

**LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY**

**STANDING COMMITTEE ON PLANNING AND ENVIRONMENT**

**(Reference: Long-term planning for aged care accommodation)**

**Members:**

**MS R DUNDAS (The Chair)  
MR J HARGREAVES (The Deputy Chair)  
MRS H CROSS  
MRS V DUNNE**

**TRANSCRIPT OF EVIDENCE**

**CANBERRA**

**WEDNESDAY, 7 JULY 2004**

**Secretary to the committee:  
Ms R Jaffray (Ph: 6205 0199)**

**By authority of the Legislative Assembly for the Australian Capital Territory**

Submissions, answers to questions on notice and other documents relevant to this inquiry which have been authorised for publication by the committee may be obtained from the committee office of the Legislative Assembly (Ph: 6205 0127).

**The committee met at 2.08 pm.**

**THE CHAIR:** We now start this second round of hearings of the planning committee's inquiry into provision for aged care. Thank you for coming today. I'm obliged to read this statement to you.

You should understand that these hearings are legal proceedings of the Legislative Assembly protected by parliamentary privilege. That gives you certain protections but also certain responsibilities. It means that you are protected from certain legal action, such as being sued for defamation for what you say at this public hearing. It also means that you have a responsibility to tell the committee the truth. Giving false or misleading evidence will be treated by the Assembly as a serious matter.

We would ask that the first time you speak you introduce yourselves and state the capacity in which you appear today, so that Hansard has that on record. As you will be aware from the terms of reference, the inquiry in front of us is focused on planning provisions for aged care. There are health related discussions that sit around that, which are not within our terms of reference. We are looking at planning specifically.

Belconnen Community Council, thank you for your submission and for agreeing to appear today. Would you like to make an opening statement?

**GRAEME EVANS** was called.

**Mr Evans:** Yes, thank you very much, Chair. My name is Graeme Evans and I'm president of Belconnen Community Council. I'd like to introduce the other people from Belconnen Community Council who are present.

**MS DUNDAS:** Each individual will have to speak into the microphone to introduce themselves so that it is recorded in *Hansard*.

**Mr Evans:** I wanted to make the point that we've got people from our committee not only at the table but also in the gallery. I will leave the people at the table to speak into the microphone and introduce themselves and will introduce Ted Tregillgas, Sandra Bowe and Helen Brewer from our committee. I apologise for two people who are not here: Alice Chu, who is overseas, and Gwen Kirk, who is interstate. Gwen was disappointed to miss the hearing and wrote a letter to the standing committee. I would like to table that and also the comments that we supplied on the preliminary assessment for section 87.

**THE CHAIR:** We've already received some comments.

**Mr Evans:** You should have that document.

**THE CHAIR:** Yes.

**Mr Evans:** Gwen has endorsed a copy of those comments with "I agree" and then signed the document as an indication of her view, as she is not able to be here. As you'll understand, Gwen is an important part of the Belconnen Community Council and I thought that her view should be placed on the record.

Belconnen Community Council has been monitoring this issue and issues relating to the town centre and Lake Ginninderra for a large number of years. I will table an extract of the submission that Belconnen Community Council put to ACTPLA, which was better known as PALM, at the end of 1999-2000 about the draft master plan for the town centre.

**THE CHAIR:** Mr Evans, if there are a number of documents you want to table, it would be best to just table them all now. Is there anything else that you wish to table?

**Mr Evans:** Yes, there will be other things we wish to table.

**THE CHAIR:** It would just be easier if you tabled them all at once.

**Mr Evans:** I shall proceed to table them now. The first document is on the extracts from our submission on what was then the draft town centre master plan. I've got five copies, so there's one each for the members of the committee and one for the committee secretariat. Shall I place them there?

**THE CHAIR:** Yes, that's fine—and the other documents. We'll pick them all up at once.

**Mr Evans:** I'd like to read into the record what the documents are if that's all right.

**THE CHAIR:** Yes, yes, yes.

**Mr Evans:** There is a set for each of you and a set for the secretariat of some emails that have been exchanged on these matters over the last few months. There was an email to Jon Stanhope dated 3 December 2003. There was an email to Jon Stanhope on the topic dated Monday 8 December 2003 and a third email dated Thursday 18 December to Jon about older persons accommodation and associated issues. There is a reply from Jon dated 21 January 2004 and a further reply dated 28 January 2004. There is an email to Jon Stanhope dated 7 March about block 13, section 32, which was the block up by the Belconnen Markets that was sold for a Bunnings store, which will greatly assist those residents of Belconnen wishing to buy a bag of cement and carry it home by bus. It is nice and proximate to the bus service.

**MRS DUNNE:** That's my line.

**MR HARGREAVES:** We'll move the buses.

**Mr Evans:** If we move the buses a short distance that would also suit those buying wheelbarrows and taking them home by bus.

**THE CHAIR:** Mr Hargreaves, Mr Evans, please keep focused on the aged care inquiry.

**Mr Evans:** Then there's an email to Jon dated 30 May about a block that was sold ages ago for residential purposes—highly suitable for older persons residences—which seems to have fallen into an abyss of some sort and which the government should really reissue for older persons housing. There are five sets of those documents for you.

There's some material from the *Belconnen Chronicle*, which I'd like to table—in fact, the substance of the front page of the *Belconnen Chronicle* of 21 October 2003 headed, “The age of crisis”, which follows through onto a subsequent page. The article draws attention to a range of sites at Belconnen that are highly suitable for older persons housing that the government or the bureaucracy has been declining to take into account. There are five copies of that.

Finally, and this is a very important one, there is a photocopy of the *Northside Chronicle* and *Belconnen Chronicle* of Tuesday October 28 2003, in which, among other very helpful things it says about older persons accommodation, it identifies, if I may use the word gently, certain “fibs” that were told to the LAPACs about what sites were available. It gives an important quote from some of those documents.

**THE CHAIR:** We look forward to reading through all of those documents, Mr Evans. Are there any other documents?

**Mr Evans:** Yes, I've been given copies of a document that I regard as a very major and significant contribution. It's a document prepared by the Ginninderra Catchment Group, who comment on block 6, section 87, on the Ginninderra lake shore. I happened to see this, not quite by chance, in the course of recent events, and I asked them for permission to table the document. I think it's a very sensible contribution to the discussion about that particular site. There are five copies of that document also.

That's the lot that I want to table. Can I just say that the Belconnen Community Council's objectives in relation to older persons housing has been to ensure that there is a range of sites highly suitable for the purpose and a range of opportunities. As I said in the council's submission to you, there are two things that are astonishing. One was the continued refusal of sections of the ACT government to take advantage of the many fine sites that exist in Belconnen for this purpose. The second thing that's astonishing is the rigid determination of some units of the ACT bureaucracy to build such accommodation on the shores of Lake Ginninderra, which is virtually the only site where such accommodation will be opposed. We find that a rather extraordinary thing.

**THE CHAIR:** Mr Evans, is it your understanding that the only site planned for residential aged care facilities in Belconnen for the future is on section 87?

**Mr Evans:** My understanding is that the rest have been given a certain amount of lip service, and some that are highly suitable are in fact being set aside as not being suitable. The only one that the government shows any signs of pursuing with vigour and zest is the lake shore, and that causes a lot of unhappiness to lots of people in Belconnen.

**MRS CROSS:** Mr Evans, can you tell me why you have a problem with the proposed development on the Woodhaven golf course—block 11, section 99? Does that threaten the services that your—

**Mr Evans:** No, quite the reverse. We don't have a problem with it.

**MRS CROSS:** So you're happy with that?

**Mr Evans:** We think the ACT government has a problem with it, and we can't understand what on earth that problem could be.

**MRS CROSS:** Okay, so you're here to support that proposal?

**Mr Evans:** Absolutely. We think that's a highly suitable location and, as we've made clear in our documentation, we think that older persons having a range of accommodation opportunities—from a highly sophisticated urban life within a redeveloped service trades area within the town centre itself on the one hand to the wonderful tranquillity and beauty of sight of the Woodhaven site on the other, and a range of options in between—would constitute a very sensible policy.

We've supported the Woodhaven golf course proposal for a long time. We still support it very strongly, and we're astonished at the arguments being dredged up within the bureaucracy to try and oppose it. We think the arguments being brought forward against it are plain silly.

**MRS CROSS:** You mentioned a number of emails, and correspondence, between you and the Chief Minister, starting last year and going to March this year. Were they on this issue?

**Mr Evans:** They've been on the issue of older persons accommodation.

**MRS CROSS:** Have you also advocated to the Chief Minister that you like the Woodhaven development?

**Mr Evans:** Yes. One of the December emails expressly dealt with the Woodhaven proposal and supported it strongly.

**MRS CROSS:** What was the Chief Minister's response to you?

**Mr Evans:** It was actually very interesting. It didn't oppose it as such. It said that it would be looked at further. It's the arms of the bureaucracy and the Minister for Planning that seem to have been more rigidly opposed to it than the Chief Minister.

**MRS CROSS:** Given that you understand that there's an urgent need for aged care accommodation, do you see any reason why this development should be hindered?

**Mr Evans:** Absolutely none whatsoever.

**MRS CROSS:** Thank you.

**Mr Evans:** I understand that that's a development that could go ahead at a rate of knots.

**THE CHAIR:** You put forward in your submission the idea that a comprehensive list should be put together of sites in the Belconnen area that would be suitable for older persons housing. Other submissions have put forward the idea of a land bank, of targeting now what sites we think should be used for aged care into the future. Is that what you're also suggesting?

**Mr Evans:** We would welcome the idea of a land bank. We would also say that there are a number of sites that can be more than simply an entry on a land bank because they are highly suitable to proceed with quite early. There is the Belconnen golf course site, which we've already discussed. There's the old Fraser golf course site, which was dealt with in the *Chronicle* as long ago as 21 October last year and in subsequent correspondence.

There was the oval of the former Charnwood High School. There's the site beside Charnwood shopping centre. There's the option of encouraging redevelopment, to the advantage of Belconnen as a whole and the advantage of older persons, of the service trades area within Belconnen Town Centre. All these could be providing proper diversity of opportunities to older persons. We are aware that the Calvary site, for reasons we've never understood, has been hanging fire for a long time. That's obviously also a highly suitable site.

**MRS DUNNE:** I have to follow up on those sites, Mr Evans. The Belconnen Community Council has been very active in putting forward its views about aged care accommodation in Belconnen, and your list of sites has been around for some time. What response have you got from the planning agencies? Have you formally been to them and talked about Fraser golf course, Charnwood and a revamp of the Belconnen minor trades area? What response do you get on each of those, if anything?

**Mr Evans:** We drew them to the attention of the Chief Minister, and the Chief Minister replied by saying that they'd been referred on to the appropriate authorities. He included words in his reply like "These sites have merit."

**MRS DUNNE:** Is that as far as it's gone?

**Mr Evans:** I've subsequently talked with aged people's representatives. I'm not yet qualified to be a representative of aged persons myself, of course—

**MRS DUNNE:** You'd like to put that off as long as possible.

**Mr Evans:** But I have talked to people who run major aged persons facilities and, of course, Jim Purcell of the Council on the Ageing. I've had confirmation from these people that the sites we've referred to are very highly suitable indeed for their purpose, and we've had confirmation that they followed it up with ACT government agencies to confirm that these sites ought to be recognised and included in the list of sites under examination.

As you'll see in the *Chronicle* of October 28 last year, one of the problems is that the two LAPACs, the Belconnen Community Council and, we believe, the relevant ministers—

**MRS DUNNE:** Did you table that one, Mr Evans?

**Mr Evans:** Yes, I tabled that one.

**MR HARGREAVES:** Madam Chair, can I suggest to you that if it's in the newspaper it really doesn't need to be tabled.

**MRS DUNNE:** Yes, I know.

**THE CHAIR:** We can find a copy. Keep going, if you can, thanks. We're going to run out of time.

**Mr Evans:** Yes, okay. That article was prepared by the reporter in question on the basis of documentation supplied to him. One of those pieces of documentation was an email sent to the two LAPACs and made available to us, saying expressly that there were no sites available for older persons accommodation other than the Belconnen lake shore. That was a fib at the time, and it continues to be a fib. I think that that's a very serious matter.

**MRS DUNNE:** I might move off the list of places that the Belconnen Community Council thinks worthy of further investigation and go back to one which is current and controversial in Belconnen. Perhaps, Mr Carter, you could give us a brief exposition of the reasons that you think that it's not a suitable site.

**THE CHAIR:** Which site?

**MRS DUNNE:** Block 80, section 87. Sorry, didn't I say that?

**THE CHAIR:** No. There are many controversial sites across this city at the moment.

**JOHN CARTER** was called

**Mr Carter:** I am John Carter, Coordinator of the Ginninderra Catchment Group, which is an umbrella organisation for Landcare and other such groups in the ACT and is a member of the Belconnen Community Council.

One of the things that people point out mostly to us when we ask around about this is the destruction of the vista of the lake, which is something that the planners don't seem particularly interested in. Even though we've seen photographs taken of balloons tethered above the ground at what might be the height of the building, once the buildings are there, they'll obviously have a lot more effect than some balloons tethered on the end of some strings. In earlier work with the Belconnen Cultural Planning Group, we found that people thought that the vista of the lake and its foreshores was one of the most important parts of Belconnen—that the lake was the heart of Belconnen, if you like—and that they wanted that vista kept.

The other thing that's kept in Belconnen is the hilltops; we don't have development on hilltops. Yet this starts to cover up the hilltop leading up to the University of Canberra so that, from anywhere on the other side of the lake, it will just destroy that green belt as a vista, and people think that that vista is important. It gets worse further around, when they develop Lawson because they're developing on the hill at Lawson. That's also seen as an important part of the green vista near the town centre.

It's the destruction of the vista, but there are other matters in here, like stormwater. Although we're told that we're doing very best practice in terms of stormwater, it only talks about keeping the quality of stormwater coming off the site as good as the quality of it going onto the site. It doesn't talk about quantity. We're wondering why, with

a proposal like this, the stormwater isn't being kept and used on the site. Why is it coming onto the roofs and the hard surfaces and being treated in some way and then allowed to just run off again? We don't think that is best practice. If this does go ahead we think there should be best practice.

There are other concerns. The aged persons hostel is on the very lowest part of the site, which the consultants who did some of the work on the site said represented the swampier, wet ground at the northern end of the site and that it was mostly too boggy to enable investigation to be undertaken. It seems rather peculiar that we're putting the old persons units on what is basically a wetlands site. It stays wet most of the time. We'd rather not see a wetland turned into accommodation of any sort. It's also only slightly above the 100-year flood line, which I would have thought is a bit risky.

**MRS DUNNE:** Who could determine a 100-year flood line in an artificial lake that's only 25 years old?

**Mr Carter:** Well, it's on the maps. I'm not sure how they do it.

**MR HARGREAVES:** Does that suggest that the man-made lake was put on a 100-year flood plain?

**Mr Carter:** Yes.

**THE CHAIR:** Can I ask a more basic question about the provision of aged care facilities? Graeme, in one of your statements you said that you were supportive of the land bank idea but that there are sites that you think could be put to use now. Do you see that there is a demand for aged care accommodation in the Belconnen region? Do we need to meet that demand now as opposed to planning for the future?

**Mr Evans:** We're not specialists in the area, and we don't pretend to be. Our interest is in where it is reasonable, acceptable and legitimate, and provides the facilities to meet the needs of the future. We would have no difficulty in accepting that the people who've done the research and who say that there is an urgent need are absolutely right. That would fit in with our anecdotal experience.

**THE CHAIR:** Which sites do you think could be used immediately?

**Mr Evans:** Well, I think any of those that we've suggested are suitable both for immediate use and for being part of a land bank. Just because something is in a land bank doesn't mean to say it can't be brought forward and used earlier. You withdraw money from the bank to buy a loaf of bread for tomorrow as well as having it there for an investment in 10 years time.

It's the identification of the site and then the allocation of an order of use to specialists. I'd have no difficulty with that whatsoever. The important thing is that the sites on the land bank and the sites withdrawn from the land bank, whether at short notice or further down the track, are both sensible and thoughtful in the first place. We think we've brought forward a number of sites that are sensible and thoughtful, both within the town centre proper and that wonderful site out at Holt.



**THE CHAIR:** Why do you say in your submission that there seems to be a withholding of information and that the information isn't flowing to get these sites set aside for aged care? Why do you think that's happening?

**Mr Evans:** It's more than just a withholding of information. I found the missing document, and it's an important one because it provides a facsimile of an email that was sent out that was factually inaccurate to a naughty degree. As to why they're doing it, it's interesting that in the document entitled "Residential, commercial and community land supply strategy," which is a change of name from the former land release program—a subtle repositioning of the title there—it says at page 8, and I'm paraphrasing slightly: "The greatest need for additional accommodation to be located in Gungahlin and Tuggeranong."

Earlier on that page it takes it for granted that the site at Belconnen will go ahead, but it does indicate that Gungahlin and Tuggeranong are the areas of greatest urgency. We would like Belconnen's share of facilities; we think these are good quality facilities to provide. We would like to have a proper share for Belconnen of them, but we do note that there are people who regard other areas as important. That's fine by us. We want our share to meet the needs and the requirements of Belconnen residents as well.

What the bureaucracy is doing leaves me absolutely flabbergasted. I can't give you an ironclad, provable reason. All I can give you is my speculation, and that is that there is a conflict in many areas of human activity at the moment, a tug of war between things that are aspirational and things that are so-called pragmatic. I think there are people within the panel of advisors to the ACT government who think that the Belconnen community, and the Belconnen Community Council as representatives of that community, is being aspirational in a way that they find inconvenient or not having the right flavour.

**MRS CROSS:** So, because they're not getting the outcome they want, they're ignoring that comment, the sentiment, the expression.

**Mr Evans:** Yes, they're ignoring the comment and rapping the community on the knuckles for daring to aspire rather than simply settling for things that are practical and so-called pragmatic.

**MRS CROSS:** How has that rapping over the knuckles been manifested?

**Mr Evans:** If the development goes ahead on the lake shore, that will be a very substantial rapping on the knuckles for the community.

**MR HARGREAVES:** How do you work that out?

**Mr Evans:** I think it's self-evident.

**MR HARGREAVES:** I don't think it's self-evident, Mr Evans.

**Mr Evans:** Well, we're going to have to differ.

**MR HARGREAVES:** Well, we might, but you're here to try and convince us of

something, not to just make a statement like that.

**Mr Evans:** Yes.

**MR HARGREAVES:** So can you answer Mrs Cross's question: how will it actually manifest itself? What is the connection between a statement like "a rap on the knuckles" and a development going ahead? I want to hear how that works.

**Mr Evans:** All I can do is repeat what I've said: in my view there is a conflict between the aspirational and the pragmatic at the moment. One of the ways in which that manifests itself is in the context of whether the lake shore of Lake Ginninderra matters. The community thinks that it matters. There have been elements among the advisors to government that don't think it matters.

**MR HARGREAVES:** Can you substantiate that view please, Mr Evans? You've made the statement that agencies of the government don't think that the lake shore—the beauty and the whole thing about that—matters. Can you substantiate that they've said it doesn't matter?

**Mr Evans:** Well, yes. I would cite—

**MR HARGREAVES:** It's a pretty strong thing to say.

**Mr Evans:** Yes, exactly. Exactly right.

**MRS DUNNE:** Madam chair, I ask that Mr Hargreaves not badger people. If he wants to ask questions, by all means—

**MR HARGREAVES:** Mrs Dunne, I have asked questions, and I—

**Mr Evans:** I'm perfectly willing to be badgered; it doesn't concern me.

**MR HARGREAVES:** don't feel that Mr Evans can be badgered; nor would I wish it to happen.

**THE CHAIR:** Considering the time, I'd like to hear Mr Evans's answer.

**Mr Evans:** Okay. Can I draw attention to the fact that every time the matter is raised there's a stock reply. The essence of that stock reply is, "This has been on the land release program since the year such and such," or "This has been involved in the Belconnen Town Centre master plan since the year such and such," as if it's a proper way of responding to a claim from the community that it's a wrong thing.

For 15 years this has gone on. The community has said that this is not what the community believes ought to happen. For it to have been around as a proposal for 15 years doesn't make it any more right than it was originally. I can assure you that the Belconnen Community Council has known for 15 years that it's the objective to use this site in this particular way. There's nothing new about it. We're not learning anything new when it's brought to our attention for the 125th time that this objective has been around for a long time, and every time it's come forward we've indicated that we think

it's wrong. That's been the situation for a decade and a half.

**THE CHAIR:** Mrs Dunne, did you want to ask your questions?

**MRS DUNNE:** I think I know the answer to this, but it's useful to have the answer on record. Is there any approach to the proposed aged care accommodation on section 87 in Belconnen that could placate the concerns of the Belconnen community?

**Mr Evans:** I don't think it's up to Belconnen —

**MRS DUNNE:** Can we have our cake and eat it?

**Mr Evans:** I would find it very difficult to see how that could be the case. It's up to those who propose such a thing to bring it forward. Whether there is a compromise may well be something that's sensible to look at. But this is the first time I've heard the proposal. Obviously, it's the sort of thing that would be considered within the council's own ranks. But your reference to it is the first time that it's—

**MRS DUNNE:** I'm not saying that there is a proposal that is better. What I was trying to flush out is: are there setbacks from the lake, densities or building heights that could sufficiently placate your concerns about vista and alienation in regard to the lake shore?

**Mr Evans:** On an across-the-board basis at this point I'd have to say no.

**THE CHAIR:** In your submission you talk about ageing in place. I assume that you mean larger complexes where people move in at an early stage of their ageing and don't have full-on support. Then as their needs work through they go into a nursing home facility, but it's all on the one site. You say that a preoccupation with having such facilities works against smaller facilities becoming operational. Is that what you're getting at there?

**Mr Evans:** I had in mind there quite specifically the site by Charnwood shopping centre, just over the road from McDonalds. That's a highly suitable site for older persons housing, but it's not large enough to provide a full ageing in place facility on that very same site. However, if you took things not as a geographic unit but as a management unit and had accommodation there that's run as part of a two-site complex with facilities 600 metres away on the old Charnwood High School oval, or facilities a kilometre and a half away down at the old Fraser golf course, you could achieve the same ageing in place effects through management unity, even though it's not a geographic unity. Well, it's a constructed geographic unity rather than an actual geographic unity. The Fraser golf course and that site by the Charnwood shopping centre are sufficiently close to be managed as a single whole, even though there's a short distance between the two sites involved.

**THE CHAIR:** I'm very conscious of the time.

**MRS CROSS:** I have one quick question, Madam Chair. Mr Evans, it sounds to me like you would like aged care accommodation to go up in Belconnen and you would be happy for it to go up in more than one place.

**Mr Evans:** Yes.

**MRS CROSS:** That's what I understand from what you're saying.

**Mr Evans:** That list I gave you for sites—they're not alternatives; they're cumulative.

**MRS CROSS:** I wrote down what you said. You said when you first started that there was a range of sites. You would like all of them explored because you don't have a particular favourite, but you're highly in favour of the Holt proposal.

**Mr Evans:** Absolutely.

**MRS CROSS:** Did you say to Mrs Dunne, just for my understanding, that the lake shore proposal, section 87, is not something you would consider if it was moved back? Or is it something you would consider?

**Mr Evans:** There has been no proposal to move it back.

**MRS CROSS:** Mrs Dunne asked whether, if something were done, you would agree to it.

**Mr Evans:** I think we'd find it very difficult to support, even in a modified condition. The lake shore really is very important for the people of Belconnen.

**MRS CROSS:** Thanks.

**THE CHAIR:** We're going to have to conclude here because of time constraints. We have a number of people to get through this afternoon. Thank you, Mr Evans and Mr Carter—and Ms McCarthy, who has left us already. We'll read through the other documents you tabled. We have your submission. This afternoon has been very helpful.

**Mr Evans:** Thank you very much for providing the opportunity.

**THE CHAIR:** Thank you, Graeme. We'll now move to the West Belconnen Residents Group and call Mr Rhynehart and Mr Henry.

**BRIAN RHYNEHART** and

**NORMAN HENRY**

were called.

**THE CHAIR:** Mr Rhynehart and Mr Henry, I'm obliged to read this statement to you at the beginning of proceedings. You should understand that these hearings are legal proceedings of the Legislative Assembly protected by parliamentary privilege. That gives you certain protections but also certain responsibilities. It means that you are protected from certain legal action such as being sued for defamation for what you say at this public hearing. It also means that you have a responsibility to tell the committee the truth. Giving false or misleading evidence will be treated by the Assembly as a serious matter.

We are doing an inquiry into the provision of aged care facilities and the planning in relation to that, specifically land use and those issues. We cannot make any health assumptions because that's not in the purview of our terms of reference. Did you wish to make an opening statement or were you happy just to take questions? Mr Rhynehart would you introduce yourself?

**Mr Rhynehart:** I am Brian Rhynehart and I represent the West Belconnen Residents Group, and we would like to speak to the submission we made. The best way to describe us as we are at present is as a steering group for a wider community group that will ultimately, we hope, encompass other areas of West Belconnen. We have members who are unofficial but who attend meetings and contribute information when they can. Many of these are ex-members of West Belconnen LAPAC. Everybody associated with us has some pre-established interest in the community, in particular West Belconnen. Quite a few wear other hats and belong to other organisations of a community type and that sort of thing.

We made a submission to this committee after being involved in the concept of the provision of aged care housing whilst members of the LAPAC. After the LAPACs were unceremoniously disbanded, we continued to pursue the concepts that we'd been discussing as a LAPAC. Some of us, under other banners, supported the development at Calvary; we mentioned that in our submission. That's as far as we're concerned. As I see it, the only hassle involved with that one is a change to the territory plan to shift Jaeger Circuit. As we see it, it is something that should have gone ahead long before this, as West Belconnen does have a need for aged facilities of all types.

There is the live-through facility that you mentioned when you were speaking to Mr Evans, and there is the smaller concept of "mini housing estates", which is something the community of Charnwood envisaged was going to be built on the block adjoining Charnwood High several years ago, when the original draft variation came out. That was the inference that people drew from that draft variation; what we ended up with was ordinary residential housing, not aged.

There is very little in West Belconnen suitable for aged persons at present. There are a couple of government housing trust units around Tompsitt Circuit in Charnwood.

They're monitored; they've got alarms; they've got everything installed in them. That sort of unit is good for people who can manage themselves. It is the sort of thing we would have seen as appropriate to put down the other side of Charnwood shops, across the road from McDonalds. It's just a small block, but it will support this style of housing: where aged people live in, where they can be monitored—with alarms and that sort of thing—and where a community nurse visits them twice a week.

That's the small-scale end of it. The bigger scale end of it we were looking at was the Madison home proposal down on the old Belconnen golf course. We've supported that from the first time it was brought to the LAPAC and discussed there. We've continually been in ad hoc consultation with David O'Keeffe about it, and we support his moves in that area and the concept he's put forward for the type of facility and also its sustainability. Some of the aspects he's put forward there are quite novel.

We had a quick look at the oval beside the old Charnwood high school. It's not really a good site, as several of us could see. The site proposed for the Fraser golf club, which will never go ahead now—

**MRS DUNNE:** Could I just interpose here? I think that most people don't know what the Fraser golf club is. I've lived in Canberra for 25 years, and I didn't know what it was. Could you describe it in another way, Mr Rhynehart?

**Mr Rhynehart:** It's section 64, block 6. It's up the other side of Fraser school, next door.

**Mr Henry:** It's right next door to the Fraser school—

**Mr Rhynehart:** On the north-western side of it. It's that big block that goes—

**THE CHAIR:** And that site was set aside for a golf course and a golf club?

**Mr Rhynehart:** Yes.

**Mr Henry:** I am Norman Henry of the West Belconnen Residents Group. I live very close by to this piece of land. It stretches all the way down into the CSIRO land, from Tillyard Drive right down alongside the Fraser school, right down over the creek and up virtually alongside Dunlop to Macgregor. In fact, that land would be accessible to develop if there were a road—and I'll come to that later, if there's an opportunity—with the same concept as has been proposed for the Belconnen golf course. That concept could be a very good example to follow for this type of aged care facility.

**THE CHAIR:** But the land is currently vacant.

**Mr Henry:** It is vacant, yes, and it's been vacant for as long as I've lived there—for 20 years. So there's plenty of land, as a matter of fact, in West Belconnen—again, I'll come to that. That land is ideal for the type of concept that has been proposed for the Belconnen golf course. The concept itself is something that one could discuss, but the idea here is to propose land for aged care facilities, and that's ideal for that sort of use.

**THE CHAIR:** Did you put the idea to government of utilising the Fraser block of land

for aged care accommodation when you were with the LAPAC or later?

**Mr Henry:** Yes, it's mentioned. I'm not quite sure that it went into the minutes at all. The former PALM, Planning and Land Management, were aware of this. Generally speaking, I support what I heard Graeme Evans saying. Disenchantment with the planning people and their administration runs pretty rife; it gets stronger every day and I think something has got to be done about it. But in answer to your question, Madam Chair, yes, it was proposed. I can't recall having written specifically about that then, but it has been mentioned.

**THE CHAIR:** You mentioned a few sites around West Belconnen in your submission. Have you looked at possibilities in Dunlop? As an area that is currently being developed and as a suburb that's not quite finished, do you think there are possibilities in Dunlop?

**Mr Henry:** Yes, I think so. Before we go into that, Madam Chair, while we've talked about a master plan for West Belconnen, it's not that our group is ignoring the fact that Belconnen as a whole is very important; it's the 35,000-odd people who live in West Belconnen who are important. We often get the impression that some people don't even know where West Belconnen is. That's being a bit cynical, but that's the way we feel.

I've been talking about having a plan for yonks: you cannot possibly determine where you are going to put anything—whether it's a skyscraper, an old age home or a hospital—unless you have a plan. The territory plan is fine—and I remember the hiatus with the first draft territory plan. But it's been amended so often that you can't keep up with it. For instance, if you have land in the territory plan that's for commercial use, sooner or later it's going to be changed for something else; if it's for residential use, a piece of that is going to be changed for something else.

I heard Graeme Evans mention the land bank. That's very close to what I'm suggesting we should have: a master plan. If we can't have a master plan for the whole of Belconnen for the 80,000-odd people who live there, we should at least have one for West Belconnen because there's plenty of rural land there that needs to be looked at. To say to me that we haven't got enough land for residential aged care is absolute nonsense; there's more land there than you could cope with.

I'm not suggesting for one moment that we just go out there, find an open piece of land and start building. That's the reason for a master plan. A master plan, in planning—and I've been there in other places, years and years ago—is a necessity to be able to determine where you put things at a certain time, forecasting the demographic changes, the economic changes and the social environment, which is important. So, if these are considered important to the administrators and our legislators, then they should be addressed, and they can only be addressed if there is a plan.

This hearing—this idea of having an input—is ideal, but it should go further than that, Madam Chair. With the greatest respect, we've got to have some kind of plan of where things go, and for heaven's sake, don't let's keep changing it in midstream. If you plan something, you have a plan for 25 years and you review it every five years. It's only as you do a review that you look at what people are proposing to build, instead of asking whether they want to build something else. I believe we have to have this plan. We don't have one. If we did, it's disappeared in all the various visions that we've had over the

years.

I believe—and it's in our submission—that a lot of the answers you want to questions that we've heard today, and that you will hear again, lie in having an investigation, through a master plan, of the social, economic and planning reasonabilities of these areas. We speak on behalf of West Belconnen at this point, and land is there.

Of course, people in this capital city are very much married to a rural and an urban existence that can live side by side. One of the things that have been thrown up here is that the proposal for the Belconnen golf course is ideally on the right track. They are great examples. Nothing I have read—and I have the stuff in front of me here—in the proposals, the replies from the minister and the planning suggests to me that there's any reason at all why the thing should not go ahead. There's no reason whatsoever.

**THE CHAIR:** Mrs Cross, you had a question?

**MRS CROSS:** Mr Rhynehart, you mentioned earlier that Mr O'Keeffe put his proposal to your group, which I understand was formed after the LAPACs were disbanded in October 2003. Is that right?

**Mr Rhynehart:** No.

**MRS CROSS:** When was your group established?

**Mr Rhynehart:** It was established following the collapse of the LAPACs. Mr O'Keeffe—

**MRS CROSS:** Right, when?

**Mr Rhynehart:** October.

**MRS CROSS:** That's what I just said.

**Mr Rhynehart:** We were established afterwards. Initially, David came to us, when we were a LAPAC, in May.

**MRS CROSS:** 2003?

**Mr Rhynehart:** Yes.

**MRS CROSS:** I notice that at the bottom of the letter you have signed on behalf of the other members. There are five. Are any of these five members also members of the Belconnen Community Council?

**THE CHAIR:** Membership of the Belconnen Community Council is open to all residents of Belconnen.

**MRS CROSS:** Can I have Mr Rhynehart answer my question? I'm not from that area; I'm just clarifying something.



**Mr Rhynehart:** I am a member of Belconnen Community Council and on the committee per se. None of the others is an official member of West Belconnen Council, but they have the ability to be members by virtue of their residence in Belconnen.

**THE CHAIR:** I think it's the difference between being an actual member of the organising committee of those organisations—

**Mr Rhynehart:** And someone who attends it.

**THE CHAIR:** and actually qualifying for membership, Mrs Cross.

**MRS DUNNE:** I'm a member of the Belconnen Community Council.

**THE CHAIR:** As am I, because we live in Belconnen.

**MRS CROSS:** On the executive, or the council—the executive officers?

**THE CHAIR:** I think Mr Rhynehart has answered.

**MRS CROSS:** Madam Chair, I know you're from that area, but I'm not. I'm seeking clarification, so please let me finish my line of questioning. Mr Rhynehart, are there any proposals aside from the Holt proposal that you consider favourable? Is the Holt proposal the only one that you consider favourable for aged care accommodation?

**Mr Rhynehart:** Holt is the only proposal in West Belconnen. Within Belconnen, Holt and the one at Calvary are the only proposals on the table as such. There are suggestions for places, such as beside the lake and other ones, but those are the only two firm proposals unless there's something that I don't know about.

**MRS CROSS:** How many representations has your group made to the government? If you have made representations in writing, or verbally, have you had responses back? Has there been any commitment by the government in those responses that yes, they will consider it or no, they don't favour it? We did hear from Mr Evans of one line of communication between him and Mr Stanhope. What about your group?

**Mr Rhynehart:** We have made no formal representations to government per se except for mentioning letters that have been sent in relation mostly to traffic problems around Fraser and Dunlop. There has been some reference within this correspondence to it, but as for a formal statement that we support a particular area for aged care—no.

**MRS CROSS:** So this is the first time you've officially—

**Mr Rhynehart:** This is the first time we've officially made a presentation on it.

**MRS DUNNE:** Mr Rhynehart, thank you for raising the traffic issue. In your submission, when you talk about the Fraser site you talk about the problems of access. Could you give an exposition of what you see as the solution? Wearing a number of hats here, I suppose it also partly addresses other traffic problems that people have; it doesn't relate solely to aged accommodation.

**Mr Henry:** Are you asking me?

**MS DUNNE:** Either of you.

**Mr Rhynehart:** Norman is the best qualified because he lives across the road from it.

**Mr Henry:** For the record and for Ms Cross's benefit, I'm the founder president of the Belconnen Community Council, so I think I have some knowledge of what goes on. One of the problems we have at the present moment is with the development of Dunlop. The heavy traffic—the earth-moving, building or construction traffic, whatever you want to call it—comes off the Barton Highway and goes straight down Kuringa Drive, straight down Tillyard Drive and down Kerrigan Street. Kerrigan Street goes into Dunlop through to the earlier residential area, straight into the new development, The Meadows, in Dunlop. Up the other end it picks up the extension to Ginninderra Drive, comes along there, comes back up Tillyard Drive or carries straight on back to wherever it came from.

We have a preponderance of heavy traffic every day surging down past the school. We have made representations for the past 15 years for a pedestrian crossing outside the school, and we're still having no luck whatsoever. This heavy traffic is being monitored from time to time. We've spoken to the urban services people concerned, and they have managed to do something about tidying up the road. They've re-tarred it and they've put guardrails near the ditch in Kuringa Drive, but that is not the answer to the problem.

During the January bushfires 18 months ago, it became evident that the fires coming from the west were threatening Dunlop. It struck us at the time that it would be very difficult to evacuate people from Dunlop. We couldn't see how they would get out there, given the congestion in Kerrigan Street and, for that matter, on the extension of Ginninderra Drive, which goes nowhere once it gets to Dunlop, except that it goes all the way around and joins up with Kerrigan Street. Kerrigan Street actually becomes the loop from Ginninderra Drive for a hell of a lot of traffic—for not only the residential construction going on there but also the heavy rig supply trucks coming in from interstate. Now they all come down Kuringa Drive.

**THE CHAIR:** In relation to the idea of aged care facilities at Fraser, are you suggesting that by putting in access roads for that development you would alleviate some of the other problems that exist?

**Mr Henry:** It wouldn't really. On a plan done by Totalcare years ago—we had to draw it to the attention of urban services because they said they didn't know there was a plan—a road is supposed to come off at the top end of Kuringa Drive and go around the back of it from the Barton Highway all the way down beyond the creek. It would go around the bottom of the old golf course that we propose should be looked at as aged accommodation. Around the bottom end of that it would form an access into Dunlop, pick up Ginninderra Drive and from there pick up Southern Cross Drive.

You could have this whole access and egress right across, and nobody's taking very much notice of this. According to Minister Wood, there are no plans for this at all. Yet I hear rumours that somebody's thinking about it. That is one of the things we have to think about in relation to a master plan for any buildings or facilities that are built in that particular area, and the same could apply elsewhere.

I haven't been down to the Molonglo River yet, down to the outfall or anything like that, but there's land along the Southern Cross end of the drive going out towards Parkwood. There's a Parkwood area there that's supposed to be an industrial site, which seems to be doing nothing; it's like a sore thumb in the middle of a bad hand. It's quite amazing.

Again, if you had a plan, you could see what you are putting up: what you can build and what you cannot build; what you can develop and what you cannot develop. The road aspect, which Vicki has just asked me about, is the one that we are concerned about, not necessarily as a matter of priority but as a very important aspect of a master plan. It would help to open up and look at the land, which would be suitable for the type of facilities that we require for the ageing generation.

**MRS CROSS:** Mr Rhynehart or Mr Henry, you say in your letter that you understand that the Chinese community is looking at a self-funded aged care facility in Kaleen. You also say that, like many other things, this will wither on the vine because the bureaucracy does not have the infrastructure to address special cultural, ethnic and racial needs. There's a facility called the Villaggio Sant'Antonio, which was built by the Italian community but also houses other ethnic groups in Canberra. Do you believe that that's not a representation of some infrastructure in place to address certain ethnic needs?

**Mr Rhynehart:** I know from a couple of people, the relatives of some neighbours, who were involved in some of the early planning of the Villaggio that it went forward not as an Italian development but as a community development. I understand that it was being built by the Italian community, with a bias towards the Italian community, but as a community facility as such—not specifically as an Italian thing.

In reference to the proposal by the Chinese, I believe they have since gone somewhere else and may be on the way to being established. That was something I learned subsequent to the mention of it in there.

**MRS CROSS:** Do you still stand by the comment you made in your letter, given that Villaggio Sant'Antonio does house many ethnic groups, particularly Italian. It has Asian; it has others as well.

**Mr Rhynehart:** Yes.

**MRS CROSS:** What is your concern? Is your concern that it's not ethnic specific? Villaggio Sant'Antonio caters to different cuisines.

**Mr Rhynehart:** It caters to—

**MRS CROSS:** Well, it has variety.

**Mr Rhynehart:** Basically, it caters to all people. The Chinese proposal, as it was presented to me second-hand, was that it was going to be specifically for Chinese Asian people—not other ethnic groups, because of problems with language and culture. That was going to be more specific. There are other ethnic proposals: the Croatian or Serbian people have their own—

**MRS CROSS:** The Greeks have an aged care facility as well.

**Mr Rhynehart:** The Greeks have a facility as well.

**MRS CROSS:** Could you just tell me what the concern is you have with infrastructure in that part of your letter?

**Mr Rhynehart:** The way it was presented to me was that they had been banging their heads against the wall even trying to get listened to. It was presented to me that it was because it was a specific ethnic proposal that they were having difficulty. That's how it was given to me. Other people may have different perceptions, but that's how it was explained to me and that's that one in there.

**MRS CROSS:** Thank you, Mr Rhynehart.

**THE CHAIR:** I will ask one last question. You've mentioned a number of ideas and a number of planning solutions to the aged care accommodation issue. Do you think that there are some basic requirements for making a site viable for aged care? To expand the question, there's been a lot of discussion about the fact that you can't put an aged care unit a certain distance away from shops and that it needs to be close to facilities. Do you think that's a basic requirement, or do you think that we should be looking a little bit more innovatively at our planning solutions?

**Mr Henry:** I'm glad you asked the question. Generally speaking, aged people—and I'm going to be one of them—can't stand malls. They wouldn't want to go shopping in a mall. Sometimes it's very difficult for them to be able to do this physically, so in a sense you have to travel the middle course and provide some facilities where they are living—and I'm not talking about institutions; they're anathema; we don't want that. The point is that you provide the facilities as near as possible to the services that residents require, which could include the services that shopping centres provide.

In the case of the Belconnen golf course, I'm astonished at the delay. It had been suggested that they were going to put in there a sort of convenience store run by the community, which is an interesting mix of community. People want to live on the urban fringes, and that is very understandable. I've spoken to quite a lot of people—of my age, older than I and younger than I—and they all say the same thing. In Canberra, particularly, they like the rural aspect, which is close by, and at the same time, because they're getting on in years, they need a certain amount of security, as long as they are able to be independent, which is the most important thing.

There can be a mix, and the proposal for the Belconnen golf course actually addressed that point. To suggest, by the way, that one of the reasons it couldn't go ahead was that it was not close enough to the shops is ridiculous. Anybody under the age of 60 or 65 could walk without difficulty to the Kippax area or to the Macgregor shops. I don't think that was an excuse.

To answer your question, Madam Chair, that is the one. I believe you have to have this proper mix. While it may not be perfect, the Madison proposal looks at that concept, and it could be built upon. That's the thing that attracted all of us on the LAPAC, and it attracts us now. The same concept should be borne in mind when you look at land that

could be developed for that type of residency. That's the philosophy I believe we should be following.

**THE CHAIR:** Are there any other questions? Mr Rhynehart and Mr Henry, thank you very much for your submission today and for the written submission that you put forward to us. We found it very useful. I now call the HIA.

**CAROLINE LEMEZINA and**

**ALAN MORSCHEL**

were called.

**THE CHAIR:** Mr Morschel and Mrs Lemezina, were you here when I read out the statement in relation to rights and obligations when appearing before this committee?

**Mrs Lemezina:** Yes.

**THE CHAIR:** Thank you. I don't have to read it again because you have heard it. The first time you speak would you give your name and the capacity in which you appear today. As I have said, we undertaking an inquiry into planning for aged care residential facilities. We have received your written submission and we thank you for that quite detailed submission. Do you wish to make an opening statement or would you prefer to go straight to questions?

**Mrs Lemezina:** Caroline Lemezina, executive director of the HIA in the ACT and southern New South Wales. As mentioned, we certainly did make a written submission on the broader objectives that we see in relation to aged care development in the ACT. What we didn't do in our initial submission was address some of the issues associated with the Holt development and I would like to be given the opportunity to make some comments in regard to that.

**THE CHAIR:** Please proceed.

**Mrs Lemezina:** The ACT government has not supported the proposal at Holt. A number of issues have arisen in the government's rejection of this proposed development and we would like to address those, the first of them being the distance from existing services. A 400-metre guideline for distance of aged accommodation from service facilities was prepared in the 1980s when small-scale aged care accommodation was the primary requirement in the ACT. A large accommodation complex, as proposed at Holt, will be able to provide internal services and transport, which can overcome the narrow application of the maximum 400 metre distance to service facilities. Requirements for such internally provided services and transport can be expected to be readily provided as part of the development, but they could have been assured by making it a condition of approval.

HIA would suggest that the guidelines for access to community facilities need to be more flexibly applied and even reviewed when there are shortages of such narrowly defined land suitable for aged person accommodation. Alternatively, sites such as under-utilised schools which are located next to local shopping centres could be closed and made available for aged person accommodation. The Fisher retirement village is a successful demonstration of this strategy.

Another item that was certainly addressed was the bushfire risk. HIA acknowledges that after the serious bushfires of 2001 and 2003 the design and construction of new buildings to minimise the risk of destruction is very important. However, with the continuing

resistance of Canberra residents to accepting increases of residential density and building upon open spaces in the existing suburbs, such locations as the site in Holt must be more seriously considered.

There is currently some uncertainty as to whether the ACT government is applying bushfire conditions additional to the Building Code of Australia. Compliance with the Building Code of Australia should be the single condition of approval and the addition of territory special requirements only adds to the confusion and uncertainty of the planning approval process. Nevertheless, HIA suggests that, as the government should be encouraging developers of aged person accommodation, clearer performance objectives for bushfire protection rather than a straight outright rejection based on the application of planning zones should be established. Performance objectives could be achieved by incorporating clear landscaping zones both on and off the site and water sprinkled buildings.

Planning processes: Madison Lifestyle Developments have also experienced a frustrating process in presenting their development proposal to the government. The slow and sometimes contradictory responses are not uncommon for such organisations putting forward innovative and market leading proposals. However, this negative attitude, often enforced by a very inflexible territory plan and uncertain planning approval processes, does not give confidence to those who want to partake in the growth and development of the territory.

In summary, the development concept for ageing in place accommodation is an innovative approach for the maturing citizens of West Belconnen to which HIA believes the government should give more serious consideration. In the context of the clearly identified market needs supported by Canberra's changing demographics, the government's slowness to offer any alternative sites has been as regrettable as the rejection of the proposal.

**THE CHAIR:** Thank you.

**MRS DUNNE:** To follow up on a particular point, you said towards the beginning of your statement, Mrs Lemezina, that there is a 1980s guideline for access to community facilities.

**Mrs Lemezina:** That's right.

**MRS DUNNE:** What roughly does that say in layman speak and in less than one minute?

**Mrs Lemezina:** I guess the guidelines that were prepared in the 1980s do refer to that 400 metres distance. What we are saying is that back then certainly residential development in the ACT was quite different. We now have different access to services, different ways of transportation to those services. So we are saying that that needs to be reviewed, that that 400 metres distance is not necessarily one that should be applied when considering developments.

**MRS DUNNE:** Thank you. So what you are really saying is that it is the view of the HIA that that guideline should be reviewed. Does the HIA know—this might be

something for the committee to pursue elsewhere but I will ask the question here—whether that guideline was applied in relation to section 87 Belconnen when they were doing their preliminary assessment?

**Mrs Lemezina:** I'm not sure.

**THE CHAIR:** I found the last sentence in your submission quite interesting. You said that there has been a rejection of a plan but there have not actually been any counter-proposals put forward or a broader discussion had. This afternoon we have had a focus on Belconnen but the inquiry does look across the ACT. Are you finding that there have been limited options for land that you think could be used for aged care and that that is not actually where the government is going? In your submission you talk about community use sites and areas within current neighbourhoods. Could you expand on that? I don't want to lead you but the idea that there are lots of ideas out there in the community about where aged care facilities can go is not being matched by government.

**Mr Morschel:** Alan Morschel, planning adviser to the HIA. I think the background of that paper was really to be offering a range of choices for the aged population. As we listed them through the headings of community sites, et cetera, we found that those choices are limited in the territory and often have restrictions on them. The large site at Holt is an example. As Caroline just said a moment ago, there is the issue of under-utilised ovals, low-maintenance ovals, sitting there. No-one is doing anything with them but, meanwhile, we have an ageing population. We have schools with a population of fewer than 100. We used the example of the Fisher retirement village, which was a school closure of, my memory tells me, at least 10 years ago. This has been highly successful. We haven't seen that example demonstrated again but obviously the population has got older at the same time—

**MRS DUNNE:** I think the people who closed the school didn't think it was all that successful at the time, but after 10 years the scars are healed.

**Mr Morschel:** If I can add a personal note, my children went to the amalgamated school that came out of that and we had absolutely no problems whatsoever. The Fisher retirement village integrates very well into the Weston Creek area. As a resident of Weston Creek, I am quite aware of that.

At the same time, we have seen recent planning policies and the residential zones come through and restrict redevelopment in the suburbs—the dual occupancy opportunity; the small-scale multi-unit opportunity is now not seriously available for the ageing population in this town.

Really, I suppose, it was no surprise to many of us that you are holding an inquiry into aged accommodation, that it is a growing issue and just time and time again the planning policies seem to be blocking it out. As the paper said, it's not just the ageing but that our households are becoming smaller with single and coupled aged wanting a number of choices and opportunities. They don't all want to go to a retirement village; they don't all want to be in large complexes; and they don't all want to be in big flats. They would like to stay in their own neighbourhoods, and that is one very clear example that is locked away to them under the planning policy.



**MR HARGREAVES:** I would like to ask the HIA a question that I asked them in inquiry Mark 1. It strikes me more each time people come before the committee that when we plan for a future suburb, we stick a shopping centre in it, we stick a school in it but we don't stick aged care facilities or older person's accommodation in it. We never think that far out in front. We never give any thought to the turnover of the suburbs, the change in the demographic, and the lessons that we are learning. Kingston, Narrabundah, Griffith, the Kingston foreshore, those sorts of areas, don't seem to be manifesting themselves in any forward thinking at all.

I would be interested in your view on whether or not in fact our planners ought to have this mindset change. Perhaps when we talk about a school, for example, we should ask: what do we do when a suburb gets old? When we close a school because the enrolments go down we stick a bunch of community groups in it. And perhaps what we should be doing is saying that if the school is no longer needed, all right, we'll take it out of the game and use that community space for older people's accommodation because it is already sitting up next to shops and a bus route and whatever else. Am I detecting that our planning mindset ought to change and we should start thinking along those lines?

**Mr Morschel:** In fairness to our planning colleagues, the ACT did make allowance for some ageing population. There are around most local shopping centres in the ACT a small group of aged persons units constructed for government use and they used vacant community land at that time. As I said, most of them have now got the buildings on them. That was work that was done in the 1980s, the 1990s. There hasn't been an opportunity to do too much more of that in the established suburbs. That land has all gone, as Mr Hargreaves just said.

There is still vacant land there as ovals at schools, et cetera. There are underperforming shopping centres, often only single storey. Why couldn't a second or third level be put on some of those shopping centres for other forms of accommodation? You can put a lift in et cetera to provide access for the aged. We are not looking at any of those innovative proposals and I suspect with the current planning policies, developers turning up with those ideas would have a very frustrating delay time, and most probably would give up before they got too far down the track without positive policies from government. That is what we are looking to now.

**MR HARGREAVES:** I take the point that around some of the shopping centres there is a fairly broad sprinkle of aged peoples units—not much more than that. When we see the statistics about demographic change in this town, upon which are supposed to be based major decisions about facilities for older people, we tend, do we not, to see global statistics, and sometimes regional, but never suburb specific or sub-regional specific like West Belconnen? For example, the average age of children in the Lanyon Valley is about the 14, 15 mark; the average age of people is around about the mid 20s to mid 30s.

Nobody can tell me when a suburb will be saturated by people between the age of 45 and 90, so that we can say, "Okay, what are we going to do with this particular problem?" We are not seeing that sort of detail, are we, coming out in the planning? So if we are talking about land release programs, it is just going to be global. We are going to be back here in three years time or four years time talking about exactly the same thing, until we start to have land release programs that are suburb demographic specific.

**Mrs Lemezina:** I think that that is certainly important. We need to look at the change in demographics in Canberra suburbs. The latest statistics available are generally the census statistics, so they are a bit dated but we have been seeing a declining population in our suburbs. There are a number of reasons for that, but one of the ones that concerns us is that although we can address future land releases in our new suburbs, we can address an ageing population and we can look at the forecasts for an ageing population in those newer suburbs, we still need to be addressing existing suburbs and what we do in those suburbs. It is the housing choice, the housing types, that Mr Morschel identified that is important.

If we are going to maintain vibrant neighbourhoods and vibrant local shopping centres within the suburbs then we need to be addressing the fact that we are having a declining population in our suburbs. Why are our suburbs declining in population? Is it that our household sizes are falling? Is it that it is an ageing population? There needs to be a much more concentrated effort into looking at the causes. But I think certainly our concerns are that housing choice, housing types, haven't been addressed by this government, and certainly it needs to ensure that an ageing population do have that choice. If they want to stay within their suburbs, they have that choice. If they want to go to a facility then that is made available to them. So there are a number of different aspects that we need to look at.

**THE CHAIR:** To expand on that, are you suggesting—and this is almost said in your submission, but not quite—that we need to look at residents' ability to change the house they are living in to make it more suitable for them to continue to live in as they age? Is that the proposal you are putting forward?

**Mrs Lemezina:** That is certainly what we are saying. In the established suburbs of Canberra many people live in homes that are not energy efficient, they are not really equipped for their lifestyle, for an ageing population. They don't have the access that they need. They often have gardens that are not able to be maintained on large blocks of land. We would be saying that we need to look at opportunities for the people of those existing suburbs to build a home, or potentially to build two homes, where the garden isn't an issue and they can be living in a home that is comfortable, that is energy efficient, and meets their ageing needs.

**MR HARGREAVES:** May I just follow that up? Picking up on what Ros was saying about changing the actual house that people live in in the suburbs, am I correct in saying that in our strategic thinking about the suburbs we should be changing the suburbs to suit the people living there, not the other way around—not actually saying, “Okay, we'll make stacks of old persons homes but you've got to leave your suburb and go and live in them”? What we should be doing is changing the nature of the housing options within the same place people are living in. Is that what I am hearing?

**Mrs Lemezina:** Certainly. Both options need to be available, I think. There will be people that cannot or choose not to stay within their existing suburbs for reasons, and they need to have alternative options available for them. But those who choose to want to stay within their suburbs close to their friends, close to the services that they have been accessing for 20, 30, 40 years, should be able to do so comfortably.

**MR HARGREAVES:** Thanks for that.

**MRS DUNNE:** And that's draft variation 200 re-visited?

**Mrs Lemezina:** Yes.

**Mr Morschel:** Can I just add "comfortably and affordably" to what Caroline said.

**MRS DUNNE:** And affordably. One of the issues that I think was raised the other day by representatives of the territory—and you touch on it a little in your submission—is that perhaps the definitions in the land-use policies are not sufficiently flexible to allow people to come along and say, "Hey, you could do this here on this block of land and its suitable," and you run the risk of having someone in the planning authority saying, "It doesn't quite fit the land use policy, go away." I think it was our understanding that we are going to have the territory people back to answer some more questions on another day. If, as I understand, they are looking at creating flexibility in land use policy, how would the HIA like to see that addressed?

**Mr Morschel:** Good question. We might come back to you on that as well.

**MRS CROSS:** Take it on notice.

**Mr Morschel:** I don't think that it should be looking at something being so prescriptive—take the example of the 400 metres. So it should be more performance based. I wouldn't think it would want to be too discriminatory in that you've got to turn a certain age before you can do or apply for certain things. I suspect it is one of the areas that will attract the greatest debate in respect of any changes, because we have seen in the past specific lease requirements—that you have got to be able to receive the old age pension before you can become a leaseholder in the complex. That creates a whole lot of other problems further down the track. I am not saying that we—here, now, at this moment—have got the answer to that but it's an issue that would have to be seriously thrashed out. But, in summary, it shouldn't be discriminatory just for aged or non-aged.

**MRS DUNNE:** That is the problem that we encountered with the Campbell site, where the lease conditions changed and it has an impact on couples. If one of the couples is considerably younger, then rule out being able to buy in.

I think it is probably worth noting that much of what you have said here—and this is not to diminish what you have said—is actually somewhat repetitive of things that were said to this committee in relation to draft variation 200. What you are actually saying is that we are cutting off our scope for flexibility and your encouragement would be to be more flexible rather than less?

**Mr Morschel:** More flexible and offer greater choice at an affordable level.

**MRS DUNNE:** When you talk about affordability, Mr Morschel, what do you think are the essential elements when you are talking about aged accommodation?

**Mr Morschel:** I think one of the issues would be the capacity to unit title. One of the criticisms we have had of the DV 200 that is now in is, of course, you can do a dual occupancy outside the core zone but it can't be unit title. That, of course, creates maybe

not an immediate cost to you but it diminishes the investment return, and I don't see why just because you are old that you shouldn't be able to make or potentially make some money and hand that on to your family.

One option that I have observed around parts of the country, is, yes, you stay in your house in the front, you allow someone to build in the backyard, and as part of that process they spend money adapting your house so you can live there for many more years in comfort. That seems to be a pretty cost-effective way of two wins on the one block, which is really not possible in Canberra.

**MRS DUNNE:** I understand that happens increasingly in places like Adelaide.

**Mr Morschel:** In Sydney I am aware of it as well.

**THE CHAIR:** In your submission you talk about getting the government to work more closely with the private sector in the implementation or the development of innovative projects to actually address all of the issues that are being discussed today. How would you see that working? When you talk about government, we have got two regimes that look after aged care—the federal government allocates the beds and the ACT government allocates the land. An aged bed doesn't work without a roof on it and a wall around it and a floor underneath it. So how do you see the HIA and private developers working with the government and governments better? How would you envisage that happening? Is there a plan or a vision—or what are the barriers at the moment to stop that happening, might be a better way to put it?

**Mr Morschel:** To go back to the earlier part of your question, our thoughts were particularly starting with the land release for greenfields. There are a couple of new suburbs now available through the LDA—the suburb of Forde and the suburb of Crace, which is very well located. When we said the private sector we mean only in the broader sense, without being too critical of our government colleagues here. There are lots of examples throughout the country done by either government or private sector designing those suburbs. Mr Hargreaves touched on that a moment ago in preparation for that. One of those suburbs is getting its local shopping centre. Let's not repeat the same design that we've seen in every other shopping centre in Canberra to date. Maybe we should just be more innovative about what can be allowed to come in there and, as the designers and the planners work it up, prepare for the change of demographics that will naturally occur.

They might get to a better starting point than maybe what Canberra was originally, bearing in mind that it was a fairly young population that arrived in Canberra. Families were established and those neighbourhood centres worked very well for that. But it hasn't survived the generation change. Maybe the suburbs planned now should have a mix of ages to start with. That would get them off to a better point.

The other area, of course, is the existing greenfields. I think there would be many people in the planning private sector and the building private sector who would love to spend some time with government and planners starting to look in detail at some of the neighbourhood changes that we genuinely believe are needed.

We are aware that ACTPLA has been doing some neighbourhood changes in north Canberra, but we also hear that they have met a lot of resistance from the local

neighbourhood. If potentially the summary of this hearing is to agree that change has to be taken on board by the territory, there will be more education of the community of the importance of change and how the local centres, their neighbourhood centres, can adapt so that they can stay there.

As we said in the paper, it wouldn't surprise us if, a few years down the track, a number of the people who have most probably gone to the barricades to oppose dual occupancy in their suburbs wanted to build their own dual occupancy so that they can stay in their suburb. It's as much an education program for the community to come along and see what the planners and the industry are already observing about what needs to be done.

**THE CHAIR:** So you see that some of the problems at the moment are based around education of the community and of government in respect of the ideas that are out there and what can be done?

**Mr Morschel:** Yes. We are quite blunt. It's a government response to the political system that a lot of the community consultation does become. In this town it becomes very politicised. We need to look at planning processes in the future that can de-politicise the planning at that local level. Sure, let's get the policies at a community level, but once projects are turning up meeting those policies I don't think it needs to be as politicised as it has been in the past.

**THE CHAIR:** I think we are going to have to conclude there because of the time. Thank you very much for your submission and for your time today.

**Meeting adjourned from 3.45 to 4.05 pm.**

**DAVID O'KEEFFE,**

**PAUL COHEN** and

**TONY FEARNSIDE**

were called.

**THE CHAIR:** I thank representatives of Madison Lifestyle Communities for appearing before this committee today. I have to ask: were you all present when I last read the obligations and parliamentary privileges statement?

**Mr Fearnside:** No.

**THE CHAIR:** In that case, I do have to read it, just to make sure that everybody has heard it. You should understand that these hearings are legal proceedings of the Legislative Assembly protected by parliamentary privilege. That gives you certain protections but also certain responsibilities. It means that you are protected from certain legal action, such as being sued for defamation for what you say at this public hearing. It also means that you have a responsibility to tell the committee the truth. Giving false or misleading evidence will be treated by the Assembly as a serious matter.

For the record, could you introduce yourselves and advise us of the capacity in which you are appearing today.

**Mr O'Keeffe:** David O'Keeffe, managing director, Madison Lifestyle Communities.

**Mr Cohen:** Paul Cohen. I am a town planning consultant to Madison.

**Mr Fearnside:** Tony Fearnside. I am a consultant in forestry and bushfire management planning.

**THE CHAIR:** Thank you. We have received your quite extensive written submission to the inquiry today. As you know, our terms of reference focus on planning for aged care across the ACT. Would you like to make an opening statement to expand on your submission or do you want to go straight to questions?

**Mr O'Keeffe:** No, I would like to make an opening statement, Madam Chairperson, and thank you for the opportunity. The ACT government, or more likely the current Minister for Planning, appears to have developed a philosophy in relation to aged persons housing that assumes that all older persons belong to a single cohort in terms of mobility, financial dependency and health. This philosophy appears to make assumptions about the needs of older persons that are inconsistent with the position taken by the Commonwealth and others about older persons in terms of mobility, financial independence and aspirations for quality of life.

On the basis of its own narrow approach to older persons, the ACT government will neither provide adequately for older persons of high mobility and independent means nor allow private enterprise to provide appropriate accommodation and facilities for this

group.

The facility of the type proposed by Madison requires an area of about 10 to 20 hectares. This area is necessary to provide for other market housing physically connected to continuing care retirement communities containing independent living units, self-care units, hostel and other accommodation for frail aged—health, recreation and leisure facilities and open spaces necessary to meet the looming demand for such facilities as foreshadowed by the Allan report on ageing in the ACT community. No site having the required area of land exists within the requisite 400 metre distance from a local group or town centre in the ACT.

Madison is of the view that the so-called planning issues raised by the territory for preventing the development of such communities in the ACT are not founded in valid concerns for the welfare of older persons but are prompted by outdated views of the ageing community. The Campbell Dion report in relation to the proposal at Holt clearly indicates that all town planning issues raised by the territory are either not relevant for that part of the older community at which the proposed development is targeted, or can be addressed by the provision of on-site facilities and community transport to nearby centres, in accordance with the ACTPLA locational guidelines for retirement complexes.

Madison has made every endeavour to respond positively to the requirements of the territory to demonstrate the appropriateness of a proposal to establish a continuing care retirement community at Holt. The response by the territory indicates either a lack of understanding of the nature of the older community or reflects an ideological position that rejects the provision of appropriate accommodation for an increasing portion of the community who, though advancing in age, remain mobile, financially independent and healthy.

The longer this position is sustained, the greater will become the pent-up demand by older people for retirement communities of the type proposed by Madison. As a result, older people, who will make up almost all of the population increase in the ACT over the next 15 years, will either leave the ACT—and Madison is aware of several examples of this happening already—and move to more enlightened communities, or dominate the quality housing market to the detriment of younger homebuyers; or possibly force the establishment of compromise communities lacking many of the facilities proposed by Madison and, therefore, unable to establish and sustain the social structure envisaged in the current proposal. Thank you.

**THE CHAIR:** First off, your proposal is for a continuing care retirement community at the Belconnen golf course site. Can you expand on what you mean by a “continuing care retirement community”? What services would actually be offered?

**Mr O’Keeffe:** The model that we propose is consistent with those currently developed in the United States, where they are developed on areas of 20 to 25 acres, which equates to eight to 10 hectares of land. It would basically be the continuum of care or, as is referred to often here, ageing in place, including independent living units, low care, high care and dementia specific care.

The correct terminology for aged care relates to low care and high care, including dementia. Your retirement village-type housing is what is usually referred to as APUs or

older persons accommodation, and currently there is a restriction within the ACT—I believe the same restriction applies elsewhere as well—that at least one resident of the dwelling must be over 55 to be able to reside in a retirement village.

**THE CHAIR:** And that is for an APU?

**Mr O’Keeffe:** That is for an APU, independent living unit retirement villa. I would just like to clarify that, whilst the term “aged care” I believe is technically only for those in an established facility encompassing low and high care, I believe perhaps the intention of this inquiry was to look also at the inclusion of accommodation for older persons in the form of retirement villages, independent living units, APUs.

**THE CHAIR:** I guess that is where the inquiry has gone. So your model would have, I guess, a transitional ability to care for people. But there is an age requirement for an independent living unit or APU, as you have put forward. I understand that for actual low care or high care and an actual aged care component, there are other requirements, not just—

**Mr O’Keeffe:** That is correct. For someone to be eligible to enter an aged care facility, they must be assessed by what are called ACATs, and that is conducted by the Commonwealth Department of Health and Ageing. They have people who assess those wishing to seek this sort of accommodation as to whether they are in fact eligible, and once they are eligible, they would then go and put themselves down on waiting lists.

**MR HARGREAVES:** Madam Chair, can I just correct the record with regard to the ACAT? In fact, it is part of the ACT department of health. They get a grant from the Commonwealth to operate it, but they are actually officers of the ACT department of health.

**THE CHAIR:** Thank you for that clarification. You have put forward a specific proposal, but do you think there are problems where people who are currently living in independent living units, and so are established in a facility that recognises issues in relation to their age, are getting stuck because they can’t move on to low-care or high-care facilities when they need to?

**Mr O’Keeffe:** Absolutely. In fact, the whole philosophy behind our approach, Madam Chair, was to endeavour to overcome this issue where a person or a couple, for example, are living in a dwelling and then, through the unavailability of aged care facilities located in the immediate vicinity, that couple are then separated. There is a retirement village in Fisher, which has been mentioned earlier today. That is a retirement village only. I believe they have sought additional land to be able to provide some form of aged care accommodation.

There is one other what I believe to be stand-alone retirement village in the ACT, and that is at Page, which is the Ridgecrest. I also believe there are problems there for the residents—that they don’t have that ability to flow on. That is what we are in fact seeking to overcome with the provision of a continuing care retirement community, so people can effectively remain in the same immediate area as their needs for varying levels of care change.



**MRS DUNNE:** Can I just follow up on that particular point, please, Madam Chair. Do you have any access, Mr O’Keeffe, or anyone else, to the sorts of figures that would tell us the number of people who actually move out of APUs, for want of a better word, into higher care? What proportion of the population actually ends their days in high care accommodation?

**Mr O’Keeffe:** I wouldn’t be able to comment on that myself. I believe the organisation following us, who will be making a presentation, may be better placed to comment on that, as they are currently in the industry providing—

**MRS DUNNE:** Providers. Okay, that’s fine.

**MR HARGREAVES:** Could I just follow that track a bit? Mr O’Keeffe, you said that the model is based on something in the States?

**Mr O’Keeffe:** That’s correct, yes.

**MR HARGREAVES:** It seems to me that one of the objects is in fact to prevent people from getting to that stage where they need the lower care in a hostel—I keep forgetting the terminology. Is there any evidence that you can point to which says that that intention has been successful?

**Mr O’Keeffe:** I can’t speak from the experience in the United States, Mr Hargreaves, but certainly we are of the view, and I believe this view is supported by those currently in the industry, that in the long term low care will disappear from aged care facilities. We see, certainly, that our continuing care retirement community could achieve that by virtue of having the nursing facilities and health care services available on site. Dwellings would be built to an adaptable standard, enabling those dwellings to be adjusted to accommodate people of low care needs. You could also quite readily have assisted living, which is almost a form of low care.

We have done some draft plans for an aged care facility. It has been done in conjunction with the management and senior staff of Morshead Home. There has been quite a deal of consultation and that has been designed for high care, to be built as a high care facility. It would be able to accommodate low-care residents and there would be dementia-specific wings within that. But we believe it is prudent for any new aged care facility that is built to be designed as a high care facility in the first instance.

**THE CHAIR:** You have put forward a proposal and we have had other members of the public say that they think this proposal definitely has merit. We have heard from other members of the community saying that there is obviously a demand for aged care accommodation, be that ILUs or actual specific low-care, high-care facilities. What is stopping this proposal going ahead?

**Mr O’Keeffe:** The current planning minister and the ACT Planning Authority. We have had incredibly strong support from all sectors of the community to date. We have put forward the proposal to the ACT government. We also put the proposal to the planning minister. The planning minister met with us and advised us that he could not support the proposal because the land was a concessional lease. When we advised him that in fact he was mistaken, that that was not the case, he was somewhat taken aback by that.

We asked him what did he understand of our proposal, to which he replied that it was for environmentally-friendly housing. We said, “Minister that’s not quite correct. We envisage setting aside at least 50 per cent of the land for older persons accommodation incorporating an aged care facility.” It was interesting to watch his body language change considerably at that point, where he sat forward in his chair and became somewhat engaged in our conversation and said words to the effect of, “That is of quite some interest to me.”

This discussion went on a little bit further, at which point we undertook to give the planning minister further information on our proposal and he undertook to respond to us by Christmas that year. Now this was in November of 2002. We did not get a response from the planning minister until March 2003, at which point in time he wrote back saying that, whilst our proposal had considerable merit, he could not support it at this stage due to broader planning issues. We sought an explanation or identification of what those broader planning issues were. One that was raised was in relation to the bushfires that had occurred in January 2003 and the fact that because the site was located on the western edge of Canberra it was seen as being at high risk. That was really the only issue that was raised by Mr Corbell at that time.

We then were advised to contact the ACT Planning and Land Authority—PALM as they were known at the time—and suggested to meet with them as to what other uses this land could be put to. That is the surplus land at the Belconnen golf course that was formerly, or at the time I think, still being utilised as holes 19 to 27.

Subsequent to that we engaged Mr Paul Cohen from Campbell Dion, a recognised planning consultant in the ACT, to provide us with some advice in relation to these technical planning matters. We also engaged Mr Tony Fearnside of Renaissance Forestry to provide us with some advice in relation to the bushfire issues that had been raised.

What we found quite fascinating was that when we went to meet with the planning authority, the gentleman we met with, Mr Garrick Calnan, who was the manager for territory plan variations, was quite defensive. His opening remark was, “I don’t know why you’re here. You know what the minister’s views on this matter are.”

**MRS CROSS:** Who was that?

**Mr O’Keeffe:** Mr Garrick Calnan, to which I responded, “That’s interesting, because the planning minister tells us the reason he doesn’t support our proposal is because of the advice that you at PALM are giving him.” Mr Calnan responded quick as a flash with, “He would say that, wouldn’t he; he’s a politician.”

**THE CHAIR:** You are finding that your proposal, which would address a need in the community and which has been supported by any number of people who have appeared today, is being frustrated by lack of communication and confusion between, I guess, political decision makers and planning decision makers.

**Mr Cohen:** My name is Paul Cohen. There is another technical reason. The land currently is classified as restricted access open space and there is a requirement to vary the territory plan to allow this land to be used for residential purposes. We have tried to

get the minister to initiate a draft variation to the plan and we have tried to get the planning authority to initiate a draft variation to the plan. One says that it can't do that because of advice from the other, which is a catch-22 situation. We have also said, "Why not go to an independent arbiter and put the issue of whether there ought to be a draft variation to the plan to the Planning and Land Council and we will abide by the Planning and Land Council's recommendations on whether or not a draft variation will be put forward?" The answer to that has been a flat no: no reason, no.

**THE CHAIR:** That it will not go to the Planning and Land Council.

**Mr Cohen:** They won't put it to the Planning and Land Council simply on the basis that they don't want to.

**THE CHAIR:** In your submission you also talk about a proposal for the Murrumbidgee Country Club that would involve turning some of the holes into a 100-bed aged care facility. Are you facing the same issues at the Murrumbidgee Country Club?

**Mr O'Keefe:** We envisage we will face the same issues on the basis that Murrumbidgee themselves made an approach to the planning minister last year at some stage and received a letter back some two or three months later which was virtually a cut and paste of a letter that we had received. The proposal that we are envisaging for Murrumbidgee, which will be formalised in the next few days and a copy will be forwarded to the planning authority for their consideration, would not see any existing golf holes removed; rather, there would be a rejigging or revamping of the existing golf course. The existing golf course sits on 98 hectares of land. The average land area for a golf course is 55 to 65 hectares. That golf course is facing considerable financial difficulties due to the vast areas of land that they are required to maintain, which presents problems for them in relation to watering, maintenance of equipment, et cetera.

**THE CHAIR:** Would that require a variation to the territory plan?

**Mr O'Keefe:** That also would require a variation to the territory plan, Madam Chair.

**MRS DUNNE:** Mr Cohen, perhaps you would be best placed to answer this question. My understanding is that, with the passage of the Planning and Land Act in December 2002, we established an independent planning authority.

**Mr Cohen:** Yes.

**MRS DUNNE:** My understanding is that the decision as to whether there should be a variation to the territory plan now rests solely with the independent planning authority. Is that your understanding as a planner?

**Mr Cohen:** The issue of initiating a draft variation to the plan has always been with the planning authority under section 19 of the old act and I cannot tell you which section of the new act.

**MRS DUNNE:** But it has always been your understanding that the decision on whether to go ahead is essentially an administrative, bureaucratic decision made by planners on planning issues.

**Mr Cohen:** It was under the 1991 act. The position of the chief planner under the Planning and Land Act, the new act, is in my view a little bit less certain because he has certain powers but overall is responsible to the minister to make recommendations to the minister on planning issues; so, in my personal view, in some respects his powers have been somewhat limited by the new act.

**MRS CROSS:** Sorry, do you mean the minister's powers?

**Mr Cohen:** No, the chief planner's.

**MRS DUNNE:** The chief planning executive.

**Mr Cohen:** Yes, in my reading of the legislation.

**MRS DUNNE:** When was the last time you asked ACTPLA to consider a variation? Has it been since the arrival of the permanent chief planning executive or was it prior to that?

**Mr O'Keeffe:** Yes, it was.

**MRS DUNNE:** Sorry, was it after the arrival of the chief planning executive?

**Mr O'Keeffe:** Yes. We met with the planning authority on or about 8 August last year as a result of the planning report that Mr Cohen had prepared, which was in response to the broader planning issues that were identified by the planning authority. Those issues made reference to the bushfires. They also made reference to the location with regard to the distance from facilities and services. There were numerous other items referred to, which are in the material provided to you.

Mr Cohen prepared a very comprehensive report. We met with representatives of the planning authority, as I said, on or about 8 August and we went through each of these items that they had raised. To each item, they begrudgingly acknowledged that we had addressed their concerns. But the irony of it was that on completion of that, we got to the last item and they said, "Yes, we recognise that and, yes, you seem to have covered all these things, but, on the balance of things, we still don't support your proposal." So it was tick, tick, tick, tick, but no.

**MRS CROSS:** Did they say why?

**Mr O'Keeffe:** Because they just didn't support it.

**MRS CROSS:** You referred earlier to an inconsistency by Mr Calnan regarding what the minister had said to you and what Mr Calnan said. Have there been any other inconsistencies where you have been informed of one thing and there has been a public comment different from what you had been informed in meetings, because I understand that there was more than one meeting?

**Mr O'Keeffe:** Absolutely, Mrs Cross. Mr Corbell made a statement in the Assembly some two or three months ago where he claimed that we had been advised at the very first meeting that the government would not support the proposal and they would not

entertain it in any way. This was in stark contrast to the first meeting that we had in November 2002, which was attended by, I believe, four associates of mine. I have statutory declarations from each of them confirming what I have stated previously. Mr Corbell has also stated in the Assembly that he advised us he could not support our proposal because of a commitment made by his Labor colleague Mr Wayne Berry that there would be no further development of Belconnen golf course. We have never been formally advised of that by Mr Corbell or by the planning authority.

**MRS CROSS:** What did Mr Berry have to do with this?

**Mr O’Keeffe:** Nothing that I am aware of, other than the fact that he is a resident of the immediate vicinity.

**MRS CROSS:** He is a member for Ginninderra. Do you think that had something to do with it? Maybe it was some election promise or something.

**Mr O’Keeffe:** I believe that he did make a commitment to the electorate prior to the last election that Labor had successfully opposed a proposal to develop housing at the Federal Golf Club, I believe it was, and that Labor would not support any further extension of the residential component at the Belconnen golf course.

**MRS CROSS:** But you were led to believe in meetings with Mr Corbell and his departmental people and your group that it was a good proposal, that it would be considered. You were not led to believe during those meetings that the government had gone to the last election saying that it was out of the question.

**Mr O’Keeffe:** Mrs Cross, there was absolutely no mention of that whatsoever. As I said, when I explained to Mr Corbell the proposal to incorporate older persons accommodation, including aged care, he said, “This is of quite some interest to me.”

**MRS CROSS:** Who was at the meeting? When you went through all the dot points, the concerns, when there was the ticking and then you got to the last one and were advised that it did not matter because they were against it anyway, could you advise us who was there?

**Mr O’Keeffe:** Yes, Paul Cohen was there and David Dawes, the executive director of the Master Builders Association, along with Mr Garrick Calnan from ACTPLA, Ms Dorte Ekelund from ACTPLA and Ms Kerry Browning. Was she there? There was another lady present. I would have to advise the committee of the name.

**MRS CROSS:** Were there at least three ACTPLA people there?

**Mr O’Keeffe:** Yes. Michelle Brock, sorry, is the other lady who was there.

**MRS CROSS:** Is she from ACTPLA?

**Mr O’Keeffe:** Yes. Subsequently, we requested a meeting with the Chief Planning Executive, Mr Savery, who has written back to us in fairly curt terms that he has no interest in looking into this matter any further.

**MRS CROSS:** Can we look at that letter?

**Mr O’Keeffe:** Yes.

**MRS CROSS:** Could you table it for the committee to look at?

**MRS DUNNE:** Or could you provide the secretary with a copy later?

**Mr O’Keeffe:** I am happy to do that, yes. What we find incredibly hypocritical about the whole matter is that—I do not know the correct terminology—the Bruce site at Calvary Hospital, which we have no problem with, has been identified as a site at greater risk of bushfires than our proposal at Holt, yet it has been supported by the government. The same site is in excess of three kilometres from shops, as opposed to the 1.5 kilometres from shops of our site. We are flummoxed by that. As to section 87 Belconnen, which was the subject of earlier comment, the recently released PA states that the site is 800 metres from shops. That is grossly incorrect. I have measured it on a pushbike with a speedometer at in excess of two kilometres from a grocery store, using a means which a person on a motorised scooter would need to take if they were incapacitated and could not walk up stairs, et cetera.

**MRS DUNNE:** On that point, Mr O’Keeffe, how do you think that they worked out that it was 800 metres to the shops, short of walking on water?

**Mr O’Keeffe:** The only thing I can think is that they had someone who has legs about three metres long and they counted 800 paces. I am dumbfounded. I looked at it and thought that maybe they meant 1,800 metres, maybe it was a typo, but it states quite clearly 800 metres. We have measured it as in excess of two kilometres.

**MR HARGREAVES:** From where did you start? Did you start from where you would perceive the centre of the development to be?

**Mr O’Keeffe:** From the centre of the development.

**MR HARGREAVES:** To which grocery store?

**Mr O’Keeffe:** To the grocery store within Belconnen Mall. We have always used that as the general guideline on where people are going to get their bread, milk and papers.

**MR HARGREAVES:** Is that 800 metres?

**Mr O’Keeffe:** No, that is in excess of two kilometres and it is stated in the PA that it is only 800 metres.

**MRS DUNNE:** There aren’t any other shops. For the people from Tuggeranong, there aren’t any other shops that they could possibly be going to.

**MR HARGREAVES:** Not the Kippax or Macgregor shops.

**THE CHAIR:** Or McKellar or Kaleen, which are still too far away.

**MR HARGREAVES:** I apologise for jumping around a bit, but I do have to go. You touched on bushfire prone areas and having one in the Calvary Hospital area versus the Belconnen one. My understanding is that a fire coming from that direction would have to burn down Belconnen golf club on its way over to Calvary anyway. Notwithstanding that, is it really relevant? I understand from my emergency management evacuation training days in the Blue Mountains that on the way to Katoomba, in the middle of shrubbery in the most bushfire-prone area in the world, sits a fully-fledged nursing home and the bushfire management people there have contingency plans and priority one for that nursing home. Really, isn't it an issue for us to be prepared to fix that up, rather than saying that you can't live here because it has a tree on it?

**Mr O'Keefe:** I am pleased to hear your comments or question because that is exactly what our planning report included. I might hand it to Mr Cohen, who can comment better because of his experience in similar matters in relation to other areas.

**Mr Cohen:** The proposal for the golf course at Holt has a five-stage plan. The first stage is the barrier that is the buffer zone between the direction from which fire would come and the site itself, and that is dealt with in the bushfire fuel maintenance plan 2000-04. The second stage is to do the construction of the buildings in accordance with the Australian standard for bushfire prone areas. Mr Fearnside has assessed the site in accordance with the Rural Fire Service of New South Wales bushfire procedures for this type of area and has graded what the barriers should be.

The fourth stage of the bushfire plan is to deal with the people who are in high care facilities in place, not to try to move them at all, even though the plan provides for two additional routes out of the site, two direct routes across the golf course to the nearest roadway in a direction away from the source of the fire. But, generally speaking, to deal with the older people or people in higher care on site because of the difficulties that are caused by moving people.

The last stage of the plan is to form a community fire unit for the reason of providing that first care from within the community itself and for the second reason that the continuing care retirement community would consist of people in a range of housing who are part of the strategy of ageing in place, and the idea of having a community fire unit will help to bind the community together or be just one aspect of binding the community together.

**MR HARGREAVES:** I left the Belconnen area for the wonderful southern suburbs in 1980 or 1981 and I don't remember there being a massive pine forest on the left-hand side of the road as you go down to the lower Molonglo treatment works. I seem to remember there being a whole stack of farmland paddocks down there with grass growing on them. Grass can move really quickly in times of fire, but I would have thought that it would have been considerably less of a fire risk than, say, Duffy, which had a massive pine forest sitting next to it. Is this a bit of overkill?

**Mr O'Keefe:** Absolutely. In fact, I will hand over to Mr Fearnside, who has viewed the area and has made an assessment of the risk factor, if you like.

**Mr Fearnside:** My name is Tony Fearnside.

**MR HARGREAVES:** Have more trees popped up since I left there in 1981?

**Mr Fearnside:** Near the treatment works?

**MR HARGREAVES:** No, all the way down on the left-hand side of the Murrumbidgee River.

**THE CHAIR:** The question was about the fire risk there.

**Mr Fearnside:** Basically, what we are talking about is this: the heat generated by a bushfire depends on the amount of fuel. If you have grassland, the amount of fuel is much less in terms of weight than it is in a forest and it is fairly easy to build a structure which, according to New South Wales legislation, will withstand grass fires. It is not nearly so easy to have a structure that will withstand a forest fire or a fire in woodland.

**MR HARGREAVES:** Is it not true also that grass fires are much more easily fought by experienced rural firefighters than bushfires?

**Mr Fearnside:** You are quite correct.

**Mr Cohen:** The land between the perimeter of the site at Holt and the Murrumbidgee River is open grassland with some copses of trees and the bushfire management plan requires that grassland to be maintained in that state and the removal of undergrowth and woody weeds.

**MR HARGREAVES:** It sounds like a particularly safe site for people to live in.

**MRS DUNNE:** I want to pick up on the point that Mr Cohen made about the bushfire strategy for the area involving not even moving high care patients. What infrastructure would be in place to obviate the need to move them?

**Mr Cohen:** First of all, there is the buffer that is created under the territory's bushfire management plan.

**MRS DUNNE:** Which you have discussed.

**Mr O'Keeffe:** The spatial plan released since we put in this proposal incorporates a bushfire abatement zone to the west of this site.

**MRS DUNNE:** Whatever that is.

**Mr O'Keeffe:** Interestingly enough, we were told that this site could not have any development because it is on the western periphery, yet the spatial plan has a considerable amount of development proposed further west of this site, which seems somewhat contradictory to me.

**Mr Cohen:** And then there is an asset protection zone close to the actual site itself, which is a mown area. Then the actual buildings themselves are constructed in accordance with the Australian standard for those facilities and would have particular attention paid to ventilation and to airconditioning in order to maintain a safe



environment for people who can't be moved quickly.

**THE CHAIR:** You address in your submission the point that you have not been able to get beds off the Commonwealth department because you have not been able to secure land to put them on and you note that there would be a direct sale of land for the private sector to acquire and that would have been happening possibly two years ago. Can you update us on the situation whereby a private sector organisation that is trying to support the development of aged care units is not able to do so?

**Mr O'Keeffe:** We met with the planning minister in January 2002 with a request to be able to acquire land to develop older persons accommodation of the type that we have proposed for Holt. We were told by the planning minister that, as we were not a not-for-profit organisation, we could not apply for land through the direct grant or direct sale system, but he assured us that within six months there would be a site made available for the private sector and that by the end of that year—we took it to mean calendar year—there would be two further sites. That was some 2½ years ago and not one site has been made available in that time.

**MRS DUNNE:** Were you specific about where?

**Mr O'Keeffe:** No, just anywhere in Canberra. The minister advised us of a site at Belconnen and another site at Greenway, that these were the sites that were coming on line. Our concern with section 87 Belconnen, as has been indicated, is that there is significant community opposition to that site. The Commonwealth government, in their submission the other day, believed that the planning issues had been resolved by the consultation. They are obviously unaware of the planning processes that are required in the ACT whereby whoever acquires that land will need to go through the whole process all over again, and this matter could end up in the AAT and could then drag on and on, as matters tend to, as a result of the significant community opposition to the site. We are concerned that, when it does become available, whoever acquires it will then suffer further significant delays because of the community opposition to it.

**THE CHAIR:** Has Madison Lifestyle Communities successfully done this anywhere else? Have you been involved in the building of aged care facilities anywhere else?

**Mr O'Keeffe:** Not of aged care facilities, Madam Chair. Madison Lifestyle Communities is a part of the Madison group. The parent company is Madison Constructions and for the last six or seven years Madison Constructions' focus has been on the provision of accommodation for the empty nesters/baby boomer market, the 45-plus aged group. We saw this as a natural extension. In fact, this partly came about as a result of people who had purchased property from us asking whether we had that type of accommodation available or would be likely to be doing that.

**THE CHAIR:** Would you say that there is a demand for it?

**Mr O'Keeffe:** There is a significant demand. I haven't included any statistics in the submission we made simply because there were other organisations better placed to provide them, but we have done research and anecdotal evidence suggests that it is very strong and the statistics support that.

One thing I would like to draw to the committee's attention, if I could, is that a statement was made on Monday in relation to the number of bed licences to be issued. I am able to say that I have spoken with the federal minister's office and the numbers that will be made available are 265 in this financial year, 145 in the 2006 financial year and 95 in 2007, a total of 505 places, and they will be on that ratio that they spoke about, which is 20 for the community packages, 48 for low care and 40 for high care. I believe that the other day there was mention by the Commonwealth of perhaps only 360 places. It is in fact 505 places over the next three years.

**MRS CROSS:** They did say that, actually. They gave us the exact figures. Do you believe that the reason that this has been perceived to be hindered is that you are a business and private enterprise versus a non-profit organisation and that, because you are looking at that venture and also have an interest in the Murrumbidgee Country Club, there could be a hindrance there because you are a business?

**Mr O'Keeffe:** I couldn't comment directly as to whether it is because we are a business. I suspect that part of the reason relates to the section 87 site at Belconnen. If the planning authority were to support the proposal at Holt, because it is in the same catchment area as the section 87 Belconnen site, that could be seen to devalue that site before it is, in fact, sold on a commercial basis, as price is determined by supply and demand. If you have high demand and limited supply, something is worth a lot more than if you have double the supply.

**MR HARGREAVES:** Wouldn't it be more important to realise that we have 500 beds hanging about the place and we have a stack of old people wanting to keep themselves out of nursing homes? Maybe that is a more important issue than worrying about the price of the building.

**Mr O'Keeffe:** I couldn't agree with you more, and I would state to this committee that, when this site becomes available in section 87 Belconnen, we will make every effort to be involved in that site. We have already appointed two of Australia's most highly regarded and recognised valuers in the aged care industry to provide advice and assistance to us in relation to that site.

**THE CHAIR:** We will have to draw your presentation to a close there. I thank you very much for your submission and what you had to say today. We will proceed with our inquiries.

**Mr O'Keeffe:** In summary, I would like to draw the committee's attention to the Allan Consulting Group report which was prepared for the ACT government in relation to the implications of the ageing ACT population and the specific recommendations that it makes in regard to planning issues and what it sees as being required to facilitate accommodation for the older population.

**THE CHAIR:** We have that. Thank you very much, Mr O'Keeffe.

**MARGARET KELLY,**

**JAN PROPERJOHN and**

**JUNE HEALY**

were called.

**THE CHAIR:** You were all here the last time I read the warning to witnesses, which means that I do not have to read it again. I would ask each of you, at the beginning, to state your name and the position in which you appear today so that we will not stop your flow when we finally get around to asking you questions. It would be appreciated if you could just do that now

**Ms Kelly:** I am Margaret Kelly. I am the CEO of Morshead Home.

**Mrs Properjohn:** I am Jan Properjohn and I am the finance manager for Morshead Home.

**Mrs Healy:** My name is June Healy. I am a board member of Morshead Home.

**THE CHAIR:** Ms Kelly, would you like to make an opening statement?

**Ms Kelly:** My statement relates more to aged care; in particular, Morshead Home issues. Morshead Home is a small, free-standing, not-for-profit facility situated in Lyneham. The home has 79 ageing in place beds and 58 self-care units. Fifteen of these units are rented to financially disadvantaged ex-service people.

Until three years ago, the home cared only for financially disadvantaged residents, which meant that we did not receive accommodation bonds, which we now consider as being essential for long-term viability and to provide the capital required to meet certification requirements. The home was built in 1964 and has had many additions and renovations over the years, the last of which was a 23-bed high level care wing completed four years ago and partly funded by a capital grant from the Department of Veterans' Affairs.

It is probably appropriate here to state that, whilst outlining an aged care facility struggling to survive in the long term, Morshead Home was recently named in the top six providers of aged care nationally and we are proud to say that we have become a national benchmark in the aged care industry. Morshead Home currently has a waiting list of over 700 people and we have a total of only 79 beds. Seventy-five per cent on our waiting list are ex-service personnel. Potential residents may have their names down at more than one facility. However, we do have a niche market, so that 700 probably is not far from the mark in our case.

We have a priority list of 43 people. These are frail aged people currently taking up acute hospital beds or living alone in often unsafe circumstances in the community. Every day we are approached by a family or hospital with a tragic story about a frail aged person requiring urgent residential care. Six years ago, Morshead Home had seven high-level care residents and the remainder were low. Today, we have 54 high-level care residents

and only 25 low-level care. The reason for that is that residents are admitted to aged care facilities based on need, so usually they are in the high-level care category to get a bed.

People are living longer and our turnover of residential beds has drastically decreased in the last 12 months. Low-level care residents are being cared for in their own homes, in self-care units or in assisted living apartments in retirement villages and are supported by community care packages, HACC or self-funded providers. Potential self-care unit residents want to enter a village that will provide a continuum of care.

Morshead Home's waiting time for self-care units is a joke. It is in real terms quite ridiculous, in that we have 134 names on a waiting list but, because our turnover in the last five years has averaged one a year, most of the people on our waiting list will never occupy a unit. All of these people are aware of the circumstances, but still live in hope of getting accommodation at some stage.

**THE CHAIR:** I seek clarification. You have 700 on a waiting list for 79 residential low and high-care beds.

**Ms Kelly:** Yes.

**THE CHAIR:** And you have 149 trying to access the 15 rental units.

**Ms Kelly:** The self-care units, yes.

**THE CHAIR:** Would there be a doubling up in the 149 and the 700?

**Ms Kelly:** No, the people waiting for residential beds have been ACAT assessed, aged care assessment assessed, as needing residential care. The people in self-care units are independent.

**THE CHAIR:** So the 700 on your waiting list have all been assessed as requiring the residential care facility.

**Ms Kelly:** Yes. Obviously, they are not all urgent. Some are planning for the future but still need care. Our future plans are to increase our beds to 120 within two years by constructing a double-storey, 40-bed high level care wing on our site in Lyneham, to demolish old rental units and replace them with double-storey, two and three-bed self-care units, also on our current site, and to acquire land, hopefully section 85 in Kaleen, to build two and three-bedroom and assisted living units, some double-storey, on that site, with the aims obviously of lowering our waiting list and providing the capital to complete renovations at Morshead Home.

We are interested in acquiring this zoned community land in Kaleen, which is close to our facility in Lyneham, and we were initially told by ACTPLA that the site would be put up for public tender in January 2005. However, after further discussion, we have been encouraged to apply for it, stating our circumstances, including our financially disadvantaged client base, and told that all of that would be considered in determining the cost of the land.

The board of management of Morshead are aware that it would be difficult for a small,

free-standing facility to remain viable in the long term and their preferred option is to expand. However, the board are examining all possible options, which include amalgamating with other homes—that is, they have had discussions with New South Wales RSL homes—and amalgamating with other free-standing facilities within the ACT, managing other facilities, particularly those having difficulty gaining or maintaining the accreditation standards, and forming a partnership with Madison Lifestyle Communities to manage the residential care component of their retirement village.

Morshead Home made a decision to form a partnership with Madison Lifestyle Communities three years ago after discussions with Mr O’Keeffe in relation to his proposal for a retirement village at the site in Holt. We have been interested in the proposal for the following reasons: obviously, to decrease our waiting lists; because of our need to expand and the potential to cut operational costs by having centralised administration and services; and to be involved in an innovative retirement village with wonderful facilities and proactive leadership.

Many of our current retirement village residents see advantages in being on the urban fringe, provided that transport is available and local shops are accessible, rather than the inner suburban location where they are now living, where break-ins are becoming a fact of life almost on a daily basis. Our self-care unit residents are not comfortable with walking to the local shops, which are over a kilometre away, as the streets around our area have become quite unsafe and we have had the need to build a concentration-type fence three parts around the complex in the last six months. Whilst we have not undertaken a formal study, a small survey carried out in the area indicated that the baby boomers would prefer to live in the wide open spaces in preference to inner suburbia.

During the last two years, I have attended many meetings with Mr O’Keeffe in relation to gaining approval to build a retirement village and to provide the much needed residential beds. I have become aware of the valuable time, money and energy that have been involved and, at the same time, I am dealing with desperate frail aged people begging for assistance on a daily basis. Whilst I admit to some naivety in politics and issues that may exist, I find it very difficult to understand that we have a company ready, willing and able to meet a desperate need in the community and there are so many obstacles preventing that from happening. I find this very difficult to explain to literally hundreds of desperate frail aged people on waiting lists in Canberra today.

**THE CHAIR:** Thank you, Ms Kelly. I will start by asking a question about something you said earlier when you were talking about your desire to expand. You said that you were looking at increasing the number of beds you have from 79 to 120. Have you approached the federal government about that? Are they looking at expanding their allocation of beds to you?

**Ms Kelly:** Yes. Certainly, it is all about bed-readiness to increase our bed licences, but I have had discussions with the department and it seems that there will be more beds offered this year. We are drawing up plans at the moment for our extension, which would be a double-storey construction on our site. So, just roughly, if we can indicate that we can have that bed-readiness, then we will have some chance of getting 40 bed licences.

**THE CHAIR:** Do you envisage that there will be any planning issues from the ACT

government's point of view concerning expanding the Lyneham site upwards?

**Ms Kelly:** We have not gone down that path yet, but we are certainly working on it at the moment.

**MRS DUNNE:** I want to probe with you, Ms Kelly, the issue of the extent of the waiting list. You are saying that your waiting list is 700 for high and low care. Is it for high and low care or just high care?

**Ms Kelly:** Yes, both.

**MRS DUNNE:** You said that Morshead Home is in a niche market and not everybody in the ACT would put their name down at Morshead if they were looking for aged care facilities. People are saying to us that there is a doubling up.

**Ms Kelly:** Yes, and there is no doubt that there are some people on our waiting list who have their names down at other places as well, but 75 per cent of the people on our waiting list are actually people from an ex-service background. I think that is why that waiting list is probably not far off.

**MRS DUNNE:** As to the 700 names, do you have a feel for the size of the waiting list in the ACT?

**Ms Kelly:** I heard people saying here yesterday or the day before that their list was 500. The department of health now in the ACT do have a list of the actual waiting lists and I could get that to you. They liaise with all the homes on a weekly basis, so they know who has doubled up.

**MRS DUNNE:** We might be able to get that through the secretary.

**THE CHAIR:** We will follow that up with the department of health and get it through them.

**Ms Kelly:** Hazel Hunt is the name of the project officer.

**MRS DUNNE:** It was one of the questions we asked the other day and the Commonwealth was a bit iffy about the size, but maybe we didn't ask the right person the right question.

**Ms Kelly:** It is very new and it is very good.

**MRS CROSS:** The Commonwealth said that there was a lot of overlap, but we have heard today that there isn't. You said that you conducted a small survey. Was that the survey that Mr O'Keeffe conducted?

**Ms Kelly:** No.

**MRS CROSS:** How many people did you survey?

**Ms Kelly:** We were actually asking residents, family members and staff.

**MRS CROSS:** Roughly.

**Ms Kelly:** Just very roughly, probably 50.

**MRS CROSS:** Okay. The only thing I need to know, because your submission is very comprehensive, is: what representations has your organisation made to the local government on this issue? Aside from the meetings you have attended with Mr O’Keeffe, have you separately written to or had meetings with the minister on this issue?

**Ms Kelly:** No, only with Mr O’Keeffe.

**THE CHAIR:** In your submission you make the dire prediction that the existing aged care facilities are unable to meet current needs and it will be impossible to meet needs into the future unless something is done and you talk about new and/or expanded facilities. You have a proposal for your facility, which would increase to around 120 beds, and it is, I guess, a short-term plan, something to happen over the next year. That still leaves you with a waiting list of over 500. What is needed? I know that you have a plan for your own facility but, looking at the big picture, what do you think is needed across the territory?

**Ms Kelly:** We need land released and we need to be able to build more facilities. If the need is this bad right now, it can only get worse. I just feel we are missing the boat.

**THE CHAIR:** The federal government is going to release in excess of, I think, 500 beds over the next three years or 300 beds over the next five years—a significant number of beds over the next three years. Do you think that, if the planning regime were stepped up to build around those beds, we would meet current demand and still have to continue to plan for the future, or would that leave us at the status quo?

**Ms Kelly:** I have heard that we need to open a 100-bed facility every year in Canberra for the next five or six years once we address the current waiting lists, so I think that probably answers that.

**THE CHAIR:** Mrs Healy, do you want to add something?

**Mrs Healy:** Yes, it is said that by 2014 we will need 1,040 extra beds, so that is 104 a year to come on line.

**MRS CROSS:** A little alarm bell has just gone off, Ms Kelly, and I must ask you this question. You are the chief executive officer of Morshead. You have used terms like expand or perish and you have highlighted to the committee today the high number on the waiting list. Why is it that you haven’t written or made representations yourself? If the situation is so serious, why is it that you haven’t done something about it?

**Ms Kelly:** I guess the main reason is that we have always cared for financially disadvantaged people and haven’t been in the financial position to expand. Our building is so old. We have now met the certification requirements for 2008 and the thought of expanding or going beyond that has not been an option for financial reasons up until

now. But certainly it has become a do or die effort to consider our options to remain viable in the long term.

**MRS CROSS:** I am only playing devil's advocate here, because I believe you perform a very fine role. Can you understand why people would actually stop and think, "My goodness, this is very alarming. Why haven't you done anything about it?"

**Mrs Healy:** I have been involved with the board on and off over the last 20 years. The home started off, as you have heard, for the disadvantaged and we didn't expect to be high level. Quite a number of the people who were on that board for many years would not go into debt, and you know yourself that you just can't keep up with inflation if you are going to try to get there eventually. That has been the reason. The board has now changed considerably, but also the management has changed. I would have to make public note here that, if it weren't for the current CEO, I doubt if we would have got to that for another 10 years. So, what can I say? Yes, I take your point and yes, we will.

**THE CHAIR:** Mrs Dunne, do you have another question?

**MRS DUNNE:** Most of what the people from Morshead Home have told us has been fairly straightforward. The big issue I want to plumb is the extent of the waiting list, which crosses over into the health area, but you can't plan unless you know. But I do want to follow up on one thing. It was said by, I think, Mrs Healy that we have to build 100 beds per year for the next 10 years. Is that over and above the 250 that are still sitting out there unallocated?

**Mrs Healy:** The prediction for 2014 is that we will need, at the end of it, 1,040 extra beds.

**MRS DUNNE:** Over what we have today or what have been allocated but not built.

**Mrs Healy:** Yes. They have done that on the predicted figures and are saying that 10 per cent will require residential aged care.

**MRS DUNNE:** Thank you. That was the question I asked before.

**Mrs Healy:** That came up before and I noted it.

**THE CHAIR:** We have heard from other providers of aged care that they would like to expand their services to home care so that people do not have to get up and move to a site but can stay in their original homes, with support by trained professionals going out to them, which addresses both areas of concern. Is that something that Morshead currently does or something that you would like to do if you had the resources?

**Ms Kelly:** We would love to do it. Despite our waiting lists, we have actually applied for CAPS packages for the last five years and been unsuccessful, which has been really disappointing, but they have been given to the existing providers, which I guess has saved the Commonwealth having to give us a \$50,000 set-up fee, but we had never been able to get into delivering CAPS packages until eight months ago, when we became the providers for a pilot for providing CAPS packages to self-care units. We are in partnership with five other homes in the ACT. We got 26 CAPS packages. We just



divide them up on a needs basis. We are actually providing eight in our self-care village at the moment. Those eight people would have needed to be admitted to the home, which would have been very difficult. We are now able to care for them at home. I have no doubt that the future is in keeping people in their own homes and providing that support in their homes.

**THE CHAIR:** Is that something that you pick up from people on your waiting list?

**Ms Kelly:** So much. It is absolutely their preferred choice to remain at home for as long as possible.

**THE CHAIR:** I thank you very much for your attendance today. We have definitely been informed by your submission. I hope that you have found the entire day informative for you. Thank you.

**Ms Kelly:** Thank you very much.

**DARREN DOUGAN** was called.

**THE CHAIR:** Mr Dougan, I am obliged to read this statement to you. You should understand that these hearings are legal proceedings of the Legislative Assembly, protected by parliamentary privilege. That gives you certain protections but also certain responsibilities. It means that you are protected from certain legal action, such as being sued for defamation for what you say at this public hearing. It also means that you have a responsibility to tell the committee the truth. Giving false or misleading evidence will be treated by the Assembly as a serious matter. Please state your name and the capacity in which you appear today.

**Mr Dougan:** My name is Darren Dougan. I am the general manager of group development for the Hindmarsh Group, which is a diversified property related company. We have operations in construction, in property development, in car parking, and in retirement. The reason I am here today is that we put in a submission, a quite general submission. We are the operator of the Grange Deakin Retirement Village at Deakin. It has been in operation for over 15 years. It is a well-respected retirement village, comprising 93 self-care units and 22 serviced apartments.

As I said, our submission was quite general. We want to talk to you about the position from the perspective of a developer/owner/operator of retirement villages. Given our experience, we are looking at growing the business, but we are finding, obviously, constraints to that growth. Given that the inquiry is into long-term planning for the provision of land, we thought it would be appropriate to put in a submission and let you know some of the constraints we are facing. Clearly, land is the big constraint, as you are no doubt hearing.

What we are finding, especially with our experience at the Grange, which is at the premium or higher end of the retirement village spectrum, is that our residents and people on our waiting lists are quite discerning and want to move into a village which is close to shops, close to transport and close to medical services, as everyone would like to do, and clearly land in those sorts of areas is hard to come by, especially in Canberra.

As a developer, if we were to come across a block of land or a land bank fitting those descriptions, quite often it would be better for us in terms of profitability to put an apartment block, an office building or another development on it, because the rate of return on our capital would be higher by doing it in that way. So the profit motive pushes us away from retirement. But, given our experience with the Grange, we want to build the business, so we are in a difficult situation.

Basically, I want to talk today about points that I made in the letter. The first is about the availability of land. It is difficult to get. The second point I want to talk about is the fact that we operate serviced apartments which are very close to low care hostel-type accommodation; it is assisted living with meals, cleaning, laundry and the like. We are the only private operator of serviced apartments in ACT. We believe that that is also an area of unmet demand for which the private sector could alleviate a bottleneck in the public sector.

The third point I want to make, which I have not raised in my submission, is that, in

terms of releasing land and retirement, we would suggest to the standing committee and to the government that there be some sort of prequalification or preselection for potential entrants into retirement. I think that over the next few years the private sector is going to take a far closer look at the industry and there will be developers coming in. We believe that, if land were to be released for retirement services, there should be prequalification as to who should be able to tender for it.

**THE CHAIR:** Is that prequalification for developers?

**Mr Dougan:** For the owner/operator/developer of the site, so there is some track record there. We just want to make that clear. Those are basically the key points of our submission. As I said, we are looking to build the business.

**MRS DUNNE:** I have a range of questions across those points. You are at the Grange at Deakin. What is the land use on the land; is it residential?

**Mr Dougan:** It is, in fact, residential, yes.

**MRS DUNNE:** That means that if you were saying that something would be ideal for the Grange mark two, you would then have to compete with people who would want to build ordinary apartments that were not accessible, adaptable or whatever.

**Mr Dougan:** Yes.

**MRS DUNNE:** Are you saying that you cannot compete in that market because the returns on retirement villages are lower?

**Mr Dougan:** Yes.

**MRS DUNNE:** Are you saying that the private sector is also looking for some concession on the premium of residential land?

**Mr Dougan:** Yes, two things. One would be a concession on residential land. The second would be for land which isn't available at the moment and which would not be slated for residential to be released as retirement only.

**MRS DUNNE:** I have a question about the serviced apartments that you run. If I lived in an apartment at the Grange and I decided that I wanted an assisted care package, would I have to move or is it that the apartments are essentially the same and you would provide assisted care?

**Mr Dougan:** No, you would actually move. They are separate.

**MRS DUNNE:** Are they constructed differently?

**Mr Dougan:** Yes. The serviced apartments are actually apartments and the self-care ones are townhouses.

**MRS DUNNE:** Sorry, what is the difference?

**Mr Dougan:** Basically, the apartments are smaller and they are all linked to the dining room and there is internal access to the serviced apartments, whereas the self-care ones are external buildings and have separate entrances and the like.

**THE CHAIR:** You are providing a retirement village, so the requirement for access is an age requirement, not necessarily an assessment for aged care.

**Mr Dougan:** That's right, yes.

**THE CHAIR:** I just wanted to clarify that.

**MRS DUNNE:** What is the age requirement for access to the Grange?

**Mr Dougan:** Over 65. Actually, 55 or 65. I would have to check that. I can check that and get back to you.

**MRS CROSS:** I want to make a small correction to your submission. This is an Assembly inquiry, not a government inquiry. You refer to it as a government inquiry. This is actually about a motion put forward by the Assembly. We will make recommendations. But I do have a question. Given that you have such an interest in this matter and you say that you are the only for-profit, non-government support provider, what representations has the Hindmarsh Group made to the government in order to achieve what you are hoping to achieve by being here today?

**Mr Dougan:** To my knowledge, at this point, none.

**MRS CROSS:** Can I ask why?

**Mr Dougan:** For two reasons. One would be that in terms of our business we are quite diversified and the retirement sector is something we are just starting to look at growing. In fact, I have only been with the group for four months and that is part of the focus of my role. The second thing is that, with the Grange over the last 10 to 15 years we have operated it, we have only now got it to a point where we are happy with the revenue model and the business model and how it is actually performing.

**MRS DUNNE:** Are you saying that the last 10 or 15 years have been experimental tweaking?

**Mr Dougan:** Not experimenting. One of the issues with developing the Grange Retirement Village is that it is not instant profitability, especially with Canberra, where 15 years ago the demographic was obviously 15 years younger. It has actually taken to this point for the demographic of the city to be such that there is a revenue model that stacks up.

**MRS CROSS:** You say in your submission that the requirements, the criteria, are difficult to meet because it is very difficult to find a site like that to meet all of them in the ACT.

**Mr Dougan:** Yes.

**MRS CROSS:** We had someone suggesting earlier this week that there be a land bank. What do you think of that idea?

**Mr Dougan:** I think that is a fantastic idea. Some sort of identification of land which isn't typically zoned residential but has these criteria and could be set aside as a land bank in areas in which it is thought that aged care or retirement villages should be positioned would be a fantastic idea.

**MRS CROSS:** Given that the Hindmarsh Group has extensively developed in this city, did you ever stop to think that maybe you could create your own little village to meet all these requirements so that you would not have to go and find a site, that if you built it they would come?

**Mr Dougan:** This is exactly the issue for us. We have two sites at the moment that we are looking at for retirement. They do not exactly fit these requirements, but for the return on our capital we are better building apartments. Internally, that is our problem as a private developer. We have a site at Bruce that we are looking at putting retirement in and we are now at the point of deciding whether to go for it and whether it would actually stack up in terms of our returns.

**MRS CROSS:** So you would be very grateful to the Madison group for paving the way for everybody to come forward and start looking at putting proposals, given that we have been hard on this issue.

**Mr Dougan:** I think we are a little different in that we do have a land bank and we are at the stage that we do not need to go and get approval. We could go and build a residential retirement village if we wanted, but we are saying that it makes it hard for us to do it based on the profit returned.

**MRS CROSS:** Why are you interested in it now?

**Mr Dougan:** We are interested in it now because we think it is a growth industry. Clearly, from what you have heard, there are long waiting lists. The Grange has a waiting list. I can't tell you exactly what it is, because I don't know that number, but it is full and when residents vacate we are able to fill. As I said, I think you will find a lot more interest in the sector from the private sector going forward.

**THE CHAIR:** Are the services offered at the Grange run by a part of Hindmarsh or do you contract them out?

**Mr Dougan:** No, it's all done by the Hindmarsh Group.

**THE CHAIR:** You have noted that there is a need for up to 200 additional self-care units. Do you think it would be possible to provide that service to people living in their own homes?

**Mr Dougan:** Sure. That's something for our end of the market, where people going into self-care are not being forced to go into self-care. Their reason for moving into self-care may be that they have decided to sell the house and get a good return on the house and move into the Grange. It may be that they get to a point where they want community,

safety and those sorts of things. Until that point, they may very well decide to have services in-house and that is something that I think definitely will be more in demand going forward.

**THE CHAIR:** One way of addressing your particular land problem would be to provide the service without having to build new units. You could still support the aged in the community.

**Mr Dougan:** Sure.

**MRS CROSS:** In your letter you refer to inherent project risks.

**Mr Dougan:** Yes.

**MRS CROSS:** Does that have to do with the criteria you referred earlier or is that another issue.

**Mr Dougan:** Well, it's based on the other criteria.

**MRS CROSS:** Oh, I see. "Risks" is an interesting choice of words.

**Mr Dougan:** Well, project development is all about risk and you need to minimise your risk.

**MRS CROSS:** Okay, thanks.

**MRS DUNNE:** I just wanted to follow up on something. With the retirement village at the Grange, what is the funding model? I sell my house and move to the Grange. Do I buy the apartment or is it a loan and licence or what?

**Mr Dougan:** You buy it but it's a leasehold purchase. Basically you will make an upfront payment to purchase it and then when the resident vacates you pay what is called a deferred management fee, DMF, which is scaled based on the length of stay.

**MRS DUNNE:** So if I decide I no longer want my apartment at the Grange, I sell it on the open market or do I sell it—

**Mr Dougan:** Well, we can help facilitate the sale.

**MRS DUNNE:** You could sell it or I could just go to the real estate agent around the corner and sell it that way.

**Mr Dougan:** Yes.

**MRS DUNNE:** Okay, so it's not a loan and licence.

**Mr Dougan:** But it's market driven.

**MRS DUNNE:** Okay, thank you.

**THE CHAIR:** So the deferred management fee is an exit fee for somebody leaving a retirement village?

**Mr Dougan:** Yes, it's an exit fee.

**THE CHAIR:** What leads to somebody leaving your retirement village? Are they going to high-care accommodation or—

**Mr Dougan:** Well, mainly it's that they are deceased, basically. We find that most of our residents out of self care will have a fall or something will happen, at which point they will then go to hospital and then, basically, that sort of then starts the process of them vacating. We actually don't, funnily enough, see a lot of transfer from our self-care into our serviced apartments. They either go to hospital and then vacate or they may actually go to a nursing home, but that is a small percentage from our residents, at least.

**THE CHAIR:** Okay. So, in general, the deferred management fee is coming out of, I guess, the estate of somebody?

**Mr Dougan:** Yes. How it works is basically they then on-sell it and, depending on how the property market has gone, the deferred management fee comes out of their sale price.

**THE CHAIR:** Okay. Are there any more questions, members? If not, thank you very much Mr Dougan for your appearance today. It has been informative. We haven't been looking at a facility quite like this, so it's been quite interesting.

**BRENDA MALCOLM** was called.

**THE CHAIR:** Mrs Malcolm, thank you for appearing before us today and thank you for your written submission. You were here when I read out the statement.

**Mrs Malcolm:** I was.

**THE CHAIR:** Thank you. It means I don't have to read it again today. I do apologise for the delay in getting to you. We have had quite an overrun on our agenda today—we have asked too many questions, I think. At the beginning of your presentation could you state your name and the capacity in which you appear today. Would you like to make an opening statement or would you prefer to go straight to questions?

**Mrs Malcolm:** I would like to just give you a little bit of background of the agency I work for so that you will know what sort of questions to ask me.

**THE CHAIR:** Please proceed.

**Mrs Malcolm:** I am Brenda Malcolm. I am the manager of Community Connections, which is a disability agency in the ACT working with people with disabilities—intellectual, physical, autism, that kind of thing. We work with the whole family. We have a mature carers project, which is what prompted me to respond to the inquiry. The mature carers project assists people with disabilities who are still living at home with their families and whose parent is over 65. We have 40 to 50 people in that category that we alone work with. There are two other agencies in the ACT that also work with that group of people.

So from our point of view, the reason we wanted to bring this to your notice is that a lot of these people will be looking for independent accommodation. At the moment they are still living in the family home, and they will probably be looking for independent accommodation in the community with adaptable housing. So it is to let the Assembly know that we would like that to be on their notice board when they are doing their planning for public housing and land allocations and that kind of thing—that this group is there, there is not much around for them, they are often in the low income brackets and they don't have the capacity to buy their own premises, and so there could be some influx in the next five to 10 years of that group needing a house.

**THE CHAIR:** Could I just get some clarification from you, Mrs Malcolm? You are talking about adaptable housing for, I guess, the child—not a child as in a small child but—

**Mrs Malcolm:** The child is between 30 and 60.

**THE CHAIR:** The son or daughter of the family unit when the mature carer then has to go to a retirement village or such, where they are looking after themselves—

**Mrs Malcolm:** Or even dies.

**THE CHAIR:** or pass away. So the demand you are talking about is for those disabled family members. In that sense, what are the families' current arrangements? Are the



majority of them currently in adaptable family public housing?

**Mrs Malcolm:** Well, no, they might be in their own family home—a private dwelling—but it would have some bathroom modifications, access if the person is in a wheelchair. That is the kind of thing I mean—that it has that access, it has slightly wider doorways, hallways, and that kind of thing, and a railing, no steps.

**THE CHAIR:** Do those modification to a certain extent mean also that the mature carers can stay at home longer as well, because the house is more adaptable to their needs?

**Mrs Malcolm:** I would think so, yes.

**THE CHAIR:** We have been talking about residential aged care problems with partners having to split up where the wife might qualify but the husband doesn't and they can't stay together. Do you think that we need almost family units where they can move—

**Mrs Malcolm:** No.

**THE CHAIR:** No? Not that large.

**Mrs Malcolm:** No.

**MRS DUNNE:** So what you are actually saying is that we get to a point where a mature carer has to cease to be a carer—

**Mrs Malcolm:** Yes.

**MRS DUNNE:** And then you actually have two accommodation issues.

**Mrs Malcolm:** Yes.

**MRS DUNNE:** One is for the carer, who may need to go to more age-specific accommodation, and then you also have the disabled child of the carer.

**Mrs Malcolm:** Who needs their own arrangement.

**MRS DUNNE:** So that the sort of arrangement that Abbeyfield, for instance, is talking about as an example of having that sort of care, or it might be a whole range of different levels of care.

**Mrs Malcolm:** It would be a whole range of different things. I am not a great advocate for the Abbeyfield model, I have to say. I don't anticipate that being the solution to it.

**MRS DUNNE:** It doesn't meet all the needs?

**Mrs Malcolm:** No.

**MRS DUNNE:** But that's one of them.

**Mrs Malcolm:** I guess the fact is that if you are living in the family home, at some point

mum or dad is not going to be able to look after you anymore. Part of our role is to help with that planning so that there is some transition process or there is a plan for when mum or dad do die.

We have had examples of people that have just suddenly died and left quite a mess behind them because there has been no-one there to provide accommodation support. So it is actually helping people with that planning process and even putting their names on the housing trust list. But the Assembly needs to be aware of this group coming along.

There is a family at the moment that lives in a retirement village. The father recently died, mum and the daughter are there and the retirement village have quite clearly said, "We will not look after your disabled daughter when you go. It's not our role, she wouldn't fit in here." Usually what we find is that the disabled sons and daughters don't really fit into those retirement village arrangements. It's not the right setting for them. They don't have any friends, people are much older than them and they don't need to be there. They can quite readily live at home with the supports in place—the personal care and the other supports—but what they need is the appropriate building or dwelling.

**THE CHAIR:** In that sense, I understand through a different committee inquiry that there are I think about seven young people currently living in aged care units. Because of their severe disability, their brain injury, they have been put in aged care homes. You are saying that there is also another cohort of young people coming through who are going to have that same demand, so we actually need a facility that will cater for those young people who are in the aged care home facilities already plus the new lot coming through?

**Mrs Malcolm:** You don't need a facility, you just need a range—

**THE CHAIR:** A range of options.

**Mrs Malcolm:** A range of options.

**MRS DUNNE:** So it's actually transition management.

**Mrs Malcolm:** It is. That is exactly what it is, yes.

**MRS DUNNE:** And, from what you said, you have 100 clients in this group?

**Mrs Malcolm:** We have about 50.

**MRS DUNNE:** About 50. Would you have a feel for how many are currently in this situation where they have to sort of start managing that transition?

**Mrs Malcolm:** Well there are probably about 20 at the moment that we are looking at and others that are not quite ready to take that step. I have actually brought some statistics with me; and I don't think I sent them in with my report.

**THE CHAIR:** No, we did receive them.

**Mrs Malcolm:** You got them. Good. So that we are looking at parents, some nearly in their 90s, and some sons and daughters nearly in their late 50s. So it is sort of a group

that is moving through and currently have been assisted in the family home or even in the disability group homes. The disability group homes are no longer, which is why mum and dad have been hanging onto them, because one day they will get a disability group home.

It is looking at that group, at those people, and saying that housing and the Assembly need to make some provisions for this group in the accommodation needs area. And they won't all live alone. They might want to live with friends or other people or several may want to live together but there needs to be this kind of adaptable housing. In every new complex that is built I would love to see several adaptable units in it so that people have some choices there, so that something is there.

**MRS DUNNE:** So what you are doing today, Mrs Malcolm, is basically highlighting to the committee that this is something that we should be thinking about.

**Mrs Malcolm:** Yes, that we should be thinking about in the long term in your planning.

**MRS DUNNE:** While we are planning for aged people we also have to plan for their dependent children as well.

**Mrs Malcolm:** Yes.

**THE CHAIR:** That is a very good point. I think your message is loud and clear, Mrs Malcolm. I can't think of any more questions—you have put forward a very strong statement.

**MRS CROSS:** Thank you for putting this together.

**THE CHAIR:** Thank you for your submission and bringing this to our attention. It is definitely something to expand our thinking.

**Mrs Malcolm:** Thank you very much.

**THE CHAIR:** That concludes our public hearings for today.

**The committee adjourned at 5.36 pm.**