

**Submission
No 266**

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

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NSW LEGISLATIVE COUNCIL SELECT COMMITTEE ON THE PLANNING PROCESS IN NEWCASTLE AND THE BROADER HUNTER REGION

NEWCASTLE ART GALLERY REDEVELOPMENT

I hold grave concerns regarding Newcastle City Council's decision, under the leadership of former Lord Mayor Jeff McCloy, to not proceed with the Art Gallery redevelopment that had been in the planning for many years. At the time Mr McCloy was elected there was full tripartite support for the Gallery's redevelopment from Newcastle City Council, the Federal Government and the State Liberal Government along with over \$1m raised by the community to further fund the Gallery's advancement. Council had put in place special rate funding to specifically contribute to the financing of the project.

The Art Gallery redevelopment was a significant component in the Newcastle City renewal project and its demise has serious implications on the overall shape of Newcastle's future both culturally and financially.

The Art Gallery, along with the Museum and Civic Theatre, Newcastle's major cultural institutions, no longer benefit from the direction of a specifically qualified sole manager since Mr McCloy came to power. These valuable assets are now sharing what may be described as a generic, 'one glove fits all' approach and can't possibly expect to be maintained or developed in the same way as similar institutions around Australia continue to be managed along industry standards.

The (now former) Art Gallery Director Ron Ramsey has contributed substantially to the assets of the city through his skilled management of the Gallery by attracting notable donations to the Gallery's fine collection. However Council has never adequately explained the demise of Ron Ramsey as Director. His dismissal alone drew outcry from across Australia. Further to this the removal of Director positions from the Gallery, Museum and Civic Theatre have attracted great criticism from authorities around the country and despite evidence to argue effectively against the decisions, Mayor McCloy through General Manager Mr Ken Gouldthorp proceeded to vandalise Newcastle's cultural heritage without community consultation. As well, some councillors have questioned whether correct protocol was indeed followed in the process of making these significant and enduring changes.

It has been suggested publicly that as a result of a falling out between Mr McCloy and Ron Ramsey over Mr McCloy's funding of a public artwork prior to Mr McCloy being elected as Mayor, Mr McCloy developed a vendetta against Mr Ramsey. This claim needs to be fully investigated as there does seem to be consistencies between the claims and the subsequent developments regarding the Gallery. Mr Ramsey's dismissal I expect, in turn ruled him ineligible for a redundancy pay out when the Directorship position was later dissolved.

I have attended numerous Newcastle City Council meetings in support of the Art Gallery and have observed some disturbing outcomes there and in the media that I believe also need to be investigated.

My understanding is that for almost, if not all motions voted upon by Council, Cr Allan Robinson's vote consistently matched Mayor McCloy's. With voting consistently sticking to party lines, it has been imperative for Mayor McCloy to have both the Liberal and the Independent Councillors' support in order for him to succeed in his aims. Both Independent Councillors Rufo and especially Robinson have fully supported the Mayor's stance seemingly without question or debate. I find this unusual at least and question their true independence.

ICAC has already revealed some questionable conduct between Mr McCloy and Mr Robinson re campaign funding.

At the 2012 Council Election Cr Robinson changed his campaign allegiance at the eleventh hour from Aaron Buman to Jeff McCloy, who were in opposition to each other. This caused a media sensation.

In August 2013 Mayor McCloy personally and publicly funded a makeover for Cr Robinson by financing the purchase of clothing and grooming services.

When reviewing Cr Robinson's campaign videos on YouTube, Cr Robinson in my view, fails to present a solid campaign stance. He does however state that he works with many developers and builders!

When Cr Robinson was called to give evidence at NSW Racing Enquiry (Singleton/Waterhouse May 2013) Mr Robinson was represented by high profile Lawyer Chris Murphy who stated that Mr Robinson's health was still suffering after a race fall in 2010 in which he broke his back and suffered bleeding to his brain. "Allan will not be going to the More Joyous Inquiry" "He is in no position to endure the stress..." "Without going into his health issues I can assure you he is not up to the task in his current condition" I recall at the time Cr Robinson continued to attend and vote at Newcastle Council meetings.

I believe the committee needs to investigate the circumstances involved in the decision making process led by former Mayor McCloy:

1. Has Mr McCloy provided financial or any other gain to Allan Robinson in return for his support in voting on Council matters?
2. Has Mr McCloy in any way and at any time manipulated Allan Robinson?
3. Why was it necessary for Mr McCloy to finance Mr Robinson's makeover when Mr Robinson was seemingly able to afford the services of high profile lawyer Mr Chris Murphy?
4. Was there any possible danger of the NSW Racing inquiry affecting Mr Robinson's ability to attend Newcastle Council meetings and his availability to vote on Council matters? If so, was it essential Mr Robinson have top quality legal representation to mitigate the possibility? Who funded Chris Murphy to represent Cr Robinson?

5. Why was Cr Robinson deemed too (chronically) unwell since 2010 to give evidence at an inquiry yet at the same time well enough to attend his Council duties and vote?
6. What were the influences that persuaded Cr Councillor Robinson to stand for Council in the first place, especially when he seemed arguably vague and unable to clearly express his policy stance?
7. Why was Mr Ken Gouldthorp appointed General Manager over other applicants when his success meant that rate-payers' money would then fund his expensive rental accommodation at Honeysuckle and frequent return visits to his home in Toowoomba over a greatly prolonged period? This, especially in light of the grave financial problems facing Newcastle Council, as described by both Mr McCloy and Mr Gouldthorp.
8. Is or has the relationship between Mr McCloy and Mr Gouldthorp been purely professional and according to protocol without any inappropriate gain on offer, for either party?
9. Has Mr Gouldthorp followed correct protocols, processes and guidelines at all times when executing his Council duties?
10. Did Mr McCloy at any time use his power as Lord Mayor to inappropriately manipulate outcomes to serve his personal pursuits?

I ask that the Committee:

- strongly recommend that the Government review its decision not to fund the redevelopment of Newcastle Art Gallery with a view to reversing that decision and to make funds available for the increased costs caused by this substantial delay in the project.
- consider recommending to the Government that an enquiry be instituted into possible illegal and undeclared contribution to the campaign funds of all Liberal and Independent candidates in the 2012 Newcastle Council elections by Mr McCloy and the possible implications in the subsequent decisions of Newcastle City Council.

The likely inference in these matters is that Newcastle City Council decisions were inappropriately influenced by the Lord Mayor of Newcastle.

(signed)

Carol Clement