



Australia's property industry

Creating for Generations

29 September 2021

New South Wales Department of Customer Service
Better Regulation Division
via email: rvdiscussionpaper@customerservice.nsw.gov.au

To Whom It May Concern,

RETIREMENT VILLAGE DATA COLLECTION AND PUBLICATION REGULATION

The Property Council of Australia welcomes the opportunity to provide a submission to the Department of Customer Service regarding the proposed changes to the *Retirement Villages Regulation 2017*.

As Australia's peak representative of the property and construction industry, the Property Council's members include investors, owners, managers and developers across all property assets.

Property is the nation's biggest industry, representing one-ninth of Australia's GDP and employing more than 1.4 million Australians, as well as being the largest employer in Australia. In NSW, the industry creates more than \$581.4 billion in flow on activity, generates around 387,000 jobs and provides around \$61.7 billion in wages and salaries to workers and their families.

Our members are the nation's major investors, owners, managers, and developers of properties of all asset classes. They create landmark projects, environments, and communities where people can live, work, shop, and play. The property industry shapes the future of our cities and has a deep long-term interest in seeing them prosper as productive and sustainable places.

We are pleased to provide the attached comments for the Department's consideration regarding the collection and publication of information relating to Retirement Villages.

Should you have any questions regarding the content of this submission, please contact Charles Kekovich, NSW Senior Policy Adviser on ckekovich@propertycouncil.com.au or 0409 776 588.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Luke Achterstraat", is written over a horizontal line.

Luke Achterstraat
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Proposal to Collect, Publish and Share Retirement Village Data:

The Property Council wishes to outline its opposition to the proposal by the NSW Government regarding the facilitation of data collection and publication of information relating to retirement villages. Extra sets of regulation imposed on operators only further increases the burden on the provider. The Property Council, through close consultation with our retirement living operators, have identified issue with the NSW Government's proposal. The issue mostly relates to the impractical and time-consuming nature of the imposed regulations on operators and administrative support staff. The intention as well as the costs involved in the collection and distribution of data would be onerous. Operators' objectives are to keep seniors housing at the most affordable level possible, whilst maintaining the necessary services, facilities and amenities that all residents enjoy and experience on a daily basis. The unfair and impractical nature of data collection would involve significant staffing commitments and thus push operating costs upward, which would inevitably place a burden on residents and their typical fees.

Retirement Village residents are already eligible to access the data proposed for collection by the Department of Customer Service, upon request to their operators. Whilst the Property Council recognises that potential future residents may benefit from greater access to data and comparative instruments, further administrative burden required by data collection would come at the detriment to existing operators and residents who already face a rigorous reporting and administrative burden associated with their pre-existing duties and obligations. These onerous burdens extend to items such as asset management plans which ensure village operators remain highly accountable on the costs and management of their respective villages. The Government have other avenues for accessing the variety of data outlined for collection in the discussion paper, such as the PWC Retirement Census. The Retirement Census is the most comprehensive aggregated data source about retirement villages in Australia. The Retirement Census profiles the physical characteristics of village, ownership details, residents, business attributes, sales, health and wellbeing, contracts, technology, and future development. The retirement living industry has been building data via the annual census report for a number of years and would be pleased to provide a copy of the census report to the NSW Government upon request.

Recommendation:

The Property Council encourages the NSW Government to investigate alternative methods readily available for collecting desired retirement village data. This would reduce administrative and regulatory burden on operators and residents.

It is the opinion of the Property Council that, the intention of the proposed regulatory changes wouldn't be achieved under the existing proposal. The Government has outlined it intends to:

"Enhance oversight of the sector and assist potential residents of retirement villages to make informed choices without imposing undue regulatory burden on operators."

The enhancement of oversight across the retirement living sector would not be fully achieved under the proposed NSW Government discussion paper. The Government must acknowledge operator's capacity to meet prescribed requirements and as such always look to implement a fair and balanced approach to regulatory burdens placed on large- and small-scale operators.

Recommendation:

The Property Council recommends the NSW Government reconsider the proposed regulations surrounding data collection, publication and information relating to retirement villages and reassess placing onerous data collection regulations on retirement village operators.