

**Submission  
No 199**

**INQUIRY INTO PLANNING PROCESS IN NEWCASTLE  
AND THE BROADER HUNTER REGION**

**Name:** Mrs Renee Tate

**Date received:** 23/10/2014

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## **Submission to the Legislative Council Inquiry on the Planning Process in Newcastle and the Broader Hunter Region.**

I am a property owner and ratepayer in Newcastle. I feel compelled to write this submission as I have concerns about the transparency and probity in relation to gaining access to information held by Newcastle City Council (NCC) to support their planning and development decisions. I note I have written to the Office of Local Government to express my concerns and they suggested I might like to consider making a submission to your inquiry (see Appendix A).

The information I had requested from NCC is as follows:

- (1) **Newcastle Art Gallery and the Brett Whitely Totem II sculpture – relating to legal reports and correspondence between NCC and the ATO, ICAC, Commonwealth Cultural Charity Gift Program and the Australian Charities and Not-for-profit Commission.** I was instructed by NCC to GIPA the information (GIPA 14-037). My GIPA request was lodged on 4/4/14 and NCC's Notice of Determination received 20/6/14 (see Appendix B for complete information request as per the GIPA application).
- (2) **NCC council meeting 26/5/14 item-6 NOM 27/5/14 – Urban Growth / GPT Proposal and NCC voting to not allow Newcastle Inner City Alliance (“NICRA”) to brief NCC on their concerns regarding the Urban Growth – GPT proposal.** I was instructed by NCC to GIPA the information (GIPA 14-043). My GIPA request was lodged on 16/6/14 and NCC's Notice of Determination received 2/7/14 (see Appendix C for complete information request as per the GIPA application).

Both information requests arose from my interest in understanding comments made by NCC representatives in the media explaining the position / decision the council had taken on these two matters. In both cases NCC has been unwilling to provide all information requested. I don't believe I have asked for anything onerous or confidential and am at a loss as to understand why NCC refuses to provide the information they relied on.

The Information Commissioner is currently reviewing both GIPA determinations (I can provide copies of the formal notice of reviews if you require them). At the time I received notice from NCC that they were refusing to release the requested information I was surprised. It

seemed logical that if NCC was confident enough to discuss in the media the position / decision they had taken then surely they would be happy to provide any supporting documents / information to justify their position.

Over the subsequent months it has become obvious that there is a culture of secrecy and lack of transparency in NCC's decision-making process. NCC's website highlights under "City Engagement Charter and Framework" that we can expect "council to be open and transparent by sharing information about Councils services, activities and decisions". This is clearly not the case.

With recent developments at ICAC there is a cloud of doubt hanging over Newcastle at local and State level of government. With NCC continuing to disregard information requests from their community, this cloud of doubt festers and the community losses faith in NCC's ability to represent the community's best interest.

Thank you for taking the time to review my submission, if you require any further information please do not hesitate to contact me.

Kind regards

Renee Tate