1 BASIS FOR CONFIDENTIALITY

1.1 It is recommended that this report be considered in Closed Session pursuant to section 275 (1) of the Local Government Regulation 2012 for the reason that the matter involves:

(h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

1.2 It is recommended that the report/attachment be deemed non-confidential except for those parts deemed by the Chief Executive Officer to remain confidential in accordance with sections 171 (3) and 200 (5) of the Local Government Act 2009.

2 EXECUTIVE SUMMARY

A review of current City Plan policy settings for retirement living and aged person’s accommodation has been undertaken to proactively respond to the expected increase in people aged 65 and over as identified by City officers, and to address external stakeholder concerns about:

- the supply and affordability of residential accommodation for seniors (i.e. Residential care facilities and Retirement facilities); and

- the perception that City Plan has restrictive planning regulations for the location of Residential care facilities and Retirement facilities (i.e. Categories of development and assessment).

This review has identified an opportunity to undertake a series of updates to City Plan to respond to these concerns and ensure the City has a contemporary approach to the provision of retirement living and aged person’s accommodation.

The proposed updates for Council’s consideration are as follows:

- lower the category of development and assessment for a Residential care facility in the Community facilities zone from impact assessment to code assessment;

- allow existing buildings to change from a Retirement facility to a Residential care facility, or vice versa, as accepted development subject to requirements, in all zones where they are currently code assessment; and

- undertake an investigation into the development of a specific design code for Residential care facilities and Retirement facilities.

It is proposed the recommended policy updates to the categories of development and assessment be endorsed for inclusion as part of City Plan Major update 3, with the final drafted content to be presented for Council’s consideration and endorsement with the entire Major update 3 package prior to State interest review.
3 PURPOSE OF REPORT

The purpose of this report is to seek Council endorsement to:

- update the categories of development and assessment for Residential care facilities and Retirement facilities; and

4 PREVIOUS RESOLUTIONS

Council resolved on 28 November 2017 (G17.1128.010) to endorse the proposed program of updates to the City Plan. The Major update 3 package includes a review of the policy settings within City Plan relating to retirement living and aged person’s accommodation.

5 DISCUSSION

A review of retirement living and aged person’s accommodation provisions in City Plan was initiated to proactively respond to the expected increase in people aged 65 and over as identified by City officers.

From 2011 to 2016, Gold Coast City's population increased by 61,000 people. One of the largest changes in the age structure was the Baby Boomers and the Great Generation (people aged 60 to 85 years) cohorts which grew from 91,000 to 110,000 (+ 19,000 people). This trend is expected to continue. To respond to this, we need to facilitate the ability for these people to downsize into more appropriate housing within their existing neighborhoods. This also has the added benefit of making existing family homes available for new families.

In addition, this review will address correspondence sent to the Mayor from the Property Council of Australia (PCA) with concerns specifically relating to:

- the supply and affordability of residential accommodation for seniors (i.e. Residential care facilities and Retirement facilities); and

- the perception that City Plan has restrictive planning regulations for the location of Residential care facilities and Retirement facilities (i.e. Categories of development and assessment).

To address these concerns, a comprehensive review of the policy settings for retirement living and aged person’s accommodation within City Plan has been undertaken. This report sets out:

- an overview of the retirement living and aged persons accommodation industry;
the key differences between City Plan land uses for retirement living and aged person’s accommodation;

the outcomes of reviewing current City Plan tables of assessment and associated assessment benchmarks; and

the recommended updates to the relevant parts of City Plan.

5.1 Background

According to the Housing Needs Planning Investigation (prepared August 2017 and noted by Council on 8 December 2017), the number of people on the Gold Coast aged 65 and over is expected to nearly double from 89,200 to 175,000 people by 2036, which will have significant implications on the supply and demand of housing available to seniors.

As seniors age, they require a range of health, community and housing options specific to their needs. There are currently a range of housing options available to seniors, including:

- staying in the family home (often referred to as ‘aging in place’) with assistance offered by visiting services;
- downsizing to a smaller standard residential dwelling;
- retirement facilities with independent living units (ILUs); and
- residential care facilities.

will choose to live in ‘built for purpose’ Residential care facilities and Retirement facilities. As a result, there is high demand for the development of retirement dwellings to meet the needs of the aging population.

However, there is a number of development barriers that influence the retirement living and aged persons accommodation industry’s ability to provide purpose built housing, including but not limited to, the following:

- the non-binding pre-sale of housing due to additional State legislation means retirement living and aged persons accommodation developments cannot rely on pre-sales to secure funding for a project;
- up front infrastructure costs while infrastructure demands are typically less than standard residential developments due to lower occupancy rates (e.g. water, sewer, transport and recreation infrastructure);
- the provision of excessive car parks adds to the cost of the development; and
- the need to provide additional services and facilities to meet resident expectations.
These factors increase the cost of developing retirement living and aged person’s accommodation, which reduces project feasibility and the capacity for developers to access and compete for sites, when compared to standard residential development.

In addition, the retirement living and aged person’s accommodation market is also transforming in response to a change in attitude exhibited by the aging demographic, with seniors now demonstrating the following characteristics:

- increased acceptance for medium and high-density living (i.e. medium and high-rise accommodation);
- demand for affordable and quality age-specific residential housing; and
- a desire to remain, in or near, the community they are already in.

While the City is limited in its ability to assist the retirement living and aged person’s accommodation industry on a number of these factors, it is important to understand the complexity of issues affecting the industry, and develop a proactive approach at the local government level.

As a result, there are a number of initiatives the City can consider to assist in the delivery of age-specific, affordable accommodation for seniors, including:

- updating City Plan to ensure the City has a contemporary approach to retirement living and aged person’s accommodation;

  REDACTED

- updating the car parking rates within the Transport code (note this has been addressed as part of City Plan Major Update 2 and endorsed by Council (G17.0905.025) on 05 September 2017 and is currently at the State interest review stage).

5.2  City Plan land uses for aged person’s accommodation

The City Plan regulates retirement living and aged person’s accommodation through the following land uses:

- Retirement facility; and
- Residential care facility.

There is a common misconception that Retirement facilities are the same as Residential care facilities; however, this is not the case.
The key differences between these facilities are:

**Table 1: Differences between Residential care facilities and Retirement facilities**

<table>
<thead>
<tr>
<th></th>
<th>Retirement facility</th>
<th>Residential care facility</th>
</tr>
</thead>
</table>
| **Type of residents / Level of care** | • Live independently  
• Not dependent on staff  
• Access to additional assistance through paid help (i.e. cooking) | • More frail, cannot live independently  
• Require a high level of care and daily assistance with personal care (i.e. bathing, dressing) |
| **Entry Requirements**  | • Limited to older members of the community and retired persons                      | • Must be assessed by an Aged Care Assessment Team                           |
| **Legislation**         | • State legislation: Retirement Village Act 1999                                       | • Federal legislation: Commonwealth Aged Care Act 1997                        |
| **Funding**             | • Self-funded                                                                       | • Government funded                                                         |

**5.2.1 Retirement facilities**

A Retirement facility, as defined by City Plan, is a residential use of premises for an integrated community and specifically built and designed for older people. This includes ILUs 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.

Residents can generally live independently and are not very frail or dependent on staff. However, these facilities are designed for seniors and provide access to age-appropriate facilities and services not usually available in standard multiple dwelling residential developments (e.g. accessibility features, medical facilities).

Retirement facilities also provide an affordable housing option. The 2017 Property Council National Retirement Census (2017 Census) found that the average ILU costs less than 70% of the median price of a standard residential dwelling in the same postcode, therefore allowing seniors to downsize and free up funds to improve their quality of life.
5.2.2 Residential care facilities

A Residential care facility, as defined by City Plan, is a residential use of premises for supervised accommodation where the use includes medical and other support facilities for residents who cannot live independently and require continual nursing or personal care.

Entry into a residential aged care facility is restricted by need and the potential resident must be assessed by a government-appointed Aged Care Assessment Team and judged as requiring personal assistance.

Some Residential care facilities specialise in caring for people with specific needs (i.e. dementia) or palliative care for people who have a life-limiting illness and operate in a similar manner to a hospital.

Figure 2: Example of a residential care facility on the Gold Coast (TriCare – Mermaid Beach)

5.3 Outcomes of review

The review of relevant retirement living and aged person’s accommodation planning provisions in City Plan has revealed opportunities to:

- positively respond to external stakeholder concerns with regard to facilitating age-specific residential accommodation on the Gold Coast;
- ensure City Plan provides a contemporary approach to retirement living and aged person’s accommodation by responding to the changing retirement market;
- support and encourage the development of appropriate retirement living and aged person’s accommodation in relevant locations across the city; and
- reflect the differences between Residential care facilities and Retirement facilities through City Plan policy.

These are discussed in more detail below.
5.3.1 Categories of development and assessment

The categories of development and assessment (where listed) identifies the type of assessment required for each land use. For the purpose of this review, the categories of development and assessment for Residential care facilities and Retirement facilities were investigated.

A summary of the results are outlined below:

**Table 2: Categories of development and assessment for a Material change of use**

<table>
<thead>
<tr>
<th>Zone</th>
<th>Residential care facility</th>
<th>Retirement facility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low density residential</td>
<td>Code if on lot/s within 400 metre walking distance of:</td>
<td>Code if on lot/s within 400 metre walking distance of:</td>
</tr>
<tr>
<td></td>
<td>(a) high frequency public transport stop/s;</td>
<td>(a) high frequency public transport stop/s;</td>
</tr>
<tr>
<td></td>
<td>(b) mixed use centre or neighbourhood centre; or</td>
<td>(b) mixed use centre or neighbourhood centre; or</td>
</tr>
<tr>
<td></td>
<td>(c) district or regional level community facilities</td>
<td>(c) district or regional level community facilities</td>
</tr>
<tr>
<td>Medium density residential</td>
<td>Code</td>
<td>Code</td>
</tr>
<tr>
<td>High density residential</td>
<td>Code</td>
<td>Code</td>
</tr>
<tr>
<td>Centre</td>
<td>Code</td>
<td>Code</td>
</tr>
<tr>
<td>Neighbourhood centre</td>
<td>Code</td>
<td>Code</td>
</tr>
<tr>
<td>Emerging community</td>
<td>Impact</td>
<td>Impact</td>
</tr>
<tr>
<td>Limited development (constrained land)</td>
<td>Impact</td>
<td>Impact</td>
</tr>
<tr>
<td>Mixed use</td>
<td>Code</td>
<td>Code</td>
</tr>
<tr>
<td>Township</td>
<td>Impact</td>
<td>Impact</td>
</tr>
</tbody>
</table>

The review has highlighted the following outcomes in relation to the concerns raised by PCA with regard to the perceived restrictive planning regulations for establishing retirement living and aged person’s accommodation:

- these facilities are currently contemplated in nine (9) zones across the city, six (6) of which are code assessment with the remaining three (3) impact assessment (listed); and

- the categories of development and assessment for Residential care facilities and Retirement facilities are the same.

City officers consider the current categories of development and assessment to be sufficient in facilitating the development of retirement living and aged person’s accommodation but
also identified an opportunity for further improvement by lowering the categories of development and assessment in an additional zone.

This is informed and supported by a comprehensive review, which has taken into consideration the following:

i. Investigation into the location of existing Residential care facilities and Retirement facilities on the Gold Coast found that there is a total of 68 facilities existing in eight (8) zones across the city, emphasising the diversity in location of retirement living and aged person’s accommodation.

ii. Key findings from benchmarking against other local governments in Queensland found City Plan to be relatively unrestrictive in the number of zones where these facilities are currently envisaged.

iii. An assessment of Brisbane City Council’s recent retirement living and aged care accommodation incentives package found that the proposed updates to their categories of assessment largely aligned with current Gold Coast standards. In addition, they also lowered the categories of development and assessment for these facilities to code assessment in the Community facilities zone.

iv. Consultation with Industry bodies (PCA, Stocklands and Urbis) and a representative of Brisbane City Council. All stakeholders agreed the current categories of development and assessment in City Plan is sufficient but could be improved further by lowering the categories of development and assessment in the Community facilities zone.

To assist in the delivery of age-specific, affordable accommodation for our aging population and address the perceived restrictive planning regulations for the location of retirement living and aged person’s accommodation, it is suggested to:

- lower the categories of development and assessment for a Residential care facility in the Community facilities zone from impact assessment to code assessment.

The categories of development and assessment for Retirement facilities are considered to be acceptable and therefore do not require any further modification.

City officers believe this update will help to assist in facilitating the establishment of retirement living and aged person’s accommodation in appropriate locations due to the fact that:

- it will broaden the zones in the city where a Residential care facility is envisaged;
- these facilities provide a higher level of care to their residents and operate in a similar manner to a hospital, which is code assessable in this zone;
- seniors unable to live independently will be close to important facilities and services (e.g. medical); and
- Four (4) Residential care facilities already exist in this zone.
Some retirement living and aged person’s accommodation developments have integrated levels of care and offer residential care accommodation in addition to ILUs so that as a person’s needs change, they can still remain in the same community.

The 2017 Census found that 40% of retirement villages in Australia are operated by an approved provider for residential care. Currently, only 12% of existing retirement living and aged person’s accommodation offer integrated facilities on the Gold Coast.

With this in mind, a further opportunity exists for City Plan to help encourage and facilitate the integration of Residential care facilities and Retirement facilities by allowing existing buildings to be repurposed as accepted development subject to requirements in the following zones:

- Low density residential zone;
- Medium density residential zone;
- Centre zone;
- Neighbourhood centre zone;
- Community facilities zone (excluding repurposing a Retirement facility in an existing Residential care facility); and
- Mixed use zone.

To enable operators to repurpose existing Retirement facilities and Residential care facilities more easily, updates to the tables of assessment in the abovementioned zones are recommended as outlined in the table below, using the tables of assessment for Medium density residential zone as an example to illustrate the proposed change:

**Table 3: Proposed update to the tables of assessment to facilitate the integration of Residential care facilities and Retirement facilities**

<table>
<thead>
<tr>
<th>Activity groups</th>
<th>Uses</th>
<th>Assessment benchmarks and required outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential activities</td>
<td>Accepted subject to requirements</td>
<td></td>
</tr>
<tr>
<td><strong>Residential care facility if establishing in an existing Retirement facility premises and:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) does not involve building works; or</td>
<td>Any overlay code triggered by an overlay map</td>
<td>High-rise accommodation design code</td>
</tr>
<tr>
<td>(b) involves building work that does not increase the existing gross floor area; or</td>
<td>Medium density residential zone code</td>
<td>Multiple accommodation code</td>
</tr>
<tr>
<td>(c) involves minor building work</td>
<td>General development provisions code</td>
<td>Solid waste management code</td>
</tr>
<tr>
<td><strong>Retirement facility if establishing in an existing Residential care facility premises and:</strong></td>
<td>Driveways and vehicular crossings code</td>
<td>Transport code</td>
</tr>
<tr>
<td>(a) does not involve building works; or</td>
<td>Fire services in developments accessed by common private title code</td>
<td>Vegetation management code</td>
</tr>
<tr>
<td></td>
<td>Healthy waters code</td>
<td></td>
</tr>
</tbody>
</table>
Table 5.5.2: Material change of use – Medium density residential zone

<table>
<thead>
<tr>
<th>Activity groups</th>
<th>Uses</th>
<th>Assessment benchmarks and required outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(b) involves building work that does not increase the existing gross floor area; or (c) involves minor building work</td>
<td></td>
</tr>
</tbody>
</table>

5.3.2 Design considerations for aged person’s accommodation

Whilst this review will respond to concerns regarding the perceived planning restrictions for the location of retirement living and aged person’s accommodation on the Gold Coast, to ensure City Plan does not have any impediments for the establishment of these land uses, the assessment benchmarks in development use codes have also been reviewed.

City Plan currently contemplates the design of Residential care facilities and Retirement facilities the same as standard residential developments (i.e. multiple dwellings) and have assessment assessment benchmarks in multiple use codes, in particular:

- High-rise accommodation design code; and
- Multiple accommodation code.

As a result, City officers researched the general design features of Residential care facilities, Retirement facilities and standard multiple dwelling developments as part of this review, and found many significant differences between each land use, as identified in the table below:

Table 4: Comparison of design considerations for Residential care facilities, Retirement facilities and Standard multiple dwelling developments

<table>
<thead>
<tr>
<th>Design considerations</th>
<th>Development type</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Residential care facility</td>
</tr>
<tr>
<td>Communal space</td>
<td>• outdoor and indoor spaces for visitation</td>
</tr>
<tr>
<td></td>
<td>• social interaction with familiar neighbours of a similar age</td>
</tr>
<tr>
<td>Private open space</td>
<td>• not provided</td>
</tr>
<tr>
<td>Support services and facilities</td>
<td>• nursing station/s clinical care, rehabilitation and on-site personal care services could contain specific facilities for specialised care (i.e. dementia)</td>
</tr>
<tr>
<td>Accessibility</td>
<td>• purpose built to support frail and aging bodies (i.e. wider corridors for i.e. dementia)</td>
</tr>
</tbody>
</table>
In addition to this, this review also revealed the following:

- Consultation with industry bodies and Brisbane City Council emphasised the need to distinguish retirement living and aged person’s accommodation from standard residential development.

- All benchmarked councils have a specific development use code relating to retirement living and aged person’s accommodation, with a number of common assessment benchmarks amongst them:
  - Location;
  - Communal space / open space;
  - Services and facilities; and
  - Access / pedestrian movement.

- The previous 2003 Gold Coast Planning Scheme had an Aged person’s accommodation code. City officers believe the assessment benchmarks in the previous use code are outdated and not suitable for integration into City Plan.
6 ALIGNMENT TO THE CORPORATE PLAN, CORPORATE STRATEGIES AND OPERATIONAL PLAN

The City Plan aligns with the Corporate Plan, specifically with the following vision statements and objectives:

- Our city provides a choice of liveable places;
- Our city is safe;
- We are proud of our city;
- Our community is inclusive and supportive;
- We plan for the future of the city; and
- We manage the city responsibly.

7 GOLD COAST 2018 COMMONWEALTH GAMES™ IMPACT

Not applicable.

8 FUNDING AND RESOURCING REQUIREMENTS

Not applicable.

9 RISK MANAGEMENT

This activity supports the mitigation of Economy, Planning and Environment Directorate Risk number CO000510:

‘City Plan delivers inadequate and/or ineffective strategic/development policy (e.g. poor planning, built form, growth, social and environmental outcomes - including flood impacts)’.

10 STATUTORY MATTERS

The updates resulting from this review are to be included in City Plan Major update 3. This amendment package will progress in accordance with the Planning Act 2016 and the Minister’s Guidelines and Rules under the Planning Act 2016 July 2017 (MGR).
11 COUNCIL POLICIES

Not applicable.

12 DELEGATIONS

Not applicable.

13 COORDINATION & CONSULTATION

The table below identifies the stakeholders that have been involved / participated in the preparation of this report.

<table>
<thead>
<tr>
<th>Name and/or Title of the Stakeholder Consulted</th>
<th>Directorate or Organisation</th>
<th>Is the Stakeholder Satisfied With Content of Report and Recommendations (Yes/No) (comment as appropriate)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Executive Coordinator Major Assessment</td>
<td>City Development</td>
<td>Yes</td>
</tr>
<tr>
<td>City Architect</td>
<td>Office of City Architect</td>
<td>Yes</td>
</tr>
<tr>
<td>Coordinator Strategic Infrastructure</td>
<td>City Planning</td>
<td>Yes</td>
</tr>
<tr>
<td>Coordinator Regional Planning</td>
<td>City Planning</td>
<td>Yes</td>
</tr>
<tr>
<td>Program Lead Key Strategic Projects</td>
<td>City Development</td>
<td>Yes</td>
</tr>
</tbody>
</table>

14 STAKEHOLDER IMPACTS

The items discussed in this report will form part of the broader Major update 3 package.

Internal stakeholders have been and will continue to be consulted as the update progresses through the statutory process.

City officers will continue to liaise with State Government officers on the content and timing for Major update 3.

15 TIMING

It is anticipated a consolidated Major update 3 package will be presented to Council prior to submission for State interest review.

16 CONCLUSION

A review of City Plan provisions relating to retirement living and aged person’s accommodation was undertaken in response to external stakeholder concerns about:

- the supply and affordability of residential accommodation for seniors (i.e. Residential care facilities and Retirement facilities); and
the perception that City Plan has restrictive planning regulations for the location of Residential care facilities and Retirement facilities.

To address these concerns, a comprehensive review was undertaken, which included:

- a review of the categories of development and assessment for Residential care facilities and Retirement facilities and the associated assessment benchmarks in the applicable use codes;

- benchmarking against three (3) other local governments in Queensland;

- consultation with internal and external stakeholders, including officers from City and Regional Planning, Industry bodies (i.e. PCA) and local government representatives; and

- analysis of existing aged person’s accommodation on the Gold Coast.

After reviewing the existing policy for retirement living and aged person’s accommodation, officers consider the issues raised by external stakeholders can be appropriately addressed through proposed updates to City Plan. As such, it is proposed City Plan be updated in accordance with the recommendations listed below.

17 RECOMMENDATION

It is recommended that Council resolves as follows:

1 That the report/attachment be deemed non-confidential except for those parts deemed by the Chief Executive Officer to remain confidential in accordance with sections 171 (3) and 200 (5) of the Local Government Act 2009.

2 That the recommended policy positions, as identified in Attachment A as amended, be endorsed to be included as part of City Plan Major update 3.

3 That the proposed changes to the City Plan be brought back to Council for endorsement prior to submission for State interest review.

Author: Elle Diedrich
Planner
04 January 2018

Authorised by: Mick Moran
A/Director Economy, Planning & Environment