

Minutes no. 92

Wednesday 8 February 2023
Portfolio Committee No. 7 – Planning and Environment
Via Webex at 10.00 am

1. Members present

Ms Higginson, Chair
Mr Fang (substituting for Mr Barrett)
Mr Graham (participating member for the inquiry into the Hills Shire Council)
Ms Jackson
Mrs MacDonald
Mr Rath
Ms Sharpe

2. Apologies

Mr Pearson

3. Previous minutes

Resolved, on the motion of Ms Sharpe: That draft minutes no. 91 be confirmed.

4. Correspondence

The committee noted the following items of correspondence:

Received

- 7 February 2023 – email from Mr Frits Mare to the Chair responding to the committee's second invitation to attend a public hearing on 15 or 16 February 2023
- 7 February 2023 – email from the Office of the Government Whip to the secretariat advising that Mr Fang will substitute for Mr Barrett for part of the meeting on 8 February 2023
- 7 February 2023 – email from Mr Michael Edgar, General Manager, The Hills Shire Council, to the Chair accepting the committee's re-invitation to attend a public hearing on 15 February 2023
- 6 February 2023 – email from Dr Michelle Byrne, former Mayor of The Hills Shire, to the secretariat indicating availability to attend a public hearing on the afternoon of 16 February 2023
- 6 February 2023 – email from the office of the Hon Mark Pearson MLC advising that Mr Pearson will be an apology for the 15 February and 28 February 2023
- 6 February 2023 – email from Ms Helen Russell, electorate office of the Hon David Elliott MP advising Mr Elliott is unable to attend a hearing on an alternate date in February
- 5 February 2023 – email from Ms Robyn Preston MP to the secretariat declining to attend a public hearing for the inquiry
- 3 February 2023 – letter from Mr Alan Haselden to the Chair responding to potential adverse mention in submissions to the inquiry
- 2 February 2023 – email from Mr Bo Ok, Office of the Government Whip, to the secretariat advising that Mrs MacDonald will no longer be an apology for the Inquiry into The Hills Shire Council
- 2 February 2023 – email from Mr Michael Edgar, General Manager, Hills Shire Council, to the

secretariat declining the committee's invitation to appear at a public hearing on 15 or 16 February 2023, noting a possible ICAC investigation

- 1 February 2023 – email from the office of Mr David Elliott MP advising that he is unable to appear at a public hearing on 15 or 16 February 2023 due to other commitments
- 1 February 2023 – letter from the Leader of the Government in the House to the Acting Clerk advising of a change of government membership of Portfolio Committee no. 7
- 31 January 2023 – email from Mr Alan Haselden to the secretariat advising he is unable to accept the committee's invitation to appear at a public hearing on 15 or 16 February as he is overseas
- 30 January 2023 – email from the office of Mr Ray Williams MP to the secretariat advising he is unable to appear at a public hearing on 15 or 16 February 2023 due to a prior commitment.

Sent

- 4 February 2023 – letter from the Chair to Mr Michael Edgar, General Manager, The Hills Shire Council, re-issuing an invitation to Council representatives to attend and give evidence at a public hearing on 15 or 16 February 2023
- 3 February 2023 – letter from the Chair to the following individuals re-issuing an invitation to attend and give evidence at a public hearing on 15 or 16 February 2023:
 - Dr Michelle Byrne
 - Mr Jean Nassif
 - Mr Christian Ellis
 - Cr Virginia Ellis
 - Mr Charles Perrottet
 - Mr Jean-Claude Perrottet
 - Mr Frits Mare.
- 3 February 2023 – letter from the Chair to the following members of Parliament noting their unavailability on 15 and 16 February and inviting them to nominate a date in February on which they would be able to give evidence at a public hearing:
 - The Hon David Elliot MP
 - Mr Ray Williams MP
- 1 February 2023 – letter from the Chair to Mr Alan Haselden inviting a response to possible adverse mention in submissions to the inquiry.

Resolved, on the motion of Ms Sharpe: That the committee authorise the publication of correspondence from Mr Alan Haselden, dated 3 February 2023, responding to potential adverse mention in submissions.

5. Inquiry into allegations of impropriety against agents of The Hills Shire Council and property developers in the region

5.1 Witnesses for public hearings on 15 and 16 February

Resolved, on the motion of Ms Sharpe: That:

- Mr Frits Mare be re-invited to give evidence on 15 or 16 February 2023, at a time to be determined by the Chair; and
- if Mr Mare declines the invitation or requests to be summoned, the committee issue, under the authority of s 4(2) of the *Parliamentary Evidence Act 1901*, a summons to attend and give evidence before the committee on 15 or 16 February 2023, at a time to be determined by the Chair.

Ms Sharpe moved: That, under the authority of s 4(2) of the *Parliamentary Evidence Act 1901*, the committee issue a summons to the following individuals to attend and give evidence before the committee on 15 or 16 February 2023, at a time to be determined by the Chair:

- Mr Jean Nassif
- Mr Christian Ellis
- Cr Virginia Ellis
- Mr Charles Perrottet
- Mr Jean-Claude Perrottet.

Question put.

The committee divided.

Ayes: Ms Higginson, Ms Jackson, Ms Sharpe

Noes: Mr Fang, Mrs MacDonald, Mr Rath.

Question resolved in the affirmative, on the casting vote of the Chair.

Resolved, on the motion of Mr Rath: That Dr Peter Gangemi, Mayor of Hills Shire Council, be re-invited to give evidence on 15 or 16 February 2023.

Resolved, on the motion of Ms Sharpe: That Mr Tony Merhi be invited to give evidence on 15 or 16 February 2023.

The committee noted the secretariat would continue efforts to contact Mr Jeremy Greenwood.

5.2 Schedule for public hearings on 15 and 16 February

Resolved, on the motion of Ms Sharpe: That the secretariat liaise with the Chair on the hearing schedule as witnesses respond.

6. Adjournment

The committee adjourned at 10.40 am until Wednesday 15 February 2023 (public hearing).

Peta Leemen
Committee Clerk