

Minutes no. 94

Tuesday 14 February 2023
Portfolio Committee No. 7 – Planning and Environment
Via Webex at 11.03 am

1. **Members present**

Ms Higginson, *Chair*
Mr Barrett
Mr Graham (substituting for Ms Sharpe)
Ms Jackson
Mrs MacDonald (from 11.06 am)
Mr Rath

2. **Apologies**

Mr Pearson
Ms Sharpe

3. **Draft minutes**

Resolved, on the motion of Mr Graham: That draft minutes no. 92 and no. 93 be confirmed.

4. **Correspondence**

The committee noted the following items of correspondence received:

- 14 February 2023 – Letter from Mr Jean Nassif, Managing Director, Toplace to Chair, raising concerns about the inquiry into Hills Shire Council.

Resolved, on the motion of Mr Graham: That:

- a response be prepared to Mr Nassif to address the concerns raised in his correspondence, dated 14 February 2023, with the proposed letter to be circulated and agreed to via email, and
- the committee authorise the publication of correspondence from Mr Nassif, regarding concerns about the inquiry into Hills Shire Council, dated 14 February 2023.

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

5.1 **Attempts to summons witnesses – next steps**

The committee noted ongoing efforts that have been made to contact and serve summons on Mr Christian Ellis, Cr Virginia Ellis, Mr Jean-Claude Perrottet and Mr Tony Merhi, and to contact Mr Jeremy Greenwood.

Mr Graham moved: That:

- the committee hold a further public hearing in the week commencing 20 February, on a date to be determined by the Chair
- under the authority of s 4(2) of the *Parliamentary Evidence Act 1901*, the committee re-issue summons to the following individuals to attend and give evidence before the committee in the week commencing 20 February, at a time determined by the Chair:
 - Mr Christian Ellis

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- Cr Virginia Ellis
 - Mr Jean-Claude Perrottet
- the committee authorise the secretariat to retain a private process server to effect service of summons documents for the above individuals, and
- the Chair write to Mr Charles Perrottet and invite him to attend a public hearing in the week commencing 20 February, at a time to be determined by the Chair.

Question put.

The committee divided.

Ayes: Mr Graham, Ms Higginson, Ms Jackson.

Noes: Mr Barrett, Mrs MacDonald, Mr Rath.

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

Resolved, on the motion of Mr Graham: That:

- the Chair re-issue an invitation to Mr Greenwood to attend a public hearing in the week beginning 20 February, noting that the committee has the power to issue him with a summons if he declines, and
- that if Mr Greenwood does not respond to or declines this invitation, under the authority of s 4(2) of the *Parliamentary Evidence Act 1901*, the committee issue him a summons to attend and give evidence before the committee in the week beginning 20 February, at a time determined by the Chair.

6. **Publication of minutes and distribution of a further media release**

Resolved, on the motion of Mr Graham: That:

- the committee authorise the publication of minutes no. 91, subject to the redaction of one individual's name who has requested their details be kept confidential
- the committee authorise the publication of minutes no. 92 and no. 93, and
- the Chair publish another media release outlining efforts to summon witnesses so far.

7. **Adjournment**

The committee adjourned at 11.25 am until Wednesday 15 February 2023 (public hearing).

Peta Leemen
Committee Clerk