

14<sup>th</sup> November 2014

The Revd the Hon Fred Nile MLC  
Committee Chairman  
Inquiry into the Planning Process in Newcastle & the Broader Hunter

Dear Rev Nile,

I am responding to your letter of 6 November 2014 regarding the adverse nature of some comments about me in the 350 submissions made to your inquiry.

Given the passion in Newcastle around our city's future, I'm surprised only 12 contained adverse comments. I'd also be interested in the number of positive comments in the 350 submissions if you can provide that as well?

I remind the inquiry that in October 2012, I was popularly-elected as Lord Mayor of Newcastle by a significant margin, because the majority of Novocastrians wanted to see long-overdue change.

I ran for Lord Mayor because, as a citizen, I was embarrassed with the parlous state of our inner-city and wanted to make a difference after decades of neglect by successive governments at all three levels.

At Newcastle City Council (NCC), I was extremely careful to manage potential conflicts of interest, and, to my knowledge, declared all pecuniary and non-pecuniary interests when involved in NCC briefings or decision-making processes, whether formal or informal.

I would also remind inquiry members that decisions made by the council during my time as Lord Mayor were just that ... majority decisions of the full Council, made adhering to the NSW Local Government Act.

While the 12 submissions make numerous incorrect, often defamatory conclusions and accusations about my actions while Lord Mayor, none proffer any evidence that demonstrates I acted improperly; asked for any favours; or did anything for self-benefit.

There is a quantum difference between factual evidence and the complaints and conspiracy theories of groups who are self interested but often disgruntled with decisions made as part of the normal democratic process.

I also could not find any material in these submissions to shed light on impropriety in the planning processes in Newcastle, either involving myself or not. I had seen the same themes presented in the submissions previously, made by the same groups, in newspaper articles, published letters to newspaper editors and letters to me as Lord Mayor. But I note the language in these submissions to your enquiry was far too aggressive, unsubstantiated and libellous for main stream media to publish.

If genuine evidence of the accusations regarding corruption in the planning process was available, there are a number of formal avenues complainants can take, for example, the NCC Councillor Code of Conduct complaint process. This has not happened to date!

Surely, your inquiry membership does not listen to and act on innuendo, conspiracy theories, or wild, unsubstantiated opinions and guess work. In Submission No 329 P. 6 Save Our Rail, the author cites a "circle of influence" with the inference that this group exploited normal business and political relationships for corrupt purposes. Last time I checked the everyday work of business and politics was about influencing other people.

I certainly had well-publicised opinions on how we could improve the city, based on 35 years in the building and development industry and first-hand experience of what works in numerous cities around the world. I felt I had a mandate to contribute my opinions because I had been elected Lord Mayor.

During my time as Lord Mayor, my work in the role was, without exception, about improving Newcastle and NCC, and I might stress, not for the betterment of myself personally. I believed if we could improve the macro-condition of our city with smart new infrastructure and new mixed use development, it would catalyse critical mass needed for us to have a robust inner-city. People had stopped coming into our CBD!

My motivation in all of this was to lift the confidence of all Novocastrians. As Lord Mayor, it was my job to provide symbolic leadership and direction for the City as part of a democratic process, and to try to influence levels of government to benefit Newcastle. If this influence was improper or undue, in any way, or somehow benefited me, I would like to see the evidence.

One of the themes running through the submissions is that I became Lord Mayor out of greedy, self-interest and then manipulated the system to my ends.

The truth is at the age of 62. I re-assessed my life. The Hunter had been good to me, and materially, I had more than I needed. I thought about retirement but wanted to serve this city by running for office. In the spirit of public service, I donated all my mayoral salary to charity. In fact, I finally added it up and in the past few years I have personally donated \$2.8 million of my own money to charity. Does that sound to you like greedy self-interest?

The libellous accusations from the list of submissions you have provided are too numerous or ridiculous to address individually. I have to say, I am very disappointed your inquiry deemed fit to publish these in any form, given the number of hard-working, honest people whose reputations are impugned. The publishing of these documents, with their unsubstantiated conspiracy theories, by a government entity such as yours, gives the content gravitas and kudos they otherwise wouldn't have. Mud certainly sticks and your inquiry has had a hand in throwing it!

I make a few observations only, Therese Doyle a NCC councillor I view as one of the most unintelligent and disorganised person I have ever meet in my life. I dreaded council meetings when she pushed the button to talk, which was all the time.

Ken Gouldthorpe who gets much criticism is one of the smartest people I have meet in my life.

As a highly experienced contractor (my company built the John Hunter Hospital) I consider the management by previous council of the extension to the Art Gallery one of the most self-indulgent waste of rate payers money with no outcomes. Five architects were employed without a house brick being layed.

The Newcastle Herald finally reported the fiasco with the truth about the Art Gallery attempted expansion. By the way I have been a big donator to Public Art in Newcastle, the latest \$70,000 towards a sculpture re: Mental Health.

I would urge the members of your inquiry to discount these 12 submissions out-of-hand as they contain much that is untrue and defamatory.

As public life is now behind me I have no interest in justifying my actions, you just have to look at the change and confidence in the city and the number of projects being developed!

Whether that continues will largely depend upon who gets elected. I'm afraid; as are many others it will go back to the dysfunctional past.

I hope this helps you with your ongoing work and I wish you well.

**JEFF McCLOY**

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