

Minutes no. 91

30 January 2023

Portfolio Committee no 7 – Planning and Environment

Via videoconference, 10 am

1. Members present

Ms Higginson, Chair

Mr Amato (*substituting for Mr Mallard for the inquiry into the Hills Shire Council*)

Mr Barrett

Mr Graham (*participating member for the inquiry into the Hills Shire Council*)

Ms Jackson – from 10.04 am

Ms Sharpe

2. Apologies

Mrs MacDonald (*apology for the duration of the inquiry into the Hills Shire Council*)

Mr Pearson

3. Participating member

The committee noted that Mr Graham will be a participating member for the inquiry into the Hills Shire Council and in accordance with SO 218 will be provided with all inquiry documents.

4. Previous minutes

Resolved, on the motion of Mr Amato: That draft minutes no. 90 be confirmed.

5. Correspondence

The committee noted the following items of correspondence:

Received

- 19 December 2022 – email from Mr William Lieu, A/Manager, Strategy and Parliamentary Services, Department of Planning and Environment, to the secretariat advising that DPE will not be making a submission to the inquiry
- 19 January 2023 – email from Ms Jan Primrose, Protecting Your Suburban Environment, to the secretariat asking for an extension of time to lodge a submission and indicating willingness to give verbal evidence to the inquiry
- 23 January 2023 – email from Ms Cara Punch, Office of the Hon Mark Buttigieg MLC, advising that the Hon John Graham MLC will be a participating member for the duration of the inquiry into the Hills Shire Council
- 26 January 2023 – email from the author of Submission 13 to the Chair regarding the publication of their submission, requesting their identity be kept confidential, but indicating willingness to give evidence to the committee if invited
- 27 January 2023 – email from the author of Submission 11 to the secretariat requesting their submission be treated as 'name suppressed' but indicating willingness to give further information if requested
- 27 January 2023 – email from Ms Bo Ok, office of the Hon Scott Farlow MLC, to the secretariat advising that the Hon Aileen MacDonald MLC will be an apology for the duration of the inquiry into The Hills Shire Council

Sent

- 19 January 2023 – email from the secretariat to *** giving an extension of time to lodge a submission until 26 January 2023.

6. Inquiry into allegations of impropriety against agents of The Hills Shire Council and property developers in the region**6.1 Public submissions**

The committee noted that submission 3 was published by the committee clerk under the resolution appointing the committee.

6.2 Partially confidential submissions (name suppressed)

The committee noted that submissions 1, 5, 6, 7, 9 and 10 were partially published by the committee clerk under the authorisation of the resolution appointing the committee.

Resolved, on the motion of Ms Sharpe: That the committee keep confidential the names and identifying information of the authors of submissions no. 1, 5, 6, 7, 9 and 10.

6.3 Partially confidential submissions (identifying and/or sensitive information)

Resolved, on the motion of Ms Sharpe: That the committee keep the following information confidential:

- identifying and sensitive information in submission no. 11, as per the recommendation of the secretariat
- identifying and sensitive information in submission no. 12, as per the request of the author

Resolved, on the motion of Ms Sharpe: That the committee authorise the publication of submissions 11 and 12 with the identifying and/or sensitive information redacted.

6.4 Confidential submissions

Resolved, on the motion of Mr Barrett: That submissions no. 2 and 8 be kept confidential as per the request of the author.

Resolved, on the motion of Ms Sharpe: That submission no. 13 be kept confidential at this stage, pending a decision to invite the author as a witness.

6.5 Procedural fairness

Resolved, on the motion of Ms Sharpe: That, in accordance with the Procedural Fairness Resolution, Mr Alan Haselden be invited to provide a written response in relation to potential adverse mention contained in submissions 9, 11 and 12.

6.6 Witnesses for public hearing on 15 and 16 February 2023

Resolved, on the motion of Ms Sharpe: That the following witnesses be invited to give evidence on 15 and/or 16 February 2023:

- representatives of The Hills Shire Council
- the Hon David Elliot MP
- Mr Alan Haselden
- Mr Ray Williams MP
- Ms Robyn Preston MP
- Mr Jean Nassif
- Mr Charles Perrottet

- Mr Christian Ellis
- Cr Virginia Ellis
- Dr Michelle Byrne
- Mr Jean-Claude Perrottet
- Mr Frits Mare
- Mr Jeremy Greenwood
- Mr Ronnie Wardan

The committee noted that the number of witnesses meant the reserve hearing day of 16 February would be required.

The committee noted the short time for organising hearings and requested that:

- the secretariat advise relevant witnesses other than members of the Legislative Assembly of its powers under the Parliamentary Evidence 1901 to summon witnesses
- witness invitations be sent out as a priority, with the order and schedule of witnesses to be determined once availability is known
- the committee be kept informed by email of progress contacting potential witnesses.

7. Timeline for inquiry

Resolved, on the motion of Ms Sharpe, that:

- witnesses be requested to return answers to questions on notice and/or supplementary questions within three days of the date on which questions are forwarded to the witnesses by the committee clerk
- members be provided with the chair's draft report on the afternoon of Friday 24 February (less than seven days required under the standing orders).

8. Adjournment

The committee adjourned at 10.27am until 15 February 2023

Peta Leemen
Committee Clerk