

---

TRANSCRIPT OF PROCEEDINGS

---

INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION

MELBOURNE

WEDNESDAY, 20 NOVEMBER 2019

(3rd day of examinations)

BEFORE THE HONOURABLE ROBERT REDLICH QC

Counsel Assisting: Mr Michael Tovey QC

Ms Amber Harris

OPERATION SANDON INVESTIGATION

PUBLIC EXAMINATIONS PURSUANT TO PART 6 OF THE INDEPENDENT  
BROAD-BASED ANTI-CORRUPTION COMMISSION ACT 2011

---

*Every effort is made to ensure the accuracy of transcripts.  
Any inaccuracies will be corrected as soon as possible.*

1 COMMISSIONER: Yes, Mr Woodman, would you come back into the  
2 box.

3 <JOHN CHARLES WOODMAN, recalled:

4 COMMISSIONER: Yes, Mr Tovey.

5 MR TOVEY: Thank you.

6 COMMISSIONER: Is there something, Mr Woodman?---Yes,  
7 Mr Commissioner.

8 Yes?---I apologise. On reflection yesterday I would like to  
9 correct an answer I gave late in the day. I think I was  
10 asked about refreshing my memory in relation to emails or  
11 the projects, and I think that I gave an answer of "no",  
12 that I hadn't. In fact that is not correct. I had  
13 refreshed - I had refreshed my memory in relation to the  
14 projects since receiving the warrant. I just wanted to  
15 make that clear.

16 Yes. I thought your evidence was, Mr Woodman, that you did  
17 refresh your memory to some extent, but that you were  
18 taking issue with any suggestion that you had exhaustively  
19 done so. In any event, we hear your explanation now.  
20 Thank you. Yes, Mr Tovey.

21 MR TOVEY: Thank you. (To witness.) I just want to take you  
22 back for a moment. Do you recall that I took you to some  
23 cash deposits that were made into the accounts of  
24 Mr Ablett yesterday? Do you remember me asking you  
25 questions about that?---Yes, sir.

26 There was, I'd suggest to you, another one of those on  
27 17 February of 2014. Could we pull up, please, financial  
28 book 1, page 12. So that's the Watsons cheque account  
29 bank statement and you'll see that on 17 February there

1           was a cash - sorry, a withdrawal of \$7,500?---Yes, sir.  
2    Could you have a look back to page 11.    Could you just bear  
3           with me.    If you go to, sorry, page 57.    Sorry, can I take  
4           you to page 11, please.    That, as we've seen yesterday,  
5           was the Allwood Drafting account and you'll see that  
6           \$8,000 has been withdrawn from that account; is that  
7           right?---Yes, sir.

8    COMMISSIONER:   That's exhibit 5 from yesterday, Mr Tovey?

9    MR TOVEY:   I'm not sure whether that corresponds with the same  
10           page numbers, your Honour.    It does, I'm informed.    So if  
11           that's the case - - -

12   COMMISSIONER:   Page 11.

13   MR TOVEY:   Thank you.    (To witness.)    So if you then go to page  
14           100, please.

15   COMMISSIONER:   You need to identify what the document is,  
16           Mr Tovey.

17   MR TOVEY:   That is a pay-in slip dated the same day, \$7,500.  
18           Do you see that?---Yes, sir.

19   And that's in your handwriting, is it not?---Yes, sir.

20   COMMISSIONER:   That's exhibit 6.

21   MR TOVEY:   Yes.    (To witness.)    And that's gone into the  
22           account of Geoffrey Ablett; is that right?    That's the  
23           account to which it's directed?---Yes, sir.

24   And then if you go to pages 56 and 57, and if we go to  
25           page - - -

26   COMMISSIONER:   Page 2?

27   MR TOVEY:   Page 2 of that.    That's Mr Ablett's credit card  
28           statement and you see that there are two payments in, each  
29           of \$7,500, on 17 February 2014; is that right?---Yes, sir.

1 Would you agree that on that day you withdrew a total of  
2 \$15,000 which was deposited ultimately in cash in the  
3 credit card account of Mr Ablett?---Yes, sir.

4 And you have no recollection of what that might have been  
5 for?---Yes, sir, I have now, after reflecting on it.

6 Mr Ablett explained to me that he had a credit card debt.  
7 He was about to be a candidate for the City of Cranbourne  
8 and part of the candidacy was the financial stability of a  
9 candidate. He was fearful that his credit card and the  
10 extent of it and the fact that he was incapable of  
11 continuing to meet the monthly payments that he requested  
12 my assistance as an added to eventually he becoming a  
13 candidate and hopefully winning the seat of Cranbourne,  
14 sir.

15 Was this transaction ever made subject to the light of day in  
16 council disclosures to your knowledge?---Not that I'm  
17 aware of, sir.

18 COMMISSIONER: Yesterday, Mr Woodman, when asked about these  
19 payments, you said you couldn't explain them. What 's  
20 happened overnight to enable you to now recall the  
21 circumstances?---Mr Commissioner, after giving - it was  
22 very strange for me, I thought, to be on holidays in Port  
23 Douglas and to take the actions that I did. So,  
24 I reflected on why and I became clear in my mind as to the  
25 fact that he had expressed concerns that the candidate he  
26 was standing against, Mr Rowe, for whatever reason was  
27 aware that his financial position was not as stable as it  
28 should be to present himself as a suitable candidate, and  
29 as a consequence of that it became clear in my mind as to

1           why I did do it, considering that I was in Port Douglas on  
2           holidays at the time, sir.

3 MR TOVEY:   And at the time you knew it was corrupt for you, who  
4           had interests before the council, to be making cash  
5           payments to a councillor because he needed money? That  
6           had to be the case, didn't it?---I believed that I was  
7           assisting his candidacy in Cranbourne more than  
8           corruption, sir.

9           A little bit corrupt then, perhaps?---I don't believe so, sir.

10           I honestly - - -

11           Well, why did you use "more than corruption"?

12           COMMISSIONER:   Just, Mr Tovey - - -

13 MR TOVEY:   I'm sorry?---I believe from the bottom of my heart  
14           that he had asked me for assistance for him to become the  
15           candidate at Cranbourne, which I thought that he or  
16           Mr Rowe would be good candidates, and as a consequence of  
17           that and in the back of my mind intending to support his  
18           eventual career if he was nominated, that this was a  
19           donation, a correction to his credit card account.

20           I didn't believe that I was attempting at any stage to  
21           secure his support in a council.

22           What dealings had you had with him previously?---I apologise,  
23           sir?

24           What dealings had you had with him previously?---What?

25           What dealings had you had with Councillor Ablett previously?

26           I understood you to be saying you had no relationship with  
27           him back at this time in 2014, other than to have  
28           supported him for State parliament.

29           COMMISSIONER:   I thought his evidence was, Mr Tovey, that he

1 was already in a horse relationship with Mr Ablett.

2 MR TOVEY: No, I think, your Honour - I thought the horse  
3 relationship was - anyway, were you already in a horse  
4 relationship in 2014? I thought it was some stage later,  
5 wasn't it? It wasn't until April of 2014 that you bought  
6 your interest in Prima Facie?---No, well - - -

7 Well, there's a receipt I'll show you in due course.

8 COMMISSIONER: Is that the first horse, Prima Facie?---Now I'm  
9 not sure of what the first horse - I thought it was 2012,  
10 sir, but I stand to be corrected. I had known obviously  
11 Councillor Ablett through my support of his Equine Hour on  
12 Casey Radio which was a donation from Watsons for us to be  
13 advertised. So I had known Councillor Ablett and he  
14 expressed to me his wishes to become the new State member  
15 for the seat of Cranbourne so that there had been some  
16 discussions. I don't believe that I had said that  
17 I didn't know him before 2014.

18 All right?---I apologise, sir, if I did say that.

19 In any event, do you dispute that you obtained your interest in  
20 Prima Facie on 22 April 2014?---If that's the - the  
21 registration papers made clear - - -

22 No, that's a receipt obtained from Mr Ablett?---Okay, sir.

23 So there's a receipt that Mr Ablett has handwritten dated  
24 22 April of 2014 for \$15,000; all right? You understand  
25 that?---Yes, sir.

26 There is a receipt dated 22 April of 2014?---Yes, sir.

27 For \$15,000?---Yes, sir.

28 Relating to your purchase of a 30 per cent interest in Prima  
29 Facie?---Yes, sir.

1 There are no records that anybody can find at this stage of  
2 that \$15,000 coming from any Watsons account or any other  
3 account.

4 COMMISSIONER: For the horse, you mean, Mr Tovey?

5 MR TOVEY: In respect of the purchase of Prima Facie,  
6 Commissioner, at about that time. Did you pay him in cash  
7 for Prima Facie?---I don't believe so, sir. I thought it  
8 was a cheque, sir.

9 All right.

10 COMMISSIONER: Mr Woodman, just before we move on, to be frank  
11 with you, I'm more than a little bit troubled about the  
12 detail of your recollection this morning about your  
13 arrangement with Mr Ablett in terms of paying funds into  
14 his credit card account to ensure that he wasn't exposed  
15 in the forthcoming elections and your evidence yesterday  
16 afternoon that you couldn't explain these payments.

17 What's happened overnight to suddenly produce this  
18 detailed recollection?---Yes, I apologise, sir. I have  
19 no - it was only just my personal recounting of how those  
20 transactions had occurred. I have not spoken to anybody.  
21 It is my own recollection.

22 Yes?---I can only explain, sir, that after a long day yesterday  
23 that obviously my mind wasn't as clear as what it should  
24 have been. I offer no more explanation than that, but  
25 I have not spoken to anybody. This is my recollection of  
26 the event and as to how it came about that I paid these  
27 amounts of money to Mr Ablett.

28 Just a couple more questions about that. This was to, as you  
29 now explain, protect Mr Ablett in relation to an election

1 campaign that he was about to go into?---Yes, for  
2 candidacy with the Liberal Party for the seat of  
3 Cranbourne.

4 In the State elections?---Yes, sir.

5 And you had reason to think from something you were told that  
6 Mr Rowe might try and expose Mr Ablett's  
7 impecuniosity?---Yes, sir. My understanding is, sir, that  
8 if you as a candidate are unstable in a financial sense,  
9 then it plays heavily against your ability to be  
10 successful in that candidacy.

11 Yes, and who conveyed the suggestion to you that Mr Rowe might  
12 do that?---Mr Ablett.

13 And so you arranged for these funds to go into his credit  
14 account?---Yes, sir.

15 Or rather you knew he was going to pay them into his credit  
16 account?---Yes, sir. Well, my understanding is I paid  
17 them into his credit account, yes.

18 And did you recognise from that time onwards, if not at some  
19 earlier point of time, Mr Ablett was therefore going to be  
20 in a conflict situation at a local government level in  
21 relation to any issue concerning developments or  
22 consultancy in which you had an interest?---Yes, sir.

23 And did you make that clear to Mr Ablett?---No, I didn't, sir.

24 COMMISSIONER: You recall you said some time ago that you  
25 entered into a legal agreement with Mr Ablett about horses  
26 and in that agreement there was a specific provision there  
27 making clear to Mr Ablett that he would have to declare a  
28 conflict of interest?---Yes, sir.

29 In relation to such matters?---Yes, sir.

1 Were you always conscious, Mr Woodman, that if you provided  
2 financial support to councillors of this or any other  
3 sort, that that would automatically disqualify them from  
4 participating in motions that supported developments or  
5 consultancies in which you had an interest?---Yes, sir.  
6 And yet you've also told me that it's only been in the last two  
7 months since you've been preparing for this Commission,  
8 and on the basis of in part discussions with your lawyers,  
9 that you've come to realise that some of the transactions  
10 that you entered into with councillors of a private nature  
11 did disqualify them from participating in motions?---Yes,  
12 sir, in relation to that loan, sir, from Aziz.  
13 Well, there were two matters?---Yes.  
14 The loan and also the Little River consultancy?---The Little  
15 River consultancy had a letter attached to it that, yes,  
16 Mr Aziz could no longer participate, yes, sir.  
17 Yes, but I'm just picking up your point that in your evidence  
18 you had told me that it's not until recently that you've  
19 come to realise that both of those personal arrangements  
20 with Mr Aziz meant that Mr Aziz would have to disqualify  
21 himself from participating in motions to which you had a  
22 benefit?---Yes, sir.  
23 You've been a developer for how long?---The mid-80s, sir.  
24 And you've been dealing with council for most of that  
25 time?---Yes, sir.  
26 Would it be fair to say that people would expect that someone  
27 in your position would have the clearest understanding of  
28 what would give rise to conflicts of interest for a  
29 councillor?---Yes, sir. My understanding was that a

1           councillor that had a conflict of interest had to disclose  
2           that conflict of interest prior to voting or as a matter  
3           of course, yes, sir.

4   Yes, but I'm really going behind the proposition to the point  
5           it's reasonable, is it not, for people to expect that  
6           someone with your level of expertise in planning and  
7           council affairs would expect you to know that private  
8           financial arrangements with councillors would  
9           automatically mean that they would be in a conflict  
10          situation in relation to interests in which you had a  
11          concern?---Yes, sir.

12   MR TOVEY:   And you were aware that after this Mr Ablett  
13           continued to vote on numerous occasions in respect of  
14           Brompton Lodge and C219 in which you had an interest; you  
15           were aware of that?---I believe so, sir, yes.

16   COMMISSIONER:  Mr Tovey, just to regularise the last document  
17           you introduced, exhibit 6 was the deposit slip for \$7,500.  
18           I'll make exhibit 6B the Ablett credit card statement  
19           relating to that deposit.

20   #EXHIBIT 6B - Ablett credit card statement relating to deposit  
21           slip for \$7,500 (Exhibit 6).

22   MR TOVEY:   Thank you, Mr Commissioner.  You see, I suggest to  
23           you that it was only after the Victorian Ombudsman started  
24           an investigation in November of 2014 that Mr Ablett came  
25           to start declaring conflicts of interest.  That was the  
26           case, wasn't it?---I'm not 100 per cent sure on that, sir.  
27   Well, didn't you discuss it with him?---No, sir.  I don't  
28           believe so.

29   Getting back, though, to the - I just want to understand this

1 better. We are dealing with 17 February 2014 when there  
2 were separate cash payments, one of which was made by way  
3 of an unsigned deposit slip into Mr Ablett's account by  
4 you; that's true?---Yes, sir.

5 And you say that was because he was subject to credit card  
6 stress in the way in which you've described?---Yes, sir.

7 And as he described it to you, he said at that stage he had  
8 maxed out his credit card, or what was the problem, as you  
9 understood it? How can you disqualify yourself by  
10 reaching your credit card limit?---My understanding was,  
11 sir, that he had no ability to be able to clear the credit  
12 card and he felt that this was going to play against him  
13 ultimately in his candidacy for the seat of Cranbourne.

14 I see. So that \$15,000, as you understood it, would have  
15 cleared his credit card?---Well, sir - sorry, sir, I was  
16 only looking at the evidence that you provided to me.

17 I think eventually it took his credit card down to \$40.

18 And you remember that now?---I only remember that - - -

19 You remember that now, and all this totally eluded you

20 yesterday?---Yes, sir. I apologise, sir. Look,

21 I understand that it's - it's a reflection overnight of  
22 the evidence and the questions. I apologise that I did  
23 not give that answer yesterday. I should have, but

24 I - - -

25 Of course you should have. So you thought you were doing  
26 something which wasn't corrupt and just helping out a  
27 friend?---I believe that I was attempting to assist in  
28 eventually he becoming the candidate for Cranbourne, yes,  
29 sir.

1 And you thought you were doing something that wasn't corrupt or  
2 wasn't improper?---Assisting someone to be the candidate  
3 I didn't consider to be corrupt, sir.

4 Sir, are you trying to address my questions or are you just  
5 trying to dance around the proper answers? I'm simply  
6 asking you whether or not you saw the payment of money to  
7 him in cash to clear his credit card was corrupt?---No,  
8 sir.

9 Did you think it was improper?---No, sir.

10 That being the case then, you acknowledge that the transaction  
11 was conducted in the way in which I have described?---Yes,  
12 sir.

13 Why did you do it that way, in a way which was calculated to  
14 disguise the fact that you had made the payment to  
15 him?---I can't recall why I did it that way, sir.

16 So you remember you reduced his credit card to \$40, but you  
17 can't remember why you did it in the convoluted cash way  
18 you did using an unsigned deposit slip?---Sir, the \$40  
19 only became aware on the screen just this morning, sir.

20 COMMISSIONER: Mr Tovey's question, Mr Woodman, was: given your  
21 degree of recollection now about the detail of why you did  
22 this, you cannot tell us why you concealed the payment  
23 from you?---Sir, a cash payment from one account to  
24 another goes straight into the account. It doesn't -  
25 I can't recall, sir.

26 MR TOVEY: Well, there is no rational explanation other than  
27 you wanted to conceal it because it was improper or  
28 corrupt. Can you think of any other explanation? You  
29 have had overnight to think about that as well?---As

1 I say, sir, I thought that I was assisting in his  
2 candidacy.

3 No, but that's got nothing to do with the way in which you  
4 structured the payment, has it? If you wanted to help him  
5 with his candidacy you could readily have simply  
6 transferred \$15,000 to his credit card, if in fact that  
7 was for the purpose that you say. The point we are making  
8 or the point that I am making is that this was structured  
9 in a way which reeks of corruption; you understand that.  
10 I'm asking you whether overnight, having thought about  
11 this in detail, you have come up with some explanation  
12 other than corruption for the way in which you structured  
13 the payment?---I apologise, sir, I haven't attempted to  
14 substantiate - yesterday I was asked why I had no answer  
15 as to why I did it. I have now, after recollecting,  
16 remembered why I made those payments. Yesterday - - -  
17 So - - -?---Sorry, sir.

18 Was it only on that one occasion that you provided him with  
19 cash to clear his credit card or was this something that  
20 you did from time to time?---I don't believe I did it  
21 other than on this occasion, for the reason that I have  
22 explained.

23 Did you give him cash on any other occasions for some other  
24 reason?---Not at this stage I didn't, sir. I don't  
25 believe so.

26 All right. Well, you've already admitted that - - -

27 COMMISSIONER: Sorry, what do you mean "not at this stage",  
28 Mr Woodman? Mr Tovey's question was did you give him cash  
29 at any other time for any other reason?---Sir, are we

1 talking about - if I did, sir, I cannot recollect giving  
2 him cash.

3 MR TOVEY: But you admitted yesterday that on two other  
4 occasions you did give him cash. That was on 5 November  
5 2013 and on 17 January 2014. You admitted yesterday that  
6 on 25 November 2013 you deposited money into his account,  
7 that is cash money into his account, using a deposit slip  
8 with a false name on it for \$5,000. Can you think of any  
9 explanation other than corruption for that?---Well, sir,  
10 I thought that was the same clearing of the credit card  
11 that we are now talking about.

12 You just told me a minute ago that you cleared the credit card  
13 on one occasion and that was on 17 February of 2014 by  
14 paying \$15,000. I'm now suggesting to you that we have  
15 identified three occasions in November of '13, January of  
16 '14 and February of '14 on which you paid. Now, were all  
17 those in relation to his credit card? Did you sort of  
18 bring it down month by month for months before the  
19 election?---Sir, I believe that those payments were in  
20 order to clear the debt in the credit card. That is my  
21 recollection, sir.

22 All of them? All of them? All of them?---Yes, sir.

23 All those payments?---That is my recollection, sir.

24 Why didn't you say that when I asked you a couple of minutes  
25 ago? A couple of minutes ago you said there was one set  
26 of payments that cleared the credit card. Now you are  
27 saying there were three. Why?---I'm terribly sorry, sir,  
28 I didn't realise that - - -

29 Of course you didn't.

1 COMMISSIONER: Mr Woodman, the first of those transactions, as  
2 you indicated yesterday, you used a false name in  
3 depositing the funds, withdrawing them and transferring  
4 them?---Yes, sir.

5 Have you thought about why you did that?---No, sir, no.  
6 Obviously it was an error of judgment, sir.

7 Why? Why do you say it was an error of judgment?---Well,  
8 I should not have done that, sir.

9 Why not?---Because it now appears that it's an improper action,  
10 sir.

11 But if I understand you correctly, what you say with the  
12 benefit of hindsight is you don't think it was  
13 improper?---With the benefit of hindsight, I now see that  
14 it was improper, sir.

15 Now I'm confused, Mr Woodman. I thought your explanation this  
16 morning in which you've explained your purpose was to  
17 facilitate the reduction in the indebtedness of  
18 Mr Ablett's credit card, that you did not regard assisting  
19 him in that way as improper?---I'm terribly sorry, sir.  
20 I meant not putting it in the correct name, sir.

21 I see. But your position is you don't - on reflection you  
22 don't think there was anything improper about assisting  
23 Mr Ablett in reducing his credit card debt?---No, sir.

24 MR TOVEY: If we could move on from there, Mr Woodman?---Sir,  
25 I would like to apologise. After four hours yesterday my  
26 mind is not operating as sharp as what it should, sir.  
27 I apologise.

28 COMMISSIONER: Mr Woodman, if at any stage you feel you'd like  
29 to have a break to gather your thoughts, have a drink, for

1           whatever reason, just indicate, because you need to make  
2           sure you're doing yourself full justice when you answer  
3           questions. Do you follow?---Yes, sir.

4 MR TOVEY: I just want to move along a bit and give you some  
5           information just as to what was going on over the next  
6           period of time. In July of 2014 there was a council vote  
7           in respect of Brompton Lodge. On 19 August of 2014 there  
8           was a council vote in respect of C219 rezoning. On  
9           16 September of 2014 there was a vote on the C219 matter.  
10          I don't expect you to remember the dates, but is it in  
11          accord with your general recollection that there were  
12          regular votes involving issues relating to Brompton Lodge  
13          and C219 during that period of time?---I believe so, sir.

14 All right. And then the Metropolitan Planning Authority got  
15          involved in considering issues relating to C219?---Yes,  
16          sir.

17 And on 21 October 2014 proposed revisions to the Cranbourne  
18          West PSP, that's C219, came before the council and the  
19          vote related to expanded provision for alternative forms  
20          of development such as mixed use, including residential.  
21          Mr Aziz was the chairperson for that meeting and it was  
22          moved that the recommendations be endorsed and to further  
23          amend the PSP, that's the precinct structure plan, to  
24          include the Kelly family and the Leighton land as being  
25          totally residential. That of course is precisely what you  
26          wanted to occur, is it not?---That was the intention of my  
27          client, yes, sir.

28 Now, at that stage I suggest that you'd made payments to  
29          Mr Ablett totalling \$25,000 and that you'd made cash

1 payments to Mr Aziz totalling in the vicinity of \$80,000.

2 Do you agree with that?---I don't believe the Aziz  
3 payment, sir.

4 At that stage had you also supported Councillors Ablett and  
5 Stapledon at the State election, the 2014 State  
6 election?---I believe, sir, the State election is in  
7 November 2014.

8 That's why I'm asking you as of 21 October had you already made  
9 your contribution? You would have, wouldn't you?---Yes,  
10 sir.

11 All right. So, two of the councillors who then voted on this  
12 critical motion have received a total of \$65,000 by way of  
13 political contributions in respect of their State  
14 Government campaigns?---I don't believe they voted, sir.

15 Well, we'll be able to readily check the voting at the meeting.  
16 But what about Mr Aziz? Did he vote?---I can't recollect,  
17 sir, but certainly Stapledon and Ablett excused  
18 themselves. I think that was a matter of - previously  
19 reviewed.

20 In any event, I think you're right about that, the situation  
21 was that Councillor Stapledon was absent and also was the  
22 mayor; is that right?

23 COMMISSIONER: The mayor then was?

24 MR TOVEY: The mayor was Mr Ablett?---And they both excused  
25 themselves, sir. Yes, sir.

26 Well, they were absent for whatever reason. We don't know why.  
27 Did you ever have Mr Ablett or Councillor Stapledon - did  
28 you enlist their help in lining up other councillors when  
29 they weren't voting to vote in the way you wanted?---No,

1           sir.

2   Do you want to think about that? Do you have any doubt about

3           it?---No, sir.

4   All right. Never?

5   COMMISSIONER: Just put that clearly, Mr Tovey.

6   MR TOVEY: Did you ever seek the assistance of Councillor

7           Ablett or Councillor Stapledon to lobby other councillors

8           to vote for you, even in circumstances where they had to

9           disqualify themselves?---No, sir.

10   COMMISSIONER: So when council assisting says "vote for you",

11           I take it you mean, Mr Tovey, vote for a motion which

12           Mr Woodman had an interest in seeing passed.

13   MR TOVEY: Yes. You understood that, didn't you?---Yes, sir.

14   COMMISSIONER: Mr Aziz, to your knowledge did he ever

15           disqualify himself from a council motion on the basis of a

16           conflict of interest arising from any association or

17           dealing with you?---Not that I'm aware of, sir.

18   Never?---No, not that I'm aware of, sir, no.

19   I think you denied a few moments ago that a figure of \$80,000

20           in cash had already been paid to Mr Aziz at the time of

21           this particular motion before the council on 21 October.

22           Had you paid Mr Aziz any cash?---No, sir.

23   MR TOVEY: So you became aware in October/November of 2014 that

24           the ombudsman was conducting an investigation?---Yes, sir.

25   And was it in January - was it shortly after then in January of

26           2015 that you entered into an agreement with Mr Ablett,

27           that agreement being that he's going to look after your

28           equine interests?---Yes, sir.

29   And could you look at this document, please? Could we look,

1 please, at 4288? That's court book 4288, yes. That's a  
2 document signed by you?---Yes.

3 And the date of that document is 5 January 2015?---Yes, sir.

4 And then that document records this initially, does it not, "As  
5 per our recent discussion please find" - sorry, this is a  
6 memorandum from you to John - sorry, from you to Geoff  
7 Ablett?---Yes, sir.

8 And it's headed "Management of the family equine  
9 interests"?---Yes, sir.

10 And it read, did it not, "As per our recent discussion please  
11 find detail below the job description for the above  
12 position which we request you to provide a monthly fee for  
13 same." All right? "The payer will be Watsons Pty Ltd  
14 from profits otherwise payable to the family." Is that  
15 right?---I apologise, sir, could you repeat the question?  
16 I'm just asking you to follow what I'm reading?---Yes, sir.

17 Just to agree that what I'm reading out is correct; all  
18 right?---Yes, sir.

19 So the document provides, "The payer will be Watsons Pty Ltd  
20 from profits otherwise payable to the family." What does  
21 that mean?---You mean the part "horses owned by the  
22 family", sir?

23 No, "The payer will be Watsons"?---Yes, the payer - - -  
24 "Pty Ltd", so it's Watsons who are employing him; is that  
25 right?---Watsons are making the payments, sir. Yes, sir.

26 "From profits otherwise payable to the family." What does that  
27 mean?---I'm terribly sorry, sir, is that - - -

28 Look, I'm just generally asking because I don't understand.  
29 "Profits otherwise payable to the family", what were they?

1 That's in the second line - sorry, it's in the second  
2 paragraph of the document. It's a single line  
3 paragraph?---Yes, I apologise, sir, I now see that line.  
4 I can only assume that I was referring to the Ablett  
5 family.

6 No, this is "Watsons Pty Ltd from profits otherwise payable to  
7 the family." So, Watsons is paying this from profits.  
8 Was this a serious document or was it just some front to  
9 give an air of legitimacy to your relationship with  
10 Mr Ablett?---No, I don't believe either, sir. I think  
11 it's a poorly worded line. I think what I was indicating  
12 was that Watsons would be making the payments.

13 Was this document designed to be a document which could be  
14 produced to show that you had appropriate concern about  
15 conflicts of interest in your relationship with Mr Casey  
16 if the ombudsman came calling?

17 COMMISSIONER: Mr Ablett.

18 MR TOVEY: Sorry, with Mr Ablett if the Ombudsman came  
19 calling?---This was a contract between myself and Ablett  
20 to establish that he would look after the equine interest  
21 and as indicated to clear that he would refrain from  
22 voting and/or becoming involved at a council level in any  
23 of our projects, sir.

24 You see, the third paragraph is this, is it not, "In the light  
25 of the above and our ongoing relationship, your acceptance  
26 of the position is on the basis that you declare a  
27 conflict of interest with the Casey Council as a  
28 councillor of same and for council business that might  
29 involve Watsons Pty Ltd and/or our clients and you play no

1 part in the decision-making process of the council for  
2 those items." You see that's the paragraph?---Yes, sir.  
3 Okay. So the way this unfolds is that you indicate that  
4 there's been a recent discussion between you to provide a  
5 monthly fee. The payer is going to be Watsons from  
6 profits otherwise payable to the family, even though you  
7 have no recollection or no idea as to what that really  
8 means, and then you immediately launched into a paragraph  
9 about conflict of interest. Was that the matter that was  
10 foremost in your mind when this document was framed by  
11 you?---I don't believe so, sir.

12 COMMISSIONER: Did you prepare the document, Mr Woodman?---Did  
13 I prepare the document? Yes, sir.

14 It was entirely your creature, was it?---Yes, sir.

15 MR TOVEY: In your document you insert the paragraph "in  
16 respect of conflict of interest" even ahead of an  
17 explanation of what the job is. I would suggest to you  
18 that that would suggest that this document was designed as  
19 an opportunity to say something about conflict of  
20 interest, was it not?---I don't believe so, sir.

21 I tender that document.

22 COMMISSIONER: Yes. That will be exhibit 9. Memorandum from  
23 Mr Woodman to Mr Ablett dated 5 January 2015.

24 #EXHIBIT 9 - Memorandum from Mr Woodman to Mr Ablett dated  
25 5 January 2015.

26 COMMISSIONER: Mr Woodman, if you're right that your equine  
27 relationship with Mr Ablett went back to 2012, had you  
28 previously stipulated, in the clear fashion in which this  
29 document states it, that he was in a conflict of interest

1 situation and had to decline from participation in any  
2 council affairs involving you?---Sir, the previous  
3 involvement of my sponsoring his radio show was not  
4 something at the time that I considered a conflict of  
5 interest, the exact date of the purchase of Prima Facie  
6 which has been indicated to me, if that is the first  
7 horse, but in answering your question, no, I had not  
8 previously indicated to him that our association was a  
9 conflict of interest.

10 So if you're right that your horse racing association went back  
11 for some years prior to this memorandum, then you were  
12 clear during the period of that earlier association that  
13 Mr Ablett would therefore be precluded from participating  
14 in any council motions that you had an interest in,  
15 whether in terms of an interest in a development or as a  
16 consultant?---Correct, sir.

17 Yet that didn't happen, did it? Mr Ablett, until this period  
18 of time, did participate in motions in which you had an  
19 interest?---Yes, sir. As I say, I'm not clear as to when  
20 the first horse purchase occurred, but my only comment is  
21 that this matter was investigated I thought vigorously by  
22 a government department.

23 You're talking about the Ombudsman now?---Yes, sir.

24 Yes?---And at the end of that investigation indicated that  
25 there were on many occasions Watsons had applications or  
26 their clients and that Mr Ablett had where appropriately  
27 not involved himself, was my understanding, sir.

28 MR TOVEY: So you thought the Ombudsman gave Mr Ablett the tick  
29 of approval?---That was my understanding of that document,

1 sir.

2 But Mr Ablett - - -

3 COMMISSIONER: By "document", you mean the Ombudsman  
4 report?---Yes, sir.

5 MR TOVEY: But Mr Ablett refused to give evidence before the  
6 Ombudsman on the grounds that it might incriminate him,  
7 didn't he?---I'm not aware of that, sir.

8 Was the Ombudsman ever told about you paying out his credit  
9 card?---I'm not aware, sir.

10 Well, how could you rely on the Ombudsman's report if the  
11 Ombudsman didn't know about things which you've told us  
12 about now? Did you tell the Ombudsman that you'd been  
13 paying him \$25,000 in cash?---I had not been asked, sir,  
14 that question.

15 No, did you volunteer it? I mean, you're a person who is  
16 concerned about due process, are you not, about  
17 governance, good governance?---Yes.

18 As somebody concerned about good governance, you had knowledge  
19 that there were cash payments to Mr Ablett, did you not  
20 tell the Ombudsman that? Did you speak to the  
21 Ombudsman?---No, sir.

22 COMMISSIONER: It's right to say, is it not, that the net  
23 result of the Ombudsman's enquiry, with the limited powers  
24 that the Ombudsman had, that she was unable to make any  
25 determination that any of the allegations that had been  
26 made to her were substantiated; is that correct?---Yes,  
27 sir.

28 And so thereafter things continued with council affairs as they  
29 had before; is that not correct?---I can't answer that

1 question, sir.

2 Let me put it more directly. Did you change any aspect of the  
3 way you dealt with councillors after the Ombudsman's  
4 report? Did it alter the way you dealt with them?---No,  
5 sir.

6 MR TOVEY: In early 2015 the SCWRAG organisation was set up,  
7 wasn't it?---I couldn't give you an exact date, sir.

8 No, but is it consistent with your recollection that it was  
9 about that time?---I believe so, sir, yes.

10 And am I correct in understanding - perhaps before I go to that  
11 I should ask you about something else you mentioned, a  
12 radio show you sponsored. Over what period of time were  
13 you sponsoring a radio show that Mr Ablett was involved  
14 with?---I think - I cannot clearly answer that, sir.  
15 2010.

16 For how long? Years?---Two, possibly three years.

17 And what was the form of your sponsorship?---We were contacted  
18 by Casey Radio and asked to provide a six-monthly payment  
19 for advertising for a particular show and we - my  
20 recollection is that we advertised on two programs on  
21 Casey Radio.

22 Did the money go to Casey Radio or did it go to

23 Mr Ablett?---No, to Casey Radio under invoice, sir.

24 Okay. Moving back then to SCWRAG, SCWRAG was run by Mr Ray  
25 Walker; is that right?---Mr Ray Walker took an unofficial  
26 position of the chairperson of the committee that ran or  
27 were more informative than running because it was a  
28 community group supporting a proposal.

29 You say it was the case that you never gave money to

1 SCWRAG?---Sir, my understanding was that we gave in kind  
2 assistance with the preparation of leaflets and I believe  
3 some of our people may have actually delivered some of  
4 those leaflets. But, sir, I'm not 100 per cent sure.  
5 You've told us that over a period of time you made payments to  
6 Mr Walker for certain work he was doing for you; is that  
7 right?---Correct, sir.  
8 And those payments over a period of two and a half years or  
9 something approximating that were in excess of \$160,000,  
10 weren't they?---I couldn't give you an exact figure, sir.  
11 Forgetting about SCWRAG, did you ever make payments directly or  
12 indirectly to Mr Walker linked to your own  
13 interests?---No, sir. I seek clarification. When you say  
14 "your own interest"?  
15 Well, for instance, in respect of the Hall Road issue or - I'm  
16 talking about your development interests. Did you ever  
17 pay money to Mr Hall directly - sorry, to Mr Walker  
18 directly related to your development interests or directly  
19 related to - sorry, directly related to Hall Road or any  
20 other development interest you have?---No, sir.  
21 Did you do that indirectly through some intermediary?---No,  
22 sir.  
23 Mr Walker ended up being a fundamental part of your strategy,  
24 did he not, in respect of promoting both the C219 rezoning  
25 and in respect of matters relating to the H3  
26 intersection?---Sir, he represented approximately 1,100  
27 residents of Cranbourne West. He was their spokesperson  
28 and whenever community groups are formed it is always our  
29 intention to attempt to find a spokesperson who can

1 represent the community as against numerous people  
2 speaking on behalf of the community. So Ray Walker put  
3 his hand up to become the spokesperson.

4 I just want to understand what you've just said. So the  
5 process that you tried to encourage is to find somebody  
6 who was capable of speaking for the community to represent  
7 large numbers of people?---Yes, sir.

8 And is that something you seek to do in respect of the various  
9 areas where you operate, to find somebody who will front  
10 up a community action group?---When we feel appropriate  
11 that the community need to be or need to have a voice, we  
12 would conduct a circularisation of the persons involved  
13 and seek to find if there was support and out of that  
14 normally we would find a group of people that were more  
15 enthusiastic than the others and inevitably one or two of  
16 those would put their hand up to keep the community  
17 informed as to the progress of the particular community  
18 action group or interest that was being undertaken.

19 All right. And that was part of your strategy in Casey as  
20 well?---Yes, sir.

21 All right. So could you please look at page 4505.

22 COMMISSIONER: Are you able to increase the font at all? Thank  
23 you.

24 MR TOVEY: That's an email dated 18 March 2015 from Megan  
25 Schutz to you, to Tom Kenessey - he's from Leightons, is  
26 that right - and a copy to Mr Staindl; is that  
27 right?---Yes, sir.

28 And who is Peter? [REDACTED], do you know?---This email  
29 has been prepared by Megan Schutz.

1 No, but you'll see that's cc'd to Phil Staindl and to Peter  
2 somebody?---Yes.  
3 Who's the Peter?---He is an employer of Leighton Properties.  
4 Sorry, an employee do you mean or - - -?---Sorry?  
5 You said he was an employer of Leighton Properties?---Yes, sir.  
6 Leighton Properties employs Peter.  
7 Okay. So looking at that message, "I was thinking a flyer  
8 using the consistent branding sent out to the email  
9 database, letterbox dropped, text message, doorknocked  
10 again." So that's referring, as you understand it, is it,  
11 to letterboxing using brochures to attract the attention  
12 of citizens?---Yes, sir.  
13 All right. "I think we should be setting up a  
14 www.saveCranbourneWest.com.au website referred to on the  
15 flyer." Is that right?---Yes, sir.  
16 So this is a proposal to send out a flyer and for you guys,  
17 that is for you and Megan Schutz and Tom Kenessey, to be  
18 involved in the setting up of a saveCranbourneWest.com.au  
19 website; true?---Sir, it's a Megan Schutz email, not mine,  
20 sir. She's advising me.  
21 She's not just advising you. She's suggesting "we", that is  
22 the people she sent the email to, "We should be setting up  
23 the website." Now, you are one of the "we" are you not,  
24 sir?---Yes, sir.  
25 And you agreed with that proposal?---Yes, sir.  
26 All right.  
27 COMMISSIONER: And this was something she was authorised - this  
28 was part of her job?---Yes.  
29 To come forward - I think this would fall within your concept

1 of a strategy, wouldn't it, Mr Woodman?---Yes, sir.

2 Yes.

3 MR TOVEY: And so as a result of that there was going to be a  
4 flyer, just looking further down the document. If we  
5 could just scroll that a little bit, thank you. There's  
6 going to be a flyer saying, "Council have rejected  
7 government bureaucrats' call for an industrial  
8 ...(reads)... they have listened to the Cranbourne West  
9 community and taken action. To make the change to  
10 housing, the planning minister must hear the community's  
11 voice," et cetera, et cetera. "Write to the minister  
12 today." All right? That's what you're sending out under  
13 the heading of SCWRAG. That's what you're planning to  
14 send out before SCWRAG is even set up?---That is a  
15 suggestion of Ms Schutz, sir.

16 To you?---Yes, sir.

17 And you agreed?---Sir, there is an email - - -

18 I'm just asking you you agreed with that, did you not, and you  
19 went on to provide consultancy fees to Ms Schutz?---Yes,  
20 sir.

21 Thank you?---Sorry, sir, did you say did I provide consultancy  
22 fees to Ms Schutz?

23 Yes?---No. Leightons were paying Ms Schutz, sir.

24 Yes, but you went on to provide consultancy fees to her, did  
25 you not, in respect of the H3 intersection?---No, sir.

26 Are you sure about that?---I believe it was the landowner, sir,  
27 but I stand to be corrected.

28 In respect of what?---I believe - repeat the question? I think  
29 you said "Did you employ Ms Schutz for the H3

1 intersection"?

2 Yes?---And my answer is, no, I believe the landowner employed  
3 Ms Schutz.

4 COMMISSIONER: I'm not sure why you're making that distinction,  
5 Mr Woodman. You told us yesterday that you had an  
6 overarching responsibility in this whole area of strategy,  
7 whether it was Leightons or Ms Schutz, that you were  
8 overseeing the process that you were following because you  
9 were all working with the same objective in mind; isn't  
10 that so?---Yes, sir, but H3 I think, sir, is a different  
11 project to Cranbourne West.

12 It may well have been, but you had an overarching role, didn't  
13 you?---Each project is differing - Cranbourne West was a  
14 rezoning and the overarching role I have with my company  
15 is predominantly in rezonings. H3 was a project that was  
16 being undertaken. It was in progress and once a project  
17 starts my role falls away. I'm strategising in rezonings,  
18 is my predominant position with the company.

19 Yes. So this was you being involved in your overarching  
20 capacity, wasn't it?---This particular document, yes, sir.

21 MR TOVEY: And in respect of H3, one of the developments was  
22 Elysian; is that right?---I'm terribly sorry - - -

23 In respect of the H3 intersection, one of the developments  
24 which abutted the H3 intersection was Elysian, was it  
25 not?---Correct, sir.

26 And were you a director of Elysian?---No, sir.

27 Did you have any role in Elysian?---No, sir. Other than a  
28 consultant's role, sir.

29 Could you please look at 3651?

1 COMMISSIONER: I'll make that last document the email from  
2 Schutz to Woodman and others 18 March 2015 exhibit 10.  
3 #EXHIBIT 10 - Email from Schutz to Woodman and others dated  
4 18 March 2015.

5 MR TOVEY: Before I go to that, could you look at, please,  
6 4506? Now, that's an email on 18 March 2015 from Tom  
7 Kenessey of Leightons to you and to Megan Schutz; is that  
8 right?---Yes, sir.

9 And can we scroll down? There is there reference to "council  
10 resolution"; is that right? Do you see that's the  
11 heading, "Subject: council resolution", at the top under  
12 the "cc Megan Schutz"?---Sorry, sir. Yes, sir.

13 Okay. Thank you. And then you get set out a resolution in  
14 formal terms; is that right?---Yes, sir. This is the  
15 email from Tom Kenessey, yes, sir.

16 So what you're there doing is organising the precise wording of  
17 a resolution which you are going to have somebody put  
18 before council?---That is a Tom Kenessey email, sir.

19 Yes, to you. It's being sent to you for your approval, isn't  
20 it, as part of your overarching responsibility in respect  
21 of the Cranbourne West PSP?---Yes, sir.

22 If we go down, you respond by saying "Guys" - so part of that  
23 resolution was the matter be referred on to the minister.

24 COMMISSIONER: I don't think that's a response, Mr Tovey.

25 Mr Woodman's email was before Mr Kenessey's.

26 MR TOVEY: I'm sorry, yes. In any event, going to the email  
27 which was on - could we just scroll down, please, I'm  
28 sorry - on 18 March at 9.42 am had you indicated, "Guys,  
29 I need to report up the line to Judith the above that was

1 passed last night, remembering that the Labor Party agreed  
2 that subject to council supporting the translation from  
3 employment to residential the Labor Party would also  
4 support. Please send through ASAP so I can email our good  
5 friend in readiness for tomorrow's meeting. Thank you."  
6 All right. Now, who's Judith?---Judith Graley.  
7 And who is she?---She is the member for Narre Warren or was the  
8 member for Narre Warren South.  
9 And had you supported her political campaigns?---Yes, sir.  
10 To what extent?---I couldn't give you the exact details of  
11 that, sir.  
12 Are we talking 10,000, 20,000, 40,000?---10,000. 10,000.  
13 And then who's "our good friend in readiness for tomorrow's  
14 meeting"?---I believe that is her, sir, but I stand to be  
15 corrected.  
16 COMMISSIONER: What's the "tomorrow's meeting" a reference to,  
17 Mr Woodman?---I believe that - I shouldn't answer that  
18 question, sir, because I'm not 100 per cent sure in 2015,  
19 but if I could interpret what I've written there, it is  
20 that I was meeting with Judith to give her an update on  
21 the progress of the planning scheme amendment.  
22 Can you remember doing that?---No, I can't remember meeting  
23 with her, no.  
24 You mean for this purpose or that you can't ever remember - -  
25 -?---Yes, sir, I met with Judith on numerous occasions in  
26 relation to this matter.  
27 Yes, thank you. I presume that that "translation" should be  
28 "transition". So what you're saying is "transition from  
29 employment to residential"?---I agree, sir.

1 MR TOVEY: Could you look now at document 3651, please?

2 COMMISSIONER: That will be exhibit 11, 18 March 2015 chain of  
3 emails Kenessey to Woodman.

4 #EXHIBIT 11 - 18 March 2015 chain of emails, Kenessey to  
5 Woodman.

6 MR TOVEY: That's a document from Megan Schutz to Ray and  
7 Verily and others. Who are Ray and Verily?---That is Ray  
8 Walker and Verily, his wife.

9 And the subject is the save Cranbourne West residents action  
10 group, SCWRAG?---Yes, sir.

11 All right. Then if you just go down the page. Could you just  
12 go up slightly, thank you. Megan Schutz is there  
13 referring to a meeting where she has suggested that  
14 residents form an action group to speak on behalf of the  
15 community and everybody agreed what the name of the group  
16 would be, and she then observes that, "Now that we have  
17 established the group, we can let the community know about  
18 it." Insofar as those things are reflected, are spoken  
19 about in that document, that reflects the normal way in  
20 which you would seek to have community support when you  
21 are involved in a rezoning issue?---Yes, sir.

22 COMMISSIONER: Do you want to get to the bottom of the  
23 document, Mr Tovey?

24 MR TOVEY: Yes, thank you.

25 COMMISSIONER: Perhaps just give the witness an opportunity  
26 to - unless you're going to ask any further questions  
27 about it, Mr Tovey.

28 MR TOVEY: Yes, thank you. Could we just scroll down right to  
29 the bottom of the document? I think that's a different

1 document. It was agreed in the end that she said that  
2 there would be another meeting. Schutz Consulting was to  
3 finalise the preparation of a website; is that right?

4 That's paragraph 2?---Yes, sir.

5 Schutz Consulting was to arrange with landowners to put signage  
6 up in favour of the rezoning; is that right? That was the  
7 agreement, item 1?---Yes.

8 Letterbox drop. Schutz Consulting preparing a draft  
9 submission - sorry, a draft petition and SCWRAG to write a  
10 letter to the minister. So, in the time that SCWRAG  
11 existed, did any of the flyers that were sent out or was  
12 there ever any public announcement which made residents  
13 aware of the fact that these things were being done by the  
14 interests which were financed by the developers?---No,  
15 sir.

16 And that was the whole point, wasn't it, of setting up  
17 organisations like SCWRAG? It was so you could give an  
18 air of independence and an air of community support which  
19 is being organised not independently, but by you?---Sir,  
20 the circulation and the seeking of comment from  
21 the community is an important part of a rezoning process.  
22 If the feedback that is received is that the employment is  
23 an important part and should be retained, then the  
24 community group no longer has obviously the same  
25 intentions and/or support of the persons who are  
26 attempting to collect the community's thoughts into a  
27 group that would be representative of the change.

28 COMMISSIONER: So when, Mr Woodman, you go to the Minister for  
29 Planning as part of the strategy and say, "Look, you

1 really should rezone as we are proposing because SCWRAG,  
2 the community group, fully supports our proposal," do you  
3 give him this document and the other documents that show  
4 the genesis of SCWRAG and how you played a role in that?  
5 You tell the minister all that?---No, sir.

6 All you tell the minister is, "Here is the reflection of the  
7 community's thinking"?---Yes, sir.

8 So there's an absence of transparency, isn't there?---There is  
9 an absence of formal transparency, Mr Commissioner, sir.

10 Why do you say "formal transparency"? The minister would have  
11 had no idea that you lay behind the creation of and the  
12 development of this strategy with the community group. He  
13 wouldn't have known that, would he?---Sir, my experience  
14 over years of rezonings is that community groups are  
15 formed utilising funds either by donation and/or by  
16 landowners who are attempting to have the rezoning  
17 commenced. It's not a formal arrangement that the  
18 minister would be formally aware of, but he would be  
19 informally understanding that a group of SCWRAGers  
20 involving 1,100 people would not be able to be drawn  
21 together without some assistance financially in the  
22 commencement of that group.

23 So, if I understand you correctly, you say it was a common  
24 thing for a community group seeking to express a position  
25 on a planning issue to be funded in whole or in part by  
26 the developers or persons who had the financial interest  
27 in that planning issue being promoted?---Yes, the majority  
28 of the time, sir.

29 The majority of the time. And you would say even though the

1 minister's not told the role you played here, the minister  
2 ought to be aware that that might well lie behind the  
3 community representations that are made?---Yes, sir.

4 Is that a satisfactory system, Mr Woodman, that the developer  
5 is able to say to the public at large, "Look, we've got a  
6 community group here who fully supports this project," but  
7 the public are not aware of the process that has led to  
8 that position?---I agree, sir, that it would be in the  
9 benefit of transparency for all parties, including the  
10 minister, to be formally advised that donations have been  
11 made to the community group in order to commence the  
12 process of support for a particular notion.

13 Just to complete the circle, when you say that this was a  
14 common enough - in your experience a common enough  
15 practice that developers operated in this way in setting  
16 up or supporting a community group, do you mean at this  
17 level of detail with the sort of thing that Ms Schutz has  
18 set out there? Is that a common experience of  
19 yours?---Yes, sir.

20 MR TOVEY: And the people who are responding, the citizens who  
21 are responding to surveys, it's part of the plan, is it,  
22 that they don't know that developers are behind the person  
23 or the organisation which is putting out the  
24 survey?---Sir, the flyer that arrives at their letterbox  
25 and potentially doorknockers, if they are asked as to the  
26 essence of where their funds or what is being transpired,  
27 they are advised to provide that information.

28 Who are they advised by? Who are they advised by?---Well, it's  
29 part of the - - -

1 I'm sorry, I thought you told me that it wasn't disclosed that  
2 you and your interests were in fact behind SCWRAG. But  
3 you say it was disclosed?---If - if - if a resident was to  
4 ask - if a resident was to ask the question, sir.

5 So where do you get your doorknockers from? They are just  
6 people who are members in the community, are they?---Yes,  
7 sir.

8 So you did in fact announce to all the doorknockers that in  
9 fact SCWRAG was financed by you and your  
10 interests?---Well, I think it's on records - - -

11 Are you serious?---Sorry, sir.

12 Sorry?---I think it's on the records, sir, that Leightons  
13 provided \$15,000 to fund the commencement of this  
14 organisation.

15 It was discovered in the course of an inquiry. It was never  
16 announced to the community until there was an  
17 investigation into the matter. That's the situation,  
18 wasn't it?---I believe, sir, it was a subject of a news  
19 article.

20 Yes. And did you ever seek to cover up or become party to any  
21 knowledge that the true level of Leighton's contribution  
22 was less than that which had previously been disclosed  
23 after the newspaper investigation?---I don't believe so,  
24 sir.

25 When you say you don't believe so, do you say that didn't  
26 happen?---I don't believe I have ever been asked the  
27 question whether Leightons or myself contributing - I have  
28 never been asked that question by people in the SCWRAGers  
29 group.

1 To your knowledge was the full extent of Leighton's  
2 contribution covered up, even after the investigation by  
3 the newspaper?---No, I believe it was \$15,000.

4 COMMISSIONER: There's a reference in the email chain to Ray  
5 and Ray having prepared a letter for the minister. That's  
6 Mr Walker?---Yes, sir.

7 So at this point of time SCWRAG has not yet formally been  
8 created. You had met with Mr Walker and he was on board  
9 in following this process?---I had not met with Mr Walker.  
10 Ms Schutz - - -

11 Ms Schutz did?---Yes.

12 With your authority?---Yes, as part of the strategy.  
13 Yes.

14 MR TOVEY: Mr Commissioner, would that be an appropriate time?

15 COMMISSIONER: How are you feeling, Mr Woodman? I have to  
16 adjourn today at 12.30. Would you like to have a break  
17 now for a few minutes?---Five minutes would be  
18 appreciative, sir.

19 Very good. We will adjourn.

20 (Short adjournment.)

21 COMMISSIONER: Yes, Mr Tovey.

22 MR TOVEY: Thank you, Mr Commissioner. (To witness.) So  
23 following the setting up of SCWRAG you are aware that, at  
24 the behest of Ms Schutz, Mr Walker was enlisted to write  
25 to the minister suggesting that there was significant  
26 community support for what was being proposed?---Yes, sir.  
27 And he in fact with the assistance of Ms Schutz got together a  
28 petition which was presented to the minister?---Yes, sir.

29 All right. Now, throughout this time there are again council

1 meetings in respect of the C219 issue. Just for the  
2 record, those are on 21 April 2015 and 5 May 2015. On  
3 28 August 2015 the report of the planning panel which had  
4 been considering the matter indicated that Ms Schutz on  
5 behalf of Leightons and the Kelly family had lodged with  
6 the City of Casey a package of proposed amendment  
7 documentation.

8 Again just going through matters for the record,  
9 on 19 January Brompton Park - sorry, Brompton Lodge again  
10 came up before the council. During this period of time,  
11 this is in late '15 into 2016, regular payments were being  
12 made as we have already indicated to Mr Walker. There  
13 were regular - - -

14 COMMISSIONER: Payments by who, Mr Tovey?

15 MR TOVEY: Sorry, your Honour?

16 COMMISSIONER: Payments by who?

17 MR TOVEY: Payments by Mr Woodman's companies, your Honour.

18 Sorry, when I say - I think I've got - in November through  
19 to January 2016 there were regular payments to Councillor  
20 Ablett in respect of what has been put forward as his  
21 horse management. Those payments continued to be made  
22 over a long period of time and were made by a number of  
23 companies associated with Mr Woodman.

24 The payments to Mr Walker, if I could correct  
25 what I said just a minute ago, started at 5,500 a month in  
26 July 2016, for a period they escalated to 8,500 a month,  
27 and then reduced much later on. They are matters we will  
28 go through at some later stage.

29 COMMISSIONER: Yes.

1 MR TOVEY: Again for the record, on 19 January 2016 Brompton  
2 Lodge came before the council. In February of 2016 C219  
3 was back before the council. Now, at this stage  
4 Councillor Ablett was regularly declaring a conflict.  
5 I will take the Commission later to the terms of those  
6 declarations about which I have made some comment in  
7 opening.

8 COMMISSIONER: Yes. So I take it, Mr Tovey, in giving us this  
9 narrative that you are simply wanting Mr Woodman to follow  
10 the sequence of things until you come to the next matter  
11 you want to specifically raise with him?

12 MR TOVEY: Yes, your Honour - sorry, yes, Mr Commissioner. I'm  
13 just covering the gaps so to that Mr Woodman and others  
14 have this in context.

15 COMMISSIONER: Yes.

16 MR TOVEY: On 7 June of 2016 - perhaps before we go to that,  
17 could I also indicate that throughout this period there  
18 had been regular cash deposits made to the account of  
19 Mr Ablett. On 7 June of 2016 there was a significant vote  
20 before council on the C219 issue. As at that stage  
21 Mr Aziz had made over \$100,000 cash deposits into his  
22 accounts over a period of time and Mr Ablett had received  
23 \$62,500 in cash and directly as already indicated in the  
24 examination which has taken place over recent days. Now,  
25 could we please have page 3296? Can we just scroll down,  
26 please? These are discussions, if we stop there,  
27 between - these are on WhatsApp. Did you from time to  
28 time do messaging with Lorraine Wreford using the WhatsApp  
29 app?---Yes, sir.

1 Did you retain those messages on your phone?---No, sir.  
2 WhatsApp of course is encrypted, is it not, and you understand  
3 that nobody can intercept messages as they go between  
4 phones on using the WhatsApp application?---I understand,  
5 sir.  
6 However, if you don't delete the texts from the phone itself  
7 there is of course still a record?---Yes, sir.  
8 Has Ms Wreford indicated to you in your discussions in recent  
9 months that her phone was seized with her WhatsApp  
10 messages on it?---Yes, sir.  
11 Have you been privy to a view of what those messages  
12 were?---Yes, sir.  
13 And where did that come from?---She provided me with a copy.  
14 So if we could just scroll down a little bit further. So you  
15 see there on 4 June Ms Wreford messaging you, "Hi, John.  
16 Spoke to Sam today. He's aware of Gary's games. Sam will  
17 be at the meeting and has the numbers. All will be fine.  
18 L"; is that right?---Yes, sir.  
19 Now, when she refers to speaking to Sam was that Sam  
20 Aziz?---I assume so, sir.  
21 And who's playing games; Gary?---I assume that's Councillor  
22 Rowe, sir.  
23 And, "Sam will be at the meeting and has the numbers." Is that  
24 the council meeting on 7 June, the next council meeting  
25 dealing with C219?---I am not familiar with the reason for  
26 the meeting, but I assume it is a meeting.  
27 A council meeting?---Yes, sir.  
28 So it would appear, would it, that she's talking on 4 June  
29 about the next council meeting and she's telling you Aziz

1 "will be at the meeting and he has the numbers. All will  
2 be fine." So it was part of Aziz's role, was it, to line  
3 up the numbers in your favour?---No, sir.

4 What's that reference to having the numbers mean to you?---It  
5 means that Sam in his analysis in private briefings which  
6 occur prior to a council meeting that he believes that  
7 there are sufficient people who are supporting whatever  
8 was to be discussed and that it was unnecessary for  
9 Ms Schutz to further brief those people.

10 Is this something that you would regularly get? Would you  
11 regularly get reports back on - from Sam Aziz as to the  
12 voting intentions of other councillors?---Not regularly,  
13 sir.

14 Sometimes?---It would depend on the issue, but it may be half a  
15 dozen times a year. I'm not - it would vary depending on  
16 the issues being addressed by council at the time, sir.

17 Did you get back information from Councillor Ablett at any time  
18 about the voting intentions of other councillors?---No,  
19 sir.

20 Was he ever provided with information to seek to lobby other  
21 councillors?---Not that I'm aware of, sir. Not by myself,  
22 sir.

23 In any event - - -

24 COMMISSIONER: Just think about that, Mr Woodman. What you are  
25 being asked is whether Mr Aziz either by you or by someone  
26 at your direction or with your authority provided Mr Aziz  
27 with information which he could then use for the purpose  
28 of influencing other councillors as to how they might  
29 vote?---Mr Commissioner, the word "influence" as against

1 the word providing an outline of our policy could be  
2 interpreted differently, but I - - -

3 Let's go with your terminology?---Yes.

4 Was Mr Aziz provided with information by you or by others at  
5 your direction or with your authority for the purpose of  
6 disseminating that information to other  
7 councillors?---Yes, sir. He would have been briefed by  
8 normally Ms Schutz if there was an item of concern that we  
9 felt was important for him to fully comprehend our  
10 position compared to, for instance, the council officers  
11 who may have written a report.

12 MR TOVEY: I take it, sir, you are aware of this but tell me if  
13 you are not, that in that meeting of 7 June 2016 a motion  
14 was moved which Mr Aziz seconded to include 66 per cent of  
15 the 200 hectares of industrial land in the Cranbourne West  
16 PSP as residential land?---I'm not familiar with the exact  
17 meeting or the contents, sir.

18 Are you aware that that in fact was a proposal which was put  
19 forward and accepted by the Cranbourne Council in about  
20 June of 2016?---At some point following on from the  
21 minister's direction that all of the land that was  
22 initially proposed - - -

23 No, I'm just asking you were you aware - - -

24 COMMISSIONER: Don't worry about the exact date. Do you accept  
25 that at some point that was a motion that was put and  
26 passed by the council?---Yes, Commissioner.

27 MR TOVEY: And it's something that you were aware of at the  
28 time?---Yes, sir.

29 And that's what in fact you had been involved in the WhatsApp

1 conversation with Lorraine Wreford about only two days  
2 before or three days before?---I don't - - -  
3 That's the next council meeting. It must be, surely. Just  
4 have a look at that again?---I couldn't clearly say, sir,  
5 that that discussion on that WhatsApp was in relation to  
6 what you have just indicated.  
7 So again just summarising to maintain context - - -  
8 COMMISSIONER: Are you moving on from this document?  
9 MR TOVEY: Yes, I am.  
10 #EXHIBIT 13 - WhatsApp messages between Ms Wreford and  
11 Mr Woodman May/June 2016.  
12 COMMISSIONER: Did you normally communicate with other people  
13 by WhatsApp or was this a special arrangement with  
14 Ms Wreford?---Only with Ms Wreford.  
15 And why was that?---I stand to be corrected; I'm terribly  
16 sorry, sir.  
17 Yes?---Not only with Ms Wreford but the majority of my  
18 discussions with Ms Wreford were via WhatsApp.  
19 And why was that, that you were communicating with her by that  
20 mode?---I think that it was mentioned before that it is  
21 encrypted and was of a private - more of a private nature  
22 than a normal messaging service, yes, sir.  
23 You wanted to increase the level of security around your  
24 conversations with her?---Yes. Yes, sir.  
25 And why was that?---I don't believe that there was any  
26 clandestine reason for that. It was just a means of  
27 communication that was decided between the two of us.  
28 I have never deliberately deleted my WhatsApp account at  
29 any stage, sir. So - - -

1 No, but, I'm sorry, just a moment ago you explained why you  
2 were using this mode of communication with her?---Yes,  
3 sir.

4 Because it has the encrypted function?---Yes, sir.

5 So what's your reason for wanting to have additional security  
6 in relation to your communications with her?---I can only  
7 imagine that it was not one that either party wanted other  
8 people to have the ability to see.

9 Yes. I understand we have a technical difficulty in streaming  
10 to the adjoining hearing room. I see the time. We might  
11 adjourn now then until quarter to 2; take advantage of the  
12 time that's needed to fix this problem. Mr Woodman, go  
13 and have some lunch and we will see you back here at  
14 1.45?---Thank you, sir.

15 <(THE WITNESS WITHDREW)

16 LUNCHEON ADJOURNMENT

[12.18 PM]

17

18

19

20

21

22

23

24

25

26

27

28

29

1 UPON RESUMING AT 1.52 PM:

2 COMMISSIONER: Have a seat, Mr Woodman.

3 <JOHN CHARLES WOODMAN, recalled:

4 COMMISSIONER: I omitted to mark as an exhibit the email from  
5 Ms Schutz to SCWRAG dated 22 March 2019. That will be  
6 exhibit 14.

7 #EXHIBIT 14 - Email from Ms Schutz to SCWRAG dated 22 March  
8 2019.

9 COMMISSIONER: Yes, Mr Tovey.

10 MR TOVEY: Thank you, Mr Commissioner. Continuing on with what  
11 was going around the critical council vote of 7 June 2016  
12 could we please be shown page 4008? If you look at the  
13 top of that page that's a text or, sorry, a WhatsApp  
14 communication at 9.10 pm on the night of the vote with  
15 Lorraine Wreford communicating to you, "Hi, John. Good  
16 news. Motion passed exactly as per the agenda moved by  
17 Gary Rowe (go figure) and seconded by Sam." That was  
18 something that you received confirming that the vote had  
19 gone in your favour; right?---In favour of the proposal,  
20 sir.

21 Yes. It was good news to you. It was the result you wanted  
22 and indeed where you or those working for you had indeed  
23 prepared the notice of motion or agenda; isn't that  
24 right?---I don't believe it, sir - I would need to see the  
25 notice of motion, sir, I apologise.

26 In any event, "the agenda moved by Gary Rowe (go figure)", you  
27 understood that, did you, to indicate, "Who would have  
28 thought that Gary Rowe is going to support us"?---As  
29 I said, sir, I would need to see the motion to be able to

1 further comment on the exact nature of those - Lorraine  
2 Wreford's comments.

3 That was the motion making or suggesting that 66 per cent of  
4 the land should be zoned residential?---Oh, okay. Yes.  
5 Yes, sir.

6 All right. You understood that to say - her to be indicating,  
7 "Who would ever have thought that Gary Rowe would support  
8 us"; true?---Correct, sir.

9 And then "seconded by Sam", that's Sam Aziz?---Yes, sir.

10 And then you responded further down the page, if we just bring  
11 that up a bit, just down slightly - I think we have gone  
12 too far; we need to go further up. Yes, this one, thank  
13 you. Then on 9 June you responded and thank Lorraine for  
14 her good work and said you would speak to her when the  
15 dust settles. Then you indicated that you were still  
16 meeting on the 22nd or the 22nd to confirm cash flow and  
17 final details. "Thanks, Lorraine. All good"?---Yes, sir.

18 Insofar as you were then talking about confirming the cash flow  
19 and the final details, was that the cash flow in respect  
20 of Mr Aziz?---No, sir.

21 What was it?---I believe it was in reference to the future  
22 council election.

23 And what was it that you were doing in regard to the future  
24 council election?---Lorraine Wreford was the Liberal Party  
25 representative - - -

26 Yes?---At that council election that I believe that I was  
27 providing finance for the forthcoming election for  
28 printing matters.

29 So that was printing out - printing out brochures, is that

1           what - - -?---Yes, sir.

2   Mail-outs, were you doing those?---Yes, sir.

3   All right. And you did that for Lorraine Wreford?---Yes, sir.

4   And those mail-outs are quite expensive, are they not? They

5           are somewhere between - you might spend seven to 9,000 at

6           a go?---There is a - look, I'm not familiar with the exact

7           details of the costs of the mail-outs, sir. It

8           depends - - -

9   How many mail - - -?---I guess it depends on the board.

10   How many mail-outs did you do for Lorraine?---No, I'm not

11           familiar with the exact details, sir.

12   Did you make any declaration as to a political contribution

13           equivalent to the cost of the mail-outs?---No, sir.

14   COMMISSIONER: Did she? Did Ms Wreford?---Not that I'm aware

15           of, sir.

16   Should she have? Should she have made a declaration?---No,

17           sir. It's a local government election. My understanding

18           is no declaration required.

19   MR TOVEY: Did you ever do mail-outs for politicians who were

20           standing for State government?---Yes, I have, sir.

21   Was one of those Councillor Serey?---Councillor?

22   Serey, S-E-R-E-Y?---Serey?

23   Yes?---Yes, sir.

24   And did you do that on two occasions, spending some

25           \$15,000?---For Councillor Serey's State election, yes,

26           sir.

27   And you didn't declare that?---I don't - I'm not familiar, sir,

28           whether we did or didn't. But at State election at that

29           time I didn't believe that it was a requirement to declare

1 donations towards elections.

2 COMMISSIONER: Just come back, Mr Woodman, to your belief about  
3 the obligation to declare where you had paid for the  
4 mailing campaign for a candidate. You drew a distinction  
5 between an obligation for a State election and a local  
6 council; correct?---At the present time, yes, sir.

7 What do you mean by "at the present time"?---After the last  
8 State election the rules in relation to donations were  
9 altered that you were now required under State legislation  
10 to declare donations to politicians.

11 Yes - - - ?---But prior to that I didn't believe that it was a  
12 requirement.

13 At a local council election?---At local council or State.

14 So it was your belief that instead of paying a lump sum to a  
15 candidate at a local council election for their election  
16 campaign if you paid for the postage for their electoral  
17 campaign there was neither an - there was no obligation on  
18 the councillor to reveal that?---No, there certainly would  
19 have been an obligation for the councillor to declare any  
20 donation over \$250, I think it is.

21 I'm sorry, you said to me a little earlier, no, you didn't  
22 believe there was an obligation?---I apologise, sir, if  
23 I said that. Obligation - I was thinking of my  
24 obligation, not the candidate's obligation. But my  
25 obligation at State level is changed, but prior to the  
26 last election there was no obligation, I didn't believe,  
27 to make a declaration; and at local government level the  
28 requirement for declaration was with the candidate.

29 Did you have any doubt, Mr Woodman, that if you provided funds

1 for a postal - to support a postal campaign by a  
2 councillor, whether that was for a local government  
3 election or for that councillor standing for a State  
4 parliamentary position, in either event that would create  
5 a conflict of interest for the councillor which they would  
6 have to acknowledge if they ever had to deal with a motion  
7 concerning something in which you had an interest?---Yes,  
8 sir.

9 You did have a doubt or you didn't have a doubt?---No, no, that  
10 is correct, sir.

11 So you knew that from the moment you supported a postal  
12 campaign with a financial contribution that councillor  
13 could thereafter - would thereafter be obliged to declare  
14 a conflict of interest?---Yes, sir.

15 And did they? Did Ms Wreford, did Ms Serey declare a conflict  
16 of interest thereafter when dealing with any council  
17 issue?---I'm not aware of council issues, sir, but at  
18 State government because of my support of Councillor Serey  
19 at the State government she from that moment on,  
20 I believe, declared - I believe, I'm not 100 per cent  
21 sure, I've not looked at the minutes, but I believe that  
22 she didn't vote any further on any issues to do with  
23 myself.

24 At?---At council level.

25 At council level?---Yes.

26 You believe she did declare a conflict?---Yes, I believe so.

27 And what about Ms Wreford?---No, Ms Wreford was not standing.

28 Ms Wreford was the lobbyist for the Liberal Party that

29 I was dealing with in relation to donations for the local

1 government forthcoming election.

2 So the reference here to "confirm cash flow" is a cash flow for  
3 who or for what?---It's for candidates for the forthcoming  
4 election.

5 Forthcoming?---Local government election.

6 MR TOVEY: Was Councillor Serey elected to the State  
7 government?---No, sir.

8 She remained on council; is that right?---Yes, sir.

9 Are you aware of Councillor Serey ever declaring a conflict of  
10 interest in respect of - - -

11 COMMISSIONER: He just said, Mr Tovey, he believes she did.

12 MR TOVEY: Yes. (To witness.) In respect of what issues and  
13 when?---In respect of issues associated with myself or  
14 my - or any of my clients.

15 How much was the amount that you devoted to the cash flow to  
16 supporting local government candidates?---I believe it was  
17 in excess of \$50,000, sir.

18 And that was all in the Casey area?---\$50,000 in  
19 Casey - I apologise, sir, I was forgetting I also stood  
20 myself at Mornington and supported a candidate at  
21 Mornington. So for local government elections in 2016 it  
22 probably would have been in excess of 70, \$75,000.

23 And is that the sort of money that you put into Casey on each  
24 election cycle?---Approximately, sir. I haven't got exact  
25 details.

26 And how was that done? Was it done mainly by paying for  
27 mail-outs and brochures and those sorts of things rather  
28 than direct contributions in respect of which there was a  
29 limit?---Correct, sir. I gave Ms Wreford an amount of

1 money and left it up to her and associates to distribute  
2 to whoever they felt appropriate.

3 And were they people who were considered to be friendly to your  
4 interests?---"Friendly" is probably not a word I would  
5 use, sir.

6 Look, I don't want to spend all day on this, but we have a list  
7 that's been circulated between you and Ms Wreford with a  
8 list of people who are council candidates colour coded  
9 according to who's friendlies and who's not. Now, is that  
10 the way in which you did it?---Sir, I'm not  
11 familiar - well, if you are referring to a list of 127  
12 candidates - are you referring to that list?

13 I'm putting to you a list containing a number of candidates  
14 with colour coding as to - I'll just explain the list to  
15 you and you tell me whether you deny that that list exists  
16 and then we will determine whether to come back to it at  
17 some stage. But I suggest that you were a party - that  
18 you were provided with a list by Ms Wreford or Ms Schutz  
19 which provided a significant number of candidates, maybe  
20 20, 30, colour coded according to who were friendlies and  
21 who were not, and people were assigned to follow up with  
22 people who you didn't know whether they were friendly or  
23 not. Now, I'm simply asking you (a) whether that was the  
24 way you did it - I'm not suggesting to you that there was  
25 anything necessarily wrong in doing that. What I'm asking  
26 you is is that the way - - -

27 COMMISSIONER: You need to establish first did he do it.

28 MR TOVEY: Yes. Did you do it?---No, sir.

29 COMMISSIONER: Yes, Mr Juebner?

1 MR JUEBNER: As a matter of fairness, could the witness be  
2 shown the list - as a matter of fairness, if he's been  
3 asked about a specific document, a list, in my submission  
4 he ought to be given a copy of the list. The description  
5 is so broad - - -

6 MR TOVEY: It's fair enough. I think it's fair - - -

7 COMMISSIONER: I'm not sure that it's that broad, Mr Juebner.

8 But if there is any uncertainty by the witness as to  
9 whether he did that or not, yes, I agree with you.

10 MR TOVEY: 3718, please. (To witness.) This is an email from  
11 you to Tom Kenessey with copies to Lorraine Wreford and  
12 Megan Schutz. I apologise, it's you who has prepared the  
13 list. "Tom, fill the attached colour coded summary of  
14 the candidates and persons responsible for follow-up.  
15 Thanks, John Woodman, managing director." And then could  
16 we go on, please, to the list itself? All right. So if  
17 you look at the colour coding you have got green who is  
18 Tom. Who's Tom?---Tom Kenessey.

19 All right. And then you've got a plus sign for  
20 Lorraine?---Yes.

21 That's Lorraine Wreford, is it?---Yes.

22 And then a division sign for Phil. Who's Phil?---Phil Staindl.

23 All right. And this is 2016. And then you've got yellow for  
24 friendly; all right?---Yes, sir.

25 And then if you go through the list you've got a list of  
26 candidates and their contact details?---Yes, sir.

27 Where you could. And then you've got - in yellow you've got  
28 the friendlies; all right?---Yes, sir.

29 And in greens you've got those who are either opposed or you

1 don't know what their attitude is; is that right?---Yes,  
2 sir.

3 And then if you see, "Tom see Renic" there you've got an  
4 asterisk on his name?---Yes, sir.

5 Could we just scroll back up again, please. So that would  
6 mean, would it, that he's marked with green, and we go  
7 back to that entry, if you wouldn't mind. He's marked  
8 with green and an asterisk. That means he would be  
9 somebody who is going to be seen by Tom Kenessey, except  
10 that on this occasion there is "John" there and perhaps  
11 you decided to see him yourself?---Correct, sir.

12 Commissioner, if I may clarify the reason for this  
13 document.

14 COMMISSIONER: I think counsel is going to explore that with  
15 you, Mr Woodman. What did you want to say?---Yes. Sir,  
16 this document is primarily to do with Cranbourne West.

17 MR TOVEY: Yes?---And it's a document for people to be briefed  
18 about the proposed Cranbourne West rezoning.

19 Yes. So this is part of the way in which you dealt with your  
20 attempt to have the C19 amendment progressed?---Yes, sir.

21 COMMISSIONER: This level of analysis about candidates and  
22 whether or not they would be viewed as supporting the  
23 planning amendment that you wanted was part of your normal  
24 strategy, Mr Woodman?---I could only think of one other  
25 project that we have undertaken this specific analysis,  
26 yes. It was a project called Martha Cove at Safety Beach.

27 MR TOVEY: But this is the month before the council elections,  
28 isn't it?---Yes.

29 And this document would have informed you, Ms Wreford in

1 particular, as to who the contributions that you were  
2 providing would go to and who they wouldn't?---Okay - - -  
3 You're not going to support people, are you, who are, to use  
4 your words here, the opposition or unfriendly?---At the  
5 particular time that this document was prepared, sir, we  
6 were only assuming as to who would brief each of the  
7 candidates about a particular project, about Cranbourne  
8 West.

9 But what I'm putting to you is that this was a month before the  
10 election; right? Is that true? That's correct, isn't it?  
11 The election was in October, on 22 October?---Yes.

12 Or thereabouts. I'm not sure about what exact date, but in  
13 October in any event. So what I'm putting to you is that  
14 the result of this analysis must have fed into who you  
15 financed in the election?---Not from my point of view,  
16 sir.

17 So you would support candidates, would you, provide them with  
18 mail-outs and those sorts of things even if they opposed  
19 your interests?---Not necessarily, sir. But this is a  
20 document for people to be briefed and it specifies which  
21 person is to brief each councillor. That is the totality  
22 of this document, sir.

23 Did you see that there was some sort of core team and wider  
24 team of councillors involved in voting on issues that  
25 concerned you? Did you have a team?---No, sir.

26 Did you in October of 2016 see Councillors Aziz and Stapledon  
27 as part of your core? I'll add Mr Ablett to that. Did  
28 you see them as part of your core support in that  
29 council?---It would depend on the individual issue that we

1           were talking about, sir.

2 Did you see Mr Aziz as somebody who would carry with him a

3           block of votes?---Not necessarily, sir. It would depend

4           on the issue.

5 What do you mean by "not necessarily"?---No, sir.

6 Could we bring up, please page 3698?

7 #EXHIBIT 16 - Email from Mr Woodman to Kenessey, Staindl and

8           others dated 22 September 2016.

9 MR TOVEY: Okay. So it would appear from 3698 that 27 October

10          was the date of the election. On that day did you email

11          Lorraine Wreford indicating that you had been contacted by

12          Geoff Ablett advising that he had won with 55 per cent of

13          first votes?---Yes, sir.

14 And whether there were any other results.

15 MR JUEBNER: Can I just, sorry, clarify. My learned friend

16          used the word "email". It's not an email, just to be

17          clear.

18 MR TOVEY: No, it's a WhatsApp message.

19 MR JUEBNER: He asked the question whether he emailed. I just

20          want to make sure it's not an email, it's a WhatsApp

21          message.

22 COMMISSIONER: Thank you.

23 MR TOVEY: I'm sure the witness hasn't been misled. (To

24          witness.) So Geoff Ablett had contacted you personally to

25          give you the result?---Yes, sir, he had.

26 And of all the people in the electorate was it the reason that

27          he contacted you because you were a friend and a financial

28          supporter as far as you were aware?---He would contact me

29          because of my being a friend, number one, sir.

1 Okay. If we just keep ongoing down. Wreford says to you,  
2 "Looks like Susan Serey will win Eddington and even Mick  
3 Moreland looks like he may get back." You then say to  
4 her, "Lorraine, that's great. Both part of the wider  
5 team"?---Yes, sir.

6 You just told me before there wasn't a team and there wasn't a  
7 wider team. Do you want to change that?---It depended on  
8 each individual issue, sir.

9 Could we keep on going, please? Could we keep on scrolling?  
10 And could we keep on going down? This is by 7.45 pm  
11 Lorraine has indicated to you by WhatsApp, "I spoke to Sam  
12 today" - that's Sam Aziz. "He thinks Amanda" - that's  
13 Amanda Stapledon. Who's Wayne?---Wayne Smith.

14 Wayne Smith, yes. "And himself will get back. If that happens  
15 they will have the numbers." What numbers did you  
16 understand her to be talking about?---I can only assume  
17 that they mean the numbers that would support Sam on a  
18 particular issue, and I'm only assuming that that was the  
19 Cranbourne West issue. But I could stand to be corrected.

20 COMMISSIONER: Does that give you any better insight as to what  
21 you meant by "the team"?---Like minding thinkers, sir.

22 I'm sorry?---Like minding thinker on a particular issue, sir.

23 MR TOVEY: And from your perspective you were concerned about  
24 issues that involved you, were you not?---The previous  
25 document identified Cranbourne West and I believe that  
26 this document is talking about the people that they had  
27 spoken to. I'm only drawing conclusions, sir, I'm sorry.

28 So you are looking there to see who's likely to vote with Sam  
29 as a block in respect of the Cranbourne West issue; that's

1 really the bottom line, isn't it?---Yes, sir.

2 Thank you.

3 COMMISSIONER: These sorts of communications in which Wreford

4 is telling you what Aziz has said to her were not

5 unusual?---At election time not unusual, sir.

6 You didn't find it unusual that Ms Wreford is passing on to you

7 a message from Aziz about having the numbers?---Did I find

8 it unusual, sir?

9 Yes?---No.

10 MR TOVEY: Can we keep on scrolling down, please.

11 #EXHIBIT 17 - WhatsApp between Lorraine Wreford and Mr Woodman

12 dated 27 October 2016.

13 MR TOVEY: So there's further discussion as we scroll down.

14 Keep on going, thank you. Then we get you indicating,

15 again this is almost a continuous conversation going on,

16 isn't it? You then say, "And Gazza!" So it was with a

17 degree of joy and glee that you came to see that - that's

18 Mr Ablett had been re-elected; is that not the

19 case?---Sir, could you ask the question - - -

20 Sorry, "And Gazza", so that's Mr Rowe; is that right?---Yes.

21 COMMISSIONER: Mr Tovey, I think we can take it that Mr Woodman

22 would have been pleased that Ablett was re-elected.

23 MR TOVEY: Yes. All right. I'll move on. Please go down.

24 (To witness.) And then there's more talk about who's

25 being elected as we go down. Can you just go back up very

26 slightly, thank you? And then a name comes up, "Chris

27 Andrews will get up in Four Oak," and you ask, "Is he one

28 of us"?---Yes, sir.

29 And you meant was he one of your group, the group that votes in

1 your favour?---Sir, prior to the election I provided funds  
2 for printing of how-to-vote cards and was not aware. So  
3 I would anticipate I was asking Ms Wreford if in fact  
4 how-to-vote cards had been printed for Chris Andrews.

5 I now want to take you to 13 February 2017.

6 COMMISSIONER: They are all dated 27 October. I will include  
7 those WhatsApps in exhibit 17.

8 #EXHIBIT 17 - (Added) WhatsApps dated 27 October 2016.

9 MR TOVEY: Just apropos of what you just said, could we go to  
10 page 3700? Could we just scroll down a little, please?  
11 I just want to go to the next text - sorry, the next  
12 communications after those I've asked you about. So then  
13 Lorraine Wreford says to you, "He's a Liberal but a law  
14 unto himself." What was your response? We will see that.  
15 And you say, "So not in the team.?" Is that the way in  
16 which it went on?---Yes, again, sir - - -

17 And if we keep on going for a minute. And she replied, "No,"  
18 confirming he's not in the team. Then we go down. All  
19 right. I tender that page as well, Mr Chairman.

20 COMMISSIONER: I'll mark that part of exhibit 17.

21 #EXHIBIT 17 - (Added) WhatsApp dated 27 October 2016.

22 COMMISSIONER: It's all the same date, is it not?

23 MR TOVEY: It is. I now want you to have a look at document  
24 3664. This is dated 13 February 2017, and you see that's  
25 a document to Jenny Little, who's your planning manager,  
26 is she?---Yes, sir.

27 And a draft agreement has been sent for her approval. If we  
28 can scroll down and see where it's come from. Ray Walker;  
29 is that right?---Yes, sir.

1 Now, could we just scroll back to the beginning. So he's sent  
2 you a draft agreement where he's going to collect sales  
3 data and do some of those things that you have already  
4 told us about in the south-east of Melbourne; is that  
5 right?---Yes, sir.

6 And is that the form that the agreement ultimately  
7 took?---I could not tell you that, sir.

8 Was there an agreement subsequently  
9 signed?---I couldn't - I couldn't tell you that, sir.  
10 I don't know the answer to that, sir.

11 Can you explain to us why it would be that he is sending you a  
12 draft agreement for 3,300 per month including GST when he  
13 has for the last eight months already been remunerated at  
14 the rate of around \$5,000 a month?---I have no answer for  
15 that, sir.

16 Was this one of those documents which was a back covering  
17 exercise?---I don't believe so, but I cannot answer that,  
18 sir. I don't know the answer.

19 COMMISSIONER: Mr Woodman, what counsel is putting to you is  
20 that you already had some sort of arrangement with  
21 Mr Walker because he had been receiving monthly payments  
22 from you and long after that arrangement commenced this  
23 draft agreement suddenly emerges. Now, could you think a  
24 little more carefully what's the explanation for  
25 that?---Okay. I apologise, Mr Commissioner. I could be  
26 filling in gaps. I think that initially Mr Walker was  
27 working through Schutz Consulting and for reasons which  
28 I cannot explain Watsons were going to provide a contract  
29 to him direct instead of it coming through Schutz

1 Consulting. That's the only explanation that I have. But  
2 I am not 100 per cent sure, sir.

3 MR TOVEY: Could I just, Mr Commissioner, ask one more question  
4 before you continue on. (To witness.) The metadata on  
5 that document shows it was created on 16 January of 2019.  
6 How could that be?

7 COMMISSIONER: Are you able to take the witness to that,  
8 Mr Tovey?

9 MR TOVEY: No, this is the information embedded in the  
10 electronic copy, Mr Commissioner.

11 COMMISSIONER: You better make clear the basis on which the  
12 question is being asked.

13 MR TOVEY: (To witness.) The investigators have checked the  
14 electronic imprints relating to the creation of that  
15 document and have established that it was created on  
16 16 January of 2019. How could that be if it wasn't for  
17 the purpose of simply being there to cover your back?

18 COMMISSIONER: Mr Tovey, first he hasn't agreed that it was.  
19 But this is an agreement that's forwarded by Mr Walker.

20 MR TOVEY: Yes. What I'm saying is this agreement has been  
21 forwarded - I will just ask rather than say to you,  
22 Mr Commissioner.

23 COMMISSIONER: Yes.

24 MR TOVEY: (To witness.) This agreement has been forwarded, on  
25 the face of it, to Jenny Little in February of 2017; is  
26 that right?---Well, sir, that's what the information that  
27 I'm looking at shows, sir, but I'm not - - -

28 You can't remember ever seeing this document?---No, sir.

29 But if it was in fact not created until January '19 would you

1 agree that the document has to be a fabrication?---No,  
2 sir.

3 That the document has to be a sham?---I'm unfamiliar with the  
4 nature and the reason for the document, sir, I apologise.

5 I will ask you this. Can you provide any reason other than the  
6 fact that the document has been designed to cover people's  
7 backs for a document dated February 2017 to be created and  
8 sent to your office in January 2019?---The only  
9 explanation or the only background information that  
10 I could provide is that Mr Walker was working for  
11 Ms Schutz and Ms Schutz was invoicing Watsons for his work  
12 and his work was being sent direct to Watsons. I'm  
13 unfamiliar with this particular document or for the reason  
14 of it, sir.

15 I should be fair to you. I mean, there's no evidence that this  
16 was in fact sent on. Perhaps it just - we'll have to ask  
17 Mr Walker. Perhaps it just sat in his computer or was  
18 never sent?---Could have been, sir.

19 But in any event - - -

20 COMMISSIONER: I'm sorry, just to be clear, then, Mr Tovey,  
21 what's the basis - what's the metadata you are speaking  
22 of? It's metadata, what, in Mr Walker's - - -

23 MR TOVEY: Metadata in Mr Walker's computer.

24 COMMISSIONER: Mr Walker's computer?

25 MR TOVEY: Yes. (To witness.) But can you think of any reason  
26 why he would create in 2019 a document dated 2017?---No,  
27 sir.

28 All right. It's got nothing to do with you if that in fact is  
29 what occurred. I now want to ask you just a general

1 question about the \$600,000 that Mr Aziz brought to you in  
2 a suitcase on 10 May 2017. I want to put to you at the  
3 outset this, that in 2017 Mr Aziz brought you the suitcase  
4 full of cash because of an understanding between you that  
5 this would have a number of purposes. Firstly, I'd  
6 suggest to you that there was an understanding at the time  
7 that this would provide a means for him to hide his assets  
8 from his wife; do you agree or not agree with  
9 that?---I think I made my point yesterday, sir, that at  
10 the time I was not 100 per cent sure, but afterwards  
11 I became aware that he had marital problems. I cannot  
12 recall him making the statement to me that the 600,000 was  
13 an attempt to mislead other people about his financial  
14 situation.

15 I want to suggest to you that as a result of this agreement the  
16 effect was that there were profits or amounts in excess of  
17 the \$600,000 to the extent of either 60 or \$90,000,  
18 depending on how you do the arithmetic, which was returned  
19 to various entities associated with Mr Aziz to provide him  
20 with the benefit of that 60 to \$90,000; do you agree that  
21 that was the case?

22 MR JUEBNER: I don't understand that question.

23 COMMISSIONER: I think you will have to rephrase it.

24 MR TOVEY: Yes, all right. (To witness.) What I'm putting to  
25 you is that looking at the way in which payments were made  
26 back to Mr Aziz or entities associated with him you ended  
27 up providing him with \$90,000 in excess of the 600,000  
28 which he had given you a year or so earlier, and that that  
29 \$90,000 was not the cash money you have spoken about but

1           that \$90,000 was in fact by bank transfers to entities  
2           associated with him. Do you agree with that?---Well, sir,  
3           I haven't got those figures in front of me. So I cannot  
4           agree or disagree, sir.

5   COMMISSIONER: What Mr Tovey is putting to you simply is you  
6           didn't merely return the \$600,000 to Mr Aziz but you paid  
7           him over and above that amount an additional \$90,000 in  
8           the course of returning funds to him?---Is that including  
9           interest, sir?

10   MR TOVEY: Well, interest perhaps is an interesting - an  
11           interesting characterisation. Let's just leave it neutral  
12           and just call it \$90,000 over and above the \$600,000.

13   COMMISSIONER: No, I think Mr Woodman is asking you, Mr Tovey,  
14           does that include the monthly payments that were made  
15           during the - - -

16   MR TOVEY: No, no. (To witness.) What I'm talking to you  
17           about now is money that's gone into bank accounts; all  
18           right? This is bank transfers have provided a return of  
19           \$90,000 over and above the 600,000.

20   MR JUEBNER: Could I just ask my learned friend to clarify  
21           this. The Commission has already heard evidence to the  
22           effect that the principal was returned - this was on the  
23           first day of the hearings - the principal was returned and  
24           interest was paid on it. Is Mr Tovey asking a question  
25           now in respect of money over and above the principal and  
26           the interest - - -

27   COMMISSIONER: Correct.

28   MR JUEBNER: Or is he in fact addressing what I would otherwise  
29           have understood to be the interest?

1 COMMISSIONER: No, I think it's the former, Mr Juebner. But we  
2 will get him to clarify that. What Mr Juebner is asking  
3 is the \$90,000, does that include the interest component  
4 that was paid during the course of the loan or investment  
5 or is this discrete - - -

6 MR TOVEY: This doesn't include the cash. (To witness.) You  
7 see, what I want to suggest to you in simple terms is  
8 this: that, having received the \$600,000 within the space  
9 of 12 or 13 months, you had returned to him \$222,000 over  
10 and above the \$600,000, of which 132,700 was cash?---Sir,  
11 I'm not totally familiar with the figures that you are  
12 talking about. But I'm not in a position to say that -  
13 those transfers occurred over two years ago so - - -

14 Having said that, I want to put to you my second proposition  
15 that the acceptance of this \$600,000 had a second purpose  
16 which was to put you in a position to suggest that there  
17 was some legitimate basis on which you could transfer to  
18 Mr Aziz very large amounts of money?---No, sir.

19 Because we know the money just sat in your bank account and did  
20 nothing; is that right? That's what you have told us  
21 already?---Sir, it was originally proposed to be lent to  
22 clients of ours who required - - -

23 COMMISSIONER: Mr Woodman, he's not asking what was proposed.  
24 He's asking what you actually did with the money?---Sorry,  
25 sir. The money remained in our account.

26 And whilst it remained in the account pursuant to the agreement  
27 you say you made with Mr Aziz you were to pay him by way  
28 of interest \$15,000 a month; is that correct?---15,000,  
29 sir.

1 Yes, which roughly speaking amounted to something just below  
2 30 per cent per annum of the amount with you?---Yes, sir.  
3 Yes, and that was for no other reason than the fact that he  
4 deposited the money with you?---Yes, sir.  
5 You had no prior personal relationship with him that would  
6 explain why you would agree to pay such a large monthly  
7 sum for holding the money in your account?---Sir, our - my  
8 experience is in unsecured mezzanine funds we have had  
9 experience of paying 44 plus. So I thought at the time  
10 that 30 per cent was not out of order, sir.  
11 Had you had any personal relationship with Mr Aziz, that is had  
12 you had any dealings of any sort with him prior to the  
13 time that you agreed to take the \$600,000 from him and pay  
14 him that monthly figure?---No, sir. No personal, no.  
15 And what Mr Tovey is putting to you is that the audit figures  
16 show that not only did you return the \$600,000 to Mr Aziz,  
17 not only did you pay the monthly amount of \$15,000, but  
18 you paid him a substantial amount above the 600,000 when  
19 returning those sums to him. What do you say about  
20 that?---I say if those figures that are being explained to  
21 me are correct then that is correct, sir.

22 MR TOVEY: All right - - -

23 COMMISSIONER: Pardon me, Mr Tovey. (To witness.) No-one  
24 expects you to remember in detail individual payments that  
25 are made. What is being assumed, however, is that if you  
26 are returning that investment to Mr Aziz and you pay him  
27 something in the order of \$90,000 over and above that  
28 amount it's something you would remember?---Sir, the  
29 communication between myself and our financial officer

1           were conducted over a number of months. It could be true  
2           to what you say if the figures which are now being recited  
3           to me are correct.

4   The financial manager would be Mr Daff?---Yes, sir.

5   And would he presumably need your authority or approval if he  
6           was going to do that?---Yes, sir.

7   MR TOVEY: I ask that a chart, number chart 2, "Operation  
8           Sandon", be put up on the screen, please.

9   #EXHIBIT 18 - Draft agreement from Mr Walker dated 13 February.

10   MR TOVEY: If we just show for the time being the top half of  
11           the document.

12   COMMISSIONER: Are you able to read those entries,  
13           Mr Woodman?---Yes, sir.

14   MR TOVEY: That is a graphic of the movement of money prepared  
15           by forensic accountants. You'll see that on the left-hand  
16           side you have the movement from Mr Aziz's accounts, the  
17           \$600,000 cash on 10 May 2017 and deposited in Watsons on  
18           12 May; do you understand the way that's depicted  
19           there?---Yes, sir.

20   All right. Then coming out on 21 March 2018 is \$60,000 which  
21           is transferred to Dorlat Aziz, and her account number is  
22           given there. Do you see that?---Yes, sir.

23   Now, did you authorise your staff to do that transaction on  
24           21 March 2018?---I would presume so, sir.

25   How was it then that - you told me yesterday or the day before  
26           that this loan went its full distance and was paid out.  
27           But you will see that the money went in in May of 2017 and  
28           started to be released in March of 2018. How did it come  
29           about if this was a real loan that transfers to Mr Aziz

1 started some two months or a little less than two months  
2 before the expiry of the loan period?---I have no answer  
3 for that, sir, other than I thought that it was a 12-month  
4 period.

5 Did you meet with Mr Aziz and did he tell you that he wanted  
6 some of the money or all of the money back early?---No,  
7 sir.

8 Are you sure about that?

9 COMMISSIONER: Can't it be concluded, Mr Woodman, that Mr Aziz  
10 must have either instructed you or Mr Daff or someone on  
11 your behalf to make these payments?---Correct, sir.

12 MR TOVEY: All right. You'll see there that that money went  
13 from you to Dorlat Aziz, who is Mr Aziz's mother. So it  
14 goes into his mother's account and eventually finds its  
15 way back to his account. Now, were you aware of the fact  
16 that it was going into an account other than his?

17 COMMISSIONER: Perhaps you might explain, Mr Tovey, the  
18 ownership of the other accounts that appear in the chart,  
19 the Agea Rezk account.

20 MR TOVEY: That is a person who was then Mr Aziz's fiance, who  
21 later became his wife.

22 COMMISSIONER: Yes.

23 MR TOVEY: And Lander & Rogers were the people who were acting,  
24 as I understand it, for his ex-wife, and that the bottom  
25 line there, the 353, was the settlement. So his ex-wife,  
26 as you will see, Mr Commissioner, was - if we look at the  
27 right-hand column, was Nesrine Armanious, and so of  
28 the final payment of 353,299 of that went into her account  
29 and the rest went to pay her solicitors.

1 COMMISSIONER: Yes.

2 MR TOVEY: You may recall, Mr Commissioner, that there were two  
3 contracts that we have heard about. One contract appears  
4 to have been designed to cover that 353,000.

5 COMMISSIONER: The first contract was for 600,000.

6 MR TOVEY: Yes.

7 COMMISSIONER: And then the second contract - - -

8 MR TOVEY: I think was 370, but I will be going to the  
9 contracts at some stage.

10 COMMISSIONER: Very good.

11 MR TOVEY: All right. So in any event he instructed you as to  
12 what accounts the money was to go to and you instructed  
13 Mr Daff?---I believe so, sir.

14 All right. So you were conscious as he made payments out of  
15 this pool of money and "profit" that the money as it was  
16 paid back not a cent of it that was the subject of bank  
17 transfer actually went directly to an Aziz account, did  
18 it?---The transfers were undertaken by bank transfer, yes,  
19 sir.

20 And none of it went to - not one cent of it went to an account  
21 which was his account?

22 COMMISSIONER: What's the significance of that, Mr Tovey?

23 MR TOVEY: It was part of a process of covering up that the  
24 money existed in the first place, other than covering up  
25 the fact that there was an amount of 353,000 available for  
26 the purpose of the matrimonial settlement.

27 COMMISSIONER: Yes.

28 MR TOVEY: All right. So you will see the money - the first  
29 two payments being \$160,000 going to his mother. All

1 right?

2 MR JUEBNER: I can't see that presently on the screen.

3 MR TOVEY: You then see the next three payments going to his  
4 fiancée. You then see the next one, which is a transfer of  
5 \$41,510.32, that went off to pay off his car lease. (To  
6 witness.) You were aware of that? That was his  
7 instruction that's what he wanted to do. Were you aware  
8 of that?---No, sir.

9 And were you aware that there was one further payment which was  
10 on 13 February of 2018 where you paid his tax bill; that  
11 was \$30,000?

12 COMMISSIONER: That's not shown on this chart.

13 MR TOVEY: That's not shown in this chart, and my reasoning,  
14 Mr Chairman, is that because it was February 2018 it was  
15 doubted - it was doubtful whether it was appropriate to  
16 include it in the chart. But on reflection it doesn't  
17 matter. It's the totality of the sums which in fact  
18 matter.

19 COMMISSIONER: So just to be clear there was an amount paid to  
20 the taxation office?

21 MR TOVEY: Yes, directly to the ATO on 13 February '18.

22 COMMISSIONER: Paid by whom, Mr Tovey?

23 MR TOVEY: Paid by Watsons.

24 COMMISSIONER: So what's being put, Mr Woodman, is that Mr Aziz  
25 had a tax liability to the Tax Office and Watsons paid the  
26 amount of that liability directly to the Tax Office on  
27 behalf of Mr Aziz in - what was the date, Mr Tovey?

28 MR TOVEY: It was 18 February 2018, Mr Commissioner.

29 COMMISSIONER: And is that how you came, counsel, to - - -

1 MR TOVEY: 90,000.

2 COMMISSIONER: A figure of 90,000 over and above the original  
3 loan?

4 MR TOVEY: Exactly.

5 COMMISSIONER: Yes, I follow.

6 MR TOVEY: (To witness.) You were aware you paid his tax bill?

7 That's not something you could forget, is it?---Sir - - -

8 No, are you aware now that you paid his tax bill?---If these

9 figures are true and correct, yes, sir.

10 No, I'm asking you are you aware that you paid his tax bill?

11 You got Lorraine Wreford to do it, didn't you, to organise

12 it?---Not that I'm aware of, sir. But if - - -

13 Can you explain why it would be this is Mr Aziz with whom you

14 had only the most fleeting association you say before he

15 turned up with a suitcase of money, why it was that

16 10 months later you are paying his tax bill?---I have no

17 answer for that, sir.

18 COMMISSIONER: Can I just clarify what's your memory about

19 these individual payments? Is it that he told you what he

20 wanted or was it - do you believe that he would have given

21 those directions to senior people on your

22 staff?---I believe, sir, that the directions would have

23 come through Lorraine Wreford and then they would have

24 been passed on to my staff, who would have then sought a

25 direction from me.

26 So you think they would have come back to you to get your

27 approval?---I believe so, sir.

28 But you don't have a memory of it?---Yes, I have no memory of

29 it, but that would be the normal process, sir.

1 MR TOVEY: And this was Lorraine Wreford, your political  
2 lobbyist?---Correct, sir, and communicator with Mr Aziz.  
3 And given that payments started well before expiry of the loan  
4 and you had one loan, you say, you say the interest rate  
5 was 30 per cent, how is it that you paid over 30 per cent  
6 when the money earned you nothing? Was that just an act  
7 of generosity on your part?---Sir, we retained the money  
8 in our account for a particular reason if that's the  
9 question you are asking.

10 No. What I'm saying is if you were paying 30 per cent you  
11 would have paid 200,000 after a year. What I'm saying is  
12 a significant amount of money was taken back before the  
13 end of the year and you still paid 220,000 - sorry,  
14 222,000, including 132,700 cash, and what I'm suggesting  
15 to you is that is significantly in excess of 30 per cent.  
16 Was that just an act of generosity?---Yes, sir, if these  
17 figures are true. Correct, sir.

18 COMMISSIONER: Mr Woodman, you said a moment ago there was a  
19 particular reason why it was left in the account?---Yes,  
20 sir.

21 Do you want to tell us what the reason was?---We at that  
22 particular time had a tax liability in excess of  
23 \$2 million.

24 Who is "we", sorry?---Watsons.

25 Yes?---And it was inevitable, we thought, that at some stage  
26 that liability would be called for by the taxation  
27 department and we, after not finding a home for the lent  
28 money, decided as a precaution to retain the money just in  
29 case we were called upon to make a payment to the taxation

1 department.

2 But, be that as it may, the money earned you no income or did  
3 it generate some interest in that account?---It would have  
4 generated some interest, but certainly not 30 per cent,  
5 sir.

6 So what counsel is putting to you is why would you do that?

7 Why would you take a sum of money, just deposit it, not  
8 attempt to earn anything substantial from it, make these  
9 large interest payments per month and then when returning  
10 the principal return not only the principal but \$60,000 in  
11 excess of the principal and also make a payment of \$30,000  
12 to the Tax Office? Why would you do all that for someone  
13 that you had had no prior personal relationship with?---In  
14 return for the simplistic support of my charity which is  
15 where this - unfortunate now - loan and document that was  
16 generated from that loan all started. Obviously now  
17 looking at the figures it was a proposition that should  
18 have been refused in the first instance, but as an act of  
19 goodwill as a consequence of him and the council  
20 supporting my charity I agreed to enter into this  
21 agreement.

22 You see now how all that might be interpreted?---Yes, sir.

23 How do you see that it might be interpreted, Mr Woodman? How  
24 do you now recognise that this conduct might be  
25 interpreted as?---Yes, sir.

26 As what?---As corruption, sir.

27 You say it was merely charity?---Yes, sir.

28 Yes, Mr Tovey?---It was never my intention to attempt to  
29 persuade anybody to take a course of action that they

1           wouldn't otherwise have taken through the provision of  
2           finances or of any action.

3 MR TOVEY:   What about, sir, to reinforce them in an action that  
4           they were already inclined to take; do you think it would  
5           be appropriate to give them money in those  
6           circumstances?---Sir, I have been in this industry for  
7           many, many years and I have never attempted to persuade  
8           persons who were in positions to make decisions in my  
9           favour or otherwise by providing them with financial  
10          incentives to do so to change their position.

11         So you say you have never paid off anybody who has a public  
12          duty to perform a particular function to perform that  
13          function in your favour?---That they wouldn't otherwise  
14          do, yes, sir.

15         I don't understand what you say at the end.   So you think it's  
16          okay to lavish money on public officials who are already  
17          showing an inclination to support you?---I have not  
18          attempted or ever to pay a person to make a decision that  
19          they wouldn't have otherwise made without that incentive.  
20          If they were persons that held similar views to myself  
21          obviously you would give some consideration, but it was  
22          not a method by which obtaining advantage by paying people  
23          to undertake decisions that they wouldn't have otherwise  
24          taken.

25         You used then, sir, the word "incentive"; is that what you saw  
26          the payments to be?---No, sir.

27         COMMISSIONER:   You remember you said to us I think yesterday  
28          that it wasn't until recently that you had come to  
29          recognise that this arrangement you had with Mr Aziz

1 necessarily meant that he was in a conflict of interest  
2 situation with you?---Correct, sir.

3 But you say, notwithstanding all that we have explored in the  
4 last hour, you tell me that you had not appreciated until  
5 very recently that this extraordinary arrangement with  
6 Mr Aziz, charity as you call it, required him to declare a  
7 conflict of interest from that moment - from the moment he  
8 entered into this arrangement with you and thereafter to  
9 disqualify himself from voting on any motion in the  
10 council that would have advantaged you?---Yes, sir.

11 I recognise that - I recognise that now, yes, sir.

12 But you didn't for all of that time that this went on prior to  
13 the last couple of months?---I apologise, sir. I thought  
14 that a loan to me was different to a loan to him for, as  
15 example, I thought that it would have been commercially  
16 acceptable on commercial terms.

17 But even if it was didn't your experience, your vast  
18 experience, tell you that once you have entered into a  
19 commercial arrangement with a councillor, even if it is  
20 entirely above board, there is no hint that you're in any  
21 way favouring the councillor in that commercial  
22 arrangement, didn't your vast experience tell you that  
23 once you enter into a commercial arrangement with a  
24 councillor that councillor can't thereafter participate in  
25 motions in which you have an interest?---Certainly now  
26 I do, sir.

27 But not before?---No, sir.

28 MR TOVEY: Did you have any arrangement at any time - an  
29 arrangement relating to the allocation of land or profits

1           that were the subject of your development interests, an  
2           allocation to Mr Aziz?---No, sir.

3   Was there ever any arrangement or any discussion about or any  
4           consideration of an allocation of \$540,000?---At one  
5           stage, sir, Mr Aziz was contemplating that I should buy  
6           his - if you are referring to this document, that I should  
7           buy his house - - -

8   What document do you have in mind?---I believe there is a  
9           document that - - -

10   That investigators seized at Watsons?---Yes, sir.

11   And you've got a copy of that document, have you?---No, sir.

12   Have you seen a copy of the document since it was seized?---No,  
13           sir.

14   All right. But you are familiar with the document and that's a  
15           document prepared and worked on by you?---Not worked on by  
16           me, sir, but I believe it exists, sir.

17   Well, we'll look at the document. 3956, please. Is that your  
18           handwriting on the document? If we just scroll down,  
19           please?---Yes, sir.

20   All right. So you can tell us what it means. 600,000 plus  
21           allocation of 540,000. So this is a plan, is it, to get  
22           money to Mr Aziz?---Sir, I'm not familiar with the exact  
23           nature of that document.

24   Well, you have been doing calculations on it. What's the  
25           allocation of 540,000? I thought you were about to tell  
26           us. And you add up 600,000 and 540,000 and come to a  
27           total of 1.140 - sorry, 1.14 million?---Sir, could you  
28           tell me the date of that document, please, sir?

29   Can you tell us the date? It came from Watsons.

1 COMMISSIONER: This was a document seized, was it - - -

2 MR TOVEY: It's a document seized during the execution of the  
3 search warrant.

4 COMMISSIONER: Yes, thank you.

5 MR TOVEY: If you look at the fourth line, "Pay out of  
6 353,063." That's \$353,063 on 10 May 2018. If you look at  
7 the chart that we've just seen the payment to Lander &  
8 Rogers was for precisely that amount on 10 May of 2018.  
9 So this is a document which is prepared at some stage  
10 after all the money has been returned, otherwise you  
11 wouldn't know that amount and date, would you? So this is  
12 a document that you prepared at some stage after 10 May  
13 2018 on the face of it?---I don't believe it's a document  
14 prepared by myself, sir.

15 Well, why was it given to you?---As I say, it wasn't prepared  
16 by myself. I'm not sure where it has come from.

17 It was located in hard copy next to a copy of the contract to  
18 which I will take you shortly. So it was a calculation  
19 about the contract, wasn't it?---It could have been a  
20 calculation by others, but not by myself, sir.

21 If you look at the notations on that document you say it's your  
22 handwriting; all right?---Yes, sir.

23 COMMISSIONER: Do you agree, Mr Woodman, with the hypothesis of  
24 counsel assisting, that this must have come into existence  
25 after these transactions?---After the May transaction,  
26 sir?

27 Yes?---Yes, sir.

28 So what's the purpose of this document?---I can only  
29 think - - -

1 MR TOVEY: Lisa Tomlinson, is she somebody who worked for  
2 you?---Sorry?

3 Was Lisa Tomlinson somebody who worked for you? Lisa  
4 Tomlinson?---Lisa?

5 Tomlinson?---Yes.

6 And what role does she play for you?---She's a secretary.

7 She was pulled up by investigators as she tried to leave the  
8 office with this document and the contract secreted upon  
9 herself.

10 COMMISSIONER: Which contract is that, Mr Tovey?

11 MR TOVEY: This is the two contracts, your Honour, relating to  
12 the \$600,000 - sorry, Mr Commissioner.

13 COMMISSIONER: Yes, the 600,000 - - -

14 MR TOVEY: Old habits die hard, particularly late in the day.

15 COMMISSIONER: The 600,000 and the second one, 353,000?

16 MR TOVEY: Yes.

17 COMMISSIONER: Yes.

18 MR TOVEY: Did you give those to her, tell her to get them out  
19 before the investigators - - -?---No, sir.

20 Did you ever have any conversation with any member of your  
21 staff, be it Ms Tomlinson or somebody else, about the  
22 dodginess of these contracts?---No, sir.

23 COMMISSIONER: So it then seems if we are to accept what you  
24 say that it's not until the last couple of months that you  
25 had realised the problem created by the loan in terms of  
26 Mr Aziz and his conflict, and that you thought there was  
27 nothing improper about all this. It seems your staff or  
28 some of your staff took a different view. Where would she  
29 get that idea from, that it was improper?---I can only

1 think that they themselves - but, sir, the genesis of this  
2 document - - -

3 No, we are just focusing now on why a member of your staff when  
4 the search warrant was executed sought to smuggle out from  
5 under their noses these two contracts and this particular  
6 record of it. Where would she get the idea from that this  
7 was something that you wouldn't want the investigators to  
8 see?---Only from their own - I guess their own thought  
9 processes, sir.

10 Thought processes that you never entertained?---No.

11 MR TOVEY: You were going to tell us, sir, about the allocation  
12 of 450,000. What was that? Sorry, 540,000?---As I say,  
13 sir, this is not my document. I am not 100 per cent  
14 familiar. It appears that it is a suggestion of payments.  
15 You went on to mention something about Mr Aziz's house. Had  
16 you been to his house or something?---No, I hadn't, sir.  
17 Never?---No.

18 Did you enter in discussions with him directly or indirectly  
19 about buying his house?---He had requested I believe  
20 through Ms Wreford for me to purchase his house.  
21 And then let him live in it rent free?---Yes, sir.

22 Was there any favour that he had done you which would have lend  
23 you to want to assist him in that regard?---No, it was a  
24 proposition put to me, sir, but - - -

25 And you agreed with it, did you not?---I apologise, sir?  
26 You agreed with it and a contract of sale was drawn up?---No,  
27 we didn't agree.

28 Was a contract of sale drawn up in respect of the purchase of  
29 the house?---It could have been, sir.

1 What was there about the relationship between yourself and  
2 Mr Aziz which would have led him to the expectation that  
3 you might buy his house and let him go back to it rent  
4 free?---I can only imagine, sir, that he being a  
5 councillor thought that it would be advantageous - - -  
6 Clearly he thought it was advantageous. It's advantageous for  
7 anybody to have a house for nothing and the money in your  
8 pocket, isn't it?---The ownership of the house would have  
9 been in my name, sir, if I had bought the house.  
10 Yes, and you would have given him whatever the value of the  
11 house was. Was it 540,000 that you are talking about?  
12 This is a house in Barak Street in - what's the name of  
13 the suburb - Berwick; in Berwick?---No agreement.  
14 Let's just keep it simple. Mr Aziz is in negotiations with you  
15 about a matter which involved you buying his house, giving  
16 him the money and letting him live there rent free; that's  
17 what was being discussed?---The discussion was that  
18 I would buy his house and that he would - this was his  
19 view, not mine, that he would live there or - yes, live  
20 there.  
21 Okay. What was there about the association between you which  
22 might have led Mr Aziz to expect that extraordinary degree  
23 of generosity from you?---The expectation that I had  
24 sufficient funds to be able to provide this house for him  
25 to live in, I would imagine, sir.  
26 Did you end up buying the house? You didn't?---No, sir.  
27 Was there any other arrangements discussed in respect of the  
28 house?---No, sir. Not that I'm aware of, sir.  
29 Had you ever been to Mr Ablett's place?---Yes, sir.

1 On how many occasions? Where was that?---I would say I've been  
2 to his house on six occasions.  
3 And did you do work at his house? Did Watsons do work at his  
4 house?---I believe that we painted his spouting, sir.  
5 Did you do boundary re-alignments there?---Not that I'm aware  
6 of, sir.  
7 Why was Watsons painting his spoutings?---We have maintenance  
8 people looking after numerous properties.  
9 And did you negotiate with him about buying his house?---No,  
10 sir.  
11 Did you buy his house?---No, sir.  
12 Did you buy his farm?---I bought part of his farm, sir.  
13 Did you ever go to the farm?---Yes, sir.  
14 Did you do any work on the farm?---Yes, sir.  
15 What work did Watsons do on his farm?---We re-aligned the  
16 boundaries on the farm, sir.  
17 And what did that involve?---When the property was purchased by  
18 Mr Ablett he noticed that the road that fronted on to the  
19 property in fact was located within adjacent property.  
20 Yes?---And as a consequence of that the boundaries had to be  
21 re-aligned to bring the road into the correct road reserve  
22 location, and we initially started the work as a - on a  
23 pro bono basis for one of our articulated surveyors. After  
24 initial investigation it was discovered that this  
25 particular re-alignment would be far more complicated than  
26 first envisaged and in fact we also discovered at the same  
27 time that there were numerous titles associated with  
28 Mr Ablett's property and the account for the costs  
29 associated with those works was far in excess of what

1 Mr Ablett indicated to me that he was able to pay. So we  
2 reached agreement that I would buy part of his property.  
3 And how much of his property did you buy?---Over 20 acres.  
4 And Mr Ablett continued to live on the property?---No, it's a  
5 rural property, sir.  
6 He continued to use it - have the use of the property?---Yes,  
7 sir.  
8 Including your 20 acres?---Yes, sir.  
9 COMMISSIONER: When was that? When did you buy it,  
10 Mr Woodman?---That's as yet to be settled, sir.  
11 MR TOVEY: But you have paid him a deposit?---Yes, sir.  
12 And how much have you paid him so far?---\$150,000, sir.  
13 For 20 acres?---Correct, sir.  
14 Has this 20 acres been fenced off or is it a - - -?---Yes.  
15 Yes, sir.  
16 In any event have you been up there using your 20 acres or it  
17 hasn't settled yet?---No, sir.  
18 You don't even want 20 acres; you are just doing this to help  
19 Mr Watson out - Mr Ablett out?---He had no money to pay,  
20 sir, so it was a method of obtaining our fees plus - yes.  
21 How much are you going to end up paying him?---\$350,000, sir.  
22 And what percentage of the property do you get for that? What  
23 percentage of the property do you get for that?---I think  
24 it's about 75 per cent of the property.  
25 Do you get the house?---No. No, house, sir.  
26 So all you are getting is land? What was the council valuation  
27 on the property?---I only know that Mr Ablett paid  
28 \$250,000. I'm not sure what the council valuation would  
29 be on the property, sir.

1 You have never checked? You have never had a valuation on the  
2 property?---No, sir.

3 And why is that? Because you just had to give him the  
4 money?---Well, at this stage we are still applying for  
5 planning permits for dwellings on the property which upon  
6 receiving will make a reasonable increase in the value of  
7 the property. So at this point because we are not  
8 settling as yet we have not reached the point of valuing.

9 COMMISSIONER: Mr Woodman, how are you feeling? Would you like  
10 to have a short break? You have been going for some time  
11 now?---Yes, sir.

12 If you would like to have a short break, if it doesn't  
13 inconvenience anyone else, we might then sit on until  
14 quarter past 4?---Thank you, sir.

15 Do you want to have a break?---Yes, sir.

16 Very good. Ten minutes.

17 (Short adjournment.)

18 MR JUEBNER: I would just like to raise one quick matter that  
19 I have become aware of in the course of the break, sir.  
20 The Age has published an article which in fact has a  
21 screenshot of an exhibit, which is exhibit 3, which  
22 I understand from people who have just informed me that  
23 people have in fact been taking photos of the screens  
24 whilst they have been published in the course of the  
25 hearing. I can show you, Commissioner, a copy of  
26 exhibit 3 which is presently as we speak listed in the  
27 Age. When one clicks through to it one sees that it was  
28 uploaded by Richard Hughes, which I understand is a desk  
29 publisher of the Age. I wanted to make the Commission

1           aware of that because my understanding was that the  
2           matters that are the subject of the hearing now are not to  
3           be - - -

4   COMMISSIONER:   Be recorded.

5   MR JUEBNER:    Yes.

6   COMMISSIONER:   Thank you, Mr Juebner.  Is there someone from  
7           the Age present?

8   MR JUEBNER:    They are in the other room, I think, sir.

9   COMMISSIONER:   It should be made clear to everyone that no  
10           aspect of these proceedings should be copied, whether it  
11           be by way of recording or photograph.  That should not  
12           occur.  I trust that occurred because it was not  
13           recognised that to do so was improper.  I will have those  
14           assisting me make some enquiries in that regard.

15   #EXHIBIT 19 - Chart showing payments from Watsons to Aziz or  
16           accounts associated with him between March and May 2018.

17   #EXHIBIT 20 - Undated document with Mr Woodman's handwriting  
18           dealing with funds totalling \$1.14 million.

19   #EXHIBIT 21 - WhatsApp messages between Ms Wreford and  
20           Mr Woodman dated 7 June 2016.

21   COMMISSIONER:   Yes, Mr Tovey.

22   MR TOVEY:      Could the witness please be shown page 3959?  Could  
23           we just enlarge that a little, thank you.  I'll have the  
24           operator scroll down to the end of that document slowly  
25           and I want you, if you can, Mr Woodman, to confirm that is  
26           the agreement that you made initially with Mr Aziz  
27           relating to the \$600,000?

28   COMMISSIONER:   Just pause there for a moment, if you would.

29           Yes.  I doubt Mr Woodman will be assisted much by the

1 detailed terms of the contract.

2 MR TOVEY: No.

3 COMMISSIONER: You might go to the end of the document.

4 MR TOVEY: I'll just go to the end of the document where you  
5 have the signatures, which is 3977.

6 MR JUEBNER: Sir, could I ask Mr Woodman be shown also two  
7 things because I think the position that counsel assisting  
8 put was that this was the document, the first made for  
9 \$600,000. But could I ask Mr Woodman be shown the  
10 interest rate in the document and also I think it's clause  
11 2.1 from my recollection that has the amount of the loan  
12 associated with it before he's asked questions about it?

13 COMMISSIONER: Yes. If you do that, Mr Tovey.

14 MR TOVEY: They are matters I'm going to go to. Thank you for  
15 your help anyway. (To witness.) First of all, is that a  
16 document which was prepared in respect of the receipt by  
17 Watsons of a suitcase with \$600,000 in cash?---Yes, sir.  
18 Could you then have a look at the document itself? Is that a  
19 document which if we go to page 3964 provides for an  
20 interest rate of 5 per cent per annum; do you see  
21 that?---Yes, sir.

22 And at 3966 provides for an advance of \$370,000 at paragraph 2,  
23 2.1?---Yes, sir.

24 And provides at page 3965 under the heading, "Repayment date" a  
25 date which is 12 months from the date of the agreement; is  
26 that right?---Yes, sir.

27 And the only date on the document - correct me if I'm  
28 wrong - appears to be on the face sheet of the document  
29 which dates it 10 May 2017?---Correct, sir.

1 I assume from what you have already told us that that in fact  
2 was the revised agreement that was drawn up after a  
3 conversation between yourself and Mr Aziz when he was  
4 overseas - sorry, when you were overseas?---Correct, sir.  
5 I'm not sure it was a discussion between the two of us,  
6 but it was a document that was prepared while I was  
7 overseas.

8 All right. So you had somebody communicating with you about  
9 what Mr Aziz wanted?---Yes, his request; yes, sir.

10 In any event, it would appear that this document was - perhaps  
11 I should take you to the next document which was  
12 obviously - - -

13 COMMISSIONER: I'll mark that exhibit 22, Mr Tovey.

14 MR TOVEY: Thank you.

15 #EXHIBIT 22 - Contract between Mr Aziz and Lockdee, 10 May  
16 2017.

17 MR TOVEY: The next document I want to take you to is further  
18 on in the court book at 3978. Perhaps I should have taken  
19 you to this first, but it doesn't really matter. So  
20 that's 3978. That again is an agreement in the same terms  
21 as the one we have seen?---Correct, sir.

22 And it looks like in fact the same agreement but with a post-it  
23 note on it indicating revised contract 2 or #2 sent to Sam  
24 Aziz 30 June 1917 - sorry, 2017 ; is that right?---I've  
25 not seen that before, sir.

26 Do you recognise the writing on that?---No, sir.

27 In any event this was found in your office. So you would  
28 agree, would you not, that it would appear that a revised  
29 contract, whether it be this or another one, was to be

1 sent to Sam Aziz on or around some time after  
2 30 June?---I'm assuming that is someone from my office.  
3 I'm not 100 per cent sure, sir.  
4 All right. Could you look at 3729, and that's another copy of  
5 the loan agreement, and I understand this was recovered in  
6 the execution of the warrant on Mr Aziz. If you look at  
7 the terms of that document you have got at page 3734 the  
8 interest rate at 30 per cent per annum; do you see that  
9 under "interest rate"?---Yes, sir.  
10 At 3737 at the top of the page you have the amount of the  
11 loan - sorry, the amount of the advance as \$600,000; would  
12 you agree with that?---Correct, sir.  
13 Then you look at the end of that document and it has the  
14 signatures which are indeed identical to the signatures on  
15 the \$370,000 contract; would you agree with that?  
16 MR JUEBNER: Sorry to interrupt, but could I ask my learned  
17 friend is he suggesting that that is the same document as  
18 the other contract or they are the same people who have  
19 signed by saying "these are the identical signatures";  
20 it's not clear to me whether he's saying - - -  
21 MR TOVEY: I'm just taking this a step at a time.  
22 MR JUEBNER: The question is not clear, with respect.  
23 COMMISSIONER: I think Mr Juebner is querying what you meant;  
24 that's all, Mr Tovey.  
25 MR TOVEY: If you compare page 3747, which is the \$600,000  
26 contract, with page - - -  
27 COMMISSIONER: Just so we don't get confused. I will mark the  
28 last of these contracts exhibit 23, which is the \$600,000  
29 contract. The second of those contracts that you

1 produced, how is it to be distinguished from the first?

2 MR TOVEY: Call that the \$370,000 contract bearing post-it  
3 note.

4 COMMISSIONER: That's the second one?

5 MR TOVEY: That's the second one. And the third one is the  
6 600,000 contract.

7 COMMISSIONER: I will mark the first one 22A, the one with the  
8 contract for 370,000 with the post-it note will be 22B,  
9 and the 600,000 contract exhibit 23.

10 #EXHIBIT 22A - Contract.

11 #EXHIBIT 22B - Contract for \$370,000 with the post-it note.

12 #EXHIBIT 23 - Contract for \$600,000.

13 MR TOVEY: So if you could look at page 3996 and compare that  
14 with 3747 does it appear that - so that's 3996, do you see  
15 that, or is that 3996? I think it's probably unfair to do  
16 it this way, Mr Commissioner. I will have prepared hard  
17 copies of the relevant pages which the witness can make  
18 appropriate comparisons.

19 COMMISSIONER: Yes.

20 MR TOVEY: But that being the case, having done this, I will be  
21 going on to a totally different area. So I would ask that  
22 we adjourn at this stage.

23 COMMISSIONER: Very good. We have finished for the day,  
24 Mr Woodman. We will have a break until tomorrow morning.  
25 10 o'clock, please. Again, please make sure you have  
26 something to eat before you attend tomorrow  
27 morning?---Thank you very much, sir.

28 <(THE WITNESS WITHDREW)

29 ADJOURNED UNTIL THURSDAY, 21 NOVEMBER 2019 AT 10.00 AM