

3 March 2023

The Officer Tasked
ACT Planning System Review and Reform Project
Environment, Planning and Sustainable Development Directorate
Dame Pattie Menzies Building
DICKSON ACT 2602
Via online lodgement portal

Dear Officer,

Response to submission of representation and feedback on the draft new Territory Plan and draft district strategies: ACT Planning System Review and Reform Project: Block 20 Section 2 Page

We are writing on behalf of the lessees of Block 20 Section 2 Page (RSL Lifecare Limited) in response to the ACT Planning System Review and Reform Project and specifically your request for feedback on the Draft new Territory Plan and draft District Strategies. The subject site is located in the Division of Page, District Belconnen and located adjacent and to the south of Southern Cross Drive – see Figure 1 below.

The site

Block 20 is leased to the RSL Lifecare Limited primarily for the Residential Aged Care and self-care independent living unit uses development “Coral Park, Bill McKenzie Gardens”. The uses are restricted by both bed and dwelling count limitation as well as Gross Floor Area limits.



Figure 1 – Aerial map of Block 23 Section 2 Page (Source ACTMAPi, February 2023)



The block is bounded by Southern Cross Drive to the North, Burkitt Street to the south and similar retirement village scheme like uses to the east. Land further to the North, south and to the west are zoned predominantly lower density residential use and characterised by stand-alone dwellings. Southern Cross Drive connects the site to the Belconnen Town Centre precinct located circa 500m to the east. The Page oval zoned PRZ1 – Open Space is located in close proximity to the site and is approximately 70m west of the site on Burkitt Street.

The Lessee

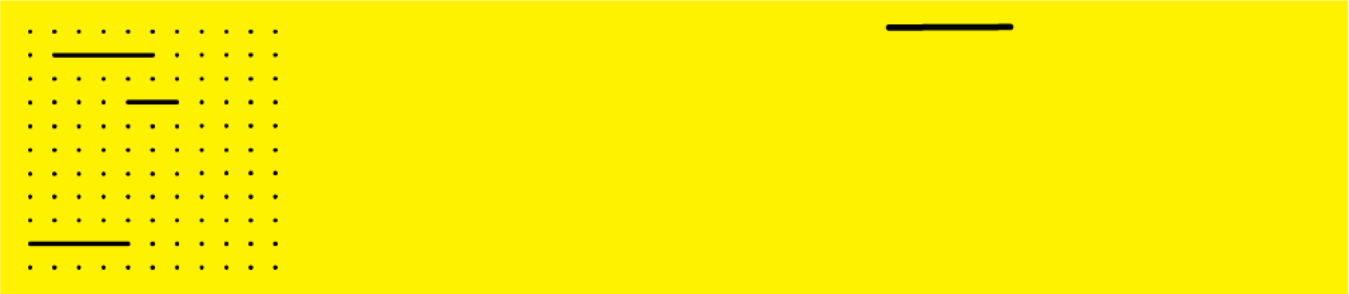
Bill McKenzie Gardens is a living community for 137 seniors who are provided with residential care or nursing home services. Accommodation comprises a bed/sitting room with private ensuite, heating and emergency call button. The home features share community rooms for planned daily activities, socials and dining. Meals are prepared based on individual dietary needs. The living spaces include wide halls, lounges, reminiscence centres and nurse care areas.

Facilities on site include a chapel, function rooms, garden courtyards, hair salon, library, lounge areas call bell responses and a village bus. Care areas include a general frail aged area, palliation, dementia and respite facilities. Bill McKenzie Garden further include medical services, lifestyle activities, spiritual and church services.

RSL LifeCare is a public company limited by guarantee, RSL NSW is the sole member of our charity and our Directors are appointed by RSL NSW. The Directors bring to the table decades of experience in key areas – Veterans, RSL, Aged Care, Retirement Living, Finance, Construction, Business.

From these small beginnings RSL LifeCare has developed over the century to have villages and services throughout NSW and the ACT with retirement living and residential aged care services at Austral (Liverpool), Ballina, Byron Bay, Canberra, Cherrybrook, Dungog, Eden, Galston, Goonellabah, Griffith, Hawks Nest, Lismore, Merimbula, Narrabeen, Narrandera, Nowra, Penrith, Picton, Port Macquarie, Richmond, Tea Gardens, Thirlmere, Toukley, Tura Beach, Wagga Wagga, and Yass. In-home care services are widely available with centres in the far north coast, mid north coast, Sydney, southern highlands, Riverina, ACT and the far south coast.

In 2021, AMC were commissioned by RSLLC to re-masterplan RSLLC Bullecourt Village, a new integrated retirement living and residential aged care offering in Kaleen, to achieve a more contemporary offering that better-responded to the expectations of Canberra downsizers. Through this working relationship, AMC and Canberra Town Planning made RSLLC aware of the late 2022 ACT Planning System Review and Reform Project and were subsequently commissioned to develop a preliminary masterplan concept as part of a considered submission to EPSDD to strongly consider a change in zoning for this site from the current RZ2 zoning to the better positioned and contextual CFZ-Community Facility zoning.



Current statutory and strategic planning context

The subject site is zoned 'RZ2- Suburban Core' under the Territory Plan and is developed for low density, low rise semi-detached retirement village dwellings with associated residential care facility and other onsite related uses supporting the primary use.

Based on the current Crown Lease provisions we believe that the site's full development potential is realised and a Lease Variation would be required to achieve further development opportunity. Noting the limited nature of further development potential under the current zoning it appears to be unlikely that further development opportunities would be pursued in relation to renewal and further densification of the site.

The development predates the creation of the Territory Plan in 1993 and the more recent RZ2 zoning that was put in place with the re-writing of the Territory Plan in 2008. In essence the zoning appears to be consistent with the form of development that existed on-site when the Plan was created and the form and scale of retirement village complexes that was built in Canberra in the early 1990's.

This is quite at odds with the current accepted practice to zone land released for Retirement living and Residential Care as CFZ- Community facilities land. By inspection of the Zone objective in the Territory Plan the use of Retirement Village Use and Residential Care Accommodation appears to better fit within the aspirations for the CFZ-Community Facilities zoning. In recent times Canberra has seen a number of contemporary Retirement Village Complex developments progressed on land specifically zoned and leased for this use – and specifically the applicable zoning choose in all instances was CFZ zoning to underpin the development of modern Retirement Village and Residential care use.

The Draft ACT Planning Reform project Draft Territory Plan and Draft Belconnen District Strategy.

Canberra Town Planning and AMC Architecture have been working with RSL Lifecare Limited on other retirement living sites in the ACT, with specific consideration recently approved development at Section 85 Kaleen that includes a new 6 storey ILU building. In this approval RSL Lifecare Bullecourt continue to deliver expanded living, service and care opportunities to the aging population of Canberra and are progressing and furthering their organisation's focus and mission.

In looking at the facility in Page (Block 20) the proponent is exploring opportunities to renew these aging assets in a manner that allows the organisation to respond to the growing need for retirement living choices and residential care needs of the aging Canberra community.

Propriety information from One Fell Swoop (Included in attachment 1) is in full agreeance with the ACT Planning System Review and Reform Project investigations into the demographic and housing need and services shortfall for the retirement living and residential care sectors of the ACT housing and social services delivery market. The document presented from One Fell Swoop elaborates the current needs and trends for Aged Care and Retirement living in the ACT.

Our review of the draft Planning Reform documents released in November 2022 and the relevance to the development type and asset class under consideration in this submission as well as the draft polies of the Territory Plan are considered below. In relation to the subject site we focus specifically on the following documents:

- Draft Territory Plan: Belconnen District Policy,
- Draft Territory Plan: Residential Zones Policy, and

- Draft Belconnen District Strategy.

Draft New Territory Plan: District and Zone Policies

The subject site is, to the best of our understanding, shown in the draft documents to remain subject to the Residential Zones Policy and specifically retain the RZ2 zoning. Residential Care Accommodation, Retirement Village and ancillary uses remain permissible uses under this draft zoning.

The RZ2 Policy outcomes are seeks the development and re-development of residential development near local services in low/medium density housing including:

- Provision of a range of housing choices where the housing is low rise and contains a mix of single dwelling and multi-unit development.
- Provision of opportunities for redevelopment by enabling a limited extent of change in density.

The assessment requirements stated for the RZ2 zoning are modest in character including, 45% site coverage, low dwelling density controls and low-rise height limitations (2 storeys maximum). Assessment outcomes focusses on precinct scale, urban structure and development following the housing design guideline (still to be released).

In short, the opportunity for further development of the site to drive a renewal program, and/or cater for the aging population is very limited when considering the draft (future) RZ2 provisions.

The draft Belconnen District Policy appears to provide no further use of development opportunity to the subject site. Overall, the District policy in its Policy outcomes calls for development outcomes that will build a strong and egalitarian community that is increasingly diverse and multi-generational. This includes a range of housing choices, retention and strengthening sense of community, development of the town centre and surrounding suburbs as mixed-use area. There appear to be no further assessment requirements or outcomes for the Division of Page.

There is not apparent change to the current Planning Policy context for the site and the RZ2 zoning under the Planning Reform for the subject site.

The Belconnen District Strategy

The draft Belconnen District Strategy in essence looks into the future and seeks to quantify and describe the needs for and pattern and forms of future development in the District based on population and employment drivers, perceived (re-)development opportunities, Government Policy and community expectations. The Strategy include numerous references to the need for expanded and renewed Residential Care and Retirement Village development and provision of these services to the Belconnen District.

The Strategy's demographic and needs consideration indicate that:

- Belconnen in 2021 had the largest ACT population (over 105,000 people) - more than circa 20,000 persons larger than the next biggest district, Tuggeranong that has a population of ~89,500 people (p28 and p29),
- More than 35% of persons are about or over 50 years of age and 65+ seniors are reported to make up 15% of the Belconnen population. This is almost 16,000 people and is well higher than the ACT

aged population averages. Belconnen houses the 2nd biggest population of older people in any district in the ACT (p29);

- Housing choices in Belconnen sees separate (Stand-alone) houses being 69% of the housing stock and semi-detached and apartment living are only 30% of the housing stock available. Only 30% of households are renting their place of residence (p29).
- The Strategy as presented suggests that the ACT population is set to increase by over 135,000 people by 2046, need around 58,000 new dwellings and this trend to an aging population with continue.
- Belconnen will need an increase in housing stock of by 2046 of 11,400 dwellings by 2046 and a further circa 21,000 by 2063. Recent reports suggest that the population forecast numbers are under review and reported at a lower rate as when compared to actual trends. The 2046 population is expected to be larger than forecast, require more houses than predicted and have an increasing cohort of older members. (p32).
- The projected population forecasts a growth in aged population/retirees across the ACT is substantial (page 32).

The Strategy acknowledge that increased population and specifically a larger aging population will push the demand for services and housing opportunities in the Retirement Living and Residential Age Care sector. As the need increases opportunities for expanding and increasing these services and facilities must be investigated and the Strategy suggests the following:

- That the demand for services in the Retirement Living and Residential Age Care sector and the expansion of facilities are important considerations that must be further investigated (page 113);
- Areas for Aged Care near activity nodes and medical facilities should be identified as part of a *Sustainable and Resilient Territory* (Table 9),
- Areas near Activity and services centres are considered as high opportunity localities (Page 113), with the site specifically identified on the District Strategy Map as an existing community asset of this type.
- The housing and services demand are to be met by 70% infill development within the confines of the City.

Demand for these services is expected to continue growth as the cohort of older Australians grow and as more people seeking to access these services and the current and forecasted number of places will continue to be outstripped by demand. Expanding the existing facilities will build on the knowledge, history and service already provided and best support the growing community needs in this sector.

Attachment 1 entitled "Proprietary Industry Information - The State of Aged Care And Retirement Living in The Act" has been submitted in support of this application that discusses the current needs and trends for Aged Care and Retirement living in the ACT and echoes the above findings.

Noting the report describe an enormous increase in population of persons aged over 85 years of age and the challenges faced in the ACT to deliver suitable housing and support to these Canberrans. The increase in persons aged 65 years and over are giving insight to an aging trend that will continue to grow into the future.

Village residents are on average older than they were ten years ago, are living longer and enjoying more active lives and demand for these services are growing, yet in Canberra there is a clear level of unmet and impending demand for retirement living options that is expected to grow over time.

The emerging trends in provision of these services and living and products are requiring providers to rethink their current offerings and explore opportunities to renew, rebuild, expand and improve offerings to deliver



the level, quality and quantity of services demanded by the market. These interests are equally true for these facilities as a place of employment and has become critical considerations in proponents strive to retain key staff to the industry and in their organisations.

Need for an expanded facility

The Lessee, with Canberra Town Planning and AMC Architecture, explored the proposition of a redevelopment of the current land holding with a focus on understanding how an expanded facility, build to current and future requirements, regulatory standards and client expectations can integrate with the local community and locality.

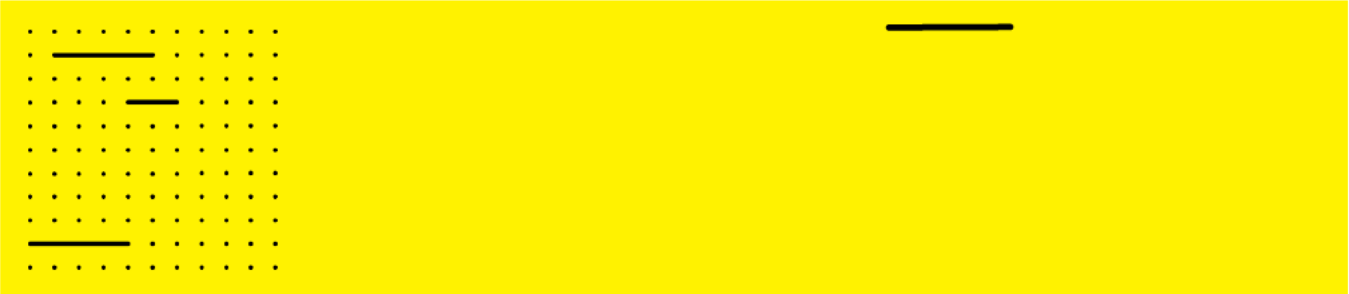
Our work resulted in an exploratory Master Plan, which we include as an attachment to this submission, that seeks to demonstrate how an approach for renewal and intensification of the site may be considered. The Master Plan study considers the locality near the Town Centre on a main arterial road with good public transport options now and into the future, the context with other similar uses located to the east and the west creating a historical and current hub of retirement living and residential care services that is successfully operating in this locality, the ability to balance density, amenity and development of a community asset that is in line with current aspirations and expectations in the community for these uses while protecting the amenity of and integrating an expanded facility with the low density residential developments to the North and South. The Master Plan is not a development proposal as such but a tool to assist in growing an understanding of what a modern, renewed and current fit-for-purpose and expectations facility may look like and how it could sit on the site and integrate with the urban context and surrounding use and development profiles. This is an invaluable tool in imagining what the ultimate outcome may represent and test and refine policy settings and limitations that may be needed to facilitate a desired planning outcome and development/urban form.

The land-take for facilities of this nature is traditionally large and should low rise options be continued across the city, such development will require large tracts of valuable land around activity nodes and services areas to provide for a growing population; a luxury that a modern and sustainable city cannot afford.

The alternative appears to consider the opportunity to re-use existing land used for this purpose in a manner, form, density and design that is required and of interest by both the industry and clients in localities that supports themes of sustainable communities, responsible environmental impact management, critical service delivery to the community and innovation towards meeting growing community needs – in essence modernise and renew the current service offerings in locations where they already exists and are integrated onto the urban fabric.

There appears to be clear disconnect between the demographic and needs assessments outlined in the District Strategy and the proposed planning policies for these sites in the Territory Plan which sees the subject site remaining subject to the RZ2 zoning and development policies.

The District Strategy include wording relating to the need for further investigation into suitable locations for and/or renewal of and expansion of existing facilities but lacks the clarity as to where these sites are and which of the exiting facilities are to be included under this opportunity. The case for the need to expand the service and build fit-for-purpose facilities appears to be well made and our data (As included in this submission) further supports that notion. We urge the Territory to update the District Strategy to more clearly and in a clear intent statement, identity the need for action to address the growing need in this sector and mark those existing facilities (and new opportunities) that will be investigated for intensification and



expansion. We believe the subject site and indeed the retirement living hub in this part of Page is exceptionally well suited for this opportunity.

Specifically acknowledging and expressing clear support for such future investigations and considerations in relation to the subject site (and other lands with similar opportunity) will provide the community with clarity as to the expectations relating to future development in the District, outline the intended plan for dealing with the demand and need as outlined. Such an approach will further give current operators, such as RSL Lifecare, the confidence and comfort that they can continue investigations and make the necessary business decisions to position their businesses in the best possible manner to continue their support and care offering to the community. Noting that future Plan Variations that is not consistent with the District Strategy are unlikely to be accepted it is critical to specifically acknowledge the intension and opportunity to investigate the development outcomes addressed above specifically for the land in question.

In fact, given the overwhelming evidence relating to need and the aspirations expressed in the District Strategy, we believe that consideration should be given to vary the territory Plan use policy for the subject site (and surrounds) as part of this review as well.

We request that the Belconnen District Strategy be updated to specifically acknowledge the subject site and Page retirement/Residential Care precinct as a redevelopment opportunity for expansion of these facilities and services to meet the growing need and expected demand anticipated as a product of population growth and the increase in the aging population as well as an opportunity to build on housing choices and urban infill in Belconnen, two key ACT Government development policies for Canberra.

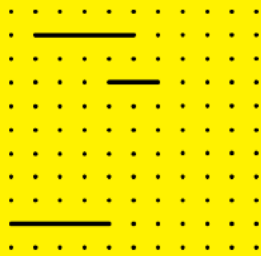
A new zoning for a modern Retirement and Residential Care Facility.

The concept Master Plan presented investigates a build form that sees development of the site ranging between 3 storeys to the south where the development interfaces with the low scale and density residential streetscape and public oval to the west and intensifies over the site to circa 7-storeys along the arterial road.

Buildings are sited in a manner that protects the amenity of future residents, development surrounding these to the east, west and south, contain urban impacts such as overshadowing, overlooking and privacy and excessive scale but utilise the site to the full in delivering housing choices and care services desperately needed by the community. Parking can be provided in subterranean structures that limits impact on deep rooted planting opportunity and the ability to grow large canopy trees - key considerations in combatting climate change in higher density developments.

The concept Master Plan presented demonstrates that infill development and intensification of existing infrastructure can deliver the following:

- Sustainable use of valuable land assets that has been used historically for retirement and aged care service delivery.
- Supporting key Government policies relating to housing choice, infill development and sustainable and resilient neighbourhood development.
- Increasing service delivery and housing options for the aging cohort in response to the increased need and demand expressed in the District Strategy.
- Facilitate an opportunity to renew and deliver an appropriate facility in line with the requirements of a changing sector and user demands for contemporary retirement living opportunities observed across Canberra and Australia as a whole.



- Facilitate the renewal of an aging asset and housing stock in a manner that is sympathetic to the local context and environmental values of the site and surround. The opportunity to support the continuous delivery of services to residents and the community while improving and increasing the offering to the aging population in this key location is important in the successful expansion of a facility such as this.
- Makes good use of the site characteristics and opportunities on-site.
- Allow for re-positioning of the residential care facility to a location that support the changing regulatory network and needs for the facility for services provision within the centre, on and off site to internal; and external clients. This responds to the change in consideration for services delivery off-site to support aging in place that is a strong Federal Government initiative that is being implemented across the sector.
- All of the proposed retirement living units are to be designed to meet AS2124 and to be Adaptable Class C compliant.

Our investigations to date show that the Master Plan presented offers a superior and more appropriate facility that will support the need and expectations of the current and future aging community in Belconnen and Canberra.

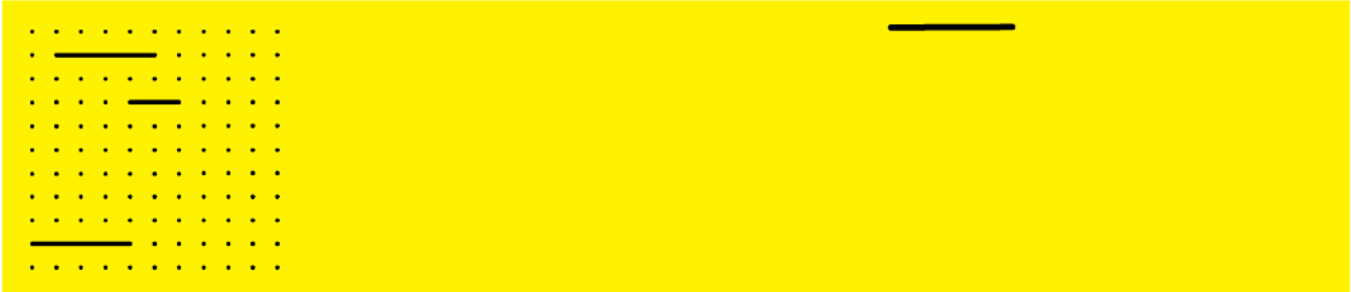
The 'RZ2- Urban Core' zoning permits retirement village and residential care development at a limited scale but renders the site unable to deliver the vision, aspiration and need and expectations for the type and form of retirement village complex development expressed in the District Plan and demanded by the community of Canberra.

Looking at the current approach to land release for Retirement and Residential Care Facility uses invariably the zoning change in recent times appears to be E4- Community Facility Zoning. The development forms achieved on this zoning under the current Territory Plan including recent developments such as Goodwin Farrer and Crace and the recent approval of a new 6 storey ILU building at RSL Lifecare Bullecourt demonstrate that this zoning is both appropriate and well suited to deliver the modern facilities needed to meet the demand for these services.

Considering the Draft Community Facility Zone policy, it is immediately clear that the permissible uses for the zone not only include the target uses associated with Retirement and Residential Care Facility but also include a broad range of uses that natively support and are often associated with retirement and care uses.

The CFZ policy outcomes clearly expresses the requirements for development to focus on the characteristics and outcomes associated with these uses including:


- facilitate social sustainability and inclusion through providing accessible sites for key government and non government facilities and services for individuals, families and communities.
- Provide accessible sites for civic life and allow community organisations to meet the needs of the territory's various forms of community.
- Protect these social and community uses from competition from other uses.
- Enable the efficient use of land through facilitating the co-location and multi-use of community facilities, generally near public transport routes and convenience services appropriate to the use.
- Encourage adaptable and affordable housing for persons in need of residential support or care.
- Safeguard the amenity of surrounding residential areas against unacceptable adverse impacts including from traffic, parking, noise or loss of privacy.


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- Promote active living and active travel.
 - Provide safe pedestrian and cycling access to community facilities to promote active living.

Assessment Requirements for Retirement village dwelling the zone are limited to only require developments to comply with Class 'C' of Australian Standard AS4299 – Adaptable Housing – again a very sensible and important requirement for an aging population.


Assessment outcomes seems to focus on appropriate considerations around land use and scale, urban structure, build form, access and movement, sustainability and environment, visual privacy and amenity, design quality, site constraints and integration with surrounds, surveillance, and overshadowing, WSUD, CPTED, environmental effect and the like. None of the items are specifically constraint to allow a designer to present a best suited development proposal that addressed all of the key onsite and integration matters and, on merit, deliver the best, high quality development, streetscape and integration proposal for the proponent and the community.

We request that EPSDD, along to an update to the District Strategy, consider zoning change for the site and the Page Retirement Living and Care precinct from the current RZ2 zoning to the better positioned and contextual CFZ-Community Facility zoning.

We are available at any time to meet with you or the authority to discuss any matter relating to this submission as may be required. Should you have any further queries, please do not hesitate to contact 



Kind Regards



Attachments:

1. One Fell Swoop (2023) Proprietary Industry Information - The State Of Aged Care And Retirement Living In The Act
2. AMC Architecture Development Concept for the subject lands