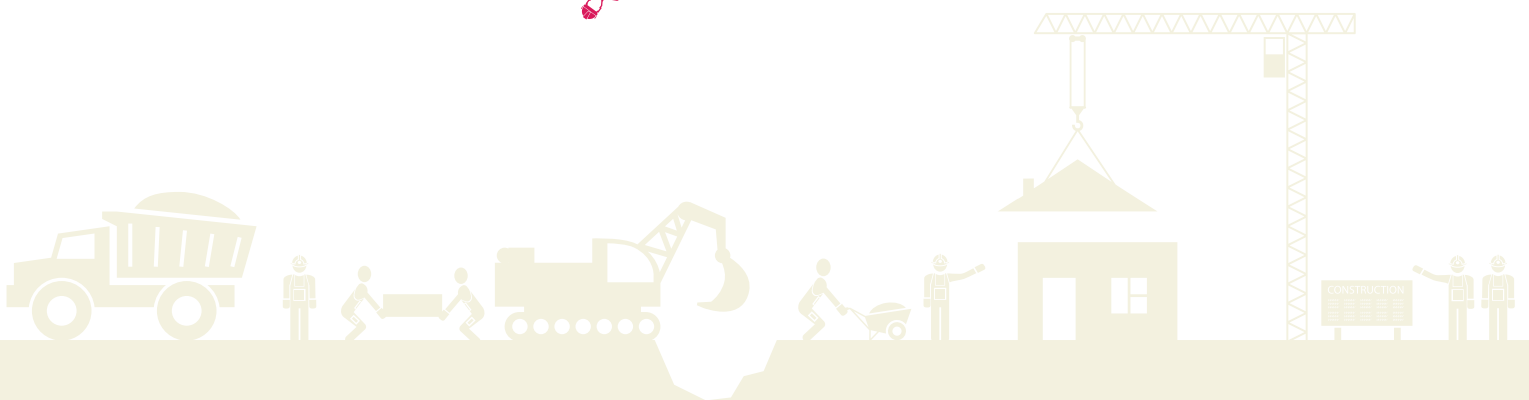


Property Council of Australia

The 5 A's of Retirement Living - towards proactive planning policy



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Executive Summary

The rapid increase in the number of older Australians needs to be matched by an increased determination by politicians and town planners to support the development of more seniors housing.

Purpose-built homes in retirement communities that are well located and designed to enable older Australians to be happy, independent and socially engaged is an important goal – but not one that our planning systems are well placed to achieve.

Not every older Australian wants to live in a retirement community, but they are a vital part of the housing mix, and deliver choice. Almost 200 000 people – over 5% of senior Australians – live in retirement villages now. By 2025, the demand for retirement living accommodation is forecast to double. But at the current rate of development, there simply won't be enough retirement communities to meet consumer demand.

This represents a huge missed opportunity for all governments, local, state and federal, because in addition to the increased wellbeing of individuals who choose to live in seniors' communities, there is a very large saving for all levels of government that flows from this choice. Retirement villages generate \$2.16 billion of savings annually by delaying the entry of residents to aged care facilities, ensuring fewer and shorter hospital stays, fewer GP visits and savings through improved social wellbeing.

Land use policy is the single most important lever that governments have to provide rapid support for the development of more retirement villages. From small to large, low density townhouses to multi storey apartments, all of the different built forms are in demand in inner and middle ring suburbs of our capital cities, as well as in outer metropolitan areas and regional cities.

Australia's current population of 3.2 million over 65s is projected to be 8.1 million by 2050. In the medium term, by 2030, the Australian Bureau of Statistics forecasts that over 19% of the entire Australian population will be older than 65. This large population needs choice, so that every individual can make the decision that is right for them about where and in what type of home they live, the services they need, and the community setting that enables them to stay active, happy and as autonomous as possible.

Villages are designed to support frail ageing bodies, and specifically to reduce falls. Their design features (no or few stairs; wider corridors and emergency alert systems) eliminate trip hazards, improve mobility, and allow residents to be assisted quickly. In addition to village staff, there is also a community of peers who support those who are hospitalised from time to time to return home quickly.

In addition to the reduced demand on aged care services and hospitals, villages also take a load off local infrastructure, as this report shows. Small household sizes means less need for sewerage and water provisioning; fewer cars means less traffic and carpark demands; and the onsite amenities at retirement villages often also means less need for ratepayer-funded libraries, community centres and sports facilities (bowling greens, swimming pools, golf courses etc).

Despite these manifold social and economic benefits to local communities, what retirement villages are, who lives in them, and the role they play in the general community is very poorly understood by many in government. As the report states: "there is a sense of bewilderment in the industry that retirement villages have not reached the status of a national industry priority receiving direct and clear policy support" (Section 3.3).

By comparison, aged care services enjoy significant subsidies from government as well as a raft of land use and tax policy support.

All retirement village owners and developers need is land use policy that supports, rather than hinders, development.

The retirement living industry faces a number of barriers in respect to land use planning policy around Australia. The principal one stems from the difficulty – and in many cases the impossibility – of village developers competing with mainstream residential developers on the open market for land. Retirement village developers face a range of costs that general residential developers do not, including facilities that must be built in order to meet the expectations of residents, but the demand reality is that most prospective residents are pensioners and expect the upfront cost of the retirement village unit to be less than comparable properties in the area. **Figure 1:** The 5 A's of Retirement Living – The Planning Issues summarises these barriers.

Executive Summary

This report is the result of an extensive survey of State and Territory policy initiatives (standardised planning instruments, libraries or codes) as well as a survey of Property Council members, representing over 300 retirement village developments across Australia.



Author's Note:

With eight state and territory governments and over 500 local governments, planning frameworks, schemes and policies are constantly evolving, being reviewed, and being replaced with newer documents. The research, meetings and surveys used to create this report were undertaken in 2014.

The common planning related problems that arise from this two-tiered analysis provide a framework for generic planning policy that supports more retirement community developments. The framework is generic so it is a consistent policy platform across all jurisdictions, and can be applied simply to the specific planning instruments in each state.

There is a clear need to improve awareness and develop a proactive attitude at council level about the retirement living sector. In addition to this – and as a way of achieving it - the key policy recommendations in this report are:

- **Zoning** - support for retirement villages in a wider range of zones
- **Incentives** - policy incentives to improve development yields (from plot ratios to flexible carpark provisioning)
- **Infrastructure** - trunk infrastructure credits for open space and recreation facilities
- **Assessment timeframes** - easier and faster assessment paths to approval
- **Dwelling targets** - set retirement living dwelling targets based on local demographics
- **Outcome focused planning provisions** – less prescription about design features for the village, to ensure developments are responsive to market needs.

Figure 2: The 5 A's of Retirement Living – Proactive Planning Policy provides further detail.

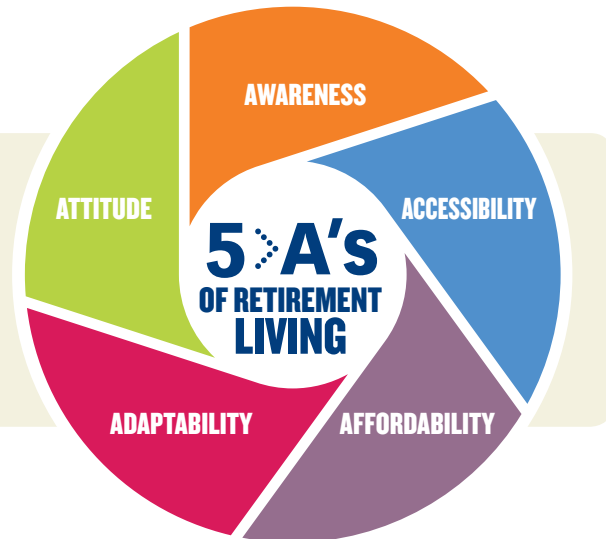
Australia has a shortage of housing built specifically to meet older people's needs. Regulation of the business model for retirement villages through state laws already constrain the sector's capacity to respond to the increased demand for this type of housing, but State and Territory Governments have the reform levers to lead change through proactive land use policy. This report focuses on the net community benefit from undertaking these reforms.

Mary Wood

Executive Director – Retirement Living
Property Council of Australia

Figure 1: The Planning Issues

Based on industry feedback there are essentially five common themes that capture the key planning issues for retirement village development. These common themes relate to **awareness, accessibility, affordability, adaptability** and **attitude**.



AWARENESS

A lack of breadth and depth in understanding by all levels of government and the community regarding what retirement living development is, its operational, market drivers and social imperatives, and importantly how it is different to standard residential development or aged care.

ACCESSIBILITY

The difficulty retirement village providers have in acquiring sites in appropriate locations when competing on the open market, where market value is dominated by the 'highest and best' use of the land. Numerous factors reduce the sector's ability to achieve a 'highest and best' land use status required to contend and therefore access and acquire appropriate sites in suitable locations.

AFFORDABILITY

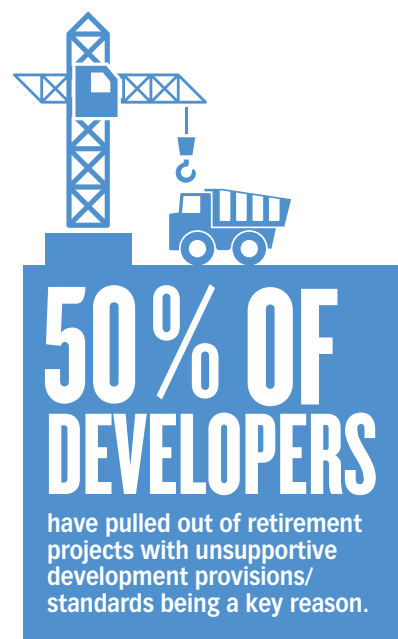
Issues of affordability relate to the array of additional cost imposts (including upfront costs) and unique drivers when compared to typical residential development; such as non-binding pre-sales of dwellings, the 'downsizing' and therefore price point expectations of the target market and the regulated financial model imposed under the various state and territory retirement village regulatory legislation.

ADAPTABILITY

The dominance and inflexibility of the 'one size fits all' approach to design and development planning provisions often captures seniors housing as well as people with disabilities. This also involves the often stringent enforcement of prescriptive accessibility / mobility provisions rather than allowing the provider to design for the future retrofit of such aides as and when need arises. Adaptability also relates to the need for flexibility and adaptability in policy to respond best to the market and opportunities, including the re-generation / re-development of existing villages and the opportunities those sites offer for additional dwellings in often well serviced locations.

ATTITUDE

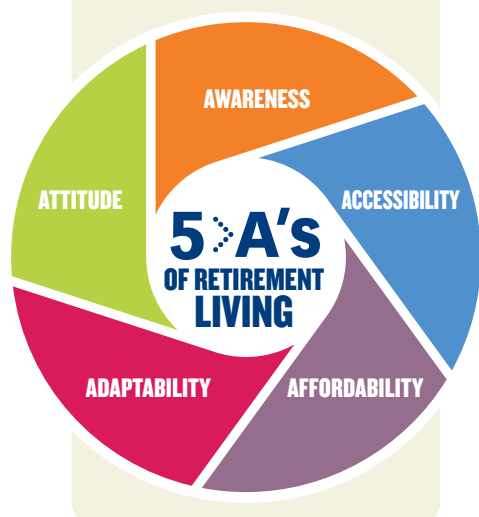
The culture and attitude of the relevant local government can trump everything! This can overcome otherwise unhelpful planning policy but equally cause substantial delays, cost and even withdrawal from projects where a local government is adversarial and unsupportive of development. The attitude and approach to retirement living, development assessment of projects, particularly by local government, has a massive impact on the likelihood of achieving reasonable approvals in reasonable timeframes. This is of course true for the entire development industry.



Source: Retirement Living Industry Survey, RPS, 2014

Figure 2: Proactive Planning Policy – Key Recommendations

The retirement living industry is willing to work with governments to implement these changes.



AWARENESS

1. Improve understanding of state and local governments about what retirement villages are and aren't, so that Australia is well placed to respond to the need for more age appropriate housing for its growing seniors' population.
2. Amend state or regional/metro planning instruments or guidelines to:
 - Insert an explanation of what a retirement living community is
 - Establish retirement living dwelling targets based on demographic data
 - Outline preferred design requirements, particularly for multi-storey development
 - Remove obstacles to the integration and co-location of villages with community facilities and other uses, such as aged care, medical facilities and convenience retail or cafes.

ACCESSIBILITY

3. Make retirement living a 'permissible'/'accepted' development in all residential and appropriate Community Use zones.
4. Remove the need for public advertising and appeal rights from 'permissible' applications.
5. Streamline the planning process for retirement living developments, for example, by enabling fast-track approval processes for retirement facilities such as 'Risksmart' in Brisbane.
6. Identify how to make more suitable land available for the development of retirement living communities.

AFFORDABILITY

7. Implement a suite of development bonuses/ incentives for retirement living developments, including plot ratio, site area, height, setbacks, carparking flexibility, and landscape area reductions.
8. Implement trunk infrastructure credits for open space, recreation and community facility where developments provide specified private, communal open space or community facilities.
9. Exempt or subsidise infrastructure charging for retirement villages.
10. Give rate rebates for retirement living dwellings.
11. Establish performance based design outcomes, not prescriptive outcomes.

ADAPTABILITY

12. Permit dwellings to be adaptable to future accessibility needs rather than mandate upfront the construction of these features.
13. Articulate design guidance rather than mandated outcomes for retirement villages e.g. Infill Development for Older Australians in South East Qld or NSW Silver or Gold Liveable Housing Design Guidelines.
14. Facilitate and incentivise the redevelopment and regeneration of existing retirement villages through supportive zoning and development conditions.

ATTITUDE

15. Lead from the top. Introduce cultural change programs across the state that:
 - Acknowledge the role of retirement villages in providing housing and choice to seniors as well as the economic and social contribution of villages to the wider community
 - Acknowledge the role of government in proactively facilitating the supply of retirement living housing
 - Ensure retirement village facilitation is the responsibility of state Housing Departments
 - Establish state-wide incentives and policy positions within standardised instruments and libraries which are mandatory for local government inclusion in local plans and planning schemes.

Roadmap

This report reviews the state government and regional level planning policy that is directly relevant to retirement villages, and the degree such policies do or do not facilitate retirement village development.

It outlines industry views gained through various collection methods (survey, workshops, interviews and case studies).

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Based on the national policy review and industry feedback, five key themes - The 5 A's of Retirement Living - were developed which capture the common planning and approval problems facing the industry. From these key themes a generic strategic policy and regulatory state level planning framework is suggested, which ensures that land use planning is facilitating rather than hindering retirement village development.

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In addition, a number of resources have been developed for use by the industry in improving understanding of the nature of retirement living developments and the planning related issues faced.

The resources contained within this report include:

- **The 5 A's of Retirement Living – The Planning Issues (Figure 1)** provides a graphic summary of the planning issues which affect the retirement living sector. These issues are outlined in greater detail as a separate resource in **Appendix A - The 5 A's of Retirement Living – The Planning Issues Explained**.
- **Outline of State and Territory Policies and Instruments (Appendix B)** provides a table which outlines the relevant existing policies and instruments for each of the states and territories. The far right column of the table considers how the policy recommendations from this report align with the existing state/territory policy framework.
- **Cascading Policy Framework - Spectrum of Policy Effectiveness (Appendix C)** provides a description of those generic features that could be considered to constitute Low, Medium and High levels of policy effectiveness. This spectrum can be used to assess if a state instrument or even local government instrument has moved along the spectrum to deliver a better policy outcome.
- **The 5 A's of Retirement Living – Proactive Planning Policy (Figure 2)** can be used by advocates as a base line policy aspiration. This is a graphic summary of the more detailed recommended policy framework presented in The 5 A's Framework – A Generic Framework for Proactive Planning Policy (**Table 1**). Refer to Section 7: Recommendations: A Generic Planning Policy – Strategic Policy and Regulatory, for further details and explanation.

Background and Context

The Australian demographic is changing, with the population aged 65 years and over projected to increase from 14% at 30 June 2012 to between 18.3% and 19.4% in 2031. (ABS, 2013, para. 38).

Retirement village development sits within the larger puzzle of 'housing choice for an ageing population'. Key influencers are government support for housing options; pension settings, particularly treatment of home equity; regulations which impact upon development; the interface between property and wellbeing/care; and the clear benefits of facilitating a common desire to 'age in the community'.

3.1 Statistical Overview

In 2010 approximately 5.3% of Australians aged over 65 were living in retirement villages (Productivity Commission, 2011). In 2014, this had increased to approximately 5.7% or 184,000, of Australians aged over 65 (Grant Thornton, 2014, p. 5).

- In six years from 2006 to 2012, the net increase in persons aged between 65–74 years more than doubled (150%) from a 40,000 annual increase to a 100,000 annual increase (MacroPlan DimasiPlan, 2014).
- The impacts of this 150% increase have been delayed but will be evident in 2015–2017. The delay is due to an increase in people working to an older age, the quantum of casual and part-time jobs and the increase in the number of Australians with superannuation (MacroPlan Dimasi, 2014).
- By 2025, it is projected that 7.5% (or 382,000) of older Australians will want to live in retirement villages. This is more than double the current number (Grant Thornton, 2014, p. i).
- By 2050, 8.1 million Australians will be over 65 and looking for housing options that are age appropriate and in suitable locations (Grant Thornton, 2014, p. i).

As seniors age, they require a range of health, community and housing choices. Retirement villages provide one option for senior Australians, who want to live independently but in a community, with support services available onsite or nearby.

3.2 The 'Cohort' - Seniors

Policy often defines seniors as people over 50 or 55 years of age, however statistical analysis often considers seniors to be those aged 65 and over. By comparison, people entering retirement villages have an average age of 75+. Other characteristics of the seniors cohort entering retirement villages include:

- Seven out of the top ten reasons for choosing the village accommodation option were physical (health related).
- The top three reasons residents chose to leave their previous home (push factors) was to downsize while they could -their home was becoming too big to manage, and freedom from house responsibilities meant being able to pursue other interests.
- The top three village residents chose their particular village (pull factors) were because they could stay independent, in a safe environment with emergency support and onsite maintenance.
- Residents generally felt that most services and features were offered by their village, however areas for potential growth included the provision of visiting doctor or medical services, and a village bus for external activities such as shopping and outings.
- Village residents are mostly satisfied that their expectations have been met, with 65% indicating this. Furthermore, 75% were happy with their decision to move into their village and would make the decision again.
- Overall, most residents felt financially secure to meet both their current and future financial needs. Furthermore, a majority felt that their decision to move into a village had been a good financial decision (90%).
- Village residents had positive experiences with village living, with half (50%) stating that their overall life satisfaction and happiness had improved since moving in.

(McCrindle Baynes, 2013, p. 4–6).

Background and Context

3.3 Housing Choices and Policy Support

There are a range of housing choices available to seniors, including:

- Staying in the family home
- Downsizing to an apartment within a standard residential development
- Retirement villages
- Relocatable homes parks (also called lifestyle or manufactured home parks)
- Residential aged care
- Living with adult children/relatives.

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All of these options are important and provide housing choice to seniors. All have some level of policy support, or no regulatory barriers, with the exception of retirement villages.
.....

For example:

- Seniors are encouraged to remain in their homes by the 'ageing in place' Home Care Packages and Home and Community Care Packages funded by the Federal Government.
- Relocatable home parks have a less regulated financial model than the Retirement Villages Acts.
- Standard residential apartments are commonplace, understood by the market and unencumbered by a regulated financial model.
- Aged care enjoys federal government support as well as a raft of land use and tax policy supports.

From the discussions and workshops undertaken during this research, there is a sense of bewilderment in the industry that retirement villages have not reached the status of a national industry priority receiving direct and clear policy support.

3.4 Regulatory Layers

The factors that influence the retirement living sector's ability to provide appropriate housing in suitable locations are many, complex and interrelated. These factors include property and asset taxation regimes, healthcare and aged care systems, pension thresholds and means tests¹, regulation of retirement living communities (i.e. the Retirement Village Acts in each jurisdiction), as well as housing and land use planning policy.

A review of the respective state and territory retirement village Acts was not within scope, however it is clear from industry feedback that the regulated financial model/s embedded in legislation constrains flexibility and innovation in offering housing choice to seniors. These instruments establish financial, contractual and management models within which retirement villages must operate. The Acts do not relate to land use planning policy, though they do impact on the feasibility of a retirement village development.

3.5 Appropriately Located Housing Choices and 'Ageing in Community'

The location of the current range of retirement villages is generally well matched with the needs of current residents, with 79% of new residents moving to a village that was within their expected range (McCrinkle Baynes, 2013). This level of satisfaction may decline over time as many new retirement villages are in urban fringe locations, whereas most over 65s live in the inner and middle ring suburbs (MacroPlan Dimasi 2014).

The ability of residents to relocate within their own community is a laudable goal that will maintain social networks. It is recognised that there are other drivers which encourage some seniors to move out of their communities e.g. to relocate near grandchildren, however remaining within one's community is a more dominant driver of location.

Based on industry feedback gathered for this report, there is debate within the industry that the federal government's policy focus of 'ageing in place' causes seniors to remain in their family homes even where those homes do not support changing physical needs. Furthermore seniors can experience isolation and depression where policy discourages a move to more appropriate housing with peer support. The retirement living sector recognises the importance of providing well-located villages where seniors can age in place or within their community in an age adaptive home.

1 Property Council of Australia, 2015:

...The Problem:

- *Australians over 65 who satisfy either the income or assets test for the age pension are eligible to receive it. The full rate of pension is payable under the asset test for homeowners who have total assets (excluding principal place of residence) of less than \$202 000 (\$286,500 for a couple combined).*
- *For single pensioners who have more than \$202 000 of assets, their pension is reduced by \$1.50 per fortnight for every \$1000 of assets over the threshold (known as the 'taper rate'). E.g., if a pensioner with assets close to the threshold downsizes, and makes a cash surplus of \$150 000 from selling her family home and buying a smaller place, her pension would be cut by \$5850 pa. This acts as a penalty, and means that most pensioners who wish to downsize choose not to.*
- *A survey of more than 2000 Australians over 50 by National Seniors in 2014 showed that 30% of pensioners who are considering downsizing see the pension means test as a significant barrier.*
- *1.39 million or 59% of all pensioners receive the full pension, with this number expected to increase over time.*
- *75.1% of pensioners own their home, and 1.11 million pensioners are over 75 (a combination of full and part rate pensions).*

Note: The 2015 Federal budget proposed to make changes, effective January 2017, to the asset test threshold and taper rate.

A Planning Policy Response

- Why a state government response?



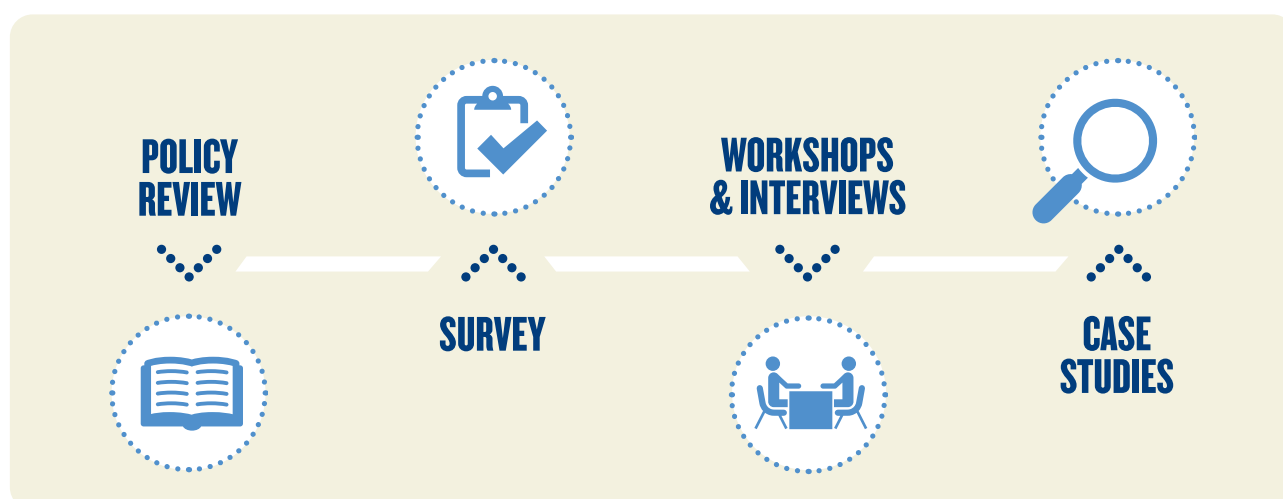
The common planning related problems provide a framework for a generic planning policy that supports development. The framework is generic so it is a consistent policy platform across all jurisdictions and can be applied to the specific planning instruments in each state.

A state government response to the land use planning issues identified by the industry - articulated in this report - is necessary given the factors listed below. In the majority of states, state government policy, including standardised local plan or planning scheme instruments/libraries, are the basis for the development of local planning schemes by local government. This hierarchy of planning jurisdictions and instruments together with the matters listed below means the state and territory governments have the greatest potential to affect broad, integrated change. This does not detract for the need for leadership to be shown by local governments.

Why a state and territory government response:

- The issues are common across the country.
- The state plays a significant strategic policy and regulatory role in regional land use and housing diversity issues.
- The states have existing standardised instruments and / or policies that can be used to facilitate consistent and integrated approaches, which are used by local government in drafting local planning instruments.
- Existing features of the state/territory planning frameworks should be used rather than a new federal government instrument created. A new federal government instrument is likely to be challenging to interface with existing state planning frameworks and hierarchies.
- The regulated financial models for retirement villages are contained in the Retirement Villages Acts. Placing responsibility for a prioritised land use policy response with the states/territories should facilitate better understanding of all the constraints faced by the sector regarding both land use planning and the regulated financial models.
- There are few local governments that are large enough, and have sufficient capacity and corporate knowledge, to independently undertake initiatives to respond to this housing shortage. The use of state/territory government capacity and prioritising mechanisms (for example, as a state interest) is the best means to achieve a state-wide improvement.

Methodology



5.1 Planning Policy Review

Each state and territory's relevant planning legislation and planning instruments, including regional/metro planning policy instruments, were examined to determine the degree to which they:

- Acknowledged retirement villages as a discrete housing choice for seniors
- Established retirement village (or equivalent) definition/s as separate to residential, aged care and universal housing
- Created explicit state planning instruments (e.g. standard template or policy library, state policy, code, overlay) explicitly addressing retirement village development
- Established concessions or incentives for seniors housing (e.g. carparking, floor space, open space infrastructure charges etc)
- The extent to which they delivered on their intended objectives.

5.2 Survey

A survey was issued to Property Council members that represent over 300 retirement village developments. The survey sought to gather information from developers/providers on their experience with the various planning regimes across Australia and the degree to which planning related variables affected their decision-making about new retirement village housing.

The survey gathered data on:

- Entity, portfolio and facility (e.g. for profit or not-for-profit; the locations, nature, size of developments; nature of residents/market)
- Preferred business model for the villages (e.g. target market by location, relevance of local government to choice of development location, proximity to certain facilities and services, size of facilities/community facilities incorporated, product mix, price points)
- The relative importance of the above matters in deciding to proceed to site acquisition and development
- The relative importance of other variables in project feasibility in site acquisition
- Experiences in gaining approvals, including involvement with the different levels of government in seeking land use approvals
- Recurrent planning related issues in gaining approvals
- Ideas to remedy problems.

5.3 Interviews/Committee Workshops/ Case Studies

A workshop was held with each of the Property Council Retirement Living Committees to:

- Test and gain feedback on a number of common themes and responses from the survey
- Gain feedback on members' experiences in developing retirement villages in their particular state/territory, including feedback on the interaction between policy statements and Local and State Government attitudes
- Obtain case studies to demonstrate the experiences articulated in these workshops.

Individual interviews were also conducted with a range of developers, particularly to:

- Understand how the common themes were experienced by the different types of providers, e.g. large, small, private, public and not-for-profit
- Provide a constant feedback loop in relation to the common issues and themes revealed and the possible policy responses.

Key Findings

6.1 Policy Review

There is no federal government policy which relates directly to the retirement living sector (although there are various aged service subsidies and pension rules that are relevant to housing choices of most retirement village residents).

Each state and territory has a *Retirement Villages Act* or equivalent, which is focused around consumer protection relating to management, contractual arrangements and financial models. A number of the state acts have recently been, or are currently under review, such as Western Australia, Queensland and South Australia.

There are no land use related instruments at the federal government level, as matters relating to land use planning are essentially considered by the federal government to be state government and local government responsibilities (with the exception of land use planning's relationship to federally legislated environmental and biodiversity issues).

Figure 3 - 'Key Features of State Level Planning Policy for Retirement Village Developments' shows the few stand out planning instruments or policies that relate directly to seniors or retirement living. **Appendix B** provides a table which further outlines the relevant state and territory policies and instruments. (The far right column of that table also considers how the generic strategic policy and regulatory recommendations made in Section 7.0 will align with the existing state/territory policy framework).

The review of relevant policy instruments at a state level, together with feedback from the industry regarding functionality and effectiveness of the instruments, revealed that whilst some states have good initiatives generally these:

- Fall short in terms of demonstrating a clear understanding of the issues peculiar to retirement village development
- Do not provide a sufficiently broad suite of incentives to effectively facilitate retirement village development
- Are undermined by other levels of government e.g. local government choosing to 'opt out' of standard library/template provisions in Western Australia or some New South Wales local governments citing 'environmental issues' to avoid issuing the enabling Site Compatibility certificate under the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004, Part 1a
- Are undermined by other elements of the instrument, such that benefits potentially delivered in one aspect, e.g. density increases, are negated by requirements of another aspect, e.g. access/mobility aides inappropriate to the target market. (This matter is further discussed under **Section 6.2** 'Awareness' and **Section 6.5** 'Adaptability'.)

- Are too prescriptive and stringently interpreted to allow flexibility for a product to respond to the specific residential market given there are numerous different products and markets evident. (This matter is further discussed under **Section 6.2** 'Awareness' and **Section 6.5** 'Adaptability'.)
- Involve often inappropriate development assessment, public notification and appeal rights. (This matter is further discussed in **Section 6.2** 'Awareness'.)

Based on the research and the previous findings, **Figure 4** 'Cascading Policy Framework – Spectrum of Effectiveness' conceptually represents where the states and territories sit, based on industry feedback, when considering the effectiveness of the existing retirement village related policy initiatives or features. Effectiveness ranges from low to medium to high. Refer to **Appendix C** for more detail.

At a state government level, the majority of existing strategic level planning documents make broad statements about the need to provide or facilitate sufficient housing and appropriate housing choices for an ageing population. None however use the documents (or their related guideline materials) to improve the understanding of those who use the document.

These documents provide a potential home for accumulated information and understanding about the sector, just as they do for some environmental issues. In a number of states there are standardised modules established by the state government for use by local governments in the drafting of their planning schemes. For example: the Victorian Planning Provisions, South Australian Planning Policy Library, Queensland Planning Provisions and the Western Australia Residential Code. Each of these contains a specific definition capturing retirement villages. Only Western Australia and New South Wales contain specific provisions that relate to such development by way of, for example, a code (i.e. particular development provisions relating specifically to retirement village development). More of the states have specific provisions relating to aged care and supported accommodation.

Key Findings



State level definition



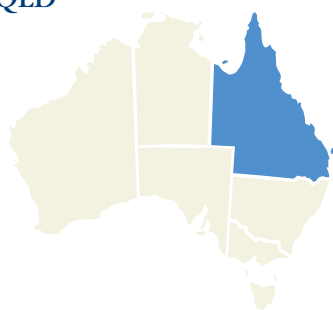
Specific state policy/code or standard instrument provisions



Comment 'stand out examples' or issues

Figure 3: Key Features of State/Territory Level Planning Policy for Retirement Village Developments

QLD



Retirement Facility: A residential use of premises for an integrated community and specifically built and designed for older people.

The use includes independent living units and may include serviced units where residents require some support with health care and daily living needs.

The use may also include a manager's residence and office, food and drink outlet, amenity buildings, communal facilities and accommodation for staff.

Residential Care Facility is separately defined for aged care.



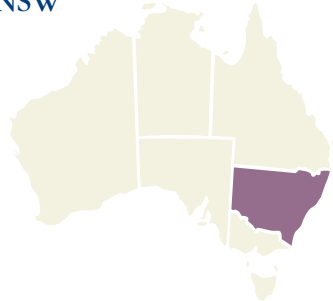
Queensland Planning Provisions: No specific policy/code, but supports low level application (no advertising) in some zones



Logan City: lower infrastructure charges

Brisbane City: particular code provisions; fast track approval process in place

NSW



Seniors Housing is an umbrella term for residential accommodation that is, or is intended to be, used permanently for seniors or people with a disability consisting of....'a group of self-contained dwellings' (being independent living units).

Residential Care facility is included in 'Seniors Housing' and is defined separately.



State Environmental Planning Policy, SEPP (Housing for Seniors or People with a Disability) 2004.



Standard Local Environmental Policy - mandatory that Seniors Housing is permissible with consent in certain Residential and Mixed Use zones, this can be expanded upon by local government.

Environmental provisions in the Standard LEP are used by some LGs to unreasonably prevent use of LEP Senior Living incentives.

ACT



Retirement Village: means premises where older members of the community or retired people live, or will live, in independent living units or serviced units, under a retirement village scheme (The Territory Plan).

Aged care is separately defined.

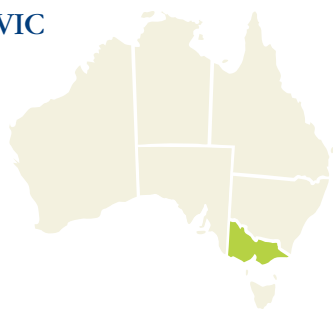


No specific policy/code.



ACT Strategic Plan for Positive Ageing 2010 to 2014 – explicit strategic document to encourage private investment in seniors housing. Though industry does not appear to be widely aware of this document.

VIC



Retirement Village: Land used to provide permanent accommodation for retired people or the aged and may include communal recreational or medical facilities for residents of the village.

Retirement Aged Care and **Nursing Homes** are separately defined.



Victorian Planning Provisions: no specific policy/code.



Section 173 Approval – covenant on title to restrict the minimum age of residents which can be conditioned within an approval (issued by a local government) to restrict the minimum age of occupants.



State level definition



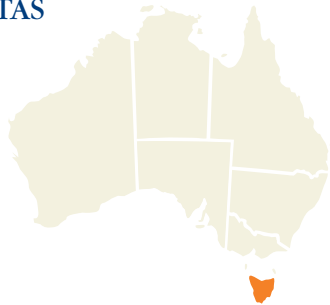
Specific state policy/code or standard instrument provisions



Comment 'stand out examples' or issues

Figure 3: Key Features of State Level Planning Policy for Retirement Village Developments

TAS



Retirement Village*: means use of land to provide permanent accommodation for retired people or the aged and includes communal recreation or medical facilities for residents of the village.

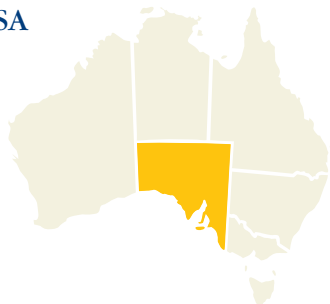
Residential Aged Care Facility*: is separately defined for aged care.

*(Planning Directive No. 1 - The Format and Structure of Planning Schemes)



No specific policy/code

SA



Retirement Village is not defined.

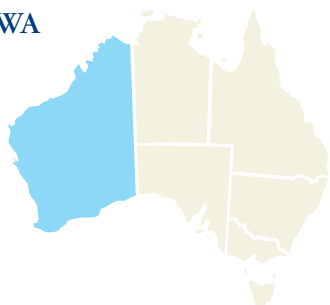
Supported Accommodation includes retirement villages along with nursing homes, special accommodation houses and hostels etc. as part of the Supported Accommodation, Housing for Aged Persons and People with Disabilities Policy Library module.

Aged Care is separately defined.



South Australian Planning Policy Library: includes standard planning provisions on Supported Accommodation, Housing for Aged Persons and People with Disabilities which aims to provide well designed supported accommodation for community groups with special needs in appropriate locations.

WA



Special purpose dwelling: aged and dependant person's dwelling.

Aged person: A person who is aged 55 years or over.

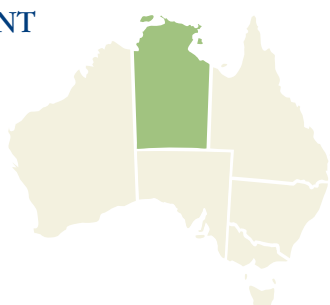


Residential Design Code: includes specific incentives and provision around retirement village development.



Residential Design Code provisions can however be 'opted out' of by local government.

NT



No specific planning definition, utilises Multiple Dwellings and links to Retirement Villages Act for tenure purposes.



There is a single planning scheme with retirement village specific provisions for one locality only.

Key Findings

Figure 4 - Cascading Policy Framework: Spectrum of Policy Effectiveness

The below table locates the states and territories on a spectrum of policy effectiveness when considering the 5 A's. Each state and territory has various policy initiatives or positions that impact on retirement village development; however these vary in terms of their effectiveness. As some policy initiatives are working better than others in delivering the 5 A's, in a number of cases a state or territory's policy base is shown as spanning more than one level on the spectrum.





In summary, the respondents would like the planning and approval system to be:

AWARE, SIMPLE, CONSISTENT, FAIR AND FAST.



6.2 Survey

Developing a retirement village is a complex affair as it involves interaction with state and local governments. Unlike other forms of development, there is specific controlling legislation (the various retirement village Acts) that sit alongside the social imperative and the wider development framework. Consequently, developers of new retirement villages have to compete on price in the open market, while providing a product with specific requirements that are not appreciated or understood by approving authorities. This adds time delays and costs that cannot be readily absorbed by value-for-money focused retirees.

The outcomes of the Property Council survey clearly denotes the desire for local and state governments to establish a degree of expertise in retirement villages, so that development standards, approval conditions and infrastructure charges reflect the true nature of the retirement village. The lack of understanding adds time delays and costs and results in an overly complex planning process. Small operators in particular find dealing with this complexity especially difficult.

Government expertise would assist in the speed of the development approval process. The designation of sites for retirement villages and/or a comprehensive retirement village policy are seen as central to both of these outcomes. This policy setting is best developed at a state level as it is beyond the capacity of many local authorities.

6.3 Key Themes and Common Issues – The 5 A's

Based on industry feedback from the survey, meetings, interviews and case studies, there are essentially five (5) common themes that capture the key issues applicable to retirement village development from a planning perspective. These common themes relate to: **awareness, accessibility, affordability, adaptability and attitude.**

These five key themes are discussed briefly in **Section 6.4.1** to **6.4.5** and graphically represented in **Figure 1**. At the end of each of these sections is an example of a proactive planning policy that could assist in addressing the issue. Policy recommendations are further articulated in **Section 7**.

Note that the issues outlined briefly overleaf are explained in further detail in **Appendix A: The 5 A's of Retirement Living – The Planning Issues Explained**. It is intended that **Appendix A** be used as a resource for the industry, government and stakeholders in explaining the planning issues that are relevant when considering policies that impact on retirement living development.

The array of issues identified from the research are captured in Issues Matrix in **Figure 5** on page 20.



Figure 5: Issues Matrix
– Range of Issues Identified From Industry Feedback

	Awareness	Accessibility	Affordability	Adaptability	Attitude
No overarching definition of retirement living and terminology surrounding the subject					
Perceived characteristics of retirement living					
Lack of relevant policy support					
Relevant state government department bodies (most governed by consumer affairs)					
Interplay of definition – segregate aged care, retirement, special needs, etc					
Incentives to develop					
Co-location of facilities					
Public use of facilities					
Differences between current and future expected needs/wants of residents – changing generational aspirations					
Target market (over 55s in policy, average entry age 75)					
Design requirements for new and renewal projects: height, GFA, communal facilities, parking rates, public open space					
Relevancy of Retirement Villages Act (ie. Develop outside of Act but also challenges)					
High level strategic plans eg. regional plans lack of relevant objectives					
Availability of land					
Competition with residential development					
Local community opposition /process involvement					
Density restrictions					
No specific planning instruments/ templates tailored to retirement (bar NSW)					
Gaps between state and local requirements					
The future issue of housing the ageing population Ability to provide for future demand					
Housing choices					
Levels of assessment/type of applications required					
Zoning issues					
Infrastructure charges – less demand in on some types					
No consistent policy / documentation or overarching document in relation to retirement living at the national level					
Community awareness					
Adaptability of planning instruments to accommodate different accommodation facilities, and types and market desires					
Accessibility to inner city/ring suburbs for new generation of retirement					
Pre-sales not secure					
Higher upfront costs					
Pricing of units					
Size of units for adaptability					
Associated costs: nurses, IT, cleaning					
Lower sales rate (smaller target market)					
Differentiation between aged care and retirement					
Culture of local governments					
Lack of provisions encour ageing retirement developments/ help compete					
Community integration					
Reimbursement / incentives implemented post construction too late to be helpful (WA)					
Masterplan / structure planning – exiting villages					
Can't make most of site (provide optimal yield) due to design + individualities of product					
Lack of government involvement					
Return on investment not seen for 10yrs – very patient capital					

Key Findings

6.3.1 Awareness

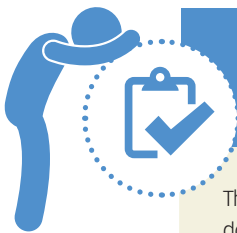
The challenge: Provide appropriate housing choices in appropriate locations to cater to an ageing population.

The need to provide a choice of age adaptive housing in a range of locations for an ageing population is recognised in many of the state level strategic planning documents, and in the broader community.

Based on the survey data and industry discussions it is clear that there is a lack of breadth and depth in understanding of the sector at all levels of government. This lack of proper understanding translates to policy which in some cases have sound objectives but which do not deliver the desired outcomes, as shown in **Figure 6**. They do not effectively or materially improve the ability of the sector to respond to this specific housing need.

Figure 6 - Greatest Resistance in Legislation

Greatest resistance in the legislation relating to Retirement Village development?



Note: General frustrations include:

- Lack of specialised understanding or policies for retirement villages
- General residential policies overprovide parking and private space

The majority of strategic planning documents make broad motherhood statements about the need to provide or facilitate sufficient housing and appropriate housing choice for an ageing population but none use the opportunity of such a document to educate those who use, reference or are impacted upon by the document or instrument. The inclusion of sound and informative material regarding retirement living in these state strategic level documents provide an easy opportunity for improvement.

There are several areas that reflect the need for improved awareness as listed below:

State department with jurisdiction

Retirement living regulation in most states/territories has a consumer protection focus and lacks the necessary focus on development and the need for more age adaptive housing.

Figure 7 - State Department Jurisdiction

STATE	DEPARTMENT
QLD	Housing
NSW	Fair Trading
ACT	Fair Trading
VIC	Consumer Affairs
TAS	Consumer Affairs
SA	Health and Ageing
WA	Commerce
NT	Consumer Affairs

Different to residential development

In all cases retirement villages are considered to be, and treated as though, they are the same as other residential development.

Underlying the differences between retirement villages and standard residential development are important drivers which influence the decision making of the consumers. Generally speaking, for standard residential development, a potential purchaser will expect to increase debt and have a mortgage whereas a retirement living consumer will generally seek to 'downsize' their housing and free up funds for retirement. This difference has an impact on the consumer's expectation of and flexibility regarding the price of retirement living products. Ultimately it is another contributing and constraining consideration which affects project viability. It is an important contextual consideration to understanding the market and the required land use policy response.

Clearly retirement living development provides a housing option for older Australians, however it has many significant differences when compared to detached or attached dwelling residential development.

The significant differences between retirement village development and standard residential development and the fact that they are essentially treated the same in planning instruments has considerable implications for the ability of the sector to deliver housing and respond to demand.

Key Findings

6.3.1 Awareness

'One size' does not 'fit all'

A number of states, for example Western Australia and New South Wales, have policies/standard code components which apply to aged care, retirement living, and people with disabilities. For the retirement living sector, this 'one size fits all' approach is problematic as it deters prospective residents who would prefer that disability support features are readily able to be retrofitted rather than installed up front.

Integration with the community

As is widely recognised in planning instruments throughout the country, housing in close proximity to services and facilities including retail and recreation, is considered highly desirable.



All respondents see potential in improved synergies with public transport, educational institutions, child care centres, community facilities, retail /activity centres and most notably health care. The synergies with health care reinforce the desirability of a location in proximity to local services and the convergence for particular markets of retirement living with increasing care models or arrangements

Where appropriate, the benefits of integration with the community are broad and reciprocal for both the surrounding community and the residents. The planning instruments at a state level do not sufficiently encourage or incentivise such integration of uses. Such integration should not be mandated, but incentivised.

Community and political awareness at land use plan making stage – 'low risk' applications

Often overly complex and involved development applications, requiring inappropriately high levels of assessment and third party appeal rights, add further constraint and challenge to the provision of housing for an ageing population. Retirement living developments can generally be described as 'low risk' type applications, considering their minimal effects on surrounding land uses, and their broader community and social benefits.

The existing plan making and development assessment processes are not an easy path through which the local benefits of retirement village developments can be explained.



CASE STUDY: A Retirement Village on the Mornington Peninsula in Victoria. The proposal was originally for 229 Independent Living Units, however due to the local government understanding the requirement of retirement living the development yield increased by an addition 51 units to provide 280 Independent Living Units. This was a result of the awareness and attitude in relation to retirement facilities, and the ability of the developer to create a feasible development. As a result of the LG support the development underwent a straightforward and quick planning assessment.



This important difference in addition to other driving forces, for example stamp duty and current income and asset tests for the aged pension, substantially impact on the choices older Australians make in relation to housing.



PROACTIVE PLANNING POLICY EXAMPLE:



- ✓ Improve understanding of state and local governments about what retirement villages are and aren't, so that Australia is well placed to respond to the need for more age appropriate housing for its growing seniors' population.
- ✓ Amend state or regional/metro planning instruments or guidelines to:
 - Insert an explanation of what a retirement living community is
 - Establish retirement living dwelling targets based on demographic data
 - Outline preferred design requirements, particularly for multi-storey development
 - Remove obstacles to the integration and co-location of villages with community facilities and other uses, such as aged care, medical facilities and convenience retail or cafes.

Refer to Section 7: Recommendations: A Generic Planning Policy – Strategic Policy and Regulatory, **Table 1** and **Figure 2** for further details and explanation.

6.3.2 Accessibility

There are extensive additional constraints on and features of retirement living development that affect its ability to compete on the open market for sites in appropriate locations.

The most significant issue identified by the survey and highlighted in every discussion and workshop held was the challenges faced by the sector in acquiring sites due to the constraints on their ability to match other land uses as a 'highest and best land use' when competing on the open market for sites. These challenges include:

The non-binding pre-sale of housing

Due to the provisions of the various state and territory Retirement Village Acts, developers of retirement living housing are not able to rely on pre-sales of dwellings in the same way that standard residential developments can rely on pre-sales to secure funding for a project (refer to **Appendix A** for further detail).

Price point driven by purchaser 'downsizing' expectations

The need for the price point of a dwelling to be generally under the median house price of the surrounding area is one driver that critically influences the product type, target market and feasibility of a retirement village. The drivers to purchase a retirement living dwelling are totally different to other types of housing. (Refer **Section 6.4.1**).

Slightly larger dwellings



Due to the desirability of providing units which are able to be readily retrofitted and adaptable, units are often slightly larger compared to the equivalent standard residential product. This increase in size therefore increases the build cost compared to the equivalent dwelling in the standard residential market.

IT costs

The costs associated with making additional monitoring and medical care available or adaptable increases the per square metre cost of the retirement living development.

Communal facilities

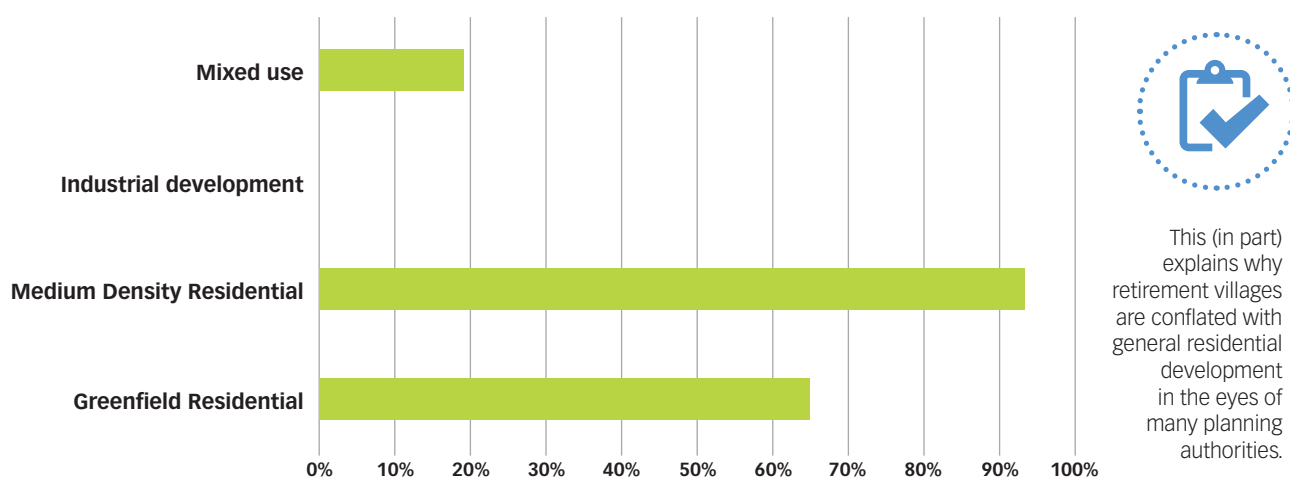
Unlike standard residential developments, retirement living facilities are generally built so that the shared communal facilities are constructed and available upfront to meet the expectations and needs of all residents. These development costs are therefore incurred early.

Design Requirements, Car Parking and Demand on Infrastructure – FOR 70% OF RESPONDENTS these are the top recurring issues of contention with approval authorities

Figure 8 - Major Land Use Competitors

What types of development constitutes the major competitors for sites considered appropriate for retirement villages?



Key Findings



CASE STUDY: The Queensland State Government charging regime incorporates a capped (maximum) charges component and an optional 'fair value' schedule which local governments can choose to adopt. Queensland's 'fair value' schedule differentiates retirement facilities from other residential development however few local government have adopted this schedule.

6.3.2 Accessibility

Yield implications

For the reasons outlined in the previous points, retirement living facilities have historically not been able to maximise their yield. The return on the purchase of the land both in per unit cost and per square metre cost are lower than what can be achieved with a standard residential development.

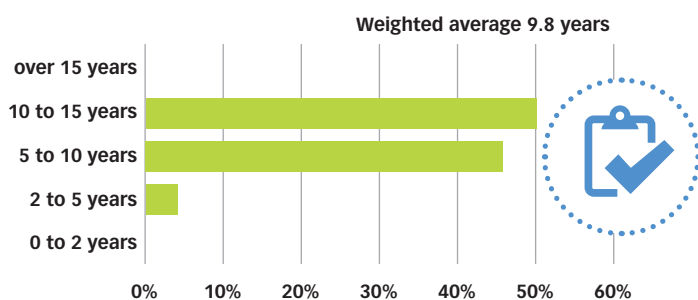
Different market characteristics

Retirement village developments have a smaller target market and longer lead times to settlements than standard residential developments.

Long term return on investment

The return on a developer's capital does not occur until there is a sale from one resident to another, that is, where one resident moves out of the retirement village, and another resident moves in and secures a new lease or licence. Based on industry feedback, the average length of stay and therefore change over timeframe is 9.8 years (refer **Figure 9**). The capital invested in such development therefore must be extremely 'patient'. This alone restricts the number of potential investors in the sector.

Figure 9 - Average Length of Stay



CASE STUDY: Logan City Council has acknowledged the lower demand on infrastructure by retirement villages by applying a flat retirement village charge equivalent to a 1 bedroom apartment. This reflects that extra bedrooms in a retirement village unit do not correlate with higher occupancy and results in a charge that is 40% of a 3 bedroom dwelling house.

Up front infrastructure costs

Infrastructure demands for retirement living developments is typically less than standard residential developments. This is as a result of occupancy rates and demand on certain services being lower than standard residential development, such as car parking rates, open space provision, community facilities, water, sewer and transport infrastructure. In addition to reduced occupancy rates, other factors that cause a reduced infrastructure demand include reduced car ownership and trip generation (being the number of vehicle trips generated by seniors) and increased onsite community facilities. At a local or state government level, there is no regulated dispensation or reduction on infrastructure costs given to retirement living developers.

Together, the factors outlined above increase the per square metre cost of developing retirement villages when compared to standard residential development, and therefore reduce the project feasibility and the capacity of a retirement village developer to access and compete for sites.

PROACTIVE PLANNING POLICY EXAMPLE:



- ✓ Make retirement living a 'permissible'/'accepted' development in all residential and appropriate Community Use zones.
 - ✓ Remove the need for public advertising and appeal rights from 'permissible' applications.
 - ✓ Streamline the planning process for retirement living developments, for example, by enabling fast-track approval processes for retirement facilities such as 'Risksmart' in Brisbane.
 - ✓ Identify how to make more suitable land available for the development of retirement living communities.
- Refer to Section 7: Recommendations: A Generic Planning Policy – Strategic Policy and Regulatory, **Table 1** and **Figure 2** for further details and explanation.

6.3.3 Affordability

As noted earlier, consideration of housing options by seniors is impacted by other policy deterrents, for example stamp duty and means testing of the aged pension.

Issues of affordability and accessibility are interconnected. The matters listed in Section 6.3.2, being the additional cost imposts which affect site acquisition, are all matters that affect the ability to produce affordable product. **Figure 10** reflects industry feedback on those matters, and the change in retirement village products over the last 10 years. **Figure 11** reveals the natural tension that exists between serving the needs of the target market and the impact of land and additional cost imposts on project feasibility.

Figure 10 - Influential Factors Affecting Retirement Living

Respondents ranked the matters that have caused change in retirement village product over the last 10 years.

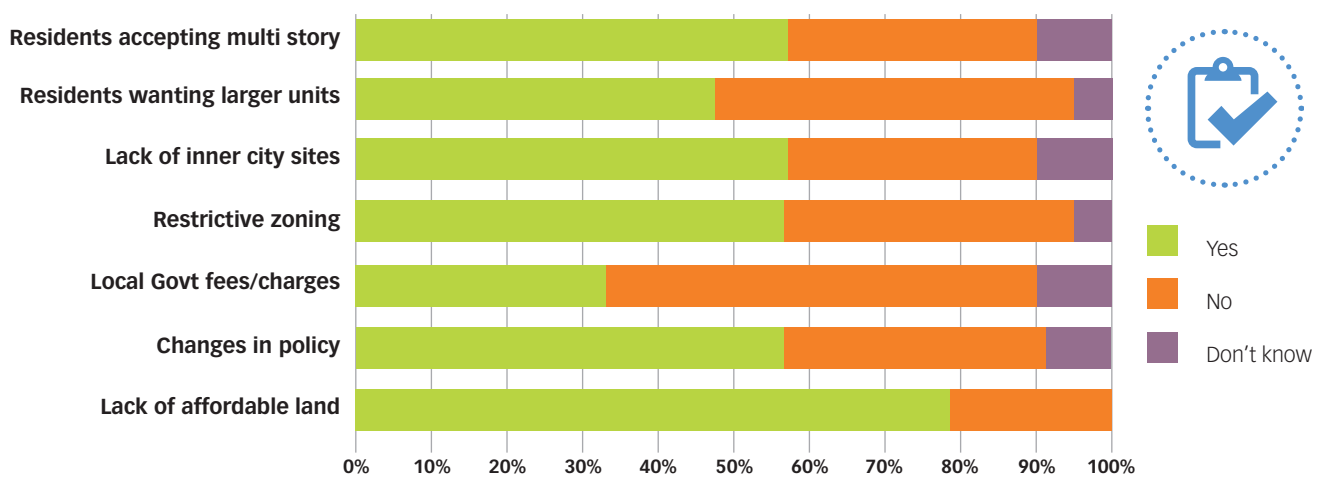
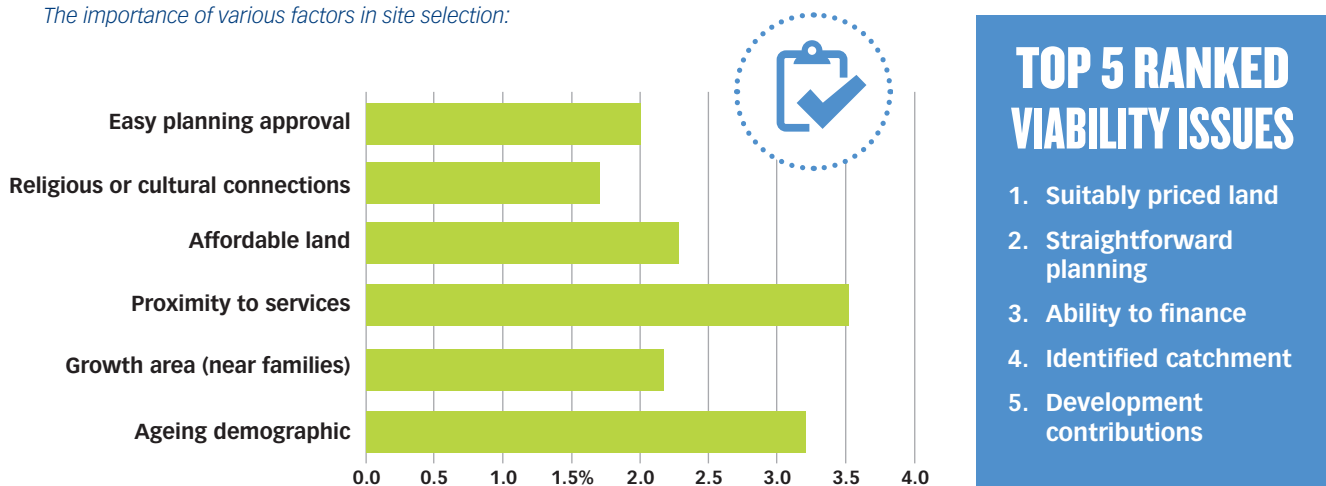


Figure 11 - Site Selection

The importance of various factors in site selection:



The majority of survey respondents will consider 'any size site' which indicates that desirable site size relates to location, suitability, land and other costs.

Key Findings

6.3.3 Affordability

Additional cost imposts, together with open market land prices, mean retirement village developments are often forced to look to fringe or outer ring areas. While retirement villages are in demand in these areas, they are also needed in the inner and middle ring suburbs where many seniors live (MacroPlan Dimasi, 2014). Within inner and middle ring areas, the contest with standard residential development for sites is greatest. Choices are therefore limited and a poor outcome results for seniors as many often need to move away from their established community and social networks if they want to live in a retirement village.

Infrastructure contributions and charges

As discussed in **Section 6.3.2** there is no evidence at a state government level that infrastructure contributions are reduced for retirement village developments. There is however reduced demand on infrastructure due to reduced occupancy rates (sewer and water loading), lower traffic generation and reduced demand for community infrastructure due to extensive onsite facilities. Despite this reduced demand, infrastructure charges are generally levied at rates applicable to standard residential development. Infrastructure charges rates need to be evidence based and fair.

ACCESSIBILITY and AFFORDABILITY – Factors which reduce the sector’s ability to achieve a ‘highest and best land use’ status required to acquire appropriate sites in comparison to residential development:

- Non-binding pre-sale of housing
- Resident price point expectation below median house price of the area
- Slightly larger dwellings – accessibility / retrofit
- IT costs – nursing, medical
- Cost of upfront build of communal facilities
- Challenges in maximising yield (due to above)
- Smaller target market than residential
- Longer lead time to ‘settlement’ with significant investment in prospective resident
- Longer term return – requires very patient capital
- No dispensation on infrastructure costs – though demand is different to residential for some infrastructure types.

75+ YEARS

entry ages of majority of residents



Shops and services, medical services and public transport are considered essential or very important in site selection for retirement villages.

PROACTIVE PLANNING POLICY EXAMPLE:



- ✓ Implement a suite of development bonuses/ incentives for retirement living developments, including plot ratio, site area, height, setbacks, carparking flexibility, and landscape area reductions.
- ✓ Implement trunk infrastructure credits for open space, recreation and community facility where developments provide specified private, communal open space or community facilities.
- ✓ Exempt or subsidise infrastructure charging for retirement villages.
- ✓ Give rate rebates for retirement living dwellings.
- ✓ Establish performance based design outcomes, not prescriptive outcomes.

Refer to **Section 7: Recommendations: A Generic Planning Policy – Strategic Policy and Regulatory, Table 1 and Figure 2** for further details and explanation.

CASE STUDY: Medium Density Residential Zone (RZ4 Zone): A RZ4 site was purchased within the Canberra area and was initially preferred for Retirement Development. Development of the site as a retirement community that consisted of communal facilities, a small number of semi-detached villas with majority of accommodation developed as multi-unit Independent Living Units up to 3-storeys in height was considered. Due to the planning limitations and zone requirements the site underwent significant feasibility assessment which resulted in the site only being commercially viable as a residential site. In this case the planning provision did not facilitate the development sufficiently to allow it to achieve the ‘highest and best use’ status.



6.3.4 Adaptability

Prescriptive policy inappropriate given broad range of providers and market desires

Based on the data gathered there is clearly a significant range of retirement living housing providers and products responding to an equally significant variation in market desires and needs of Australian seniors.

With this massive range, and based on industry feedback, it is clear that prescriptive policy regarding development outcomes and design are insufficiently flexible to respond to the diversity of providers and the market.

For example some providers need less than one car park per unit due to the market to which they are responding, while others require two car parks per unit.

The attitudes and expectations of prospective residents continues to change with the generations and therefore the housing product and the sector need to change and adjust accordingly. The industry is very aware of the changing expectations of their future residents.

Adaptability to allow regeneration and redevelopment of existing villages

Currently, the majority of retirement village facilities are single storey (refer **Figure 12**) and there is significant opportunity to respond to demand for retirement living housing with multi-storey, higher density product types and the regeneration of existing villages which are well located, often in middle or inner ring suburbs. While in some cases the existing zoning for pre-existing villages are helpful in facilitating redevelopment, these are often benefits created as a result of historic zoning. In other circumstances the historic zoning is restrictive and does not facilitate redevelopment.

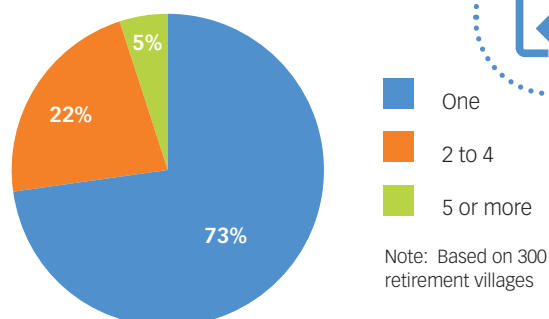
In some circumstances developers are seeking 'master plan' approvals over existing villages to facilitate long term redevelopment of existing assets, and to realise opportunities for providing additional dwellings within these otherwise underutilised facilities.

Adaptability of dwellings to improve access and mobility

As outlined in **Section 6.3.2**, 'accessible' dwelling design requirements are often rigidly imposed with unreasonable impact on cost and market take up, where potential residents often do not need or want such mobility and accessibility aides at the time of moving in.

Figure 12 – Built Form of Existing Villages

Villages with five or more floors are predominately operated by the large scale national operators.



Universal design standards are increasingly being applied to private and social housing. Although there are significant benefits from applying these standards, and voluntary adoption should be encouraged, the higher costs mean that mandating their application for all new dwellings is not warranted at this stage.

(Productivity Commission, 2011, p275)

PROACTIVE PLANNING POLICY EXAMPLE:



- ✓ Permit dwellings to be adaptable to future accessibility needs rather than mandate upfront the construction of these features.
- ✓ Articulate design guidance rather than mandated outcomes for retirement villages e.g. Infill Development of Older Australians in South East Qld or Silver or Gold Liveable Housing Design Guidelines.
- ✓ Facilitate and incentivise the redevelopment and regeneration of existing retirement villages through supportive zoning and development conditions.

Refer to Section 7: Recommendations: A Generic Planning Policy – Strategic Policy and Regulatory, **Table 1** and **Figure 2** for further details and explanation.



Currently, the 'typical' retirement village facility is a single storey facility located in the middle/outer suburbs. Other sites and development forms (quite a degree of variation) are explored dependant on suitable/appropriate sites.

Key Findings

6.3.5 Attitude

Based on industry feedback, it is clear that a proactive and facilitative local government culture can make a substantial material difference in enabling retirement living development. A proactive and facilitative local government can outweigh the negative implications of many other constraints and challenges in the planning provisions and approval processes.

In some cases, state government policy positions are undermined by other levels of government. For example local governments choosing to 'opt out' of standard library/template provisions in Western Australia or some New South Wales local governments use of 'environmental issues' to avoid achievement of a Site Compatibility certificate under the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004, Part 1a.



Which states do you consider best cater to retirement village development or expansion?

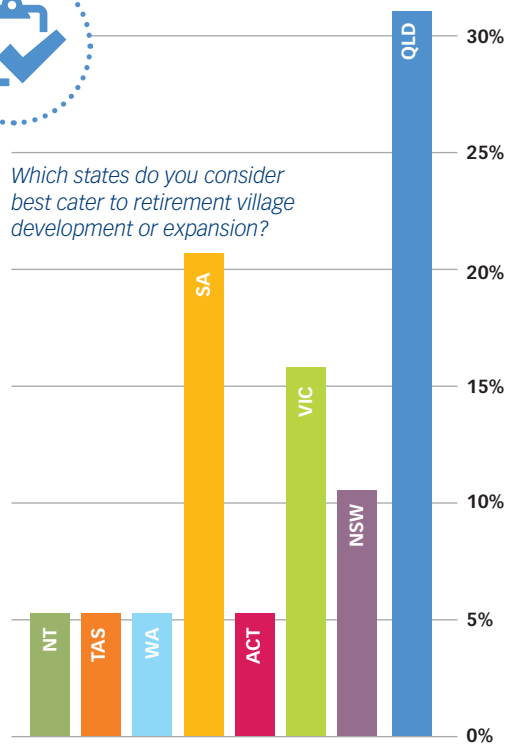


Figure 13 - States that Best Cater to Retirement Living Development

Based on the survey results, retirement living development is easier and more facilitated in Queensland than other states, followed by South Australia and Victoria. Refer to **Appendix A** for further discussion regarding this matter.

Considering the Queensland experience in the development sector, a range of factors can assist in creating a proactive local government culture towards facilitation of retirement living development. For example:

- Knowledge and understanding of retirement living development
- Effective and streamlined development assessment processes
- A flexible, non-prescriptive approach with an outcome focus
- A facilitative, pro-seniors housing approach with leadership from elected representatives
- The nomination by the elected representatives of seniors housing supply and choice, in this case, retirement village as a priority issue for a community/ local government area, and clear communication to the broader constituents about this need and priority issue.

PROACTIVE PLANNING POLICY EXAMPLE:



- ✓ Lead from the top. Introduce cultural change programs across the state that:
 - Acknowledge the role of retirement villages in providing housing and choice to seniors as well as the economic and social contribution of villages to the wider community.
 - Acknowledge the role of government in proactively facilitating the supply of retirement living housing.
 - Ensure retirement village facilitation is the responsibility of state Housing Departments.
 - Establish state-wide incentives and policy positions within standardised instruments and libraries which are mandatory for local government inclusion in local plans and planning schemes.

CASE STUDY: A project located in the inner/middle ring of Sydney involved a 240 independent living units extension to an existing facility. The development included independent living units, serviced apartments and low and high care apartments. The site was zoned as a special use area and upon submission of the original application the local government was opposed to the project. After 23 months of negotiation, pro-active support from the state government and the developer purchasing an existing facility located on the adjoining site, the development was approved.

While the project was eventually approved there were various issues and delays that the developer had to work through before the local government would consider the application. It is also noted that since the approval was obtained, the State Environmental Planning Policy was amended thus rendering similar development unfeasible on the site.



Recommendations

A Generic Planning Policy – Strategic Policy & Regulatory

Summary

There is enough complexity surrounding retirement living developments without unnecessarily cumbersome, risk intolerant or reactive planning policy adding to the challenge. Retirement village development applications are ordinarily 'low risk' and provide a significant net overall benefit to the community. It is clear from the research that there are many more challenges and regulatory layers which impact on retirement village development compared to other residential development. These additional layers cause retirement village developments to be less competitive when contending for sites on the open market, as retirement villages are often not the most viable developments for well-located sites. This sector needs to be able to compete on an equal footing with residential developers. There is a social and community imperative to provide housing choices that enables choice to our ageing population in all areas – retirement villages can represent the most appropriate (or 'highest' and 'best') land use in a range of locations. Proactive planning policy is necessary to assist the market to improve the relative viability of retirement villages in expensive areas.

This report recommends a range of proactive policy initiatives. In addition to a need to improve awareness and develop a proactive attitude within government, a number of the key policy recommendations focused on the below details is recommended. This is consistent with industry feedback as seen in **Figure 14**.

- **Zoning** - strengthened support for retirement villages in a broader suite of zones
- **Incentives** – strong incentives to improve development yields
- **Infrastructure** – reduced infrastructure contributions
- **Assessment timeframes** – easier and faster assessment paths to approval including no public advertising or third party appeal rights
- **Dwelling targets** - establish retirement living dwelling targets
- **Outcome focused** – flexibility in planning provisions: less prescriptive
- **Social benefit** – a focus on need and the society benefits of age adaptive housing in appropriate locations.

Refer to **Figure 2** for Summary of Key Recommendations.



A proactive and facilitative approach by local government trumps incentives in terms of encouraging development of retirement villages!

The MacroPlan Dimasi 2014 report provides the following general recommendations:

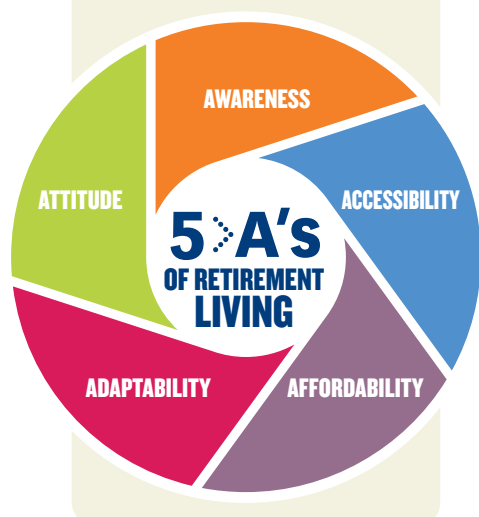
- The need for housing choice (age appropriate housing where people can maintain access to their local communities).
- Specific attention to the middle ring suburbs that host the majority of our elderly population.
- The mixed policy message created by "ageing in place" supported by various government agencies which is at odds with the typical underutilisation of housing stock occupied by the 65+ population.
- Downsizing (moving to age appropriate housing) is considered to be discouraged by ageing in place policies and current taxation/pension provisions.
- The opportunity to joint venture (PPPs) on surplus government sites.
- Other fiscal incentives (stamp duty exemption) to encourage downsizing.

Recommendations

A Generic Planning Policy – Strategic Policy & Regulatory

Figure 2: Proactive Planning Policy – Key Recommendations

The retirement living industry is willing to work with governments to implement these changes.



AWARENESS

1. Improve understanding of state and local governments about what retirement villages are and aren't, so that Australia is well placed to respond to the need for more age appropriate housing for its growing seniors' population.
2. Amend state or regional/metro planning instruments or guidelines to:
 - Insert an explanation of what a retirement living community is
 - Establish retirement living dwelling targets based on demographic data
 - Outline preferred design requirements, particularly for multi-storey development
 - Remove obstacles to the integration and co-location of villages with community facilities and other uses, such as aged care, medical facilities and convenience retail or cafes.

ACCESSIBILITY

3. Make retirement living a 'permissible'/'accepted' development in all residential and appropriate Community Use zones.
4. Remove the need for public advertising and appeal rights from 'permissible' applications.
5. Streamline the planning process for retirement living developments, for example, by enabling fast-track approval processes for retirement facilities such as 'Risksmart' in Brisbane.
6. Identify how to make more suitable land available for the development of retirement living communities.

AFFORDABILITY

7. Implement a suite of development bonuses/ incentives for retirement living developments, including plot ratio, site area, height, setbacks, carparking flexibility, and landscape area reductions.
8. Implement trunk infrastructure credits for open space, recreation and community facility where developments provide specified private, communal open space or community facilities.
9. Exempt or subsidise infrastructure charging for retirement villages.
10. Give rate rebates for retirement living dwellings.
11. Establish performance based design outcomes, not prescriptive outcomes.

ADAPTABILITY

12. Permit dwellings to be adaptable to future accessibility needs rather than mandate upfront the construction of these features.
13. Articulate design guidance rather than mandated outcomes for retirement villages e.g. Infill Development for Older Australians in South East Qld or NSW Silver or Gold Liveable Housing Design Guidelines.
14. Facilitate and incentivise the redevelopment and regeneration of existing retirement villages through supportive zoning and development conditions.

ATTITUDE

15. Lead from the top. Introduce cultural change programs across the state that:
 - Acknowledge the role of retirement villages in providing housing and choice to seniors as well as the economic and social contribution of villages to the wider community
 - Acknowledge the role of government in proactively facilitating the supply of retirement living housing
 - Ensure retirement village facilitation is the responsibility of state Housing Departments
 - Establish state-wide incentives and policy positions within standardised instruments and libraries which are mandatory for local government inclusion in local plans and planning schemes.

Policy Framework

Two levels have been outlined for a proactive 5 A's Planning Policy Framework in **Table 1: A Generic Planning Policy – Strategic Policy and Regulatory**.

- Strategic Policy Level:** At a broad policy level, strategic outcomes have been articulated to identify the issues for retirement living developments that can be assisted via planning instruments. Such strategic instruments may be, for example: state plans, state or regional housing strategies, regional or metropolitan plans. Each instrument is at or near the top of the planning hierarchy, and therefore can influence the direction, priorities and the content of instruments which sit below them in the hierarchy, including local government Planning Schemes. These policies need to be direct in their response to the issues challenging the supply of retirement living facilities, whilst also recognising the range of housing options existing and emerging to respond to the housing needs of an ageing population.
- Strategic Regulatory Level:** These planning instruments sit below the strategic policy level. These instruments have a direct relationship and interface with how a policy initiative is implemented, and directly impact on planning scheme development as well as development assessment. These instruments can have teeth! Such regulatory instruments may for example include: Standard provisions/library (for the drafting of planning schemes), regulatory provisions or codes (attaching to a state planning policy) or overlays covering the state for a particular matter, or a region/geographical area.

Figure 15 - Influence of 5 A's

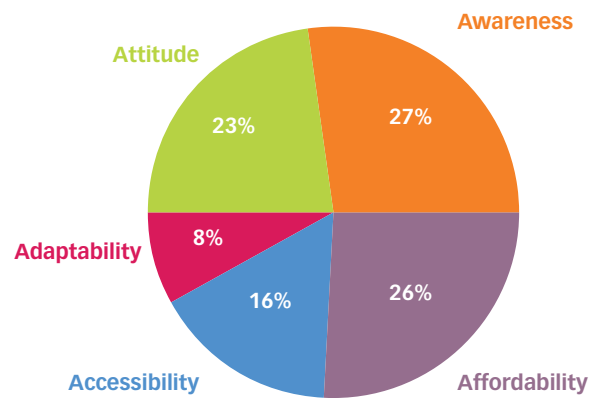
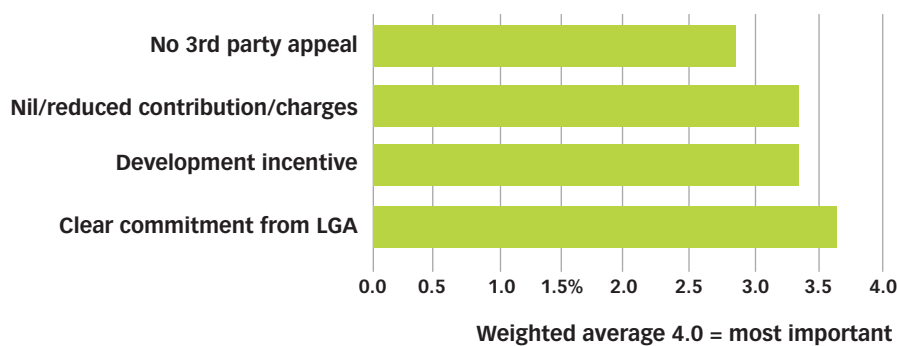


Figure 15 is a weighted representation of the 5 A's based on all of the issues raised throughout the research (refer to **Figure 5: Issues Matrix**). Clearly Affordability and Accessibility issues are inextricably linked as are Awareness and Attitude. Prioritised attention to even one of each of these paired themes will create significant opportunities to facilitate retirement village development.

OVERRIDING RULE: 'KEEP IT SIMPLE'



Figure 14 - Planning Initiatives that Support Development



It is interesting that a clear commitment from local government is more important than reduced infrastructure charges or development incentives.

Recommendations

A Generic Planning Policy – Strategic Policy & Regulatory

Table 1- 5 A's Framework: A Generic Framework for Proactive Planning Policy

AWARENESS	
Issues	
<ul style="list-style-type: none"> • Growing issue - providing appropriate housing in appropriate location to allow 'ageing in community' (Government and community) • Inadequate understanding of retirement living by policy makers / government and community • Treated as 'residential' though many significant differences (e.g. downsize + cash vs. upsize / upgrade + mortgage) • Lack of information and explanation regarding retirement living (and related issues) within high level planning instruments/guidelines • 'One size fits all' policy approach – aged care, retirement living, persons with disability, often all captured and addressed under same policy provisions • Significant ageing population in areas not readily supplied by retirement living facilities (e.g. Inner & middle ring) • Difficult to facilitate ageing in community' and mix / integration with community and activity, including encour ageing public into facilities where planned and appropriate 	
Opportunity – A Proactive Planning Policy Response	
Strategic Policy ¹	Strategic Regulatory ²
<ul style="list-style-type: none"> • Acknowledge the need to meet a diverse housing demand for an ageing population with an appropriate range of housing choices • Outline what retirement living development is and how it is different to residential development • Acknowledge that retirement living needs to be facilitated to allow 'ageing in community' and should not be marginalised to fringe areas or isolated • Promote the integration and co-location of retirement living within traditional residential development and centres, including regional centres, inner-city areas and major community infrastructure nodes, where appropriate 	<ul style="list-style-type: none"> • Provide commentary on retirement living – what, how, who, drivers, challenges and related operating regulation • Influence local government plan making and development standards to promote a choice of housing options for an ageing population, particularly in established urban areas and neighbourhoods and including for multi-storey developments to facilitate 'ageing in community' • Establish retirement living dwelling targets based on demographics. • Implement performance based, mandatory, minimum benchmarks (incentivised) for retirement living • Incentivise traditional residential development (detached and attached) that reserves a certain percentage of dwellings for retirement living [similar to affordable housing schemes]
ACCESSIBILITY	
Issues	
<ul style="list-style-type: none"> • Substantial additional challenges / constraints cause site acquisition to be difficult. For example: <ul style="list-style-type: none"> • Non-binding pre-sale of housing • Need price point under median house price – generally resident expectation • Slightly larger units – accessibility / retrofit • IT costs – nursing, medical • Upfront build cost - communal facilities • Haven't historically maximised yield (for above reasons) • Smaller target market than residential • Longer lead time to 'settlement' and long 'investment' in resident / purchaser • Longer term return – requires very patient capital • No dispensation on infrastructure costs – though demand is different to residential. • Application processes, public involvement and appeal rights often further challenge in circumstances where response to these housing needs should be considered a priority and as generally 'low risk' applications. 	
Opportunity – A Proactive Planning Policy Response	
Strategic Policy ¹	Strategic Regulatory ²
<ul style="list-style-type: none"> • Recognise the different, and competing requirements of land for retirement living and traditional residential development • Identify specific requirements for the delivery of land for retirement living 	<ul style="list-style-type: none"> • Designation of community facility land to explicitly support retirement living where community facility / use is no longer needed (e.g. Community Use) to support the development of retirement living and associated uses • Broaden the suite of zones/land use designations that identify retirement living as a permissible use (no public advertising of applications or third party appeal rights)

AFFORDABILITY	
Issues	
<ul style="list-style-type: none"> • Consideration of housing options impacted on by other policy deterrents e.g. Stamp duty, pension thresholds • Currently 'uneven playing field' in terms of site acquisition and rarely is any acknowledgement given for the reduced load on certain infrastructure types by retirement living development (also refer to accessibility issues) 	
Opportunity – A Proactive Planning Policy Response	
Strategic Policy ¹	Strategic Regulatory ²
<ul style="list-style-type: none"> • Recognise the financial constraints faced by an ageing population in relation to home ownership and need for flexible ownership/rental schemes and structures • Acknowledge/outline that retirement living is unable to compete with traditional residential land to deliver a 'highest and best land use' and consequently incentivise to facilitate competitiveness in site acquisition and encourage/facilitate supply 	<ul style="list-style-type: none"> • Incentivise retirement living through a suite of development bonuses (e.g. increased GFA, site area, height, open space reductions, landscape area reductions and car parking flexibility) where it can be demonstrated that it compliments existing and future land uses or serves locality need – a net community benefit test • Incentivise retirement living through infrastructure charges subsidies, exemptions or (at worst) deferred payment to later stages of development • Implement trunk infrastructure credits for open space, recreation and community facility where developments provide specified private, communal open space/community facilities for residents • Implement rebates on rates for retirement living dwellings
ADAPTABILITY	
Issues	
<ul style="list-style-type: none"> • Significant range of providers responding to significant variation in market desires/needs • Current policy very prescriptive and insufficiently flexible to respond to diversity in providers and market • Unrealised/not facilitated opportunities to respond to demand by regenerating existing villages • 'Accessible' dwelling design requirements often rigidly imposed with impacts on product cost and market take up vs. adaptable design and resident preference to have readily altered / retrofitted as aided mobility demand increase 	
Opportunity – A Proactive Planning Policy Response	
Strategic Policy ¹	Strategic Regulatory ²
<ul style="list-style-type: none"> • Identify a range of housing choices that align with lifestyle choices and needs of an ageing population now and in the future • Acknowledge the planning framework needs to accommodate the specific development and operational needs of retirement living • Acknowledge that existing product/facilities require renewal and regeneration and can offer additional retirement facility stock if redevelopment is explicitly supported/facilitated 	<ul style="list-style-type: none"> • Permit the ongoing adaptation of retirement living specific dwellings to meet the needs of the resident over time rather than requiring full mobility assistance/design etc upfront • Incentivise renewal, modification and upgrade of existing retirement living stock • Implement performance-based design specific to individual housing choices and lifestyle needs • Reference accepted design outcomes for retirement villages eg. <i>NSW Silver or Gold Liveable Housing Design Guidelines or Infill Development for Older Australians in South East Queensland</i>
ATTITUDE	
Issues	
<ul style="list-style-type: none"> • Proactive and facilitative local government attitude can make substantial material difference in enabling Retirement Living development. In some cases state initiatives are thwarted by local government 'opting out' of policy provisions 	
Opportunity – A Proactive Planning Policy Response	
Strategic Policy ¹	Strategic Regulatory ²
<ul style="list-style-type: none"> • Respond to the need to better facilitate retirement living in order to address a rapidly growing ageing population's housing needs 	<ul style="list-style-type: none"> • Encourage retirement living through streamlined approval process e.g. lowest-order level of assessment, permissible use subject to conditions, no third party appeal rights • Seek fast-track approval processes for retirement facilities e.g. Risksmart in Brisbane • Adoption of more lifestyle appropriate aspirational terminology e.g. 'active adult', 'independent living', 'assisted living' and 'memory care' as used in the United States • Establish state based incentives and policy positions within standardised instruments and libraries which are mandatory for local government inclusion local plans/planning schemes

Recommendations

A Generic Planning Policy – Strategic Policy & Regulatory

Commentary

In regards to the recommendations within **Table 1**, it is worth noting a number of matters:

- **Existing policy instruments provide a useful tool to support recommendations.**

The existing standardised modules/codes used in a number of the States (e.g. South Australia, Western Australia Queensland, New South Wales) provide a useful tool, as these can be readily used to accommodate the recommended policy initiatives.

- **Local plan making and state standardised instruments/templates should recognise the 'low risk' nature of retirement village development applications and remove additional layers of subsequent consultation.**

Acknowledgement within standardised instruments (and therefore planning schemes/local plans) need to establish lower and less cumbersome levels of development assessment, removal of public notification and removal of third party appeal rights. This position encourages improved engagement by governments with the community at the plan making stage, such that the community does not need to engage on these types of applications at the development application stage. This should be a reasonably supportable position, particularly if the broader community and social benefits are well communicated and understood. That is, the 'net social benefits' of providing age appropriate housing choices to allow seniors to continue to age within and contribute to their community/ neighbourhood.

- **Policy initiatives within standardised planning instruments/templates/libraries cannot be optional for inclusion in local plans and planning schemes.**

A planning instrument cannot readily influence culture and attitude of a local government in encour ageing or discour ageing senior living developments. However, to the extent it can influence behaviour and attitude, such instruments need to be more stringent about what matters are and are not optional within standardised policy or code libraries. Based on industry feedback, in numerous cases local governments with non-proactive/unsupportive attitudes to retirement development (or any development) are opting out of the 'optional' provisions which would otherwise assist retirement development.

- **Policy initiatives can improve affordability.**

Combined, the policy recommendations seek to improve affordability by assisting a retirement village developer to better accommodate the land cost within the overall project feasibility, and therefore match the price point expectations of value conscious seniors. Improved project feasibility and appropriately priced housing are aided by:

- Reduced, or at least delayed infrastructure costs
- Increased yield opportunities
- Supportive zoning and lower level assessment for applications, and therefore faster application processing
- The prospects of flexible provisions to allow easy alignment of housing product to the numerous unique markets.

- **Improved development viability will redress marginalisation of retirement villages to fringe and difficult sites and facilitate their development in needed locations.**

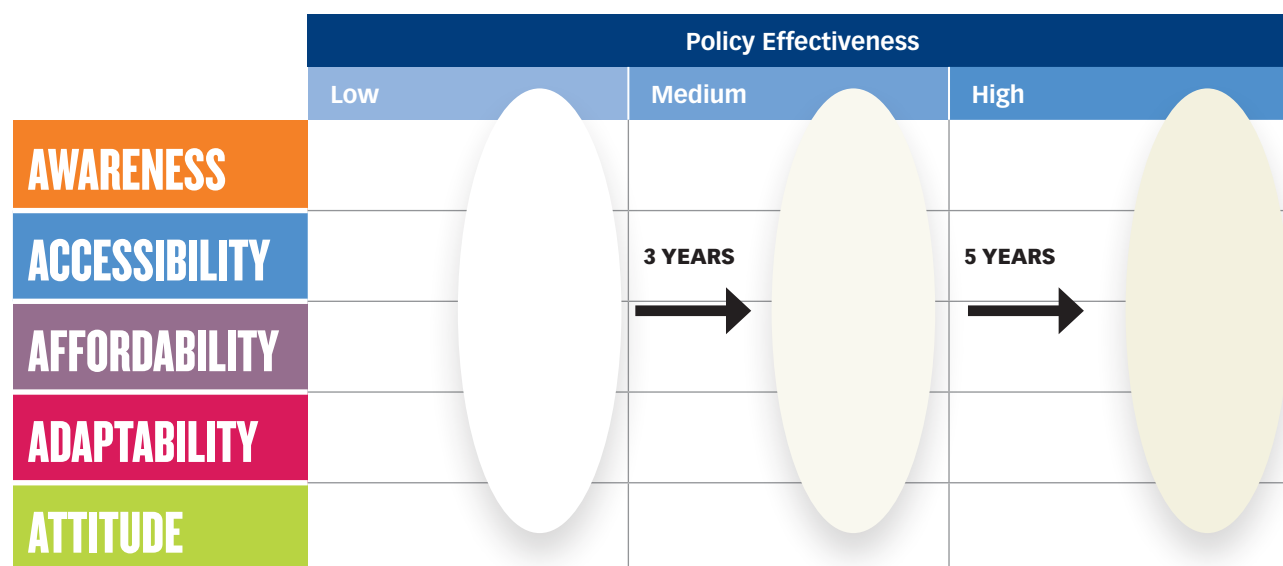
All of the suggested initiatives are designed to make retirement living developments more able to compete as the most viable use for a site. Ultimately, this facilitates the achievement of the 'highest' and 'best' use of the site. This is currently rarely the case when competing with standard residential (greenfield or infill) development, and forces acquisition of cheaper fringe or difficult sites, not necessarily where the greatest demands from seniors are.

- **'Community Use/Facilities' zoned land can strongly facilitate retirement village development.**

'Community use' or facilities zoned land is located throughout cities and towns, including within the inner and middle ring suburbs where currently the supply of retirement villages is not apace with the number of seniors living in those areas. Community use land, at times, becomes surplus to government need and is generally divested on the open market. Such land which (where appropriate) allows retirement village developments as 'permissible' (that is, requiring the lowest level of assessment) will improve the prospects for retirement village developers to compete for such sites against other 'mainstream' residential land uses. The process required to gain approval would be faster, lower risk and less costly, compared to other uses not explicitly supported by the zone.

Setting the Target – Assessing new initiatives and monitoring progress

Figure 16 – Spectrum of Policy Effectiveness - The Vision for 3 to 5 years



8.1 How?

Ongoing Assessment and Monitoring Tools

- **The 5 A's Framework - A Generic Framework for Proactive Planning Policy** can be used by advocates as a base line policy outcome against which to consider new government land use policy initiatives that affect retirement living. Advocacy towards the policy recommendations can be articulated, and the issues outlined within **Table 1** and **Section 6** of this report can be put forward to justify the position. The advocacy graphic contained within the Executive Summary can also be used for this purpose.
- **Alignment with existing planning instruments - Appendix B, 'Outline of State and Territory Policies and Instruments,'** provides a table which outlines the relevant, existing policies and instruments for each of the States and Territories. The far right column of that table also considers how the generic strategic policy and regulatory recommendations (from The 5 A's Framework - A Generic Framework for Proactive Planning Policy) will likely align with the existing State/Territory policy framework.
- **Low, Medium, High Effectiveness Spectrum** – Cascading Policy Framework - Spectrum of Policy Effectiveness, **Appendix C,** provides a description of the characteristics that are considered to constitute policy with a Low, Medium and High level of effectiveness. This spectrum can be used to consider if a state instrument or even local government instrument has moved along the spectrum to deliver a more effective policy outcome.

8.2 Setting the Target

Over time the objective is to improve policy effectiveness within the states/territories by seeking adoption of as many of the recommended policy initiatives as possible and particularly the key initiatives mentioned. It would be appropriate for industry to have an expectation that, with engagement by state/territory and local governments, the effectiveness of planning policy in facilitating retirement village development would have progressed along the 'Spectrum of Planning Policy Effectiveness' towards 'Medium'/'High' within the next 2 to 3 years and 'high' within the next 5 years. This progress is conceptually represented with **Figure 16** Spectrum of Policy Effectiveness – The Vision for 3 to 5 years.

Conclusions



- Regulation of the business model and its cost impact seriously constrain the retirement village sector's capacity to play its part in responding to the expected increased demand for this type of housing.
- The State and Territory Governments have the capacity and reform levers to lead change with proactive, land use planning policy.
- This provides the potential for a quick, integrated and prioritised response to this looming challenge.
- A rapid response is required. Land use policy is one key success factor to achieving an appropriate response. Recommended key land use policy stimuli include:
 - **Zoning** - strengthened support for retirement villages in a broader suite of zones
 - **Incentives** – strong incentives to improve development yields
 - **Infrastructure** – reduced infrastructure contributions
 - **Assessment timeframes** – easier and faster assessment paths to approval including no public advertising or third party appeal rights
 - **Dwelling targets** - establish retirement living dwelling targets
 - **Outcome focused** – flexibility in planning provisions: less prescriptive
 - **Social benefit** – a focus on need and the net social benefits of providing age appropriate housing in appropriate locations.
- If the states/territories seize this opportunity and respond with planning policy support, the private and not-for-profit providers will respond, to the benefit of the community, by providing age appropriate housing to allow seniors to age in their own communities

.....

Planning policy initiatives to facilitate retirement village development must be kept simple and outcome focused. The community benefit that these developments provide must be front of mind. The achievement of a 'net community benefit' is the test for these developments when faced with unreasonable or 'micro' level issues.

.....

Download this report and other research about retirement living at www.retirementliving.org.au/research

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Appendix A

The 5 A's of Retirement Living – The Planning Issues Explained

1.1.1 Awareness

The challenge: Provide appropriate housing choices in appropriate locations to cater to ageing population.

The need to provide a choice of appropriate housing in appropriate locations for an ageing population is recognised in many of the state level strategic planning documents, and in the retirement living sector's discussions with governments, and also in the broader community.

Based on the survey data and industry discussions however, it is clear that the industry experiences a lack of breadth and depth in understanding of the sector at all levels of government. This lack of comprehensive understanding translates to policy which in some cases have positive aspirations but which do not deliver the desired outcomes. They do not effectively or materially improve the ability of the sector to respond to this specific housing need. There are several areas that reflect the need for improved awareness as listed below:

State department with jurisdiction

At the crux of this 'understanding' issue is the fact that retirement living development has in most states to date been driven from a consumer perspective (with core consideration around the 'care' aspects of retirement living) without the equally necessary focus on the sector's imperative and capacity to provide housing and its place within the development sector. This is clearly reflected by the fact that in all states with the exception of Queensland, the state government department with primary jurisdiction for retirement villages does not relate to housing or planning and development. Refer to **Section 6.3.1, Figure 7: State Department Jurisdiction**

The dominance of the Retirement Village Act (or equivalent in each of the states and territories) in the way it controls and impacts on certain management delivery or funding and contractual aspects of Retirement development appears to distract any focus from 'retirement villages' as part of the development sector providing housing for older Australians.

Different to residential development

The second key challenge in terms of an understanding of the retirement village sector is the fact that in all cases retirement villages are considered to be, and treated as though, they are the same as other residential development.

Clearly retirement living developments provide housing to a certain cohort of older Australians, however it has many significant differences when compared to detached or attached dwelling residential development.

Underlying the differences between retirement villages and standard residential development are important drivers which influence the decision making of potential retirement village consumers. This is that generally for standard residential development a potential purchaser will look to 'upsize' or improve their housing situation, for example by choosing a larger home or apartment, seeking improved views, improved access to desirable centres and open space. In this context those purchasers will generally also be more comfortable with spending more money on such a premises and often thereby accepting an

increased mortgage.

By contrast those entering the retirement living market will generally seek to 'downsize' into a smaller detached home, villa or apartment by way of reducing the cost of the home and the size of the home compared to the premises from which they are moving - their intention being to 'downsize' and free up funds for their retirement.

The significant differences between retirement village development and standard residential development and the fact that they are essentially treated the same in planning instruments has considerable implications for the ability of the sector to deliver housing and respond to demand.

'One size' does not 'fit all'

A number of states, for example Western Australia and New South Wales, have policies/standard code components which apply to aged care, retirement living, and people with disabilities. For the sector, this 'one size fits all' approach is problematic at the implementation level. For instance, there are many examples of where the improved accessibility and mobility requirements of these policies have been vehemently insisted upon by councils. Such cases cause substantial delays in development applications or unnecessary cost in construction - in circumstances where the retirement living product being constructed does not need the additional accessibility and mobility features upfront. That is, if such features were included in the development upfront the target market would not have purchased the housing. It is important to note that in these cases the majority of this product is generally constructed to be readily retrofitted when additional accessibility and mobility features are required. Housing designed in this way up front is commonly referred to as 'adaptable housing'. For many residents these features are not desirable to have in place upfront but desirable if able to be readily adapted as needed in the future.

Integration with the community

As is widely facilitated in planning instruments throughout the country, development in close proximity to services and facilities including retail and recreation, for example dining facilities, is considered highly desirable. This is of course also true for retirement living development, for medical, transport and community facilities, but also more broadly for uses which facilitate community integration – bringing the community together with the retirement living facility.

Where appropriate, the benefits are broad and reciprocal for both the surrounding community and the residents. For a range of reasons however this does not always prove to be an easy outcome for those retirement living developers seeking to better integrate the development with the surrounding community and activity.

Where appropriate and feasible more providers are seeking to integrate retirement living developments with a mix of community and recreational facilities, for example medical facilities, cafes, pharmacies, and retail activities. The planning instruments at a state level do not go far enough to actively encourage or incentivise an integration of uses where appropriate. It is noted

however, that such integration should not be mandated and 'required', but incentivised. As outlined below, there are already sufficient additional stringently imposed regulation on retirement village developers to challenge their capacity to deliver appropriate housing.

Community and political awareness at land use plan making stage – 'low risk' applications

Greater political, and more broadly, community awareness of the growing issue of providing appropriate housing for an ageing population is needed.

The existing plan making and development assessment processes do not facilitate an easy path through which to navigate at times overly cautious community members in regards to retirement village developments.

Often overly complex and involved development applications, requiring inappropriately high levels of assessment, are an additional constraint and challenge to the provision of housing for an ageing population. Retirement living developments are of a similar nature to residential development in terms of their interface with surrounding land uses. They can reasonably be expected to be generally 'low risk' type applications, considering their likely minimal effects on surrounding land uses, as well as the broader community and social benefits of providing a needed housing choice.

1.1.2 Accessibility

There are substantial additional constraints and features of retirement living development that affect its ability to compete on the open market for sites in appropriate locations.

The most significant issue identified by the survey and highlighted in every discussion and workshop held in regards to this project was the challenges faced by the retirement living sector in acquiring sites. This is due to the constraints on their ability to match other land uses as a viable land use (and therefore to deliver a 'highest and best land use') when competing on the open market for sites.

The constraints include:

The non-binding pre-sale of housing

Due to the provisions of the various state and territories' Retirement Village Acts, developers of retirement living housing are not able to rely on pre-sales of dwellings in the same way that standard residential developments can rely on pre-sales to secure funding for a project. This is due to the fact that whilst a potential resident may place a deposit on a home (be it a villa, unit or detached house), under the retirement villages legislation, that deposit is not able to be retained if the potential purchaser chooses to withdraw from the contract of sale. Therefore pre-sales cannot as readily be relied upon by the developer to demonstrate market take up and assist in the funding of the project.

Price point driven by purchaser 'downsizing' expectations

The need for the price point of a dwelling to be under the median house price of the surrounding area is one driver that critically influences the product type, target market and feasibility of a retirement village. The reason for this is due to the financial context within which potential residents make their decision to purchase a retirement living dwelling. Purchasers of retirement village dwellings generally seek to 'downsize' and free up funds whilst residents of standard residential developments seek to 'upscale/upgrade', which will generally increase their mortgage.

Slightly bigger dwellings

Due to the desirability of providing units which are readily retrofitted and adaptable to improve accessibility/ mobility, units or dwelling homes are often slightly larger and therefore involve a higher cost to build than what would be the equivalent dwelling in the standard residential market.

IT costs

The costs associated with making additional monitoring and medical care available or adaptable increases the per square metre cost of the retirement living development.

Communal facilities

For standard residential development, communal facilities, if proposed, will often be constructed at a later stage in the development there-by postponing the need for the cost of construction of that facility until a point in the development where it is more feasible to bear the cost. Retirement living facilities are generally built such that the shared communal facilities are constructed and available upfront when the first resident moves into the facility. This is due to the expectations of purchasers/ residents and accordingly developers of retirement living facilities need to respond and do respond to this expectation.

Yield implications

For the reasons outlined in the points above, retirement living facilities have historically not been able to maximise their yield, and therefore the return on the purchase of the land both in terms of per unit cost and per square metre cost are lower than what would otherwise be able to be achieved with a standard residential development. Whilst this equation may change somewhat over time with the increase of multi-level apartment style complexes, the factors that impact on per unit, square metre cost and yield will remain.

Different market characteristics

While the population is ageing and therefore the market interested in retirement living housing is increasing, the market for this housing type is smaller than the broader residential market. This obviously has implications for the time taken to sell constructed product.

Furthermore, there is a longer lead time to settlement on a retirement village dwelling than on a standard residential development, and a generally more significant investment of time and additional support in the potential purchaser/resident of a dwelling by the developers/operators. This is generally due to the

Appendix A

time taken to make a decision to move from a family home with such a decision often involving the broader family members. It is also due to the time taken to sell the family home once a decision has been made. In a number of instances developers are also providing bridging finance to assist in this transition.

Long term return on investment

Standard residential product is developed and then in most cases sold to a new owner with a relatively immediate return to the developer. The use of a retirement village dwellings however, is secured by a resident payment for a lease or licence. The return on a developer's capital does not occur until there is a change over from one resident to another, that is, where one resident may move out of the retirement village, with another resident moving in and securing a new lease or licence. With the average length of stay being 9.8 years (survey result), the capital invested in such development must be extremely 'patient' and this alone restricts the involvement of some potential investors in the sector.

Infrastructure costs

Demand on different types of infrastructure is less for retirement living developments for example in some cases traffic and open space networks, due to a range of factors. These factors include, for example, reduced car ownership and trip generation, reduced occupancy rates, and increased onsite community facilities. At a state government level, there is no regulated dispensation or reduction on infrastructure costs given to retirement living developers. Whilst Queensland does have a state infrastructure charging regime which provides the prospect of some recognition of the reduced demand on some types of infrastructure by retirement living developments, the local government adoption and implementation of the available policy position is not extensive.

Together, the factors outlined above increase the per square metre cost of developing retirement villages when compared to standard residential development, and therefore the project feasibility and the capacity of a retirement village developer to complete for sites.

1.1.3 Affordability

As noted earlier, consideration of housing options by seniors is impacted on by other policy deterrents, for example stamp duty and the thresholds for the aged pension.

Affordability and Accessibility are of course completely interconnected.

The matters listed in **Section 1.1.2**, being the additional cost imposts which affect site acquisition, are all matters that affect the ability to produce affordable product.

These additional cost imposts together with open market land prices mean retirement village developments are more often forced to look to fringe outer ring areas. Retirement villages are in demand in these areas, however they are not readily made affordable in the inner and middle ring suburbs where many senior aged over 65 years live (MacroPlan Dimasi 2014). Within these areas the contest with standard residential development for sites is of course greatest. Choices are therefore limited and

a poor outcome results as people need to move away from their established community and social networks if their housing of choice is a retirement village.

Infrastructure contributions and charges

As mentioned, here is no evidence at a state government level that infrastructure contributions are reduced for retirement village developments. Infrastructure charges are generally levied at rates applicable to residential development. There is however evidence that retirement village developments place lower demands on infrastructure.

This is as a result of occupancy rates and demand on certain services being lower than standard residential development, such as car parking rates, open space provision, community facilities, water, sewer and transport infrastructure charges. In addition to reduced occupancy rates, other factors that cause a reduced infrastructure demand include reduced car ownership and trip generation (being the number of vehicle trips generated by seniors) and increased onsite community facilities.

1.1.4 Adaptability

Prescriptive policy is inappropriate given broad range of providers and market desires.

Based on all of the data gathered there is clearly a significant range of retirement living housing providers and products responding to an equally significant variation in market desires and needs by senior Australians.

In broad terms these include:

- The not for profit providers
- The for profit providers
- The small one or two plus providers
- The large corporate providers
- Providers of independent living units integrated with varying levels of care within a site
- Providers of independent living units with the capacity to buy in services only
- Providers of independent living units joint venturing with aged care providers on one site.

And of course a combination of many of the above along with a significant variation also in location, size and price of dwellings types.

With this massive range it is clear from the information gathered from the industry that prescriptive policy regarding development outcomes and design are insufficiently flexible to respond to this diversity of providers and the market.

For example some providers need less than one car park per unit due to the market to which they are responding, while others require two car parks per unit (be that to accommodate two resident vehicles or one resident vehicle and an additional space for craft or 'shed' type activities). Overly prescriptive policy is also an issue in regards to the level of mobility and access aids required with the upfront build of housing.

The attitude and expectations of prospective residents continues to change with the generations and therefore the housing product and the sector need to change and adjust accordingly. The industry is very aware of the changing expectations of their future residents.

Adaptability to allow regeneration and redevelopment of existing villages

There is significant capacity and opportunity to respond to demand for retirement living housing by the regeneration of existing villages. Such redevelopment provides an opportunity for certain providers to continue to respond to demand where they otherwise cannot purchase new sites due to the aforementioned additional costs and viability challenges. Whilst in some cases the existing zoning and related provisions for pre-existing villages are extremely helpful in readily facilitating redevelopment, for example the community use zone in place for some existing retirement living villages in Brisbane, these are often benefits created as a result of historic zoning. In other circumstances the historic zoning is restrictive and certainly does not facilitate redevelopment.

In some circumstances developers are seeking 'master plan' approvals over existing villages to facilitate long term redevelopment of existing assets, and to realise opportunities for providing additional dwellings within these otherwise underutilised facilities. It is noted that these existing villages are in locations which are well serviced within the middle and sometimes inner ring suburbs.

Adaptability of dwellings to improve access and mobility

As outlined in **Section 1.1.2**, 'accessible' dwelling design requirements are often rigidly imposed with unreasonable impact on cost and market take up where potential residents often do not need or want such mobility and accessibility aids at the time of moving in.

1.1.5 Attitude

Based on the surveys, interviews and workshops it is clear that a proactive and facilitative local government culture can make a substantial material difference in enabling retirement living development.

A proactive and facilitative local government can outweigh the negative implications of many other constraints and challenges in terms of the planning provisions and approval processes.

The impacts of a local government's culture and attitude on the ease and success in negotiating through to a development approval are of course recognised and common to the whole development industry.

In some cases, state government policy positions are undermined by other levels of government. For example local government choosing to 'opt out' of standard library/template provisions in Western Australia or some New South Wales local government's use of 'environmental issues' to avoid achievement of Site Compatibility certificate under the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004, Part 1a.

Based on the survey results, retirement living development is easier and more facilitated in Queensland than other states, followed by Victoria and South Australia. Feedback from participants and the industry in regards to this survey response suggests that Queensland in general terms facilitate such development more readily. There are several reasons that can contribute to this experience, including:

- Queensland was the first to abolish death duty. This caused an influx of retirees at the time and perhaps caused Queensland to experience, understand and address some of the issues in relation to retirement living development earlier than other states. Therefore time, scale and 'practice' have caused Queensland to perform better in the industry's view than some other states.
- Queensland has less public advertised applications than some states, for example where as New South Wales advertise in the order of 80% of their applications, Queensland advertise in the order of 20%. This often correlates with a more straight forward and shorter assessment process with less third party involvement and variables.
- Particularly in the growth areas, Queensland has larger local government authorities, and therefore their exposure to more development applications, and their capacity to gather understandings of particular development types within these authorities is greater. Their size also often provides them with the capacity to take specific initiatives to respond to priority issues. For example, in 2008 Brisbane City Council (BCC), the largest local government in Australia, established the 'Lord Mayor's Taskforce into Retirement and Aged Care' to consider ways in which BCC could better facilitate more retirement living and aged care accommodation. In those years following, they also took action to reduce infrastructure charges for retirement villages.

Considering the Queensland experience in the development sector, a range of factors can assist in creating a proactive local government culture towards facilitation of retirement living development. For example:

- Knowledge and understanding of retirement living development
- Effective and streamlined development assessment processes
- A flexible, non-prescriptive approach with an outcome focus
- A facilitative, pro-seniors housing approach with leadership from elected representatives
- The nomination by the elected representatives of seniors housing supply and choice, in this case, retirement village as a priority issue for a community/ local government area, and clear communication to the broader constituents about this need and priority issue.

Appendix B

Outline of State and Territory Policies and Instruments

Instrument	Intent and Relevancy	Effectiveness
Australian Capital Territory		
Planning Instruments		
Australian Capital Territory Planning Strategy	<p>The Planning Strategy establishes how the Australian Capital Territory will develop. One of its five outcomes is:</p> <p><i>In 2030 Canberra will be a city that makes it easy for people to make more sustainable living choices and has the resourcefulness and capacity to manage change.</i></p> <p>A key action is to:</p> <p><i>investigate a schedule of incentives to reward residential developments that incorporate 'universal' dwelling design, more affordable housing and innovations that will improve environmental sustainability.</i></p>	
The Territory Plan	<p>The Territory Plan provides statutory planning controls for land use and built form, future urban land release and the management of public land.</p> <p>The Strategic Directions of the plan include provisions for affordable, adaptable and special-needs housing throughout the city, as well as modification or redevelopment of existing stock.</p>	<p>The umbrella term of 'residential use' encompasses other uses such as single and multi dwelling housing along with residential care accommodation, retirement village and supportive housing.</p> <p>There is no separate definitions that directly encompass independent living.</p> <p>The Territory Plan includes retirement living specific provisions in the Residential Design Code and applies the general provisions of the Multi Unit Housing Development Code.</p>
Other		
Retirement Villages Act 2012	This act sets out the rights and obligations of residents and operators of retirement villages; and encourages the retirement village industry to adopt best practice management standards.	
ACT Strategic Plan for Positive Ageing 2010-2014	Aims for Canberra to be an age-friendly city with positive ageing. It looks at providing Australian Capital Territory seniors with access to appropriate and affordable housing.	<p>Encourages private investment in housing for seniors through actions such as:</p> <ul style="list-style-type: none"> • Seeking sites suitable for seniors living • Support pilot schemes and land releases that better enable private investment in affordable accommodation for older people.

Interface Between Existing Policy and Recommended Legislative Framework

Awareness

- Revisions to the strategy are required to
 - More specifically acknowledge the need to meet housing demand for an ageing population with an appropriate range of housing choices
 - In some detail, outline the type of housing choices required now and likely to be required into the future as the population ages and with generational change in housing type aspirations within that cohort
 - Outline some of the issues around providing/developing housing for seniors; the differences when compared to standard residential development; the challenges of competing with other uses in acquiring appropriately located sites; the financial considerations that influence the decision for seniors to move into appropriate housing.

Awareness

- Greater awareness needs to be developed in the Territory Plan of the differentiation between retirement living and residential care accommodation.

Access

- Currently, retirement villages are assessed under the same controls as multi-unit housing. Broad Territory wide controls which promote retirement villages in certain areas (such as residential zones) should be included in revisions to the Territory Plan. These controls should include floor space incentives, lower levels of assessment (ie complying development) to allow retirement living developers to compete for land.

Affordability

- An appropriate policy for retirement living is required in any revision to infrastructure charging arrangements.

Adaptability

- Presently retirement villages fall under the merit track of assessment. For complying development, assessment processes should be adjusted to be code track assessment.
- Assessment provisions are presently prescriptive and are applied through multiple dwelling assessment codes. This would need to be adjusted to be performance based and made more specific to retirement living.

Appendix B

Outline of State and Territory Policies and Instruments

Instrument	Intent and Relevancy	Effectiveness
New South Wales		
State Planning Instruments		
Environmental Planning and Assessment Act 1979	Objects of the Act include encouraging the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment.	The Act provides the basis for facilitating all seniors housing development in NSW and provides guidance on the matters that must be considered when a consent authority is determining development applications for proposed seniors housing developments.
State Environmental Planning Policy (SEPP) (Housing for Seniors or People with a Disability) 2004	<p>The Seniors SEPP applies throughout NSW and aims to encourage the provision of seniors housing (including residential care facilities) that will:</p> <ul style="list-style-type: none"> (a) increase the supply and diversity of residences that meet the needs of seniors or people with a disability, (b) make efficient use of existing infrastructure and services, and (c) be of good design. <p>Under the Seniors SEPP, 'seniors housing' is a broad term used to describe residential accommodation that is, or is intended to be, used permanently for seniors or people with a disability that consists of:</p> <ul style="list-style-type: none"> (a) a residential care facility, (b) a hostel, (c) a group of self-contained dwellings, or (d) a combination of these. <p>However, 'seniors housing' does not include a hospital.</p> <p>The Seniors SEPP prevails over Local Environmental Plans to the extent of any inconsistency.</p>	<p>The Seniors SEPP creates opportunities for the development of seniors housing in areas where it would otherwise be prohibited under local planning controls, provided the development meets specific criteria and standards.</p> <p>The Seniors SEPP ensures that all seniors housing developments are located and designed in a manner that is suited to:</p> <ul style="list-style-type: none"> • seniors who are independent, mobile and active; • seniors who are frail and require help with their care; and • people with a disability of any age. <p>The Seniors SEPP facilitates the development of retirement villages as a 'group of self-contained dwelling' which are 'serviced self-care housing'.</p>
Standard Instrument – Principal Local Environmental Plan	<p>The Standard Instrument is a standard template that each council must use to prepare a Local Environmental Plan.</p> <p>The Standard Instrument creates a common format and content for Local Environment Plans, which includes certain uses that must be permissible with consent in each land use zone.</p>	<p>The Standard Instrument contains a broad definition of 'Seniors Housing', which differentiates between various forms of housing, including:</p> <ul style="list-style-type: none"> • residential care facilities; • independent/retirement village living (which is described as a group of self-contained dwellings); and • hostels. <p>This is similar to the definition of 'seniors housing' in the Seniors SEPP.</p> <p>The Standard Instrument needs to be consistent with the definitions contained in the Seniors SEPP.</p>

Interface Between Existing Policy and Recommended Legislative Framework

Affordability

- A Ministerial direction under the Act prevents the collection of Section 94 development contributions for any form of seniorshousing for a development consent granted to a social housing provider under the Seniors SEPP.

Awareness

- The Seniors SEPP could be reframed to focus more on performance outcomes rather than prescriptive provisions.

Access

- The Seniors SEPP permits seniors housing with the consent of the relevant consent authority on land zoned primarily for urban purposes and land adjoining land zoned primarily for urban purposes, despite any prohibition of seniors housing under the relevant Local Environmental Plan (provided specific criteria is met). However, seniors housing cannot be located on any land identified as 'environmentally sensitive land'.
- In most instances, a Site Compatibility Certificate (SCC) must be obtained from the Director-General of the Department of Planning and Environment before a development application can be made under the Seniors SEPP. The Director-General can only issue a SCC if they are of the opinion that the proposed development is broadly compatible with the surrounding land uses.
- A consent authority can refuse consent for a proposed development if it thinks it is not compatible with the surrounding environment, even if a SCC has been issued for the proposed development.
- In a revision to the Seniors SEPP, this discretionary provision could be removed on the basis the Director-General is satisfied with the compatibility of the proposed development.
- Revisions to the Seniors SEPP could include facilitated/incentivised opportunities for renewal of older stock retirement facilities with appropriate zoning, permitted extension/renewal of use, and other incentives such as floor space incentives, lower levels of assessment, no notification requirements. The Seniors SEPP provides development standards that cannot be used by a consent authority as grounds to refuse a development, including matters such as building heights, density and scale, landscaping and parking ratios.

Adaptability

- The Seniors SEPP includes incentives for the provision of seniors housing, particularly though floor space incentives in developments where there are on-site services.
- In a revision to the Seniors SEPP, such floor space incentives could be broadened to facilitate seniors housing that do not require on-site support services.
- The Seniors SEPP could be revised to include lower levels of assessment, such as complying development subject to conditions in certain zones such as R1 General Residential, R3 Medium Density Residential, R4 High Density Residential, and B4 Mixed Use.
- Site related requirements for seniors housing under the Seniors SEPP should be more specific to each particular housing type under the broad definition of 'seniors housing'. These requirements should acknowledge the difference in accessibility requirements and bushfire risk between a residential care facility and self-contained dwellings.
- A revised Seniors SEPP should include:
 - dispensation from open space contributions where certain communal open space provisions are met; and
 - exemption from infrastructure charges.
- The Seniors SEPP should include greater clarification that standard benchmarks are compulsory and should provide clarify on situations where a standard benchmark may be exceeded (such as maximum building height).
- Consistency is required between definitions in the Seniors SEPP and the Standard Instrument, particularly for concepts such as 'building height'.

Access

- Under the Standard Instrument, it is mandatory for seniors housing to be permissible with consent in the 'R1 General Residential', 'R3 Medium Density Residential' and 'B4 Mixed Use' land use zones under Local Environmental Plans.

Adaptability

- The definitions in the Standard Instrument and the Local Environmental Plans should be consistent with the definitions under the Seniors SEPP.

Appendix B

Outline of State and Territory Policies and Instruments

Instrument	Intent and Relevancy	Effectiveness
New South Wales		
Regional Planning Instruments		
<p>A Plan for Growing Sydney 2015</p>	<p>The Plan will guide land use planning decisions for the next 20 years and provides for a wide variety of housing options to suit growing demand for different types of housing.</p> <p>The Local Environmental Plans must be consistent with the Plan.</p> <p>One of the principles of the Plan is to provide housing choice while substantially increasing supply to capitalise on existing and planned infrastructure.</p>	<p>The Plan does not specifically mention retirement living or seniors housing. However, the Plan acknowledges the ageing population and the requirements for the provision of housing for different life stages.</p>
<p>Subregional Plans</p>	<p>Subregional Plans will be prepared to set out how the Plan will apply to local areas of Sydney.</p> <p>Each subregion of Sydney has specific priorities and population, household and dwelling projections.</p>	<p>Subregional Plans will ensure sufficient housing for seniors and people with a disability is provided through Sydney, depending on specific population and housing requirements of the local area.</p>
<p>Regional Growth Plans</p>	<p>Regional Growth Plans will be developed for 10 regions throughout NSW. They will contain strategic targets for growth, housing, employment and infrastructure in specific regional areas.</p> <p>A Plan for Growing Sydney is the Regional Growth Plan for the Metropolitan Sydney region.</p> <p>Regional Growth Plans will provide strategic direction for regional and local land use planning.</p>	<p>Regional Growth Plans will contain actions designed to cater for the specific regions projected population growth and housing requirements, including seniors housing.</p> <p>Regional Growth Plans will contain housing targets for local councils, including housing requirements for an ageing population.</p>
Local Planning Instruments		
<p>Local Environmental Plans</p>	<p>Local Environmental Plans provides controls for local development, within the framework of the Standard Instrument.</p>	<p>The Local Environmental Plan can allow for seniors housing (or its subsets) as a use that is permissible with consent in a zone where appropriate.</p> <p>It is mandatory for seniors housing to be permissible with consent in the 'R1 General Residential', 'R3 Medium Density Residential' and 'B4 Mixed Use' land use zones under the Standard Instrument framework.</p>
Other		
<p>Retirement Villages Act 1999 No 81</p>	<p>The purpose of the Retirement Villages Act is to regulate the operation of retirement villages and the rights of residents in such villages and for related purposes.</p> <p>Under the Retirement Village Act:</p> <ul style="list-style-type: none"> A 'retirement village' is a complex containing residential premises that are, or intended to be, predominantly or exclusively occupied by retired persons who have entered into village contracts with an operator of the complex; and A 'retired person' is a person aged 55 years or who has retired from full-time employment. 	<p>Relevant to village operation. The development of retirement villages can be permissible under the relevant Local Environmental Plan or under the Seniors SEPP.</p>

Interface Between Existing Policy and Recommended Legislative Framework

Awareness

- The Plan acknowledges the need to meet housing demand for an ageing population with an appropriate range of housing choices.
- The Government will require each council to prepare a local housing strategy that considers housing for people at different stages of their lives and how those needs can be met. This housing strategy will inform Local Environmental Plans.
- The Plan contains a broad actions but does not contain specific details about the types of housing choices required now and likely to be required into the future as the population ages.

General

- The Subregional Plans will be created in consultation with communities and councils, which provides an opportunity to submit information on:
 - Providing / developing housing for senior
 - The differences when compared to standard residential development
 - The challenges of competing with other uses in acquiring appropriately located sites
 - The financial considerations that influence the decision for seniors to move into appropriate housing.

General

- The Regional Growth Plans will be created by local government in consultation with the community, which provides an opportunity to submit information on:
 - Providing / developing housing for seniors;
 - The differences when compared to standard residential development
 - The challenges of competing with other uses in acquiring appropriately located sites
 - The financial considerations that influence the decision for seniors to move into appropriate housing.

Attitude

- Where development applications are determined by Councillors and are subject to local politics, there is an acknowledged risk of refusal.

Accessibility

- Section 14 of the Retirement Villages Act prevents a proposed retirement village from being advertised or promoted until such time as a development consent has been obtained under the Environmental Planning and Assessment Act 1979. Other housing forms do not have this limitation, which could be removed a more flexible provision drafted which protects the interests of seniors whilst providing additional opportunities for operators.

Adaptability

- The definitions contained in the Retirement Act are specific for the purposes of the Act, as it primarily addresses the functional operations of the villages. As a "subset" of the broader seniors housing options canvassed in the Seniors SEPP and Standard Instrument, there is no requirement to amend the definitions in the Retirement Village Act to maintain consistency with those instruments.

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Outline of State and Territory Policies and Instruments

Instrument	Intent and Relevancy	Effectiveness
Northern Territory		
Regional Planning Instruments		
Northern Territory Planning Scheme	<p>The Northern Territory Planning Scheme applies to the whole of the Territory, other than a small number of specific locations.</p> <p>The Planning Scheme provides statutory planning controls for land use, built form, servicing and subdivision.</p>	<p>The Planning Scheme includes specific intents for the largest settlements, though there is no consideration of retirement living or aged care.</p> <p>There is no specific planning definition for retirement living or aged care.</p> <p>For the Palmerston area, there are broad based retirement living specific provisions.</p>

Instrument	Intent and Relevancy	Effectiveness
Queensland		
State Planning Instruments		
Sustainable Planning Regulation 2009 www.legislation.qld.gov.au/	<p>This is the Act which provides the framework for the plan making process and development assessment in Queensland.</p>	<p>The plan making process and development assessment will be impacted by this legislation.</p> <p>The Act does not determine state or local policy on Retirement Villages.</p>
Draft Planning and Development Bill 2014 www.legislation.qld.gov.au/	<p>The purpose of the Bill is to facilitate Queensland's prosperity through revisions to the plan making and development assessment processes.</p> <p>(The Bill lapsed upon the 2015 election and is currently being considered by the new State Government)</p>	<p>It was proposed to repeal the current Act and replace it with this Bill.</p> <p>This Bill proposed a new legislative framework to guides planning and development in Queensland. The plan making process and development assessment system were to be impacted by this legislation.</p> <p>The Bill did not determine state or local policy on retirement villages.</p>
State Planning Policy www.dsdp.qld.gov.au/about-planning/state-planning-policy.html	<p>Provides a comprehensive set of principles to underpin Queensland's planning system, identifying State Interests and how these are to be incorporated in Local Government Planning Schemes and considered by the State when assessing development</p>	<p>Recognises the need for housing diversity.</p> <p>Policy seeks to minimise the impacts of other land uses on sensitive land uses.</p> <p>No specific impact on the development of retirement villages other than reiterating the accepted view that the population is ageing and we need housing diversity.</p> <p>Retirement facilities are grouped together with other residential uses under "sensitive land uses".</p>

Interface Between Existing Policy and Recommended Legislative Framework

Awareness

- Greater awareness needs to be developed in the Northern Territory Planning Scheme of the need for retirement living and the breadth of options available.

Access

- There is little control in the Planning Scheme over retirement living, and currently it is likely that retirement villages would be assessed under the same controls as multi-unit housing.

Affordability

- It is unclear if there currently any retirement living specific infrastructure charging arrangements.
- Appropriate infrastructure charging policy for retirement living is required.

Adaptability

- Assessment provisions are considered to be sufficiently flexible to accommodate retirement living.

Interface Between Existing Policy and Recommended Legislative Framework

Awareness

- Inclusion of retirement living awareness is not required in the Act or Regulations.

Access

- The Regulations could be amended to reduce red tape relating to referrals (e.g., avoiding the need for retirement living to trigger referral for impacts on public transport)

General

- The former state government had an extensive planning reform agenda and focused on “red and green” tape reduction.
- The new state government appears to be receptive and open to discussions about growth in the retirement living sector, though time will be required to facilitate change.

Access

- The Draft Bill placed much of the decision making about planning in the hands of local government, including establishing the assessment track for development applications (with some exceptions).
- The legislation could be drafted to encourage a local government to use ‘as a right’ type assessment path for retirement living rather than merit assessment and/or public notification.

Awareness

- This is the key document which establishes the state’s interest in making and amending planning schemes and development assessment. To achieve all the themes set out within the framework, this is the key policy document to provide state wide standard and focus to retirement villages.
- Technically, the State Planning Policy would be an effective location to include:
 - An acknowledgement of the need to meet housing demand for an ageing population with an appropriate range of housing choices
 - In some detail, outline the type of housing choices required now and likely to be required into the future as the population ages and with generational change in housing type aspirations within that cohort
 - In some detail outline some of the issues around providing/developing housing for seniors; the differences when compared to standard residential development; the challenges of competing with other uses in acquiring appropriately located sites; the financial considerations that influence the decision for seniors to move into appropriate housing.

Adaptability

- Retirement Living is a unique development sector compared with others where entry is only available to a certain demographic and the provision of health care services differentiates it from other land uses. The ageing population and need for this type of development lends itself to including development incentives where floor space incentives to beyond that achievable by competing land uses.

Attitude

- Culturally, the State Planning Policy would be an effective location to manage direction and cultural change of local authorities.
- The State Planning Policy is amended on a regular basis to align with government’s priorities, making it an accessible platform for policy and decision makers to include the themes for retirement villages, specifically, to influence local government plan making and DA assessment in circumstances where planning schemes do not yet reflect the standard provisions or state policy positions.

Appendix B

Outline of State and Territory Policies and Instruments

Instrument	Intent and Relevancy	Effectiveness
Queensland		
State Planning Instruments		
Housing Supply and Diversity Guideline www.dsdiq.qld.gov.au/resources/guideline/spp/spp-guideline-housing-supply-diversity.pdf	This is a non-statutory document which supports implementation of the State Planning Policy.	The guideline outlines the specific locational needs and requirements of land suitable for various residential land uses, including retirement villages and is intended to be reflected in the detailed provisions of a local government planning scheme.
Adopted Charges State Planning Regulatory Provisions www.dsdiq.qld.gov.au/resources/laws/state-planning-regulatory-provision/srp-ict.pdf	Provides the infrastructure charges framework for adoption by local governments Relevant to infrastructure charges levied on retirement village developments.	The Adopted Charges State Planning Regulatory Provisions has been effective in controlling local government led infrastructure charges. The Adopted Charges approach had a negative impact on the development of retirement villages as it has reduced local government flexibility in charging.
Fair Value Charges Schedule www.dsdiq.qld.gov.au/infrastructure-planning-and-reform/infrastructure-charges.html	The Fair Value Charges Schedule is a new program (2014/15) that establishes an 'opt-in' framework that will reduce infrastructure charges for different development types.	The program must be adopted by individual Councils. Where adopted, will change the basis of infrastructure charges levied on retirement village developments and has the potential to be very positive.
Priority Development Areas www.dsdiq.qld.gov.au/economic-development-queensland/	Priority Development Areas are declared under the Economic Development Act 2012. Priority Development Areas have locationally specific Development Schemes and are not subject to the Local Government Planning Scheme. Priority Development Areas are generally administered by the Department of State Development, Infrastructure and Planning (as Economic Development Queensland - Economic Development Queensland), though several have reverted to local government control.	Priority Development Areas enable development to occur in a timely manner in accordance with an approved Interim Land Use Plan or Development Schemes. Existing Priority Development Areas have made minimal reference to the retirement living sector, though some Interim Land Use Plans make reference to retirement facilities. In specific locations of need, the state has the ability to encourage retirement villages in declared Priority Development Areas.
Regional Planning Instruments		
South East Queensland Regional Plan 2009-31 www.dsdiq.qld.gov.au/regional-planning/	Manages regional growth and change across the region. Calls for planning documents to consider plans for dealing with housing for the retirement and aged care accommodation and promotes the concept of ageing in place Groups retirement accommodation within the Social Planning theme and associates the additional supported infrastructure requirements such as access to services and public transportation and health care.	Minimal practical effectiveness, as it re-states a well established premise that housing for the ageing population is an issue. Identifies retirement villages as a factor in dealing with the ageing population.
Other Regional Plans, e.g. • Central Queensland Regional Plan • Darling Downs Regional Plan www.dsdiq.qld.gov.au/regional-planning/	The "newer" Regional Plans provide generalised guidance for growth and change across the region. The Regional Plans establish the need for housing diversity but do not specifically mention retirement living or retirement villages.	Similar to the South East Queensland Regional Plan, there is minimal practical effectiveness, as the Regional Plans simply re-state that housing for the ageing population is an issue.

Interface Between Existing Policy and Recommended Legislative Framework

Awareness

- The guideline deals with a range of cultural/resident/governance issues which could adapt to meet the themes within the planning framework. Councils would rely on this guideline to establish more detail around government policy.

Affordability

- The Adopted Charges State Planning Regulatory Provisions imposes maximum infrastructure charges for retirement villages charges at the same / similar rates to traditional housing development.
- Local government has, for the main, simply adopted the maximum charges – despite evidence that impacts/demands are far lower.
- The State Planning Regulatory Provisions could be amended and provided with a with additional supporting guidance document, to establish charges that better reflect the impact of retirement living housing options on infrastructure networks. Additionally, retirement living housing should become a standalone development in line with the recommendation in Fair Value Charges.

Accessibility / Affordability

- Recommends approximate 30% reduction in infrastructure charges for Retirement Villages compared to the current State Planning Regulatory Provisions.
- Where adopted, this will allow better access to sites through an overall reduction in development costs.

Attitude

- Generally, Economic Development Queensland has a proactive mandate required to support the timely approval of Priority Development Areas.
- Although retirement villages are not featured extensively within relevant land use plans, the approval process can be timely and straight forward.
- Attitudes toward development and the support of development is culturally different within this state government department than that of some local governments.

Awareness

- The South East Queensland Regional Plan is currently under review. The plan will be open to public consultation during the review and available for public comment.
- The review process provides an opportunity to include the proposed planning framework into the Regional Plan through:
 - Proactive input during the review process as a significant stakeholder group, including formal discussions with the Department, Infrastructure and Planning, and
 - A submission during the public consultation process, responding to policy directions that have been set by the Department.

Similarly to the State Planning Policy, the Regional Plan needs to:

- Acknowledge the need to meet housing demand for an ageing population with an appropriate range of housing choices
- In some detail, outline the type of housing choices required now and likely to be required into the future as the population ages and with generational change in housing type aspirations within that cohort
- In some detail outline some of the issues around providing / developing housing for seniors; the differences when compared to standard residential development; the challenges of competing with other uses in acquiring appropriately located sites; the financial considerations that influence the decision for seniors to move into appropriate housing.

Appendix B

Outline of State and Territory Policies and Instruments

Instrument	Intent and Relevancy	Effectiveness
Queensland		
Local Planning Instruments		
<p>Queensland Planning Provisions Compliant Planning Schemes, e.g.</p> <ul style="list-style-type: none"> • Draft Logan City www.logan.qld.gov.au • Draft Moreton Bay Regional www.moretonbay.qld.gov.au • Sunshine Coast Regional www.sunshinecoast.qld.gov.au/ 	<p>Strategic policy and development assessment at the local level.</p> <p>As required by the Queensland Planning Provisions, the Queensland Planning Provisions compliant planning schemes recognise retirement villages as a discrete use and differentiate from aged care.</p>	<p>Planning Schemes have the most impact on where and how retirement living is developed.</p> <p>There is a high level of discretion within the Queensland Planning Provisions framework on how spatial location controls for retirement living and development controls over land uses.</p> <p>Most Planning Schemes adopt the distinction between the uses.</p>
Other		
Retirement Villages Act 1999	Regulates the operation of retirement villages for consumer protection purposes.	Minimal impact on the spatial development of retirement villages. Impacts on the interests in and titling of land.
The Queensland Plan	<p>The Queensland Plan a non-statutory plan for Queensland's future.</p> <p>The intent of the plan is to provide every Queenslanders with a say in the future of the state.</p>	<p>The Queensland Plan provides a vision of what Queenslanders want for Queensland. Although prepared and facilitated by the state government, it is individual Queenslanders who need to implement the actions and findings.</p> <p>The plan does not directly facilitate on the retirement village sector.</p>
Queensland Housing Affordability Strategy	<p>The Queensland Housing Affordability Strategy aims to ensure that State owned land and housing is brought to the market quickly and at the lowest cost.</p> <p>The strategy was prepared by the previous government and although not current policy underpins the establishment of the Priority Development Areas.</p>	The strategy has had minimal impact on the retirement living sector outside the Priority Development Area locations.
Brisbane City Council Lord Mayors Taskforce into Retirement and Aged Care	A report and recommendations into the issues associated with guaranteeing a good supply of housing for older people	Provides a good platform for identification of the issues at the local level and then how to deal with these in both strategic and development assessment policy.
Rebuilding Grantham – Qld Reconstruction Authority Land use Plan	Land use plan for rebuilding Grantham following 2011 natural disasters. Regulates the spatial redevelopment of Grantham	Positive impact for development of retirement villages. Identifies the Parkside precinct as an area where retirement village should be established, separate from other residential development – makes it code assessable.

Interface Between Existing Policy and Recommended Legislative Framework

Awareness:

- The planning scheme's strategic frameworks and policy intents generally provide broad support for retirement villages via the diversity of housing and liveable communities provisions. However the implications of the basic high level policy translates to prescriptive zoning, locational requirements and design at a local level. There is nothing which directs this level of prescription at a state level.
- There is a lack of local government understanding of the financial modelling defined by the Retirement Villages Act and the entry/exit cost impact this has on residents

Access:

- There are few or no examples of where a Queensland Planning Provisions scheme has differentiated between retirement living and other residential land uses to spatially locate future retirement living uses.
- The capacity exists for Planning Schemes, via zoning provisions or overlay provisions, to reduce the level of assessment to code (or lower 'self assessable') in appropriate areas. This would enable retirement living development to better compete with traditional housing developments, in terms of acquiring sites.

Adaptability

- The Planning Schemes throughout Queensland which include provisions for retirement villages could be better served by reducing the level of prescriptive outcomes and include more performance based outcomes. Planning Schemes are generally considered too inflexible and over-regulate retirement villages, with less discretionary provisions compared with standard residential uses.
- From a developers perspective, the prescriptive planning scheme requirements can vary significantly between local authorities.
- Planning Schemes commonly group retirement village provisions with similar residential uses, such as community residences or residential care facilities. This grouping is linked to the demand generation rate for trunk infrastructure, where all these residential uses are assumed to have the same equivalent persons.
- Commonly, planning schemes specify locational requirements, eg well serviced by public transport and that they are located throughout the urban areas.

Attitude

- Local Government planners' attitudes to retirement living are slowly evolving and it seems that greater flexibility is being established in areas such as application of car parking rates and potentially infrastructure charging (to the extent possible under the 'Adopted Charges' regime).

Awareness

- The reporting identifies issues, but falls short of recommending measures adequate to deal with the problems – dances around the key problems to some degree.

Attitude

- A range of the recommendations were adopted into City Plan 2000 and changes made to infrastructure charging at the time. A range of these have translated to the new City Plan 2014 e.g. increased density floor space yields (excluding infrastructure charging).

Awareness

- Preparation and implementation of the Grantham reconstruction plans acknowledged the community requirements for retirement villages

Appendix B

Outline of State and Territory Policies and Instruments

Instrument	Intent and Relevancy	Effectiveness
South Australia		
State Planning Instruments		
<p>Development Act 1993 Development Regulations 2008</p> <p>Note: The state government is soon to release a rewrite of the Development Act.</p>	<p>The Development Act establishes the planning system and processes.</p> <p>The Development Regulations provide detailed process requirements.</p>	<p>The Regulations set levels of assessment and public notification requirements.</p>
<p>Planning Strategy for South Australia</p>	<p>The planning strategy outlines the state government's direction for land use change and development in South Australia.</p> <p>The strategy has various volumes covering different geographic areas of the state:</p>	<p>The strategy is applied at the regional level</p>
<p>SA Planning Policy Library</p>	<p>The South Australia Planning Policy Library establishes a consistent planning framework applied Statewide at Local Government level.</p> <p>The South Australia Planning Policy Library provides standardised</p> <ul style="list-style-type: none"> • Definitions • Zones • Development control provisions <p>that are then applied at a Local Government level, including tailoring to local requirements.</p>	<p>The South Australia Planning Policy Library utilises a broad definition of "Aged Persons Accommodation".</p> <p>Sets standard planning provisions on a joint basis for Supported Accommodation, Housing for Aged Persons and People with Disabilities, addressing:</p> <ul style="list-style-type: none"> • Locational intents • Built form intents • Some internal design objectives/requirements • Car parking intents. <p>These apply only to low-rise development; for higher formers, the Medium and High Rise Development (3+ storeys) provisions apply.</p>
Regional Planning Instruments		
<p>30 Year Plan for Greater Adelaide (2010)</p> <p>Note: A review of the 30 Year Plan for Greater Adelaide is pending.</p>	<p>Sets the policy direction for Development Plans and application assessment</p> <p>Greater Adelaide is made up of seven state government regions and 27 councils, as well as the regional city of Murray Bridge.</p> <p>This captures the majority of the South Australia population.</p> <p>Supports higher density formats, Transport Orientated Developments and growth corridors</p>	<p>The Plan sets out the ways to use and manage land to accommodate the expected growth and change.</p> <ul style="list-style-type: none"> • 560,000 pop growth over 30 years • 258,000 extra dwellings • Across 30 years, 70% new housing in established areas

Interface Between Existing Policy and Recommended Legislative Framework

Awareness:

- Inclusion of retirement living awareness is not required in the Act or Regulations.

Access

- The Regulations could be amended to ensure that, in particular zones, retirement living is “complying” development.
- The Regulations could be amended to include retirement living uses as Category 1 or Category 2 development, to avoid or limit public notification respectively.

Affordability

- The Regulations require contributions towards affordable housing. This requirement is inappropriate for retirement living.

Refer to discussion below on regional plan / policy.

Awareness

- The South Australia Planning Policy Library identify housing need generally, but does not specifically consider retirement living.

Access

- The South Australia Planning Policy Library notes that retirement living should be within walking distance of convenience shops, health and community services and public transport, which is a good intent but may not be feasible given location of existing services and difficulties in assembling suitable sites in proximity to such services.

Affordability

- There is an existing requirement to provide usable recreation areas for residents and visitors, including visiting children. This is a motherhood statement that does not provide an open space guide, but should be able to be applied in a flexible manner. An enhancement would be to provide additional editorial notes that remind readers there is a reduced need to provide “active” open space.
- Similarly, adequate parking for residents, service providers and visitors is needed, with residents parking to be covered and secure. This is appropriate, but again, needs explanatory advice noting reduced levels of car ownership.
- The document notes the need to store equipment such as boats, trailers, caravans, electric buggies etc, without making it a mandated requirement for each dwelling unit. This is appropriate and good policy.

Adaptability

- Definitions should be enhanced identify and define broader terminology of retirement living options.
- There is opportunity to establish revised policy provisions that provide greater flexibility in the application of development codes through Development Plan Amendments.
- Current wording could be limiting, as it seeks built forms that are of a scale and appearance that reflects the residential style and character of the locality which will not necessarily provide economically viable built form outcomes.
- The South Australia Planning Policy Library document does not focus on the adaptability of the units or refurbishment options.
- Policy as written seeks adequate space for wheel chair users, but does not specify provision of mobility aids, other than designated disabled and electric buggy parking.

Awareness

- Policy wording of Regional Plan is satisfactory as recognition of specific housing need exists, but there needs to be a translation of this understanding into Local Government Area documents.

Access

- Regional Policy to:

Ensure Structure Plans and Development Plans provide for new retirement housing and residential aged care facilities, and protect and allow for appropriate redevelopment of such existing facilities. This will increase the opportunities for older people to remain living in and connected to their communities as their needs for support increase.

Ensure Structure Plans consider the need for retirement housing, residential aged care and other supported living facilities to be located close to public transport.

- Targets exist for new dwelling numbers over 30 years, but this should be expanded to include a proportion of retirement housing etc.

Appendix B

Outline of State and Territory Policies and Instruments

Instrument	Intent and Relevancy	Effectiveness
South Australia		
Regional Planning Instruments		
Regional Plans for the seven non-metro regions: <ul style="list-style-type: none"> • Eyre and Western • Far North • Kangaroo Island • Limestone Coast • Mid North • Murray and Mallee • Yorke Peninsula 	The region plans contain the state government's directions on land use and development, including policies related to: <ul style="list-style-type: none"> • population growth and demographic changes • supply of land for housing and employment • preservation of agricultural lands • water and energy efficiency • preservation of biodiversity and the natural environment • protection of the heritage and character of regional communities. 	These plans are succinct and offer little more than recognition of the issue in certain regions, e.g. York Peninsula.
Local Planning Instruments		
Planning Schemes	Provides for local development assessment control within the framework of the South Australia Planning Policy Library.	Schemes are closely based on the South Australian Planning Policy Library with tailored strategies to respond to localised issues.

Interface Between Existing Policy and Recommended Legislative Framework

Awareness:

- There is no existing awareness included in current Regional Plans, substantial redrafting is required to address the recommended framework.

Awareness

- Implementation of the 5 A's through the South Australia Planning Policy Library will drive change at the Planning Scheme level.
- Local government housing strategies will drive adoption of key issues.

Access

- Generally, existing Planning Schemes include some consideration that retirement living can accommodate greater density, provided bulk and scale is compatible with underlying zone.
- Some Planning Schemes include identified sites for retirement housing, likely to have arisen through specific issues and site based Development Plan Amendments (rezoning).

Adaptability

- There is some consideration of reduced parking provision, but little consideration of flexible requirements.

Attitude

- Planning Schemes seem to have little consideration of the need for new retirement living in established areas of Adelaide.

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Outline of State and Territory Policies and Instruments

Instrument	Intent and Relevancy	Effectiveness
Tasmania		
State Planning Instruments		
State Policies and Projects Act 1993	State Policies represent the overarching policy position and may address sustainable development of natural and physical resources; land use planning; land management; environmental management; environment protection.	There is no direct impact on retirement living.
Planning Directives	<p>Planning directives are a statutory mechanism to provide direction on a wide range of planning matters and may include standard statewide provisions for inclusion within planning schemes.</p> <p>There are no retirement living specific policies or provisions.</p>	<p>There is variety in definitions in use in across older planning Schemes.</p> <p>The latest version of the "Planning Directive No. 1 - The Format and Structure of Planning Schemes" establishes standard definitions.</p> <p>In this instance, there are specific land uses definitions; The standard definitions differentiate between "Residential Aged Care Facility" and "Retirement Village".</p>
Regional Planning Instruments		
<p>Three Regional Plans:</p> <ul style="list-style-type: none"> • Living on the Coast - The Cradle Coast Regional Land Use Planning Framework • Regional Land Use Strategy of Northern Tasmania • Southern Tasmania Regional Land Use Strategy 2010-2035 [amended 1 October 2013] 	<p>The Regional Plans establish land use strategies that new Planning Schemes must reflect.</p> <p>The Regional Plans include a strategic acknowledgement of ageing populations and need for improved services to support this demographic through aged care and retirement living options.</p>	<p>Despite the acknowledgement, Regional Plans do not specifically address retirement living.</p> <p>One Regional Plan suggests that findings show there is no significant immigration of retirees to the region (may be to Tasmania) as suggested by anecdotal advice.</p>
Local Planning Instruments		
<p>Local Government Planning Schemes (34 planning schemes for 29 councils).</p> <p>There are a range of interim planning schemes that have legal standing.</p>	<p>Guide the form and location of appropriate land uses under a standard formal.</p> <p>The planning scheme provides guidance on preferred zoning and design requirements.</p> <p>The age of schemes date back to 1979, with the majority from 2000-2013.</p>	<p>Planning Scheme and Local Plan determine whether the use is permitted or prohibited in a zone.</p> <p>The new Interim Planning Schemes have specific land use definitions for 'Residential Aged Care Facility' and 'Retirement Village'</p>

Interface Between Existing Policy and Recommended Legislative Framework

Awareness

- An opportunity exists to provide contemporary advice, guidance and provisions to local government through a new Planning Directive which addresses a broad range of retirement living issues and includes incentives.

Awareness

- The plans require revision to include in more specific language an awareness of ageing populations and housing needs.

Awareness

- Greater awareness needs to be developed in the Planning Schemes of the need for retirement living and the breadth of options available.

Access

- There is delineation between some retirement living typologies, but this needs to be broadened to consider other options.

Affordability

- It is unclear if there currently any retirement living specific infrastructure charging arrangements.
 - Appropriate infrastructure charging policy for retirement living is required.
-

Appendix B

Outline of State and Territory Policies and Instruments

Instrument	Intent and Relevancy	Effectiveness
Victoria		
State Planning Instruments		
Victorian Planning Provisions	The Victoria Planning Provisions establishes a consistent planning framework applied statewide at local government level.	<p>The Victoria Planning Provisions provides standardised</p> <ul style="list-style-type: none"> • Definitions • Zones • Development control provisions <p>that are then applied at a Local Government level.</p> <p>The Victoria Planning Provisions differentiates between Residential Aged Care and Nursing Homes, and Retirement Villages.</p> <p>The Victoria Planning Provisions provide the opportunity for individual local council to include their own policies for specific uses such as aged care and retirement villages.</p>
Regional Planning Instruments		
Plan Melbourne 2050 Vision	Strategic Document guiding growth and development of Melbourne Metro area, extending to 2050.	Plan Melbourne is intended to inform local policy and provide direction for growth targets and locations. It will have long term effects if Local Councils adopt the strategies into the relevant planning schemes.
Regional Growth Plans	Strategic Growth Plans applying to specific regions across Victoria	Regional Growth Plans inform local policy and provide direction for growth targets and locations. It will have long term effects if local councils adopt the strategies into the relevant planning schemes.
Local Planning Instruments		
Planning Schemes	Provides for local development assessment control within the framework of the Victoria Planning Provisions	<p>Schemes are based on the Victoria Planning Provisions with tailored strategies to respond to localised issues.</p> <p>Councils have the opportunity to include local policies and tailor the provisions of some zones and overlays in ways that could specifically related to aged care development and retirement villages.</p>
Other		
Section 173 Agreements under the <i>Planning & Environment Act 1987</i>	S.173 Agreements establish planning obligations over land.	<p>Through a S1.73 Agreement, the local government can require covenants on Titles that set the minimum age of residents.</p> <p>Existing covenants run with the land and limit redevelopment opportunities.</p>

Interface Between Existing Policy and Recommended Legislative Framework

Awareness

- The Victoria Planning Provisions Objectives for Planning in Victoria do not identify housing need generally.
- The State Planning Policy Framework for Housing recognises the need for housing diversity, with strategies required to:
Ensure that the planning system supports the appropriate quantity, quality and type of housing, including the provision of aged care facilities
- The State Planning Policy Framework for Housing includes strategic policy direction on aged care with a limited recognition of a “mix of housing for older people”.
- Specific policy is included in the State Planning Policy Framework to both facilitate the timely development of aged care facilities, and to encourage well designed and located facilities. (Clauses 16.02-3 and 16.02-4).
- Aged care facilities is generally an ‘as-of-right’ use in most residential zones and does not require a ‘use’ permit. However a permit to ‘construct’ a facility is still required. Such applications are usually advertised, which raises the prospect of third party objections and appeals.
- Reference to the need to provide aged care facilities is contained throughout various related planning policies contained in the Victoria Planning Provisions.
- There is relatively little policy reference to retirement villages throughout the Victorian Planning Provisions, other than reference to the need to provide a variety of lot sizes in new residential subdivision, suitable for uses such as retirement villages, preferably within 400 metres of stations and activity centre (Clause 56.04)
- A retirement village generally requires a ‘use’ permit in residential zones.
- Implementation of the 5 As framework would broaden this awareness to address retirement living in addition to aged care

Access

- While the Victoria Planning Provisions presently allow the ‘use’ of land for Aged Care on most residential zoned land, a planning permit is still required for the ‘construction’ of the facility, triggering the possibility of advertising, objections and appeals.
- Exempting applications for Retirement Living (and other related housing e.g. Aged Care) from advertising and 3rd party appeal rights, would significantly improve the process and enhance site acquisition prospects.
- Changes to zonings and/or levels of assessment, and exemptions from advertising and 3rd party appeals, may assist in delivering more retirement sites.

Awareness

- Recognises the ageing population and the need for housing diversity and ageing in place.

Access

- There is no translation of the retirement housing need awareness into implementation policy.

As per Plan Melbourne

General

- Implementation of the 5 As through the Victoria Planning Provisions will drive change at the Planning Scheme level.
- Significant opportunity exists at the local level for Council’s to introduce local policies and tailor controls to support aged care and retirement living.

Awareness

- Broadening Local Government awareness of the implications of imposing such conditions.

Access

- Deregulating the process to remove covenants where sites are being redeveloped / refurbished will improve site Access.

Appendix B

Outline of State and Territory Policies and Instruments

Instrument	Intent and Relevancy	Effectiveness
Western Australia		
State Planning Instruments		
Town Planning Regulations 1967 www.slp.wa.gov.au	The Regulations establish general provisions for planning and a model scheme.	The model scheme text provisions provide standardised definitions and assessment frameworks. There are currently no specific provisions addressing retirement living options.
State Planning Policy 3.1: Residential Design Codes Residential Design Codes www.planning.wa.gov.au/637.asp	The Residential Design Codes establish a consistent statutory density and development standards for residential development across the state as a whole.	The Residential Design Codes prescribe requisite built form design standards, and categorise "aged persons dwellings" with "dependent persons dwellings". This directly affects dwelling yield and on-site/building design standards.
State Planning Policy 4.2: Activity Centres for Perth and Peel http://www.planning.wa.gov.au/publications/1178.asp	The main purpose of this policy is to specify broad planning requirements for the planning and development of new activity centres and the redevelopment and renewal of existing centres in Perth and Peel. It is mainly concerned with the distribution, function, broad land use and urban design criteria of activity centres, and with coordinating their land use and infrastructure planning. The policy also reflects the Western Australian Planning Commission's (WAPC) intention to encourage and consolidate residential and commercial development in activity centres so that they contribute to a balanced network.	The Policy includes an objective to increase the density and diversity of housing in and around activities centres.
Planning Bulletins www.planning.wa.gov.au/5125.asp	Bulletins issued by the Western Australia Planning Commission are intended to canvass proposed policy changes or highlight information about planning practices on a variety of planning matters. Bulletins have the ability to influence the attitude and thinking towards forms of development and associated issues.	There are currently no bulletins addressing retirement living.
Regional Planning Instruments		
Metropolitan Region Scheme Peel Region Scheme Greater Bunbury Region Scheme www.planning.wa.gov.au/639.asp	The region schemes assist strategic planning, the coordination of major infrastructure and sets aside areas for regional open space and other community purposes. The region schemes provide statutory definition of future development areas and determine the content of Local Planning Schemes.	The Region Schemes set out broad land use zones or policy areas and identify land required for regional purposes.

Interface Between Existing Policy and Recommended Legislative Framework

Awareness

- Awareness of the general issues surrounding retirement living is not present in the Regulations.

Access

- Model provisions are required for the preparation and assessment of structure plans, though structure plans do not presently exist in the planning hierarchy. Assessment criteria for structure plans would appropriately include the provision of retirement living sites and services.

Affordability

- There are existing model text provisions for the inclusion of development contribution plans into local Planning Schemes.

Adaptability

- There is opportunity to establish model scheme text provisions that provide greater flexibility in the application of Residential Design Code density by either variation to R-Coding identified on a Scheme Map, or variation to a Local Structure Plan.
- Model scheme text provisions are capable of accommodating the recommended framework, providing that the Residential Design Codes are appropriately incorporated within the operative provisions of local government planning schemes.
- Model scheme text definitions should be expanded to identify and define new terminology.

Awareness

- The current drafting of the Residential Design Code does not represent contemporary retirement living options. Revision of the Residential Design Codes are required to more accurately define the differing housing forms across the spectrum of retirement living accommodation.
- The prescriptive nature of the Residential Design Code does not encourage the diversity of accommodation requirements needed to adequately serve the sector.

Adaptability

- The Residential Design Codes include performance based 'design principles', but this is compromised by highly prescriptive 'deemed-to-comply' provisions which effectively dictate the expected outcomes for aged accommodation.
- Currently the Residential Design Codes provide more lenient development standards for 'aged or dependent persons' dwellings in comparison to other forms of housing, for example, through reduced carparking provision and outdoor living areas. However, the Codes also impose additional requirements such as footpath access requirements, car set-down areas, level entries, and building construction standards (AS4299).

Awareness

- Awareness of the general issues surrounding retirement living is not present in the policy.

Access

- The policy could be amended to provide additional support for establishing retirement living as a viable residential option within and immediately adjacent to activity centres, noting that this would be a higher density or multi-storey form of retirement living.
- Section 4.3 of the "Model Centre Framework" addresses dwellings, and an opportunity exists to broaden this to support the inclusion of retirement options as preferred housing typology.

Awareness

- The preparation of a retirement living specific bulletin has merit in assisting the preparation of planning instruments and assessment of development applications.

Awareness / Accessibility

- While the Region Schemes do not presently address retirement villages, the structure of the Region Schemes is compatible with the proposed framework.

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Outline of State and Territory Policies and Instruments

Instrument	Intent and Relevancy	Effectiveness
Western Australia		
Regional Planning Instruments		
Directions 2031 Perth and Peel Region www.planning.wa.gov.au/publications/826.asp	The Directions provide a high level spatial framework and strategic plan for future growth which influences the terms of Scheme amendments and Structure Plan yields.	The Directions define greenfield development areas and no specific references are made to retirement villages.
Perth and Peel @ 3.5 million www.planning.wa.gov.au/publications/3.5million.asp	The Perth and Peel@3.5million report sets the context for four draft sub-regional planning frameworks, to help generate informed feedback during the public consultation period. The four draft sub-regional planning frameworks are for Central, North-West, -East and South Metropolitan Peel. The report sets the historical context and promotes a shift away from a 'business as usual' development approach towards a growth pattern for a more considered, consolidated and connected city.	The report notes the ageing population and longer lifespans, with a resulting increasing demand for housing in areas with convenient access to a range of services or for different styles of housing in the same suburb.
Local Planning Instruments		
Local Planning Schemes online.planning.wa.gov.au/lps/localplanningschemes.asp	Planning Schemes provide statutory controls for development and subdivision. Provides ability to establish structure plans, carry out subdivision works and achieve subsequent approvals.	Local Planning Schemes are required to be prepared so that they are consistent with the state planning framework. With appropriate amendments to the state planning instruments, Local Planning Schemes will be progressively updated (reviews are required each five years) to accommodate the new directions.
Local Planning Strategies www.planning.wa.gov.au/1309.asp	Local Planning Strategies set out the long-term planning directions of the local government, explaining the rationale for the zones and other provisions of the Local Planning Scheme. Informs the statutory terms of Local Planning Schemes, and assists the exercise of discretion when considering proposed Scheme amendments and development applications.	A strategy can provide a strategic context for retirement living as relevant to the needs of local communities.
Local Structure Plans	Establishes the basis of subdivision plans and subsequent development.	Where a structure plan applies, it is essential for a local structure plan to identify/provide for a retirement village.
Local Planning Policy	Provide guidance on the exercise of discretion by Councils.	Policies can assist in guiding the market selection of sites and aid the assessment and determination of applications.
Other		
<i>Retirement Villages Act 1992</i> <i>Retirement Villages Regulations 1992</i> <i>Residential Parks (Long stay Tenants) Act 2006</i> <i>Fair Trading Act 2010</i> <i>Fair Trading (Retirement Villages Code) Regulations 2009</i> <i>Strata Titles Act 1985</i>	Regulate retirement villages and the rights of residents in such villages and for related purposes. Relevant to village operation and ownership/interest arrangements.	These Statutory Instruments provide for appropriate control of the various types of schemes (financial arrangements), protect consumer interests and provide dispute remedies.

Interface Between Existing Policy and Recommended Legislative Framework

Awareness / Accessibility

- The strategy is capable of performing the function of a primary strategic level instrument. To appropriately address generic planning framework recommendations, the strategy would need to:
 - Acknowledge the need to meet housing demand for an ageing population with an appropriate range of housing choices
 - In some detail, outline the type of housing choices required now and likely to be required into the future as the population ages and with generational change in housing type aspirations within that cohort
 - In some detail outline some of the issues around providing / developing housing for seniors; the differences when compared to standard residential development; the challenges of competing with other uses in acquiring appropriately located sites; the financial considerations that influence the decision for seniors to move into appropriate housing.

Awareness / Accessibility

- The report recognises at high level both the need for a range of housing options and the need for age specific housing, yet the options discussed in the Housing Diversity section do not identify retirement living options amidst a host of alternative scenarios.

Attitude

- Statutory approvals processes involve considerable timeframes and a complexity of approvals required, including structure plan amendments and rezoning.

General

- Implementation of the 5 A's at the regional level will raise the awareness of local government of housing demand and diversity along with accessibility and adaptability matters.

Awareness

- Many Councils do not have a policy addressing retirement living.

Access

- The drafting of Local Structure Plans may preclude issue of development approval and leasehold approval.

Adaptability

- As per Local Planning Schemes above, noting that assessment criteria for structure plans could be augmented to assess the provision of land and services for retirement living.

Awareness

- Many Councils do not have a policy addressing retirement living.

General

- The legislative arrangements are capable of accommodating the recommended framework.

Appendix C

Cascading Policy Framework – Spectrum of Policy Effectiveness

The below table locates the states and territories on a spectrum of policy effectiveness when considering various issues from the 5 A's. Each state and territory has initiatives are working better than others in delivering the 5 A's, in a number of cases a state or territory's policy base is shown as spanning more than one level on the

ISSUE	Low	
	<ul style="list-style-type: none"> No explicit mention of issues relating to seniors/retirement living 	<ul style="list-style-type: none"> Initiative/policy explicitly mentions Seniors/retirement living No broader or in depth articulation of relevant considerations
Impact on spectrum position due to jurisdiction of state government department responsible for retirement villages, e.g. consumer affairs vs housing.	South Australia Western Australia Victoria New South Wales	Australian Capital Territory Northern Territory Tasmania
AWARENESS		
Government awareness as reflected in policy	Northern Territory (except for master plan area for Palmerston)	Australian Capital Territory → Strategic Plan for Positive Ageing 2010-2014. Those interviewed were not aware of it. New South Wales → no 'awareness' articulated in regional planning. (community submissions to application, often connected to affordable housing) and where seeking variations to development standards Victoria → only briefly mentions ageing population in strategic documents Tasmania
Political/community		
ACCESSIBILITY		
Acquisition esp. inner and middle ring		New South Wales Tasmania
Highest and best use - challenges		Western Australia South Australia New South Wales → high competition with apartment developers for sites and policy doesn't assist
De-risk applications (permitted, no advertising, no 3rd party appeal)		Queensland Victoria → high de-risking for aged care but not for retirement living. Co-location with aged care, may offer low hanging fruit Northern Territory Australian Capital Territory
AFFORDABILITY		
Infrastructure changes/ developer contributions		Queensland – (fair value charges schedule for infrastructure → offers potential) Australian Capital Territory
Differences to standard residential		New South Wales – only for social housing Western Australia
Upfront costs and finance limitations eg community facilities; non-binding pre-sales		Victoria Tasmania Northern Territory

ry has various policy initiatives or positions that impact on retirement village development; however these vary in terms of their effectiveness. As some policy rel on the spectrum. In some cases specific comments are made regarding particular policy features and impacts.

SPECTRUM OF EFFECTIVENESS		
Medium		High
<ul style="list-style-type: none"> Initiative explicitly mentions seniors living and articulates in broad terms some of the considerations No teeth, implementation capabilities or use /compliance is optional for local government 	<ul style="list-style-type: none"> Initiative explicitly mentions seniors living and articulates in specific outcomes Has teeth/ clear implementation offerings; use / compliance not optional for local government Is undermined by other elements of this initiative (including too prescriptive) 	<ul style="list-style-type: none"> Initiative explicitly addresses seniors/ retirement living Articulates clear performance outcomes/ benchmarks (not overly prescriptive) Clearly articulates suite of incentives to facilitate development Is effective and flexible in its implementation Is not undermined or diminished by other elements in the initiative Is not undermined or diminished by other influences from other relevant planning framework initiatives Benefits intended are delivered
	Queensland	
Queensland – at a regional plan level South Australia	New South Wales & Western Australia – awareness at state policy level but lacking at local government. One size fits all and often rigid aspiration by local government to force compliance with prescriptive design provisions undermines this.	
Queensland New South Wales → specifies broad areas where seniors housing is permissible but requires advertising and does not prevent third party appeal rights		
South Australia Queensland → shows potential with infrastructure charges with local government discussion to go below max state government charge regime (eg. Logan City Council and BCC previously) Queensland (appears to be more facilitative generally)		

Appendix C

Cascading Policy Framework – Spectrum of Policy Effectiveness

ISSUE	Low	
	<ul style="list-style-type: none"> No explicit mention of issues relating to seniors/retirement living 	<ul style="list-style-type: none"> Initiative/policy explicitly mentions Seniors/retirement living No broader or in depth articulation of relevant considerations
Impact on spectrum position due to jurisdiction of state government department responsible for retirement villages, e.g. consumer affairs vs housing..	South Australia Western Australia Victoria New South Wales	Australian Capital Territory Northern Territory Tasmania
ADAPTABILITY		
Existing facilitates and renewal opportunities	New South Wales Queensland Australian Capital Territory	
Retrofit for mobility		
Flexibility in planning provisions	Northern Territory Western Australia	Victoria New South Wales Tasmania
ATTITUDE		
'Opt in' vs 'opt out' standardised provisions		Western Australia & South Australia – ability to take advantage of State Policy initiatives often undermined by local government 'opting out' of specific provisions
Local government	Northern Territory New South Wales (inner ring)	Western Australia Victoria – Victoria lead by State and Victorian Planning Provisions (Nothing specific in Victorian Planning Provisions regarding retirement living but there is for aged care) Tasmania
De-risk applications (permitted, no advertising, no 3rd party appeal)	Australian Capital Territory Northern Territory Victoria New South Wales – Number of local governments and decentralised nature make process more difficult	Queensland Victoria → high de-risking for aged care but not for retirement living co-location with aged care, may offer low hanging fruit Northern Territory

Note: Seniors/ retirement living does not for the purposes of this diagram include 'aged care'.

SPECTRUM OF EFFECTIVENESS

Medium		High
<ul style="list-style-type: none"> Initiative explicitly mentions seniors living and articulates in broad terms some of the considerations No teeth, implementation capabilities or use /compliance is optional for local government 	<ul style="list-style-type: none"> Initiative explicitly mentions seniors living and articulates in specific outcomes Has teeth/ clear implementation offerings; use / compliance not optional for local government Is undermined by other elements of this initiative (including too prescriptive) 	<ul style="list-style-type: none"> Initiative explicitly addresses seniors/ retirement living Articulates clear performance outcomes/ benchmarks (not overly prescriptive) Clearly articulates suite of incentives to facilitate development Is effective and flexible in its implementation Is not undermined or diminished by other elements in the initiative Is not undermined or diminished by other influences from other relevant planning framework initiatives Benefits intended are delivered
	Queensland	
South Australia	South Australia – Greater Adelaide Plan, policy	
Queensland (appears to be more facilitative from a cultural perspective)		
Queensland – fair value charge prospects New South Wales – ability to take advantage of state policy initiatives where local government could otherwise have opted out of specific provisions (but other ways to undermine)		
Queensland (varies but Queensland generally perceived as ahead of others) New South Wales – middle and outer ring		
New South Wales → specifies broad areas where seniors housing is permissible but requires advertising and does not prevent third party appeal rights Queensland (varies but Queensland generally perceived as ahead of others)		



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