.

- BROWNING: Okay first of all, can you tell me what the Greek name up the top means?
- VASILIADES: G, Gostas, Constantine.
- BROWNING: Okay.
- VASILIADES: Yeah.
- 5 BROWNING: And that, the email address that's on that, is that your email address?
- VASILIADES: Yes.
- BROWNING: Have you seen that email before?
- VASILIADES: Yes I, I would've sent it.
- 10 BROWNING: Okay now it's been obviously printed out. It's got a 12 on it so again it was found in that same folder that had –
- VASILIADES: Yeah, yep.
- BROWNING: - all the LEP stuff.
- VASILIADES: Yep.
- BROWNING: Same place as CV2 was found okay.
- 15 VASILIADES: Yep.
- BROWNING: What was the purpose of that email?
- VASILIADES: It would've been for a Council meeting 'cause it would've been on the Thursday 'cause it mentions about tomorrow night. Sometimes I would've – see maybe I got with Michael and we said prepare this together. I would've got Spiro's advice on things or let him know prior things that we were –
- 20 BROWNING: Okay, I'll tell you what I think it is.
- VASILIADES: Yep.
- BROWNING: I think that's in preparation for a meeting with Spiro at the Canterbury Club, Leagues Club because that's the day he starts I believe. I think it was the 4th of March, something like that, 2nd of March he started, and that's dated the 4th and you talk about a meeting tomorrow night, which was the 5th. And I'm thinking you, you're probably, that was the – and you may have met – you –
- 25

- VASILIADES: Spiro.
- BROWNING: - Adler, Hawatt, possibly Azzi and the General Manager.
- VASILIADES: It could've been because he had a document, he had like a timeline of things that he wanted to prepare so this might've been things –
- 5 BROWNING: Okay.
- VASILIADES: - to look at.
- BROWNING: Now that's been sent by your email –
- VASILIADES: Yep.
- BROWNING: - but it's signed by Michael Hawatt.
- 10 VASILIADES: To Michael.
- LALIOTIS: Mmm.
- VASILIADES: Sent from. I've sent from to – from me to – yeah how's that work? I think I've – looks like I've sent it to Michael.
- BROWNING: Yes but it's signed by Michael Hawatt.
- 15 VASILIADES: Yeah.
- BROWNING: So –
- VASILIADES: So maybe he came to the office with me and prepared this.
- BROWNING: That's what that tells me.
- VASILIADES: I sent it through to him.
- 20 BROWNING: Yes.
- VASILIADES: Yeah.
- BROWNING: And he's probably printed it out and given it back to you.
- VASILIADES: Yep.
- BROWNING: Hence the 'Michael' on the top.
- 25 VASILIADES: Yeah.

- LALIOTIS: But then it's got 'Hi Spiro' here. It doesn't make sense.
- BROWNING: Yes so -
- LALIOTIS: That's a bit strange.
- BROWNING: - so it's been – it's going to be sent to Spiro so I'm thinking –
- 5 VASILIADES: Maybe I typed it.
- BROWNING: Sent it to Michael who –
- VASILIADES: No.
- BROWNING: - then sends it to –
- LALIOTIS: Spiro.
- 10 VASILIADES: Yeah -
- LALIOTIS: Yeah.
- VASILIADES: - 'cause it's got Michael's name down the bottom.
- LALIOTIS: That's right. He probably added his name in I guess.
- BROWNING: So if you, if it's on yours why wouldn't have you sent that to Spiro?
- 15 VASILIADES: Michael might've wanted to make a change later.
- BROWNING: See that tells me Michael Hawatt was in charge of what was going on. He was making the decisions.
- VASILIADES: Yes, or he was the Liberal like, with me and Ken and yeah.
- BROWNING: So he was – well, to use one of the – he was top dog Mic –
- 20 VASILIADES: Yeah well we wouldn't do anything unless we went –
- BROWNING: Okay.
- VASILIADES: - through to Michael. So it was, it was a team sort of.
- BROWNING: Okay.
- VASILIADES: We never did anything without him knowing.
- 25 BROWNING: Yeah so he would make the decisions.

VASILIADES: Yep, yep.

BROWNING: Do you remember him telling you what to type there?

VASILIADES: No. There was many occasions where we would've sent something so.

BROWNING: So you don't remember that?

5 VASILIADES: No.

BROWNING: He didn't tell you what he wanted to talk to Spiro about at the meeting?

VASILIADES: No.

10 BROWNING: Tell me why was it necessary for Councillors, for your four Councillors, (whispers) *three, four*, four councillors to meet with Hawa – Spiro outside the rest of the Councillors.

VASILIADES: I think it was for Jim to sort of say that he's happy with Spiro.

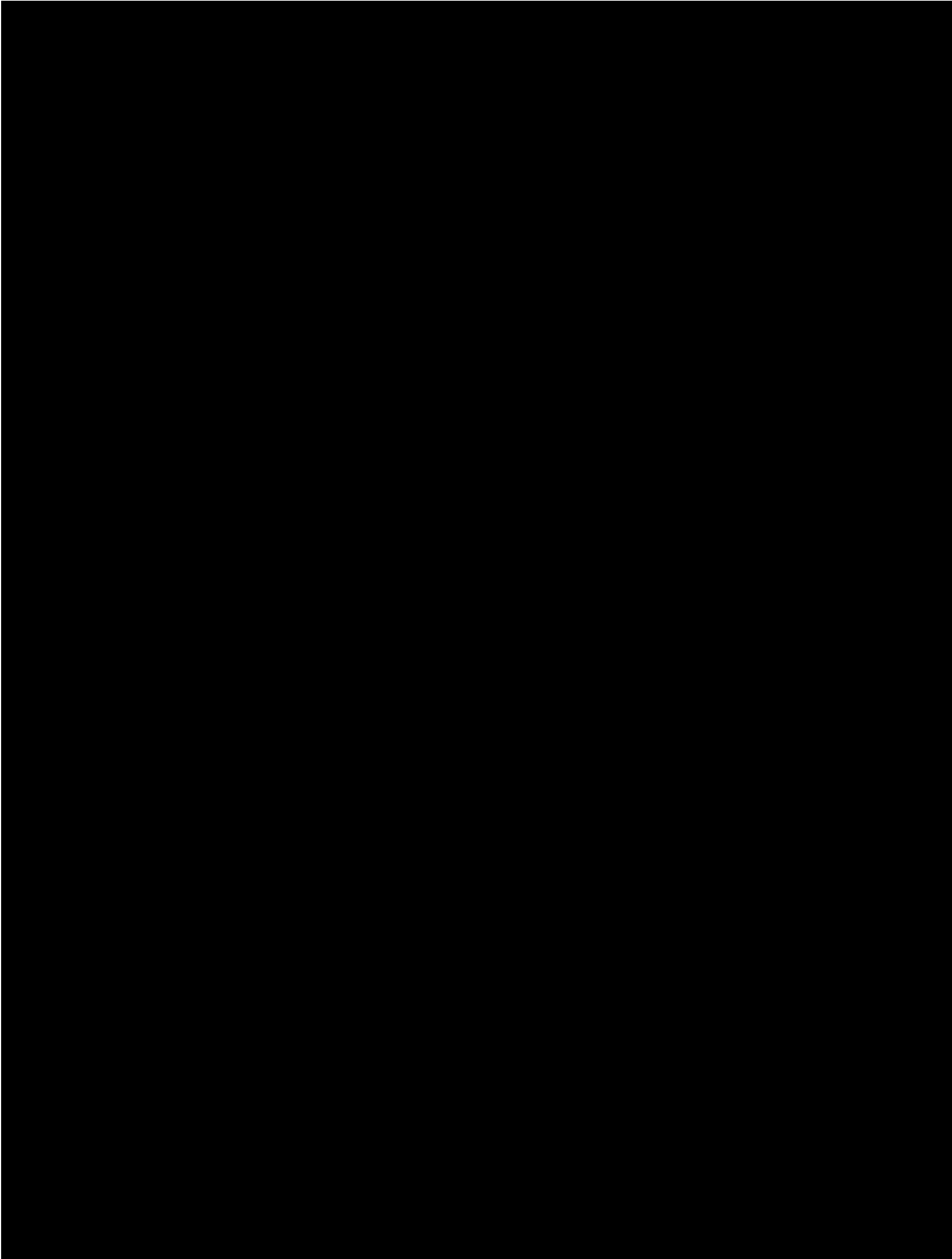
BROWNING: But why wouldn't he do that with all Councillors present?

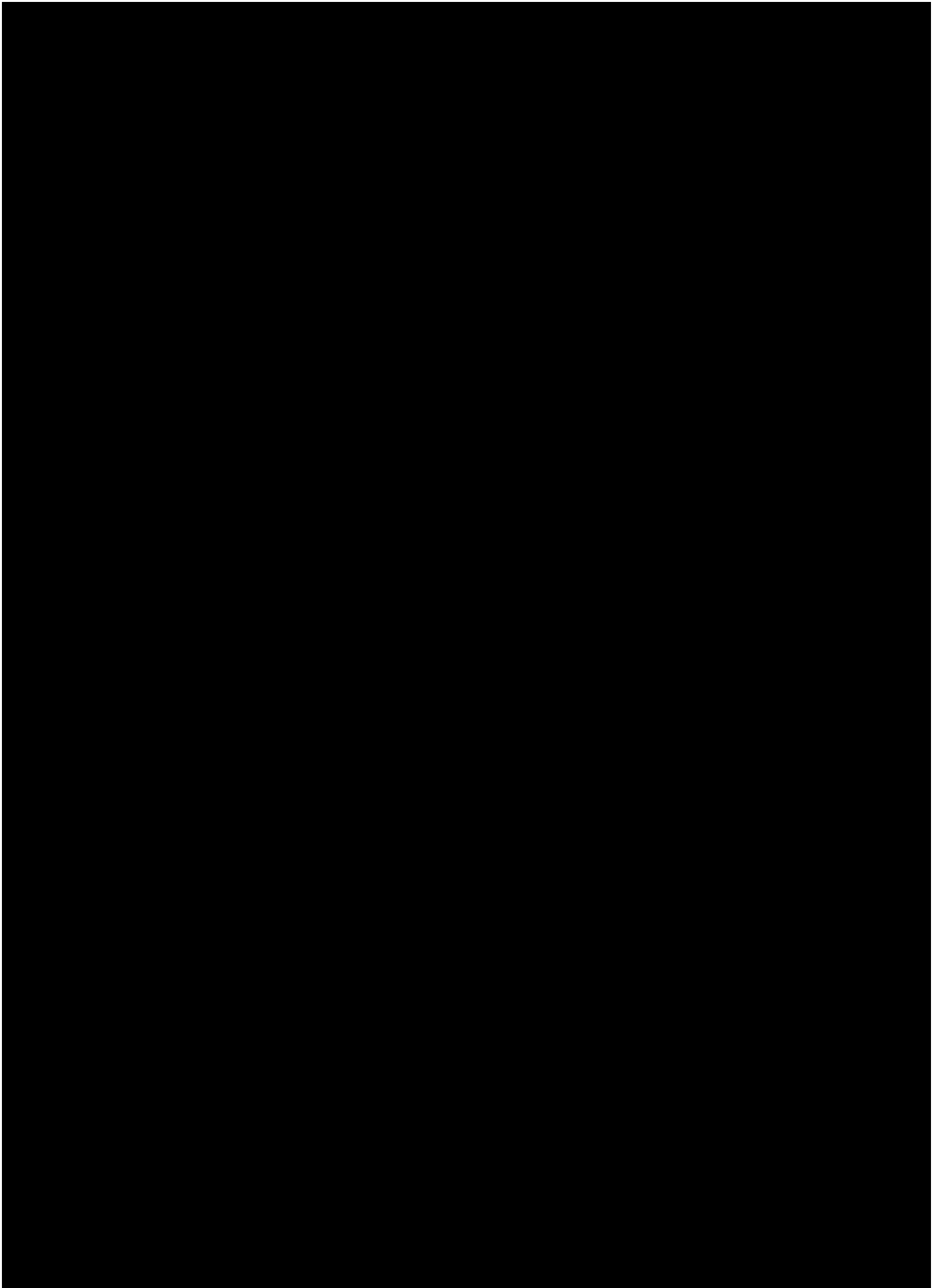
VASILIADES: I wasn't aware that he didn't invite everyone.

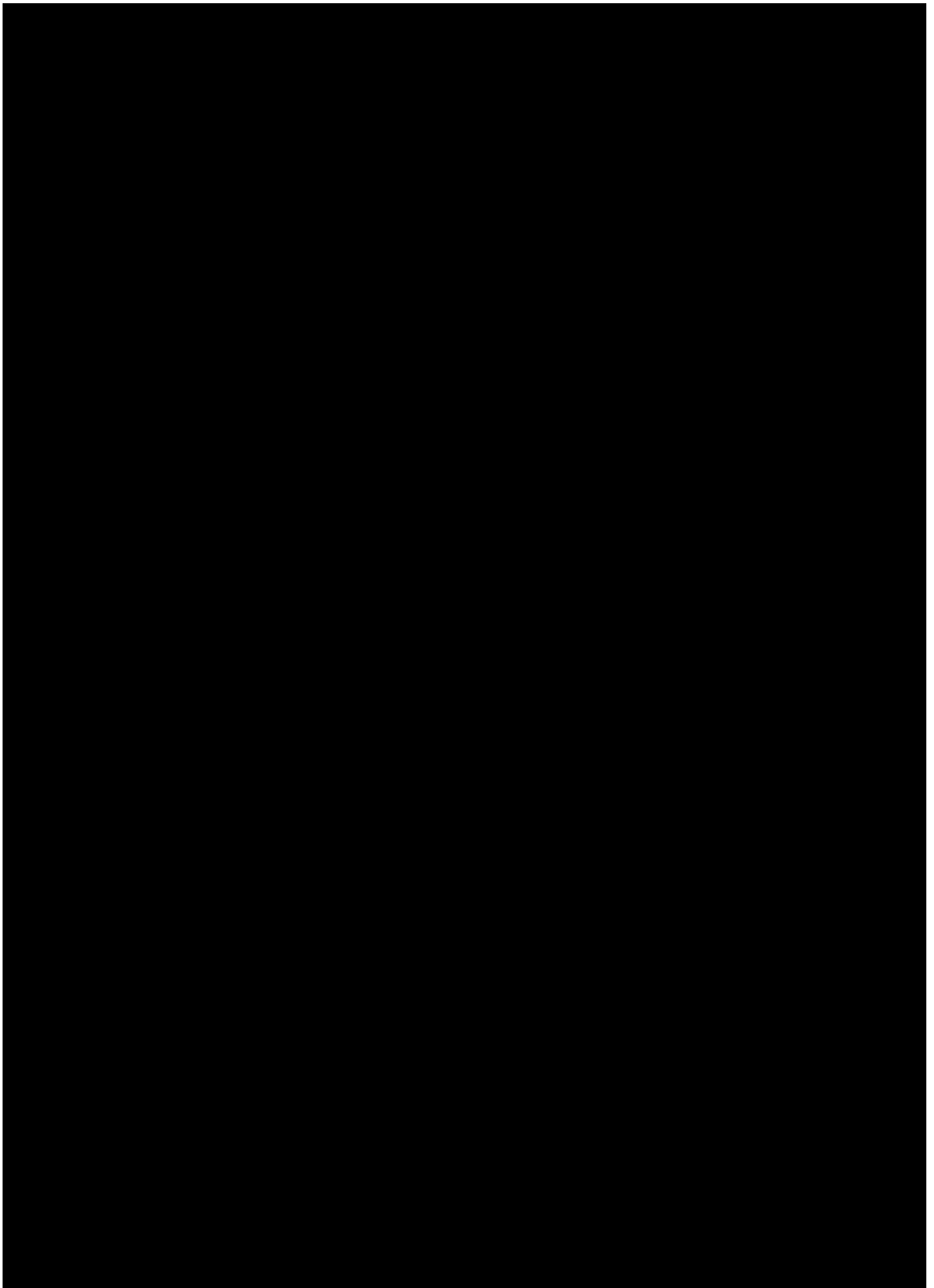
BROWNING: Well was the meeting actually arranged by Michael Hawatt?

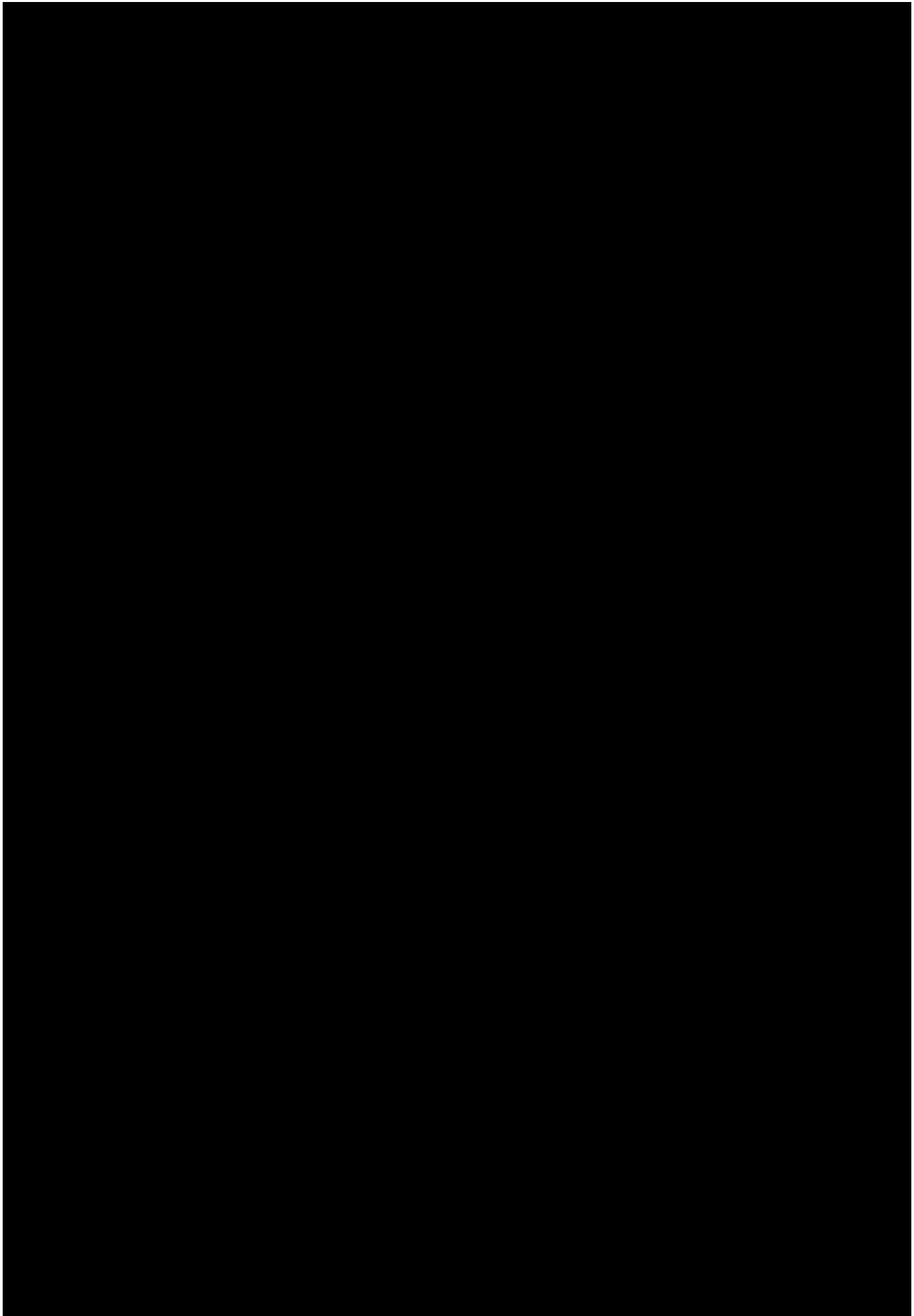
15 VASILIADES: Not that I can remember.

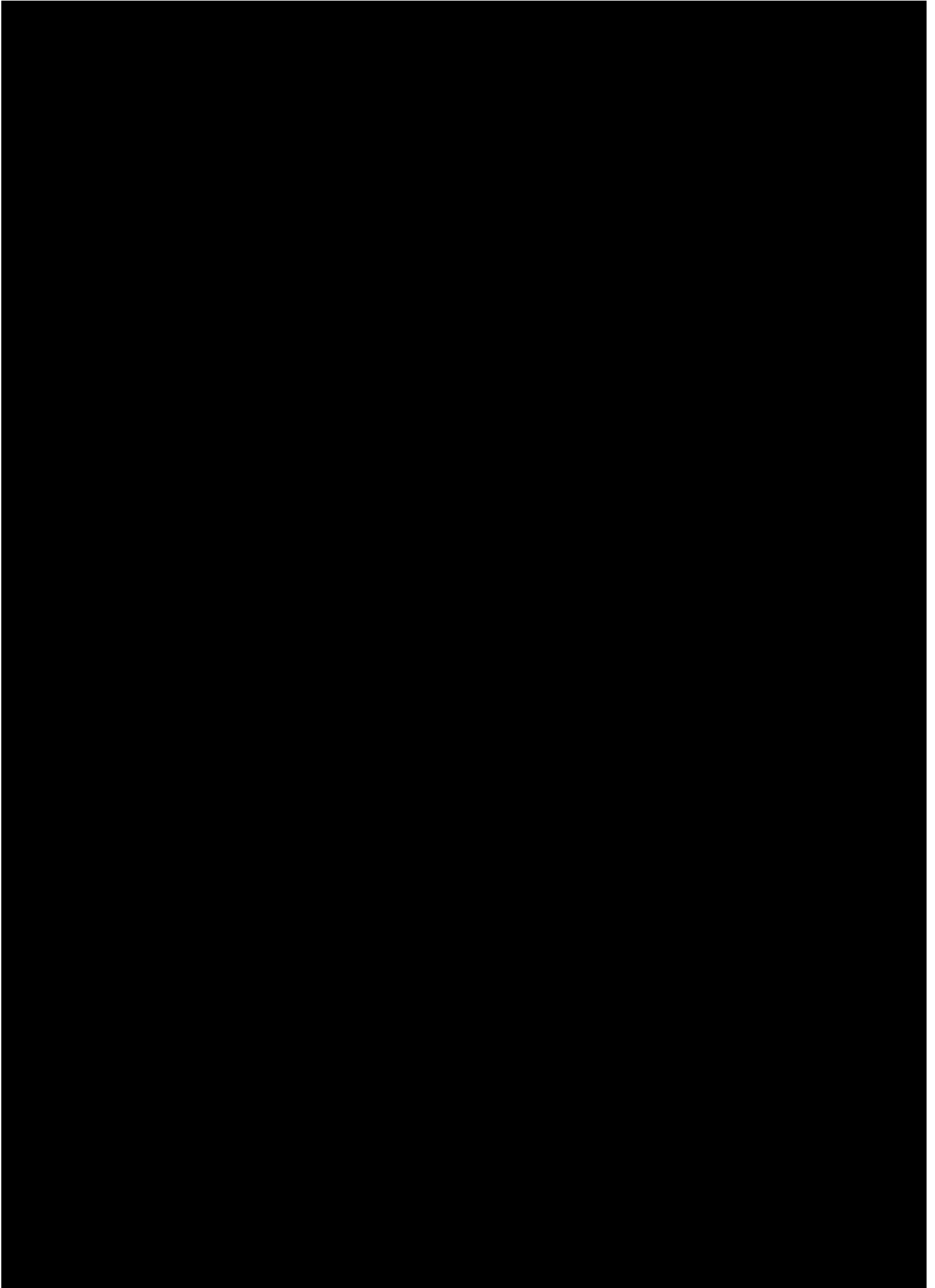


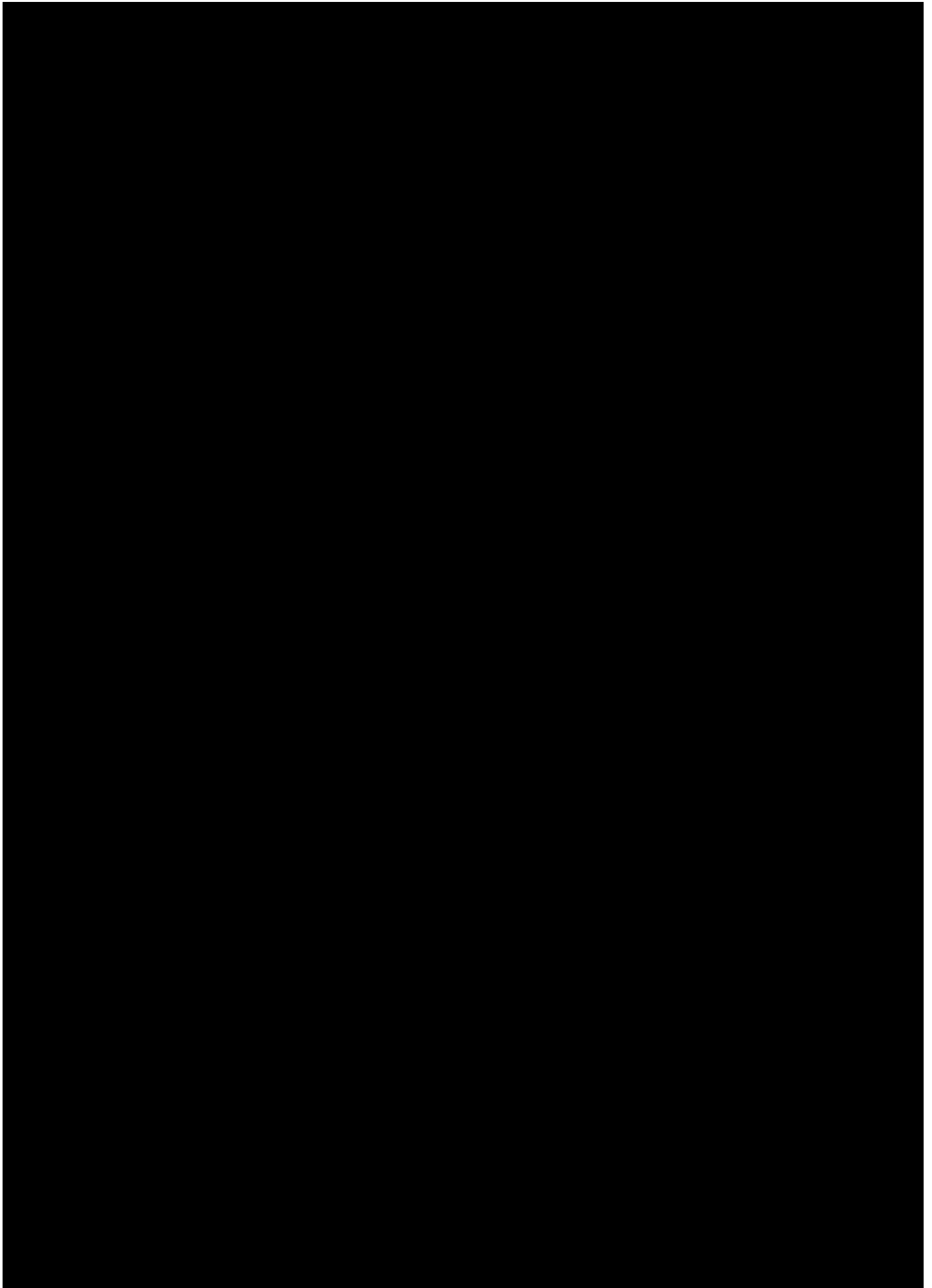


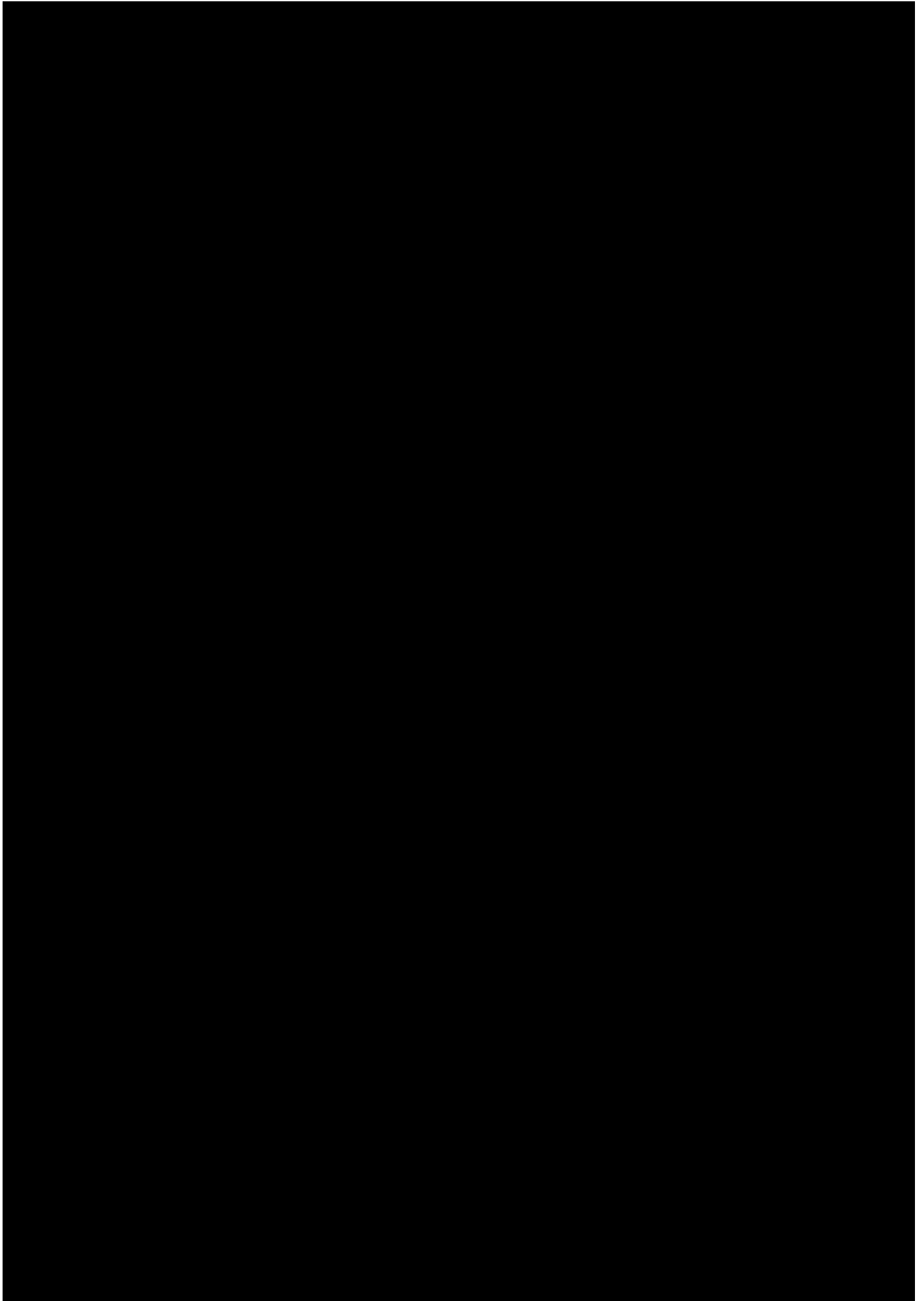


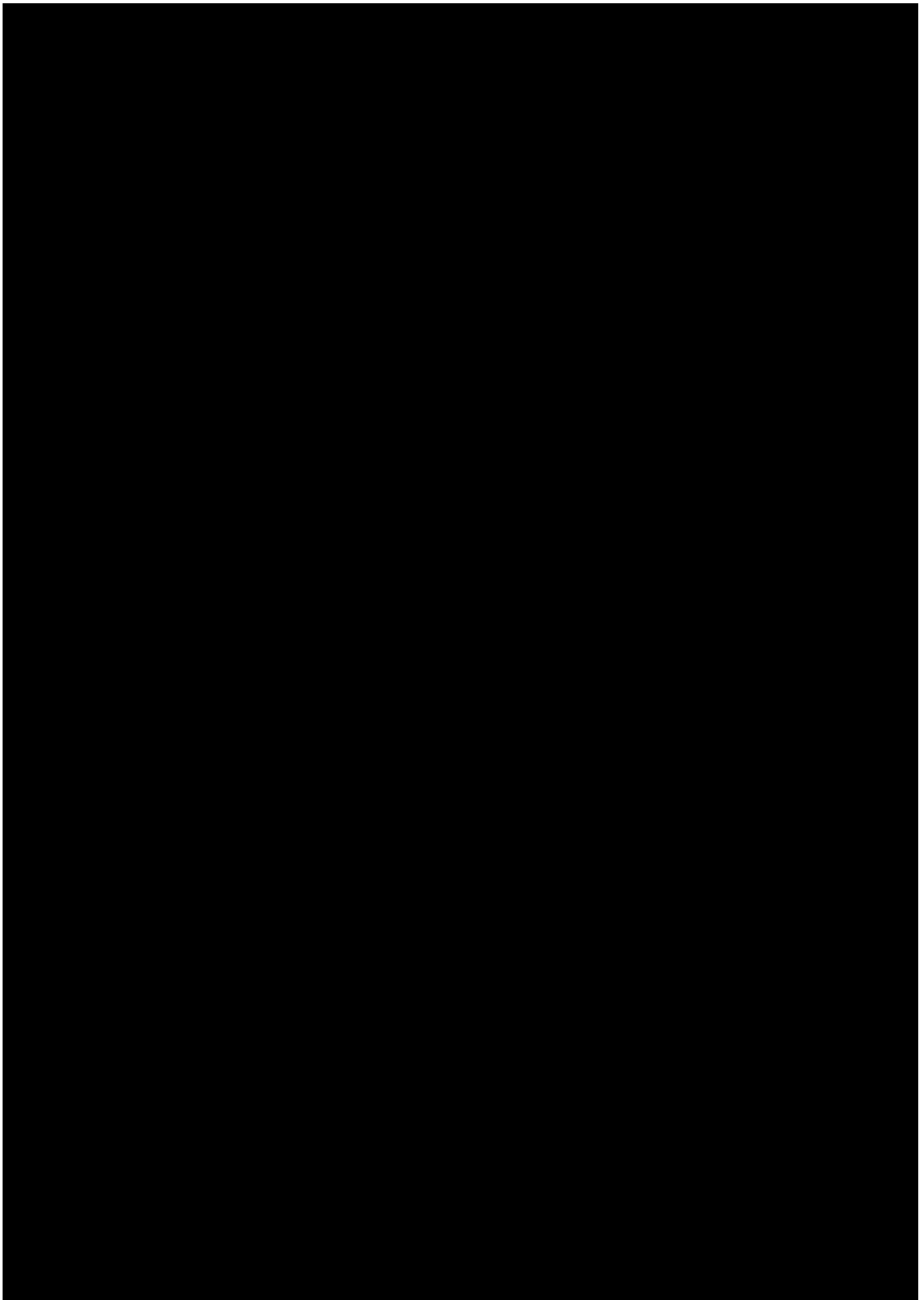


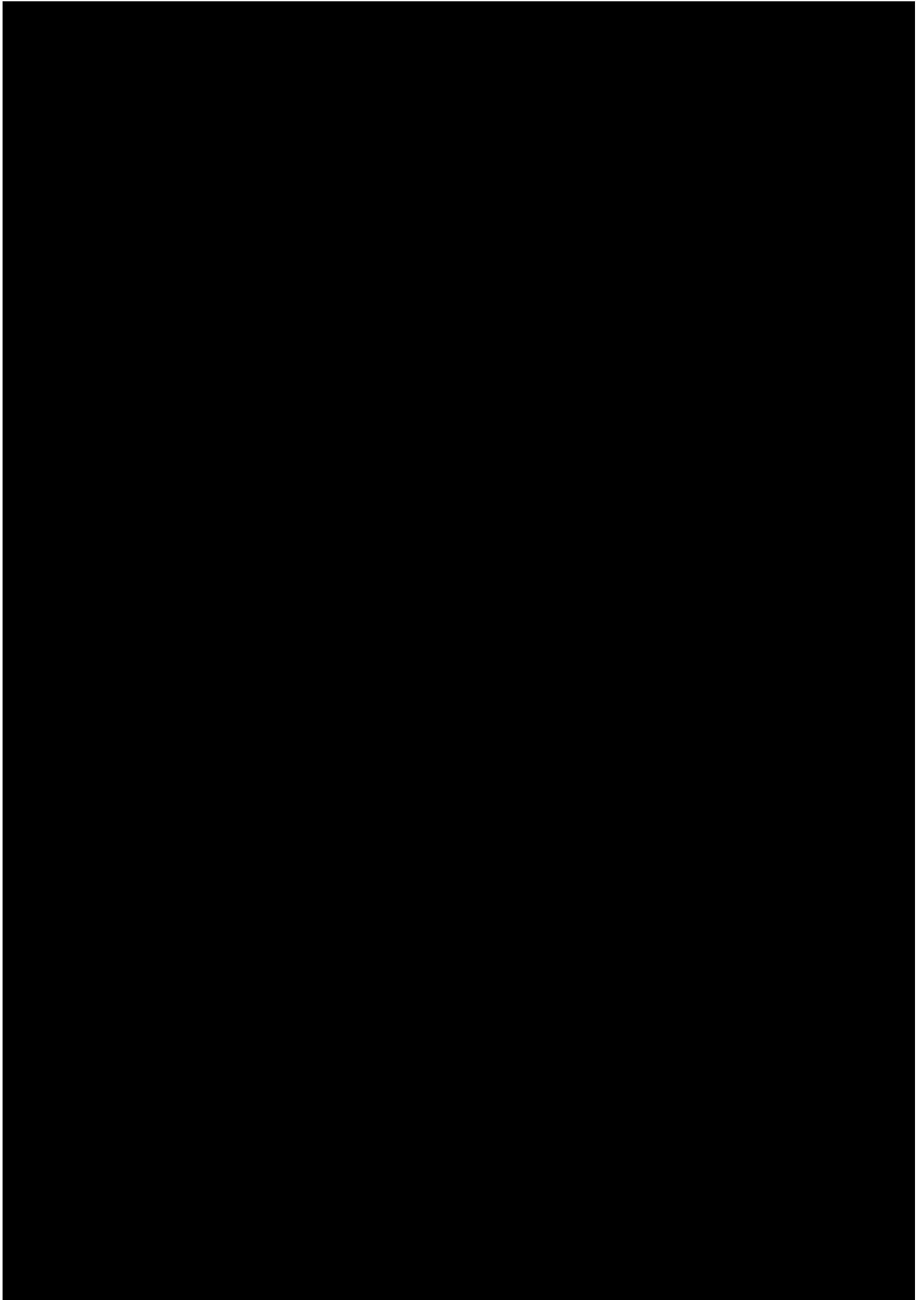


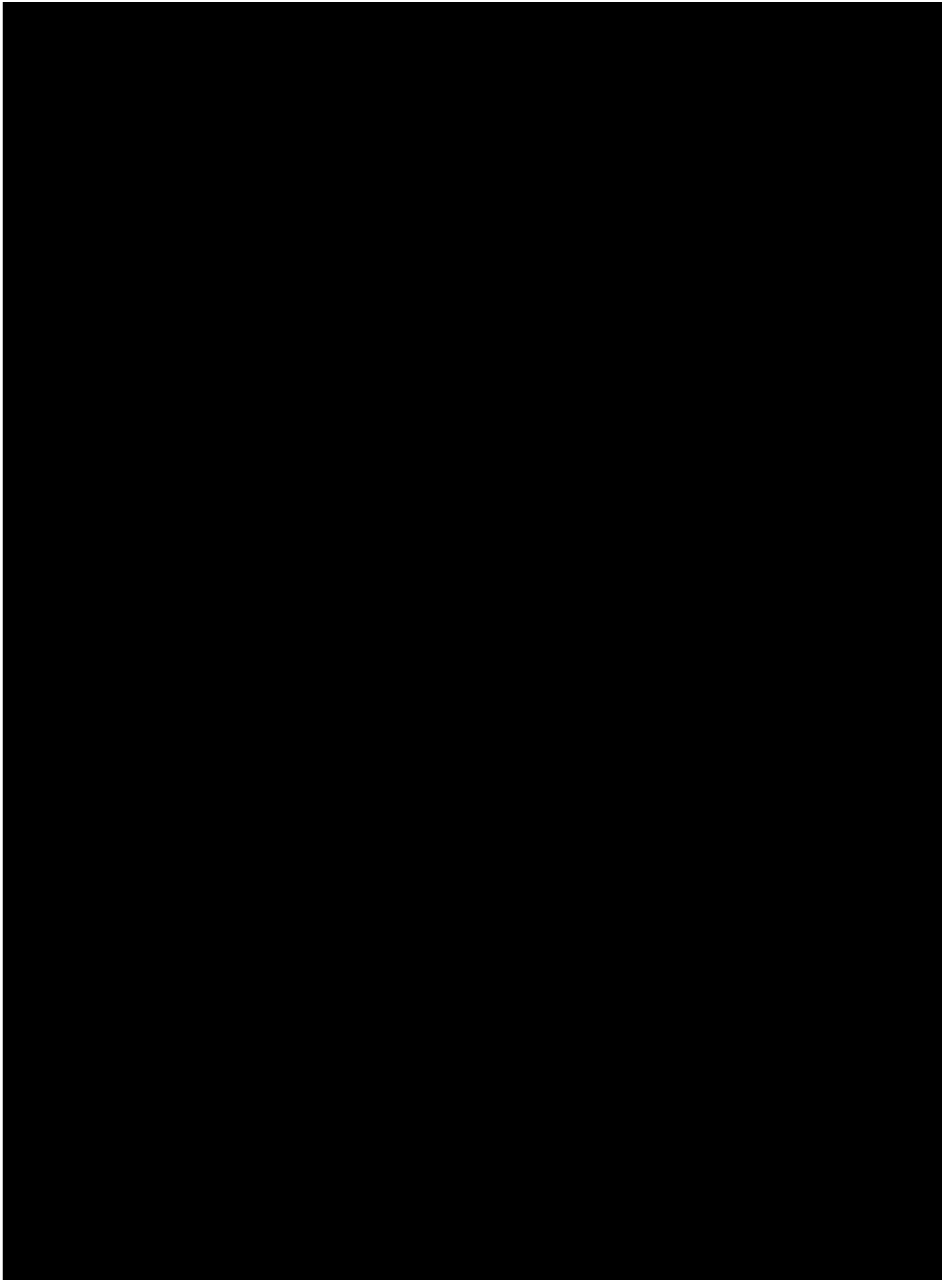


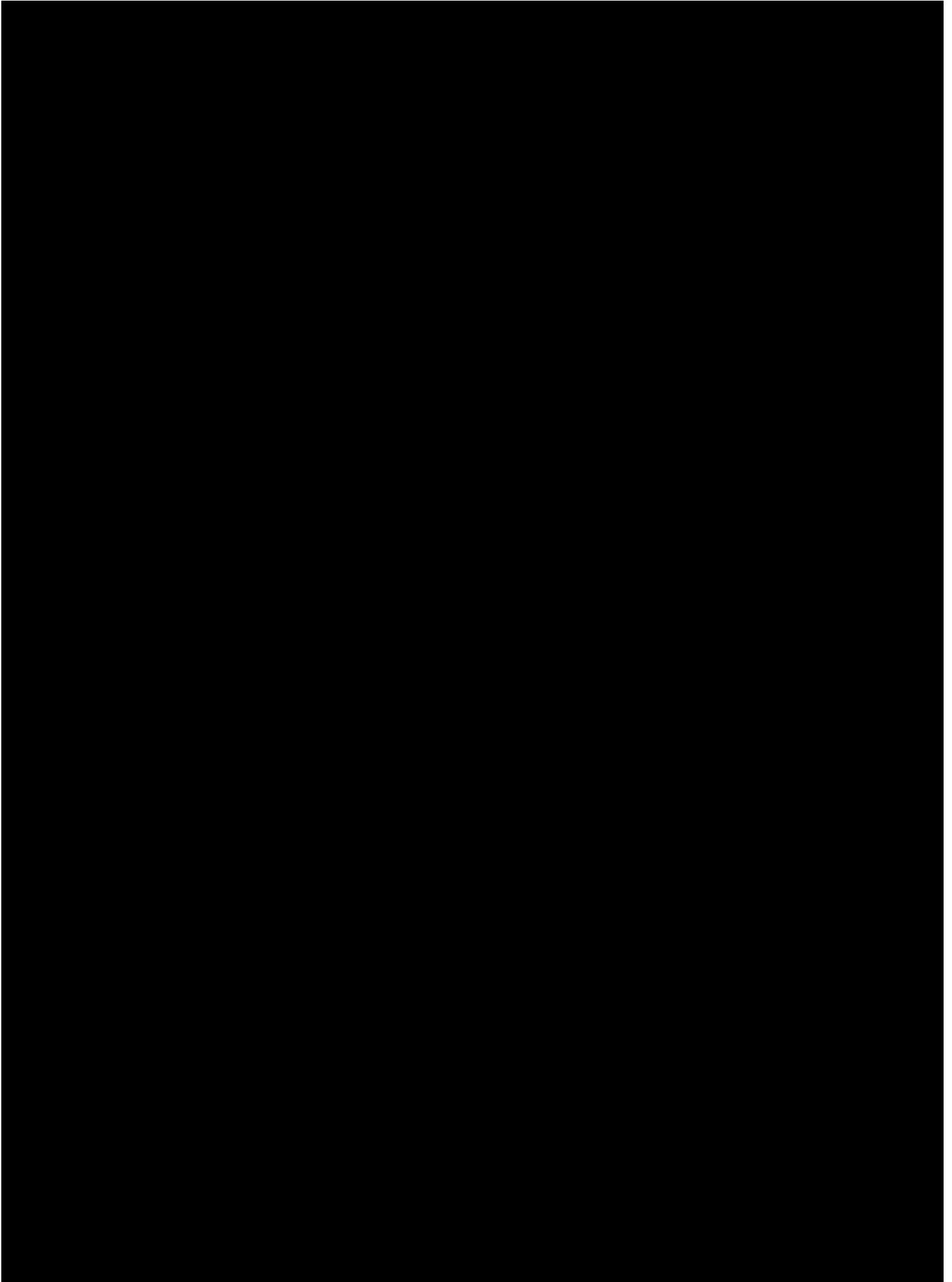


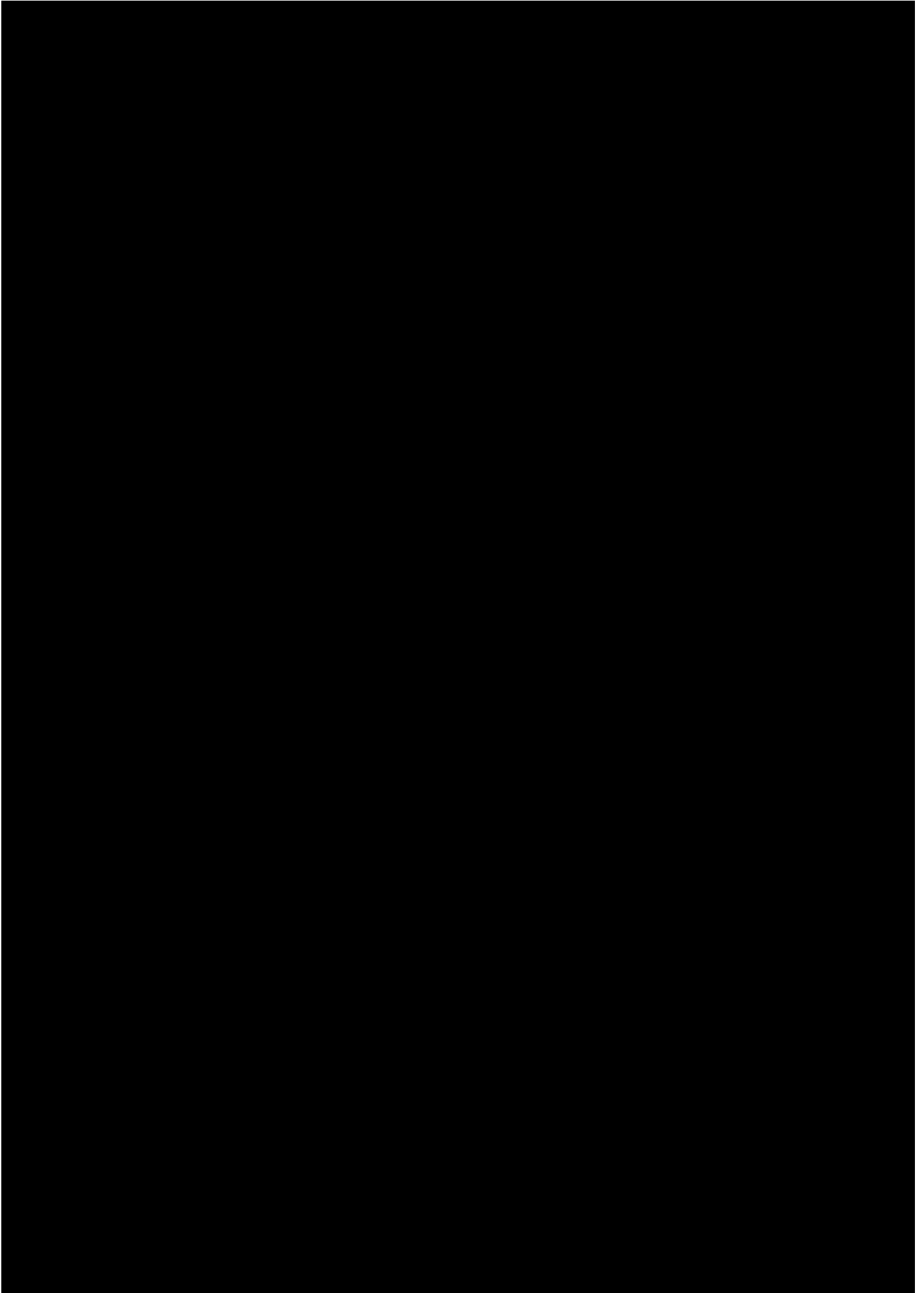


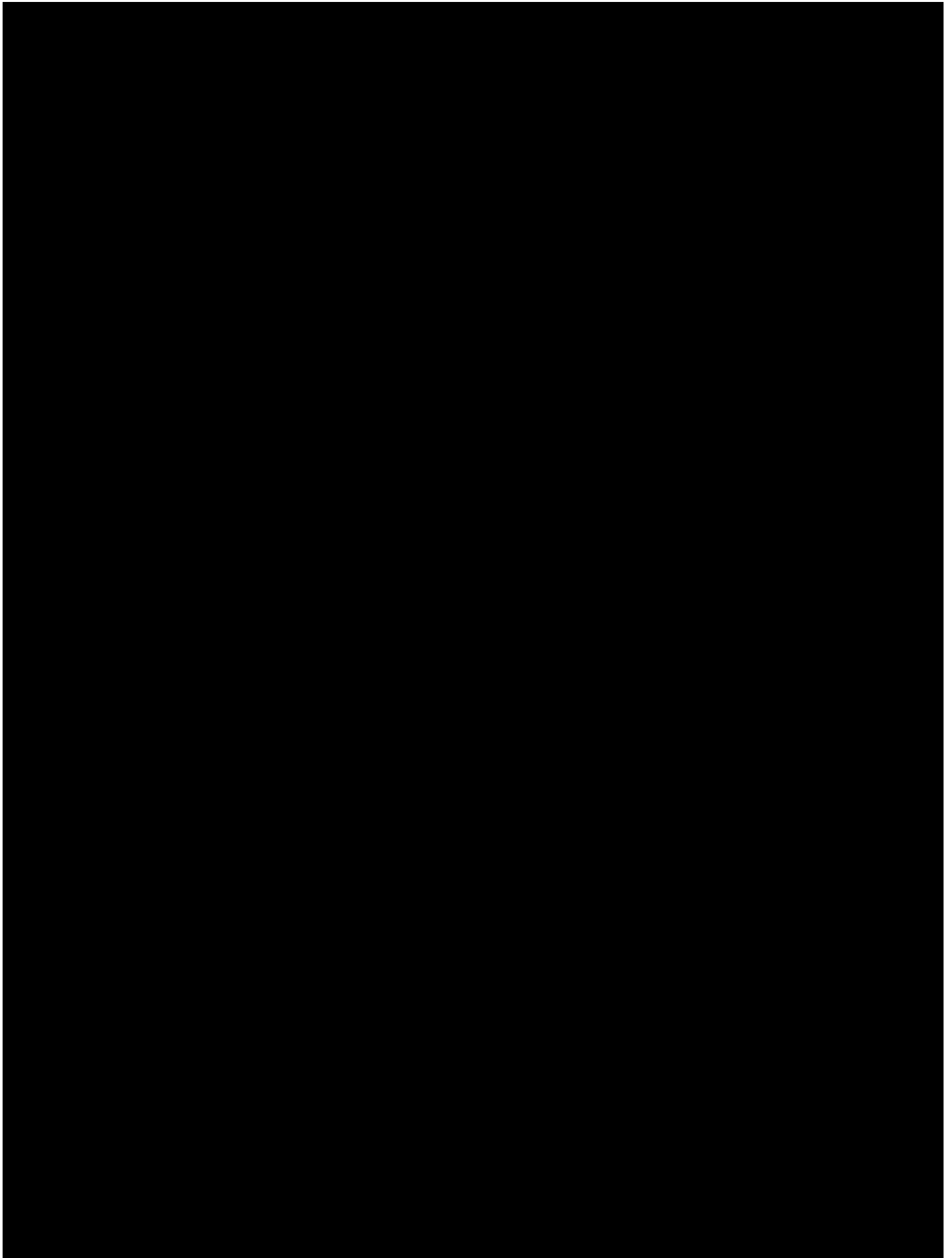


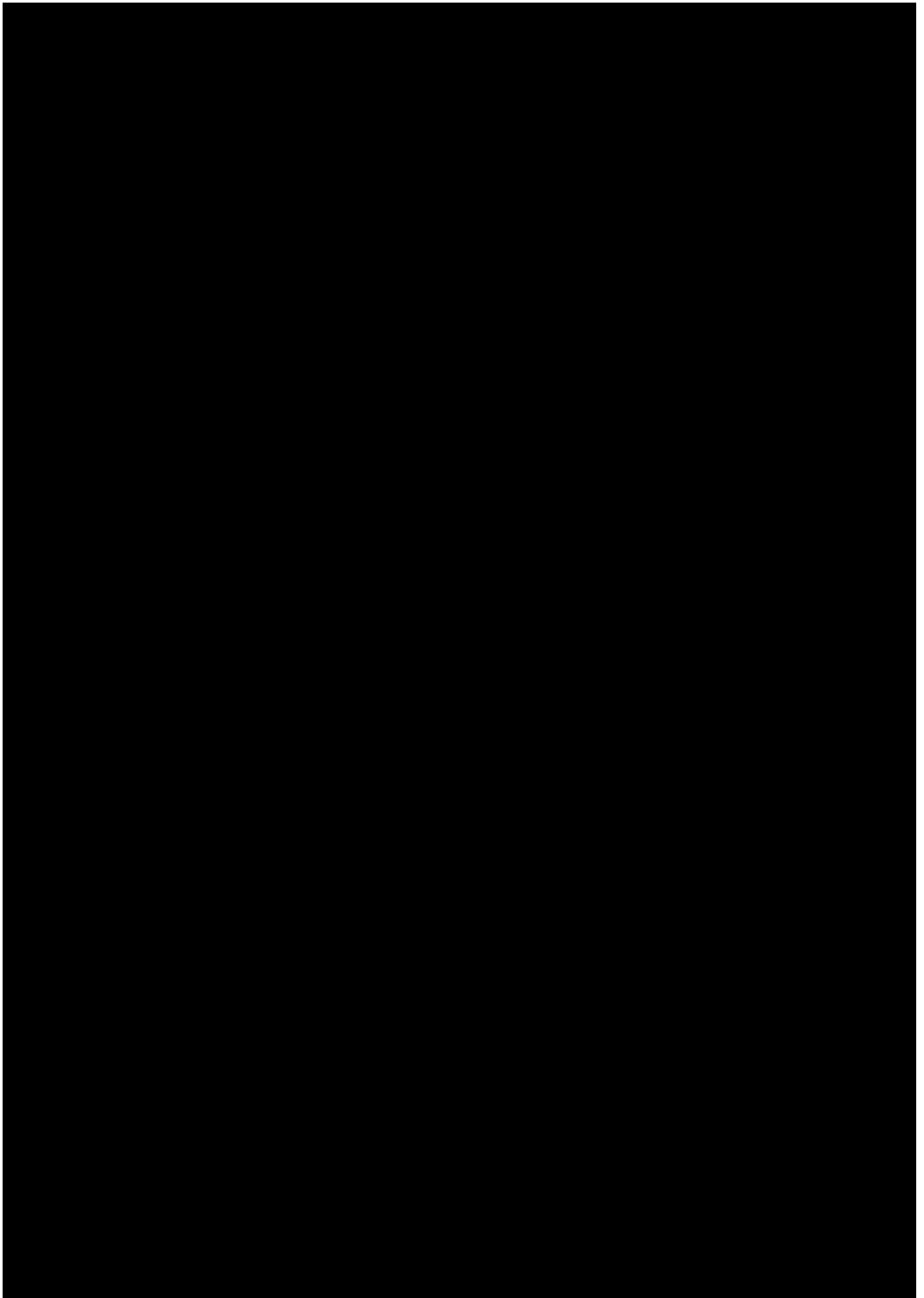


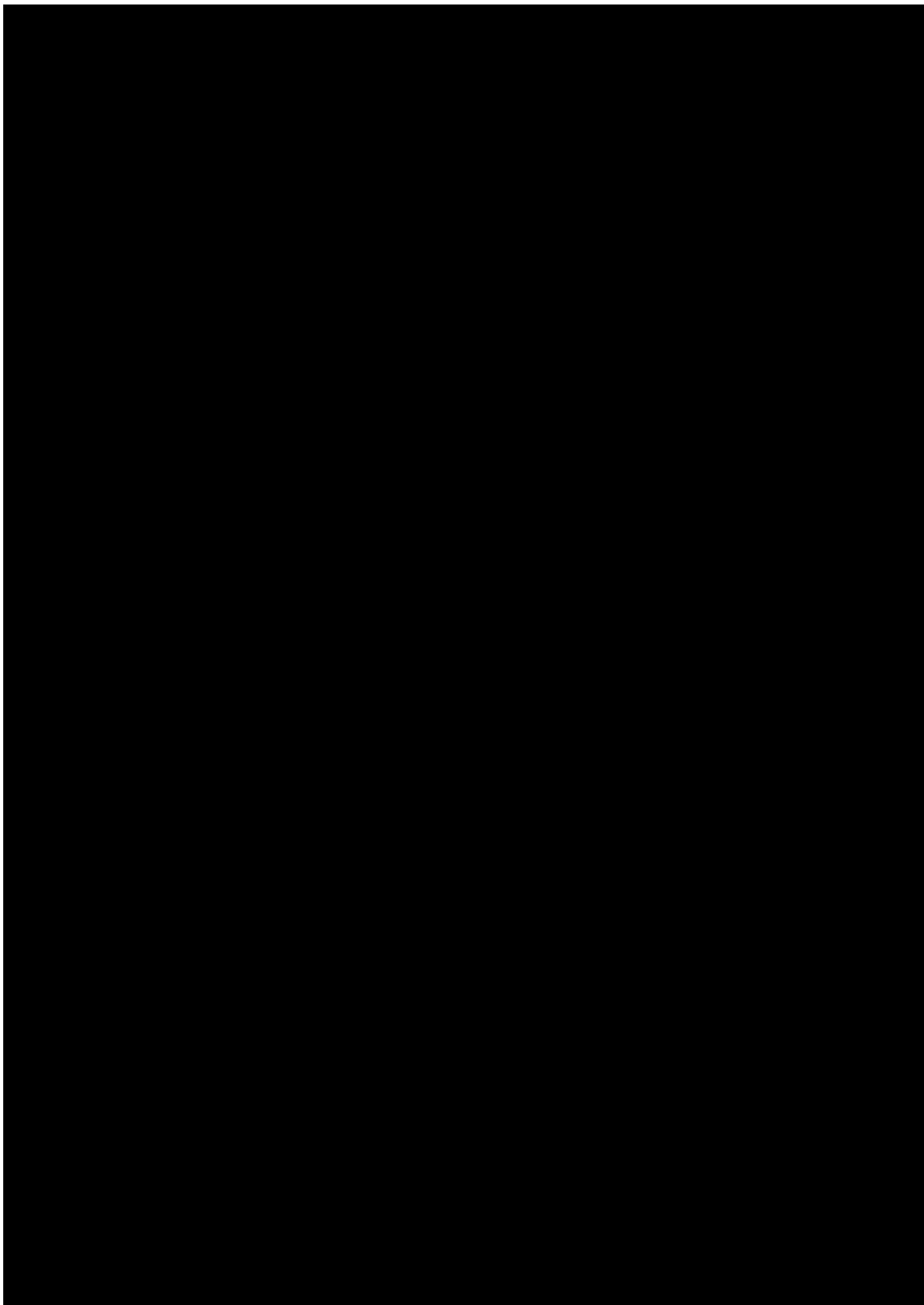


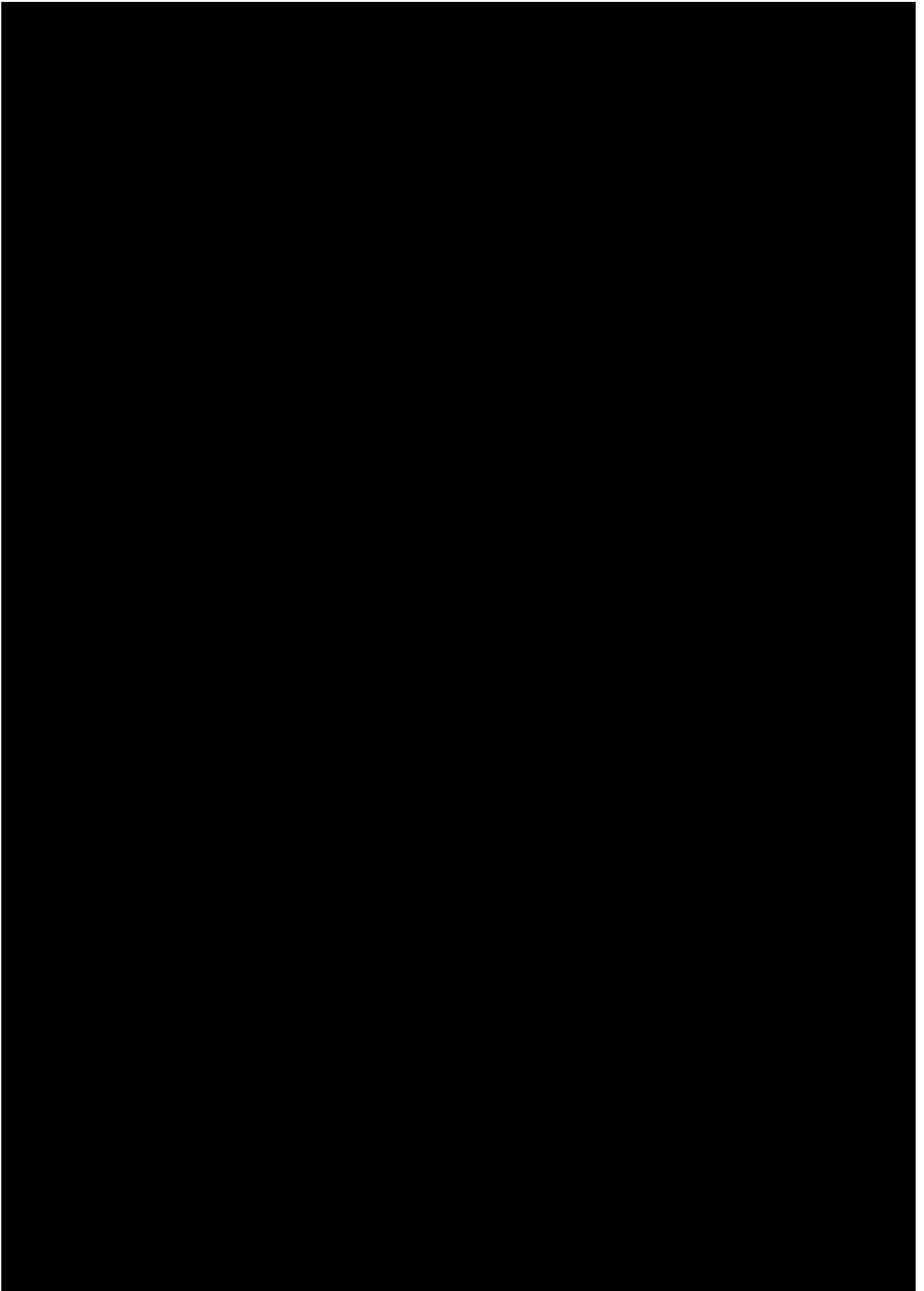


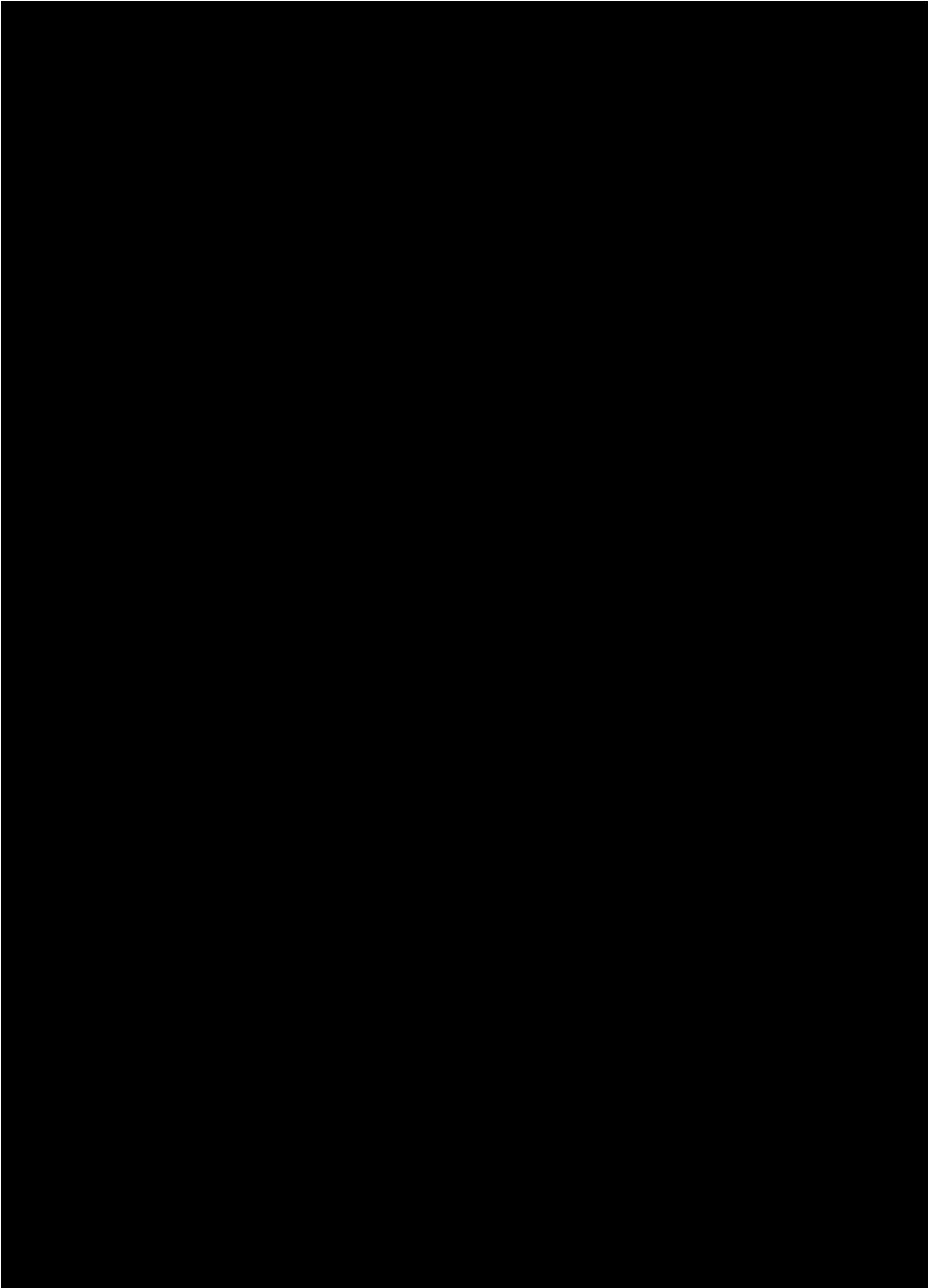


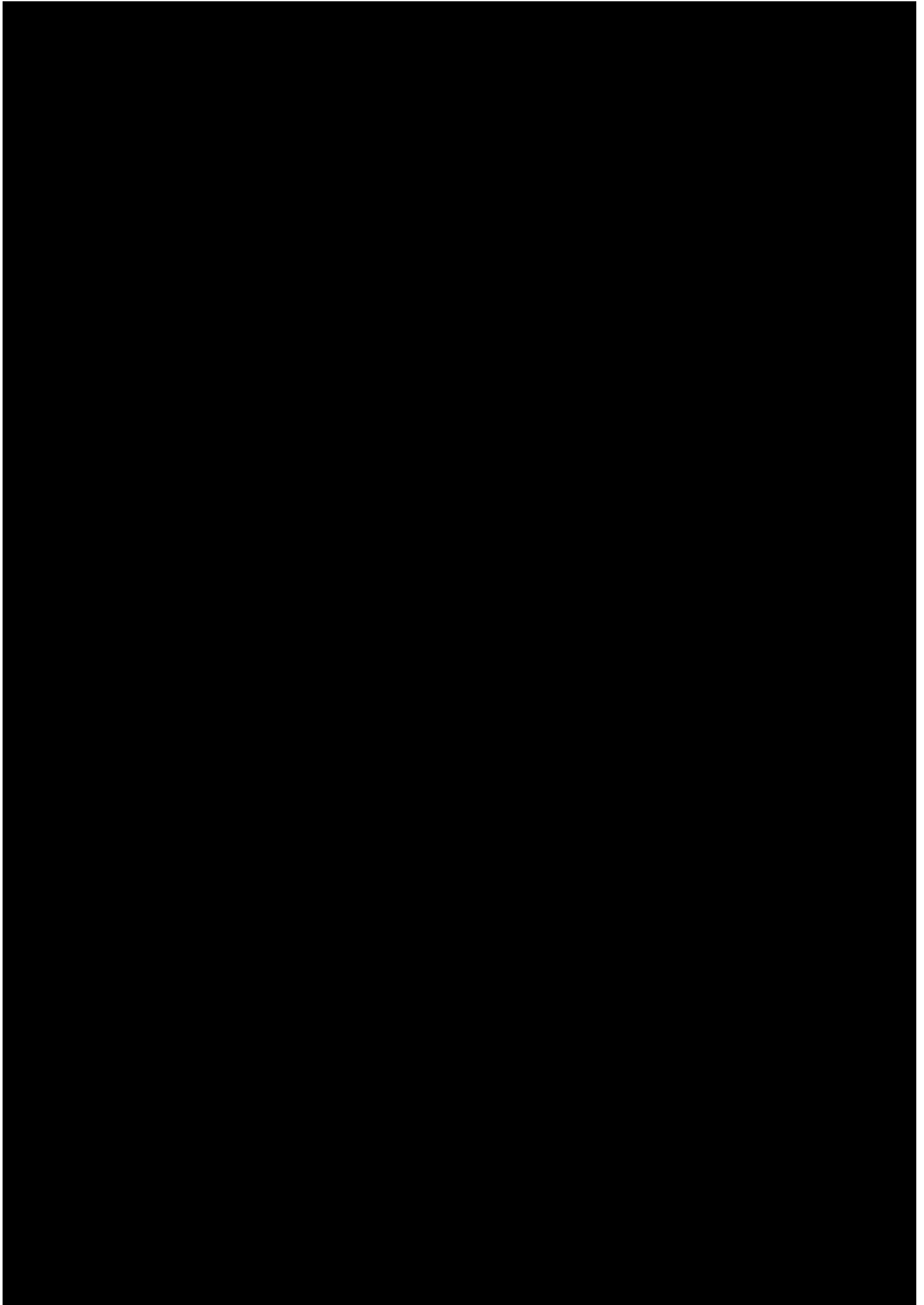












- 5 BROWNING: Alright now, you told me earlier that you had no knowledge of Charbel Demian or the Harrison site. And Homer Street, Earlwood, what can you tell me about 15-23 Homer Street, Earlwood?
- VASILIADES: I remember there was something to do with I think it was the neighbour and the 17 metre height should be all along.
- 10 BROWNING: Okay 'cause on the 13th of November '14 you voted along with the – you moved a motion along with Hawatt to resolve to increase the height from 10 metres to 17 metres when Council only recommended 14 metres.
- VASILIADES: 'Cause that's what the neighbour had, the rest of the, the area. So we were trying to go along with the streetscape.
- BERRY: Uh-hmm.
- 15 BROWNING: Have you got any questions?
- BERRY: Yeah on that matter Con you, you've indicated that it fitted in with the streetscape.
- VASILIADES: Yep.
- BERRY: What information did you seek independently to verify your position?
- 20 VASILIADES: I can't remember.
- BERRY: Did you –
- VASILIADES: I would've asked Spiro for his advice. I, always when there was planning issues I always spoke to the Director or to Michael, so it wasn't, it wouldn't have been something I would've –
- 25 BERRY: So look, I've been listening to the questions and some of your answers. Would it be fair to say that you relied heavily on Spiro Stavis' input as the Director of Planning?
- VASILIADES: Spiro and Michael yeah.
- BERRY: And Michael.

- VASILIADES: Yeah.
- BERRY: Would it be effective to say that if they said to you Con, this needs to be done, is it a fair summation that you would follow their instructions?
- VASILIADES: Yes.
- 5 BERRY: Is that the case in the Homer Street matter?
- VASILIADES: It would've been yeah.
- BERRY: Did you undertake to the best of your recollection, any other exercise to verify what you were either putting up to Council or deferring at Council or raising motions at Council, or did you just go along with what Hawatt or Stavis told you?
- 10 VASILIADES: Yeah, yep.
- BERRY: You just went along with Hawatt and Stavis -
- VASILIADES: Yes.
- BERRY: - is that right?
- 15 VASILIADES: I would ask for the Director's advice, send emails on certain things and speak to Michael so yeah it was basically that.
- BERRY: Did you go and seek advice from any other Councillor or -
- VASILIADES: No.
- BERRY: - General Manager?
- 20 VASILIADES: No not on planning issues, no.
- BERRY: In retrospect do you think that was prudent?
- VASILIADES: Well at the time this - he was the Director and Michael was in charge of the, sort of the Liberals in Canterbury so that was my position.
- BERRY: But you're a Councillor on Council.
- 25 VASILIADES: Yep.
- BERRY: Obviously you have the ability to review and research and do your own information checking.

- VASILIADES: Yeah.
- BERRY: That's accurate isn't it?
- VASILIADES: Yep.
- BERRY: It's clear you didn't do that isn't it?
- 5 VASILIADES: Mmm yep. Well plan, planning issues weren't sort of the reason why I was in Council. I was trying to –
- BERRY: But in all reality that is part of your duties though -
- VASILIADES: Yeah.
- BERRY: - would you agree?
- 10 VASILIADES: Yes. But in saying that I always seeked the Director's advice so.
- BERRY: I see. Okay, and you'd also get advice from Michael.
- VASILIADES: Yes.
- BERRY: Okay. What happened with the Homer Street matter? To the best of your memory do you know what happened with it after?
- 15 VASILIADES: No I can't remember.
- BERRY: Do you remember there being a, a public exhibition on that particular –
- VASILIADES: No.
- BERRY: You don't remember?
- VASILIADES: No.
- 20 BERRY: Do you remember if the Council went and sought independent advice from planning consultants?
- VASILIADES: No I can't remember. They did on a number of occasions but I don't remember which ones they were.
- BERRY: Uh-hmm. Do you remember Council – I, I won't ask you any further
25 questions. I just – in relation to the matter that Andrew has asked you about the deferment, you know you've indicated quite clearly that, that you were quite motivated by your experience along Canterbury Road that this rear lane access was quite necessary.

- VASILIADES: But it also stated in the LEP –
- BERRY: And –
- VASILIADES: - clearly –
- BERRY: Okay.
- 5 VASILIADES: - not to have access near traffic lights so it's –
- BERRY: I understand that. So you're aware of the LEP –
- VASILIADES: Yeah.
- BERRY: - you're aware of your own experience. Did Michael Hawatt ever impress upon you his desires or wishes about that matter?
- 10 VASILIADES: No there would be discussion and, but impress –
- BERRY: And what were those discussions Con?
- VASILIADES: Just about what was in the LEP and –
- BERRY: What was his position on the rear lane access?
- VASILIADES: That it should be a uniform thing along Canterbury Road, and that's what
15 we were trying to implement –
- BERRY: Did you –
- VASILIADES: - for, for future like.
- BERRY: - did you also conduct any independent reviews of information from Council or IHAP or any of those bodies?
- 20 VASILIADES: No.
- BERRY: You didn't, okay. That's alright, that's fine.
- BROWNING: Can do you have any questions of us?
- VASILIADES: No.
- BROWNING: George do you have anything?

LALIOTIS: No.

BROWNING: I'm going to finish it up but, before I do, Con have you got any concerns about the way Simon or I have conducted the interview here today?

VASILIADES: No.

5 BROWNING: Okay it's 12:40 and the interview is (unintelligible).

CV1

E15-0078-039-0009

CONTRACT

1. OFFER

2. ACCEPTANCE

3. CONSIDERATION \div MONEY OR ANY OTHER ACT
 DONE "IN GOOD FAITH" AS A
 RESULT OF THE CONTRACT

- CONSIDERATION = RESIGNATION FROM
 BOTANICAL COUNCIL

COUNCIL - REPUDIATED THE CONTRACT

RESULT: WHAT IS OUR LOSS. - DAMAGES

WE HAVE AN OBLIGATION TO MITIGATE
 OUR LOSS (IE), MINIMIZE OUR LOSS

- WE CANNOT NOW REQUEST THAT THE
 ORIGINAL ^{CONTRACT} BE REINSTATEMENT. - MUST ACCEPT
 REPUDIATION & CLAIM DAMAGES FOR LOSS.

we are involved in the ^{E15-0078-039-0009} of
serious situation that we will be
faced as councillors

- We are talking about a person that
because of low actions, will never
get a job again as a councillor

- we are talking about destroying
somebody's reputation - life

- family

- this information has to be placed
on council records

The Council is ultimately
responsible for the actions of its
officers

We are talking about
destroying somebody's
career and reputation
because of information that
comes in after the appointment

What is this information we need
it in "writing" not in
whisper. He said that and she said
that!

Immediate Planning Issues

- Identify old DA applications longer than 60 days
- Planning proposal reports relating to LEP & DCP since October 2013
- Minutes of the resolutions
- Quarterly planning report

Act on the resolutions of Council meeting 2nd October 2014

F

Act on the lane proposals as per the resolution dated 23rd October 2014

Act on DCP resolution dated 23rd October 2014 relating to DCP chapters

Act on resolution of Canterbury LEP Amendment - Medical Centers and Residential Accommodation as part of a Mixed Used Development

Set up a working group of Councilors to conduct a review of the LEP & DCP of council as per resolution of Council dated 11th December 2014

history determination given
 authority
 DA to be done that process
 what need to stop development
 and provisions

R.M.S meeting organized with
 members of council
 and staff
 meetings
 20/10/14

General

- Provide an index to the Council minutes.
- Invite all planning staff to submit to the director, all of their concerns re. LEP, DCP and general operation issues.
- 4th December 2014- example of misinterpreting the DCP. This provision does not reflect Council resolution.
- Pre D.A. meetings-keep detailed notes and if possible do not renege on agreements made in pre D.A. meetings.
- Speed up D.A.'s - Prepare compliance table, which is to form part of a D.A. submission. Supply information and documents in the D.A. submission, only as required by schedule, one of the Environmental Planning and Assessment Regulations.
- Review Section 94 Contributions
- Allow additional density or height for developments in the B Zones where a percentage of units (2 Bedroom units) are in excess of 90m²

DCP tidy up and proposed changes

- Setbacks in B5 zones- Table 3.1.8 controls (ii) regarding setbacks in B5 zones. There was never a resolution to amend this table. The resolution was as per 31st October 2013, 4.4.
- 3.1.12 (vii). The reason for this is that the height above 1 metre is classified as a storey. Table 3.1.6 controls talks about height and number of stories. This has been amended on the 28th November 2013.

Refer to item 8, of the agenda; 28th November 2013 (Minute no. 425; 28th November 2013). 2.1.4, First paragraph, Page 46.

- 3.1.12 (vi) is not a practical provision and is not been applied. This should be deleted.
- 3.1.8 Side setback and rear setbacks. Words do not reflect the diagram, as it does in DCP 54.
- Vehicle access off Canterbury Road - Consider adopting council resolution, as soon as possible - 23rd October 2014.

Item of contention is 396/398 Canterbury Road Canterbury; D.A. number 580/2013.

- Consider increasing the width of the developments in shopping centres to a minimum of 18 metres, instead of 12 metres. Anything less than 18 metres width would have a reduced height.
- Part 3 business centres/appendices structure plans; Earlwood centres, figure 3.1.9. Gate way sites are not shown.
- Encourage good design, by not implementing strict DCP controls, which may not be applicable for a sites specific site.
- 3.2.8 Roof Terraces and 3.3.3 communal open spaces, allow rooftop communal open space, in B1 zones, which is next to R3 zones.
- Interface – Side/Rear Set Backs B1/B2/B5
- Review current set back controls as stipulated in 3.1.8
- DCP 3.1.2 Controls i. to be changed to 18m to allow for good development
- Developments near train stations not to require visitor parking

LEP Suggestions

- Canterbury town centre; why have floor space ratio?

It is regarded as a large centre, DCP 6.8.3.
- For multi dwelling housing in R3, the F.S.R should be increased from 0.5-1 to 0.75-1. R3 from to 0.5-1. Go to 0.75- 1 (exception should be the area bounded by Bexley Road, Canterbury Road, Cooks River, Wolli Creek, South Canterbury Road and East Bexley Road, and also the Ashbury Heritage Conservation area as described in CDCP 2012).
- B1 zone which joins R3 zone, to be increased to 15 metres.
- All centres with good public transport in the B2 zone should have a minimum height of 18 metres. 6.8.3, Centre's with good public transport are; Earlwood, Hurlstone Park, Narwee, Punchbowl and Wiley Park.
- Encourage good design - Where a development provides a percentage of larger units, then those required in Sepp 65, (for example 90 square metres, instead of 75 square metres) the development could qualify for an extra 1 or 2 storeys.
- DCP control clause 3.1.3 controls (iv), should be in the LEP. The previous control was in DCP 54, was 1/3 of building footprint and not 15%.
- Exclude lifts over runs from height controls. As the LEP stands it appears that this can only be done under clause 4.6.
- Consider increasing densities and height, at the rear of the commercial zones. This is to act as an interface transition between the commercial and residential zones.
- Is there a reason why residential is not permitted on the ground floor of B1 and B2, after the minimum depth of 10 metres of commercial is provided?
- Allow residential on the ground floor in any B Zones where shops are not viable and which can be changed to commercial in the future
- Old shops on Canterbury road Canterbury – Remove floor space ratio for developments East of Canterbury Station on Canterbury Road only.

michael

From: Κωστακι Vasiliades <convasil@hotmail.com>
Sent: Wednesday, 4 March 2015 3:52 PM
To: Michael Hawatt
Subject: FW: Spiro

Hi Spiro

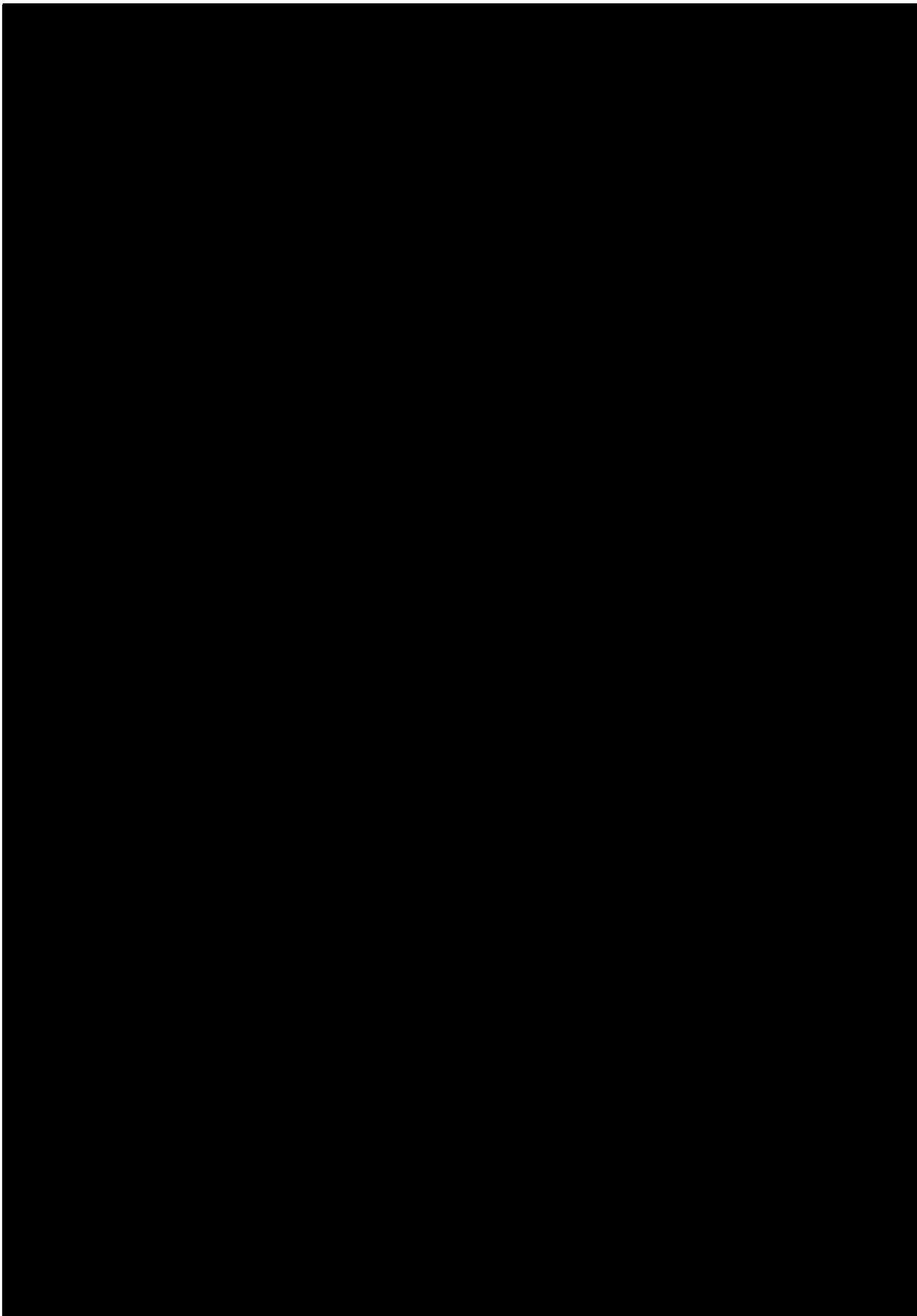
Amongst other things, some of the issues that we would like to discuss tomorrow night are;

- Planning resolutions which take too long to attend to
- Resolution of Council regarding the Gateway Determination October 2014
- Lanes behind properties along Canterbury Road
- RMS requirements - See Extraordinary Meeting 2nd October 2014
- Transition Zones between commercial and residential
- Discrepancies in F.S.R and height in R2 R3 R4 Zones
- Example R2 and R3 have the same height and same floor space requirement
- DCP requirements which are above SEPP 65 Residential Design Code requirements
- Mark Adlers motion 11 Dec 2014 re LEP DCP review and forming a planning panel
- Council resolution re separation DCP into various chapters for different zones and uses
- Creating a CBD center in Campsie

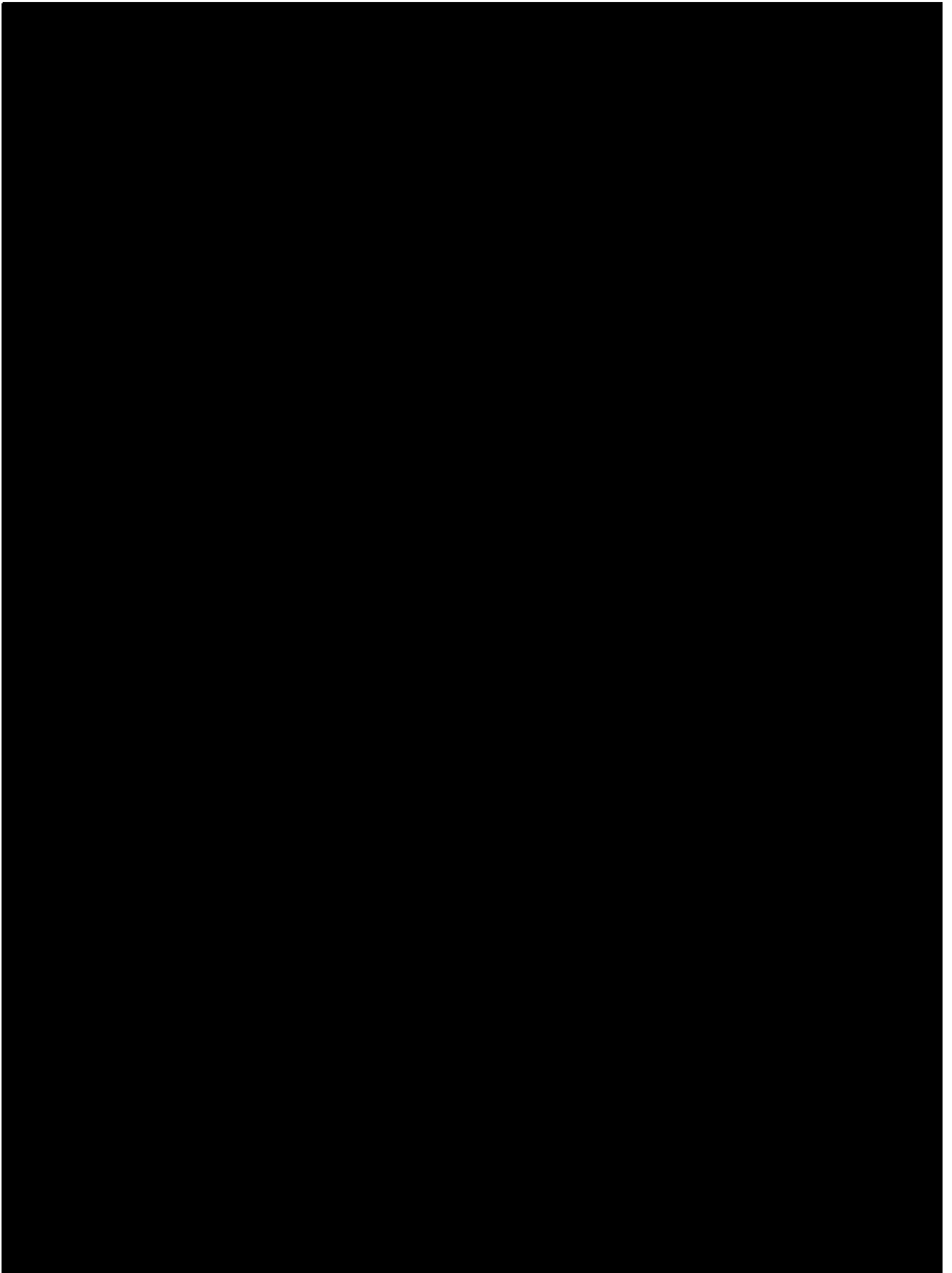
I know you have only been in the job for three days so if there is anything that you are not familiar with you are excused.

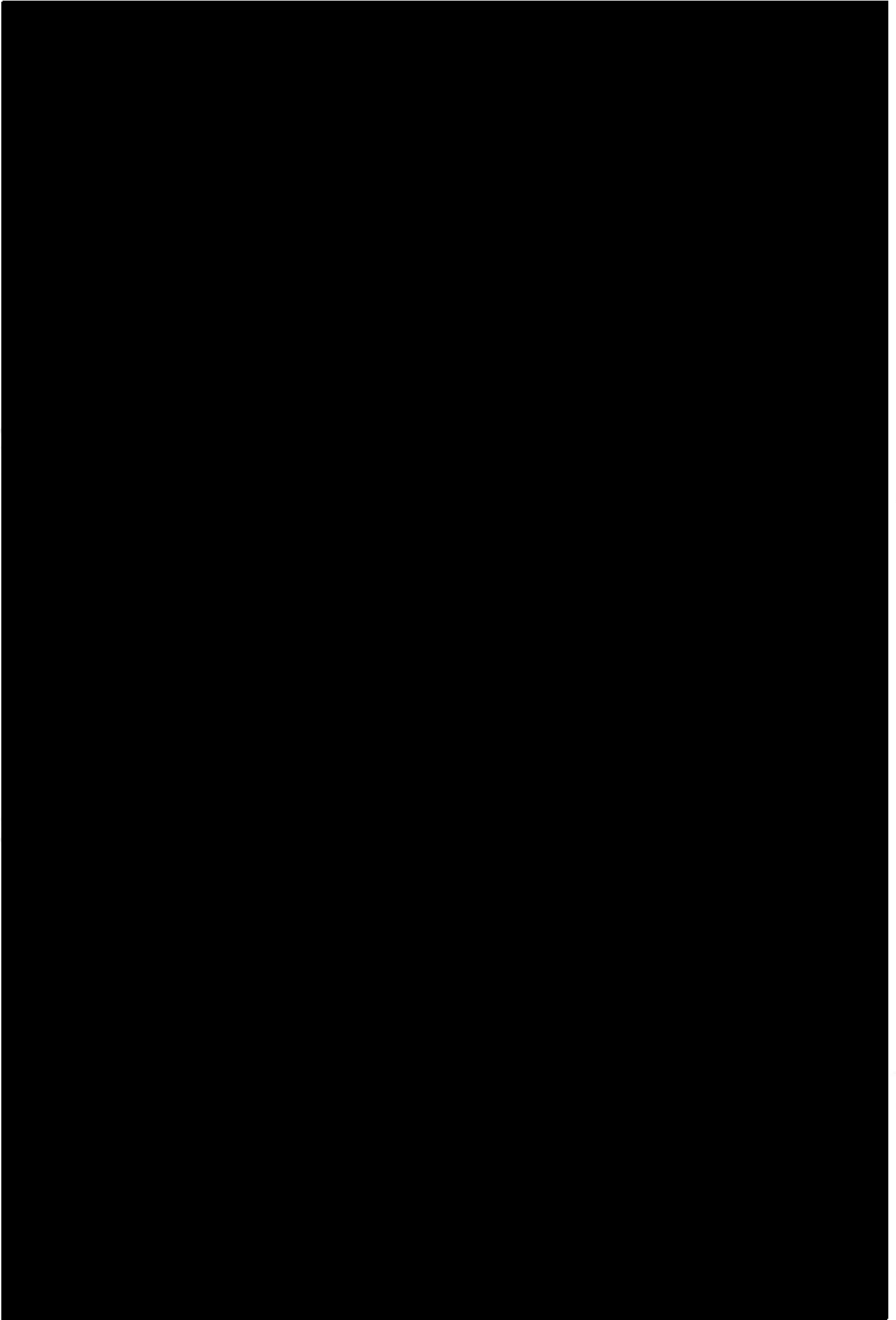
Regards

Michael Hawatt

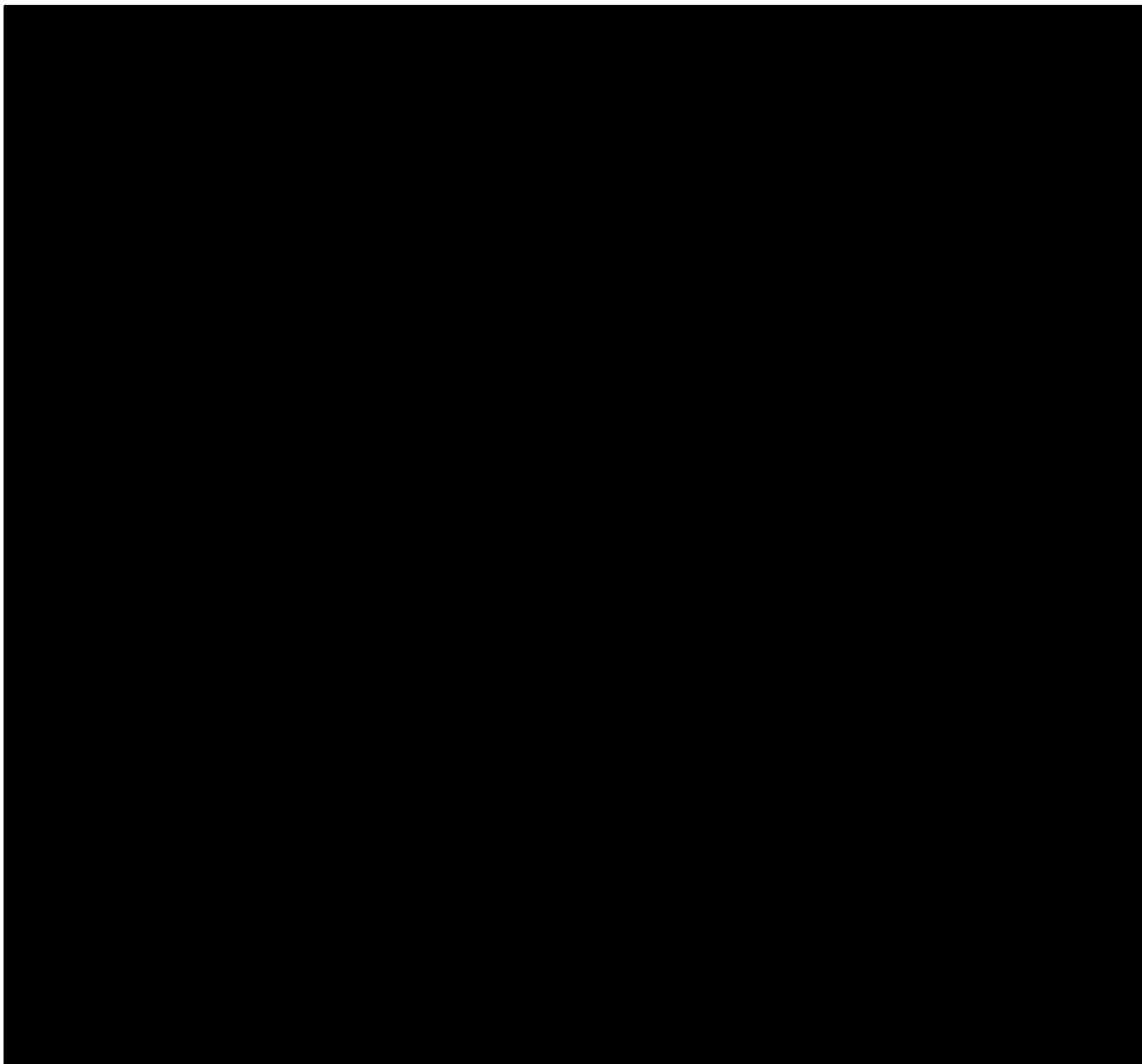


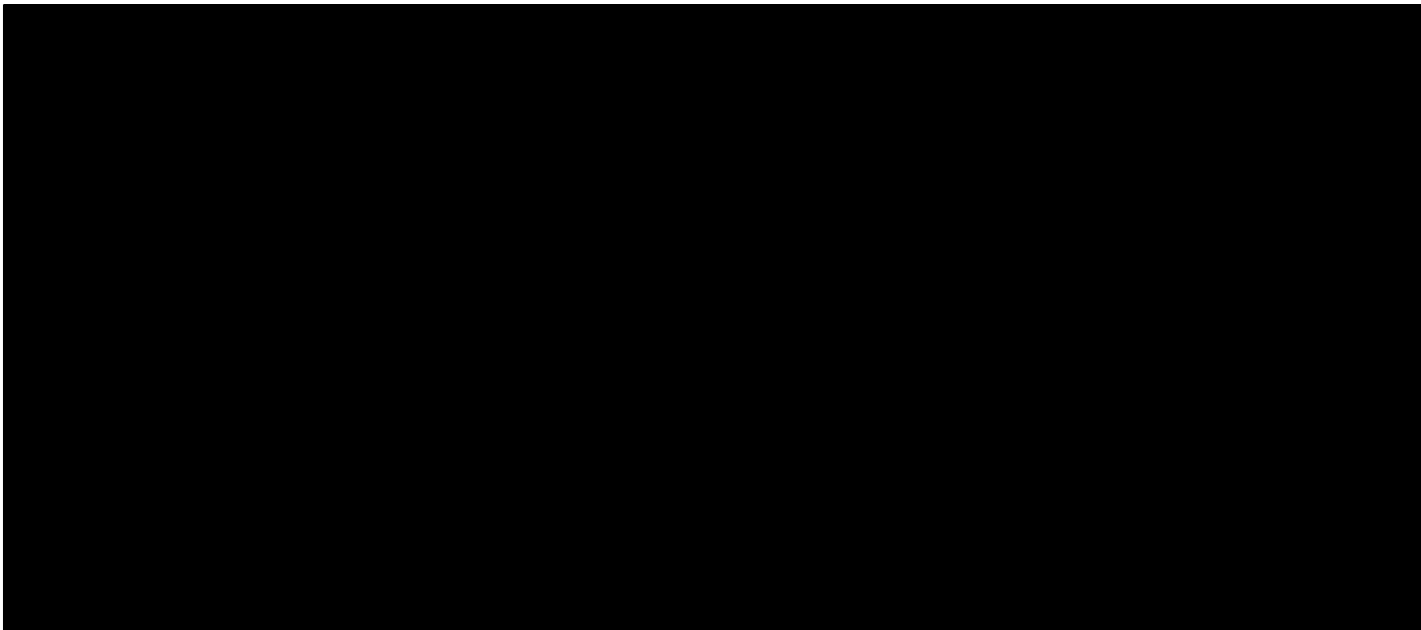
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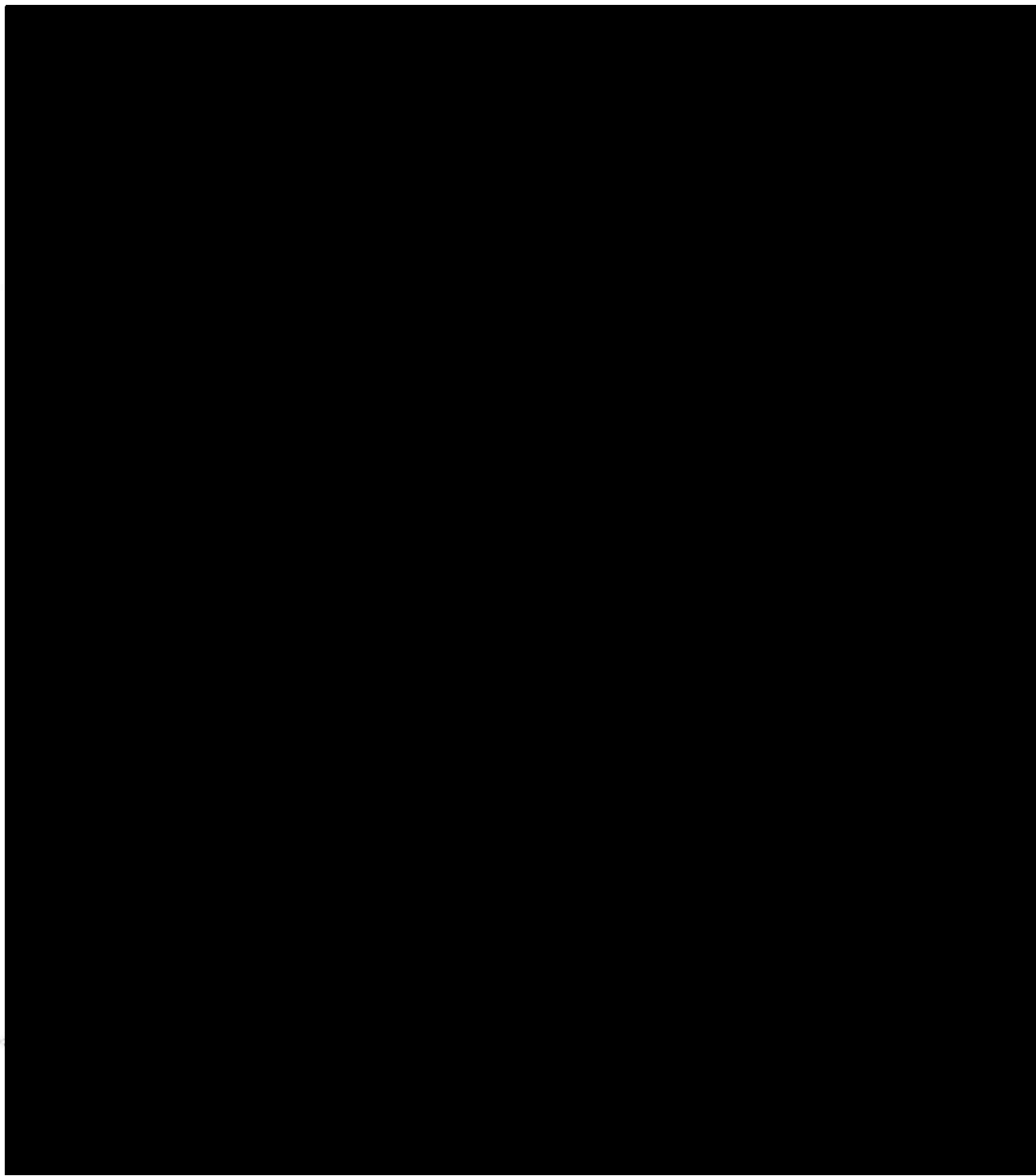


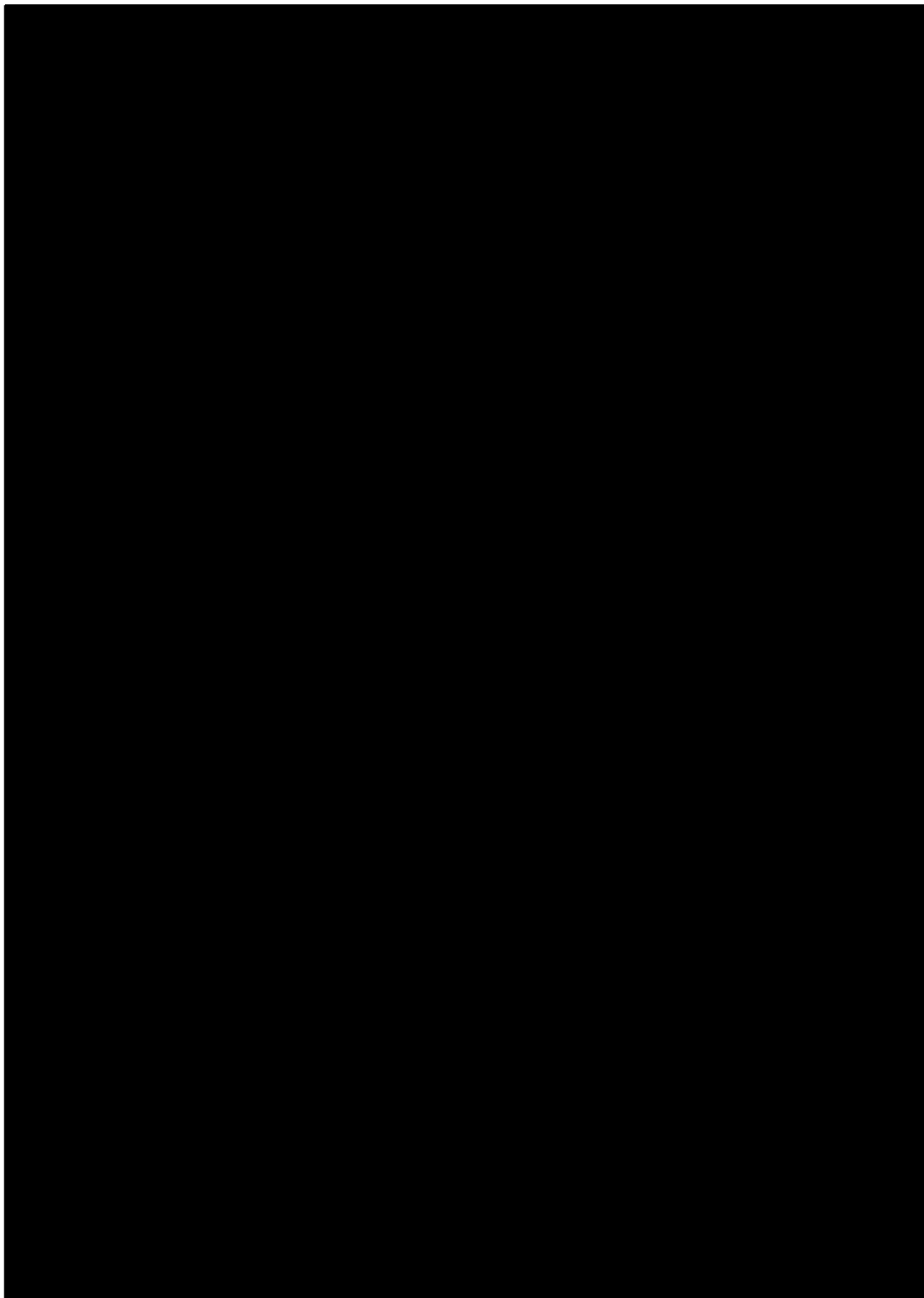
CV 5

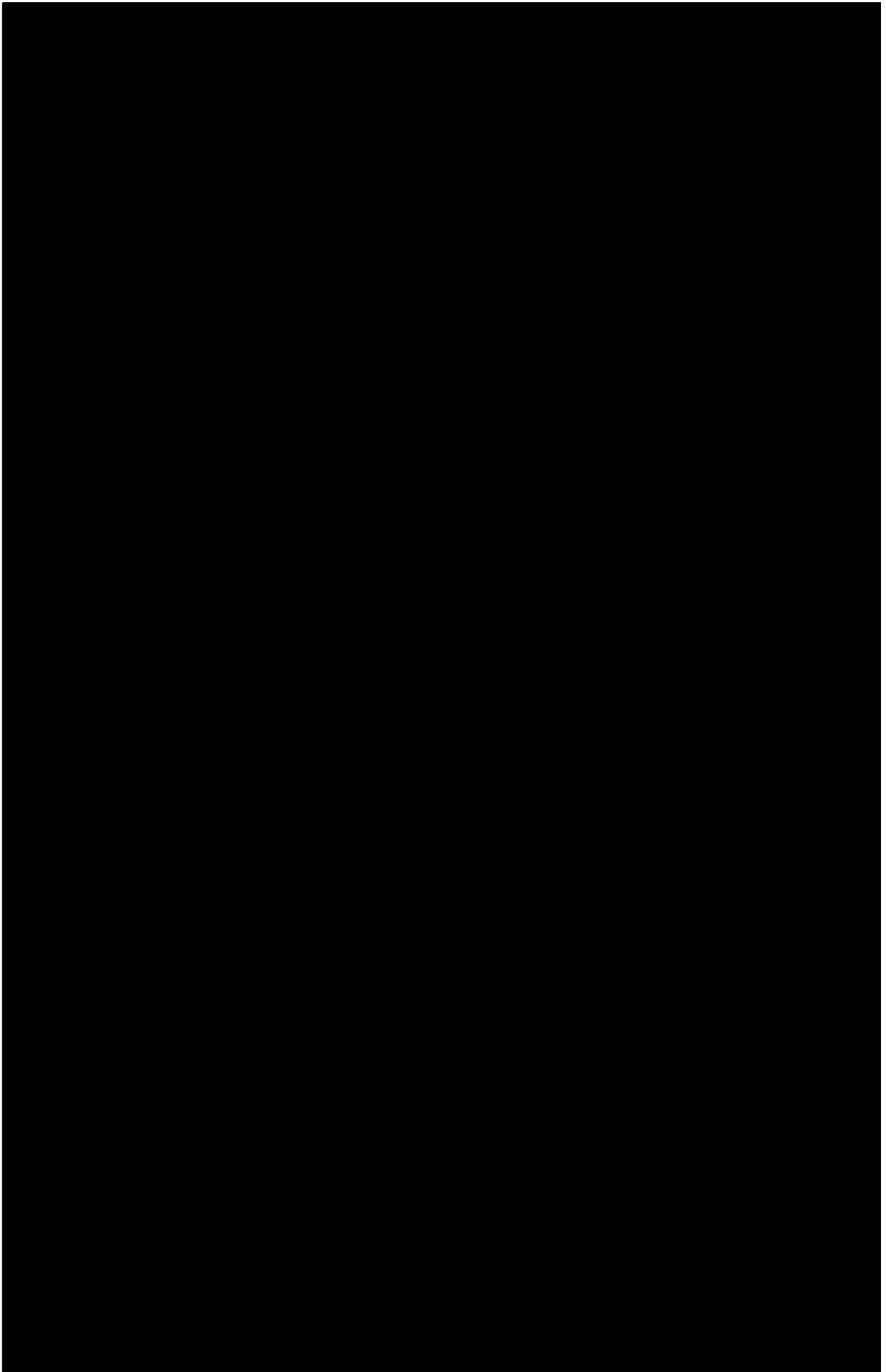


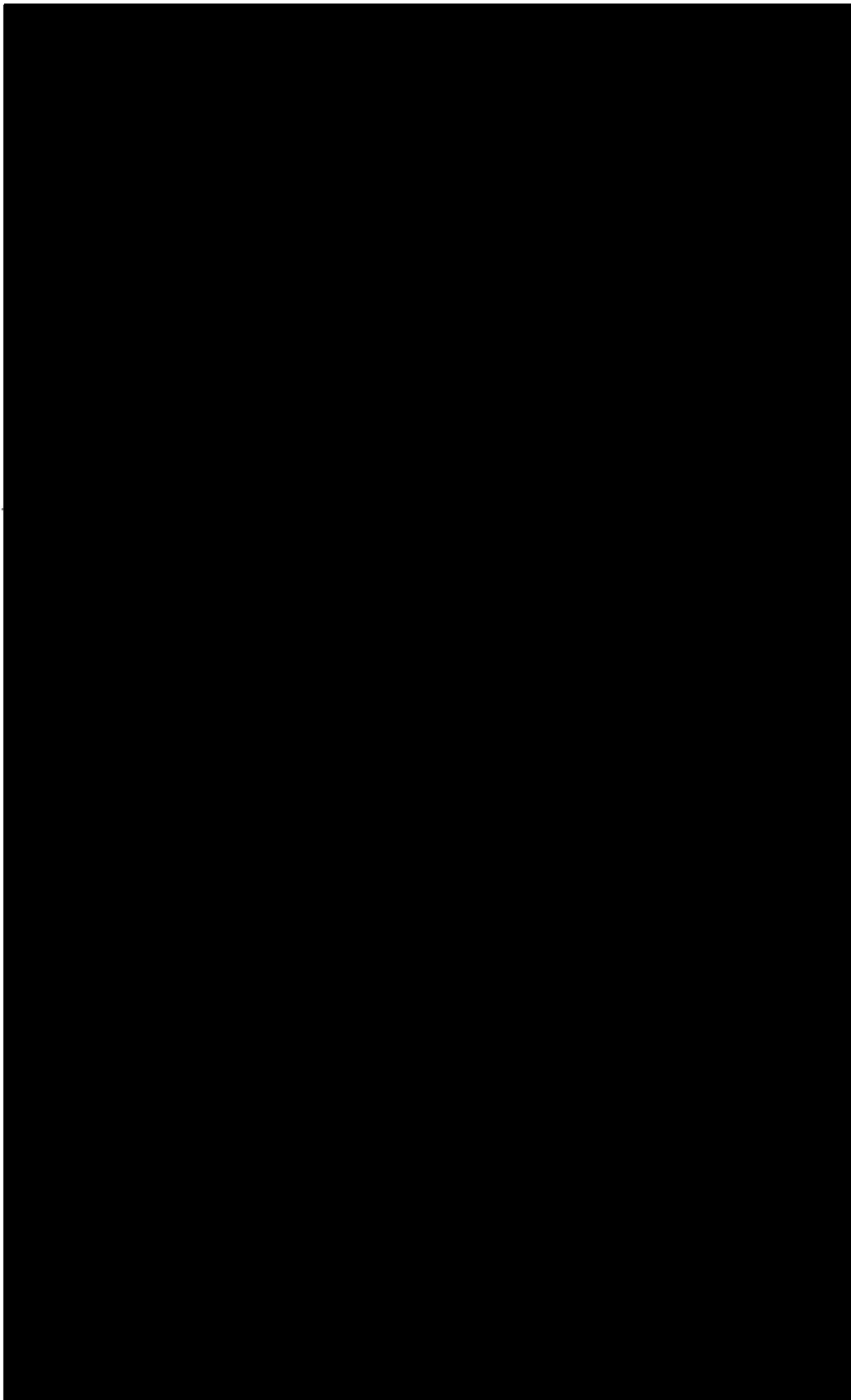


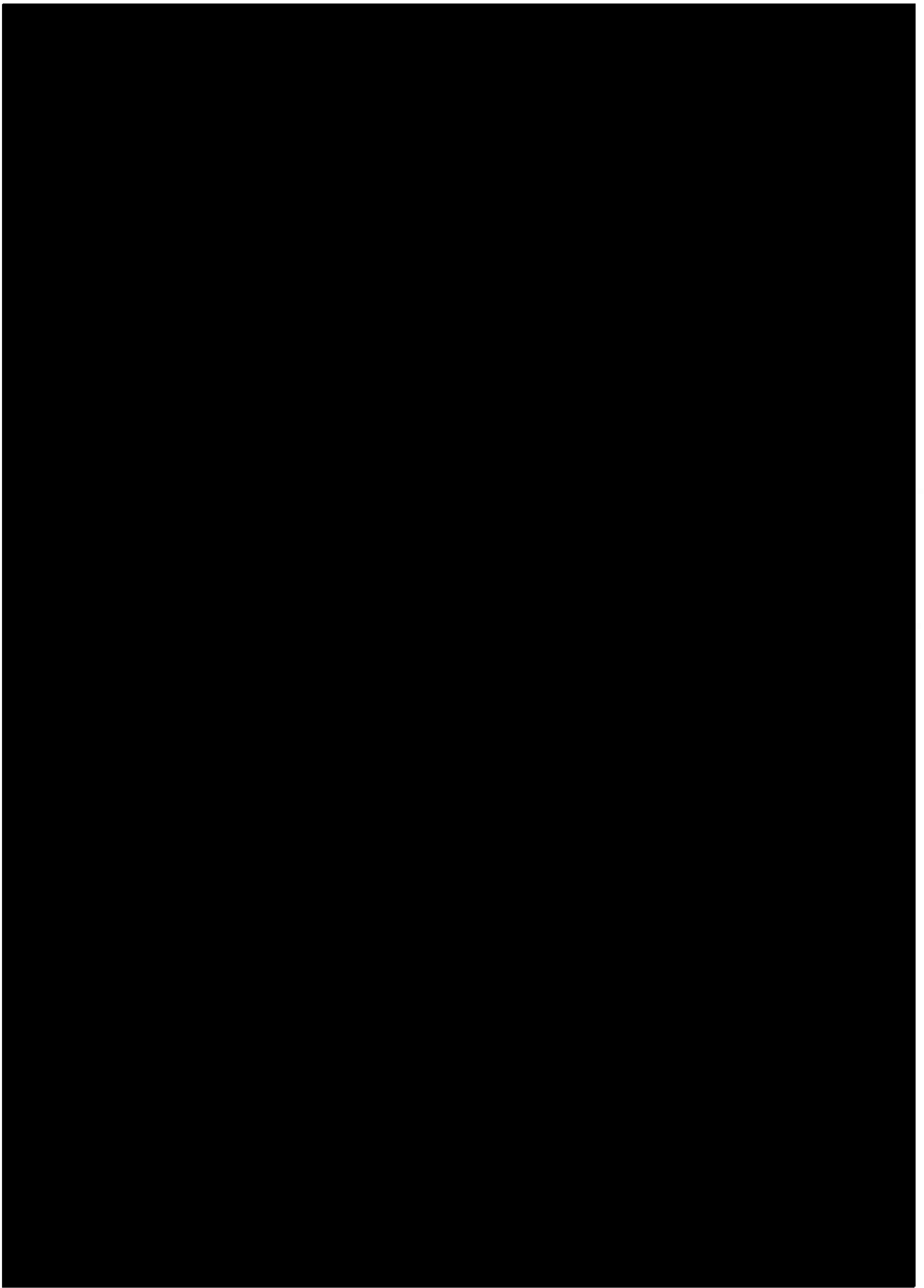
Cv6











CV7

