

# Draft minutes no. 1

Wednesday 5 June 2019

Public Works Committee

Members' Lounge, Parliament House, Sydney, 1.32pm

## 1. Members present

Mr Mookhey, *Chair*

Mr Banasiak, *Deputy Chair*

Mr Blair

Ms Boyd

Mr Khan

Mr Mallard

Ms Moriarty

## 2. Tabling of resolution establishing the committee

The Committee Clerk tabled the resolution of the House establishing the committee, which reads as follows:

### Appointment

1. A Public Works Committee be appointed.

### Functions

2. The committee may inquire into and report on all public works to be executed (including works that are continuations, completions, repairs, reconstructions, extensions, or new works) where the estimated cost of completing such works exceeds \$10 million.
3. In examining such works the committee is to consider:
  - (a) the stated purpose of the work and the need to carry it out,
  - (b) the current and prospective public value of such work,
  - (c) the amount of revenue the work is expected to produce, where the purpose of the work is to increase revenue,
  - (d) the timeframe for carrying out the work, and
  - (e) any other related matter.

### Referral of inquiries

4. The committee:
  - (a) is to inquire into and report on any matter relevant to the functions of the committee which is referred to the committee by resolution of the House, and

- (b) may self-refer an inquiry into any matter relevant to the functions of the committee.
- 5. A committee meeting to consider a self-reference under paragraph 4(b) must be convened at the request of any three committee members in writing to the Committee Clerk.
- 6. The Committee Clerk must convene a meeting within seven days of the receipt of the request, providing that members are given at least 24 hours' notice.
- 7. A majority of committee members is required to adopt the self-reference.
- 8. Whenever a committee resolves to self-refer a matter, the terms of reference are to be reported to the House on the next sitting day.

### **Membership**

- 9. The committee is to consist of seven members comprising:
  - (a) three government members,
  - (b) two opposition members, and
  - (c) two crossbench members.

### **Chair and Deputy Chair**

- 10. (1) The committee is to elect the Chair and Deputy Chair in accordance with the standing orders.
- (2) The Chair of the committee is to be a non-government member.

### **Conduct of committee proceedings**

- 11. Unless the committee decides otherwise:
  - (a) submissions to inquiries are to be published, subject to the Committee Clerk checking for confidentiality and adverse mention and, where those issues arise, bringing them to the attention of the committee for consideration,
  - (b) attachments to submissions are to remain confidential,
  - (c) the Chair's proposed witness list is to be circulated to provide members with an opportunity to amend the list, with the witness list agreed to by email, unless a member requests the Chair to convene a meeting to resolve any disagreement,
  - (d) the sequence of questions to be asked at hearings is to alternate between government, opposition and crossbench members, in order determined by the committee, with equal time allocated to each,
  - (e) transcripts of evidence taken at public hearings are to be published,
  - (f) supplementary questions are to be lodged with the Committee Clerk within two days, excluding Saturday and Sunday, following the receipt of the hearing transcript, with

witnesses requested to return answers to questions on notice and supplementary questions within 21 calendar days of the date on which questions are forwarded to the witness, and

- (g) answers to questions on notice and supplementary questions are to be published, subject to the Committee Clerk checking for confidentiality and adverse mention and, where those issues arise, bringing them to the attention of the committee for consideration.

### 3. Election of Chair

The committee noted that the Chair of the committee must be a non-government member.

The Committee Clerk called for nominations for the Chair.

Mr Mookhey moved: That he be elected Chair of the committee.

There being no further nomination, the Clerk declared Mr Mookhey elected Chair.

### 4. Election of Deputy Chair

Mr Mookhey took the Chair.

The Chair called for nominations for Deputy Chair.

Mr Banasiak moved: That he be elected Deputy Chair of the committee.

There being no further nominations, the Chair declared Mr Banasiak elected Deputy Chair.

### 5. Conduct of committee proceedings – Media

Resolved, on the motion of Mr Mallard: That unless the committee decides otherwise, the following procedures are to apply for the life of the committee:

- the committee authorise the filming, broadcasting, webcasting and still photography of its public proceedings, in accordance with the resolution of the Legislative Council of 18 October 2007
- the committee webcast its public proceedings via the Parliament's website, where technically possible
- committee members use social media and electronic devices during committee proceedings unobtrusively, to avoid distraction to other committee members and witnesses
- media statements on behalf of the committee be made only by the Chair.

### 6. Correspondence

The committee noted the following correspondence:

#### *Received:*

- 25 January 2019 – Letter from the Hon. Stuart Ayres MP, Minister for Western Sydney, WestConnex, Sport, to the Clerk of the Parliaments, providing the government's response to the report into the Sydney stadiums strategy.
- 13 March 2019 – Email from Mr Jeff Sorrell, Government Relations Manager, Port of Newcastle, to the secretariat, requesting a correction to the transcript from the Port of Newcastle inquiry.

#### *Sent:*

- 15 March 2019 – Email from the secretariat to Mr Jeff Sorrell, Government Relations Manager, Port of Newcastle, regarding Mr Sorrell's request for a correction to the transcript from the Port of Newcastle inquiry.

**7. Recommendation from previous report**

The committee noted Recommendation 1 from the report into the Impact of Port of Newcastle sale arrangements on public works expenditure in New South Wales.

Recommendation 1: That the Legislative Council consider establishing an inquiry into the ports transactions, and specifically container limitations and associated financial obligations contained within the Port Commitment Deeds, at the conclusion of the Federal Court proceedings involving the Australian Competition and Consumer Commission and NSW Ports or at such time as the House determines.

**8. Publication of minutes of the first meeting**

Resolved, on the motion of Mr Blair: That the committee publish the minutes of the first meeting on the committee's webpage, subject to the draft minutes being circulated to members for agreement.

**9. Adjournment**

The committee adjourned at 1.36 pm, *sine die*.

Rebecca Main  
**Committee Clerk**