



## CRIME AND CORRUPTION COMMISSION

### TRANSCRIPT OF INVESTIGATIVE HEARING

10 CONDUCTED AT LEVEL 2, NORTH TOWER, 515 ST PAULS TERRACE,  
FORTITUDE VALLEY WITH RESPECT TO

File No: CO-16-1664

HEARING NO: 17/0001

DAY 8 - TUESDAY 13 JUNE 2017  
(DURATION: 00HR 49MINS)

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#### LEGEND

PO Presiding Officer – ALAN MACSPORRAN QC  
CA Counsel Assisting – GLEN RICE QC  
30 HRO Hearing Room Orderly – MELISSA LETONDEUR  
W Witness – Terry YUE  
LR Legal Representative – Mr MG REYNOLDS, Solicitor, MGR Lawyers

CA I call Terry YUE.

PO Mr YUE, do you have any objection to taking an oath on the Bible?

W No.

PO We'll have the witness sworn, thank you.

10 HRO The evidence which I shall give.

W The evidence which I shall give.

HRO In these proceedings.

W In these proceedings.

HRO Shall be the truth.

20 W Shall be the truth.

HRO The whole truth.

W The whole truth.

HRO And nothing but the truth.

W And nothing but the truth.

30 HRO So help me God.

W So help me God.

LR Yes, Commissioner, my name is REYNOLDS, initials M G. I am a solicitor with MGR Lawyers and I seek leave to appear on behalf of the witness.

PO Thank you, Mr REYNOLDS.

40 CA Is your name Terry YUE?

W Da.

CA I beg your pardon?

W My name on passport and my driver's licence is - first name is Da, and Terry is the preferred name.

CA You're known as Terry?

50 W Yes, yes, known as Terry, yes.

CA Okay. That's not what appears on your passport?

W Yes.

CA But that's how people refer to you?

W Yes, yes, most of the time, yes.

CA You're attending in response to an attendance notice that you received?

W Yes.

CA Can I show you this document?

10 W Thank you.

CA Is that a copy of the attendance notice that you received?

W Yes.

CA I tender that.

PO Exhibit 117.

20 CA What's your country of birth, Mr YUE?

W China.

CA Mainland China?

W Yes.

CA You're now an Australian citizen?

30 W Yes.

CA Your father, what's his name?

W First name is L-I-N-S-H-E-N-E. Last name, yes, the same, Y-U-E.

CA He was also born in China?

W Yes.

40 CA He was naturalised, wasn't he, or that is to say, became an Australian citizen, some years ago?

W Yes.

CA And you're an Australian citizen also?

W Yes.

CA You and your father have some family businesses?

50 W Here?

CA Yes, in Australia.

W Yes. Not a family business. We got business here, yes.

- CA Business?
- W Yes.
- CA Can you give us the name of family companies?
- W Yes. There's Australian SN International Investment Group and Australian Yues International Development Group.
- 10 CA thank you. What business are those companies in?
- W For development mainly, especially land development, yes.
- CA Any particular development?
- W We have one at this time, yes. One development, yes.
- CA One development. What's the name of it?
- 20 W The Lakes.
- CA The Lakes?
- W Yes.
- CA Are there any other developments that you and your father and these companies are connected with for the time being?
- W Not that I'm aware of, yes.
- 30 CA Do you have a position in those companies?
- W Yes. On my business card is "Assistant to Board", yes.
- CA What does that involve, Mr YUE?
- W Because my father speak lack of English, so help him to translate and - yes.
- 40 CA The Lakes development, can I just ask you a little bit about that. There is some land within the Logan City on, I think, Reidel Road?
- W Yes.
- CA That's the area we're speaking of?
- W Yes.
- CA Who's the owner of the land on which that development is planned?
- 50 W My father.
- CA Personally or through one of the companies?
- W Personally.

CA Alone or shared with others, do you know?

W Alone.

CA Alone?

W Yes.

10 CA There was a development application in relation to that land back in 2013. Are you aware of that?

W Yes.

CA That's the first development application?

W Yes. I know a bit of it, because I was still very young at that time.

CA Do you recall who the developer was on that original proposal?

20 W My father.

CA In his own name or through one of the companies, do you remember?

W Company, yes. A company, I think.

CA One of the companies. Do you know-

W Which company?

30 CA I was going to ask you which one, if you know?

W I think it's another company, yes. It's not SN or Yues, yes.

CA A different one?

W Yes, yes, yes.

CA But connected to your father?

40 W Yes.

CA Were you involved in company business or in the development business at that time back in 2013?

W Part, yes. Part of it.

CA Did you take on a full-time role at some point?

W Yes, yes, yes.

50 CA When?

W I can't recall. I think it's for one year specifically, one year, yes. I think maybe 2013 or 2014, yes. I can't remember exactly, yes.

CA Did you play any part in the preparation of the first development proposal

- for The Lakes?
- W Yes.
- CA What part did you play?
- W Like I said, assistant and interpreter, yes.
- 10 CA You know the now Logan Mayor, Councillor Luke SMITH. For how long have you known him?
- W Because he was the chairman of the economic development board, correct me if I say it wrong, and we met him through functions or meetings in council that would help us benefit - help us on the project, yes.
- CA It might be testing your memory, but for how long have you known him?
- W At least five or six years.
- 20 CA Did you have any contact with him of an ongoing nature?
- W From what time?
- CA Well, from after you first met him.
- W Not regular. Not regular, yes. But sometimes, yes.
- CA What kind of occasions would you have contact with him?
- 30 W Functions. Functions and - yes, and-
- CA Can you tell us what kinds of functions?
- W Oh, with councillors, like mainly councillors, and even with the Mayor, yes.
- CA At what kind of locations?
- 40 W Logan.
- CA Yes, but what kind of venue?
- W Restaurant and council, yes.
- CA Functions for what purpose, as you understood?
- W Can't really recall what - what's the main purpose, but-
- 50 CA For business or pleasure?
- W Oh, you can say both.
- CA Right.
- W You can say both, yes.

- CA Meet for dinner, I think you mentioned?
- W Yes, yes, yes.
- CA And talk about business?
- W Both, yes.
- CA What kind of business talk do you recall?
- 10 W I can't recall, sorry.
- CA All right. How well did you get to know Mr SMITH?
- W You can say friends, yes.
- CA Well, did you socialise with Mr SMITH outside of these functions that you mentioned?
- 20 W I can't recall, yes. Some - no, yes.
- CA Have you ever met him just-
- W Yes, yes.
- CA -by yourself for a meal, for example?
- W Yes, coffee, I suppose. Yes, coffee.
- 30 CA How frequently?
- W Very rarely, yes. Very rarely.
- CA Did you also know Mayor PARKER when she was in office?
- W Yes.
- CA And the Deputy Mayor?
- 40 W Yes.
- CA So far as that 2013 development application is concerned, did you know whether Mayor PARKER supported that development or not?
- W She supports it, yes. She supports it, yes.
- CA What about Mr SMITH, did he have anything to say about that original proposal, whether he was in favour of it or not, when speaking with you?
- 50 W The whole council supports it, so yes.
- CA What makes you say that, Mr YUE?
- W They believe this project will bring a bright future to the city and that is-
- CA But how did you learn that? How did you learn that that was so?

- W Because Councillor - the Mayor sent - gave us some supporting letter to say that.
- CA Addressed to whom?
- W The company or my father personally, yes, I can't recall.
- CA So you got a letter from the Mayor supporting that development?
- 10 W From council, yes.
- CA From council?
- W Yes, from council, yes.
- CA Did you learn that Mayor PARKER decided not to recontest the 2016 mayoral election?
- 20 W I don't read a lot of local news, yes.
- CA Did you learn that Mr SMITH was intending to run as Mayor in the 2016 elections?
- W Yes, I do, yes.
- CA Do you remember how you learnt that that was going to happen?
- W I think I asked him and he said probably he will, yes.
- 30 CA Do you recall going to a meeting of people in Brisbane City - it's at 111 Eagle Street - with Mr SMITH, his wife, Vicky YU, who you may know, and yourself?
- W Yes.
- CA On 20 May?
- W I can't remember the exact date, but I remember that meeting, yes.
- 40 CA How did you come to go to that meeting?
- W I think my father wanted me to learn some experience, business - to gain some business experience, so I look aware of it, so he asked me to join it.
- CA How did you know there was going to be a meeting of the kind that took place?
- W I think someone informed me, yes.
- 50 CA I was just wondering really at whose invitation you went to the meeting?
- W Perhaps an email or text message, but I can't remember who exactly. Probably Vicky or Luke. I can't remember, yes, but someone invited me, yes, but based on my father's wish, yes.



CA Did your father's company become a donor to Mr SMITH's mayoral campaign during 2015 and the early part of 2016?

W Yes.

CA Do you know how that came about, like whose idea it was, to donate to his-

10 W Family idea, yes.

CA Which family members?

W Me, my father - yes.

CA You and your father?

W Yes.

20 CA Why would you and he choose to donate to Mayor SMITH's mayoral campaign?

W Because we support Mayor PARKER and based on my knowledge that Mayor PARKER endorsed Luke to be the next mayor, so, yes, that's why.

CA Do you recall whether there had been any discussion between you and your father about making a donation to Mayor SMITH's campaign before you went to the meeting in the city in May of 2015?

30 W No.

CA You don't remember?

W No, didn't, no. Just what I remember is no discussion, yes.

CA Were you responsible for arranging donations to Mayor SMITH's campaign fund?

W No.

40 CA Did you make some donations?

W The company did, yes.

CA Were you involved in making the arrangements for that?

W What do you mean, arrangements?

CA Well, how much, for example, was going to be donated and whether it would be cheque or cash or some other means?

50 W We didn't confirm at the beginning how much we're going to donate, so we decided that we'll donate based on our capacity.

CA Did anyone suggest to you that you and your father should donate or was it your idea?

- W No-one gave that idea to us.
- CA You've come today with some bank records; correct?
- W Based on the email that CCC asked me to provide, yes.
- CA Okay.
- W As a good favour, yes.
- 10 CA Can I show you these, and you can tell me what they represent?
- W Yes, please.
- CA They're recently derived, Commissioner, so they're not scanned. We may be able to do it now.
- What are these various records, Mr YUE?
- 20 W From the email that CCC sent to my solicitor, they asked me to provide any evidence for the donation of Mayor Luke's - Mayor SMITH's campaign, so we found it, yes.
- CA Is that all of it? Are you satisfied that they are all of the records that relate to donations to Mayor SMITH's campaign?
- W That's the - we can find. That's the-
- CA That's what you can find?
- 30 W Yes, what we can find, yes.
- CA Just to try to be clear about it, do you know whether there are more or not?
- W I think cash, yes.
- CA These records don't relate to cash, do they?
- 40 W Yes. It's transfer and cheque.
- CA Perhaps you'll tell us, then, what the form of payment was and how much for each payment you made?
- W Because we didn't do the bookkeeping for our company, Yues company, so we don't have any bookkeeping for that. The knowledge that I get is from the email that CCC sent to me, so we just followed that on, yes.
- CA You mentioned these bank transfer and cheques plus some cash donation?
- 50 W Based on the CCC's email, yes.
- CA Do you know about a cash donation or not?
- W Yes, I do, aware of it.

- CA Was there one or more than one?
- W More than one, yes.
- CA Were you involved in any handover of cash?
- W I think so, yes.
- 10 CA On one occasion or more than one?
- W I can't recall. I can't remember.
- CA Who did you give cash to for the purpose of Mayor SMITH's campaign?
- W Luke.
- CA Do you remember where that occurred?
- 20 W No, I can't remember. Mayor events or - yes.
- CA Do you remember any conversation that passed between you and him when you passed over money?
- W For example, what?
- CA Well, whatever it was that was said between you. You tell me?
- W Any conversation?
- 30 CA Yes.
- W There's not much conversation going on. We're just saying, "We support you", yes, and, "Here's the donation", yes.
- CA Did you tell him how much was in the donation you were giving?
- W No. I would think he can look at the cheque or the transfer or the cash, and he will know how much it is, yes.
- 40 CA Well, with a cheque, you can tell because it's written down?
- W Yes, yes.
- CA What about cash - was there any way he would have known how much cash you were giving him?
- W I think we said it the first time, but I can't remember how much I said, yes, as well, yes.
- 50 CA Do you think that you told him how much cash you were giving him?
- W I think, yes. I think so.
- CA But you can't remember what that amount was?
- W No, not exactly, no.

- CA Did he give you any kind of a receipt for cash when you gave it to him?
- W Not what I aware of, yes.
- CA Well, now, these records - we'll go through page by page.
- W Yes.
- 10 CA The first page is a copy of a cheque butt; is that correct?
- W Yes.
- CA For a cheque numbered 1027?
- W Yes.
- CA Can you confirm the date and amount?
- 20 W The date on the cheque butt was made by 5th of November 2015.
- CA A cheque for - what was the amount of the cheque?
- W \$10,000, according on the cheque butt, yes.
- CA Do you know on which account that cheque was drawn?
- W From?
- 30 CA Yes.
- W From the - from SN International.
- CA The next page, if you turn it over, shows details of an electronic transfer; correct?
- W Yes, based on the paper, yes.
- 40 CA It relates to a transfer of A\$20,000-
- W Yes.
- CA -from Australian SN International Investment to Logan Futures?
- W Yes.
- CA Now, that page doesn't have a date on it.
- W Yes.
- 50 CA But if you go to the next page, there's a bank statement. Is that a bank statement for the account Australian SN International Investment?
- W Yes.
- CA There is a withdrawal from that account of A\$20,000 plus the \$28 in fees

for the 8th of July.

W Yes.

CA So was this electronic transfer then made from SN International to Logan Futures on the 8th of July?

W I believe so.

10 CA According to the records, anyway?

W Yes.

CA Moving forward in that bundle, Mr YUE, there are what appear to be two more cheque butts?

W Yes.

20 CA There's one dated, or appears to be dated, 28 September 2015?

W Yes.

CA The payee is shown I think as Logan Futures Pty Ltd?

W Yes.

CA And this time it's a cheque for \$15,000?

W Yes.

30 CA Were you involved in any handover of cheques such as this one?

W Yes, I think so.

CA This is the second cheque that we've looked at.

W Yes.

40 CA For completeness, I'll ask you about the first one that we spoke about at the beginning of the bundle. That's actually the 5th of November.

W Yes.

CA Were you involved in any handover of a cheque on or around that day?

W I told you I can't remember the exact date, yes.

CA Well, we've seen now, though, two instances of cheques being prepared for donations. I'm just asking you-

50 W What does that mean, sorry?

CA Well, we noticed the first cheque that you drew our attention to?

W Yes, yes.

- CA In going through the bundle, we've now gone to a second one, although it's actually dated 28th September 2015.
- W Yes.
- CA I'm just asking you whether there was a handover of the cheques reflected in these documents, an actual passing of a cheque from one person to another?
- 10 W Yes. Otherwise, how they can bank cheque, I don't - yes.
- CA Okay. I'm really going to ask you now whether you were involved in doing that?
- W I said I can't remember.
- CA You can't remember?
- W Yes, yes, yes.
- 20 CA That cheque butt for 1017, is that also drawn on the Australian SN International Investment account?
- W Yes. It seems to, yes, yes.
- CA The third cheque record appears to be dated 10 November 2015?
- W Yes.
- 30 CA The payee is shown as Luke, and then some Chinese character?
- W Yes.
- CA What's the Chinese character, Mr YUE?
- W Mayoral.
- CA Mayoral?
- 40 W Mayoral, yes, yes.
- CA And \$15,000 on that occasion?
- W Yes.
- CA Just to be complete, in addition to these cheque and electronic transfers, you think there was at least one occasion when you handed over cash?
- W Yes.
- 50 CA You're not sure whether there was more than one?
- W I'm not sure, yes.
- CA There may have been?

- W Yes, there may have more, yes, yes.
- CA I tender that bundle of bank records.
- PO Exhibit 118.
- CA Getting back to The Lakes development, Mr YUE, there was a new development application made in I think June 2016; correct?
- 10 W Maybe that - yes, yes. I can't remember the exact time, but it's June, yes.
- CA The new application - do you know what I'm referring to?
- W Yes, yes.
- CA It asked for approval for a much bigger number of accommodation dwellings on the site; correct?
- 20 W Yes.
- CA An increase of something like 420 to 1500 and something?
- W Yes.
- CA Are you aware of that?
- W Yes.
- 30 CA For how long had that new proposal been planned? If you accept for the moment that it was lodged in June 2016, how long had the planning for that application been in progress?
- W From the end of 2015.
- CA Who was preparing the application for you - someone?
- W Our town-planner is Brian GASSMAN.
- 40 CA Did you discuss with any councillor, prior to the election in March 2016, that there was going to be a new application for The Lakes?
- W Not I'm - not what I'm aware of, yes.
- CA Well, speak for yourself. Did you have any discussion to indicate to any councillor that there was going to be a new application?
- W My town-planner knows we're going to - my town-planner, Brian, he knew that we are lodging the application before March, right, and-
- 50 CA Because he was working on it?
- W Yes, and he - he's our town-planner and he can talk with council, so that's why we engaged them. Not - we are not doing ourselves, yes.
- CA So whether he did or didn't tell anyone from council, you don't know?

- W Yes, yes, but I believe he did, yes.
- CA Why do you say that?
- W Because he is our town-planner.
- CA Why would that lead you to say that you expect that he would have spoken with representatives of council?
- 10 W Because in - I can't talk directly to council about the development. He is the expert, so I believe he must talk with someone in council, yes. Whether it's employee or councillor, or whatever, I don't know, yes.
- CA Did you or your father or the family companies donate money to any other candidate's campaign in the 2016 election?
- W Not in Logan.
- CA Anywhere else?
- 20 W 2012, Graham Quirk, yes.
- CA Graham Quirk?
- W In 2012 election.
- CA In 2016-
- W No.
- 30 CA -Mayor SMITH's donation was the only - he was the only person you made a donation to?
- W Yes.
- CA Did anybody tell you that making donations of the amounts that we've seen in the transfers and cheque records and cash meant that you would have to fill out a declaration after the election and give it to the Electoral Commission?
- 40 W Never. No-one.
- CA Didn't know that?
- W No.
- CA You didn't lodge such a return, did you?
- W What do you mean?
- 50 CA Well, you didn't prepare and file a form-
- W No-one told me that information.
- CA I beg your pardon?



- W No-one told me that information.
- CA We've seen from the bank records that you brought today that the cheques and the electronic transfer were made from the Australian SN International bank account. Do you recall whether Councillor SMITH or anyone acting for him asked you about how donations from you should be recorded in their records?
- 10 W No.
- CA You don't recall that?
- W No, no-one told us how to record it.
- CA No, did anyone ask you? Did anyone ask you?
- W How we want to record?
- 20 CA Yes.
- W Yes.
- CA How did that occur? Who asked you?
- W I believe there's an email from Mr DEARLOVE.
- CA Perhaps you'll have a look at this. Some parts of it are blacked out, but just have a look at it, Mr YUE. For privacy, some parts of this are blacked out, but just look at it as best you can.
- 30 W Yes.
- CA Actually, what's showing now is a version that is not blacked out.
- W Yes.
- CA Just have a look on the screen, Mr YUE. It appears to be addressed from Grant DEARLOVE to "YueDA45". Is that your email address?
- 40 W Yes.
- CA There's an attachment, isn't there? It refers to a letter attached?
- W Yes.
- CA Do you see on the next page there is a letter?
- W Yes.
- 50 CA Do you recall receiving an email like that, and a letter?
- W Yes, I do.
- CA If we go to the letter, in the paragraph which commences with the words "During the campaign the company received from you or your entities", then in the next sentence it says, "In addition, based on your instructions,

the donations were recorded as having been received from 'Australian Yues International Development Group.'" Is that correct?

W Yes.

CA Did you give instructions that the donations from you and your associated companies should be recorded in that name?

10

W Yes, I think so, yes.

CA Why was that done, do you know?

W Because during that time, early 2016 - I can't recall the exact date - we decided that we want to shut down SN International Investment and start a JV, joint venture, with another entity, which is Yues International.

CA A new company?

20

W Yes, the company on this letter.

CA Australian Yues International Development Group?

W Yes, yes.

CA Instead of the previous?

W Yes.

30

CA SN International?

W Yes, and it appears on the architecture plans that we lodged to council.

CA For the second application?

W Yes - yes.

CA The second development application, was it made in the name of a company with that name?

40

W No, but the architecture plan was on that name, was written on that name, yes.

CA I tender that email and letter.

PO Exhibit 119.

50

CA You mentioned, I think, that you became aware that Mayor PARKER supported Mr SMITH to replace her as Mayor. Do you have any recollection as to when you learned that that was so, given that the election was in March 2016?

W During 2015.

CA I beg your pardon?

W During 2015. Yes, late 2015.

CA Late 2015 - is that as precise as you can get?

W Yes, yes, yes. Yes.

CA Apart from the money that you donated to Mayor SMITH, you also turned out on election day, I think?

10 W Oh, yes.

CA Is that right?

W Yes, yes.

CA What did you do on election day?

W Volunteer. So handing some card at Shailer Park.

20 CA One place or more than one place?

W One place.

CA How long did you stay there?

W Five hours on the - no cover, the sun, yes.

CA Why did you do that?

30 W Showing my support. I saw a lot of young people doing that, so - I believe it was a weekend, so why would I not join? Yes.

CA Just to be clear, you were handing out some How to Vote Cards?

W Yes.

CA Mayor SMITH's cards?

W Yes.

40 CA Any others?

W No, no.

CA Only Mayor SMITH's?

W Yes.

CA That's the evidence, Commissioner.

50 PO Thanks, Mr RICE.

Mr REYNOLDS, do you have any questions?

LR No, Commissioner.

PO You are excused, Mr YUE. Thank you.