

Answers to questions on notice from Mr Michael Edgar - General Manager, The Hills Shire Council

Allegations of impropriety against agents of the Hills Shire Council and property developers in the region.

Hearing 15 February 2023

In relation to the questions taken on notice I can confirm.

The Hon. JOHN GRAHAM: Understood. Have any of your staff, to your knowledge, had any contact with Councillor Virginia Ellis?

MICHAEL EDGAR: Not to my knowledge.

The Hon. JOHN GRAHAM: Is that something that you would be happy, after this hearing, to check—whether or not there has been contact with the council since 7 February?

MICHAEL EDGAR: Yes, I will take that on notice.

To my knowledge, there has been no Council staff have had personal contact with Councillor Ellis since 10/2/2023. On the afternoon of the 8th February 2023, Councils EA to the Mayor and Councillors sent an email to all Councillors which was responded to by Clr Ellis on the 10th February 2023. There is no record of any other contact since the last Council meeting of the 7th February 2023. I can confirm the evidence I gave to the committee, I have had no contact in any form with Clr Ellis since the last Ordinary meeting of the 7th February 2023.

The Hon. JOHN GRAHAM: Is there a way to confirm whether she has used that council phone since 7 February?

MICHAEL EDGAR: I'm not sure, but I would imagine there would be in this day and age.

The Hon. JOHN GRAHAM: Perhaps you're taking that on notice?

MICHAEL EDGAR: Yes.

The Hon. JOHN GRAHAM: Any assistance you can provide there. Does she have access to any council laptop or IT equipment?

MICHAEL EDGAR: I would have to check. Under the facilities policy there are a range of devices available. I wouldn't know, off the top of my head, what device each councillor would have.

The Hon. JOHN GRAHAM: But, again, would you be happy to assist the Committee by taking that on notice?

MICHAEL EDGAR: I'll take that on notice.

The Hon. JOHN GRAHAM: And provide any details you could, including whether that equipment has been used recently. Has she logged on to any council equipment? That would be of assistance to the Committee, given we are struggling to find her.

MICHAEL EDGAR: I'll have to take it on notice. I don't know what our capability is there.

Councillor Ellis has a Council issued iPhone, iPad and laptop. Our record indicates that Clr Ellis last logged on to her laptop on the 10th February 2023 and the iPhone has been used intermittently from the 7th February 2023 to the 15th February 2023. Council can access locational data for when the phone and laptop were used however, to release that information I would need to be assured that I am not committing an offence under personal information and privacy protection laws. Perhaps there may be other means of obtaining that information.

Devices issued to Councillor Ellis under the Payment of Expenses and Facilities Policy.

- iPhone 13 Pro (phone number)
- Ipad Pro 11 inches
- DELL XPS laptop

IT has advised me that councillors' devices are unmanaged. Therefore, we cannot track the location of the device unless we turn on "lost mode", which will disable the device on the spot.

Council does have a property database that contains information for the purpose of rating and other council operational business and again I am not certain that this information can be disclosed by me without committing an offence under the protection of personal information and privacy laws.

The Hon. JOHN GRAHAM: Understood. Thank you for what you have been able to confirm. I think this would be appropriate to ask on notice, Chair, rather than in the open session. But can I ask you to supply any phone, address or contact details that the council holds for Councillor Virginia Ellis? Are you happy to take that on notice?

MICHAEL EDGAR: I'm happy to take that on notice. I would believe most contact details are on our website but I will check.

Councillor Ellis has provided contact details for our communications. She lives in the Shire but has requested her address not be made public. The contacts that Council currently have include;

Public
Email
Mobile

Private (payroll file)
Email
Phone (same as public)

I hope that this information is of assistance to the committee and please let me know if I can assist further.

Kind regards

Michael Edgar



Michael Edgar
General Manager

Administration Centre, 3 Columbia Court Norwest NSW
2153
PO Box 7064, NORWEST NSW 2153 | DX 9966 Norwest
www.thehills.nsw.gov.au