

## Royal Commission into Aged Care Quality and Safety

### Sydney hearing 3: Accommodation

#### Submissions on behalf of the Department of Communities and Justice (NSW) on behalf of the State of NSW in response to the draft propositions of Counsel Assisting

1. While NSW is generally responsible for housing, since 1 July 2012, the Commonwealth has had policy and funding responsibility for non-Aboriginal people over 65 and Aboriginal people over 50 (the State has had corresponding responsibilities for people under 65/50).
2. The NSW response largely supports the propositions in principle, subject to funding. NSW has provided advice on how to effectively support people ageing in place, framed by the new NSW Housing Strategy and the need for integration with community housing sector services while outlining some challenges that may be encountered if these propositions are implemented.

***Proposition AC1: Active leadership and planning for suitable housing for ageing Australians***

*The Australian Government should immediately commence work with state, territory and local governments through the National Federation Reform Council to agree on an overarching National Strategy on Housing for Ageing.*

3. This proposition is supported in principle.

***Proposition AC2: Incentives for construction of accessible housing for ageing Australians***

*By 1 July 2021, the Australian Government should establish a new program to increase the supply of suitable accommodation for ageing in place across the Australian community.*

*The new program should fund an occupancy payment to supplement rent for accommodation at the Platinum or Gold level of the Liveable Housing Design Guidelines when occupied by ageing Australians.*

4. This proposition is supported in principle, subject to funding from the Commonwealth.
5. All NSW Land and Housing Corporation (**LAHC**) new builds are built to a minimum of silver standard.
6. There are some elements of the 'platinum' and 'Gold' standards that cannot be feasibly retrofitted to existing dwellings (such as corridor widths or bathroom size).
7. Constructing to a higher accessible standard to support opportunities for ageing in place can be expensive because of the need for additional accommodation for live-in carers. In addition, the dwellings themselves are significantly more expensive to construct to the required 'platinum' standard. Gold and Platinum are more expensive to construct than Silver because the building standards increase as you go through the hierarchy – the greater the m<sup>2</sup> and the more materials/labour required the greater the cost to construct:
  - a. Silver level has seven core liveable housing design elements – they are primarily structural inclusions and spatial requirements within dwellings.

- b. Gold level has most of the core liveable design elements and some additional elements – more generous living dimensions and additional elements in kitchens and bathrooms.
  - c. Platinum level has 15 elements - more generous dimensions and additional elements for features such as living rooms and flooring.
8. Evidence for the additional construction costs can be found in the NDIS SDA Price Guide which includes annual base prices for silver level and platinum level new builds, existing stock and legacy stock. There is a significant variation with platinum level prices compared to silver level.
9. Since dwellings constructed for this purpose are more expensive, there needs to be work undertaken to ensure that they are occupied by people who require those standards and they are not 'under occupied' in terms of the requirements of residents versus the standard of the accommodation.

***Proposition AC3: Increased funding for accessible affordable housing and social housing***

*At the expiry of the current bilateral agreements under the National Housing and Homelessness Agreement on 30 June 2023 or earlier, the Australian Government should significantly increase the funding available under the Agreement for affordable housing and social housing that is suitable for older people to age in place and receive aged care services.*

10. This proposition is supported in principle, subject to appropriate funding from the Commonwealth. NSW has received feedback as part of its consultations on a new NSW Housing Strategy that is supportive of older people ageing in place in social housing and the private rental market. Feedback has included support:
- d. for integration between community housing sector services and aged care models to support and enable people to age in place.
  - e. to partner with older Australians and with private rental market landlords to undertake a home modification program to make existing private and private rental housing safer and more suitable for ageing in place
11. The next NHHA should provide for funding and roles and responsibilities arrangements in the same form as the National Health Agreement and the National Disability Insurance Scheme – i.e. that the Commonwealth is responsible for costs of Aboriginal people over 50 and non-Aboriginal people over 65.
12. Expanding the range of housing types that enable older people to age in place, particularly those with income support as their main source of income, requires financial incentives for social and affordable housing providers and private developers. There would also be value in a supplement being available to older tenants and/or landlords to incentivise modifications to rental homes which support ageing in place.
13. Developing and providing social and affordable housing for older people can have additional costs, for example, if room for a live-in carer is required or to enable intergenerational caring arrangements. A subsidy from the Commonwealth would help to meet this need.
14. Consideration should be given to a minimum age of beneficiaries, to be tailored to specific cohorts.

15. Enhanced provision should be made available for survivors of the Stolen Generations.
16. There should be provision and planning for investment in suitable accommodation for Aboriginal people to allow them to age in place and on Country.

***Proposition AC4: Capital funding for residential aged care facilities***

*From 1 July 2022, the Australian Government should expand the Rural, Regional and Other Special Needs Building Fund, established under Division 72 of the Aged Care Act 1997 (Cth) and the Grant Principles 2014 (Cth), to provide additional capital grants for eligible new or rebuilt residential aged care facilities.*

*Eligible facilities should be those facilities designed in accordance with the National Aged Care Design Principles and Guidelines (see Proposition AC5).*

*The Australian Government should amend the Grant Principles 2014 (Cth), or any replacement legislative instrument, to effect these changes.*

17. This proposition is supported in principle, subject to appropriate funding from the Commonwealth.
18. Commonwealth investment to enable these models to be developed and delivered will be critical.
19. Specific consideration should be given to ageing on Country for Aboriginal people.
20. Eligible facilities should consider the cultural needs of residents, as well as ageing needs in design.

***Proposition AC5: National Aged Care Design Principles and Guidelines***

*By 1 July 2022, the Australian Government should establish and publish a comprehensive set of national principles for and guidelines on:*

- *dementia-friendly design and environments*
- *'small home' models of accommodation and 'household' models of care*
- *accessibility, including a review of the Livable Housing Design Guidelines, to meet the specific needs of aged care.*

*The principles and guidelines should be based on best available evidence and practice, and should be amended from time to time as necessary to reflect contemporary best practice.*

21. This proposition is supported in principle, subject to appropriate funding from the Commonwealth.
22. If new models for aged care are going to be designed, then a co-design with Non-Government Organisations, including the community housing provider sector (**CHIA**), would be very important. Considering the concerns raised about for-profit large facilities that may institutionalise older people, alternative smaller scale localised and innovative models need to be developed.

23. The community housing sector already houses older people and can work with support providers to put in place care arrangements. Also, their funding model can be very different to a large for-profit provider and, they can be a good stakeholder to co-design and trial new models with.
24. In addition, Non-Government Organisations, particularly community housing providers, understand the issues, constraints and challenges in constructing, maintaining and managing homes for vulnerable people living in the community. If there is going to be more choice for older people to age in place in the community, and community housing providers are going to be involved in the delivery and management of new models of care it is important they inform design and building standards.
25. Objectives should include increasing choice for older people with care needs and increase the range of living options to enable choice (i.e. need a matrix of housing and tiered care models).
26. National principles/guidelines should make specific reference to culturally appropriate provision and design to cater for the unique needs of Aboriginal and Torres Strait Islander people; including a recognition of the diversity of Aboriginal and Torres Strait Islander people.

***Proposition AC6: Transition to accessible, dementia-friendly small-homes models of residential aged care***

*By 1 July 2023, the Australian Government should implement a program to promote adoption of dementia-friendly design and small-scale living in residential aged care.*

27. This proposition is supported in principle, subject to appropriate funding from the Commonwealth.
28. Where additional funding from the Australian Government is forthcoming, the NSW Department of Communities and Justice would be prepared to trial small scale locally based aged care models involving registered community housing providers. Both not-for-profit and profit-for-purpose models could be trialled.
29. New models of independent living options with integrated tiers of care could be delivered by the not-for-profit sector with appropriate levels of Commonwealth investment.
30. Older people should be able to transition through tiered care levels in the home of their choice (social, affordable or private), that suits their need if appropriate ageing in place support is in place.
31. Housing models could include congregate accommodation and core and cluster accommodation that are integrated with tiered care arrangements.

32. The accommodation element of ageing in place must be supported by appropriately funded and provisioned support, and wrap-around and in-home care supports and services.

***Propositions AC7: Compliance with National Aged Care Design Principles and Guidelines in new residential aged care construction projects***

*By 1 July 2026, the Australian Government should advance to the National Federation Reform Council a proposal for amendments to Class 9c of the National Construction Code to require the use of dementia-friendly design principles and Platinum level accessibility standards for any new residential aged care buildings, or those proposed to be substantially refurbished, according to specifications informed by the proposed National Aged Care Design Principles and Guidelines (see Proposition AC5).*

33. This proposition is supported in principle, subject to funding from the Commonwealth.

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4 September 2020