

**Report to General Manager**

Attachments:
Nil

SUBJECT: James Milson Village Masterplan – Planning Proposal

AUTHOR: Martin Ellis, Director, Community and Library Services

ENDORSED BY: Ken Gouldthorp, General Manager

EXECUTIVE SUMMARY:

This report recommends that Council engage a suitably qualified consultant to prepare a Planning Proposal to test the viability of the North Sydney Retirement Trust's Masterplan for James Milson Village (JMV).

In 2016 Council first began engaging with the Trust on their Masterplan which addresses the need to upgrade the existing accommodation on site and the need for additional beds for the North Sydney community, especially considering that the closure of Georgian House in 2016 has now become permanent.

NSW Roads and Maritime Services (RMS), as owner of High Street Reserve which is adjacent to JMV, has expressed a willingness to work with Council on the proposal. The result will be the provision of high-quality aged care accommodation and a reduced (by one third) but enhanced High Street Reserve if the project is successful, or the retention of the whole of the High Street Reserve as public open space if not.

The Trust has agreed to meet Council's out of pocket expenses for preparing the Planning Proposal.

FINANCIAL IMPLICATIONS:

Council will incur no external costs. Council's contribution will be the costs of staff time required for liaising with the Planning Consultant and with the external assessment process.

Comment by Responsible Accounting Officer:

Funding for the project is appropriate.

RECOMMENDATION:

- 1. THAT** Council enter into a Memorandum of Understanding with the NSW Roads and Maritime Service to enable testing of the viability of the James Milson Village Masterplan.
 - 2. THAT** Council enter into a Memorandum of Understanding with the North Sydney Retirement Trust recording their agreement to meet Council's out of pocket expenses for preparing the Planning Proposal for the JMV Masterplan.
 - 3. THAT** following signing of the MoUs with RMS and JMV, Council engage a suitably qualified Planning Consultant to prepare a Planning Proposal for the sites in question.
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LINK TO COMMUNITY STRATEGIC PLAN

The relationship with the Community Strategic Plan is as follows:

- Direction: 4. Our Social Vitality
- Outcome: 4.1 North Sydney is connected, inclusive, healthy and safe
- Direction: 5. Our Civic Leadership
- Outcome: 5.1 Council leads the strategic direction of North Sydney

BACKGROUND

Council is the landowner of approximately two thirds of the JMV site, and has leased it to the Trust until 2087 for the purposes of providing aged care to the residents of North Sydney and elsewhere in the lower north shore and in particular to those in necessitous circumstances.

The Village provides the only affordable aged care accommodation in North Sydney. Council has nomination rights to its Board, two positions appointed annually. They are currently occupied by community representatives, both with considerable experience in the aged care industry: Ally Murphy and Stephen Carbery.

In May 2016 Council commissioned a Governance Review of James Milson Village by Stewart Brown Chartered Accountants, prompted by the Trust's submission to Council of a new constitution for approval. The Review was satisfactory; Council consequently gave its approval and the constitution was adopted, dated 6 February 2017.

CONSULTATION REQUIREMENTS

Community engagement will be undertaken in accordance with Council's Community Engagement Protocol.

SUSTAINABILITY STATEMENT

The sustainability implications are of a minor nature and did not warrant a detailed assessment.

DETAIL

The context for the JMV masterplan that followed adoption of the new constitution, beyond the boundaries of the existing Village site, is that adjacent is a privately owned apartment block (49-51 High Street) and High Street Reserve. The Reserve is owned by RMS and has been under the Care, Control and Management (CCM) of Council since 1996.

In September 2016, at a Councillor briefing, a first version of the Masterplan was presented proposing an extension over much of High Street Reserve.

In October 2018 a revised version, proposing a development over 49-51 High Street and only one third of High Street Reserve was presented to a Councillor Briefing.

The proposal includes a public right of way through James Milson Village as well as publicly accessible community health facilities.

With this second version Council sought a meeting with the Chief Executive Officer of Roads and Maritime Service to discuss options for moving this project forward.

As a result of discussions commenced in 2018 between Council and RMS, mutual understanding has been achieved as follows:

1. RMS wishes to preserve the western two thirds of the Reserve for water catchment and other purposes, meaning it should not be built on or under.
2. Council wishes to preserve its central role in care, control and management (CCM) of the whole site; i.e. if the project does not proceed, Council's current CCM role over the Reserve should continue;
3. If the project does succeed Council wishes to become the owner of the site (one third or the whole as can be negotiated) to enable both the provision of aged care and a higher quality public park on the western portion.
4. To achieve the desired outcome, including the extension of a public thoroughfare through the site and preservation of the western portion of the site for RMS' purposes, it will be necessary to submit a planning proposal (PP).
5. North Sydney Council is prepared to project manage and facilitate development of the necessary PP.
6. The Trust has agreed to met Council's out of pocket expenses in the engagement of consultants to establish the PP.
7. Prior to establishing the resources and expense associated with the PP it is preferable to establish a Memorandum of Understanding (MoU) between Council and RMS articulating the (non-legally binding) obligations of each party and the intent of each party in respect to acquisition/tenure of the site if the PP is successful.

RMS has been advised that a resolution of Council will be sought in order to commence this process.
