

Draft minutes no. 100

Monday 27 February 2023
Portfolio Committee No. 7 – Planning and Environment
Via Webex at 4.31 pm

1. Members present

Ms Higginson, *Chair*

Mr Barrett

Mr Graham (substituting for Ms Jackson for the remainder of the inquiry)

Ms Jackson (participating for the remainder of the inquiry)

Mrs MacDonald

Mr Rath

Ms Sharpe

2. Apologies

Mr Pearson

3. Correspondence

The committee noted the following items of correspondence:

Received:

- 27 February – Letter from Mr Jeremy Greenwood to Chair asserting he is not being uncooperative with the inquiry, re-stating concerns about use of private process servers to serve summons, and questioning whether the committee can legally sit after prorogation of Parliament
- 27 February – email from Mr Robert Assaf asking for an extension of time until 10.00 am tomorrow to respond to the committee's invitation to attend a public hearing on 2 March

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

4.1 Witnesses for public hearing – update

The committee noted ongoing efforts that have been made to serve summonses on Mr Christian Ellis, Cr Virginia Ellis and Mr Jean-Claude Perrottet, and recent contact with Mr Robert Assaf, Mr Dylan Whitelaw, Mr Jeremy Greenwood, and Mr Jeff Egan.

Resolved, on the motion of Mr Graham: That:

- the committee authorise the secretariat to respond to Mr Assaf and grant him an extension until 10.00 am Tuesday 28 February to reply to the invitation to give evidence at the public hearing on Thursday 2 March
- that if Mr Assaf does not agree to give evidence at the public hearing on Thursday 2 March, the committee authorise the secretariat to arrange a time for service of the summons, and
- that if Mr Assaf does not cooperate with this request, that a private process server be engaged to serve the summons on Mr Assaf.

Resolved, on the motion of Mr Graham: That if Mr Whitelaw does not respond to the invitation to give evidence at the public hearing on Thursday 2 March, the committee authorise the Chair to

: -

work with the secretariat in arranging a summons to be served on Mr Whitelaw, including through the use of a private process server.

Resolved, on the motion of Mr Graham: That:

- the committee authorise the secretariat to contact Mr Greenwood to arrange a time for service of the summons, and
- that if Mr Greenwood does not cooperate with this request, that a private process server be engaged to serve the summons on Mr Greenwood.

Resolved, on the motion of Mr Graham: That the committee authorise the Chair to work with the secretariat in continuing to progress attempts to serve summons on relevant witnesses, with discretion in determining the utility of efforts.

Ms Higginson left the meeting.

The Clerk noted the absence of both the Chair and Deputy Chair for the meeting.

The Clerk called for nominations for a member to act as Chair for the purpose of the meeting.

Mr Graham moved: That Ms Sharpe be elected Chair of the committee for the remainder of the meeting or until Ms Higginson returns.

There being no further nominations, the Clerk declared Ms Sharpe elected Chair for the remainder of the meeting or until Ms Higginson returns.

Resolved, on the motion of Mr Graham: That the committee authorise the Chair to work with the secretariat in organising witnesses for the public hearing on Thursday 2 March.

4.2 Tabled documents

Mr Graham tabled:

- Document titled 'The Men Who Stole the Hills: Chapter Two: The Hills Shire'
- Document titled 'The Men Who Stole the Hills: Chapter Three: The Lobbyists'.

Mr Rath advised that he would recuse himself for the remainder of the inquiry, on the basis of a potential conflict of interest, having been a member of the Liberal Party State Executive at the time when the Hills Shire Council ticket for the 2021 local government election was determined.

Mr Rath left the meeting.

Mrs MacDonald advised that she would recuse herself for the remainder of the inquiry, on the basis of a potential conflict of interest, having been a member of the Liberal Party State Executive at the time when the Hills Shire Council ticket for the 2021 local government election was determined.

Mrs MacDonald left the meeting.

Ms Higginson re-joined the meeting.

Ms Higginson took the Chair.

Mr Graham moved: That the documents tendered by Mr Graham be published, subject to the redaction of any personal and identifying information, which the secretariat will circulate via email for member agreement.

the committee consider, via email, whether to accept and publish the tabled documents, subject to redaction of the information identified by the secretariat.

Question put.

The committee divided.

Ayes: Mr Graham, Ms Higginson, Ms Sharpe.

Noes: Mr Barrett.

Question resolved in the affirmative.

5. Adjournment

The committee adjourned at 5.28 pm until Wednesday 1 March 2023 (report deliberative).

Arizona Hart

Committee Clerk