

**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**

**FRIDAY, 16 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 10.08 am.**

**JAMES DICKINS** and

**JOAN KELLETT**

were called.

**THE CHAIR:** Thank you to the North Canberra Community Council for joining us this morning for our third round of public hearings on our aged care inquiry. I am obliged to read this at the beginning of every public hearing.

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 actions 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 this Assembly as a serious matter.

We have received your written submission, and we thank you for appearing before us today. We are sorry that we are running a bit over time already. Could you both introduce yourselves and state the capacity in which you appear today?

**Dr Dickins:** I'm James Macgregor Dickins, known as Mac; I'm the chair of the North Canberra Community Council.

**Ms Kellett:** I'm Joan Kellett; I'm the deputy chair of the North Canberra Community Council.

**THE CHAIR:** Would you like to make an opening statement?

**Dr Dickins:** Yes, thank you. I would like to just amplify the statement that we've sent you which was just a few brief points, but I'd better not take too long, had I? I'll start by saying good morning to you all.

Firstly, I'd just make the point—and I don't want to amplify—that we have a large ageing population in North Canberra. That's a rather important matter for us. I won't give you any figures. No doubt you'll be provided with adequate or even more than adequate information by the Chief Minister's Department. We've had several recent meetings at which we've considered this. The Chief Minister's Department gave us quite a bit of information. No doubt that's available to you. It's a very important question for us.

If I might digress a little: we were pretty sad when the rates business just got left aside; it didn't go through the Assembly and there's no replacement. The question of rates is a very serious question for people in North Canberra because there are a lot of people for whom it is causing great hardship. People are being forced to leave their homes because of the high rates. It think that is probably outside your ambit, but I want to make that point.

Our second point was the need for an audit of available land in North Canberra and information on its suitability. No doubt that's an important question for other places, too, but we raise that because we haven't been able to find anything of that nature. At our recent meeting in May, we did broach that question with the people from the Chief Minister's Department. There are various things that show land use but, as far as we can find out, there is nothing that specifically deals with this question.

The Turner Residents Association has done a very careful review of the Turner and O'Connor area. There are just a few bits of land, especially if we include the possibility of the Koomarri land, in Turner—a few blocks. So it's quite an important question. At the moment, the neighbourhood plan for Downer, Hackett and Watson proposes that certain land in the old school areas be used for older accommodation. It does seem that this is pretty much a hit-and-miss thing that they've just suddenly included. It is only in the final draft. The suitability of that needs further investigation.

I'd like to talk about what we found people want. The first one, perhaps, doesn't need any emphasis, but there is a strong desire amongst people, as they're growing older, not to be separated from the community in which they've lived. A survey carried out in Turner made this very clear. As it is, the prospects are not very good. Altogether, in North Canberra, there are not many facilities. In Ainslie we've got the Goodwin Homes and there's the General Morshead one in Lyneham. The facilities in North Canberra are very limited.

From what people like, ageing in place is a very important thing for people. But this does require a lot of examination, both from people's attitudes and government bodies. In Turner a survey was done just recently, in the last few months. Turner is not a very big place. Four written submissions came back to us, which is a pretty good return to a post office address. It was interesting that the things that were raised were often what you might call municipal facilities. I do believe that's probably something that's happening all over Canberra.

I know that, in Downer also, what they did showed that people were very concerned about what you might call municipal facilities—good footpaths. The footpaths are bloody awful for people on scooters. The footpaths are very unsatisfactory. Lighting and facilities at bus stops are other matters.

At the top of David Street, for example, there is a very uncomfortable seat without a back and no shelter at the bus stop there. Even things like seating along routes. One of the things we've been trying to get is a seat half way between the O'Connor shops and the top of the hill in David Street so that, when people walk down to the shops, on their way back especially, they have somewhere for a seat. You've got no idea of the problems we've had getting a seat; it's most extraordinary.

**THE CHAIR:** Dr Dickins, because we are aware of the time, is the point you are raising there one about which we've had discussions with other community groups, which is about actually caring for people in their homes so that they don't move into aged care facilities? They want to stay in the houses in which they've lived for a very long time. That can't really happen in the inner north suburbs because the surrounding services and the surrounding facilities just aren't adequate for that purpose.

**Dr Dickins:** Would you like me to move along?

**THE CHAIR:** I just asked you a question. Are you saying that the area in North Canberra is just not up to looking after people in their homes?

**Dr Dickins:** What I'm saying is that there are important problems of this character, which are not very obvious unless you have to use the facilities.

**THE CHAIR:** Are these problems actually impacting on people's ability to stay at home longer?

**Dr Dickins:** Yes, that's the point I'm making.

**THE CHAIR:** Thank you. Continue.

**Dr Dickins:** Is this pertinent to what you're interested in?

**THE CHAIR:** Yes. Now that we've reached that point, if there's another point that you'd like to make on a different topic, please do so and that might allow us more time.

**Dr Dickins:** I think I've made that point. I could say what has been done. It is very inadequate in this regard. I could make some remarks. There has been a lot done about spectacular things like Deek's Park and so on. The municipal facilities, which are important for ordinary people but are particularly important for older people, I would conclude, are pretty much neglected.

I'd just like to say something generally about apartment living not being favoured in our area. Older people generally don't like apartment buildings; they prefer single-storey townhouses with separate entrances. There's a problem now that very little building of this kind is occurring in North Canberra. This partly reflects the planning measures and so on. There's quite a lot of talk about affordable housing in apartment buildings but older people don't like it unless they have to. People, of course, in public housing don't have much choice often in this regard. People who are not looking for public housing are looking for something that's private and, above all, not noisy. A lift with four people with entrances, people don't like it; they don't like the noise. That's a very definite feature. That's what we've found.

You make a point about adaptable housing. Much of the adaptable housing is not very suitable. For example, in the Edge, near the O'Connor shops, there are, I think, six older people's units with adaptable housing. They're small and they're tucked away in that laneway. They're the most unfavourable part of the site.

We found recently, in an appeal we were involved with, that there six adaptable units. I think they've actually been bought by the Housing Trust. One of the objections that we made to that particular development was that the waste removal was by single bins in the basement. How do some disabled people deal with single bins in a basement? Presumably, they just won't go to those places. It is interesting in that the guidelines for waste management say that where there are more than 12 units it should be on-site removal; people shouldn't have to put their bins out; a vehicle will come in and the waste will go to a central point and be taken out. These are some of the kinds of problems that

are involved.

I want to finish by saying that we think that concessional leases can offer possibilities for older people's accommodation. Our policy is that concessional leases should not go to private businesses but should go to non-profit organisations. If they're no longer used for the purpose that they were put out for, they should come back into the public arena, to the government.

**THE CHAIR:** I think we might put some questions to you now.

**Dr Dickins:** I think I've raised the particular points that I would want to raise. I know that Joan Kellett has something to add. Do you want to question me now? It's up to you.

**Ms Kellett:** Do you want to ask some questions first?

**THE CHAIR:** We'll ask some questions.

**MRS DUNNE:** Dr Dickins, I would like to go back to your point that there seems to be no overall survey of land in North Canberra suitable for aged accommodation. You implied that your organisation had done an informal survey of O'Connor and Turner; is that right?

**Dr Dickins:** Yes.

**MRS DUNNE:** Could you tell us, now or perhaps in writing, the areas that you saw as maybe being suitable in those suburbs? If no-one else is doing it, we're really relying to some extent upon the community to designate, to at least point to some sites that are worth investigating.

**Dr Dickins:** There are two blocks adjacent to Haig Park, in Condamine Street; there is a little area along McCaughey Street, at the corner of Condamine Street, the area south of the Alliance Francaise; they are put aside for community purposes. There are certain kinds of community problems about those areas. The only other one we could find was the Koomarri site. Because the Koomarri people want to leave the Koomarri site, that might offer a future possibility for a concessional lease.

**THE CHAIR:** What do you think of the proposal through the neighbourhood plan about the old school sites in Downer and Hackett?

**Dr Dickins:** Maybe the suggestion needs some further examination. Perhaps they're too large an area; they're quite big areas. It is perhaps better to avoid a ghetto-type situation and have a fairly extensive area. Council hasn't looked at that.

**THE CHAIR:** You would prefer the situation where there are small pockets of aged care throughout a suburb as opposed to one great big complex at the edge of a suburb?

**Dr Dickins:** In general, yes.

**Ms Kellett:** Sometimes that can't be managed all that well. We're talking about aged accommodation or ageing accommodation. The ageing accommodation is where the

people are mobile; they can get around. Then, as people get older, they often become frail aged. You would need to have accommodation for everybody; you would need to have accommodation for those people who are mobile and have found that maybe their house and garden are too much for them to cope with, but you would also need accommodation for frail aged—nursing-home-type accommodation. For instance, the Goodwin Homes at Farrar has units where people can drive cars and then they move to a hostel. That's fine. St Andrews do the same. They have places.

In that way, even though you want to avoid ghettos, when it comes to building all aged accommodation, it can't all be ghettos. Where those people have lived in, say, units or apartments, they have established, in a way, a network in that community. They're not as mobile as they used to be. They get to know people. When they move to the hostel-type or even the nursing home stage—I should say totally dependent stage—people will come and visit them. Cutting people off from other people is such an important thing not to do. People need people. So many elderly people can suffer from isolation.

**THE CHAIR:** Is that what you were looking to say? Did you have another statement that you wanted to make?

**Ms Kellett:** I didn't know that I was making a statement.

**THE CHAIR:** I was wondering whether that covered the ground that you wanted to talk about.

**Ms Kellett:** I guess when it comes to people, when they actually do decide to downsize, apart from avoiding the ghettos, they also want to be close to transport and shops and have, as Mac just said, good municipal facilities. Those are really important things. A lot of people can stay in their homes longer if there are services that will help them. We know that there are Meals on Wheels and Home Help. My goodness me, some of those services are very limited, particularly the Home Help. You don't want people living in grot. People need to have some human dignity. I think that's really important when people are ageing.

I didn't actually prepare a statement, because I knew that Mac was going to do it.

In North Canberra we haven't got a lot of room. That is quite true. You talked about Hackett primary school. Some of that is oval and is used quite extensively by sport—cricket, soccer and whatever. There is the other side, running along Madigan Street. There would probably be a little bit of area for that. There have been some good ones built in Watson.

Then there is the green park—it's not green anymore—that was the old Watson high school. That land is flat; it's close to the shops; and it's close to transport. That's the sort of thing that people really need when we're getting older, as much as we don't like to admit it. That is what we need when people are downsizing.

What are we getting in North Canberra instead? We're getting multi-storey developments. There're all two storeys; there's no single-storey. People just don't want to live in those; people find them inconvenient. I lived in a two-storey house at one stage of my life. Yes, I enjoyed living in a two-storey house, but most people don't. When they

get older and they're going to downsize, why do they want to live in a two-storey house, going up and down stairs and giving themselves heart attacks, for God's sake?

**THE CHAIR:** Dr Dickins, you talked about adaptable housing that is currently being provided and how it is inadequate in relation to access to the basement, it's too small. I guess I'm trying to get the distinction. Do you think that there needs to be a redevelopment throughout the North Canberra area to actually put in more adaptable housing, that is, single-storey and adequately spaced, or are you actually looking for fully fledged aged care places that have nursing support?

**Ms Kellett:** You need both. Goodwin Homes in Ainslie was the first of the Goodwin Homes built, but that's only hostel-type accommodation. When you can't look after yourself any longer in Goodwin Homes, you have to find somewhere else.

Ozanam, as you probably know, was ideally situated right close to the Campbell shops. People in Ozanam could walk out of their building—it was hostel-type accommodation—and they were at the shops. They could walk and buy their bits and pieces, put their bet on at the TAB, do their banking, go to the post office or whatever; they could do all that.

Southern Cross Homes haven't decided what they're going to do with Ozanam at the moment, but Ozanam is closing down. What they're going to do with it, goodness only knows. That's a facility that is owned by Southern Cross Homes now; I'm sure they've taken it over. What they're going to do with it, I don't know. They don't know. Until they decide, no-one will know, I guess. That sort of facility is a very useful facility, a very specifically designed community facility that has a lot of things going for it.

That's what we need in North Canberra, as well as the total range like St Andrews has. Someone was telling me only yesterday that St Andrews are trying to get some more land past the tennis courts, if you know where St Andrews is. There has to be a change to the territory plan for them to do that. They've closed their books; they've got a waiting list for respite care and for total care. They've got a five-year waiting list, by which time the people on the list will die. That's how inadequately we've provided for aged care in this city.

**THE CHAIR:** Are there any more questions? We're going to have to leave it there.

**Dr Dickins:** Could I ask you a question? There is in V200 this business of supportive housing. Have you had information? We don't have any idea what that means.

**THE CHAIR:** We are hearing from the ACT government later this morning. We can ask them about the supportive housing definitions in the territory plan.

**Dr Dickins:** What we've been able to find out—I don't want to be critical—is virtually nothing. It has been hanging around for years, this supportive housing business, and doesn't seem to have come to—

**MRS DUNNE:** It hasn't come to anything because the government decided to charge the first person who attempted to do it betterment on land they couldn't sell.

**MR HARGREAVES:** That is just an impetuous outburst.

**THE CHAIR:** You've raised an interesting point, Dr Dickins. Thank you, Ms Kellett and Dr Dickins.

**Ms Kellett:** I would just like to say that we need some vision in this. It has been neglected. Maybe we've left it too late, but we do need some vision.

**Dr Dickins:** And caring. In Turner we've got the electricity turned off from 8.30 to 11.30. Does that have to be done that way? It certainly is pretty difficult for older people to go without their walks, if I might say as a parting shot. It is probably just thoughtfulness that is needed. I don't know. Maybe there is some good technical reason.

**THE CHAIR:** Thank you.

**WARREN JAMES** was called.

**THE CHAIR:** Mr James, we have had some discussion about whether or not somebody could appear with you. The committee doesn't have a problem with anybody appearing with you, but we are interested in hearing specifically your views on the Murrumbidgee Country Club and its future.

**Mr James:** The only reason I asked is that—I have only been there for about 18 months—a lot of this stuff happened before I arrived. Our president and a couple of our directors flew out this morning for a golfing holiday on the Gold Coast. I asked yesterday about Mr O'Keefe of Madisons because he was part of the development and there might have been a few questions that I mightn't be able to answer directly and would have to come back to you. That might short-circuit it.

**THE CHAIR:** That is fair enough. We are happy to get as much information today as we possibly can. If you would feel more comfortable with Mr O'Keefe at the table with you, we're happy.

**Mr James:** I'm happy if you're happy.

**THE CHAIR:** Mr James, I note that you weren't in the room when I started the hearing. 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 actions 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.

Thank you for appearing before us today. We received your written submission. It has raised, I think, some interesting points that we wanted to explore further with you. When you speak first, could you state your name and the capacity in which you appear today. Would you like to make an opening statement?

**Mr James:** I would. My name is Warren James; I'm the general manager of the Murrumbidgee Country Club. Firstly, I would just like to apologise for our president. As I said earlier, he flew out this morning with a group going to the Gold Coast for a golfing holiday. I suppose he's got his priorities in the right order.

On behalf of the members of the Murrumbidgee Country Club, I thank the standing committee for allowing us to present our submission. Hopefully, it will give the ACT government a better understanding of our problems and highlight the benefits to many of an aged care facility being constructed on land that is surplus to requirements of a quality golf course.

Madison Lifestyle Communities is in the process of lodging a proposal with ACTPLA for the development of a continuing care retirement community—later I will refer to that as CCRC—and some adaptable housing on a small part of land that is excess to the

golfing requirements of the Murrumbidgee Country Club. The club currently owns 98 hectares, and this proposal would only use approximately 10 to 12 hectares of the land. The continuing care retirement community would include a 100-bed aged care facility and 150 to 200 independent living units and the adaptable housing which would be linked in with the independent living units and the aged care facility for assisted living.

The CCRC will have its own bus for social outings and to transport residents to the major shopping centres. Other facilities will include consulting rooms for regular visits by a doctor, physiotherapist, podiatrist, masseur, acupuncturist and a denture clinic; a heated indoor swimming pool; a gym; tennis courts; bocce courts, hairdressing salon; fully equipped computer area; craft room; workshop; coffee lounge; dining area; and a landscaped garden park. Madisons are also looking at the possibility of having a mini-mart/convenience store for the community. It is proposed that all residents of the community have access to the adjoining golf club facilities, including the restaurant.

The intended continuing care retirement community would effectively be self-sufficient with regard to facilities and services. The adaptable housing residents would be linked to the CCRC by means of priority access to the independent living units if and when required and access to the facilities of the CCRC. This could include the provision of nursing care into their homes from the aged care facility.

There are currently only 46 residential care places operational in Tuggeranong, or 3 per cent out of a total of 1,500 places in the ACT. Current forecasting predicts that Tuggeranong will need an additional 300 aged care places, which is equivalent to three or four new aged care facilities to be operational by the year 2010. In line with the ACT government's desire to meet the needs of an ageing population, particularly in the Tuggeranong area where the shortage of aged care places in the ACT is the greatest, this proposal will address, subject to availability of federal-funded bed licences, the acute shortage of much-needed aged care facilities. It is intended to be a self-supporting community, structured on the principles of ageing in place.

Obviously, any proposed development would be beneficial to the Murrumbidgee Country Club, and I will expand on this later in my submission. The development will also be a significant boost to the further development of facilities and an asset to the people in the Tuggeranong Valley, which houses around 30 per cent of Canberra's population and is still growing.

Representatives of the club met with the planning minister in 2003 to discuss the possibility of being able to have part of the club's land developed. We were subsequently advised by letter from Minister Corbell that he was unable to support a variation to the territory plan for the club's proposal at that time. In the minister's letter he gave the following reasons—and I will state how the proposal has addressed each one:

1. The loss of areas identified for restricted access recreation.

The course will continue to be operated as a par 72, 18-hole championship course during and after development. There are no other recreational activities compatible with the game of golf that the land can be used for that could be operated as a financially viable business. The proposed CCRC would in fact see an addition of recreational facilities in

the form of a heated in-door swimming pool, fully equipped gym, and tennis and bocce courts.

2. Accessibility to a wide range of recreation, retail, public transport, health and other community facilities.

As previously mentioned, the CCRC will have its own bus and would effectively be self-sufficient in regard to facilities and services.

3. Housing provided for older persons needs to be adaptable to cater for possible progressive loss of mobility whilst still allowing those persons to age in place.

The whole basis of the proposed continuing care retirement community is to facilitate ageing in place, including the adaptable housing which would be linked to the CCRC for access to the necessary facilities and services.

4. (ACTPLA) location guidelines for community facilities specify that independent living units for older people should be located within 400m of shops, have a relationship to other uses such as recreation and community facilities, other residential areas, pedestrian crossings and have noise separation from major arterial roads.

Current ACTPLA location guidelines for retirement complexes state:

... where there is a shortfall in relevant transport, community, retail, health, or personal services these may be required on site.

As stated previously, this will be the situation at the Murrumbidgee Country Club. For those few who don't drive, the use of motorised scooters/electric wheelchairs is commonplace, and those living in the aged care facility generally have very limited mobility or independence and are incapable of walking even 400 metres. The 1,300 metres distance between the Murrumbidgee site and facilities and services available at the Kambah Village will be offset by the provision of a community bus, which is often done in retirement complexes, enabling access to a much wider range of facilities, services and activities than would otherwise be possible or even contemplated.

Where I came from—I came from a small country town, with about 10,000 people, Cowra out in the central west—a church group built a complex. It would be probably 500 metres to a corner store and probably a couple of kilometres from any shops, doctors, et cetera. They have their own bus at that on-site unit. The people in there really love it; it's in a rural setting, with quite a bit of land around. They love being there.

5. The proposed location for the residential use abuts the clubhouse site and raises potential noise and amenity impacts for any future residents.

In answer to that: the proposed location of the complex has been moved north of the clubhouse and will have various buffers, including a landscaped sound mound, recreation facilities, an increased thickness of glass for any nearby buildings containing residents. A suitably qualified acoustics engineer will be engaged to provide the details of the measures required to achieve the desired outcome.

6. Bushfire risk also needs to be considered given the proposal's relationship to the urban edge. The need to design appropriate housing and the ability of residents to adequately manage the landscape setting must be part of any consideration on the urban edge. In view of the emphasis on providing accessible housing for older persons, this aspect is of particular concern because of the potential problems associated with evacuating aged or disabled people during an emergency.

In reply to this: the proposed location of the CCRC has been moved east of Kambah Pool Road to overcome this issue and will now have approximately 200 metres of irrigated golf course as a buffer from any future bushfires. It is also proposed to have a second exit at the north-east corner of the golf course that could be used for evacuation if and when another fire created a problem.

These few items have been addressed in the request to ACTPLA, and I believe it meets all the requirements and concerns of ACTPLA and the minister. I now ask: if you were in a retirement-type complex, would you rather look out, go for a walk, possibly play a few holes of golf, in a peaceful bush setting complete with ducks, geese, kangaroos and a large variety of birds or be located alongside busy roads and noisy shopping complexes?

The process of endeavouring to obtain a development for the course was arrived at by a series of extraordinary general meetings beginning back in 2002, when a meeting of over 200 members chose not to consider a take-over by the Tuggeranong Valley Rugby Union Club. The committee was then tasked with exploring all options that would eventually lead to alternative uses and increased revenue to the club.

After nearly two years of research and many meetings, the members, at an EGM in May 2004, agreed to give Madison Lifestyle Communities the authority to submit to the ACT government an application to have the territory plan varied to allow a retirement type complex to be built on part of the Murrumbidgee Country Club's land. The meeting voted 150 to 15 in favour of the proposal. A number of developers were spoken to, but Madison was the only one left when it became crunch time. Most were reluctant to show much interest when it was known a change in the territory plan was involved.

If I may now, I'd just like to give briefly a little bit about the history of the Murrumbidgee Country Club. The first official golf shot at the Murrumbidgee Country Club was hit by Alwyn Carlson on 9 February 1991, which is just over 13 years ago. Prior to this Mr Carlson spent many voluntary hours doing his bit for the club. Today, at nearly 80 years of age, he can be found every Tuesday heading "Alwyn's army" of volunteers still doing his bit.

The club has many other passionate members who continue to contribute countless hours of voluntary work in an endeavour to have the course reach its true potential. This voluntary work is currently saving the club up to \$100,000 a year. I ask: are they proverbially bashing their heads against the wall?

In just over 13 years the course has drawn wide praise and is now widely acknowledged as an excellent lay-out and, with further development, can become one of the great golf courses of this area.

The golf clubs in Canberra have a variety of income streams. Belconnen, Capital and Gungahlin Lakes are supported by large community clubs. You heard last week that the Magpies subsidise Belconnen to the tune of \$250,000 a year. Yowani is in a busy residential and business area, has a motel and strong clubhouse and poker machine trade. Federal and Royal Canberra are both strong financially due to long-term establishment and strong cash flows. Royal Canberra also has the luxury of having an agreement where they are able to use water in large quantities from Lake Burly Griffin at very little expense. Gold Creek is government owned and substantially subsidised by the ACT taxpayers to the tune of approximately \$730,000 last year.

Murrumbidgee is in an isolated area, subsidised by no-one, receives a very limited amount from only eight poker machines and pays a lot for water. The original committee wanted the clubhouse located in another position much closer to residential areas. This request was refused by the government at the time. If this request had been granted, the club would have been much more financial today.

**MRS CROSS:** What was the request that was refused?

**Mr James:** Originally they wanted to have the clubhouse up in the residential area, closer to Kambah, but the option was down there or nowhere.

**MR HARGREAVES:** I am sorry to interrupt, but when was that?

**Mr James:** Probably in the late 1980s or early 1990s. The official golf was started in 1991. It would have been the federal government, I assume, at that stage. I got a lot of information from a life member, Col Randall, who was president at the time and has a lot of information in his head. He said that was the choice they were given—it's over there or you don't have it, sort of thing. It is really out in the sticks, with the exception of a few houses in Gleneagles.

**MR HARGREAVES:** It would be the same as Belconnen golf club?

**Mr James:** Yes. We've really got no-one at our front door, except 200 houses in stage 1 of Gleneagles that people drive past at 80 ks an hour to get to and drive past the other way at 80 ks an hour.

Apart from the clubhouse location, the original development resulted in the current members inheriting a lot of problems that are today causing great difficulties. The playing surface was not prepared to a satisfactory standard and now requires huge amounts of fertiliser and an overuse of water to keep it presentable. The irrigation system is also inadequate, as most sprinklers are further apart than the coverage they give. The drought has been a large burden. The high cost of purchasing water has been a large drain on funds. The cost of water, combined with the rates and lease payments, has resulted in payments of over \$100,000 to the ACT government this year.

I have no doubt that, with the input of sufficient capital funding, a better course could be produced and would be more cost effective in regard to day-to-day maintenance. A new irrigation system would allow us to irrigate more economically and efficiently, resulting in the saving of up to 30 million litres of water annually. The proposed development also

has plans for the recycling and use of grey and black water. This would alleviate the necessity to call on Actew for potable water for irrigation and also takes some of the pressure off the ACT's sewerage system.

As I said earlier, the course is spread out on nearly 100 hectares, where a quality golf course can be designed and constructed on around 55 to 60 hectares. This extra ground has no bearing on the game of golf but demands maintenance, at an annual cost of around \$50,000.

The clubhouse is small and inhibits our ability to attract more patronage through functions, conferences and corporate golf days. We do not have a separate room for these types of clients. The club regularly turns away potential income as we can accommodate only about 80 people, depending on the format of the function and then only when no other golf activities result in people in the clubhouse.

With a large input of capital funding, we would be able to considerably reduce a lot of ongoing expenses, continue with development and make the club more competitive in the marketplace. This would also secure our future. Finally, the land is available, the members and residents are supportive and we have a developer willing. The only thing we need is the cooperation of the planning minister and the ACT planning authority.

**THE CHAIR:** Thank you, Mr James. On that point, you said that you met the minister in 2003 and he raised a number of issues in relation to the need for a change to the territory plan and was unable to support this proposal. You then went through it in detail and addressed those points that had been made. Have you addressed them to the minister or to the planning authority?

**Mr James:** No. In the final part of the letter where he said he couldn't agree to it happening, he told us to go back and look at the resources that the club lease was planned for. That was an eight-room motel and a house for the manager and the caretaker. That was the option.

**THE CHAIR:** The minister basically told you that he would prefer a hotel on the site rather than aged care facilities?

**Mr James:** The final paragraphs read:

In view of the broader planning considerations referred to above, I am unable to support a Variation to the Territory Plan for the Club's proposal. I would encourage further discussions with ACTPLA regarding proposals consistent with the current Land Use Policy.

Thank you for raising this matter. I am unable to be of more assistance.

**MRS CROSS:** Could we have a copy of that letter?

**Mr James:** Yes. Attached to it are also the notes that we got under freedom of information from ACTPLA that resulted in that letter.

**THE CHAIR:** You also indicated that members and residents were supportive of the proposal that you have put forward. Does that mean that you have spoken to the people

at Gleneagles and they are supportive of these proposals?

**Mr James:** A large percentage of the people at Gleneagles are members of the golf club and play golf. That is why they went there. Down the track, if need be, I think I can soon gather up some signatures from members and residents to support it without too much trouble.

**MR HARGREAVES:** You may not be able to answer this now, but I would appreciate it if you would get back to us if you can't. You mentioned that one of the objections that the government had about the development of aged care facilities was, in fact, the placing of those facilities in relation to, say, Kambah Village and with respect to services that older people might require in that area. Public transport was one; access to shops and medical services was another. You indicated that you advised the minister there would be medical services, nursing services and allied health services. Did you mention physio?

**Mr James:** I think so, yes.

**MR HARGREAVES:** You said that there would be a shop there?

**Mr James:** That is the plan at this stage—to investigate the corner store type situation in the complex somewhere.

**MR HARGREAVES:** It is probably closer to some of the shops in Boddington Crescent than it is to Kambah Village.

**Mr James:** Yes. There is a little shop, Vick and Rick's, there. If they allowed access out the back, it would be a lot closer obviously than driving around.

**MR HARGREAVES:** Who is going to operate the bus?

**Mr James:** It would belong to the administration of the establishment of the complex.

**MR HARGREAVES:** Who would be running the complex?

**Mr James:** It would be private enterprise, I suppose.

**MR HARGREAVES:** It wouldn't be a residents' cooperative but a private concern? You might like to get back to us on that. It goes to those services. What is going through my head is whether or not the provision of doctors in the Tuggeranong Valley is a bit of a pipedream. I have to say that we have a lot of trouble getting doctors there at all, notwithstanding an enormous amount of effort by an enormous number of people. This is a good idea, but I wonder whether or not it is very speculative with respect to those health services being provided properly and actually happening. Have you had any expression of interest from people interested in running a corner shop system?

**Mr James:** We haven't gone deeply into that because it's only this week that the initial submission will go to ACTPLA. Obviously, it's a long way down the track and, obviously, these things take a long time to get going. We have to start somewhere.

**MR HARGREAVES:** I am a bit concerned that we could be actually asked to support

an aged care facility that has, as its main plan, the response to the planning regimes. Whether they are good or bad planning regimes is not very material. We are saying that these are the solutions to them, but they are a bit speculative.

Given the history of corner shops in Tuggeranong—it's not real good, I have to tell you—and medical and allied services, which can be a bit complex, I would be interested to know whom you see would be running it. If the golf club were going to build some older persons units, it would have a different hue about it than if it were going to be another commercial interest or a non-profit group or whatever. I think they would be completely different arguments.

**Mr James:** Originally the club—it was minuted before I came—was optimistic about trying to do something that would give the club an ongoing income stream. To do that, we had to be able to input something. We had nothing to input.

**MR HARGREAVES:** I share with you my concern that we have to look at the priorities here—whether we are talking about the provision of aged care or a viability option for a golf club. I admire the golf club, but we are charged with the aged care part of it.

**Mr James:** Hopefully, it's a win-win situation for everybody.

**MR HARGREAVES:** It's not a case of one following the other; there just happens to be a synergy here.

**Mr James:** The avenue is there for it. There's no reason why it can't happen.

**MRS CROSS:** I notice from your letter to our chair you didn't indicate whether you put in an application to ACTPLA regarding your proposal. Have you put in an application regarding this?

**Mr James:** There's an application going in this week on behalf of Madisons. We gave them the authority to work on our behalf with the application for a development. It was passed at an EGM back in May. Madisons have purchased a right to act on our behalf in this regard.

**MRS CROSS:** I understand. Given that you are here talking about this—and this is, as you say, an important issue—why wasn't an application put in before now?

**Mr James:** Because it took the club quite a long time to work through the issues. They approached a lot of developers, going back maybe two years ago. They shied away, I gather, because it meant a territory plan change, which was too difficult for most of them. Madisons were part of the original group and were the only one left standing at the time. It took us a number of months to come up with a legal document that we had to submit to our members to approve, that we could tie up the ground, and Madisons would pay a sum for that for a number of years. We approved.

**MRS DUNNE:** I just want to go back, if I could: it seems to me that part of the problem was in the initial planning for the golf course; the land available is too big for an economically run golf course. Then there are the issues about the location of the clubhouse. Did the club at any time consider hiving off some of the land and returning to

the territory the land that was not within your needs?

**Mr James:** Probably not. Initially the application to the government was just to identify a piece of ground that we could have the territory plan changed for and maybe auctioned off, that involved little, if any, alteration to the golf course.

What we're looking at today is some minor alterations to the golf course, for various reasons. Some of it was brought about by the demands of the members at the EGM. It was going to do away with our driving range, and the members said, "No, you're not doing away with the driving range." Eventually we came up with a document that consists of about 80 or 90 pages that the members agreed to.

After that the members then had to agree to a plan of the subdivision and golf course changes. We're at the stage now where we can take that plan back to the members. That was approved by the directors and the development committee only last night. It has now got to go back to another EGM in a month's time.

**MRS DUNNE:** What you are actually saying is that it wouldn't be practical to necessarily excise a piece of land and say to the territory, "We no longer need that. Would you like to take it back and compensate us for the improvements?" Part of what you are saying is that you're watering land that you don't necessarily need for golf and you are maintaining land that you don't necessarily need for golf.

**Mr James:** Because the golf course is spread out there's not a substantial sort of slab anywhere of any one piece that we could say, "Righto, we'll put a fence around it. You can have it back. We don't want it." It does mean moving some golf holes and that sort of thing to accommodate a retirement-type complex. It would also mean the same thing to hand some of it back to the government.

**MRS DUNNE:** If you handed some of the land back to the government, would you get enough money to reconfigure the holes?

**Mr James:** How much are they going to give us for it?

**MRS DUNNE:** Have you explored that?

**Mr James:** No, we haven't thought of that. It has never been considered because there are pockets of land here and there that the club is maintaining. Most of them have got a golf hole either side. It means removing a golf hole either way—three golf holes.

**MRS CROSS:** Would you considering handing back parts of that land that you weren't going to use to the government for nothing, provided you could develop part of it for aged care?

**Mr James:** I think the committee of the golf club is prepared to look at any proposal on anything at all.

**MRS CROSS:** The government could then lease it back to the club, I suppose, at a peppercorn rent or something. That would be something you would consider?

**Mr James:** I'm sure they would. They're very flexible on this; they have to be. Originally the land, I gather, was purchased by a developer, including the Gleneagles estates and the golf course. Someone told me it was \$230,000 or \$240,000 some 20 years ago. They built Gleneagles. Then, for some reason, what was left was handed back to the government. We now lease it back from the government. I don't quite understand how all that operates. It happened 20 years ago,.

**MRS DUNNE:** You may need to take this on notice. What is the nature of the lease? How long is the lease? Is there any concession?

**Mr James:** I believe, from our solicitors, it is not a concessional lease. We don't think there is any time on it that I'm aware of.

**MRS DUNNE:** The main question is: it's not a concessional lease.

**Mr James:** Our legal advice says it's not.

**THE CHAIR:** Are there any further questions? Thank you very much. We are going to have to conclude there so that we can hear from other witnesses. Thank you very much for your submission and for appearing today.

**Mr James:** I again thank you for the opportunity.

**LINCOLN HAWKINS**

**PETER JOHNS**

**ROSS McKAY**

**ANDREW RICE**

**JACQUI LAVIS and**

**IAN THOMPSON**

were called.

**THE CHAIR:** Thank you for appearing again. We have an array of questions for you on issues that have arisen over course of the public hearings. Before going on, I am obliged to read this statement to you because Mr Hawkins has been added to the witnesses we had before us last time. 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. Again, I ask that the first time you speak you give your name and the capacity in which you are appearing today. Do you wish to make a supplementary statement?

**Mr Rice:** My name is Andrew Rice. I am acting senior director of the policy group in the Chief Minister's Department. I wish to say two things, Madam Chair. I wrote a letter to you in the last couple of days clarifying some figures relating to the allocation of beds left over at the end of the last financial year. It was all in the mix of the numbers. I hope that that letter has clarified those figures.

**THE CHAIR:** The letter has come through, but it is yet to be circulated to the committee. I thank you for that.

**Mr Rice:** We left off last time with a question about the status of a potential development in Aranda. We are in a position to answer that today. It was a question about betterment taxes. I will ask Ms Lavis to talk to that.

**Ms Lavis:** My name is Jacqui Lavis. I am Director, Strategic Planning and Policy in the ACT Planning and Land Authority. The information that we have in relation to the issue of betterment or the change of use charge on the development which is a consolidation of crown lease blocks 21 and 22 section 1 Aranda is that the development application that was lodged for the consolidation of those leases was to vary the crown lease to add supportive housing to eight dwellings and to erect a further eight dwellings not necessarily of a type that was available for supportive housing.

The lessee engaged a valuer, who gave a certain valuation figure, with before and after figures, and it was later moderated, if you like, by the Australian Valuation Office. As a result of that, the change of use charge was calculated. The change of use charge was

actually prepared at the behest of the proponent or provider of the accommodation. It is probably significant to note that the development is not of a supportive housing type. There was later some follow-up on behalf of the business manager for the archdiocese which suggested that they may look for further changes to their lease arrangements which may or may not make some change to the valuation.

I think the way in which the commentary went at the last hearing was about whether there was an intrinsic or implicit value in the land, additional value in the land, as a result of a development. I think the issue of whether the land can be sold or used for other purposes is probably irrelevant here. The fact of the matter is that the developer did seek a variation of the lease and an additional development value has been assigned to that land as a result of the development application. That is the information I have and I am happy to answer further questions on that.

**MRS DUNNE:** I want to go back to that issue. You have just said that it does not matter whether you can sell the land; there is intrinsic improvement in the value of the land. How do you know what the intrinsic value of the land is if you cannot sell it?

**Ms Lavis:** That is, I guess, a matter for the valuation profession. The valuation profession works on a number of formulas and works on the basis, obviously, of case studies and previous valuations. As I am not a valuer, I would not be able to answer in any detail as to how that is arrived at.

**MRS DUNNE:** My point is that the archdiocese, the parish or whoever owns the land—I think the archdiocese owns the land—cannot sell the land, can it?

**Ms Lavis:** I think that this is not a relevant point in relation to this question.

**MRS DUNNE:** Why is it not a relevant point? The point is that the change of use charge or betterment is about the increased value to the market of the piece of land. You can say that by building some houses on a strip of land in Aranda you do increase the value of the land, but only in a theoretical way because no-one can sell it.

**Ms Lavis:** The land act simply requires that a change of use charge be calculated in relation to a lease variation. There is no implicit link, if you like, with the sale or transfer of land in relation to the calculation of the change of use charge.

**MRS DUNNE:** You might have to take my next question on notice. It was said in a debate in the chamber on one occasion that the planning and environment committee had signed off on the changes to supportive housing in, I think, draft variation 158, which was about the community land use changes, and we would have known that it would have accorded an increase in betterment if anyone introduced supportive housing on a community land use block. Could someone here tell us whether it was ever raised during the variation process in relation to community land use that if there were supportive housing there would automatically be an increase in the calculation of betterment and that anyone who wanted to go down this path would have to pay betterment?

**Ms Lavis:** I would have to go back and check the documentation prepared in relation to the variation and also probably verify any submissions that were made in relation to the

variation. I am happy to do that and confirm it by letter to the committee.

**MRS DUNNE:** Okay. The next question might also be something that you will have to take on notice. Is there any discretion in the land act or elsewhere for the executive not to levy betterment on land that, essentially, cannot be sold, even if you have to calculate the increase in the change of use charge? Even if you have to calculate it, is there a capacity for the executive, either in the land act or elsewhere, to waive the levying of that charge?

**Ms Lavis:** You will appreciate that I am fairly new to the details of the ACT land act. I will take the question on notice and verify that for you.

**THE CHAIR:** To expand on the questions Mrs Dunne has asked, it appears that there are people across the ACT who have land that they would like to use for aged accommodation and supportive accommodation but are not able to do so. An array of people across the ACT is trying to provide solutions to what we have identified as an aged care crisis. Why are they continually being hindered? What is the rationale for the ACT government or the Chief Minister's Department not allowing these developments to go ahead, be they at the Belconnen golf course, the Murrumbidgee Country Club or in Aranda. There seem to be lots of hurdles for people to jump in trying to provide what they see as a community service.

**Mr Hawkins:** My name is Lincoln Hawkins. I am deputy chief executive of the Chief Minister's Department. I apologise for not being able to be here last week. The team, led by Mr Rice, ably supported you but, in case there are other issues, I chaired the committee over the last 12 weeks and perhaps I can help you today with some of the background.

I guess you have seen over the course of your hearings that aged care issues are not unique to the ACT; they are national issues for our ageing population. All jurisdictions are adjusting to the question of increasing supply. There is a whole range of unique answers to many of the topics you have mentioned. This committee, amongst all committees, would be well aware that communities take an interest in sensitive sites and there are time issues in relation to some of those development projects and some sites are identified as not suitable. That would be the answer in a couple of the cases you mentioned. That is not unique to Canberra. That applies to planning all over Australia.

This government has taken a very proactive approach to the question of increasing supply. I think that you have had confirmed to you that, in relative terms, even the figure of 209 for non-operational, provisionally allocated beds is not out of kilter with the situation anywhere else in Australia. We are doing relatively well within the constraints of the national system for how those beds are allocated, which then requires individual service providers to get board approval, local planning approval, and then do the construction within the foreshadowed timeframe.

You have probably had people present some difficult cases. Our observation is that a lot of that is related to the borderline viability of the industry itself, which leads service providers to feel uncertain about proceeding once they get all that information together. I will not go into all of the individual details of the Belconnen golf course proposal. It was really one where planning issues determined non-support for the proposal presented. It was not a philosophical issue about aged provision at all. At any one time there would

be well over 20 cases that the case manager is supporting and having involvement in and many of those have been facilitated very well.

**MRS DUNNE:** Could you give an example of one that has been facilitated well? I do not think that an individual member of this place has heard of one that has been facilitated well.

**Mr Hawkins:** I would beg to differ. I think that a lot of the feedback is that there has been very positive support of those cases provided by the case manager.

**MRS DUNNE:** Do we have any aged care facilities that have been facilitated through the system to the stage where they have been able to get under way and turn a sod?

**Mr Hawkins:** We have a number of them. Mr McKay can give you greater detail, if you like, during the hearings. We have a number of cases—some probably will be opened next week—where projects have been moving at different points of the cycle. It is not a measure of success purely when a bed becomes available, because a number of these projects, just like any commercial operation, have to go through the design phase, financial assessment, board approval and construction. It is not surprising that it is a long time frame. It is not like building a carport on the edge of your house.

**MRS DUNNE:** I understand that, Mr Hawkins, but the point which I am trying to make and which I am not sure that you are switched on to is that we have had a cavalcade of people come before us and say that they would walk on broken glass to build aged care facilities of a variety of types. We see that not only in this committee but also as private members. Can you give us an example of one facility over the past two or three years that has gone through financial approval, board approval, planning approval and whatever to the stage where someone was able to turn a sod? Do you want to take it on notice?

**Mr Hawkins:** No. There are members here, including Mrs Cross, who have been provided with the status of all those projects, Goodwin Homes included, which have gone through the system and have given positive feedback to the government about the assistance they have been given. Those reports have been provided, I think, in the government's submission to this committee and I am happy to take questions on any one of those projects. Many of them are uniquely different and have their own challenges. That is not to say that all elements of every one of those projects have gone perfectly well, because they are complex projects, but we would happily respond to your views, questions or observations about elements of any one of those projects.

**MRS DUNNE:** My question is: over the last two or three years have we got any to the stage where a sod could be turned?

**Mr McKay:** My name is Ross McKay. I am case manager for aged persons accommodation in the ACT. The Goodwin/Monash facility will be opening 20 beds on Tuesday. Villaggio Sant'Antonio is ready to commence construction. I believe that it went through their board last week. They have all approvals and can commence whenever they like. The Croatian Village is under construction. Mirinjani has been offered the land and is yet to make a decision. Southern Cross Care have accepted their offer. Calvary is yet to accept its offer.

**MRS DUNNE:** Villaggio Sant'Antonio were given an offer of a lease before the last election; is that right?

**Mr McKay:** It was before my time; I am sorry.

**MRS DUNNE:** It was before the last election because, as a candidate, I delivered the offer of a lease to Villaggio Sant'Antonio. What has happened between October 2001 and now in the case of Villaggio Sant'Antonio? Why has it taken three years from the offer of a lease for them to be in a position where they can build?

**Mr McKay:** I can only say what has happened since I have been in the position, but Villaggio Sant'Antonio have had their development approval for a number of months.

**MRS CROSS:** I would like Ms Dundas's question to be answered, Mr Hawkins.

**THE CHAIR:** I was asking specifically about why people with proposals and with land available are being rejected. The only answer you gave was that it is just to do with planning issues.

**Mr Hawkins:** I am not aware of too many examples where that is the case. Belconnen golf course is one that you cited.

**THE CHAIR:** And the Murrumbidgee golf course and concerns being raised by a number of other aged care providers that there is a lack of land available, but people who have been putting up their hand to say that they have land are being turned down.

**Mr Hawkins:** I am happy to take more specifics. As to the two you mentioned, I know that the government, through the planning minister, made a decision on the Belconnen golf course site based on the merits of the proposal that was put forward. That is not unique to aged care. That happens to all sorts of proposals in this city. Almost every day or week there are proposals incompatible with the community and the territory's planning regime.

**THE CHAIR:** Maybe another way of putting the question is by doing a comparison. Why is section 87 on the Belconnen lake shore targeted for aged care accommodation and why is the site next to Calvary deemed suitable for aged care accommodation? What makes them different from the site in Holt?

**Mr Hawkins:** I will not seek in my current role to argue the planning merits of individual sites. There are some whole-of-government responses that have been in the public domain. If Ms Lavis is happy to deal with the planning merits, I would refer that to her. But I think that you are pointing to the fact that clearly even the Calvary site has environmental and planning issues. They are sensitive, they are difficult and it takes time to get an important project up and every site typically is going to have them.

**MR HARGREAVES:** There is an inconsistency between the stated reasons for Belconnen not being able to go ahead for planning issues and the one at Calvary being allowed to go ahead, because they are both the same distance from shops, they both have a bus problem, et cetera. There seems to be an inconsistency in application. We are

trying to work our way through that.

**MRS CROSS:** There is no certainty. The system is unclear. It seems to be very arbitrary.

**Mr Hawkins:** I would prefer to come back to you with the detailed information, if you want to pursue the Belconnen golf course site, if that is behind the questioning.

**THE CHAIR:** We are using it as an indicator of what we see as a broader problem in that one proposal has fought such a battle, has put forward an idea that has the support, we understand, of the community around it and the club members of that site have repeatedly addressed the planning issues raised, but the proposal is continually being knocked back, whereas another site that has major community concerns about its going ahead—I refer specifically to the lake shore site in Belconnen—is being pushed ahead, despite the objections of the community, and it suffers from similar planning questions as the other Belconnen site.

Members of the community see this happening and they throw their hands up in dismay and say, “We do not understand how planning is operating in relation to aged care beds. We do not see a future for aged care development in this town because from the community’s perspective every time a good idea is put up it is shot down.” I put that to you and ask for some clarification. Are these misgivings founded? Are they answerable? What is going on?

**Mr Hawkins:** The government has made it absolutely clear that it is taking a proactive and positive stance to facilitate aged care projects. A lot of what you have just stated is a merit-based judgment of people evaluating two different sites. I am reserving judgment, rather than presenting the argument on those sites, because you and I well know planning. There are different views on the merits of different sites. The government came to a view, based on a whole range of factors, including bushfire assessment, location, current land use and potential use of those community facilities at the Belconnen golf course site, that it was not the most appropriate and best site.

**MRS DUNNE:** But are there other appropriate sites in Belconnen that will meet the needs over the longer term? The answer is that we do not know.

**Mr Hawkins:** No, to the contrary. I will bring Mr Johns in here. He is well informed on the section 87 site and the planning that went behind it. It is a very substantial site, with long-term planning behind it, which will more than adequately cater for the needs in the foreseeable future.

**Mr Johns:** My name is Peter Johns. I am from the Chief Minister’s Department. When the Commonwealth was here and talked about future allocations of land, it talked about possible land also being identified in areas such as Tuggeranong and Gungahlin. At the moment, Belconnen has a fairly high proportion of sites that are used for aged persons accommodation and our planning studies indicate that we should be looking down in Tuggeranong and in Gungahlin as well to meet that need. The issue was raised in the presentation by the Murrumbidgee Country Club as well about the allocation of sites in the Tuggeranong Valley.

**MRS CROSS:** On page 13 of your submission you say that some considerable

challenges facing the ACT are the result of Commonwealth government allocation policies and on page 4 you say that it is your responsibility to make sure that land is available. Do you think that a specific aged care land bank would be appropriate for effectively fulfilling the needs of situations like this one?

**Mr Hawkins:** That is the approach that the government has taken since releasing that strategy in December of last year and accelerating preplanned sites is work that the land authority is moving on. We have identified a number of those sites in the submission, I think. It is certainly the approach that we are taking and the land release program over the next few years will keep us, as it were, just ahead of that expected provision by the Commonwealth. We have operated within the formulas of the Commonwealth. Many around the table might like to have a substantially higher number of beds available. We can do the planning to keep up and keep in front as this accelerating provision is required over coming years, but we have to work within and consistent with the formula that our liaison is informing us where and how many beds are likely to be coming through that Commonwealth system.

**MRS CROSS:** I might be wrong, but it sounds to me like you are passing the buck to the Commonwealth. You mentioned the bushfire issue as being one of the criteria for the decision made not to pick, for example, the Belconnen golf club. Can I clarify something? You are here as the deputy chief executive of the Chief Minister's Department.

**Mr Hawkins:** That is right.

**MRS CROSS:** But you also said that you cannot say too much about planning because of your role in that department; is that right?

**Mr Hawkins:** No, there is a representative of the planning authority here. I just do not want any confusion of the people here.

**MRS CROSS:** No, we know who you are. The bushfire issue was one of the criteria used. During this inquiry we have had experts in bushfires say to us that bushfires were not a hazard for that site. This is just an example. We are not here to push a particular site. We are using it as an example. We have had experts come before this committee and say that bushfires were not a hazard for this site and you say that one of the criteria used to reject that site was the bushfire risk. What do you say to that?

**Mr Hawkins:** The planning authority did a very substantial assessment and came to the view that it was not appropriate to proceed on that site. It was not a matter of picking. We were responding to a proposal advanced.

**MRS DUNNE:** On the issue of bushfires, there has been mention in submissions and other things of the urban edge review, which was due out, I understand, late last year. What has happened to the urban edge review, because it impacts on some of those issues?

**Ms Lavis:** The urban edge review has been completed. I am not sure that there is anything specific within it that is directly relevant to the work of the committee today. I do not know whether there is any clarification on that question.

**MRS DUNNE:** I asked the question because on 5 September last year Mr Corbell wrote to the Murrumbidgee Country Club about its proposal and said that ACTPLA was undertaking an urban edge review in response to the fires and the review included investigating the nature and level of the risk from fires on Canberra's urban edge, particularly in the area of western Kambah. It does seem to have some impact because it seemed to be part of the reason that the minister said at that stage that he was not interested in the Murrumbidgee Country Club proposal. I would like to know where the urban edge review is at. I do not know whether it impacts particularly upon the work of this committee, but the committee cannot judge that unless it can see it.

**MRS CROSS:** The committee has the right to ask you those questions.

**Ms Lavis:** I am not suggesting that the committee does not have the right to ask those questions. I was just trying to work it out. The clarification in that letter probably helps me answer that. A raft of legislative and statutory responses has happened as a result of the urban edge review. I suppose that one of the most significant has been the emergency services bill. Embedded in that was the introduction of bushfire protection areas, which is probably one of the issues at stake in this instance. At the moment, there are some detailed investigations of the relationship between bushfire protection areas and the standards required for building construction under the Building Code of Australia provisions.

Work is happening within the ACT Planning and Land Authority at the moment on how specific building requirements need to be invoked. That, I guess, would address the protection from bushfires of buildings that are in vulnerable or potentially vulnerable locations. I am not familiar with the particular cases that have been highlighted, but I imagine that there would also be additional considerations in relation to accommodation for people who are frail or who have limited mobility in relation to evacuation procedures and that facilities or developments in those situations would have to have special evacuation plans that would need to be lodged with the various emergency services.

**MRS DUNNE:** Before you go on too far, are you familiar with the urban edge review? Have you seen the urban edge review?

**Ms Lavis:** I have seen the urban edge review.

**MRS DUNNE:** Is it going to be made publicly available?

**Ms Lavis:** As far as I am aware. I do not know whether one of my colleagues can help me out here. I thought that it was publicly available.

**THE CHAIR:** That might be a question that we will put to the minister.

**Ms Lavis:** I have certainly seen the document. I am surprised that it may not be publicly available. Again, we can take that on notice.

**THE CHAIR:** We will follow it up with the minister.

**MR HARGREAVES:** From my reading of the Belconnen golf club/Madison submission and the Murrumbidgee one—possibly, there are others that we are not aware of—they are talking about continuing care retirement communities and it does not necessarily follow that it is going to be the type of aged care bed requiring federal government approval, such as the one on the edge of Lake Ginninderra and probably the Calvary one. I am concerned that we run the risk of having an either/or situation. We are asking the government why it is that it can approve one and not approve another, but perhaps we have two completely different animals before us.

From my reading of the situation, we are talking about a residential development on the golf course with a graduated service for people who are becoming frail. The provision of things such as swimming pools and tennis courts does not lend itself, in my mind's eye, to a situation in which you have people wandering around with walking frames. Are we fixated on its being an aged care facility? Are we not talking about predominantly a residential development designed to enable people to age in the place in which they live, such that over time those continuing supports will pop up? I am not convinced, for example, that a proportion of the accommodation units in the submission given to the government would require the federal government's approval as aged care places.

**Mr Hawkins:** I have a two-part answer to that very interesting question. I think that you appreciate by now that there is a spectrum of care—high and low care. There used to be different categories of language used as people went through hostels and nursing homes. They are now categorised as high and low care. At the independent living unit level there are different forms of housing for people. Many of us will prefer to live in just a different form of housing, rather than moving into those high and low care institutions.

Part of the great challenge for this whole industry, which is changing significantly, as revealed in the Hogan review and the Commonwealth's report on it, is that the funding mix almost demands that many institutions cross-subsidise and make a bit of money out of the independent living units; whereas with the funding of bed allocations you are talking about one part of the whole market. It is very complex and many of the people who have presented themselves before you recognise the change in the industry and the market and are seeking to meet the accommodation needs that you are talking about.

Residential providers are good and worthy and a necessary thing to have but, when done, as it were, a for profit residential provider of independent living units is going to generate more of a revenue stream and often is not necessarily looking to cross-subsidise what the Commonwealth is seeking to provide for in its funding formula for those high and low care beds in institutions. There is a need to understand the different parts of that market and there are providers right across that spectrum. They are not all trying to meet the high and low care beds.

An important part of the challenge you have as a committee is to try to understand a very complex policy environment. As you say, sometimes with good intent residential developers are part of that market and they are not necessarily doing a bad or a wrong thing, but their motives are different from those of the non-profit service providers who are sometimes really challenged by viability because of their scale. The Hogan review looked at bonds and other financial formulas to try to support or prop up the genuine service providers.

**MR HARGREAVES:** To follow up on that, the demographic of the ACT is moving at such a pace that the aged component or the older component of the community is going to be significant and we are not prepared for that. I think that is fairly reasonably recognised. We have arguments from the opposition, the government, the crossbench and segments of the community about the provision of accommodation for frail aged people. We are concerned significantly about the sharper end of the market, hence the argument about the one at Lake Ginninderra and the one at Calvary, but we are not paying a lot of attention to the preliminary period, the period when parents find that their children have left their three-bedroom home in the middle of a suburb and they want a change, but they do not want to go into a nursing home or a hostel.

We may have a developer who says that he can look after that part of the market in this town. Mr James said that when they were exploring the idea of having accommodation for older persons or any kind of development on the Murrumbidgee golf course, a number of people were interested, but as soon as they heard that a variation to the territory plan had to happen they took off and only one is left. It seems to me that there is a demand and it is growing. We have someone who is prepared to meet some of that demand. Are we just standing in the way of that development for the sake of it? Are we not being flexible enough? Is there not a case for doing both of them? I understand the need to have frail aged people accommodated in town centres. That is why I welcome the one for the Belconnen town centre. Other members may not, but I welcome the one for the Belconnen town centre. Can you explain to me why it is that we cannot do both?

**THE CHAIR:** You have asked the question, Mr Hargreaves. Can we now get an answer?

**Mr Hawkins:** I did hear a suggestion that every time a good idea comes along it is not supported. I really cannot support that as a statement overall. I know for a fact that there was very strong interest in the initial concept behind the Belconnen golf course proposal. Put under closer examination about the detailed planning heads of consideration, it was not able to be supported. That is the process working, the same process that this committee has to deal with and face all of the time with plan variations and other issues in protecting the qualities and goals that we say are important.

Not every site in Canberra is going to be the right, the best or the most suitable site for aged care accommodation. We do get proposals on many and varied sites. The overall objective of this committee in supporting that transition to different forms of housing and different forms of care, which we all recognise is going to accelerate, is right. The spatial plan and many of our strategies have put work into anticipating the transition we need to make. But when it comes down to, as it were, local community issues and concerns, not every site can be the right or the a simply because it has been proposed. There will be different views around this table and elsewhere on the merits of that.

**MR HARGREAVES:** Why not? Why can't you do both?

**Mr Hawkins:** I will take that on notice if you want a more detailed response as to how those particular decisions were arrived at. They were made through the planning authority. I know that some of those were prior to Ms Lavis arriving. I think that is where you are going: you are concerned about the decision not to support a couple of particular proposals.

**MRS CROSS:** Mr Hawkins, in your answer, could you also include for the committee the criteria that you use to assess whether you give or do not give a yes to an aged care submission? Included in that answer, I would like to know whether one of the criteria is whether the submission is about a profit or non-profit one and whether that is what affects the situation. You talked about bushfires. Mr Hargreaves made a very valid point. The Calvary situation is far more prone to bushfire hazard than the Belconnen golf course. I would like to know what you do.

The community needs to have certainty, they need to know exactly where they stand, and they do not. As a committee, we know what our objectives are. We understand our terms of reference for this inquiry. We also know what is relevant and irrelevant. I would like to know the list of checkpoints that you use to say yes, no or maybe, and why. For me, the most important thing, which I picked up from your answer before, is whether it matters to you whether the submission comes from a developer, a non-profit organisation, both or a bit of both, because it would be of concern to me if the basis for the decision of ACTPLA and the government has anything to do with the fact that it has come from a business which is doing something to service the community's needs.

**Mr Hawkins:** No, it wasn't the basis in any of the cases we have mentioned.

**MRS DUNNE:** Before we move on, I wish to go back to the point that you made, Mr Hawkins, when you were talking about the Hogan report and spoke about bonds and various things and actually used the words "to prop up genuine service providers". I want you to clarify that. Do you mean that for-profit organisations are not genuine service providers?

**Mr Hawkins:** No.

**MRS DUNNE:** You do not mean that.

**Mr Hawkins:** No. That is not what I suggested at all. It was a comment in relation to—

**MRS DUNNE:** I think that needs to be clarified, because that was the very clear impression that you gave me and, presumably, Mrs Cross.

**MRS CROSS:** Me, too.

**Mr Hawkins:** Certainly it was by no means the intention. It is very clear, if you look at some of the Hogan report analysis, that many of the smaller, non-profit service providers are struggling around the funding model when it comes to paying for staff and upgrading standards of care and facilities they have to meet. The Commonwealth, in its changes earlier this year, made some steps towards rectifying that and there were further recommendations made that they have not acted on at this stage.

**MRS DUNNE:** I go back to the question that Mrs Cross asked about the criteria used to determine whether you would give support to a proposal, specifically in relation to ones where there are variations to the territory plan. I asked Mr Cohen this question last week in evidence and I would like an answer—it might be on notice—from ACTPLA; that is, who has the power to make the final decision on whether the territory will proceed with

a variation to the territory plan? Does it rest with the executive or the Chief Planning Executive?

**Ms Lavis:** The final decision to vary the territory plan rests with the minister. Are you talking about progressing the territory plan to proceed with the process of the territory plan?

**THE CHAIR:** I think the question was more about initiating a draft.

**Ms Lavis:** Initiating a territory plan variation. The decision is the Chief Planning Executive's.

**THE CHAIR:** I get back to the question I was asking. Mr Hawkins, in your presentation you noted that there is a changing idea of what we see as aged care accommodation and there are changing demands for what people want to support them as they get older. In some submissions there has been some quite heavy criticism of ACTPLA for not being in tune with these changing demands, not being flexible enough to take into account the different proposals to meet the different demands that are being put forward and work to meet the changing needs with aged care arrangements. Do you have a response to that criticism, knowing that you have had the transcripts and you have seen it? That criticism is quite strong, yet you have said that you are aware of the changing needs. How do you respond to that criticism that has been levelled at you and what are you actually doing to respond to the different desires that people have for aged care support?

**Mr Hawkins:** I will refer that to Ms Lavis. I have been on leave and I have not had the opportunity to review all of the *Hansard*, I am sorry. The members of the Assembly are well aware of the strategic analysis that went behind work such as the spatial plan, which has recognised that physically we need to be a different city to provide for different housing types in the future. That is part of the analysis. Of course we need to continue to do the research behind demand, not just the demographics, because people's housing preferences will continue to adjust and change. I know from experience that that work has been going on in ACTPLA.

I will ask Ms Lavis to give a more expansive answer. No matter how well this committee, the government and all those involved in the industry work, I suspect that in years to come, as we continue to have community expectations and developments, we are still going to have some angst over particular developments or preferences that people have and would like to go ahead or not go ahead. We are just not immune from the sort of controversy that sometimes planning and development changes in our community bring about, but we will continue to do the research.

**Ms Lavis:** Thank you for the opportunity to answer this question. I think that there have been some quite interesting descriptions of the types of developments. I have had the opportunity to look through the transcripts, although I have not absorbed all the details. There is certainly some very useful information in some of the evidence given to the inquiry that can inform some of the processes for amending the planning system and revising the territory plan. Some of those initiatives are very much in the forefront of the ACT Planning and Land Authority's work program for the next couple of years.

As you would be aware, money has been set aside in the budget for the reform agenda.

I think that the territory plan is probably now not reflective enough of the changing dynamics that Mr Hawkins has described, that there is a need for land use and development in the territory to reflect the spatial plan. I anticipate that over the next two or three years there will be some significant changes in the way the territory plan is adapted and used as an instrument to control and direct development outcomes.

One of the issues around territory plan variations that I have seen in the three months that I have been in this job is that, by its very nature as very much a site specific document, when there are new initiatives responding to market needs the territory plan is not always responsive enough or capable of being responsive enough to meet those changing circumstances. If a developer or proponent of a development—this is definitely not only in relation to aged care—wants to create a new type of living environment, perhaps they want to create a mix of housing units, some of which may be for supportive housing or aged care accommodation and some of which may be just for smaller or different types of housing units to suit market needs, often there is a fairly lengthy process that the ACT Planning and Land Authority has to go through to accommodate that.

A developer or a proponent of a development might want a mix of housing types in relation to aged care—they might want a mix of independent living units, a hostel, some supportive housing; it is not uncommon for these developments to have all three components—and the straddling, if you like, of those three different development types can often make the final outcome of a planning negotiation lengthy, difficult and subject to sequential assessment processes.

I am not making excuses for the system. The system has arisen, obviously, from an historical process. There is a lot of very useful land data in the territory plan that I think needs to be respected. The distribution of community facility land, for example, is very even-handed across the territory. If we targeted aged care accommodation to that land, I think we would have a good geographic distribution. There is work that needs to be done. That is a fairly general commentary, I suppose, and not a specific answer to your question, but it might give you some opportunity for further material.

**Mr Rice:** All of what Ms Lavis has said comes back to your initial question, Madam Chair, and something Mrs Dunne raised last week, and perhaps what Mr Hargreaves was saying as well, about how we are planning for the future. We have the spatial plan framework and we have a commitment to be flexible in the future. I would see that as part of the answer to those questions.

**Mr Johns:** Can I add another layer to that? Quite a lot of work has been done by the Land Development Agency to understand what the market wants on a site, especially on section 87. We have spoken to providers. We have had meetings with the Commonwealth. Seminars have been held at which we have tried to understand where we think the market is at and where the market is actually going to be going, so that when a block of land is released we put parameters around it that actually allow for the best form of development to meet the needs of the aged in Canberra.

**THE CHAIR:** On that point, Mr Johns, looking at the planning imperatives and the site imperatives specifically with section 87, through that preliminary assessment process that has been going on I understand that there have been further issues raised that need to be further explored in relation to that site. Are you aware of that?

**Mr Johns:** No, I am not aware of that. The planning for that site, as you might be aware, has been fairly extensive over a long period. It was looked at as part of the Belconnen town centre master plan. We did a further planning study to look at what could be the best use of the site and that resulted in a preliminary assessment. Throughout that whole process, we have actively involved the community and we have actively involved the providers of aged care accommodation around Canberra. I am not aware of the issues that might have come up as a result of the evaluation of the preliminary assessment. If there are issues that need to be addressed, they will be looked at again.

**THE CHAIR:** Maybe it is a question for Ms Lavis. Are issues being raised through the PA process?

**Ms Lavis:** I apologise, Madam Chair, but I have not been given an update on that. I am happy to take those questions on notice and, in the context of the detailed response I have undertaken to give you, give you an update on that.

**THE CHAIR:** That would be helpful.

**MRS DUNNE:** I want to go back to the point that Mr Johns made in talking about the Belconnen lake shore development. He said that the issues relating to that have been actively pursued with the community. I do not necessarily expect Mr Johns to answer this question; it may be one better answered by ACTPLA. If you have actively pursued with the community issues relating to the lake shore development in Belconnen, have you noticed at any stage that the community does not seem to be very happy with the proposal? Has anyone noticed that?

**Mr Hawkins:** Madam Chair, I need to be excused for a prior commitment. I am sure that the remainder of the team will be able to assist you.

**THE CHAIR:** That is fair enough, Mr Hawkins. We are aware of the time. Thank you for your attendance today.

**MRS DUNNE:** Has anyone noticed that the community does not seem to be happy?

**Mr Rice:** I have read the transcripts of the evidence of some of the people who have come before you.

**MRS DUNNE:** Were you aware of that before?

**Mr Rice:** I have read the newspapers, yes, of course.

**MR HARGREAVES:** It has to be true if it is in the *Canberra Times*!

**Mr Johns:** Certainly, as part of the consultation, there were objections to the use of the land. We are aware of that, yes, Mrs Dunne.

**MRS DUNNE:** How have you addressed those—or haven't you, have you just bulldozed on?

**Mr Johns:** We have consulted with the community about the use of the land. We have brought those concerns to the attention of the consultants. We have, obviously, looked at the issues. We have tried to address them. Some of the issues are that we do not use the land.

**MRS CROSS:** Was the government made aware of those concerns?

**Mr Johns:** The government has been made aware of the issues that have been raised about the development of the site, as far as I am aware.

**THE CHAIR:** When will the community know how you have addressed the concerns that have been raised?

**Mr Johns:** A preliminary assessment has been out for public comment that indicates possible development of the site.

**THE CHAIR:** Will everybody who puts in an objection to that preliminary assessment receive a response from government?

**Mr Johns:** I am not sure what response is received in relation to an objection or comment made on a preliminary assessment. As Mr Hawkins said, there will be some times where a decision will be made to proceed with a development that some sections of the community will not agree to. I should also say that there are other sectors of the community that support the release of that site. I think that evidence has been provided to you that they actually support the release of that land.

**THE CHAIR:** We heard from Community Connections, which has the role of supporting people with disabilities in the community. It has specific issues in relation to aged carers, in that parents of children who are now 30, 40 or 50 years old but with severe disabilities are needing to look at going into aged care accommodation and there is no support for their children, who need full-time care. Does the government have a program to address what we have heard is a growing community of aged carers with mature, high-needs children?

**Mr Rice:** I fear that will be one that we will have to take on notice. I can give a very general comment that there was a carers policy released recently. I just cannot be sure that it has that kind of detail in it, so I think that we had better take that on notice.

**THE CHAIR:** Okay. I note the point you made earlier about the issues that always underpin waiting lists. This question might be one that you will have to take on notice and direct to ACT Health. We have heard evidence that to qualify for an aged care place, for a person to be able to get aged care support and go into a bed, they need to be assessed. I assume that there would be records of the number of people who have been assessed and the number of people who are not yet in aged care accommodation. To me, that would seem like a waiting list—a sketchy waiting list, but it would provide us with some data. Would it be possible for us to get our hands on any figures out of that assessment process?

**Mr Thompson:** My name is Ian Thompson. I am executive director of community policy, ACT Health. Yes, we have that information for high care and we will give you

the specific figures. Off the top of my head, the figure is about 500 for people in the community who are assessed as eligible for high care and who are currently waiting for an aged care place. There are a couple of issues of caution in interpreting those numbers.

The first caution is that being assessed as eligible for high care does not equate to a desire or intention to enter residential aged care, so it is more dramatically a ceiling figure rather than necessarily an accurate measure of demand. The second issue of caution is that, in order to get on a waiting list for a nursing home, most nursing homes require that there is a current ACAT assessment made. The ACAT assessment may have been requested by the individual or their family simply to enable them to get on to a waiting list for some time in the future, rather than necessarily being a reflection that they would like immediately to enter a nursing home.

**THE CHAIR:** You said that there were about 500 people on the high care waiting list. Is there a low care one?

**Mr Thompson:** There is. I do not know off the top of my head what the figure is.

**THE CHAIR:** If you could provide the figure to us, it would be most helpful. We will have to wrap it up there. Again, I thank you for your time. You have been very helpful. I hope that we have not scared you with our passion, but we have been putting forward passions that have come to us from the community on a topical issue important to everybody in the ACT at the moment.

**DAVID O'KEEFFE** was called.

**THE CHAIR:** Mr O'Keeffe, thank you for appearing again. We apologise for the short notice for your appearance today. I note that you were present earlier when I read the riot act, so I will not read it again. But I would ask you, the first time you speak, to state your name and the capacity in which you appear.

We have recalled you because some members have further questions for you on the submission you have put forward and the evidence that we have heard over the last number of hearings. With that in mind, we will proceed. It would be useful if you introduced yourself at this point.

**Mr O'Keeffe:** I am David O'Keeffe, Managing Director, Madison Lifestyle Communities.

**MRS CROSS:** I have a couple of questions. A few people in the community have approached me. They understand that your proposal to accommodate and address the aged care issue in the ACT is good, but they have concerns about self-interest as this is your own company. Have you been approached on this? How have you addressed it?

You have said in the past, and I know it is on record, that you are concerned about addressing the aged care issue, which is why you put the proposal forward. As part of that proposal, would you consider handing the 18-hole land back to the government for no compensation while you are allowed to develop the nine holes for your aged care development in order for the government to be able to lease that back at a peppercorn rent to the club? I have had some community concerns put to me on this. Would you consider that?

**Mr O'Keeffe:** That is a very good point. We had a meeting—when I say “we” it was me, on behalf of Woodhaven investments; Mr John Burrows, on behalf of the Magpies club; Mr Wayne Berry MLA and local resident; and Mr Paul Powderly from Colliers International, valuers. This meeting was held at the club probably two months ago now. A discussion took place where that very point was suggested to Mr Berry.

When the course was purchased at public auction by Woodhaven, it was seen as a good, long-term income-producing investment. Subsequent to that, the original lessee went broke, and a new lessee in Magpies took over. They basically informed us that they could no longer continue to pay rent. Mr Burrows from Magpies was here last week. He made the committee aware of a subsidy to the tune of \$250,000 per annum. Their rent is a little bit more than that.

We are in negotiations with Magpies at the moment to scrub the existing lease, which has about nine months to run, and to give them a new lease for about \$50,000 a year. That will barely cover our costs of land tax and rates, et cetera. We are effectively getting little or no income out of the course. We have a desire to be involved in the course because we have a feeling of responsibility. We took it on and we don't think we should just walk away from it. It is plainly obvious to us now that it is not going to be the long-term income-producing asset that we had first thought it would be.

In answer to your question, it has already been suggested. It was raised and I have had a further discussion with Mr Berry on this very issue. His words were that he couldn't be sure; he was not convinced that it was the right thing. He did not want to see any form of development out there—full stop.

**MRS CROSS:** I did not know about this meeting. This is a very interesting point. You had a meeting with Mr Berry and John Burrows on behalf of Woodhaven two months ago.

**Mr O'Keefe:** That is right. Also present was Mr Berry's adviser, Sue—I cannot think of her surname now.

**MRS CROSS:** You have had overwhelming community support for your proposal. However, another element of the community has shown concern because it is a developer doing this versus the government and the community. I felt that it was important to put to you an idea that you may have already thought about. You say that you have already put this to Mr Berry?

**Mr O'Keefe:** Absolutely, yes.

**MRS CROSS:** Are you prepared to relinquish the 18 holes back to the government for no compensation?

**Mr O'Keefe:** That is what we suggested. I am sure I can get statutory declarations from Mr Burrows and from Mr Powderly to confirm this.

**THE CHAIR:** We can also write letters. Just to clarify: you are saying that you made the offer to Mr Berry that you would relinquish the golf course?

**Mr O'Keefe:** That is correct. The reason we approached Mr Berry is that he seemed to be one of only two objectors to the proposal. We understood that he was a key stakeholder, given the commitment that he had made to the electorate prior to the last election.

**MRS CROSS:** Which was what?

**Mr O'Keefe:** I think it was almost that Labor had successfully opposed the development of the Federal golf course and they would not support any further expansion of the residential component at Belconnen golf course. We have always tried to engage with Mr Berry in a fairly open manner, and we went along to have a discussion with him with that in mind. This offer came up during the discussion.

We went to him because Magpies said to us, "We are not going to renew our lease. Twenty people are going to lose their jobs. The government is going to lose about \$40,000 a year in payroll tax." We thought, "What are we going to do? We are going to have to close the thing." From our perspective, that was not the most attractive option, I can assure you.

Mr Powderly of Colliers brought it up in conjunction with Mr Berry. It evolved out of the discussion that if no rent is being paid it is not worth anything to you, and the

emphasis or the value in the area shifts from it being an income producing asset to a potential development opportunity. The golf course is worth nothing to us. If we got a valuation done based on about \$20,000 net rent, it would be worth about \$150,000.

**MRS CROSS:** My second question has been half answered, but I need to ask it as it has been put to me by members of the community. If you got the okay to develop the nine holes for aged care while still owning the other 18 holes, did you ever intend to develop residential housing, on half of them at the top, for regular sale to get peak prices?

**Mr O’Keeffe:** The development that we have proposed contains a mixture of aged care specific—

**MRS CROSS:** No. That is on the nine holes; I am talking about the 18.

**Mr O’Keeffe:** On the 18 we saw absolutely no development taking place now or at any point in the future. One of the planks of our whole proposal is that it should have access to a long-term, financially viable golf course. As part of this proposal, we were looking to spend reasonably considerable money upgrading the course itself. Quite a bit of money needed to be spent on the bunkers, tees and various other aspects of the course to improve its standard and make it more attractive.

It is a very competitive industry, not just in Canberra but Australia wide. This was one of Mr Berry’s concerns. In his defence, it was: “We’ll let you do this now, but in 10 years time you’ll be back here wanting to take another chunk off.” Part of the suggestion was that if in the longer term the community owned the course the community—be it the government or some community fund; I don’t know the entity—

**MRS CROSS:** The answer is no; you never intended to develop—

**Mr O’Keeffe:** No, absolutely not.

**THE CHAIR:** I know you have told us before, but can you clarify again what you propose for the nine holes—the mix between aged care and other facilities on that site?

**Mr O’Keeffe:** I guess if we start at the top, we see that it would be developed for an up to 100-bed aged care facility encompassing low care and high care initially, although it would be designed from the outset to be ultimately high care only. That is where we see the industry going longer term, particularly with more and more of the packages being made available and adaptable housing.

The independent living units—which, in laymen’s terms, is the retirement village—would be up to 200 dwellings. These would be a mixture of two and three bedrooms and would be perhaps as small as 110 square metres or thereabouts and up to 140 or 150 square metres. They would be designed to the adaptable housing standard in accordance with Australian standards. This would enable a lot of people to remain in these homes longer term and receive the low care that could be delivered from the actual aged care facility.

Further to that would be what we call an active-adult-type community of up to 150 dwellings, which would be for sale to the general public. We are calling that an age

targeted market; it would be targeted at 50 to 55-year-olds plus. Again, we would see the majority of those being designed to the adaptable housing standard.

**THE CHAIR:** So there would be a community of over 500 places?

**Mr O’Keeffe:** Of actual dwellings, if you included the beds in the aged care facility, there would be about 450—at the widest end of the spectrum.

**THE CHAIR:** That active adult area would be sold at market price, the independent living units are specifically targeted at the community, and the aged care facility would be people—

**Mr O’Keeffe:** That would have the requirement for the federally funded bed licences.

**MR HARGREAVES:** Are the high dependency beds dependent on the federal government approving the beds?

**Mr O’Keeffe:** Yes, absolutely.

**MR HARGREAVES:** Have you approached the federal government for a preliminary view on them?

**Mr O’Keeffe:** Yes. We had a discussion and we put a preliminary application in two years ago. We subsequently withdrew that application because the emphasis—and rightly so—of the Commonwealth was on what they call bed readiness. In other words, you get the land and you are good to go. We would philosophically have a problem if we were allocated bed licences: we cannot do anything with them and we are holding someone else up. We are in the process of finalising our application for approved provider status. What will that do? Nothing really—other than give us a little bit more credibility in the eyes of some people that we are fair dinkum about what we are doing.

I would like to draw your attention, if I could, to a document I have tabled here this morning. It is a document of great concern to us and it relates to the proposal at Belconnen. This is a statutory declaration prepared by Mr Paul Cohen—

**THE CHAIR:** As you go forward, would you not mention any of the names in the document? We have to read and consider it. It is a quite controversial piece of paper, which we will need to consider.

**MRS DUNNE:** Mr O’Keeffe, you might draw our attention to it, but perhaps we should consider it privately because it names a number of individuals and deals with sensitive—

**Mr O’Keeffe:** I will refrain from that, other than stating who prepared it. Is that okay?

**MRS DUNNE:** That is fine, yes.

**Mr O’Keeffe:** I will give you a little bit of background to this. In late October last year—on a Saturday, I believe—the federal Labor Party local members had a meeting on the aged care issue. It was very well attended. I attended both the northside and southside meetings. With no correlation to that at the time we then held, as part of our consultation

process on the proposal at Holt, a public meeting at the golf club on Saturday 6 December, as I recall.

Various members of this committee were invited to that meeting. Also invited to that meeting were the Minister for Planning, the Chief Minister and various other MLAs. We had responses from those parties that they were unable to attend. This public meeting was advertised in the *Canberra Times* and the *Chronicle*. There were letterbox drops in the suburbs of Holt, Higgins and Macgregor.

Mr Cohen was contacted on the Tuesday afternoon prior to this meeting by a senior member of the Chief Minister's Department. When he contacted Mr Cohen he left a message for him saying, "I need to speak to you urgently." During that message he stated, "This is my work number. If you can't get me on that, call me on my mobile. If you can't get me on my mobile, this is my home number. Call me on that. I need to speak to you urgently."

**THE CHAIR:** For clarification, Mr O'Keeffe, what is your relationship to Mr Cohen?

**Mr O'Keeffe:** Mr Cohen is a planning consultant for Campbell Dion town planning. They have been engaged on a consultancy basis to provide us with advice on statutory planning matters.

**MRS DUNNE:** Sorry, Madam Chair. Let me interpose. Members of the committee can read this, Mr O'Keeffe. Given the nature of what is in the document, I would not like to have it on the public record at this stage. I am concerned about this because it has—

**THE CHAIR:** The committee will consider it. Without going into the detail of the declaration, is there anything else that you wanted to add?

**Mr O'Keeffe:** I said to Mr Cohen that I wondered whether it was a set-up. It came out just prior to this public meeting. This happened in the week leading up to the meeting that we held. This is the point I was trying to come to. Sorry if I laboured it. We went, for want of a better word, soft. During that public meeting we had an opportunity to raise a number of issues. We did not because we felt that we now had the support of the government in relation to this proposal.

We played doggo, so to speak, thinking that we did not want to stir up any trouble. We now looked like we had the support. Coincidentally, I was contacted by another person, who was very much involved in this area, providing advice to the government. The person phoned and said, "Congratulations. I hear things are moving ahead for you." Something has gone awry somewhere.

**MRS DUNNE:** Was the person who contacted you a government official?

**Mr O'Keeffe:** No, he wasn't. He is on a committee providing advice to the government on aged care. He is a well-recognised individual within the industry and the ACT.

**THE CHAIR:** I think we might leave it there. We will consider the document that you have put forward and the subsequent evidence that you have provided today. Thank you for doing both.

**Mr O’Keeffe:** In relation to Mirinjani, I know Mr Hargreaves had some questions. I would be happy to take any of those, if you wish.

**MR HARGREAVES:** No. I will be fine.

**THE CHAIR:** If we need to we might write you a letter, but that may not happen—depending on our time constraints and the further issues that we explore. Thank you for your time today.

**The committee adjourned at 12.29 pm.**