

AGREED NOTES OF MEETING BETWEEN SAVE HUNTERS HILL MUNICIPALITY COALITION (SHHMC)
AND HUNTERS HILL COUNCIL – 2 MARCH, 2015

SUBJECT: Community Concerns about Development of Gladesville Shopping Centre and Heritage Listing of 10 Cowell Street, Gladesville

1. ATTENDANCE

Ross Williams and Phil Jenkyn - on behalf of SHHMC.

Richard Quinn Mayor, Barry Smith General Manager, Steve Kourepis Group Manager Development, Phillipa Hayes Strategic Planner and John Boland Council's solicitor - on behalf of Council.

2. PRIOR MEETING BETWEEN SHHMC AND GLADESVILLE COMMUNITY GROUP

The meeting was advised that SHHMC has met with Gladesville Community Group on 1 March and there was a joint agreement on a number of serious concerns felt by both groups in relation to Gladesville and the actions of Hunters Hill Council. These concerns are listed in a document titled 'Gladesville Community Concerns' forwarded to Council prior to today's meeting.

3. THIS MEETING 2 MARCH 2015

It was agreed that this meeting is not confidential and that these agreed notes and any document tabled at the meeting are public documents.

4. GLADESVILLE CONCERNS

SHHMC tabled and spoke to the document 'Gladesville Community Concerns' about joint concerns as follows:

a) Strong objection was expressed at Council entering into an agreement with Moch Pty Ltd (the owners of the Gladesville Shopping Village - GSV), for it to purchase Council's land subject to a 'Put and Call Option', without retaining as owner the ability in the agreement or otherwise to ensure that only an appropriate development subject to constraints acceptable to Council and the community could be proposed.

b) The community has not been provided with any information as to this agreement, including its terms and price. The community needs this to evaluate the merits or otherwise of what Council has done and its ramifications. The Council must be transparent with its community.

c) The Gladesville community having been deeply concerned by the last totally inappropriate proposal from this developer that was accordingly withdrawn, and having had the opportunity to see its new proposal, has a very strong view shared by SHHMC that the Council should immediately withdraw, cancel or terminate its present agreement with Moch Pty Ltd. It should immediately obtain legal advice in this regard, including any consequences. With this agreement not proceeding, the Council should proceed with community support and involvement to investigate a number of options and sites in the vicinity of the council land, so as to enable an appropriate development to proceed in future.

d) There are significant objections as to how Council has handled over time, a long time, the heritage listing of 10 Cowell Street, which is on the Council's land. The site clearly is of heritage significance both as to the building itself, its context in regard to its positioning and surrounding land.

e) Due to lack of time available for this meeting, the matters in the tabled document relating to planning including an appropriate DCP for the area will need to be deferred for further discussion.

5. COUNCIL RESPONSE

a) In relation to the agreements called the 'Put and Call Option Deeds', they are subject to a confidentiality clause. This prevents the deeds and any information in respect of these deeds being disclosed without the prior consent of both parties.

SHHMC's expressed the view to this response that this should never have been allowed to happen. The public interest demands that these documents be disclosed to the community now.

b) In respect of the subject properties owned by Council, there is currently no development application before the Council. The owners of the GSV (Moch Pty Ltd) are undertaking a preliminary community consultation process to discuss and gather community feedback prior to lodging a formal development application.

c) In relation to 10 Cowell Street, the Councillors have resolved that this property should be heritage listed and it has reached the stage where it has been further investigated, and has the approval of the Department to be placed on public exhibition for comment. This will happen shortly.

It is SHHMC's view that this listing should proceed expeditiously and after appropriate consultation should be listed.

6. AGREED ACTIONS

Subject to appropriate consultation with Councillors:

a) Council will seek the consent of Moch Pty Ltd to release those parts of the 'Put and Call Option Deeds' that may not be considered to be 'commercial-in-confidence'.

b) On the presumption that the current Grantee (Moch Pty Ltd) would not agree; Hunters Hill Council (Grantor) will seek urgent legal advice on its ability, if any, to:

- i) Not proceed with the current 'Put and Call Option Deeds'; and
- ii) The likelihood and nature of financial, other damages and consequences that may arise if these deeds are not completed as a result of Council actions.

c) Council will proceed expeditiously with the process to heritage list 10 Cowell Street.

d) Upon receipt of the aforementioned legal advice, Council will call as soon as practicable thereafter an Extraordinary Meeting of Council to receive and consider the advice provided and determine any action required as a result, if necessary.

e) To further meet in relation to the above and in relation to outstanding matters raised in the tabled document 02.03.15.

Richard Quinn Mayor

Barry Smith General Manager

Phil Jenkyn OAM

Ross Williams

Dated 3 March 2015

DOCUMENT TABLED AT MEETING BETWEEN SAVE HUNTERS HILL MUNICIPALITY COALITION (SHHMC) AND HUNTERS HILL COUNCIL – 2 MARCH, 2015

PREPARED BY THE GLADESVILLE COMMUNITY GROUP

Gladesville Community Concerns

1. **Sale of Land relating to GSV.** Sale of land (without public tender) process was flawed. Council should have retained control of the land to ensure the best outcome for the community.

2. **10 Cowell St Heritage Listing** – Heritage listing should have been resolved prior to the land sale. Interim heritage order needs to be applied immediately. Regular updates (including review of planning proposal timeline) on formal application for inclusion in the LEP as item of heritage significance to be included on agenda of each council meeting in ‘matters outstanding’.

3. **DCP** overly accommodating of developers interests.

Request interim step of immediate resolution to return to the ‘pre---Newbold’ 2010 DCP, while future Gladesville and more comprehensive DCP review is completed.

4. **Economic sustainability of retail precinct along Victoria road** in Gladesville is under threat if large GSV development goes ahead. ES needs to be conducted to ensure a realistic vision for Gladesville village and to guide future development.

5. **Transparency and accountability of council** – GSV contract of sale details should be publicly available. Pre---DA meetings with GSV development team should be attended by at least 2 councillors. Councillor briefings prior to council meetings should not be forums for debate or opinion. They should merely be an exchange of factual unbiased information.