



LEGISLATIVE COUNCIL

STANDING COMMITTEE ON STATE DEVELOPMENT

2 December 2022

D22/67345

Mr Matthew Stewart
Chief Executive Officer
City of Canterbury Bankstown Council
Upper Ground Floor
Bankstown Civic Tower
66 - 72 Rickard Road
Bankstown NSW 2200
Via email: council@cbc.city.nsw.gov.au

Inquiry into allegations of impropriety by agents of the City of Canterbury Bankstown Council

Dear Mr Stewart

Invitation to appear at hearing

The Standing Committee on State Development would like to invite you in your capacity as Chief Executive Officer at the City of Canterbury Bankstown Council, and Mr Ken Manoski, in his capacity as Director Corporate at City of Canterbury Bankstown Council, to give evidence at a hearing for the inquiry into allegations of impropriety by agents of the City of Canterbury Bankstown Council. Please see proposed details below:

Date: Wednesday 14 December 2022
Appearance time: 9.15 am to 1.30pm (morning tea break 10.45 am – 11.00 am)
Location: The Gallery Room, The State Library of NSW
(Appearance via videoconference is available on request)

The terms of reference for the inquiry, including a list of committee members, is attached, along with information guides to assist you giving evidence to the committee. Further information about the inquiry, including the full hearing schedule (when finalised) can be found on the committee's [website](#).

At the beginning of your evidence, you will be given the option of making a short (2-3 minute) opening statement, which should be succinct and relevant to the inquiry. The Chair and members of the committee will then ask you questions. Please note that your evidence will be heard in public and will be streamed live on the NSW Parliament's [webpage](#).

Could you please advise by **10.00 am on Tuesday 6 December 2022** if you and Mr Manoski wish to attend, including your **full names, position titles, contact details (including email and mobile phone number)** and whether you intend to appear **in person or via videoconference**.

I will contact you and Mr Manoski prior to the hearing to organise a time to brief you on hearing procedures and, if necessary, conduct a trial videoconferencing session prior to the hearing to ensure the technology operates as expected.

If you wish to make a written submission before the hearing, it would be appreciated if you could please provide it by **12.00 pm on Tuesday 13 December 2022**.

Request for documents

In addition, the committee requests the following documents from you in your capacity as Chief Executive Officer of the City of Canterbury Bankstown Council.

- All expense claims submitted by Councillors to City of Canterbury Bankstown Council and Bankstown City Council including but not limited to:
 - Claim Form for Reimbursement of Travel Expenses
 - Claim Form for Reimbursement of Expenses
 - Reconciliation of Advance Payment Form
 - Reconciliation of Councillor Monthly Mobile Telephone Usage
 - Request for Councillor Professional Development or Long Distance Travel
- All disclosures under the Public Interest Disclosures Act by Councillors to City of Canterbury Bankstown Council and Bankstown City Council.
- All Disclosures of Pecuniary Interests and other matters made by Councillors to City of Canterbury Bankstown Council and Bankstown City Council.

These documents are requested for the entire duration of the City of Canterbury Bankstown Council and Bankstown City Council dating back to 2004.

The committee requests that the documents be provided to the committee by **Friday 9 December 2022**.

If you have any questions your appearance before the committee, including any access, parking or travel requirements, or questions about the request for documents, please contact the committee secretariat on 02 9230 2205.

Hon Aileen MacDonald MLC
Committee Chair

8 December 2022

Hon Aileen MacDonald MLC
Standing Committee on State Development
Parliament House, Macquarie Street
Sydney NSW 2000

By email: state.development@parliament.nsw.gov.au

Dear Committee Chair,

Your ref: D22/67345

I refer to your correspondence dated 3 December 2022 addressed to me and sent to Council's Executive Support Officer by email on 5 December 2022 relating to the "Inquiry into allegations of impropriety against agents of the City of Canterbury Bankstown Council" (**Inquiry**).

The correspondence contained:

- a. An invitation to me, in my capacity as Chief Executive Officer of Council, and Mr Ken Manoski, in his capacity as Director Corporate of Council, to give evidence at a hearing before the Standing Committee on State Development between 9.15am to 1.30 pm on 16 December 2022 (**Invitation to give evidence**); and
- b. A request for documents made of me in my capacity of Chief Executive Officer of City of Canterbury Bankstown Council (**Request for documents**).

I respond to each of the matters as below.

Invitation to give evidence

Both Mr Ken Manoski and I have now had an opportunity to consider the invitation. I am also appreciative of the Committee agreeing to accommodate my unavailability on 14 December 2022 and conduct the Inquiry on 16 December 2022.

Mr Manoski and I accept your invitation to give evidence on 16 December 2022 and request that we be able to do so by camera rather than attending in person. I note this option is available on request.

We also request permission to be accompanied by and, if necessary, consult legal advisers, namely Bilal Rauf of State Chambers and Julie Kneebone of Sparke Helmore Lawyers, during the hearing. We consider this request to be reasonable given the broad and unspecified nature of the Terms of Reference and absence of any particulars or allegations, including the "agents" of interest with whom the Committee is concerned.

Request for documents

I also refer to your request for documents made of me in my capacity of Chief Executive Officer of City of Canterbury Bankstown Council.

While I am happy to cooperate and produce the documents requested where I am reasonably able to do so, I am unclear on the scope and nature of the documents sought in some of the categories and concerned about the onerous nature of some of the categories. This makes it difficult for me to obtain and provide the documents which have been requested.

I also note that the documents have been sought over an 18-year period. Consequently, it will be necessary to instruct staff to assist in obtaining and collating the wide-ranging documents which have been sought over an extensive period of time.

To assist with obtaining and collating the requested documents, I will appreciate if you can clarify and respond to the following queries:

1. Category 1 is the request for "All expense claims submitted by Councillors to City of Canterbury Bankstown Council and Bankstown City Council ...". However, in the indicative examples, reference is made to documents which are not considered to be expense claims. For instance, the third to fifth bullet points seek various forms of reconciliations and requests. These are not expense claims. Is category 1 wider than "expense claims"?
2. If the answer to the question 1 is 'yes', what specific documents are sought in the reference to "Reconciliation of Advance Payment Form" and "Reconciliation of Councillor Monthly Mobile telephone Usage"?
3. If the answer to the question 1 is 'yes', what specific documents are sought in the reference to "Request for Councillor Professional Development"?
4. In category 1, fifth bullet point, what is meant by the term "Long Distance Travel"?
5. In category 3 what is meant by "other matters made by Councillors to City of Canterbury Bankstown and Bankstown City Council"?

To assist with my understanding the request, I would be grateful if you can provide the clarification relating to categories 1 and 3.

In relation to category 2, namely the request for "*All disclosures under the Public Interest Disclosures Act by Councillors to City of Canterbury Bankstown Council and Bankstown City Council*", I do not consider that I can produce these documents given the prohibition on the disclosure of identifying information contained in section 64 of the *Public Interest Disclosures Act 2022 (NSW) (PID Act)*.

On my review, the exceptions contained in section 64(2) of the PID Act do not cover the present circumstances such as to permit the Council providing disclosures made under the PID Act to the Standing Committee. Please confirm that you do not require the production of documents under this category. If the Standing Committee holds a different view, please let me know and I will be happy to consider this category further.

Finally, given that the documents have been requested over an 18-year period, you will appreciate that this will require an extensive review and effort, including to ascertain whether or not documents fall within the scope of the request. It will also involve reviewing historical records and information as it relates to Councillors over the 18-year period. The onerous nature of the task and potential volume of the material sought may make it necessary to request further time within which to comply with your request. I will be better able to better assess the timeframe which may be required once I have the clarifications requested above.

Yours sincerely,

Matthew Stewart
CHIEF EXECUTIVE OFFICER

9 December 2022

Emily Treeby
Principal Council Officer
Upper House Committees

By Email: state.development@parliament.nsw.gov.au

Dear Ms Treeby,

Thank you for your confirmation that our letter of 8 December 2022 is with the Committee for consideration. We will await the Committee's response before collating the documents requested. These documents were initially requested by today. However, we will await the response and clarification from the Committee before progressing the request.

In the letter sent to Hon Aileen MacDonald MLC on 8 December 2022, we requested that:

- We will be able to give evidence at the hearing on 16 December 2022 by way of camera, rather than attending in person, and
- permission be granted for us to be accompanied by, and if necessary, consult legal advisors (namely Bilal Rauf of State Chambers and Julie Kneebone of Sparke Helmore Lawyers).

Provided that those requests are approved, we will be giving our evidence from the office of Sparke Helmore Lawyers and would be available to test the Webex System at 9:30am on Tuesday 13 December 2022.

As requested, our mobile phone numbers are:

Mr Stewart:

Mr Manoski:

We look forward to hearing from you.

Yours sincerely,


Matthew Stewart
CHIEF EXECUTIVE OFFICER



LEGISLATIVE COUNCIL

STANDING COMMITTEE ON STATE DEVELOPMENT

12 December 2022

D22/69468

Mr Matthew Stewart
Chief Executive Officer
City of Canterbury Bankstown Council
Upper Ground Floor
Bankstown Civic Tower
66 - 72 Rickard Road
Bankstown NSW 2200
Via email:

Inquiry into allegations of impropriety by agents of the City of Canterbury Bankstown Council

Dear Mr Stewart

I write on behalf of the Standing Committee on State Development, responding to your letter dated 8 December 2022.

Appearance at public hearing

The committee thanks you and Mr Manoski for accepting the invitation to appear at the public hearing on 16 December 2022. You requested that you and Mr Manoski appear via videoconference.

The committee requests your attendance and Mr Manoski's attendance in person at the public hearing on 16 December 2022. Videoconference participation is normally used for providing evidence during the pandemic or where people are so distant that it would be unreasonable to expect them to attend in person.

You also requested that you and Mr Manoski be accompanied by and, if necessary, consult legal advisers during the hearing, namely Bilal Rauf of State Chambers, and Julie Kneebone of Sparke Helmore Lawyers. The committee accepts the request for your legal advisers and counsel to be present in accordance with the Procedural Fairness Resolution.

Importantly, legal advisers and counsel may accompany you and Mr Manoski in an advisory capacity. The advisers cannot:

- give evidence on behalf of you and Mr Manoski as witnesses
- object to procedure or lines of questioning
- cross-examine another witness or intervene during the committee's examination of another witness.

Request for documents

In my letter to you, dated 3 December 2022, the committee requested the following documents from you in your capacity as Chief Executive Officer of the City of Canterbury Bankstown Council.

- All expense claims submitted by Councillors to City of Canterbury Bankstown Council and Bankstown City Council including but not limited to:
 - Claim Form for Reimbursement of Travel Expenses
 - Claim Form for Reimbursement of Expenses
 - Reconciliation of Advance Payment Form
 - Reconciliation of Councillor Monthly Mobile Telephone Usage
 - Request for Councillor Professional Development or Long Distance Travel
- All disclosures under the Public Interest Disclosures Act by Councillors to City of Canterbury Bankstown Council and Bankstown City Council.
- All Disclosures of Pecuniary Interests and other matters made by Councillors to City of Canterbury Bankstown Council and Bankstown City Council.

The committee thanks the Council for its cooperation in producing documents in relation to the inquiry. Your letter asked a number of clarifying questions in regards to what you have termed Category 1 and Category 3 documents. Namely, you sought clarification on the following points.

1. Category 1 is the request for "All expense claims submitted by Councillors to City of Canterbury Bankstown Council and Bankstown City Council ... ". However, in the indicative examples, reference is made to documents which are not considered to be expense claims. For instance, the third to fifth bullet points seek various forms of reconciliations and requests. These are not expense claims. Is category 1 wider than "expense claims"?
2. If the answer to the question 1 is 'yes', what specific documents are sought in the reference to "Reconciliation of Advance Payment Form" and "Reconciliation of Councillor Monthly Mobile telephone Usage"?
3. If the answer to the question 1 is 'yes', what specific documents are sought in the reference to "Request for Councillor Professional Development"?
4. In category 1, fifth bullet point, what is meant by the term "Long Distance Travel"?
5. In category 3 what is meant by "other matters made by Councillors to City of Canterbury Bankstown and Bankstown City Council"?

The committee's responses to the individual points of clarification are:

1. Yes. Category 1 is wider than expense claims. Please include all documents that could reasonably be related to the claim forms requested, including but not limited to reconciliation claims and request claims.
2. All documents held by Council in relation to a reconciliation of an advance payment or a reconciliation of councillor monthly mobile telephone usage.
3. All documents held by Council in relation to Councillor Professional Development.
4. The term "Long Distance Travel" refers to any travel outside of the Greater Sydney Region, including but not limited to intrastate, interstate and international travel.
5. 'Other matters' refers to the title of the document "Disclosure of pecuniary interests and other matters" Canterbury Bankstown Council requires councillors to complete. Please note this request is for all documents of a similar nature and documents should not be excluded should the title of the document be different from "All Disclosures of Pecuniary Interests and other matters".

In relation to what the you have termed Category 2 documents, being 'All disclosures under the Public Interest Disclosures Act by Councillors to City of Canterbury Bankstown Council and Bankstown City Council', the Council contended that it cannot produce these documents given the prohibition on the disclosure of identifying information contained in the *Public Interest Disclosures Act 2022*. The committee is seeking advice as to the provision of the information requested.

Lastly, the committee acknowledges your point that the Council will require more time to comply with the request for documents and the committee appreciates the work of the Council in this matter.

Due to the urgent nature of this inquiry, the committee requests all readily available documents to be submitted by **5.00 pm on Wednesday 14 December 2022**, and that any remaining documents to be submitted by **5.00 pm Monday 19 December 2022**.

If you have any questions your appearance before the committee, or questions about the request for documents, please contact the committee secretariat on 02 9230 2205.

Your sincerely

Hon Aileen MacDonald MLC
Committee Chair

14 December 2022

Hon Aileen MacDonald MLC
Standing Committee on State Development
Parliament House, Macquarie Street
Sydney NSW 2000

HAND DELIVERY

Dear Committee Chair

Your ref: D22/69468

I refer to your request for documents made of me in my capacity of Chief Executive Officer of City of Canterbury Bankstown Council.

In your letter dated 3 December 2022 (and sent on 5 December 2022), three categories of documents have been requested. Some clarification was provided relating to the requests in your letter dated 12 December 2022.

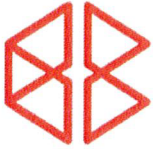
The Committee has requested that "*all readily available documents*" within Categories 1 and 3 be submitted by 5.00 pm on Wednesday 14 December 2022. In response to that request, we **enclose**:

1. Excel spreadsheet of all Councillor Reimbursements from 2004 to 2022; and
2. Disclosure of Pecuniary Interest Return Forms made by Councillors to City of Canterbury Bankstown Council and Bankstown City Council between 2004 and now.

I note the Committee is seeking advice in relation to its request in Category 2 for "*All disclosures under the Public Interest Disclosures Act by Councillors to City of Canterbury Bankstown Council and Bankstown City Council*". Council can now confirm that a search of its records reveals there are no records to provide that fall within this category.

In relation to the remaining documents, you have requested these be produced by 19 December 2022. On a preliminary assessment of the documents which potentially fall within the scope of the broad categories, the Council will not be able to reasonably comply with the request to produce the remaining documents within the requested timeframe. In particular:

- a. The documents extend to historical documents which have to be retrieved from archive;



- b. There are presently 16 boxes of documents which need to be carefully reviewed to consider whether they are relevant to the request and we anticipate there will be more to come; and
- c. From next week until 15 January 2023, the Council will be operating using a skeleton staff.

In the above context, the request by the Committee imposes an onerous expectation on the Council and the Council does not have appropriately qualified staff to review the documents and assist with the exercise of collating them during the period of the break.

Council will nevertheless endeavour to provide the remaining documents by 31 January 2023 however that date may be exceeded if the review takes longer than anticipated. Council will advise the Committee if the timeframe is to be exceeded.

We are appreciative of your understanding of the matter.

Yours sincerely

Matthew Stewart
CHIEF EXECUTIVE OFFICER

14 December 2022

Hon Aileen MacDonald MLC
Standing Committee on State Development
Parliament House, Macquarie Street
Sydney NSW 2000

By email: state.development@parliament.nsw.gov.au

Dear Committee Chair

We thank you for the invitation to participate in the Inquiry and for the briefing conducted by Madeleine Dowd, Principal Council Officer, on 13 December 2022 (**Briefing**).

During the Briefing the Council sought clarification about various matters, including confirmation that Mr Stewart and Mr Manoski would be asked to provide information to the Committee but would not be asked to address any specific allegations. This confirmation was sought in circumstances where no allegations have to date been specified nor indicated by the Committee and it has also requested the Council to provide extensive documents spanning 18 years and relating to the Council and its predecessor.

Further, on a review of the Terms of Reference, they are inexplicably broad and do not indicate any particular concern or allegation or "agents" of interest. The Terms of Reference as stated, in effect, permit the Committee to ask questions about any "matters in regards to the" Council and its predecessor, including but not limited to integrity, processes of Council, employees, elected officials of Council and, without any apparent limitation, "any other matter".

At the time of seeking the clarification, Ms Dowd indicated that she would need to confer with the Committee and subsequently respond.

Later on 13 December 2022, Mr Stewart and Mr Manoski received responses to the questions raised during the Briefing. Relevantly, as to the confirmation sought above, it was stated:

With regard to the nature and content of questions being asked during the hearing and what ground may be traversed – committee members are able to ask any question as long as it falls within the inquiry terms of reference.

The above response is unhelpful and, in referring back to the Terms of Reference, appears to confirm that the Committee can, in effect, traverse any matter and allegation spanning 18 years despite that it has not indicated, let alone expressly stated, that it wishes to seek information, or ask questions, about any specific concern or allegation.

In Mr Stewart and Mr Manoski initially accepting the Committee's invitation to attend at the Inquiry, it was expected that the Committee would assist by giving



some indication of the nature of the questions and any specific matters, concerns or allegations it wished to ask questions about.

Indeed, given the broad Terms of Reference, such clarification is essential in affording Mr Stewart and Mr Manoski procedural fairness and enabling them to properly understand the issues and matters about which the Committee may ask questions and prepare (including by reviewing materials relevant to particular issues) so that they can meaningfully and helpfully respond to the questions which may be asked of them. It is also consistent with the principles of procedural fairness which Ms Dowd provided to me (as being applicable to the Inquiry).

Regrettably, the response provided by the Committee as outlined above does not address the concerns of the Council about the inexplicably broad and unspecified nature of the Terms of Reference and consequent lack of procedural fairness being afforded to Mr Stewart and Mr Manoski.

In these circumstances, Mr Stewart and Mr Manoski do not agree to the invitation of the Committee to attend at the Inquiry on 16 December 2022 and withdraw their earlier expression of willingness to attend.

That said, Mr Stewart and Mr Manoski are happy to assist the Committee with its Inquiry provided that, reasonably prior to any attendance, they are provided with the requested clarification and indication of the nature of the questions and any specific matters, concerns or allegations it wishes to ask questions about.

More generally, the Council has been forthcoming in sharing relevant information and providing responses in the course of various inquiries and processes undertaken in the recent past relating to, inter alia, Council processes and allegations of impropriety. For instance, Mr Stewart has provided extensive evidence and information in the recent past, including:

- In the inquiry and investigation conducted by the Independent Commission Against Corruption (**ICAC**) in its Operation Dasha.
- In the inquiry conducted by the Office of Local Government (**OLG**) in relation to requests for information, including about the application of Council policies and issues of reimbursement.

On each of the above occasions, Mr Stewart and other officers of Council provided assistance to the relevant agency. Importantly, the outcome in relation to the inquiries and processes undertaken in the recent past has been to the effect that it was not considered necessary nor justified for the agency to further consider the matters and allegations which had been raised.

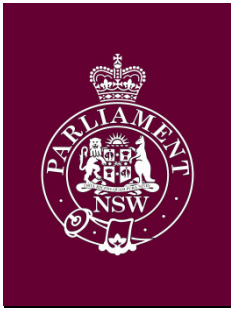
The Council has also proactively engaged in steps and measures to ensure it has a high standard of governance. For instance, the Council has implemented auditing systems to deter and identify activities of concern and has developed a Fraud and Corruption Prevention Policy. This is one of many policies about which the Council sought feedback from the ICAC so as to ensure that the Council adhered to best practice on anti-corruption issues. The Council has also sought feedback from the OLG in relation to a number of its policies and procedures to ensure their efficacy and effectiveness.



As a matter of practice, the Council also proactively self-refers and investigates concerns as when they are identified or raised. Having regard to the systems in place, the Council is confident that its staff are hard-working and committed to furthering the Council's objectives of acting with transparency, integrity and good governance.

Yours sincerely

Emma Roberts
General Counsel



LEGISLATIVE COUNCIL

STANDING COMMITTEE ON STATE DEVELOPMENT

16 December 2022

D22/71220

Mr Matthew Stewart
Chief Executive Officer
City of Canterbury Bankstown Council
Upper Ground Floor
Bankstown Civic Tower
66 - 72 Rickard Road
Bankstown NSW 2200
Via email:

Inquiry into allegations of impropriety by agents of the City of Canterbury Bankstown Council

Dear Mr Stewart

I write on behalf of the Standing Committee on State Development, in relation to the inquiry into allegations of impropriety against agents of the City of Canterbury Bankstown Council, responding to:

- the letter dated 14 December 2022 from Ms Emma Roberts, General Counsel for the City of Canterbury Bankstown Council, in relation to the public hearing scheduled for 16 December 2022
- the letter from you dated 14 December 2022, in relation to the request for documents.

Invitation to appear at public hearing

The committee notes that the letter from Ms Roberts advised that you and Mr Ken Manoski withdrew your appearance for the public hearing for 16 December 2022 due to certain concerns raised with respect to the scope of the inquiry.

In response to these concerns, the committee advises that the intention of the committee is to ask questions relating to councillor entitlements, councillor disclosures, councillor expenses and policies relating to councillors.

The committee would like to reinvite you in your capacity as Chief Executive Officer at the City of Canterbury Bankstown Council, and Mr Ken Manoski, in his capacity as Director Corporate at City of Canterbury Bankstown Council, to give evidence in person at a hearing for the inquiry into allegations of impropriety against agents of the City of Canterbury Bankstown Council.

Please see proposed details below:

Date: Wednesday 21 December 2022

Appearance time: 2.00 pm to 5.30 pm (afternoon tea break 3.30 pm – 3.45 pm)

Location: The Dixon Room, The State Library of NSW

The committee informs you that the committee has the power to issue a summons to witnesses should they decline the invitation to appear at a public hearing. These powers are codified under section 4 of the *Parliamentary Evidence Act 1901*.

The committee has agreed for you and Mr Manoski to be accompanied by and, if necessary, consult with, legal advisers at the hearing.

Request for documents

The committee thanks the Council for the interim tranche of documents provided on 14 December 2022 in response to its request for documents.

The committee notes that in relation to what you have termed Category 2 documents, being 'All disclosures under the Public Interest Disclosures Act by Councillors to City of Canterbury Bankstown Council and Bankstown City Council', you have advised that a search of Council records reveals that there are no records to provide that fall in that category.

In relation to the documents in Categories 1 and 3, you indicated that you will endeavour to provide remaining documents by 31 January 2023. Whilst appreciating the difficulty of this request, the committee nevertheless asks if the Council could provide any further documents by **5.00 pm on Tuesday 20 December 2022** ahead of the proposed hearing on Wednesday.

If you have any questions regarding your appearance before the committee, or questions about the request for documents, please contact the committee secretariat on 02 9230 2205.

Hon Aileen MacDonald MLC
Committee Chair

19 December 2022

Hon Aileen MacDonald
MLC Standing Committee on State Development
Parliament House, Macquarie Street
Sydney NSW 2000

By email:
State.Development@parliament.nsw.gov.au

Dear Committee Chair

**Inquiry into allegations of impropriety against agents of the City of Canterbury
Bankstown council**

We refer to the email from Ms Treebly at 2:29pm on 16 December 2022 to our client, Mr Stewart, and your request that Council provide the spreadsheet produced by Council (together with other documents requested) on 15 December 2022 as a digital Excel document.

We appreciate the confirmation that the document would be for the Committee's use, not for publication purposes.

To assist the Committee with its Inquiry, we are instructed to re-produce the Excel spreadsheet of all Councillor Reimbursements from 2004 to 2022 as a digital document. A copy is **enclosed**.

As previously noted, our clients will do what they reasonably can to produce the other documents which have been requested noting the extensive nature of the documents requested; the onerous imposition the Council in seeking to meet the request; and the limited resources available to the Council, particularly leading up to Christmas period.

We request that the Committee direct all future requests for documents in relation to the Inquiry to our office.

Yours faithfully

Partner responsible:
Roland Hassall
e:

Contact:
Julie Kneebone, Special Counsel
t:
e:

Sydney

Level 29, 25 Martin Place, Sydney NSW 2000

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Hon Aileen MacDonald MLC
Standing Committee on State Development
Parliament House, Macquarie Street
Sydney NSW 2000

Dear Committee Chair

We are writing to express grave concern about media articles published over the weekend.

Those articles state, for example, that “a source close to the inquiry told the *Herald* on the condition of anonymity because they were not authorised to speak” certain matters relating to the invitation extended to the Council officers and their response.

Given that the Council’s response letter was not published nor made available by the Inquiry, no one else had access to it nor was informed of its contents. Yet, the *Herald* was able to indicate (albeit inaccurately) its contents stating that the Council argued “the 18-year scope, and the ability for MPs to ask about anything that happened over that time, was unreasonable.”

The above information was in turn published by other media outlets. We are deeply concerned about the improper and unauthorised disclosure of information to the media. It directly affects the confidence which persons participating in the Inquiry may have as to the processes relating to the Inquiry and the staff who are assisting the Committee (given that a person apparently close to the Inquiry made the disclosure).

In the circumstances, we immediately require that:

1. The Committee take steps to investigate which person “close to the inquiry” selectively and without authorisation disclosed the information to the media. The Council should then be assured that steps have been taken to ensure the confidentiality of the process and that no further unauthorised disclosures will occur; and
2. So that there is a proper context of the response of the Council, its letter of 14 December 2022 be made available on the Inquiry’s webpage; and
3. For completeness and context (given the disclosures which have now been made to the media in advance of any participation by the Council), this letter also be made available on the Inquiry’s webpage.

Given our grave concerns about the absence of procedural fairness, both in relation to the scope of questioning and, now, the negative statements relayed by “a source close to the inquiry”, the Council requires that you respond as to the above matters and requested action items before Messrs Stewart and Manoski respond to the Committee’s invitation.

We will await your urgent response.

Yours faithfully

Chair and Partner responsible:
Roland Hassall
t:
e:

Contact:
Julie Kneebone, Special Counsel
t:
e:

20 December 2022

Hon Aileen MacDonald MLC
Standing Committee on State Development
Parliament House, Macquarie Street
Sydney NSW 2000

By hand

Dear Committee Chair

Your ref: DD22/69468

Our ref: JUK/BAN077-00001

I refer to your request for documents made of Matthew Stewart in his capacity of Chief Executive Officer of City of Canterbury Bankstown council.

Further to our client's letter of 14 December 2022, we now produce the following documents:

1. Councillor Reimbursements from 2004 to 2022; and
2. Disclosure of Pecuniary Interest Return Forms made by Councillors to City of Canterbury Bankstown council and Bankstown City Council between 2004 and now.

We note that our client has made further enquiries and there are approximately 27 boxes of documents which need to be carefully reviewed to identify documents which may be relevant to your request for documents. As previously advised, Council is now operating using skeleton staff. Despite this, Council is continuing to endeavour to collate the information requested and to provide the remaining documents by 31 January 2023 as previously indicated. We will advise if this appears to be unachievable.

Yours faithfully

Chair and Partner responsible:
Roland Hassall
t:
e:

Contact:
Julie Kneebone, Special Counsel
t:
e:

Sydney

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LEGISLATIVE COUNCIL

STANDING COMMITTEE ON STATE DEVELOPMENT

22 December 2022

D22/72683

Mr Matthew Stewart
Chief Executive Officer
City of Canterbury Bankstown Council
Upper Ground Floor
Bankstown Civic Tower
66 - 72 Rickard Road
Bankstown NSW 2200
Via email.

Inquiry into allegations of impropriety against agents of the City of Canterbury Bankstown Council

Dear Mr Stewart

I write on behalf of the Standing Committee on State Development, in relation the inquiry into allegations of impropriety against agents of the City of Canterbury Bankstown Council, responding to the letter dated 20 December 2022 from Mr Roland Hassall, Partner, Sparke Helmore Lawyers.

The committee resolved that it will not be investigating the unauthorised disclosure and that, as requested, the letters dated 14 December 2022 and 19 December 2022 from Mr Roland Hassall will be published on the inquiry webpage.

If you have any questions, please contact the committee secretariat on 02 9230 2205.

Hon Aileen MacDonald MLC
Committee Chair

cc: Mr Roland Hassall, via
Ms Julie Kneebone, via



LEGISLATIVE COUNCIL

STANDING COMMITTEE ON STATE DEVELOPMENT

19 January 2023

D23/01093

Mr Matthew Stewart
Chief Executive Officer
City of Canterbury Bankstown Council
Upper Ground Floor
Bankstown Civic Tower
66 - 72 Rickard Road
Bankstown NSW 2200
Via email.

Inquiry into allegations of impropriety against agents of the City of Canterbury Bankstown Council

Dear Mr Stewart

Invitation to appear at hearing

The Standing Committee on State Development would like to invite you in your capacity as Chief Executive Officer at the City of Canterbury Bankstown Council, and Mr Ken Manoski, in his capacity as Director Corporate at City of Canterbury Bankstown Council, to give evidence in person at a hearing for the inquiry into allegations of impropriety against agents of the City of Canterbury Bankstown Council. Please see proposed details below:

Date: Friday 3 February 2023

Appearance time: 9.30 am to 12.30 pm (morning tea break 11.00 am to 11.15 am)

Location: The Dixon Room, The State Library of NSW

As stated in my letter dated 16 December 2022, the committee notes again that the committee has the power to summon witnesses should they decline the invitation to appear at a public hearing. These powers are codified under section 4 of the *Parliamentary Evidence Act 1901*.

The committee has agreed for you and Mr Manoski to be accompanied by and, if necessary, consult with, legal advisers at the hearing.

The terms of reference for the inquiry, including a list of committee members, is attached, along with information guides to assist you giving evidence to the committee. Further information about the inquiry, including the full hearing schedule (when finalised) can be found on the committee's [website](#).

At the beginning of your evidence, you will be giving the option of making a short (2-3 minute) opening statement, which should be succinct and relevant to the inquiry. The Chair and members of the committee will then ask you questions. Please note your evidence will be heard in public and will be streamed live on the NSW Parliament [webpage](#).

As advised in my letter dated 16 December 2022, the committee advises again that the intention of the committee to ask questions relating to councillor entitlements, councillor disclosures, councillor expenses and policies relating to councillors.

Request for documents

The committee requests the following documents from you in your capacity as Chief Executive Officer of the City of Canterbury Bankstown Council:

- a copy of all expenses and reimbursements incurred by the Chief Executive Officer / General Manager dating back to 2004
- a copy of the diary of both the Chief Executive Officer / General Manager and Councillor Khal Asfour dating back to 2004
- a copy of all council reports related to overseas trips dating back to 2004
- a copy of the dates of employment and roles of Lia Chinnery, current Senior Consultant at SINC Solutions
- a copy of all correspondence between Canterbury Bankstown Council and LJ Hooker Bankstown, including but not limited to tender documents from both LJ Hooker Bankstown and other applicants for the tender for the management of council properties
- a copy of the gift disclosure register for all councillors dating back to 2004.

In addition, the committee requests the following documents in relation to the reviews undertaken by SINC Solutions and Mr Arthur Moses SC:

- an unredacted copy of the independent review report by Arthur Moses SC
- all supporting documents that were used in compiling the final report
- all correspondence between Canterbury Bankstown Council and SINC Solutions
- all correspondence regarding conflicts of interest declared by staff members of SINC Solutions
- an outline of all commercial arrangements between Canterbury Bankstown Council and SINC Solutions and a description of services provided.

As noted in the letter from Mr Hassall on 20 December 2022, the committee notes that you have advised that the Council will provide all outstanding documents as previously requested by the committee by 31 January 2023. **The committee requests the above-mentioned documents and all outstanding documents previously requested by the committee be provided by 31 January 2023.**

If you have any questions about your appearance before the committee, or questions about the request for documents, please contact the committee secretariat on 02 9230 2205.

Hon Aileen MacDonald MLC
Committee Chair

cc: Mr Roland Hassall, via
Ms Julie Kneebone, via



LEGISLATIVE COUNCIL

STANDING COMMITTEE ON STATE DEVELOPMENT

24 January 2023

D23/03572

Mr Matthew Stewart
Chief Executive Officer
City of Canterbury Bankstown Council
Upper Ground Floor
Bankstown Civic Tower
66 - 72 Rickard Road
Bankstown NSW 2200
Via email:

Inquiry into allegations of impropriety against agents of the City of Canterbury Bankstown Council

Dear Mr Stewart

I write on behalf of the Standing Committee on State Development regarding the committee's previous requests for documents from the City of Canterbury Bankstown Council as part of its inquiry into allegations of impropriety against agents of the City of Canterbury Bankstown Council.

Parliament House is currently undergoing significant renovations and members as well as departmental staff are working offsite at a location in Martin Place or from home. As such, the committee secretariat are seeking to identify the most appropriate delivery address to receive all requested Council documents as listed in previous correspondence from the Committee Chair. Could you please advise how many boxes you anticipate may be delivered in response to the committee's previous requests, as well as an estimated delivery date? This will assist us to determine the most appropriate delivery address and, once determined, we can advise the Council accordingly.

In addition, to date the Council has provided the committee with two boxes of documents: the first box received on 14 December 2022 and the second box received on 20 December 2022. As Parliament commenced larger renovations in late December, and any access to the building is now limited to departmental staff, could you please advise if any boxes of documents were delivered between 21 December 2022 and 24 January 2023, and if any boxes are currently in transit to NSW Parliament? This is so we can locate any boxes that may have been delivered during that period, or organise staff to receive any boxes that may be in transit.

Lastly, we ask that any boxes with hard-copy documents please be clearly labelled with "Attention: Madeleine Foley, Director, Standing Committee on State Development – Allegations of impropriety against agents of the City of Canterbury Bankstown Council."

If you have any questions, please contact the committee secretariat on 02 9230 2205.

Madeleine Foley

Clerk Assistant – Committees

cc: Mr Roland Hassall, via
Ms Julie Kneebone, via

25 January 2023

Hon Aileen MacDonald
MLC Standing Committee on State Development
Parliament House, Macquarie Street
Sydney NSW 2000

By email:
State.Development@parliament.nsw.gov.au

Dear Committee Chair

**Inquiry into allegations of impropriety against agents of the City of Canterbury
Bankstown council**

We refer to the correspondence from the Committee dated 19 January 2023 in relation to the Committee's request for documents. We also note the earlier correspondence of the Committee dated 3 and 16 December 2022 dealing with the same subject matter.

Ongoing review and production of documents

Since our correspondence dated 20 December 2022, Council has continued to identify and collate documents relating to the request in an effort to meet the Committee's timeframes. As noted in that correspondence, approximately 27 boxes of documents were identified as needing to be reviewed to identify documents which fell within the scope of the request. This process is still underway. Council has also sought additional assistance which, to date, has cost in excess of \$5,000.

To the extent that various documents have been collated, these need to be copied to enable production. Council proposes to utilise the services of Law In Order to make the copies. Noting that Law In Order charge \$0.085 for each page copied, and the volume of documents to be produced, Council anticipates that the cost of copying documents relevant to the request will exceed \$1,200.

Before Council incurs the expense of production, we seek your confirmation that the Committee will reimburse Council for the reasonable costs in complying with the request (inclusive of the paralegal and copying costs). If the Committee requires, Council can obtain a quote from Law In Order. Council understands that Law In Order charge an attendance fee in order to provide that quote. We will await your response before progressing the review and collation of documents.

Timeframe for production

Notwithstanding the above ongoing efforts, Council will not be in a position to produce all of the documents relating to the request by 31 January 2023. Council will, subject to the Committee undertaking that it will meet the costs of compliance, produce a further tranche of documents on 31 January 2023 and then as reasonably practicable thereafter.

Further request for documents

Your correspondence of 19 January 2023 seeks that Mr Stewart, in his capacity of CEO of Council, produce an additional 11 broad categories of documents by 31 January 2023 (**Further Request**).

Council and our clients have serious concerns about the Further Request.

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Firstly, Council is already strained in responding to the first request for documents and has, to date, incurred significant time and expenses in seeking to comply. In this context, the Further Request increases the demands on Council and its resources.

Secondly, and relatedly, the Further Request will involve Council incurring further fees and costs. The broad nature of the categories of documents sought means that Council will need to review large volumes of materials to ascertain which documents may fall within the scope of the further request.

Thirdly, at a practical level, Council will simply not be in a position to collate the materials within the timeframe requested. This is particularly so given the breadth and time span of the further request and the need to confer with others, including third parties.

In the above circumstances, Council considers the further request to be an onerous imposition and unreasonable request.

If the Committee maintains the Further Request, Council requests that it provides specificity and precision relating to the documents sought. Council also requests that the Committee confirm it will meet the reasonable costs of compliance with the Further Request. The Council will then commence searches for the documents requested and provide an indication of the likely timeframe to comply.

Commitment as to confidentiality

On 19 December 2022, Council wrote to you expressing concern about media articles including, for example, articles which were expressed to rely on information from “a source close to the inquiry”. We expect that the Committee would have understood from the concerns raised that our clients wished to maintain confidentiality in respect of the documents produced. To be clear, we expressly make this request that the confidentiality of documents produced to the Committee be maintained and steps be taken to identify the source of the leak.

In response, the Committee resolved that it “*will not be investigating the unauthorised disclosure*”. Your correspondence appears to indicate that the Committee accepts the real possibility of an unauthorised disclosure by a Committee member or a member of staff of the Committee.

On 20 January 2023, media articles published images of Council records which have only been produced to the Committee and were not publicly available at the time of publication. That article indicates it was published based on information “*by a parliamentary probe into Mr Asfour, obtained by The Daily Telegraph*”. It suggests further unauthorised disclosures by Committee members or staff.

It is now of the utmost importance that you ascertain the source of the unauthorised disclosures and take steps to prevent future such unauthorised disclosures. A failure to do so impacts on the very integrity of the Inquiry.

To be clear, our clients require that the confidentiality of documents produced to the Committee be maintained in full. If the Committee resolves to publish information, please provide reasonable notice prior to the publication of the reasons for the resolution to decline this request.

Reservation of rights

Council and our clients reserve their rights in relation to the requests and generally, including if the Committee does not provide a reasonable response to the concerns raised.

Yours faithfully

Partner responsible:
Roland Hassall
e:

Contact:
Julie Kneebone, Special Counsel
t:
e:

25 January 2023

Hon Aileen MacDonald
MLC Standing Committee on State Development
Parliament House, Macquarie Street
Sydney NSW 2000

By email:
State.Development@parliament.nsw.gov.au

Dear Committee Chair

**Inquiry into allegations of impropriety against agents of the City of Canterbury
Bankstown council**

Earlier correspondence relating to invitation to appear

We refer to the most recent correspondence from the Committee dated 19 January 2023 in relation to its invitation for Mr Stewart, in his capacity as Chief Executive Officer, to appear at the Inquiry with Ken Manoski, in his capacity as Director Corporate Services.

We also refer to the Committee's correspondence dated 19 December 2022 and 20 January 2023.

We note your request that a response to the invitation be provided by 5.00pm on 26 January 2023, being the Australia Day public holiday.

As noted in our correspondence of 19 December 2022, our clients are presently on leave. Mr Manoski is on annual leave until 6 February 2023. Mr Stewart has an important personal engagement on 3 February 2023 and cannot make himself available to appear before the Committee on that day. We will do our best to obtain our clients instructions as to the invitation more generally as soon as is reasonably possible, although this may not occur by 5.00pm on 26 January 2023.

Concerns raised in earlier correspondence

Our clients have previously raised a number of concerns relating to the basis of the Inquiry and its scope.

For instance, on 14 December 2022, our clients raised specific concerns about, inter alia:

- a. The extraordinary breadth and lack of specificity or particularity in the Terms of Reference.
- b. On their face, the Terms of Reference, in effect, permit the Committee to ask any questions of our clients about any matter that concerns or involves "the Council and its predecessor, including but not limited to integrity, processes of Council, employees, elected officials of Council" and, without any apparent limitation, "any other matter".
- c. The Committee would appear to have taken the view that the absence of any temporal limitation in the Terms of Reference authorises it to range over a period of 18 years.
- d. The denial of procedural fairness afforded to our clients arising out of the foregoing matters.

On 16 December 2022, on behalf of our clients we requested written confirmation that:

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- a. During the hearing, our clients will not be asked to respond to any allegations or questions which concern allegations, including relating to the Council; or
- b. If any allegations are to be made, reasonable and advance notice is given of those allegations, in accordance with the principles of procedural fairness.

In response, you indicated that the Committee had resolved to advise our clients that witnesses will be afforded the opportunity to take questions on notice if they are unable to provide an answer during the hearing.

With respect, that response does not address the substance of our clients' concerns about the denial of procedural fairness inherent in the Terms of Reference. For example, the opportunity to take questions on notice does nothing to give our clients a reasonable opportunity to prepare, and seriously compromises their capacity to make reasonable assessments about whether any questions that they have been asked are relevant, or what rights they might have in relation to their response to those questions.

Conduct of Committee at Inquiry on 21 December 20223

Our clients' concerns in this regard are exacerbated by the way in which the Inquiry has been conducted to date. In particular, although the Committee has so far not particularised any allegations, it would appear that the Committee, or at least some of its members, know of at least some specific allegations. For example, a participating member of the Committee stated on 21 December 2022 that:

- a. *... a document prepared by Suzy Stewart, the former wife of the CEO, that outlines page after page—dozens and dozens—of allegations against the CEO, each of them probably a sacking offence in their own right (p10);*
- b. *I understand, a personal friend and associate of yours—the CEO will answer these point after point at the Committee inquiry where he does appear? (p11):*
- c. *Matthew approved a granny flat ... (p11).*

This raises the real possibility that the Committee has deliberately chosen to conceal from our clients the particulars of allegations into which it inquiring. If so, that would amount to a deliberate decision to unfairly disadvantage our clients by ambushing them.

Moreover, whilst the Procedural Fairness Resolution purports to assert that Committee members will afford witnesses the opportunity to take questions on notice, the Committee members have not shown that to occur in practice. When Mayor Asfour sought to take a question with notice, Committee members re-phrased and continued to ask the same question, including after the Chair had ruled on that issue.

Mayor Asfour also faced criticism for seeking to be afforded procedural fairness. For example, Committee members commented:

- a. *"He must know and has a legal obligation to tell this Committee." (p4)*
- b. *"Hang on. In your opening statement you said the truth will be your defence. We are giving you the opportunity to tell the truth, and you simply zip up within 15 minutes of opening." (p4)*
- c. *"This is a defiance of the rules of the Parliament and the due processes of this Committee." (p5)*
- d. *"You certainly have not; you've pled the fifth, mate. You've turned up and said the truth will be your defence, and now you've gone to ground and you won't—" (p5)*

We also have a concern about the manner in which Committee members were permitted to ask questions during the first day of the hearing. The Procedural Fairness Resolution of the House, to which you have referred, provides that witnesses will be treated with courtesy at all times. However, when Mayor Asfour appeared before the Committee, he was badgered and humiliated, including by gratuitous comments about him and his evidence, by Committee members during the Inquiry (for instance, see Hon. Taylor Martin at p4; Hon. Mark Latham at pp9, 21; Hon. Scott Farlow at pp23, 24) and Committee members disregarding or cavilling with the rulings of the Committee Chair (for instance, see Hon. Mark Latham at pp3, 11, 10; Hon. Taylor Martin at p5). Committee Members made comments to Mayor Asfour including:

- a. *How about we strike your opening statement from the record ...* (p10)
- b. *I furnish you with what I choose to furnish you with, and that's not procedural fairness.* (p12)
- c. *You're sort of the Lucky Starr of Local Government aren't you—the I've Been Everywhere man?* (p17)
- d. *...longstanding, re-elected, blah blah...*(p20)
- e. *You come here big-noting yourself.* (p21)
- f. *...in all your glory.* (p21)
- g. *I suppose the international travel does that to you...*(p21)
- h. *Was that for tacos in Tijuana?* (p23)
- i. *They all merge into one, I imagine. There are so many of them.... There are so many.* (p23)
- j. *I will defer to the Hon. Mark Pearson, though, because he hasn't had a crack yet...* (p28)
- k. *No further football tickets at this stage.* (p32)

Given the importance of the purpose of an Inquiry, it is inappropriate that those who conduct it engage in behaviour of this kind.

Further invitation to appear on 3 February 2023

In order that we can seek instructions from our clients and respond to your invitation, it is essential that the Committee confirm whether any member of the Committee intends to ask either of our clients to respond to allegations about themselves or about Council, and that proper particulars be given in advance of any such allegation.

For the reasons given above and in our earlier correspondence, failure to do so would deny our clients procedural fairness.

Further, we seek your specific assurance that, in light of the previous conduct of Committee members the Chair of the Committee will enforce the right of participants to be treated with courtesy and respect and afforded procedural fairness.

To enable us to take instructions in relation to the invitation to appear, we await your confirmation on the following:

- a. Written confirmation that Mr Stewart and Mr Manoski, during the hearing, will not be asked to respond to any allegations or questions which concern allegations, including relating to the Council;
- b. Or, if any such allegations are to be made, then proper particulars of each of those allegations be provided, being such as will give our clients reasonable notice of the substance of the allegations; and
- c. The Chair of the Committee will do all things reasonably necessary to enforce the right of participants to be treated with courtesy and respect and afforded procedural fairness.

We await your response so that we can obtain the instructions of our clients. Our clients reserve their rights, including in relation to the conduct of the Inquiry.

Yours faithfully

Partner responsible:
Roland Hassall
e:

Contact:
Julie Kneebone, Special Counsel
t:
e:



LEGISLATIVE COUNCIL

STANDING COMMITTEE ON STATE DEVELOPMENT

30 January 2023

D23/03989

Mr Matthew Stewart
Chief Executive Officer
City of Canterbury Bankstown Council
Upper Ground Floor
Bankstown Civic Tower
66 - 72 Rickard Road
Bankstown NSW 2200
Via email:

Inquiry into allegations of impropriety against agents of the City of Canterbury Bankstown Council

Dear Mr Stewart

I write on behalf of the Standing Committee on State Development, in relation to the inquiry into allegations of impropriety against agents of the City of Canterbury Bankstown Council, responding to two letters dated 25 January 2023 from Ms Julie Kneebone, Special Counsel, Sparke Helmore Lawyers, in relation the invitation to Mr Matthew Stewart and Mr Ken Manoski to appear at a public hearing on 3 February 2023 and the committee's previous requests for documents.

Invitation to appear at hearing

On 24 January 2023, the Standing Committee on State Development invited you and Mr Ken Manoski to a public hearing to be held on 3 February 2023 for the inquiry into allegations of impropriety against agents of the City of Canterbury Bankstown Council.

As we have been advised that you and Mr Manoski are not available, the hearing on 3 February 2023 will not proceed.

The committee proposes instead to hold a public hearing on a date that is suitable to you both during the week commencing 13 February 2023. By **10.00 am on Wednesday 1 February 2023**, could you please indicate your availability to appear at a public hearing for the following dates: **13, 14, 16 and 17 February 2023**.

As stated in my letters dated 16 December 2022 and 19 January 2023, the committee notes again that the committee has the power to summon witnesses should they decline the invitation to appear at a public hearing. These powers are codified under section 4 of the *Parliamentary Evidence Act 1901*.

Regarding the concerns raised in the letter from Ms Kneebone about hearing process and procedures, the committee reiterates that members are able to ask lawful questions that fall within the terms of reference. The committee has advised that the committee intends to ask questions relating to councillor entitlements, councillor disclosures, councillor expenses and policies relating to councillors.

It is up to witnesses how they wish to answer a question, including whether they wish to answer a question during the hearing or take it on notice and this protection is set out in the Procedural Fairness resolution. In addition, it is the role of the Chair to ensure the hearing follows due process and order is maintained.

Requests for documents

The letter from Ms Kneebone requested that the committee reimburse the Council for the reasonable costs in complying with the committee's initial and further requests for documents (inclusive of the paralegal and copying costs). The committee has resolved not to agree to this request and will not cover any of the Council's costs in relation to the committee's requests for documents.

The committee reiterates its request that the documents referred to in the initial request for documents, as stated in the letters dated 2 December 2022 and 12 December 2022, be provided by **Tuesday 31 January 2023**.

In light of the concerns raised about the time needed to comply with the further request for documents, the committee has extended the deadline for those documents to **Monday 6 February 2023**.

Publication of documents

The letter from Ms Kneebone raised various concerns about confidentiality. The committee has resolved to publish all letters sent to and received from the City of Canterbury Bankstown Council, including all future correspondence and any letters previously sent and received. Please advise if there are any letters, or part thereof, which you do not wish to be published, by **Wednesday 1 February 2023**.

For all future correspondence and documents provided to the committee, please indicate if you wish the correspondence or documents, or parts thereof, to be kept confidential, and the committee will consider this request.

In addition, the letter from Ms Kneebone asked that if the committee resolves to publish information, that the committee provide reasonable notice prior to the publication. The committee has resolved to notify the Council prior to the publication of any documents provided by the Council to the committee.

If you have any questions about your appearance before the committee, or questions about the requests for documents, please contact the committee secretariat on 02 9230 2205.

Hon Aileen MacDonald MLC
Committee Chair

cc: Mr Roland Hassall, via
Ms Julie Kneebone, via

1 February 2023

Hon Aileen MacDonald
MLC Standing Committee on State Development
Parliament House, Macquarie Street
Sydney NSW 2000

By email:
State.Development@parliament.nsw.gov.au

Dear Committee Chair

Inquiry into allegations of impropriety against agents of the City of Canterbury Bankstown Council

We refer to your email sent at 9.38am and resent with date corrections at 12.49pm on 30 January 2023 containing an invitation to our clients, Mr Stewart and Mr Manoski, to appear before the Committee to give evidence in their capacity as employees of the City of Canterbury Bankstown Council.

We note your request that a response be provided by 10.00am, 1 February 2023 (i.e. within 48 hours).

Your correspondence reiterates that members can ask lawful questions that fall within the terms of reference. The terms of reference provides that the inquiry is in relation to "*matters in regards to the City of Canterbury Bankstown and the previous City of Bankstown Council*". With respect, your answer does not engage with any of our questions or concerns about the breadth and lack of particularity of the terms of reference. The terms of reference are so broad and general that when Mayor Asfour gave evidence he was informed, after being sworn in and providing his opening statement, that "*he has put [issues relating to his family] on the terms of reference because he put them in his opening statement*" (p9). In so far as our clients are concerned, the Committee's continued resolution to refer back to the terms of reference, in effect declining to directly answer the questions we have asked of it, only reinforces our clients' concerns that they will not be afforded procedural fairness.

Our clients are committed to providing reasonable cooperation with the inquiry. However, before they can be in any position to consider whether they can accept the invitation, they will need to know with reasonable particularity what allegations of impropriety the Committee is inquiring into (including what allegations were referred to it), what, if any, allegations they will each be asked to address (together with particulars of any such allegations) and what the Committee's response is to the concerns raised in our previous correspondence (for example in our letters of 14 December 2022 and 25 January 2023).

Subject to the provision of the information requested above and in previous correspondence, Mr Stewart and Mr Manoski will then be able to provide their availability for 13, 14, 16 and 17 February 2023 and consider the invitation to appear.

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We await your response so that we can obtain instructions. Subject to the timing of your response, we will endeavour to do so as quickly as possible.

Yours faithfully

Partner responsible:
Roland Hassall
e:

Contact:
Julie Kneebone, Special Counsel
t:
e:



LEGISLATIVE COUNCIL

STANDING COMMITTEE ON STATE DEVELOPMENT

6 February 2023

D23/06652

Mr Matthew Stewart
Chief Executive Officer
City of Canterbury Bankstown Council
Upper Ground Floor
Bankstown Civic Tower
66 - 72 Rickard Road
Bankstown NSW 2200
Via email:

Inquiry into allegations of impropriety against agents of the City of Canterbury Bankstown Council

Dear Mr Stewart

I write on behalf of the Standing Committee on State Development, in relation to the inquiry into allegations of impropriety against agents of the City of Canterbury Bankstown Council. I am writing to follow up on my letter sent on 30 January 2023.

In the interests of transparency, the letter advised that the committee had resolved to publish all letters sent to and received from the City of Canterbury Bankstown Council, including all future correspondence and any letters previously sent and received. The committee asked the Council to please advise if there were any letters, or part thereof, which you did not wish to be published, by Wednesday 1 February 2023. The committee did not receive a response from the Council on this matter.

Please advise if there are any letters, or part thereof, which you do not wish to be published, by **5.00 pm on Tuesday 7 February 2023**. If the committee does not receive a response from the Council, all correspondence to date sent to and received from the City of Canterbury Bankstown Council will be published on **Wednesday 8 February 2023**.

If you have any questions, please contact the committee secretariat on 02 9230 2205.

Hon Aileen MacDonald MLC
Committee Chair

cc: Mr Roland Hassall, via
Ms Julie Kneebone, via

6 February 2023

Hon Aileen MacDonald
MLC Standing Committee on State Development
Parliament House, Macquarie Street
Sydney NSW 2000

By email:
State.Development@parliament.nsw.gov.au

Dear Committee Chair

Inquiry into allegations of impropriety against agents of the City of Canterbury Bankstown Council

We refer to the correspondence from the Committee dated 30 January 2023 in relation to the Committee's request for documents. We also note the earlier correspondence of the Committee dated 3 and 16 December 2022 and 19 and 24 January 2023 dealing with the same subject matter.

Initial document request

We understand that the Committee has resolved not to agree to our clients' request that the Committee cover the Council's reasonable costs of compliance in responding to the Committee's voluminous requests for documents.

Notwithstanding our clients' indication that it would not be possible to produce all documents relating to the request by 31 January 2023 and confirmation that Council would await your response before progressing the review and collation of documents, the Committee nonetheless requested, on 30 January 2023, that all remaining documents related to the initial request be produced on 31 January 2023. It is disappointing that the Committee has sought to persist in a request which the Committee has been told will not be possible and also imposes an onerous burden on the Council.

After receiving your correspondence, we commenced extracting and copying documents relevant to your request. In extracting relevant information, it is necessary to maintain the integrity of Council's archived records. Due to the manner in which the documents are stored, which includes unclipping staples, removing documents from plastic slips etc the process of copying relevant documents is time consuming and taking significantly longer than anticipated. We presently expect it will take a further three to four weeks to copy the relevant records. If the Committee wishes to reconsider its position as to covering the cost of engaging Law In Order to assist, we can obtain a quote which will be likely to assist in expediting the process. We also invite the Committee to provide more specificity as to the categories of documents requested as this will also assist to expedite the production process. Otherwise, our client will continue to undertake reasonable steps to collate and copy the documents in a manner which is cost effective.

Further request for documents

Your correspondence of 19 January 2023 seeks that Mr Stewart, in his capacity of CEO of the Council, produce an additional 11 broad categories of documents by 6 February 2023 (**Further Request**).

Sydney

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Whilst the Council and our clients expressed serious concerns about the Further Request, including that the Further Request was an onerous imposition and unreasonable request (in the letter dated 25 January 2023), the Committee has not responded to, nor attempted to engage with, those concerns.

In circumstances where the Committee has not indicated that it is inquiring into any allegations against the CEO and that it intends to ask Mr Stewart and Mr Manoski questions relating to “councillor entitlements, councillor disclosures, councillor expenses and policies relating to councillors”, we cannot see that your request for expenses, reimbursements and diaries of the CEO has any relevance to the Inquiry. Should the Committee maintain otherwise, please confirm that relevance so that we can further consider the production request.

Similarly, it is not clear what relevance employment information of Lia Chinnery or all correspondence with LJ Hooker might have to the Inquiry. If you maintain that it does, please confirm the relevance and, in respect of the correspondence with LJ Hooker, provide more specificity as to what is being sought.

The redactions within the SINC Solutions report relate to confidential information which Mr Stewart is not at liberty to volunteer including because it relates to discussions during meetings of Council which was closed to the public under s10A of the *Local Government Act 1993*, correspondence with the Independent Commission Against Corruption and privileged information. To the extent that they are not confidential, the annexures to the final report have been made publicly available on Council’s website.

Correspondence between Canterbury Bankstown Council and SINC Solutions in relation to the reviews undertaken by SINC Solutions and Mr Arthur Moses SC is also subject to legal professional privilege and, in order to prevent risk of waiver of that privilege, our client is not in a position to meet your request in respect of that category.

The only member of staff from SINC Solutions who was engaged in work on the review undertaken by SINC Solutions was Kath Roach. Ms Roach did not declare a conflict of interest (on the basis that there was none to declare).

Council will endeavour to attend to the balance of the request upon completion of production on the first request.

Reservation of rights

Council and our clients reserve their rights in relation to the requests and generally, including if the Committee does not provide a reasonable response to the concerns raised.

Yours faithfully

Partner responsible:
Roland Hassall
e

Contact:
Julie Kneebone, Special Counsel
e:

7 February 2023

Hon Aileen MacDonald
MLC Standing Committee on State Development
Parliament House, Macquarie Street
Sydney NSW 2000

By email:
State.Development@parliament.nsw.gov.au

Dear Committee Chair

**Inquiry into allegations of impropriety against agents of the City of Canterbury
Bankstown council**

We refer to your letters dated 3 and 12 December 2022 containing a request for documents.

To assist the Committee with its Inquiry, we are instructed to produce the **enclosed** expense claims (and related documents) submitted by Councillors.

In accordance with resolution 17 of the Procedural Fairness Resolution, our clients request that the confidentiality of documents produced to the Committee be maintained. If the Committee nonetheless resolves to publish any information provided to the Committee by our clients, please provide reasonable notice prior to the publication and the reasons for the resolution to decline this request. In that instance, our clients also request the Committee redact personal and banking information from any documents prior to those documents being published.

Council and our clients reserve their rights in relation to this request and generally.

Yours faithfully

Partner responsible:
Roland Hassall
e:

Contact:
Julie Kneebone, Special Counsel
t:
e:

Sydney

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7 February 2023

Hon Aileen MacDonald
MLC Standing Committee on State Development
Parliament House, Macquarie Street
Sydney NSW 2000

By email:
State.Development@parliament.nsw.gov.au

Dear Committee Chair

**Inquiry into allegations of impropriety against agents of the City of Canterbury
Bankstown council**

We refer to your letters dated 3 and 12 December 2022 and 19 January 2023 containing requests for documents.

To assist the Committee with its Inquiry, we are instructed to produce the **enclosed**:

- expense claims (and related documents) submitted by Councillor Tania Mihailuk
- a copy of all council reports related to overseas trips dating back to 2004
- a copy of the gift disclosure register for all councillors dating back to 2004.

In accordance with resolution 17 of the Procedural Fairness Resolution, our clients request that the confidentiality of documents produced to the Committee be maintained. If the Committee nonetheless resolves to publish any information provided to the Committee by our clients, please provide reasonable notice prior to the publication and the reasons for the resolution to decline this request.

Council and our clients reserve their rights in relation to this request and generally.

Yours faithfully

Partner responsible:
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7 February 2023

Hon Aileen MacDonald
MLC Standing Committee on State Development
Parliament House, Macquarie Street
Sydney NSW 2000

By email:
State.Development@parliament.nsw.gov.au

Dear Committee Chair

**Inquiry into allegations of impropriety against agents of the City of Canterbury
Bankstown council**

We refer to comments made by Committee members during day 2 of the hearing on 6 February 2023 which suggested that Mr Stewart had refused to appear before the Committee.

That characterisation of our clients' cooperation with the Committee is incorrect and we require that it be corrected.

In our most recent correspondence to the Committee we stated, "*Our clients are committed to providing reasonable cooperation with the inquiry*" and "*Subject to the provision of the information requested above and in previous correspondence, Mr Stewart and Mr Manoski will then be able to provide their availability for 13, 14, 16 and 17 February 2023 and consider the invitation to appear.*"

We ask that you correct the record in that regard and publish this letter consistent with your commitment on 30 January 2023 to do so.

We acknowledge that the Committee has nonetheless resolved to summons our clients to appear. In response to your correspondence of 6 February 2023 confirming that resolution, we are instructed to indicate that Sparke Helmore can accept service of those summonses.

Committee's studied refusal to identify to our clients the allegations with which it is concerned is highlighted by the apparent uncertainty as to which "agents" of Council the Committee was inquiring into during the hearing on 6 February 2023.

For instance, upon the Mayor sharing information about the Hon. Tania Mihailuk during her tenure as a councillor of the Council, it is our recollection that he was promptly informed that such matters did not fall within the Terms of Reference and was ultimately not permitted to complete his opening. We find such a position surprising given the seemingly broad scope of the Terms of Reference. This is indicative that there is some material difference between the published Terms of Reference and the allegations the Committee is inquiring into.

The scope of the inquiry is a matter which our clients have sought, on numerous occasions (and continue to seek), be confirmed prior to their appearance. It is due to the Committee's refusal to confirm the scope of the inquiry and the allegations that our clients have not confirmed their availability to appear. We reiterate all of our clients' previous complaints and strongly encourage the Committee to provide a direct response to those matters prior to our clients' appearance.

Noting that background, our clients request that they be permitted to appear with Ian Neil SC, in conjunction with Bilal Rauf of Counsel and Julie Kneebone from Sparke Helmore. Mr Neil SC will not

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be in Sydney on 13 February 2023. Mr Stewart also has a medical appointment on that date. Accordingly, to enable our clients to maintain consistency in representation, we ask that the date of their appearance be moved to 17 February 2023.

Council and our clients reserve their rights in relation to this request and generally.

Yours faithfully

Partner responsible:
Roland Hassall
e:

Contact:
Julie Kneebone, Special Counsel
t:
e:



LEGISLATIVE COUNCIL

STANDING COMMITTEE ON STATE DEVELOPMENT

8 February 2023

D23/07490

Mr Matthew Stewart
Chief Executive Officer
City of Canterbury Bankstown Council
Upper Ground Floor
Bankstown Civic Tower
66 - 72 Rickard Road
Bankstown NSW 2200
Via email:

Inquiry into allegations of impropriety against agents of the City of Canterbury Bankstown Council

Dear Mr Stewart

I write on behalf of the Standing Committee on State Development, in relation to the inquiry into allegations of impropriety against agents of the City of Canterbury Bankstown Council. I am writing in response to the letter received on 7 February 2023 from Ms Kneebone, Special counsel at Sparke Helmore Lawyers.

On 6 February 2023, the committee advised that it had resolved to issue you and Mr Ken Manoski a summons under the *Parliamentary Evidence Act 1901* to appear before the committee at **10.00 am to 12.00 pm on Monday 13 February 2023 in the Dixon Room at the State Library of New South Wales, Sydney** for the inquiry into allegations of impropriety against agents of the City of Canterbury Bankstown Council.

The committee has considered your request in the letter from Ms Kneebone that the date of appearance be moved from 13 February 2023 to 17 February 2023. Due to unavailability of the committee on 17 February 2023, the committee reaffirms that the summons to be issued to you and Mr Manoski will be for the same details as advised on 6 February 2023 (see above).

The letter from Ms Kneebone advised that Sparke Helmore Lawyers has been instructed to accept service of those summonses. The committee advises that under section 4 of the *Parliamentary Evidence Act 1901* a summons must be served personally on the subject of the summons.

Therefore, we kindly request that you please provide by **5.00 pm today, Wednesday 8 February 2023**, the address of your location and Mr Manoski's location for tomorrow, **Thursday 9 February 2023**, either at work or at home, for the service of the summonses.

In addition, the committee agrees for you and Mr Manoski to be accompanied by and, if necessary, consult with your legal representatives at the hearing on 13 February 2023: Ian Neil SC, Bilal Rauf of Counsel and Julie Kneebone from Sparke Helmore.

As previously noted in my letter dated 12 December 2022, legal advisers and counsel may accompany you and Mr Manoski in an advisory capacity. The advisers cannot:

- give evidence on behalf of you and Mr Manoski as witnesses
- object to procedure or lines of questioning
- cross-examine another witness or intervene during the committee's examination of another witness.

Lastly, regarding the request that the letter from Ms Kneebone be published, my letters dated 30 January 2023 and 6 February 2023 advised that in the interests of transparency, the committee had resolved to publish all letters sent to and received from the City of Canterbury Bankstown Council, including all future correspondence and any letters previously sent and received.

The committee asked you on both occasions to please advise if there were any letters, or part thereof, which you did not wish to be published. Given we did not receive a response from you by 5.00 pm Tuesday 7 February 2023, as requested, the committee will proceed to publish in full all letters sent to and received from the City of Canterbury Bankstown Council to date.

If you have any questions, please contact the committee secretariat on 02 9230 2205.

Hon Aileen MacDonald MLC
Committee Chair

cc: Mr Roland Hassall, via
Ms Julie Kneebone, via



LEGISLATIVE COUNCIL

STANDING COMMITTEE ON STATE DEVELOPMENT

SUMMONS TO ATTEND AND GIVE EVIDENCE UNDER SECTION 4 OF THE PARLIAMENTARY EVIDENCE ACT 1901

TO: Mr Matthew Stewart

I inform you that the Standing Committee on State Development, appointed by the Legislative Council of New South Wales, which is considering and reporting on allegations of impropriety against agents of the City of Canterbury Bankstown Council has ordered you to attend before it to give evidence upon the subject matter of its inquiry.

I give notice that you are required to attend in person and give evidence before the Standing Committee on State Development on **Monday 13 February 2023, at 10.00 am to 12.00 pm** in the **Dixson Room at the State Library of New South Wales, Sydney** as to and concerning the matters to be inquired into by the committee.

If you fail to attend and give evidence you may be proceeded against under the provisions of the *Parliamentary Evidence Act 1901*.

You are entitled to be paid at the time of service of this order reasonable expenses consequent upon your attendance to be calculated in accordance with the current scale in force for the payment of witnesses in the Supreme Court.

Signed at Sydney, on 6 February 2023.

Hon Aileen MacDonald MLC
Committee Chair



LEGISLATIVE COUNCIL

STANDING COMMITTEE ON STATE DEVELOPMENT

SUMMONS TO ATTEND AND GIVE EVIDENCE UNDER SECTION 4 OF THE PARLIAMENTARY EVIDENCE ACT 1901

TO: Mr Ken Manoski

I inform you that the Standing Committee on State Development, appointed by the Legislative Council of New South Wales, which is considering and reporting on allegations of impropriety against agents of the City of Canterbury Bankstown Council has ordered you to attend before it to give evidence upon the subject matter of its inquiry.

I give notice that you are required to attend in person and give evidence before the Standing Committee on State Development on **Monday 13 February 2023**, at **10.00 am to 12.00 pm** in the **Dixson Room at the State Library of New South Wales, Sydney** as to and concerning the matters to be inquired into by the committee.

If you fail to attend and give evidence you may be proceeded against under the provisions of the *Parliamentary Evidence Act 1901*.

You are entitled to be paid at the time of service of this order reasonable expenses consequent upon your attendance to be calculated in accordance with the current scale in force for the payment of witnesses in the Supreme Court.

Signed at Sydney, on 6 February 2023.

Hon Aileen MacDonald MLC
Committee Chair



LEGISLATIVE COUNCIL

STANDING COMMITTEE ON STATE DEVELOPMENT

13 February 2023

D23/08989

Mr Matthew Stewart
Chief Executive Officer
City of Canterbury Bankstown Council
Upper Ground Floor
Bankstown Civic Tower
66 - 72 Rickard Road
Bankstown NSW 2200
Via email:

Inquiry into allegations of impropriety against agents of the City of Canterbury Bankstown Council

Dear Mr Stewart

I write on behalf of the Standing Committee on State Development, in relation to the inquiry into allegations of impropriety against agents of the City of Canterbury Bankstown Council. I am writing in response to the letter received on 6 February 2023 from Ms Kneebone, Special Counsel at Sparke Helmore Lawyers.

In relation to the initial request for documents (December 2022), the letter advises that:

- it will take three to four weeks to copy and provide the committee with the relevant documents
- if the committee wishes to reconsider its position as to covering the cost of engaging Law In Order to assist, the Council can obtain a quote which will be likely to assist in expediting the process
- the Council invites the committee to provide more specificity as to the categories of documents requested so as to expedite the production process.

The committee has considered these matters. The committee reiterates that it will not cover the costs in relation to the committee's request for documents. Further, the scope of the request remains the same as originally advised.

In addition, the committee advises that in the interests of transparency, it will publish this week certain pages of documents provided by Council on 7 February 2023 in relation to the initial and further requests for documents.

Lastly, at this stage it is anticipated that you will receive the transcript of today's hearing tomorrow afternoon (14 February 2023).

If you have any questions, please contact the committee secretariat on 02 9230 2205.

Hon Aileen MacDonald MLC
Committee Chair

cc: Mr Roland Hassall, via
Ms Julie Kneebone, via

15 February 2023

Hon Aileen MacDonald
MLC Standing Committee on State Development
Parliament House, Macquarie Street
Sydney NSW 2000

By email:
State.Development@parliament.nsw.gov.au

Dear Committee Chair

**Inquiry into allegations of impropriety against agents of the City of Canterbury
Bankstown council**

We refer to your letters dated 3 and 12 December 2022 containing requests for documents.

To assist the Committee with its Inquiry, we are instructed to produce the **enclosed** expense claims (and related documents) submitted by Councillors.

In accordance with resolution 17 of the Procedural Fairness Resolution, our clients request that the confidentiality of documents produced to the Committee be maintained. If the Committee nonetheless resolves to publish any information provided to the Committee by our clients, please provide reasonable notice prior to the publication and the reasons for the resolution to decline this request.

Council and our clients reserve their rights in relation to this request and generally.

Yours faithfully

Partner responsible:
Roland Hassall
e:

Contact:
Julie Kneebone, Special Counsel
t:
e:

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From: Julie Kneebone
Sent: Thursday, 16 February 2023 1:44 PM
To: State Development
Cc: Emily Treeby
Subject: Inquiry into allegations of impropriety against agents of the City of Canterbury Bankstown Council - Post-hearing responses - 5.00 pm on 16 February 2023 [SPARKE-MATT.FID6272599]

Dear Ms Treeby and Ms Halligan

I refer to your email sent at 5.10pm on Tuesday 14 February 2023 and my telephone call with Ms Halligan this morning.

We would be grateful if you would bring this correspondence to the attention of the Chair of the Committee.

Your email requested that our clients' provide responses to questions with notice by 5.00pm on 16 February 2023. We are now writing to request until noon on 17 February 2023 (being tomorrow) to provide those responses.

We are requesting a short extension of time for the following reasons:

- the Committee indicated that witnesses would be provided with 48 hours after provision of the transcript to respond to questions with notice
- your 5.10pm 14 February 2023 email was caught by our client's security filter which meant that it was not received by my clients instantaneously, and
- a number of steps are required to be undertaken to respond to some of the questions to source and verify information. These steps could not be commenced immediately given that your email was received after hours.

Our clients are doing their best in order to provide timely answers to the questions taken with notice. We will be grateful if a short extension can be provided so that our clients can accurately answer the questions.

Kind regards

Julie Kneebone | Special Counsel | Workplace
Sparke Helmore Lawyers | Level 29, 25 Martin Place, Sydney NSW 2000
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LEGISLATIVE COUNCIL

STANDING COMMITTEE ON STATE DEVELOPMENT

17 February 2023

D23/14322

Mr Matthew Stewart
Chief Executive Officer
City of Canterbury Bankstown Council
Upper Ground Floor
Bankstown Civic Tower
66 - 72 Rickard Road
Bankstown NSW 2200
Via email:

Inquiry into allegations of impropriety against agents of the City of Canterbury Bankstown Council

Dear Mr Stewart

I write on behalf of the Standing Committee on State Development, in relation to the inquiry into allegations of impropriety against agents of the City of Canterbury Bankstown Council. I am writing in relation to the phone call from Ms Kneebone, Special Counsel at Sparke Helmore Lawyers, with the committee secretariat on 16 February 2023 regarding the document published by the committee on 16 February 2023 which contained documents provided by the Council.

In light of the concerns raised about the privacy of Council staff whose names were on the documents, the committee has resolved that the documents in question will not be published on the website. They will remain public documents and be available for inspection in hard copy. This will ensure that Council officers' names will not be readily available in the public domain.

If you have any questions, please contact the committee secretariat on 02 9230 2205.

Hon Aileen MacDonald MLC
Committee Chair

cc: Mr Roland Hassall, via
Ms Julie Kneebone, via

21 February 2023

Hon Aileen MacDonald
MLC Standing Committee on State Development
Parliament House, Macquarie Street
Sydney NSW 2000

Dear Committee Chair

**Inquiry into allegations of impropriety against agents of the City of Canterbury
Bankstown council**

We refer to your letters dated 3 and 12 December 2022 containing a request for documents.

To assist the Committee with its Inquiry, we are instructed to produce the **enclosed** expense claims (and related documents) submitted by Councillors.

In accordance with resolution 17 of the Procedural Fairness Resolution, our clients request that the confidentiality of documents produced to the Committee be maintained. If the Committee nonetheless resolves to publish any information provided to the Committee by our clients, please provide reasonable notice prior to the publication and the reasons for the resolution to decline this request. In that instance, our clients also request the Committee redact personal and banking information from any documents prior to those documents being published.

Council and our clients reserve their rights in relation to this request and generally.

Yours faithfully

Partner responsible:
Roland Hassall
e:

Contact:
Julie Kneebone, Special Counsel
t: +61 2 9373 3555
e:

Sydney

Level 29, 25 Martin Place, Sydney NSW 2000

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LEGISLATIVE COUNCIL

STANDING COMMITTEE ON STATE DEVELOPMENT

24 February 2023

D23/15795

Mr Matthew Stewart
Chief Executive Officer
City of Canterbury Bankstown Council
Upper Ground Floor
Bankstown Civic Tower
66 - 72 Rickard Road
Bankstown NSW 2200
Via email:

Inquiry into allegations of impropriety against agents of the City of Canterbury Bankstown Council

Dear Mr Stewart

I write on behalf of the Standing Committee on State Development in relation to the inquiry into allegations of impropriety against agents of the City of Canterbury Bankstown Council. I write in relation to documents provided by the Council responding to the committee's requests for documents.

The committee notes the Council's voluntary compliance with the committee's requests for documents over several months. I advise that the inquiry will cease upon the tabling of the report on 28 February 2023 and that no further documents can be accepted by the committee from 24 February 2023.

In addition, in light of the concerns raised about the privacy of Council staff whose names may be on documents provided, the committee resolved that the documents attached to this letter, from the boxes of documents delivered on 10 and 15 February 2023, are public documents and available for inspection in hard copy but will not be published on the inquiry website. Contact details and personal information have been redacted from those pages. The committee resolved that the documents delivered on 21 February 2023 be kept confidential.

If you have any questions, please contact the committee secretariat on 02 9230 2205.

Hon Aileen MacDonald MLC
Committee Chair

cc: Mr Roland Hassall, via
Ms Julie Kneebone, via