



By email to: office@toole.minister.nsw.gov.au
15 September 2014

The Hon Paul Toole, MP
Minister for Local Government
Level 33 Governor Macquarie Tower
1 Farrer Place
SYDNEY NSW 2000

Dear Minister Toole,

**Re: Request for Full Investigation into Port Stephens Council
Decision Making in Light of ICAC Hearing Outcomes**

In light of the revelations of the ICAC Operation Spicer enquiry, the Tomaree Ratepayers and Residents Association Inc requests that you as Minister for Local Government immediately order the General Manager of Port Stephens Council to conduct a full independent review of decision making involving Buildev; development applications from the multiple companies controlled by Hilton Grugeon; and Jeff McCloy. This should be dated back to the time Craig Baumann was a Councillor (and Mayor) of Port Stephens Council and all decisions relating to these company to this date should be independently reviewed.

Evidence tendered in ICAC shows that during Mr Baumann's time on Port Stephens Council and in Government he had a close personal and business relationship with the directors of development company Buildev, major developers Hilton Grugeon, and Former Lord Mayor of Newcastle Jeff McCloy, all of whom have been adversely affected by their appearances at ICAC.

All these names of developers are familiar to TRRA Inc and Port Stephens ratepayers as they are the same ones Port Stephens Council Staff and Councillors have been directly involved with, particularly since the 2012 Council election.

There are examples such as the activities of Buildev Pty Ltd from its early interference with the Medowie Local Area Plan in 2005 through their failed Boundary Road proposal; the controversial Medowie Woolworths development in 2012-13; the aborted Nathan Tinkler/Buildev plan for the Salamander Shopping Centre land; and the failed Castle Quarry Products/Buildev tender for the Councils \$24 Mil Cabbage Tree Road sand extraction project. The interference of



the Mayor in that tender process against the recommendation of Council staff requires independent investigation.

Allegations about the Council's handling of the Wallalong landowners Group, involving major developers McCloy, Grugeon and Sommers in avoidance of the appropriate fee structures were also contained in the exhibits and Transcripts. This is estimated to have saved them over \$700,000 and resulted in a loss in revenue to Port Stephens Council ratepayers.

TRRA Inc has written separately to you as Minister for Local Government, requesting a review of the 2012 Port Stephens Council election. Our community is appalled at the tactics employed by the Mayor and his pro development bloc, to gain power and push through their development agenda against Staff recommendations.

In addition to the Buildev connections identified in the ICAC hearings, since elected their decisions have challenged the Department of Defence, Rural Fire Service and recently a decision was made in direct contravention of NSW flood maps. The latter decision puts the lives of State Emergency Service personnel at risk should a major flood occur.

TRRA Inc strongly believes that all the activities of this pro development faction, particularly with their strong links to these same developers identified at ICAC, should be the subject of further independent review. The decisions being made are setting enormous precedents and will subject Port Stephens Council to future legal challenges with the resultant cost depriving ratepayers of basic services.

There was sufficient evidence and documentation presented to ICAC during the hearings to support this review to take place immediately and not wait until the ICAC findings report which we understand is not due until February 2015.

TRRA Inc would welcome the opportunity to highlight the evidence we have to an independent review.

We request an acknowledgement of this correspondence and a response as soon as possible.

Yours sincerely,
(Via email)
Margaret Wilkinson
Hon Secretary
Tomaree Ratepayers and Residents Association Inc.

Copy to: Mr Wayne Wallis, General Manager, Port Stephens Council

