Designing Housing for Older People: The need for a Design Code

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ABSTRACT

There is no greater challenge facing Australia than the ageing of the population and the implications this has for the built environment. With the impending retirement of the ‘baby boomers’, the over 65 population in Australia will increase threefold to 9 million by 2051. The planning, building and design community must therefore rise to the challenge and provide accommodation that doesn’t warehouse older people in institutional forms of housing such as retirement villages and nursing homes but provides real accommodation choices.

This thesis assesses the adequacy of the existing legislative framework in New South Wales, being SEPP Seniors Living, in its ability to guide applicants in the design of appropriate seniors housing. It also evaluates whether the SEPP is sufficient to assist local planning authorities to assess the design merits of development applications.

A further focus of the thesis is the need to develop a Design Code as a supporting document to the SEPP that incorporates best practice urban design guidelines for both applicants and councils. The intention of the Design Code would be to address the range of seniors housing typologies, their varied development contexts, and to provide benchmarks for better practice in the planning and design of housing for older people.
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1 INTRODUCTION

1.1 Problem Setting
There is no greater challenge facing Australia than the ageing of the population and the implications this has for the built environment. Increased longevity, falls in fertility and the maturing of the baby boomer generation present significant challenges to the planning, building and development community in planning for the needs of older people throughout the various stages of old age.

With the impending retirement of the ‘baby boomers’, the number of Australians aged 65 years and over will be unprecedented. It is expected that the over 65 population will more than double from 2.6 million, or 13% of the population in 2004, to 4.5 million or 18.3% of the population by 2021. By 2051, this is expected to double again, to an enormous 9 million, representing 27% of the total Australian population. For Australians aged 85 and over, the growth is even more rapid. It is estimated that this age cohort will increase from just under 300,000 in 2004, or 1.5% of the population, to 600,000 by 2021, or 2.4% of the population. It is then anticipated to increase fourfold to 2.7 million by 2051, representing a staggering 8.1% of the population (ABS Population Projections, 2004). Meeting the housing needs of this rapidly growing segment of the population presents significant issues and opportunities for built environment professionals, at the federal, state and local government levels.

Until the 1980s the approach to housing older people was anything but praiseworthy. Those unable able to grow old in their homes were forced into often unattractive highly institutional nursing homes, personal care homes of inconsistent quality, and a handful of retirement communities (Perkins et al., 2004). Recent efforts to improve accommodation for older people have provided some good outcomes. There however are limited innovative options that achieve a good balance between retaining older people’s independence, keeping older people close to their family, friends and neighbours and ensuring an appropriate level of care and support is provided (AHURI, 2003).

Government policies and initiatives have the ability to encourage and guide design quality in the provision of housing for older persons that provides real choices in accommodation types; however the extent to which this is occurring needs to be questioned.
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1.2 Problem Statement
State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004 (SEPP Seniors Living) is the legislative framework governing the design and assessment of Seniors Living developments in New South Wales. However the SEPP appears inadequate in its ability as a planning framework to ensure that development outcomes provide spaces and facilities that accommodate for, and support the unique physical and social needs of older people, whilst providing built form outcomes that are responsive and sympathetic to neighbourhood character.

It is not apparent that the scope of SEPP Seniors Living provides guidance and direction to applicants in the design development of appropriate accommodation for older persons. In addition, SEPP Seniors Living does not appear to provide an adequate basis for local planning authorities to comprehensively assess the design merits of seniors living development applications.

Accordingly, there is inherent value in investigating the need for an additional framework to support SEPP Seniors Living that focuses on the importance of design, and whether such a framework would result in improvements to the overall quality and form of accommodation provision for older persons.

1.3 Research Agenda
The aims of SEPP Seniors Living are to increase the supply and diversity of seniors living accommodation and ensure it is of good design. However the extent to which this is occurring successfully, from the perspective of those involved in the design and assessment of housing for seniors is varied.

This thesis will therefore look to evaluate the adequacy of SEPP Seniors Living in the design and assessment of seniors living development applications. Specifically, this thesis will focus on the ability of the SEPP to guide applicants in the preparation of development proposals in ensuring that they are of high design quality, provide spaces and environments that meet the needs of older persons and promote successful ageing, whilst also being responsive to neighbourhood character and site context. This thesis will also focus on the ability of the SEPP to provide an adequate framework for local planning authorities to assess the design merits and adequacy of seniors living development applications.
Supporting the acknowledged importance of design, this thesis will identify the importance of the relationship between a building, its site and the surrounding context, and the fundamental role this relationship has in providing responsive and sympathetic development outcomes. Further, it will endeavour to gain an understanding of the role of design in the provision of accommodation for older persons and identify what elements and attributes are considered critical for individual development outcomes in facilitating successful ageing.

This thesis will then assess the need for an additional framework as a supportive document to SEPP Seniors Living. This framework would be in the form of a Design Code containing best practice urban design guidelines for seniors living developments for use by both applicants and councils alike. It would address the range of seniors housing typologies, their varied development contexts, and provide benchmarks for better practice in the planning and design of housing for older people.

1.4 Research Aims and Objectives
In light of the above, the objectives of this thesis are:

- To gain an appreciation of the elements of the built environment that are important in facilitating successful ageing.
- To investigate current design guidelines and principles in NSW used in the design development and subsequent assessment of development applications for seniors living accommodation.
- To critically evaluate State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (SEPP Seniors Living) and its:
  - adequacy to ensure applicants design high quality residential accommodation; and
  - ability to provide an adequate framework for councils to assess the design merits of applications.
To gain an appreciation from a variety of persons working in the seniors living development industry as to whether the development and implementation of a design code addressing design quality issues for seniors living, similar to the Residential Flat Design Code (RFDC), would see an improvement in the overall quality and standard of seniors living accommodation;

To investigate the need for recommendations to be put forth for the development of a design code incorporating best practice design principles and guidelines encompassing the range of seniors living building typologies, and the varied contexts in which they are being proposed;

1.5 Conceptual Context
The way in which older people interact with their environment influences their personal independence, relationships, physical health and overall quality of life. As Seeman (2005) demonstrates, the form of our urban environments, and more specifically the design of places to house older people, plays an important role in supporting older people’s continued community connections and social engagement. However as Cannuscio et al., (2003) reinforces, our communities and more specifically housing for older people are not always designed to provide the elements that older people need to remain active and socially connected.

Social capital, or the resources available to individuals and groups through their social connections to their communities, is essential for successful ageing. A fundamental basis for how social capital is created is through urban form and the spatial arrangement of buildings within the community. It influences how people invest themselves with those around them, and how people connect with their community (Cannuscio, et al., 2003).

Poorly designed buildings, insufficient communal areas, limited mobility options, and few supportive services can make it difficult for people to remain active and engaged with friends, family and neighbours. Conversely, environments which incorporate design elements that promote opportunities for socialisation can remain both vibrant and stable as a whole. This has the capacity to support and enrich the lives of individual residents (Kochera, et al., 2005).
Appropriate design of accommodation for the elderly supports their varied needs and lifestyle choices. Planning legislation plays a fundamental role in guiding the design of seniors housing in accommodating for the unique physical and emotional needs of this age cohort, whilst also ensuring seniors developments are responsive to neighbourhood context. Whilst SEPP Seniors Living aims to increase the supply and diversity of seniors living accommodation, and ensure it is of good design, it has been questioned as to the effectiveness and adequacy of the SEPP to facilitate quality design outcomes for seniors housing (RAIA, 2003).

This thesis draws on the works of Seeman, Cannuscio et al., and Kochera et al., in determining whether SEPP Seniors Living is an adequate framework in ensuring design quality in seniors housing provision, or whether there is value in the development of a design code to improve the overall form and quality of housing being provided for older people.

1.6 **Methodology**

A mix of research methods will be used throughout this thesis. These include a literature review looking at the key theoretical concepts surrounding the importance of design to enable older people to age successfully, case studies which provide examples of seniors living developments, as well as qualitative in-depth interviews of people working in the seniors living development industry. The methodology for this thesis is illustrated in Figure 1.
A literature review formed the first research component of this thesis. In most appropriately considering the range of issues involved in the planning for and designing of housing for older people, the literature review centred on a number of important concepts. These included research into the ageing of the Australian population; a history of housing for older people; the existing forms of seniors housing; as well as solutions for designing our built environments to include older persons. Resources for the literature review included books, journal articles and websites. Key texts used included the Australian Planner, Australasian Journal on Ageing, Annals of the Association of American Geographers, and the Australian Bureau of Statistics (ABS).
INTRODUCTION

Following the literature review a critical review of the legislative framework, being SEPP Seniors Living and the Seniors Living Policy: Urban Design Guidelines for Infill Development was undertaken. This involved obtaining information from internet based sources on the two documents, in particular those sources that identified issues with the legislative framework and its application in the provision of housing for seniors. Qualitative in-depth interviews and case studies were also used to evaluate the adequacy of the existing NSW planning legislation as discussed below.

The primary research methods used for this thesis were qualitative in-depth interviews and case studies. As illustrated in Figure 1 both the qualitative interviews and case studies were used to evaluate and draw conclusions from four key topic areas, these being:

- Current quality of seniors housing being developed.
- Adequacy of SEPP Seniors Living.
- Value in the development of a Design Code.

With respect to the qualitative in-depth interviews, each interviewee was asked a series of questions focusing on the above four topic areas. Six people were selected to be interviewed to obtain perspectives from the range of different people involved in the design and subsequent assessment of seniors living accommodation, including architects, urban designers, developers and council planners. An interviewee was also selected based on their experience in developing planning policy in the form of design guidelines for seniors housing. A number of direct quotations from each interviewee have been used throughout this thesis to help illustrate the differing perspectives and opinions on the issues involved in the design and subsequent assessment of housing for older persons. Interviewees included:
Table 1 – Interviewees

<table>
<thead>
<tr>
<th>Name</th>
<th>Company</th>
<th>Relationship with Seniors Living</th>
</tr>
</thead>
</table>
| Gabrielle Morrish (Urban Designer) | GMU Design- Director      | • Currently engaged as an urban designer in the design development of numerous seniors living developments.  
                                |                          | • Former Director of the Urban Design Advisory Service (UDAS).                                     |
| Matthew Tregale (Architect) | Morrison Design Partnership-Director | • Currently involved in the design development of numerous seniors living developments.               |
| Rod Piggott (Town Planner)  | Warringah Council- Team Leader Development Assessments | • Currently involved in the assessment of a numerous seniors living development applications.         |
| Deborah Krzeminski (Town Planner) | Hornsby Shire Council    | • Currently involved in the assessment of numerous seniors living development applications.          |
| Daniel Hodge (Property Developer) | Horizon Developments     | • Currently involved in the development of numerous seniors living developments.                     |
| Interviewee No. 1*          | Development Manager-multi-national seniors living development company | • Currently involved in the development of numerous seniors living developments.                      |

* Interviewee wished to remain anonymous as part of this research project

In addition to the qualitative in-depth interviews, case studies of seniors living developments across Metropolitan Sydney, the Illawarra and the Central Coast were also used to evaluate the four topic areas as discussed above. These case studies were used as a mechanism to test the overall form and quality of housing that has been developed under the previous and existing planning legislation, and assist in the determination of whether the development of a design code would see improvements to the quality and standard of housing being provided.
INTRODUCTION

It was based on the responses from interviewee’s that a thorough understanding of the current situation pertaining to the development and assessment of seniors housing could be obtained, as well as whether those in the seniors living development industry believe there is an inherent need for the development of a design code to be prepared to support the SEPP. Further, case studies enabled conclusions to be made as to the current quality of seniors housing being provided and whether the existing legislative framework is facilitating appropriate seniors housing built form outcomes.

The literature review, review of the legislative framework, in-depth interviews and case studies, formed the key inputs in identifying the need for a design code, and in determining the overall recommendations for this thesis.

It is noted that all images contained within this thesis are by the author unless otherwise indicated.

1.7 Structure

The thesis is structured into Six Chapters:

**Chapter One: Introduction**

This has introduced the research agenda and objectives, outlined the conceptual context, described the research methodology and now provides an overview of the thesis structure.

**Chapter Two: Ageing and the Importance of Design**

This Chapter provides the key theoretical concepts that demonstrate the importance of design in enabling older people to age successfully.

**Chapter Three: Legislative Framework**

Chapter Three outlines the current legislative framework applying to the design and assessment of Seniors Living developments; being SEPP Seniors Living and the Seniors Living Policy: Urban Design Guidelines for Infill Development.

**Chapter Four: Evaluating the Legislative Framework**

This Chapter involves a critique of SEPP Seniors Living and the supporting Seniors Living Policy.
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This critique centres on the results obtained from qualitative interviews of people involved in the design and assessment of housing for older persons, as well as an analysis of the quality and form of seniors housing through the use of case studies.

Chapter Five: The need for a design guideline document

Chapter Five evaluates the need for a Seniors Living Design Code and subsequently recommends the development of such a document. This chapter also recommends the recommended contents of such a design code.

Chapter Six- Conclusion

This chapter outlines the recommendations arising out of this thesis and provides a summary of the overall research findings.
2 AGEING AND THE IMPORTANCE OF DESIGN

2.1 Introduction
This chapter provides the theoretical framework for the constructs which form the basis of this thesis. Each subsequent chapter will draw upon the current concepts and theories in the scholarly literature. This chapter achieves this through providing an account of the ageing of the Australian population and the implications this has for built environment professionals in accommodating for the housing and care needs of older persons. It also describes a history of housing for older people, the current forms of seniors housing available, the importance and value of design in the provision of housing for older persons, and the current housing options available for the impending retirement of the baby boomer cohort. Finally, this chapter discusses how to design our environments to include older persons.

2.2 Who are older persons?
There is no particular point in a person’s life where they become ‘old’. However due to an obvious need for such a definition, various classifications of ‘older persons’ do exist. The primary method used to determine the age of older persons is the age at which retirement usually begins. As Quine et al (2006) note, this is generally considered to be 55 years. The age at which a person can receive the pension, being 60 years for women and 65 years for men, is also another common tool used to define ‘older persons’.

For the purposes of this thesis, older persons are considered to be those aged 55 years or more. This is consistent with the definition of seniors as contained within State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004 (SEPP Seniors Living). However, as the information presented has been collected from numerous sources, consistency in the definition of older persons as 55 years and over is not possible. In particular, this is the case with Australian Bureau of Statistics (ABS) data, which defines the elderly as those aged 65 years and over.

Manicaros and Stimson (1999) have divided ‘older people’ into a further four categories, these being:
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- The pre-old: those aged 55-64 years
- The young old: those aged 65-74 years
- The middle old: those aged 75-84 years
- The old-old: those aged 85 years and over.

On the other hand, Hammond and Jilek (2003) consider there to be ‘three eras of old age’. It is these three terms that have been adopted for the purposes of this thesis. These ‘eras’ of old age are:

- Active: those aged 55-70 years- the baby boomers are currently entering this group
- Old age: those aged 71-85 years
- Advanced old age: those aged 85 years and over

2.2.1 Australia’s ageing population

Significant changes are projected for the age structure of Australia, particularly over the next fifty years. The ageing of the population is a trend which has been evident over recent decades as a result of fertility remaining below replacement level and declining mortality rates (ABS, 2004). United Nations (2005) population projections indicate that many other countries throughout the world may also experience population ageing over the next 50 years. For instance in the Asian-Pacific region the proportion of people aged 60 years and over will more than double in China, Hong Kong, India, Indonesia and Papua New Guinea by 2050. In particular Asia is preparing for what many are referring to as the ‘Ageing Tsunami’, with Japan already having more people over the age of 60 than under the age of 29 (Perkins et al., 2004).

The age composition of Australia's population is projected to change considerably as a result of the population ageing. By 2051 it is estimated that there will be a much greater proportion of people aged 65 years and over than in 2004, and a lower proportion of people aged under 15 years (ABS, 2004). In 2004 people aged 65 years and over made up 13% (2.6 million) of Australia's population. This proportion is projected to increase to 18.3% (4.5 million) by 2021, 27.1% (9 million) by 2051 and 29.4% (12.8 million) by 2101 (Refer to Figures 2 and 3).

Please note that Figures 2-8 have been produced using data obtained from the Australian Bureau of Statistics (ABS) Population Projections Australia, Report 3222.0, 2004 to 2101.
The proportion of people aged under 15 years is projected to decrease from 20% (4 million) in 2004, to 18.1% (4.5 million) by 2021, 16.1% by 2051 (5.3 million) and 15.6% (6.7 million) by 2101. As Figure 4 illustrates within the next twenty years the number of aged dependents, being those aged 65 years and above, will outnumber the number of children in Australia, being those under 15 years, for the first time in Australian history (ABS, 2004).
Of particular importance from Figure 3 above, is the change in the proportion of people in the traditional workforce age, being 15-64 years. This drops more than 10 percentage points from 67.2% in 2004, to 56.8% in 2051. This presents further challenges to society as there may be a reduced capacity for the workforce to meet the demands of the population, particularly those demands associated with the expanding over 65 population.

There were just under 300,000 people aged 85 years and over in Australia in 2004, making up 1.5% of the population. This age group is projected to increase dramatically as illustrated in Figures 5 and 6. The population is projected to more than double to 608,800 (2.4%) by 2021, then triple to 1.8 million (5.9%) by 2041 and more than double again to 4.3 million (9.9%) by 2101. The population aged 85 years and over is projected to experience the highest growth rates of all age groups (ABS, 2004). This dramatic increase in the number of people aged 85 years and above has major implications in providing for appropriate health services and housing, as many of these people will eventually require some level of specialised care. It also represents a social phenomenon without historical precedent, and one that is bound to alter previously held stereotypes of older people (CMR, 2004). Of particular importance is that this portion of the population, being the fastest growing sector of the older population, is also the group that most needs appropriately designed housing and urban environments (Perkins et al., 2004).
Also influencing the high proportion of people aged 85 years and above is increased life expectancies. In the early 1960’s the average Australian male lived till 68 and the average female until 74. By 2001 the average Australian male lived until 77 and the average female until 82. Projected population trends predict that by 2050, males will live 85 years and females 89 years (Murray, 2008).
Another means for measuring the ageing of the population is to compare the median age at various points in time (Drabsch, 2004). The projected median age for Australians between 2004 and 2101 is illustrated in Figure 7 below. The median age is projected to increase from 36.4 years in June 2004 to 39.9 years in 2021 and to 44.6 years in 2051.

Figure 7 – Projected Australian median age in years old 2004-2101

Some Australian States and Territories are ageing faster than others, as the geographical distribution of older people is uneven. As Figure 8 illustrates, South Australia and Tasmania have proportionately larger older populations. New South Wales is ranked third, having a similar older population cohort to Victoria. The youngest populations are found in the Northern Territory and the Australian Capital Territory (Drabsch, 2004).
Within the NSW context, approximately 58% of people over 60 live in Metropolitan Sydney, with the remaining 42% living in regional NSW (DADHC, 2004). The overwhelming majority reside in coastal locations, with 80% living either in Metropolitan Sydney or along the eastern seaboard. As Drabsch (2004) demonstrates, almost 90% live in the Hunter, Illawarra, Richmond-Tweed, Mid-North Coast, South Eastern and Sydney Statistical Divisions. This has wide ranging ramifications for meeting the housing and care needs of an ageing population in these areas.

2.2.2 The baby boomers

The imminent escalation in the number of older people in Australia is largely a result of the ageing of the ‘baby boomers’. The baby boomer phenomenon is defined by high marriage, birth and immigration rates during the twenty year period of 1946-1965 (Murray, 2008). The baby boomers are Australia’s largest demographic cohort and are expected to significantly change Australian society. Consequently, Australia needs to plan for these changes.

The baby boomers are a unique generation. They were the hippies of the late 1960’s and early 1970’s, before morphing into ‘DINKS’ and then into ‘Yuppies’ during the 1980’s (Salt, 2005). They are characterised as being caught between their parents, who believe boomers have lost touch with traditional values, and their children who accuse boomers of being hypocritical (Quine et al., 2006).
Of particular importance however is that the baby boomer cohort will begin entering the 65+ age group in the second decade of this century (Hugo, 2003). This presents significant issues for built environment professionals in accommodating for their housing needs as baby boomers do not see themselves as old, and therefore traditional housing choices aimed at older people are likely to lack appeal (Alcock, 2005).

2.3 Seniors living building typologies

To understand the implications of the built environment on an ageing population, it is necessary to consider the range of housing options available for older people. SEPP Seniors Living identifies three main categories of seniors housing outside the realm of private housing. These include:

- Residential Care Facilities
- Hostels
- Self Contained Dwellings

The following provides definitions for each form of seniors housing as per SEPP Seniors Living, as well as numerous images illustrating actual built forms for each seniors housing type.

- **Residential Care Facilities:** being residential accommodation for seniors that includes:
  - Meals and cleaning services;
  - Personal care or nursing care, or both, and
  - Appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care,

Examples of Residential Care Facilities are illustrated in Figure 9. Residential Care Facilities are also known as Nursing Homes and generally provide a high level of care to residents.
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Figure 9 – Examples of Residential Care Facilities

Image 1 – Residential Care Facility at Beecroft, Sydney
Image 2 – Residential Care Facility at Castle Hill, Sydney

Hostels: being residential accommodation for seniors where:

- Meals, laundering, cleaning and other facilities are provided on a shared basis;
- At least one staff member is available on site 24 hours a day to provide management services;

Examples of Hostel accommodation for seniors are shown below in Figure 10. Hostels are similar to residential care facilities as they offer specialised care to residents. These two forms of seniors housing do however differ in the level of specialised care available. Hostels generally provide low care to residents, whilst residential care facilities provide high care.

Figure 10 – Examples of Hostel Facilities

Image 3 – Hostel Facility at Woonona, Wollongong
Image 4 – Hostel Facility at Thirroul, Wollongong
- **Self Contained Dwellings:**
  - *Self contained dwelling:* is a dwelling or part of a building (other than a hostel), whether attached to another dwelling or not, housing seniors or people with a disability, where private facilities for significant cooking, sleeping and washing are included in the dwelling or part of the building, but where clothes washing facilities or other facilities for use in connection with the dwelling or part of the building may be provided on a shared basis.
  - *In-fill self-care housing:* is seniors housing on land zoned primarily for urban purposes that consists of 2 or more self-contained dwellings where none of the following services are provided on site as part of the development: meals, cleaning services, personal care, nursing care.
  - *Serviced self-care:* is seniors housing that consists of self-contained dwellings where the following services are available on the site: meals, cleaning services, personal care, nursing care.

Examples of self contained dwellings are illustrated in Figure 11. As illustrated, there is a wide range of building forms that represent self contained dwellings. This category of seniors housing has the most diverse range of dwelling typologies, and represents the largest of the three categories of seniors housing.

**Figure 11 – Examples of Self Contained Dwellings**

![Image 5 – Self contained dwellings at Woonona, Wollongong](Image 5)

![Image 6 – Self contained dwellings at Woonona, Wollongong](Image 6)
Supporting the different housing typologies being provided for older people is that the most recent trend in the design of seniors living facilities is that projects no longer fall neatly into categories such as those identified in SEPP Seniors Living (AIA, 2004). It is further noted that the lines of definition between ‘independent’ and ‘assisted’ and between ‘assisted’ and ‘nursing’ are increasingly blurred as the range and forms of seniors housing being developed continues to evolve.

The AIA (2004) also highlight that the world of design for seniors is changing. Older persons are seeking the facilities that suit them best, and they want choices in both facilities and services. Accordingly, there is an ever expanding diversity of project types. This ultimately should encourage creativity and high quality design and service, but is not always the case.

Noting the above, it is necessary to understand that the importance of design in the provision of housing for older people emerged as a fundamental concept through the formulation of the ‘three steps project’. This focused on providing seniors developments where the total needs of older people, during different stages of health and capability, are met in the one location. Originating in West Germany in the 1960’s and 70’s the three step projects, also now know as three tiered aged care accommodation, have emerged as a prominent fixture in the urban landscape. The basis for the three step project is meeting the needs of the elderly during three different stages of physical ability and creating three unique spaces to accommodate the three different stages, within one, usually large complex.
The three different stages include those who can live with little or no care (self-contained dwellings); the infirm needing general care (hostels); and the long term ill who need nursing attention (residential aged care facilities), (Beyer et al., 1967).

2.3.1 A history of housing for older people

In understanding the importance of design in the provision of housing for older persons, it is necessary to consider the history of housing this age cohort. As Laws (2003) demonstrates, within America the elderly were generally respected and viewed positively until the Civil War, when the view of the elderly generally changed to a negative one. Ageing came to be associated with poverty and disease, and the elderly were transformed into a perceived burden on society. The introduction of industrialisation and urbanisation saw the elderly of the industrial city unable to find employment and many were reduced to poverty. The most visible form of relief for the elderly who fell victim to the industrial restructuring of the nineteenth and early twentieth centuries’ was the public almshouse, or poor house. It was the later removal of children and special needs groups from poor houses which saw by default, poor houses being transformed into homes for the elderly. Naturally, as the name suggests the living conditions and overall quality of life for residents was substandard (Laws, 2003).

Within America, the introduction of pension policies explicitly aimed at the elderly saw the erosion of the poor house and dramatic changes in the urban built and social environments for older people. From the 1960’s the establishment of retirement villages of types other than nursing homes gathered momentum, and paralleling the development of ‘youthful’ suburbs in the 1950’s, the 1960’s witnessed the development of subdivisions and large retirement complexes aimed exclusively at older people (Laws, 2003). Not only did this see housing for older people emerge as a prominent built product, but it also saw the provision of aged segregated housing, as discussed later.

Within the Australian context, Government and charitable institutions have historically provided retirement accommodation. Retirement Housing operated by government, religious or other not-for-profit community organisations have generally focused on those who are unable to provide for their own retirement needs because of either economic or health circumstances.
Typically, retirement villages, hostels and nursing homes are viewed as the measure of last resort for older persons when they are no longer able to maintain an independent living situation (Hopewell, 2005). However this notion is beginning to evolve and change.

Today, the provision of retirement accommodation and services is increasingly being provided by the private sector on a commercial basis. Government and community organisations continue to be major providers of retirement housing, however the number and size of corporate entities providing retirement living services has dramatically increased and is continuing to grow (Hopewell, 2005).

2.4 The importance of design

The form of our urban environments, and in particular the design of places to house older people, plays an important role in supporting older peoples continued community connections, social engagement and overall quality of life (Seeman, 2004). However as Cannuscio et al., (2003) reinforces, our communities and more specifically housing for older people are not always designed to provide the elements that older people need to remain active and socially connected.

In recent decades, the direct impact of design on the ageing population has become widely recognised by both the general public as well as design professionals. Prior to this time, the elderly who could no longer live in their own homes had few, if any good alternatives. Most of the very old saw themselves placed in ‘old folks homes’ as the only option (Perkins et al., 2004). As Perkins et al., (2004) further reinforce, it would be certain that such a choice was made with apprehension, with there likely to be tens of thousands of families having lived through the trauma of having to place parents in an institution such as a nursing home.

Good design can play a major role in allowing seniors to age in place and remain both physically active and engaged with their local communities, and in particular with their families. For this to occur however, residents require physical and social connections with their immediate context (Seeman, 2005). A safe pedestrian environment, easy access to shopping centres, nearby health centres and recreational facilities are all important elements that can positively affect the ageing experience (ALGA, 2006).
The physical design of housing for older persons plays a fundamental role in the liveability of a community, and the overall relationship that older people have with their surrounding environment. A mismatch between home features and the needs of a resident can lead to a variety of problems. One such example is where steps at the entrance to the dwelling may act as a barrier to leaving the house. Consequently, this impedes on the establishment or opportunity to establish informal relationships with neighbours and the community commonly formed via leaving the house or for that matter by simply gardening in the front or rear yards. This is further supported through the notion that ‘poor home design can make it difficult to gain access to and enjoy, or in some cases to even be aware of, what the community has to offer’ (Kochera, et al., 2005:34).

The built environment has a greater impact on quality of life of those who require a more supportive setting than any other demographic group. If properly designed, older people’s homes can enhance an older person’s independence, dignity, health and overall enjoyment of life. If poorly planned and detailed it can imprison, confuse and depress (Perkins et al., 2004).

As outlined by Michael, et al., (2004) research in the transportation, urban planning and public health field indicate that people are more active in accessible neighbourhoods with mixed land uses, high street connectivity and greater population density. It is however further noted that this research has rarely focused on special populations such as seniors, with few empirical studies identifying built or social environmental features based on the perspective of seniors (Michael, et al., 2004)

As outlined in ‘Age Friendly Built Environments: Opportunities for Local Governments’ (2006) the World Health Organisation in its submission to the Second World Assembly on Ageing in 2002, observed that age-friendly built environments can:

‘make the difference between independence and dependence for all individuals but are of particular importance for those growing older. For example, older people who live in an unsafe environment or areas with multiple physical barriers are less likely to get out and therefore more prone to isolation, depression, reduced fitness and increased mobility options’ (WHO, Active Ageing: A Policy Framework, 2002: 27).
Further, a recent report to the Australian Prime Minister’s Science, Engineering and Innovation Council in 2003 argued that:

*Consideration of the built environment is essential to the achievement of the vision of increased healthy life expectancy. The built environment has a powerful impact on mobility, independence, autonomy and quality of life in old age and can also facilitate or impede the quest for a healthy lifestyle at all ages*’ (Promoting Healthy Ageing in Australia, 2003:47).

Age friendly built environments can make neighbourhoods more liveable for all ages, reduce costs associated with health and aged care and yield a range of social and economic benefits by extending and expanding seniors’ contribution to community life (ALGA, 2006).

How residents engage with the wider community is important. As Seeman (2004) illustrates, it is important to assist residents to remain connected and part of community life, with physical and social connections to their immediate context. This might be limited to something simple such as sitting on a balcony, allowing the resident to watch street life or to speak with passing pedestrian traffic. Alternatively, it may extend to residents being able to walk to local shops, participate in local church activities or meet with friends at a nearby cafe. It is these particular concerns that impact on the location and sitting of buildings.

Housing for older people are often identifiable complexes that are stigmatised as ‘aged care’ and discourage non-residents from entering (Figure 12). The provision of gardens, cafes, shops and the like, on the edge of a facility that can be used by both residents and the public, brings life into the facility. Promoting the engagement of residents with the surrounding community requires that buildings are perceived as places to which people are comfortable going. This requires reducing their scale, relating to the form of buildings in a neighbourhood, and using a domestic design language. It is also noted that reducing the institutional appearance of buildings may also assist residents in feeling part of the community (Seeman, 2004).
Figure 12 – Examples of institutional appearance of seniors housing

Image 9 - Institutional appearance of seniors housing at Woonona, Wollongong

Image 10 - Institutional appearance of seniors housing at Woonona, Wollongong

Image 11 - Institutional appearance of seniors housing at Woonona, Wollongong

Image 12 - Institutional appearance of seniors housing at Marsfield, Sydney

2.4.1 Variations in the provision of housing for older people

As Cannuscio et al., (2003) demonstrates, promising models of seniors living attempt to integrate accommodation for seniors with surrounding neighbourhoods and communities. Such models are commonly found within northern Europe, where housing for older people coexists in neighbourhoods with schools, community centres, businesses and retail shops and parks. In these models, instead of removing seniors from vital community hubs, homes for the elderly are centred in, and contribute to areas dense with social activity and a varied age demographic. However as McHugh (2000) illustrates, proliferation of retirement communities, many of which are guarded or gated, represents a concept that has broad appeal. These retirement communities are surrounded by walls that contain ‘entire neighbourhoods, comprising homes, community infrastructure, services, and micro-urban governance’ (McHugh, 2000:106).
The separation of older people from younger generations is not only seen as an attractive lifestyle opportunity from the perspective of the elderly themselves (McHugh, 2000), but this lifestyle is a model of successful ageing prescribed by many gerontologist’s (Rowe et al., 1997). Furthermore, State legislation in the form of SEPP Seniors Living restricts residents of seniors living developments to 55 years and over, paving the way for age segregation.

2.4.2 The implications of an ageing population
Planners, builders and designers are often faced with significant challenges and hurdles in accommodating the increasing and sometimes unrealistic expectations of clients. As Bishop (2005) notes, there is no greater challenge facing Australia than the ageing of the population and the implications this has for our built environments.

In particular, local governments will face increasing pressure on the suitability of infrastructure with a majority having been designed and constructed without particular consideration for ageing populations. The average Australian town or city features a predominance of free standing, large family homes in low density suburbs serviced by transport systems designed mainly for cars. These spaces can often inadequately accommodate the needs of older people, and in many ways are considered to be hostile to older people (Bishop, 2005).

2.4.3 Housing options for the baby boomers
There has been an increasing level of media coverage regarding the ageing of the Australian population. This has predominantly centred on the capacity of the aging population to support their own longevity, their ability to finance themselves through retirement, and the capacity of the community to provide the necessary support services. However as Alcock (2005) notes, very little discussion has actually touched on how and where older people may want to live. As Murray (2008) emphasises, current housing models for the baby boomer cohort demonstrate little or no consideration of the future retirement activity of this large population group, and the market significance that they have.
It is a shift in characteristics, attitudes, perceptions and the culture of the aged population associated with the passage of the baby boomer generation into old age (Hugo, 2003) that has resulted in the actual retirement choices of the baby boomers being unknown (Murray, 2008). Alcock (2005) further emphasises this point through his belief that there is a large amount of ‘age reversal patronizing’ occurring, whereby society is trying to squeeze baby boomers into traditional models of ageing that derive from the more conservative post-war period of their parents. However he demonstrates that those within the over 55’s sector do not find the current housing options for older people particularly attractive. This is supported by Ross (2008) who outlined that due to their higher levels of education, history of material wealth, and the rich range of life experiences including travel and multiple relationships, it is predicted that baby boomers are likely to demand a greater range, variety and higher quality of services. They are also more likely to be open to experimenting with different ways of experiencing old age.

In a recent study undertaken by the Benevolent Society, it identified a lack of enthusiasm for traditional seniors housing has resulted in many baby boomers opting to put off a decision on their futures until such time that they can no longer live at home (Benevolent Society, 2008). The research study also found that older Australians are looking for something other than traditional establishments to provide the accommodation and care they need in later life. The Benevolent Society (2008) also found that the results from the study supported other expert findings on attitudes to future aged care and accommodation among baby boomers. In particular the strong preference for maintaining independence and remaining in close proximity to family and friends was noted. It is also noted that these preferences are solid and widespread, and send a strong message to governments and to the aged care, retirement, and housing industries about what older Australians will be demanding over the next 10 to 15 years.

2.5 Designing our environments to include older persons

Discussion on the growing older population has traditionally focused on issues surrounding health care, social security and workforce participation. However the focus is now also turning to what can and should be done within the built environment to support this age cohort through the different stages of old age (Bell, 2005).
The notion of ‘retirement age’ has also recently changed, with Australians now having an average extra 25 years to live compared to a century ago (Bishop, 2005). The challenge however is that we must ensure this increased longevity is lived out enjoyably within our urban environments.

The planning and development of a wide range of facilities can have a significant impact on the quality of life of seniors and can influence the way they enjoy and participate in the local community (Bell, 2005). Good planning and design can help people to remain mobile and independent, to get out and about and maintain a healthy lifestyle. As Bishop (2005) notes, it can also help them to age in place, rather than being forced to moved into residential aged care facilities.

Appropriate housing must seek to meet the emotional, physical and spiritual needs of the person, and recognise their networks, connections, history and lifestyle (Warnock et al., 2007). Appropriate housing will allow mobility within the house, it surrounds and its neighbourhood. It will have access to transport and services, be a safe place and encourage a sense of community whilst maintaining peoples lives as independent citizens. Housing for older people should be concerned with the place in which they continue to live their lives and to be part of their communities, not a place to fill in time before the grave (Warnock et al., 2007).

Bell (2005) claims that to accommodate the needs of the ageing population, governments need to provide leadership by encouraging dialogue between service providers and those responsible for guiding the physical development of a community such as planners, architects, builders and investors. The goal should be to integrate ageing issues into the planning process and associated policies such as site planning, land use plans and infrastructure improvements. The change in demographics will also require a proactive and innovative national approach to support planning and development processes that improve the interface between the ageing experience and the built environment (Bell, 2005).

It is also noted that education, training, research and investment are necessary components of the action agenda that must be established if seniors are to be full participants in our communities in the coming decades (Bell, 2005). The planning decisions being made now should reflect the practical needs of the ageing population.
Planners need to work with architects, developers and government at a local, state and national level to change the current, outdated youth orientated environments and alternatively encourage the establishment of environments that are ‘age inclusive’, that is cater for all ages (Bishop, 2005).

Sensible urban design and land use planning enable individuals of all ages to enjoy their local communities (Bell, 2005). Also more easily accessible, more age-friendly buildings, precincts, public transport and amenities make sense in commercial, economic and social terms (Bishop, 2005). As Warnock et al., (2005) explain, the location of older peoples housing is vital to ongoing independence and well being. Access to shops, health care, banks, entertainment venues, spiritual and cultural centres, and community events are high on their list (Warnock, 2007).

In best accommodating and planning for an ageing population, a number of initiatives have been developed to help address ageing issues. These include the Australian Local Government Association’s development of the Australian Local Government Population Ageing Plan 2004-2008 which is aimed at helping engage local government in a planned and coordinated approach to population ageing issues. Overall the plan is designed to provide a flexible framework that:

- Builds awareness of population ageing within local government;
- Encourages local government action to plan for an ageing population;
- Fosters partnerships to support a more collaborative approach to population ageing; and
- Improves access to regional information on population ageing and future demographic shifts.

A good example of designing to be inclusive of an older market is being implemented by Petrac Developments in South East Queensland (Figure 13). Petrac purchased land at Redlands Bay where a very high demand for retirement accommodation is expected. The flat 15 hectare site is surrounded by existing urban development and is void of a nearby local town centre. The focus of the design was a series of interconnected streets around a walkable urban village. This allows older persons to connect and engage with the surrounding community, with a main street based mixed use town centre for new occupants of the site, as well as existing residents of adjoining neighbourhoods (Alcock, 2005).
Accommodation for older people includes detached dwellings, smaller villa units, attached dwellings and shop top housing. Civic facilities include a community centre, village green, fitness centre, swimming pool, as well as a three storey aged care facility. Planned retail facilities include a small supermarket, a hotel and medical facilities.

Figure 13 – Master plan of seniors living development at Redlands Bay, QLD


2.6 Conclusion

The Australian population is ageing at an unprecedented rate. This has severe and wide ranging implications for built environment professionals, particularly in ensuring that new housing provides accommodation options that meet the unique physical and emotional needs of older people.
As demonstrated, design plays a fundamental role in how older people interact with one another and their community, as well as in promoting successful ageing. The design of individual dwellings, neighbourhoods and whole communities influences the characteristics, attitudes, perceptions and the culture of the aged population. It however is apparent that our urban environments, and specifically housing for older people are not always designed taking into account the value and importance of design and how appropriate design can improve and enhance quality of life for older persons.

Acknowledging the importance of design, it is necessary to gain an appreciation of the current legislative framework governing the design and assessment of seniors housing, and the role and value that design has within the framework. Further, it is necessary to determine whether this framework is sufficient in ensuring design quality in housing provision that meets the needs of older people, whilst also being responsive to neighbourhood context. These tasks are undertaken in Chapters 3 and 4.
3 LEGISLATIVE FRAMEWORK

3.1 Introduction
This chapter provides an account of the relevant planning legislation pertaining to the development of housing for older persons in NSW, being SEPP Seniors Living and the Seniors Living Policy, and provides a history of the development of that legislation.

In particular, it outlines a history of State Environmental Planning Policies for seniors housing and provides a timeline of the development and subsequent amendment of SEPP Seniors Living, being the principal planning policy for seniors housing in NSW. This chapter also focuses on the Seniors Living Policy: Urban Design Guidelines for Infill Development, being a supporting document to SEPP Seniors Living. It forms a focus of this thesis as it is the only design guideline document that supports the SEPP, and thus an understanding of the reasons for the development of the Policy and its role in ensuring design quality in housing provision is needed.

In best understanding the history of the two documents this Chapter has been divided into two parts. The first part addresses SEPP Seniors Living, with the second part addresses the Seniors Living Policy.

3.2 SEPP Seniors Living

3.2.1 Background
The NSW Government has for some time recognised the need to encourage development of housing to meet the demands of an ageing population as well as people with a disability, and attempted to achieve this through a State Environmental Planning Policy (SEPP) (Ross, 2008). In attempting to understand the complexity in environmental planning legislation for an ageing population, it is important to gain an appreciation of the history of planning policy in NSW in accommodating for the needs of older persons. This is undertaken below.

3.2.2 State Environmental Planning Policy No. 5 (SEPP 5)
In February 1982, a State Environmental Planning Policy for Housing for Aged or Disabled Persons (SEPP 5) was introduced.
The Policy enabled both the private sector and the not-for-profit sector to develop age-segregated housing for older people and housing for people with a disability in all residential zoned lands, special use zones and also non-urban zones (DIPNR, 2004). The policy required certain aged care facilities to be available with at least one facility provided on site, thus promoting the development of retirement villages (Ross, 2008). However as Ross (2008) notes, a major problem with this version of the SEPP was that it necessitated large scale developments in order for developers and operators to make sufficient returns on investment in support services. This resulted in developments in outer suburban or regional areas where large land parcels were affordable. This ultimately produced isolated retirement communities with poor access to core support services (Ross, 2008).

In response to these issues and to better align the SEPP with principles of urban consolidation, SEPP 5 was revised in 1998 (Ross, 2008). A major change to the Policy was to encourage smaller developments in existing areas, that is, infill housing. This change recognised that many older people and people with a disability only need occasional support services and prefer to live in their existing communities rather than in special housing. The 1998 version of the Policy promoted a greater range of housing and support needs than the original policy (DUAP, 2000).

The revised SEPP was however again met with concern, with many Councils viewing the Policy as allowing development of inappropriate densities in areas of low density residential character (Ross, 2008). Warringah Council claimed that the SEPP allowed development at four times the permissible density under the Warringah Local Environmental Plan (Warringah Council 2000, in Ross 2008). Additional concerns raised with the SEPP included insufficient constraints regarding site accessibility, as development was allowed on sites with a steep gradient which were unsuitable for older persons. Further, the SEPP granted exemptions from local Councils Section 94 Levy’s. Councils saw this as inappropriate due to the impact higher density development has on local infrastructure, particularly with respect to the needs of older persons (Ross, 2008).
A major review of SEPP 5 was therefore conducted in 2000. The main changes were to create stronger adaptable housing provisions, clarify the meaning of reasonable access to community facilities and services, include provisions to achieve better design, allow councils to levy Section 94 contributions for the increased demand for community facilities created by SEPP 5 developments, and exempt high bushfire and high flooding hazard land from the SEPP (DUAP, 2000).

However again the SEPP was met with concern. In a submission to the Department of Infrastructure and Planning (DIPNR) in August 2003, the Royal Australian Institute of Architects raised the following concerns with the Policy:

- The SEPP permits lower development standards than those required by other multi-unit housing types, resulting in some developers exploiting SEPP 5 as a means to provide poor quality housing in suburban areas;
- SEPP 5 housing is often designed by non-architects, often resulting in the overall amenity and other design aspects of the development being very low. There is not necessarily any check on the amenity or design quality provided as SEPP 5 developments are generally single storey and thus do not fall under the design principles of SEPP 65;
- SEPP 5 developments were considered to have a detrimental effect on local amenity and neighbourhood character due to their low design standard; and
- Occupants of SEPP 5 housing are required by the SEPP to be aged 55 and older, however no provisions existed to ensure that this was actually the case.

As a consequence of abovementioned issues, DIPNR undertook a further review of SEPP 5.

3.2.3 State Environmental Planning Policy (Seniors Living) 2004

Following the review, in March 2004 the Department of Planning replaced SEPP 5 with a new policy focused on balancing growing demand for accommodation with maintaining the character and feel of local neighbourhoods (DoP, 2008). The new Policy was to be called State Environmental Planning Policy (Seniors Living) 2004.

SEPP Seniors Living considerably tightened existing provisions and added new restrictions and guidelines around site selection and design (Ross, 2008).
It retained most of the old opportunities under SEPP 5, with additional advantages available if the design meets the new development standards contained within the new SEPP (Dalton, 2004).

As noted by Dalton (2004), key features of SEPP Seniors Living included:

- Remains a state wide Policy for people over 55 and for disabled persons;
- Remains applicable to land zoned for housing and special uses;
- Defined five categories of Seniors Housing; being Residential Care Facility, Hostels, Serviced Self-care, Self Contained Dwellings, and Infill Self-Care Housing;
- Made different provisions for each type of Seniors Housing;
- Required development in bush fire prone land to be subject to significant assessment conditions and referred onto the NSW Rural Fire Service;
- Allowed Section 94 contributions to be levied;
- Required covenants on all title deeds to restrict occupancy to over 55’s and those with a disability;
- Expanded site analysis conditions requiring extensive and careful design and documentation;
- Introduced Seniors Living Policy: Urban Design Guidelines for Infill Development, being special design requirements that council must take into account when assessing DA’s;
- Added specific design principles for neighbourhood amenity and streetscape, visual and acoustic privacy, solar access and design for climate, stormwater, crime prevention, accessibility and waste management;
- Emphasised the proposed design fitting in with the surrounding built environment;
- Encouraged ‘vertical villages’, whereby accommodation for seniors is accommodated in high rise buildings, whereby a floor space bonus is available subject to 10% of dwellings being covenanted as affordable and on-site services being provided.
- Introduced development standards that cannot be used by council as grounds to refuse consent.
3.2.4 Amendment 1 to SEPP (Seniors Living) 2004

On 16\textsuperscript{th} December 2005, an amendment to SEPP (Seniors Living) 2004 was gazetted (Amendment No. 1). The purpose of the amendment was as an interim measure restricting the form of seniors housing permitted on land adjoining land zoned primarily for urban purposes. It prevented development applications for serviced self-care housing in inappropriate rural locations while a wider review of the SEPP was being undertaken (DoP, 2005).

At the same time the then Planning Minister, Mr Frank Sartor announced that a review of SEPP Seniors Living would be undertaken by the Department of Planning (DoP, 2005), to ensure that there was a strategic approach to the provision of housing for seniors and the disabled. A particular focus of the review was to examine the supply and location of seniors housing in rural areas and the potential impacts this housing could have on existing settlements and other rural uses, particularly agricultural production (DoP, 2005).

3.2.5 State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

Following the review of SEPP Seniors Living by the Department of Planning, Amendment No. 2 to SEPP Seniors Living was gazetted on 28\textsuperscript{th} September 2007. A number of significant changes were made to the Policy, including a change to the Policy’s name. The Policy was renamed State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (DoP, 2008).

SEPP (Housing for Seniors or People with a Disability) 2004 (SEPP Seniors Living) is the current principal policy pertaining to housing for seniors or people with a disability. This current legislation forms a focus of this thesis, and will be used as a framework to assess its ability to provide housing for seniors that is in appropriate locations, responds to its context and neighbourhood character, and provides accommodation types and overall development forms that encourage successful aging.

A major change to the Policy is the introduction of the requirement for a site compatibility certificate to accompany development applications. Such a requirement is aimed at ensuring new seniors housing developments occur in appropriate places and are compatible with the local environment (DoP, 2004).
Prior to issuing a certificate, the Director-General of the NSW Department of Planning will carry out a site compatibility assessment, and must be satisfied that the site is suitable for more intensive development and that the proposed seniors housing development is compatible with the surrounding environment (DoP, 2004). These provisions are intended to prevent the overdevelopment of regional and coastal areas, by means of restricting the potential effects of ‘sea and tree change’ activity in NSW on local natural environments, resources and services (Ross, 2008). It is after receiving a certificate, that a development application can be lodged with Council, and the applicant follows the development application process as a component of Part 4 of the EP&A Act 1979 (Koumoukelis et al., 2007).

Other key changes to the policy include:


- The Floor Space Ratio (FSR) bonus provision has been changed to include land where residential flat buildings are permissible. An additional bonus has been included by allowing FSR for the on-site support services to be excluded from the FSR calculations, with a limit of 50% of the gross floor area (DoP, 2004)

- Defining the concept of self-care housing as ‘seniors housing that consists of self contained dwellings where the following services are available on site: meals, cleaning, personal care and nursing care’ (Koumoukelis et al., 2007);

3.3 Seniors Living Policy: Urban Design Guidelines for Infill Development

3.3.1 Background

The Policy was developed by the Urban Design Advisory Service (UDAS) under the direction of the former Department of Infrastructure, Planning and Natural Resources (DIPNR), now known as the Department of Planning. The Policy was adopted in March 2004 concurrent with the adoption of SEPP Seniors Living, being the planning policy that replaced SEPP 5.

The Policy was developed as a supporting document to SEPP Seniors Living, and was prepared to assist in the design and assessment of development applications for infill development made under the SEPP (UDAS, 2004).
Despite SEPP Seniors Living having undergone two amendments since its gazettal, the Seniors Living Policy still applies as the principal guideline document for the design and assessment of infill development applications. Consent authorities are required to take the guidelines into consideration when assessing applications for infill developments made under the SEPP. As stated by the Policy, the onus then falls on the applicant to be familiar with the guidelines, and to use them to ensure that new development provides a high level of amenity for both new and existing residents (UDAS, 2004).

In best understanding the manner in which the Policy was developed, its contents and the overall intent of the document, it was considered of value to contact the author of the Policy. Whilst UDAS was disbanded in September 2004, it was possible to contact the former Director of UDAS, Gabrielle Morrish, who led the development of the Policy. A number of quotations from Morrish have been used throughout this thesis in gaining a greater appreciation and understanding of the Policy and its contents.

3.3.2 Infill Development

The Policy deals specifically with housing for seniors that constitute infill development. Infill development is defined under the Clause 13(2) of the SEPP as:

... seniors housing on land zoned primarily for urban purposes that consists of 2 or more self-contained dwellings where none of the following services are provided on site as part of the development: meals, cleaning services, personal care, nursing care.

Generally, infill development is classed as housing for seniors where two or more traditional suburban housing allotments have been amalgamated and a townhouse or villa style development is being proposed in its place. Examples of infill development are illustrated in Figure 14.
3.4 Seniors Living Policy

The Policy is divided into five core sections, each addressing individual design aspects:

- **Improving neighbourhood fit:** New developments that increase residential densities need not be out of character with their surroundings. Their impact can be reduced by a sensitive and responsive approach to the special visual, physical and natural qualities that contribute to the character of an area.
Improving site planning and design: Site planning and design must respond to multiple challenges: providing new dwellings that feature a high level of amenity, respecting the privacy and amenity enjoyed by existing neighbouring properties, taking into account the existing character of the neighbourhood, and reducing environmental impacts by minimising the consumption of energy and water.

Reducing impacts on streetscape: New infill developments need to achieve a harmonious fit with the existing streetscape character or desired future character. New developments should present attractively to the street and complement surrounding dwellings. Both the existing residents of an area and potential residents of the new development prefer housing that blends into the local area.

Reducing impacts on neighbouring properties: Developments generally result in an increase in the number of dwellings and residents in the neighbourhood. Impacts of this intensification can be reduced amenity for neighbours (e.g. less visual and acoustic privacy, compromised outlook) unless the development is carefully designed.

Improving internal site design: Amenity within any residential development depends on key factors like privacy, safety and security, and the useability and attractiveness of the living environment.

Each of the issues/topics is concerned with a different scale and level of detail. They are however all interrelated, in that consideration of one must be balanced with consideration of the others (UDAS, 2004). Each of the issues/topics, with the exception of Section 1, is further divided into five parts, these being:

- Introduction: describes the issue and why it is important.
- Objectives: lists what it is that development should seek to achieve.
- Design Principles and better practice: describes specific principles and approaches that might be employed to achieve the objectives.
- SEPP Controls: lists the relevant standards that are contained in the Policy.
- Rules of Thumb: suggests additional controls as guidance for good design.
This follows a similar structure to the Residential Flat Design Code (RFDC) which accompanies SEPP 65. Similarities include each topic within the RFDC is divided into four parts, these being; descriptive text defining the topic and why it is important; objectives; better design practice guidelines and possible design solutions; and rules of thumb. The main difference is that the Policy includes an additional section that lists the relevant development standards contained within SEPP Seniors Living. As SEPP 65 is not inclusive of any development standards, but rather uses the guidelines and rules of thumb within the RFDC to recommend minimum standards, a heading entitled SEPP Controls is not required.

The RFDC is a comprehensive and detailed document that addresses a wide range of issues concerning the design and subsequent assessment of residential flat buildings and the variety of forms and contexts in which they are built. It is a widely used document within the industry, by both applicants and councils in both the design and subsequent assessment of residential flat buildings.

The Seniors Living Policy on the other hand is concerned with the design and assessment of infill developments, which is development of a relatively minor nature in comparison to the general scale and size, as well as costs associated with the development of residential flat buildings. Thus it is appropriate that the two documents differ in the issues/topics discussed, as well as in the overall content and level of detail within the two documents. Consequently, a thorough and comprehensive evaluation of the Seniors Living Policy against the RFDC cannot be undertaken.

With that said, the Seniors Living Policy was developed with a specific purpose and an overall intent; being to assist in the design and assessment of applications for infill development by promoting a balance between the need for greater housing choice and the need to safeguard the character of residential neighbourhoods (UDAS, 2004). Further, a fundamental basis for its development was that:

“... SEPP 5 alone was not delivering good outcomes, and we were getting alot of inappropriate development occurring particularly on small sites... alot of the SEPP 5’s were pretty bad, and there were no design guidelines with them either, so that’s part of the reason why we ended up doing the Policy, because we were getting really bad outcomes…” (Morrish, 2008).
3.4.1 Design principles and better practice

The Seniors Living Policy sets out a range of design principles which must be considered in the design and assessment of applications. The following two case studies are provided to indicate the content of the Seniors Living Policy, and how it has been structured to provide guidance as well as design solutions for appropriate development forms for both councils and applicants.

**CASE STUDY ONE**

In Section 3.0 Impacts on Streetscape of the Seniors Living Policy, the Design Principles and Better Practice for parking, garaging and vehicular circulation state:

- **Avoid unrelieved, long, straight driveways that are visually dominant by:**
  - Varying the alignment of driveways to avoid a ‘gunbarrel’ effect
  - Setting back garages behind the predominant building line to reduce their visibility from the street
  - Considering alternative site designs that avoid driveways running the length of the site.

- **Minimise the impact of driveways on the streetscape by:**
  - Terminating vistas with trees, vegetation, open space or a dwelling, not garages or parking
  - Using planting to soften driveway edges
  - Varying the driveway surface material to break it up into a series of smaller spaces
  - Limiting driveway widths on narrow sites to single carriage width with passing points
  - Providing gates at the head of driveways to minimise visual ‘pull’ of the driveway.

A supporting diagram (Image 17) is also provided illustrating how these design principles can be achieved:
The purpose of these design principles is to eliminate the appearance of seniors development such as that illustrated in Image 18. Rather, it encourages the development of building forms such as that illustrated in Image 19.

Inclusion of detailed design principles, as well as a supporting diagram(s) provides a clear indication to the reader on preferred methods for accommodating parking, garaging and vehicular circulation within an infill development site. This is considered to provide a clear indication to both the applicant and council of the preferred and most appropriate design, as well as methods of achieving it.
CASE STUDY TWO

In Section 4.0 Impacts on Neighbours of the Seniors Living Policy, the Design Principles and Better Practice for Built Form state:

- Design the relationship between buildings and open space to be consistent with the existing patterns in the block:
  - Where possible maintain the existing orientation of dwelling ‘fronts’ and ‘backs’
  - Where the dwelling must be oriented at 90 degrees to the existing pattern of development, be particularly

- Protect neighbours amenity by carefully designing the bulk and scale of the new development to relate to the existing residential character, for example by:
  - Setting upper storeys back behind the side or rear building line

- Reduce the visual bulk of roof forms by breaking down the roof into smaller elements, rather than having a single uninterrupted roof structure.

- Design second storeys to reduce overlooking of neighbouring properties, for example by:
  - Incorporating them within the roof space and providing dormer windows
  - Offsetting openings from existing neighbouring windows and doors.

- Reduce the impact of unrelieved walls on narrow side and rear setbacks by limiting the length of walls built to these setbacks.

Again a supporting diagram is provided illustrating how these design principles could be achieved on an actual development site (Image 20).

![Image 20 – Recommended design response](source: UDAS 2004, Seniors Living Policy, pg. 10)
One such reason for inclusion of these design principles is to ensure that development outcomes like that illustrated in Image 21 and 22, whereby dwellings are oriented to side boundaries, thus resulting in overlooking and a reduced level of privacy as well as a poor address to the street, do not occur.

The design principles promote and recognise that better built form outcomes eventuate if developments are designed in a manner similar to that illustrated directly below whereby a portion of the dwellings are oriented front to back on the development site. Not only does this reduce overlooking into adjoining properties, but assists in activation of the street and an overall improved streetscape appearance (Image 23 and 24).

Again, it is through the use of detailed design guidelines and supporting diagrams that a clear illustration of better design practice and how it can be achieved on actual development sites can be understood.
The design principles are considered to be clear, yet provide flexibility where warranted by promoting descriptive, rather than prescriptive controls. This offers a useful guide for applicants when designing developments, whilst also providing suitable assessment criteria that can be used by councils when assessing applications.

3.5 Conclusion

This chapter outlined the two forms of state planning legislation that govern the design and assessment of seniors living applications in NSW and the history of the development of that legislation.

It has demonstrated that in an attempt to facilitate better housing outcomes for older people, SEPP Seniors Living has a lengthy history of amendments and reforms, whilst the Seniors Living Policy has not undergone any amendments or changes since its adoption. Given this lengthy history, the legislation is unlikely to be in its final form and may require further amendments in response to the varying building typologies and overall differing contexts in which seniors housing is being proposed. It is also likely that given the Seniors Living Policy has not been updated or refined since its adoption that it may require amendments to better reflect the forms of seniors housing that are currently proposed.

It is understanding whether further reform to the legislation is needed, by way of a critique of the two documents and their relationship to the established importance of design in providing appropriate housing and built environments for seniors, that forms the underlying rationale for Chapter 4 of this thesis.
4 EVALUATING THE LEGISLATIVE FRAMEWORK

4.1 Introduction
This chapter critically evaluates the legislative framework that was outlined in Chapter 3. It critiques and assesses the merits of SEPP Seniors Living, and the SEPP’s relationship and overall ability as a planning policy to support and facilitate good design in senior’s accommodation. In particular, it evaluates whether the SEPP provides an adequate framework for applicants in ensuring design excellence when planning for seniors living developments. This chapter will also evaluate the SEPP’s ability to provide a comprehensive basis for councils to assess the design merits of applications.

This chapter also uses the Seniors Living Policy: Urban Design Guidelines for Infill Development as a basis to evaluate the overall suitability of design guidelines for seniors living developments. An evaluation of whether the Seniors Living Policy needs to be updated or amended in response to the changing forms and types of seniors housing that are emerging, and the varied contexts in which they are being proposed is then undertaken.

As with Chapter 3, this Chapter has been divided into two parts. The first part critiques SEPP Seniors Living, whilst the second part critiques the Seniors Living Policy.

4.2 SEPP Seniors Living and the Design of Housing for Older People

4.2.1 Background
As identified in Chapter 3, SEPP Seniors Living is the current principal policy document concerning the development of seniors living accommodation. The SEPP provides a planning framework for the design development and assessment of seniors living accommodation. SEPP Seniors Living aims to:

Encourage the provision of housing (including residential care facilities) that will:

- Increase the supply and diversity of residences that meet the needs of seniors or people with a disability; and

- Make efficient use of existing infrastructure and services; and

c) **Be of good design.**

These aims will be achieved by:

a) **Setting aside local planning controls that would prevent the development of housing for seniors or people with a disability that meets the development criteria and standards specified in this Policy; and**

b) **Setting out design principles that should be followed to achieve built form that responds to the characteristics of its site and form; and**

c) **Ensuring that applicants provide support services for seniors or people with a disability for developments on land adjoining land zoned primarily for urban purposes.**

SEPP Seniors Living contains specific clauses that relate to the suitable design of seniors living accommodation. Specifically, Clause 31 pertains to the ‘Design of in-fill self-care housing’ and Clause 32 pertains to the ‘Design of residential development’. In addition, Clause 32 contains a number of design principles for all forms of seniors housing as discussed below.

Supporting the design principles in Clause 32, is Clause 31, which relates specifically to the design of in-fill self-care housing. As outlined in Clause 13(2) of the SEPP, in-fill self-care housing is:

...seniors housing on land zoned primarily for urban purposes that consists of 2 or more self-contained dwellings where none of the following services are provided on site as part of the development: meals, cleaning services, personal care, nursing care.

Clause 31 requires that when considering a development application for the purpose of in-fill self-care housing, a consent authority must take into account the provisions of the Seniors Living Policy: Urban Design Guidelines for Infill Development. The Policy sets out a range of design principles and guidelines that were prepared to assist in the design and assessment of development applications for infill development made under SEPP Seniors Living (UDAS, 2004). A critique of this Policy forms the latter part of this Chapter.
4.2.2 Clause 32 of SEPP Seniors Living: Design Principles

Clause 32 of SEPP Seniors Living states:

A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied that the proposed development demonstrates that adequate regard has been given to the principles set out in Division 2.

Division 2 of SEPP Seniors Living contains a number of Design Principles set out in Clause 33 to 39 that address key design aspects involved in the planning and design of housing for older persons. These Design Principles are reproduced in Appendix 1. The principles address the seven key areas of Neighbourhood Amenity and Streetscape, Visual and Acoustic Privacy, Solar Access and Design for Climate, Stormwater, Crime Prevention, Accessibility and Waste Management.

Clauses 33 to 39 are the core design principles within the SEPP that address design quality issues. Whilst the Seniors Living Policy is a guideline document that supports the SEPP, the Policy only deals with one form of seniors housing; in-fill development. The design principles on the other hand deal with the range of seniors housing typologies.

It is clear that by examining the design principles as outlined in Appendix 1 that they are quite broad in nature and could be characterised as being motherhood statements. Key examples include:

**Clause 33: Neighbourhood Amenity and Streetscape**

The proposed development should:

(e) embody planting that is in sympathy with, but not necessarily the same as, other planting in the streetscape, and

**Clause 38: Accessibility**

The proposed development should:

(b) provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors.
This is supported by comments made by Rod Piggott of Warringah Council whereby:

“...when you read those design principles, you go, well what does that mean?”
(Piggott, 2008)

This illustrates the broad nature and overall vagueness of the principles as considered by a council planner. It also supports the notion that the principles are broad statements on what is recommended to be achieved, however they do not provide any level of detail or guidance on possible design solutions, nor do they indicate a means with which the design principles could be achieved.

Further, the nature in which they have been written is such that they are open to individual interpretation. This raises a number of issues, as an applicant may consider that they have met the guidelines and believe the scheme is an acceptable outcome. However in councils assessment of the development scheme against the design principles they may consider the application to be inappropriate. Consequently, issues will arise between the applicant and the council over the individual interpretation of the design principles. This then raises the question of what the ‘real’ value of the design guidelines are when designing and assessing seniors living applications, particularly with respect to providing ‘common ground’ for both applicants and councils.

Supporting this is comments made by Deborah Krzeminski of Hornsby Shire Council. When asked whether the SEPP could be used as a tool to ensure design excellence and whether it could be used as a means for councils to advise applicants that the scheme was inappropriate and needed to be redesigned, she advised that the SEPP itself did not assist in this way. Rather she noted that:

“...[overall] you are just using planning merit arguments... you look at it from a merit point of view, and you go, well no all these things don’t work. You then might use some of the broad design principles, you know the very broad stuff in the SEPP... so you’ll go back and reference those [design principles to justify yourself]...” (Krzeminski, 2008)
From this it is clear that the nature in which the design principles have been written and their overall contents, does not enable councils to directly use them as a mechanism for assessment of the design merits of a scheme. Rather, Councils undertake a planning merit assessment of the application, and then relate that assessment back to the design principles to justify to the applicant the reasons for why the scheme needs to be amended.

This supports the notion that the current design principles are inappropriate as they do not set a clear framework or provide sufficient guidance to applicants in how to achieve the design principles. They also do not assist Council in providing a clear framework or set of non-prescriptive standards to assess the merits of an application. The overall value of the design principles is therefore questionable.

Further, there are particular components of these principles that are outdated. With respect to Clause 35, the SEPP lists AMCORD as a suitable document that may be referenced in determining adequate solar access and dwelling orientation. However as Tregale (2008) notes:

“... it [SEPP Seniors Living] refers you back to AMCORD; I mean you can’t find it anywhere so why is it referenced in the document?” (Tregale, 2008)

Reference to AMCORD within the SEPP is unnecessary. There are a number of more recent state policies that have been developed that better address issues regarding solar access and the orientation of dwellings. These include BASIX and the Residential Flat Design Code (RFDC). With respect to the RFDC, it should be noted that it contains better design practice guidelines and possible design solutions to help achieve the provisions for daylight access. This is a far more widely used document within the industry and more easily accessible than AMCORD. AMCORD’s reference within the SEPP is therefore considered inappropriate.

A further issue with the design principles contained within the SEPP is that in Clause 34: Visual and Acoustic Privacy, it is recommended that the reader refer to the Australian Standards in establishing acceptable noise levels. However the Australian Standards for access and mobility are not referenced or noted in Clause 38: Accessibility. This is considered inappropriate given that the housing to be built under the SEPP is to house older persons, who are more prone to have a disability, have problems with eye sight, be constrained to a wheel chair or the like.
It is vital that housing for older persons be designed to ensure accessibility within the dwelling, as well as to and from the dwelling with regards to access from the street for example. It is therefore considered essential for those designing and assessing housing for older people, to be aware of the Australian Standards given that accessibility is a fundamental element in ensuring housing accommodates the unique needs of older persons. Accordingly, it would be considered appropriate for the SEPP to refer the reader to the Australian Standards, and it is recommended that the SEPP should be amended to reflect this.

### 4.2.3 Compliance with minimum development standards

Other clauses within the SEPP detail principles and standards in the design of housing for older persons. However these are not as direct as those contained in Clauses 33 to 39, but nonetheless do play a role in the design of housing for older people. In particular Part 4 of the SEPP, titled ‘Development standards to be complied with’, outlines a number of development standards that must be adhered to in the development of seniors housing. In particular, Clause 40 requires that:

- **The size of the site must be at least 1,000 square metres;**
- **The sites frontage must be at least 20 metres wide measured at the building line;**
- **In residential zones where residential flat buildings are not permitted:**
  - **The height of all buildings in the proposed development must be 8 metres or less;**
  - **A building that is adjacent to a boundary of the site must not be more than 2 storeys in height;**
  - **A building located in the rear 25% area of the site must not exceed 1 storey in height.**

The intent of these standards is to provide development standards for minimum allotment sizes and overall building height as a means to ensure that seniors housing is of a form and scale that is responsive, and only occurs on sites that are appropriate to accommodate seniors housing. This in itself is a means of design guidance by the SEPP.
However not all of these standards are suitable, or result in the most appropriate development forms. As noted by Morrish (2008), in the development of the Seniors Living Policy the UDAS team critically examined positive and negative seniors living case studies, identified the issues with each and developed the Policy on that basis. It was during their analysis of these case studies and through an analysis of actual seniors living development sites, that the minimum 1,000sqm lot size was not considered suitable:

“we actually wanted to up the limit, so that the sites had to be a bit bigger. 1,200sqm was where we were recommending (Morrish, 2008)

This demonstrates that despite a sub-department of DIPNR investigating the appropriateness of the standard, and concluding that in order to provide better built form outcomes it should be increased to 1,200sqm, the selected minimum standard for inclusion within the SEPP was 1,000sqm.

4.2.4 Additional issues with SEPP Seniors Living

A further issue that has been identified with the SEPP is that it overrides, or to quote SEPP Seniors Living ‘set[s] aside local planning controls’. This therefore creates issues for councils when determining whether a particular development is appropriate for a certain context. It is interesting to note here however, that this issue was not only raised by council, but also by a developer of seniors housing. As Daniel Hodge of Horizon Living notes:

“you can rely on it [SEPP Seniors Living] to override councils zoning, and that also causes a bit of a problem with council because they have a lack of clarity on how to deal with things because they lose their controls on what should be there; so when they go to assess it, they go, well that wasn’t meant to be a building site, or that wasn’t meant to be that sort of building, so how do we [the council] deal with that” (Hodge, 2008)

Supporting Hodge’s (2008) comments is the exclusion of a number of councils from the provisions of the SEPP. These councils include Ashfield, Blue Mountains, Hurstville, Kogarah, Strathfield, Sutherland and North Sydney. These councils were able to demonstrate to the then DIPNR that application of SEPP Seniors Living to their LGAs was not needed as they were able to adequately achieve seniors housing in the LGA without the need to apply the SEPP.
When understanding the exemption of councils from the SEPP, it is important to understand and appreciate the attitudes of councils towards the SEPP:

“... ideally like most councils, I’m sure Hornsby Council would like to get out of the SEPP. That’s what Hornsby Council were trying to do...” (Krzeminski, 2008)

This is further supported by comments made by Morrish (2008):

“... I think a lot of them [councils] have an issue that the SEPP is around at all, because it means that the developer can go ahead and put seniors living on land that they may not otherwise think was suitable for residential development.... they feel it’s a grab by the state government to allow a development they don’t feel is suitable in a lot of areas...” (Morrish, 2008)

This demonstrates that many councils do not agree with the contents of the SEPP and the manner in which it overrides many of the local planning controls. The existing partial exemptions of the seven councils will lapse on the 31st December 2008. However as Krzeminski (2008) also noted, she believed that if councils were given the opportunity again to demonstrate to the NSW Department of Planning that they could adequately accommodate seniors housing within their LGA, without the need for the SEPP to apply, there would be numerous councils that would take up the opportunity. This clearly illustrates that numerous councils have concerns with the existing SEPP, and do not agree with the current manner in which it facilitates the development of housing for older persons.

4.2.5 Development standards that cannot be used as grounds to refuse consent

Part 7 of the SEPP contains standards that if met cannot be used as grounds to refuse development consent. Each form of seniors housing is provided with a set of these individual standards, which are listed in Clauses 48 to 50 of the SEPP. The standards address the key areas of building height, density and scale, landscaped area, and parking, with deep soil zones, solar access and private open space standards also provided for self contained dwellings.

A general consensus amongst the interviewees was that one of the major issues with the current form of the SEPP was the blanket application/one size fits all approach of the Policy.
The key point made by many of the interviewees was that the standards for each type of seniors living are applicable across the entire state, and thus the standards did not change for differing urban and rural contexts, for example.

With respect to self contained dwellings, one of the standards is that ‘if the density and scale of the buildings when expressed as a floor space ratio is 0.5:1 or less’, density and scale cannot be used as a reason to refuse development consent. However as Krzeminski (2008) notes, a particular application she assessed was for self contained dwellings in a rural zone. Under the SEPP, the acceptable FSR was 0.5:1. The application had an FSR just below 0.5:1, and thus density and scale could not be used as grounds for refusing the DA. However she noted that in a rural context, even though the application complied with the permitted FSR under the SEPP, the application looked like it developed the entire site, and was completely out of character with the existing context.

The development Krzeminski refers to forms part of a series of adjoining seniors living developments to be constructed along Old Northern Road, Glenhaven. Case Study Three is an example of one of these developments, and illustrates the resulting built form when density and scale cannot be used as grounds to refuse development consent if the development complies with the 0.5:1 FSR control.

**CASE STUDY THREE**

Old Northern Road, Glenhaven is located in Sydney’s North West. The locality is generally rural in character, with rural residential and acreage housing being the predominant urban form (Image 25 and 26).
The site forms part of a series of adjoining seniors living developments to be constructed on the eastern side of Old Northern Road. Development works have commenced, with the first stage of the development having been completed. As evidenced in the images below, the seniors living development presents an overall urban built form character, which fails to respond to the predominant rural character of the locality. It is noted however that given the SEPP permits an FSR of 0.5:1 on this site, that if the development meets the FSR; density and scale cannot be used as grounds to refuse development consent.

In this instance, SEPP Seniors Living through the 0.5:1 FSR provision has allowed an urban built form outcome in a rural locality (Image 27 and 28).

It is clear from Case Study Three that the standards within the SEPP can result in seniors housing being provided that conflict with the existing environment. The appropriateness of Part 4 of the SEPP, being the standards that cannot be used as grounds to refuse development consent are further questioned by Krzeminski (2008) and Morrish (2008):

“... when people have come up with the numbers I don’t know to what extent they’ve actually done some ground truthing or some testing for different environments and different scenarios to see whether they are appropriate ... they’ve come up with standards and controls where they’re envisaging a nice little infill site in Ashfield, and they’re applying those Ashfield controls to a rural area...” (Krzeminski, 2008)
“... [an FSR of 0.5:1 is] fine in an urban environment, but you translate that into a rural environment and it’s a completely different outcome. Shag on a rock type thing” (Morrish, 2008)

These comments are further supported by those of Interviewee No. 1 (2008):

“... in a rural context I think you are pushing for an FSR of 0.5:1 without the place being completely urbanised...” (Interviewee No. 1, 2008)

“... parts of it I think they have got it wrong because they govern everybody according to a site over 1,000m². So if you have a 1,001m² site and I’ve got an 8 hectare site, they are treated exactly the same” (Interviewee No. 1, 2008)

As demonstrated by comments made by Krzeminski (2008), Morrish (2008) and Interviewee No. 1 (2008), the general consensus is that applying a blanket ‘one size fits all’ approach of the development standards that cannot be used as grounds to refuse development consent is inappropriate. Seniors housing is being proposed in a variety of different contexts, and an FSR that is appropriate in an urban context is not necessarily appropriate in a rural context, which the SEPP through the inclusion of ‘one size fits all’ development standards implies that it is.

4.2.6 Is SEPP Seniors Living an improvement on SEPP 5?

To evaluate SEPP Seniors Living and its ability to facilitate good design and high quality development outcomes, it is important to understand whether the changes to the planning legislation, by means of SEPP Seniors Living replacing SEPP 5, and the subsequent amendments to SEPP Seniors Living, have actually improved the overall form and quality of seniors housing. This question was raised with each interviewee, with varying opinions received.

Gabrielle Morrish of GMU Design, Rod Piggott of Warringah Council and Matthew Tregale of Morrison Design Partnership believed that SEPP Seniors Living was an improvement on SEPP 5, with key comments including:
“... yes definitely. It at least starts to try and factor in some of the contextual considerations, as a lot of the SEPP 5’s were pretty bad... we were getting really bad outcomes, so at least the built form result is a little bit more sensitive, particularly with the smaller stuff...” (Morrish, 2008)

“...I believe it is. Just because of those additional size requirements, it allows you more scope for better design. When things aren’t as tight and you have more room, you have more scope to sit down with the developer and actually get a better outcome...” (Piggott, 2008)

“... it definitely is... I think if you are a genuine aged care provider of residential aged care, this actually gives you many benefits over SEPP 5. [But] I think if you were a developer who was out to build residential apartments and call them aged, and let’s face it, that’s what SEPP 5 was used and abused for, then they would prefer SEPP 5...” (Tregale, 2008)

On the other hand however, Deborah Krzeminski of Hornsby Council and Interviewee No. 1 were of the opinion that:

“... [SEPP Seniors Living] has a long way to go. I don’t really see that it’s substantially different. I mean obviously SEPP Seniors Living has evolved over the years and they have put in new provisions and stuff...” (Krzeminski, 2008)

“... not particularly. I think it’s just the same document, but pretty much reworded, I just think it’s more stringent. There is [also] too much focus on the aged and the disabled. They need to do some work there because the aged are aged and the disabled are disabled, but they are applying a disabled code to the aged, and I think it’s wrong...” (Interviewee No. 1)

With respect to Daniel Hodge of Horizon Living who had a DA in with Council at the time that SEPP Seniors Living was gazetted, he noted that:

“... commentary from our planner who did a review of both, [was that] they recommended that we should leave our design with SEPP 5 as there was no real benefit in upgrading to SEPP Seniors Living...” (Hodge, 2008)
As Ross (2008) notes, an industry wide response to the most recent amendments to SEPP Seniors Living is yet to emerge. Koumoukelies et al. (2007) does however consider that the recent amendments bring a closer alignment to the principles of planning, the operation of the retirement village and aged care industries, and their role as structures for the delivery of care to our ageing population (Koumoukelis et al., 2007). It is also noted that the amendments are an ‘innovative response to the likely problems to be faced by governments in providing the infrastructure to deal with the population change. It is likely the amendments and principles will be replicated by other states’ (Koumoukelis et al., 2007).

In respect to the SEPP’s ability to guide applicants in the provision of housing that is of a high standard, and to assist Councils in assessing the design merits of applications, the SEPP falls short. Whilst this may not have been the original intent of the SEPP, it has been identified that the SEPP does not go far enough in providing a framework that clearly indicates what constitutes good design and what are acceptable seniors living built forms and amenity outcomes.

This is demonstrated via the design principles contained at Clause 32 of the SEPP. These principles were intended to encapsulate the breadth of issues involved with the design development and planning of seniors living accommodation. The design principles are however motherhood statements and are limited in their ability to provide an adequate framework for applicants when designing seniors living developments. They also fail to provide a comprehensive basis to assess the design merits of applications.

4.3 The Seniors Living Policy and Housing for Older People

Supporting the SEPP is the Seniors Living Policy: Urban Design Guidelines for Infill Development. This Policy was prepared by the Urban Design Advisory Service (UDAS), a sub-department of the former Department of Infrastructure Planning and Natural Resources (DIPNR). The Policy was developed and adopted in March 2004 at the time when SEPP Seniors Living replaced SEPP 5. UDAS was disbanded in September 2004, however the Policy still remains current despite the two recent amendments to the SEPP. Of particular importance, is that the Policy is the only document that supports the SEPP that contains any form of design guidelines or best practice principles for designing housing for older persons.
EVALUATING THE LEGISLATIVE FRAMEWORK

The Policy was developed for a certain type of seniors housing, and thus the overall content and structure of the document was tailored for that specific typology:

“... we did discuss the opportunity to do that [broaden the scope of the Policy], but the state government at the time... felt that when it was on a much bigger site there was more opportunity for a more innovative approach and you were less likely to get these sorts of concerns and issues with development and therefore they didn’t need controlling as much as the small ones...” (Morrish, 2008)

It is given the scope of the Policy that the industry’s views on the appropriateness of the document are mixed. In particular, there are numerous forms of emerging seniors housing typologies, other than infill development, that are being proposed in a variety of different contexts, for example in inner city, coastal and rural locations. There however is no guideline document that outlines best practice in the design of these forms of seniors housing, or provides a framework with which Council’s may assess the merits of the application:

“... the infill guidelines people try and use to get some guidance from [for other forms of seniors housing], but it’s really developed for small sites...” (Morrish, 2008)

“I haven’t really used them because they haven’t been applicable and haven’t really been helpful for the DA’s I have had. Something like that is not helpful in a rural location. Similarly, I have had a DA on a large special uses site and again it’s just not really helpful or appropriate.... I mean it might be really good for infill sites, but personally I haven’t had those nice little perfect sites to do...” (Krzeminski, 2008)

The limitations of the Seniors Living Policy are however acknowledged:

“... our little guide that we did for infill sites is fine for those very small ones, but it doesn’t deal with alot of the bigger picture issues with much larger developments. It also doesn’t really deal with how you integrate villas and apartments together in one development typology...” (Morrish, 2008)

It is reference to ‘our little guide’ by Morrish (2008), that reinforces the intent of the Policy, in that it was a relatively small guideline document developed for a specific purpose.
The intent of the document certainly wasn’t to be overarching and encompass all forms of seniors housing and the different development contexts in which seniors housing can be built.

4.3.1 Design guidelines for other forms of seniors housing

As noted above, the Seniors Living Policy only applies to a specific form of seniors housing, being infill development. There are however no guidelines or recommended approaches to the design of other forms of seniors housing:

“... SEPP Seniors Living allows seniors living to occur in rural zone, but again there is no guidance on what a seniors living development should look like when its occurring within a rural zone...” (Morrish, 2008)

This is supported by Case Study Four which demonstrates that with housing for seniors that does not constitute infill development, there are no design guidelines applicable to that form of development as the Seniors Living Policy does not apply.

CASE STUDY FOUR

Edgewood Estate at Woonona in the northern suburbs of Wollongong is a large scale master planned residential housing estate. A portion of the development has been set aside to be developed specifically as housing for older persons.

As the seniors housing does not constitute infill development, there are no guidelines that are applicable to the design of this form of seniors housing. This has enabled the developer to develop seniors housing of a form and appearance as illustrated in Image 29 and 30.

Image 29 – Seniors housing at Woonona, Wollongong
Image 30 – Seniors housing at Woonona, Wollongong
As illustrated, these dwellings have little architectural merit, lack architectural thought and expression, and make little contribution to the street. Whilst individual interpretation does play a major factor in considering the aesthetics of a particular building form, it is clear that these dwellings exemplify a poor and inappropriate built form outcome.

However in councils assessment, had they had concerns with the overall design quality and presentation of the dwellings to the street, there are no guidelines or codes with which they could assert these concerns and require the applicant to redesign the proposals.

Thoughts on the Seniors Living Policy in its entirety by those in the seniors living development industry are mixed:

“... [it includes] motherhood statements perhaps. I don’t think it really provides too much for people...” (Piggott, 2008)

“... I think it’s a little bit prescriptive... [and] I think there are elements in there that are a little bit redundant. I think someone wrote it five years ago to plug a gap if you will...” (Tregale, 2008)

“... we did have some discussions with a particular Council about it. They kind of looked at it, said yes it’s interesting but of no relevance; it has no statutory authority attached to it, it’s merely a guideline. [Therefore] nobody needs to take any cognisance of it, it’s got no authority, the SEPP is it...” (Interviewee 1)

Whilst some within the industry are critical of the Policy, it is important to note that the policy was not placed on public exhibition as a draft, but rather was adopted concurrently with the gazettal of SEPP Seniors Living. Had the document been placed on exhibition, it would have been possible to determine whether submissions were made and what the contents of the submissions and the overall concerns with the policy were.

Despite this, the document provides assistance to applicants in the design of infill self care housing, as well as assisting councils in their assessment of this form of seniors housing. It is believed to have served a specific purpose for a specific form of seniors housing at the time it was developed:
“...it certainly stopped alot of the bad stuff happening, but as with any policy, it can also stop some innovation, which is not always intended. But it certainly stopped the really awful development, where you basically got blank walls to the street and the gun barrel driveway, and the appalling problem with the proximity over back fences and side fences...” (Morrish, 2008)

4.4 The need to update and revise the Policy

A particular issue with the Policy is that it was developed based on the original version of SEPP Seniors Living, as gazetted in March 2004. The overall contents and structure of the SEPP has since changed with the recent amendments. Given this, where the Policy references many of the clause numbers within the SEPP, these are actually incorrect due to the overall structure of the SEPP having changed. Whilst not a particularly major issue, it is inappropriate for a policy document, that the Department expects applicants and councils to use in the design and assessment of infill developments, to include references that do not align with the actual contents and structure of the current SEPP.

The amendments to the SEPP highlight the need for the Seniors Living Policy to be updated to reflect the structure of the current SEPP. However as identified above, the policy is the only guideline that accompanies the SEPP, and only specifically deals with infill development. Accordingly, there is inherent need to refine and update the policy:

“Yes I think it would be worthwhile because I think the SEPP has changed significantly for a complete overall of that [to be justified]...” (Piggott, 2008)

“Yes. There’s alot more approaches coming around now in terms of how people are looking at seniors living and it needs to capture and develop good outcomes for these scenarios” (Morrish, 2008)

“Yes, having a more detailed guideline that deals with site planning and deals with the larger sites...” (Krzeminski, 2008)

Enquiries to the Department of Planning have however advised that they have no intention of updating or refining the Policy.
It is therefore a focus of Chapter 5 of this thesis to provide a detailed justification of the need for the Policy to be updated to reflect the recent amendments to the SEPP, but also to be expanded to encompass a greater range of seniors living building typologies, and to consider the range of contexts in which seniors housing is being built, for examples in urban, coastal, country and rural areas.

Chapter Five addresses the need for a complete overhaul of the Seniors Living Policy, by demonstrating it is necessary to not only meet the need to refine and update the Policy, but that there is a necessity for a wide ranging design code for all forms of seniors housing to be developed.

4.5 Conclusion

Those who work in the seniors living development industry, either in the design or assessment of seniors living developments, have varying opinions on the contents and overall quality of SEPP Seniors Living.

There is a general consensus that the SEPP itself does not provide sufficient guidance to applicants and assist councils in assessing applications. In particular, with the exception of the Seniors Living Policy, the design principles at Clauses 33 to 39 of the SEPP are the only guidelines to be used in determining the appropriateness of a seniors living development. The design principles are however broad recommendations in the form of statements, and do not provide guidance as to how to actually achieve the guidelines. They are therefore limited in their ability to provide an adequate framework for applicants when designing seniors living developments, as well as in their ability to provide a comprehensive basis in which to assess the design merits of applications. Accordingly, the value of a design guideline document being developed as a supporting document to the SEPP is evaluated in Chapters 5 of this thesis.

The Seniors Living Policy was prepared to address a specific problem; being the overall poor development outcomes that were occurring in infill development sites. It provides design principles and better practice that might be employed to achieve high quality development outcomes, as well as provides rules of thumb as suggestions for additional controls to guide good design. The Policy appears to have achieved its purpose in assisting applicants in the design of infill development, as well as assisting councils in their assessment of infill applications.
The Policy however was prepared in 2004 and is based on the first version of SEPP Seniors Living, which has since undergone two substantial amendments. Accordingly, it is not up to date with the contents of the SEPP which it supports.

Further, given that the Policy only deals with infill development it cannot be used as a guideline in the design and assessment of other forms of seniors housing. There is therefore no guideline document for applicants or councils when it comes to designing or assessing seniors living applications, other than infill development in existing urban areas.

Clearly this shows the inherent need for the Seniors Living Policy to be substantially amended and updated to reflect a greater range of seniors housing forms as well as the varied contexts in which they are being proposed. This will be discussed in Chapter 5.
5 THE NEED FOR A DESIGN CODE?

5.1 Introduction

This chapter evaluates the need for the development of a Seniors Living Design Code and subsequently establishes that such a document would be a means to appropriately address the range of issues with the existing legislative framework as identified in Chapter 4. Further, it highlights that the development of a design code as a supporting document to SEPP Seniors Living will provide greater guidance to applicants in the best practice design of seniors housing, as well as a non-prescriptive framework for councils to assess the design merits of applications.

Recommendations will also be provided outlining how such a design code will sit within the existing legislative framework. The required amendments to the existing planning policies to enable the design code to have status in the design and assessment of housing for older persons will also be detailed.

Finally, this chapter outlines the recommended contents of such a design code, by outlining specific design considerations and how those design considerations can improve the design quality of seniors housing. A number of the design considerations are also supported by diagrams and/or images illustrating how the recommended design principles could be achieved on actual development sites.

5.2 Is a design code needed?

A primary method of research used for this thesis was in-depth qualitative interviews of six people working in the seniors living development industry, including developers, architects, urban designers and council planners. These interviews were used to establish whether there is value in the development of a design code from the range of different perspectives of those involved in the day to day design and assessment of seniors housing within NSW.

Based on the responses provided by all interviewees, it is understood that there is value and an inherent need in the development of some form of a Seniors Living Design Code for NSW:

“... Yes I think it could be something which could be of benefit...” (Tregale, 2008)
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"... Yes I think it would be worthwhile because the SEPP has changed significantly for a complete overhaul... [a guide] would provide certainty to everyone, for both people assessing and designing” (Piggott, 2008)

"... Yes definitely. That’s what people use the [Residential Flat Design] Code for all the time”. (Morrish, 2008)

Whilst one interviewee supported the development of a design code if it had statutory weight, the general consensus from the range of interviewees was that the preferred from for the design code should be similar to the way the RFDC operates:

"... I think it would be good, as long as like with the RFDC it is still a guideline- it’s not a prescriptive tool...” (Hodge, 2008)

In considering the value of a design code it is necessary to evaluate whether such a document would be supported by both applicants and councils. From the perspective of councils it is believed that a design code would be a tool which established consistent minimum standards for all LGAs, as well as assists planners in assessing the design merit of applications. It would also provide council with comprehensive guidance on how to improve the design of seniors housing within their LGA. Further, the design code would be a framework that details through both words and diagrams the best practice design of seniors housing, providing council with a checklist of minimum requirements that each development must meet:

"....if we had design guidelines, particularly with diagrams, indicating here is what we are looking for, it would probably cut down on the requirement to have as many pre-lodgement meetings, or if you do have one, provide the guideline document to them and get specific about what they [the applicant] have in-front of them [being a seniors housing proposal] ” (Piggott, 2008)

From the perspective of applicants of seniors living developments, a design code is also considered of value in the certainty that it can provide to developers. For example, a design code would give clear direction on the minimum standards for all forms of seniors housing across all LGAs in NSW.
Further, if an application is designed in accordance with the design principles outlined within the design code, than the application would meet the minimum design requirements and standards for seniors housing and thus an approval from council is more likely:

“Well yeah anything that provides them with a bit more certainty, and anything that gets upfront what we’re looking for... and I think if you can provide developers and the community with what our [councils] expectations are, [by showing them] this is what we’re looking for, then it provides clarity and certainty for both sides” (Piggott, 2008)

5.2.1 Would a design code add to the complexity of planning for seniors housing?

The development and adoption of a design code as a supporting document to SEPP Seniors Living would create significant discussion amongst the development industry on whether such a document is appropriate. A potential focus of this discussion may centre on whether applicants consider that a design code adds to the complexity of planning for seniors housing.

This is discussed by Piggott (2008):

“... as much as developers like to complain about controls, they like them too because it gives them certainty and that’s a big thing for them... the developers I deal with, they whinge and whine about controls but at the end of the day they say at least we know what we’ve got to start with, and whether they want to push that or not, well that’s their decision... (Piggott, 2008)

It is noted that although a design code may be viewed as an additional layer or ‘hurdle’ for applicants to overcome prior to gaining an approval, the document could be used as a common resource for both applicants and councils. Such a document could contain established best practices in the design of senior’s accommodation, allowing applicants to base the designs of developments on the principles and guidelines contained within the document.

Council in their determination of the application would undertake an assessment of the proposal against the relevant LEP, DCP’s and REP’s, SEPP Seniors Living and any other applicable SEPP’s, as well as the principles and guidelines contained within the design code. Council would then be able to establish that the applicant has designed the proposal in accordance with the contents of the design code and thus an approval should be granted.
The design code therefore provides the opportunity to streamline the development approvals process for seniors housing.

Noting the above, it is important to recognise that the overall adoption of a design code and the weight given to such a document in councils assessment of an application is dependent on the overall quality of the document to be produced:

“... Alot of it is going to come down to the quality of what they produce. If they come up with something from an urban form outcome that generally councils don’t like, well then they’re not going to like the guideline. But if they’ve done it so that it provides quite responsive design, then it will probably provide for a better outcome and it would be easier in discussions with applicants to say you need to design in this manner” (Krzeminski, 2008).

It is essential for the design code to be prepared in a manner that provides an easy to use reference guide, with relevant and factual content. If this is not the case there is the very apparent potential for the document to be disregarded as being irrelevant, and thus the overall intent and purpose of the design code may not be realised.

5.3 Form and content of a design code

It has been established above that there is value in the development of a design code to assist in the design and assessment of seniors housing. Opinions however varied when interviewees were asked the most appropriate way for a design code to be adopted into the existing planning legislation. Whilst some agreed that the most appropriate means was as a state wide design code supporting SEPP Seniors Living, similar to the way the RFDC supports SEPP 65, other recommended approaches were identified. Options for the development of a design code include:

- **A Seniors Living Land Use Zone:** Each council in NSW identifying specific landholdings in their LGA that are suitable for seniors housing, and applying a new seniors living land use zone to those lands;

- **LGA specific Seniors Living Design Code:** Each council in NSW preparing a design code for their specific LGA as a supporting document to SEPP Seniors Living.
THE NEED FOR A DESIGN CODE?

- **State Wide Seniors Living Design Code**: A Seniors Living Design Code being developed for the whole of NSW by the Department of Planning as a supporting document to SEPP Seniors Living.

An explanation, and then an evaluation of the three options is provided below.

5.3.1 **A Seniors Living Land Use Zone**
This option involves each Council in NSW identifying specific landholdings within the LGA that are suitable for seniors housing. For instance this would generally be land free of environmental constraints including steep topography, as well as land proximate to existing village/town centres and public transport.

As part of this option, the relevant Council LEP would be updated to include a seniors living land use zone. The addition of this land use zone could occur as part of the current conversion of all existing LEPs into the standard template form. A Seniors Living DCP would then be developed for each individual LGA. This DCP would contain individual localities which correlate with the areas identified in the LEP as being suitable for seniors housing. The DCP would be developed taking account of suitable building envelopes for the identified landholdings, and would set out locality specific development objectives and controls for types of seniors housing considered suitable for that specific LGA. The contents of the DCP would be geared towards containing the objectives and better practice design guidelines that would otherwise be contained within a specific design code document.

5.3.2 **LGA Specific Seniors Living Design Code**
Similar to implementing a Seniors Living Landuse Zone, this option is based on councils taking a proactive approach to plan for housing for older people in their specific LGA. This option however involves each individual council in NSW preparing a Seniors Living Design Code as a supporting document to SEPP Seniors Living. A template design code could be produced by the Department of Planning outlining the recommended minimum contents of such a document. Use of this template by councils would then allow the preparation of an LGA specific design code taking into account the individual characteristics of that LGA.
5.3.3 State wide Seniors Living Design Code
This option involves the development of a Seniors Living Design Code by the NSW Department of Planning. This document would accompany SEPP Seniors Living, similar to the way in which the Residential Flat Design Code (RFDC) accompanies SEPP 65. The document would contain objectives and better practice design guidelines encompassing the range of issues involved in the design of seniors housing.

5.3.4 Evaluation of the three options
A seniors living land use zone can provide councils with the opportunity to identify specific landholdings within their LGA that are suitable for seniors housing. One benefit of this is that councils can determine where seniors housing should be located taking account of existing retail and community facilities, and public transport. This option would negate the need to have SEPP Seniors Living as council would have identified a suitable amount of land that can be developed to accommodate the ageing population. The removal of SEPP Seniors Living would also resolve the current issue that many councils have with the SEPP being used as a means to override local development controls.

Whilst there is some merit in this option, it is not considered the most effective means of improving the design quality and standard of seniors housing accommodation. Reasons include the potential sterilisation of landholdings that are identified for seniors housing and the overall impact that this landuse zone may have on land values. Further, this option would involve significant costs to each council, with many councils already significantly under resourced and constrained by budget requirements. It is believed this option would further add to such issues.

With respect to the development of a Seniors Living Design Code for each LGA, whilst there is some merit in this option it is again not considered the most effective means of improving the design quality and standard of seniors housing accommodation. Individual councils may not necessarily have the funds, capacity or in-house staff to undertake such a project. This would also mean that applicants have a different set of design guidelines to conform to in each different LGA. This in turn is considered to exacerbate the complexity of the planning system for developers.

On the other hand there are a number of benefits with the development of a Seniors Living Design Code at the state level.
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Key benefits include it is consistent across all LGA’s in NSW, councils are not required to allocate funds or staff resources to its development, and being prepared by the Department of Planning allows the investment of significant resources into its development.

The design codes relationship with the current legislative framework would be similar to the way in which the RFDC supports SEPP 65. This option would require the SEPP to be updated to incorporate reference to the design code. The design code would not have statutory weight, but rather would be a guide whereby if certain requirements cannot be met, and it is demonstrated that the proposal is still reasonable, than a consent can still be issued where warranted.

Overall the development of a Seniors Living Design Code at the state level, as a supporting document to SEPP Seniors Living is considered the most appropriate of the three potential options.

5.4 Structure of the design code
In the development of a Seniors Living Design Code, it is recommended that the RFDC be used as a model guide. The RFDC accompanies SEPP 65, and sets out broad parameters within which good design of residential flat buildings can occur. It does this by illustrating the use of development controls and consistent guidelines. The RFDC also provides additional detail and guidance for applying the design quality principles outlined in SEPP 65 to a specific locality.

There is a general consensus within the development industry that since the adoption of SEPP 65 and application of the RFDC, the overall quality and form of residential flat buildings in NSW has improved substantially. The RFDC is viewed as a ‘common resource’ for councils and applicants in setting minimum standards for design quality, whereby applicants design schemes according to the contents of the RFDC knowing that councils will be assessing the application against the documents contents. This therefore acts to streamline the development approvals process for residential flat buildings, whilst also providing high quality built form and residential amenity outcomes, and also a level of certainty for developers.

The development of a design code for seniors living in a similar manner to the RFDC is supported given comments from interviewees including:
The need for a Design Code?

“... I think it would [provide clarity to applicants and Council’s]. If it has the same similarity to the RFDC it would be good, because they are familiar with that document, and they understand how it works, it’s contents and what it’s used for. Having something in a similar sort of guise that people could refer to would be helpful... (Hodge, 2008)

5.4.1 Relevant design codes

As there is no design code applicable to all forms of seniors housing in any State or Territory in Australia, the recommended contents for a design code for NSW has been developed from a number of sources. These sources provide numerous objectives and better practice design guidelines that are relevant to the development of seniors housing. Accordingly, the contents of many of the documents have been repeated as the recommended contents for the Seniors Living Design Code. The reference documents used and the relevant sections within the Seniors Living Design Code that they were used for, are detailed in Table 2:

Table 2 – Reference documents used in the preparation of the Seniors Living Design Code

<table>
<thead>
<tr>
<th>Design Code Used</th>
<th>Relevant sections of Seniors Living Design Code that each design code was used in (Refer Table 3)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Seniors Living Policy: Urban Design Guidelines for Infill Development. Prepared by the former Urban Design Advisory Service (UDAS).</td>
<td>B3, B4</td>
</tr>
<tr>
<td>Creating Caring Communities: Building Design Guide. Prepared by UnitingCare Ageing NSW and ACT.</td>
<td>B3, B4</td>
</tr>
<tr>
<td>Residential Flat Design Code (RFDC). Prepared by NSW Department of Planning.</td>
<td>A1, A2, A3, A4</td>
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<tr>
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<td>B1, B2, B3, B4</td>
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<tr>
<td>Apartment Guidelines for Mixed-use and High Density Residential Developments. Prepared by ACT Planning and Land Authority.</td>
<td>B3, B4</td>
</tr>
<tr>
<td>Guidelines for Higher Density Residential Development. Prepared by the Victorian Department of Sustainability and Environment.</td>
<td>A1, A3, A4</td>
</tr>
<tr>
<td></td>
<td>B1, B2, B3, B4</td>
</tr>
</tbody>
</table>
The need for a design code?

The purpose and rationale for the development of each of the guidelines that were used as sources in the Seniors Living Design Code is detailed below.

As discussed in Chapter 4, the Seniors Living Policy was specifically developed in response to the poor development outcomes occurring on infill development sites. The Policy appears to have served that specific purpose. Whilst the Policy only deals specifically with infill development forms, it contains a number of very relevant and appropriate design principles and better practice, as well as rules of thumb for all forms of seniors housing.

The UnitingCare Ageing Building Design Guide was prepared in 2005 with the aim of supporting the development of better residential buildings for older people. The document focuses on an approach of briefing those responsible for the design of seniors housing to be owned and operated by the Uniting Church. The document focuses predominantly on residential care facilities, however does provide useful and appropriate recommendations for the better design of all forms of accommodation for older persons.

The RFDC is used in the design and assessment of residential flat buildings in NSW. The RFDC applies if seniors housing is provided in a development form of three storeys or more. It is noted that many forms of seniors housing are not three storeys, and thus the RFDC is not applicable. It does however provide a number of very suitable and appropriate general site planning and design principles that are appropriate in the design of many forms of seniors housing.

The Apartment Guidelines for Mixed-use and High Density Residential Developments, prepared by the ACT Planning and Land Authority, as well as the Guidelines for Higher Density Residential Development, prepared by the Victorian Department of Sustainability and Environment have also been used to form recommended design principles for a Seniors Living Design Code. Both documents deal with residential flat buildings, however as with the RFDC they address very relevant and appropriate site planning principles and key design aspects applicable to many forms of seniors housing.

5.5 Contents of the design code

Similar to the way in which the RFDC is structured into three main sections, it is recommended that the Seniors Living Design Code be structured at a variety of different levels.
It however is recommended that it comprise of two main sections, with each section further divided into a number of subsections. It is noted however that the three key sections within the RFDC have been included within the recommended structure of the Seniors Living Design Code. They have however been reconfigured to better reflect the range of issues concerning the design of seniors housing. The recommended structure of the Seniors Living Design Code is outlined in Table 3.

Table 3 – Recommended structure of Seniors Living Design Code

<table>
<thead>
<tr>
<th>Key Sections</th>
<th>Subsections</th>
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<tbody>
<tr>
<td></td>
<td>▪ A2: Understanding Seniors Living Development Types</td>
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<tr>
<td></td>
<td>▪ A3: The Differing Contexts of Seniors Living Developments</td>
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<td></td>
<td>▪ A4: Relationship to other design guideline documents</td>
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<td>SECTION B: DESIGN CONSIDERATIONS</td>
<td>▪ B1: Responding to Context</td>
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<td>▪ B2: Building Envelope</td>
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<td>▪ B3: Site Planning</td>
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<td>▪ B4: Building Layout and Design</td>
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It is believed that the two sections encompass the range of elements and provide the necessary clarity to the reader in identifying the key issues relevant to the design and assessment of seniors housing. The following provides an explanation of the two sections.

5.6 Section A: Overview

Section A is the background to housing for older persons and the general introduction to the design code. It would consist of four subsections. The following describes the recommended contents for each subsection and the rationale for its inclusion within the design code.

5.6.1 A1: Introduction to the design code

It is fundamental that an overall introduction to the design code be given at the beginning of the document.
The introduction should contain a variety of information including the purpose of the document, who the document will be useful for, what the document seeks to achieve and an explanation on the overall content and structure of the document. The relationship of the design code with the existing legislative framework, as well as an explanation of how to use the objectives and better practice design principles to assist in the design and assessment of seniors living developments is also essential.

5.6.2 A2: Understanding seniors living development types
Housing specifically for older people in NSW includes a range of building types, with examples including residential aged care facilities, townhouse and villa complexes, apartment buildings and also retirement villages. The range in building types necessitates the need for the design code to contain illustrations and background information on the variety of building types that constitute seniors housing. Providing this information will facilitate for the reader familiarity in the forms and types of seniors housing, and the specific design aspects applicable to each housing type.

5.6.3 A3: The differing contexts of seniors living developments
Seniors housing is proposed and constructed in a variety of different contexts including suburban, urban, rural, semi-rural and coastal locations. It is given this variety that it is necessary for the design code to provide examples of how the different forms of seniors housing can be appropriately designed to respond to the unique context of a development site. This can be achieved for instance by illustrating a development site in a rural context and how a seniors living development should respond to and relate to the unique physical and locational characteristics of that rural environment. The inclusion of such a section in the design code is considered crucial to the success and overall use of the document within the seniors living development industry.

5.6.4 A4: Relationship to other design guideline documents
It is given the similarities between some residential dwelling forms and what can constitute seniors housing that there is a need to identify in the design code what forms of development would qualify to be assessed against the Seniors Living Design Code.
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For example if seniors housing is in the form of a residential flat building of three storeys or more, than the RFDC and the design guidelines and rules of thumb contained within that code would be applicable. Whereas if any other forms of multi-unit housing is proposed that is less than three storeys, and constitutes seniors housing, than it would be covered by the Seniors Living Design Code:

“... a clear understanding of the difference between the two codes [RFDC and Seniors Living Code]. For instance, if I have a standard residential SEPP 65 building which covers all of those good design principles for normal residential or other development; if you translated that and said ok it is now an over 55’s seniors living development, what is the difference between the two... (Hodge, 2008)

5.7 Section B: Design Considerations

Section B of the design code is entitled Design Considerations. It contains the objectives and better practice design guidelines for the different design components that should be considered in the design, and also in the assessment of a seniors living development. The design considerations would relate directly with Section A of the design code, specifically ‘Understanding Seniors Living Development Types’ and ‘The Differing Contexts of Seniors Living Developments’. Each design consideration would provide diagrams and illustrations indicating how different seniors living development types would address the design consideration in different development contexts. This ensures that the range of seniors living development types and the differing contexts in which seniors housing is built, are adequately addressed within the design code.

Section B: Design Considerations of the design code is divided into a further four key sections. These sections have been determined based on the structure and overall content of the RFDC and the Victorian Guidelines for Higher Density Development. The four sections are further divided into a number of subsections addressing individual design aspects. The four sections and their subsections are detailed in Table 4.
# The Need for a Design Code?

## Table 4 – Recommended structure and contents for Section B: Design Considerations

<table>
<thead>
<tr>
<th>SECTION B: DESIGN CONSIDERATIONS</th>
<th>B1: Responding to Context</th>
<th>B2: Building Envelope</th>
<th>B3: Site Planning</th>
<th>B4: Building Layout and Design</th>
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<td>Building Height and Massing</td>
<td>Central Locations</td>
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<td>Street Setbacks</td>
<td>Street Edge Integration</td>
<td>Practicality of Dwelling Layouts</td>
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<td>Side and Rear Setbacks</td>
<td>Open Space</td>
<td>Variety in Uses</td>
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<td>Communal Spaces</td>
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<td>Practicality of Dwelling Layouts</td>
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<td>B3: Site Planning</td>
<td>Side and Rear Setbacks</td>
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The following describes the recommended contents for each of the four main sections within Part B of the design code, and their associated subsections.

5.7.1 B1: Responding to Context

An appreciation of neighbourhood character and good site analysis are key facilitators of quality seniors living developments. Understanding local context and the attributes that define the character of the neighbourhood are critical in shaping building forms that are appropriate to an area's existing character. This also ensures that housing for older people is of an appropriate form and in suitable locations.

New development should contribute to the overall character of an area, by having a good ‘neighbourhood fit’. The starting point for achieving ‘neighbourhood fit’ is an appreciation of the defining characteristics of the neighbourhood that new development could retain or reinforce.

It is recommended that the design code require each seniors living development submit a ‘Responding to Context Report’ whereby the report documents through words, photographs and/or other techniques the character of the area and identifies opportunities and constraints of the site. The report would generally address the key areas of:

- Existing or Desired Future Character
- Environment
- Subdivision
- Street details
- Building Mass and Rhythm
- Connection to the public realm
- Architectural Character

5.7.2 B2: Building Envelope

Building envelopes, being the location of buildings on their lot, their height and overall shape, can affect neighbourhood character, sunlight to adjoining buildings and open spaces, privacy and overlooking of other uses, the quality of spaces inside the building, the amenity and usability of private open spaces, and the sense of pedestrian scale and amenity in nearby streets.
It is important to identify characteristics that support the preferred neighbourhood character of an area and to derive a design response appropriate to that context. The following five sections are not specific to seniors housing, but apply to all types of building forms.

**Building Height and Massing**

Height and massing is an important design element because it has a major impact on the physical and visual amenity of a place. It can also reinforce an area’s existing character or relate to an area’s desired future character.

**Street Setbacks**

Street setbacks establish the front building line. Street setbacks create the proportions of the street and can contribute to the public domain by enhancing streetscape character and the continuity and overall expression of building facades.

**Side and Rear Setbacks**

Side and rear setbacks are important tools to ensure that the building height and distance of the building from its boundaries maintain the amenity of neighbouring sites and within the new development. Side and rear setbacks can be used to create active and passive open spaces, which contribute to the amenity of the side and rear of the buildings through landscape design.

**Relationships to Adjoining Buildings**

The proximity of buildings to each other effects the amenity of spaces inside the building, the quality of space between buildings, visual and acoustic privacy and solar access to private and shared open spaces. The challenge is to provide appropriate separation between buildings to maximise light, air and outlook while meeting strategic planning objectives and respecting neighbourhood character.

**Floor Space Ratio**

Floor Space Ratio (FSR) controls provide a guide for developers, Council staff and the community as to the allowable densities of an area. The FSR is the maximum capacity of a building, and is used in determining and controlling the maximum amount of floor space yield.
The final two sections of Section B: Design Considerations, being B3 and B4 would include a series of individual objectives and better practice design guidelines addressing the specific design aspects of each design consideration. The objectives would state what the resulting outcome should achieve, whilst the better practice design guidelines would provide some possible design solutions for achieving the objectives.

Three of these design considerations have been selected in illustrating the recommended contents that should be provided within the design code for each design consideration. The three design considerations selected to be examples include pedestrian access, practicality of dwelling layouts and visual links. These three examples are provided at Section 5.8.

5.7.3 B3: Site Planning

Site planning and design must respond to multiple challenges: providing new dwellings that feature a high level of amenity, respecting the privacy and amenity enjoyed by existing neighbouring properties; taking into account the existing character of the neighbourhood and reducing environmental impacts by minimising consumption of energy and water.

The following lists the key headings that should be taken into consideration when designing or assessing seniors housing with respect to the actual site planning and design of the scheme.

**Central Locations**

Seniors housing, in particular residential aged care facilities located among suburban housing are often hard for residents to leave and for visitors to access. There is also little street life to watch from the facility. Where available sites do not allow a central location, close to retail and commercial facilities and public transport, promote the creation of space for a separate non residential use on the edge of the development site.

**Street Edge Integration**

A buildings street edge defines public and private space. The careful design of this street edge zone will contribute to the liveliness, interest, comfort and safety of the street for those who use it.
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Open Space

Open space is a critical environmental resource as well as ‘breathing space’ for seniors living developments. The size, location and design treatment of open space will vary depending on the context of the site and the scale of development. The primary function of open space is to provide amenity in the form of landscape design, daylight access and natural ventilation to dwellings, visual privacy and opportunities for recreation and social activities.

Landscape Design

Landscape and buildings can operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for occupants and the adjoining public domain. Landscape design builds on the existing site’s natural and cultural features to contribute to a developments positive relationship to its context and site. Landscape design should optimise useability, privacy and social opportunity, equitable access and respect for neighbour’s amenity.

Safety

The design of housing for older persons has an impact on perceptions of safety and security, as well as opportunities for crime. Dwellings that provide safe ground level entry and exit at all times of the day and night will minimise opportunities for crime. Safety by design enables casual surveillance, reinforces territory, controls access and manages space.

Building and Service Entries

Building entries are important points of activity in the street. They support the identity of buildings as well as provide access to buildings. They may occur as entries to individual dwellings or share entries to multiple dwellings. A variety of activity is associated with entries including resident access, deliveries and visitor access. In addition to ‘front doors’ there are garage and car park entries. Service entries should be located to subdue their presence, especially on major pedestrian streets and shopping areas. The primary and secondary roles of different entries should be clearly identifiable.

Pedestrian Access (Example No. 1 in Section 5.8)

Design for pedestrian access focuses on delivering high quality, safe and pleasant walking environments. It is person-centred rather than vehicle-centred.
Pedestrian access should also be equitable to provide a barrier-free environment where all people who live in and visit the development can enjoy the public domain, and can access all dwellings and communal use areas. Pedestrian access is particularly important for seniors housing given the potential frail nature of many older persons.

**Vehicular Access**

Vehicle access is the ability for cars and maintenance and service vehicles to enter and exit the development. The location, type and design of vehicle access points to a development will have significant impacts on the streetscape, the site layout and the building facade. It is important that vehicle access is integrated with site planning from the earliest stages to balance any potential conflicts with streetscape requirements and traffic patterns, and to minimise potential conflicts with pedestrians.

**Parking**

Despite its preferred location near existing town centres and public transport facilities, many forms of seniors housing will require car parking. Accommodating parking on site either underground or on-grade has a significant impact on the site layout, landscape design, deep soil zones and stormwater management. The amount of parking provided is relative to the size of the development, however parking provision should also be considered relative to the needs of the residents and in relation to the local context.

**Site Services**

Site services and related enclosures (for waste disposal and recycling, water and energy metering and emergency services) are necessary elements in any development. It is important however, that these elements are assimilated in a subdued way into the design while still meeting the size and location requirements of service authorities.

**5.7.4  B4: Building Layout and Design**

Amenity within any seniors living development depends on key factors like privacy, safety and security, and the useability and attractiveness of the living environment. Typically people who move into housing designed specifically for older persons are changing from one type of housing to another. Many are downsizing from larger, detached dwellings.
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Therefore a key consideration for the planning and design of these developments is maintaining a high standard of amenity for multiple dwellings within the constraints of the development site.

The following lists the key headings that should be taken into consideration when designing or assessing seniors housing with respect to Building Layout and Design.

**Building Layout**

The arrangement and configuration of different internal spaces and uses has a significant impact on the amenity, function and overall accessibility of those spaces. Seniors housing is normally smaller than other forms of housing and thus the careful use of space is critical in creating well laid out, efficient and comfortable living environments.

**Practicality of Dwelling Layouts (Example No. 2 in Section 5.8)**

The usefulness of dwellings can be reduced by room sizes and shapes that are too small in relation to their intended uses; by having too many doors into rooms making them difficult to use; by poor connections between related rooms or a lack of separation between others. These problems may significantly reduce the flexibility of their use and detrimentally affect their long term value.

**Variety in Uses**

The incorporation of retail space, cafes or restaurants into senior’s developments increases visual and physical connections between the development and the public domain, and brings life into a development. The ideal location of retail space, cafes or restaurants is at a point where there is a hub of activity preferable at ground floor level. For instance a cafe that opens out to the street allows residents to see street life and makes for easier use by the general public, which can be socially and financially advantageous for the cafe. These spaces also provide for communal meeting areas for residents, as well as residents and their visitors. Overall, inclusion of a variety of uses enables parts of a facility to be used by people from the surrounding neighbourhood.

**A series of spaces around the entry**

Perimeter walls, inaccessible gardens and other buffer spaces deter the public from entering seniors living development and cut residents off from street life.
To residents there is also a need to be able to control the extent to which the public can come into their home. If seniors housing, in particular residential care facilities are to support interaction with the wider community, there needs to be a range of levels to which a resident can participate in the wider community and to which a member of the public can enter. This is achieved by a series of appropriately designed semi-public spaces around the entry to a seniors living development.

**Communal Spaces**

Communal spaces can provide residents with passive and active recreational opportunities, and provides space where residents can congregate and interact. Communal spaces can be both indoor and outdoor spaces, and can range from communal swimming and barbecue facilities, to a dining hall or lounge and TV room. It however is fundamental that common or shared spaces are functional and attractive for their intended users.

**Visual Links (Example No. 3 in Section 5.8)**

As residents are increasingly less mobile, a view of the street is often even more important than physical access to it. Windows looking onto a street, verandahs that allow residents to see passing life, and garden terraces that allow a view of life outside all contribute to residents retaining a connection with the area in which they are living.

**Points of Reference**

Points of reference or landmarks are useful design techniques in residential aged care facilities and hostel facilities. They can be any item that is visible from different parts of a building and/or facility and thus provides orientation. They assist residents identifying where they are in a building and provide an orientation to specific areas, such as knowing that a bedroom is opposite a particular item. Landmarks can include trees, courtyards, artworks, distinctive pieces of furniture for example. It is however a problem is these landmarks are too institutional, such as large corporate emblems.

**Facades**

Facades are the external face of buildings in the public realm and within a site. Their architectural quality contributes to the character and design of the public domain.
The composition and detailing of the building facade has an impact on its apparent scale as well as its appearance. The pattern or rhythm established by the proportions of the facade, the modulation of the external walls, the design of facade elements, their materials and their detailing are all important considerations.

**Reduce institutional appearance**

Housing for older people, in particular residential aged care facilities can become institutional by virtue of both aesthetic choices and the way buildings function socially. The relationship that a facility has to buildings in the surrounding area has a large impact on the extent to which it fits into the neighbourhood. Integration into a neighbourhood can be more easily achieved when a centre is broken down into a series of smaller connected forms that match the scale of the surrounding buildings.

**Energy Efficiency**

The ability of a seniors living development to optimise thermal performance, thermal comfort and daylighting will contribute to the energy efficiency of buildings, provide increased amenity to occupants and reduce greenhouse emissions, and with the cost of supplying energy.

**Storage**

Adequate storage is important in smaller dwellings where space for large furniture such as wardrobes is limited. Providing storage space for items ancillary to peoples living needs is particularly important in seniors living developments where dwelling sizes and configurations may be constrained.

**Roof Forms**

The design of the roofs of buildings has a significant impact on the appearance and integration of a seniors living development with its surroundings. The type, shape, materials and details of a roof’s design can significantly affect views to and beyond buildings.

**5.8 Recommended content for each Design Consideration**

As discussed above, three design considerations have been selected as examples to illustrate the recommended contents that should be provided for each design consideration outlined in B3 and B4. The three design considerations chosen as examples include:
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- B3- Pedestrian Access
- B4- Practicality of Dwelling Layouts
- B4- Visual Links

**Example No. 1: Pedestrian Access**

Design for pedestrian access focuses on delivering high quality, safe and pleasant walking environments. It is person-centred rather than vehicle-centred. Pedestrian access should also be equitable access, which provides a barrier-free environment where all people who live in and visit the development can enjoy the public domain, and can access all dwellings and communal use areas.

**Objectives:**

- To promote seniors living developments that are well connected to the street and contributes to the accessibility of the public domain.
- To ensure that all residents and their visitors are able to gain pedestrian access to all residential dwellings and communal spaces via minimum grade ramps, paths, access ways or lifts.
- To promote safe and distinct pedestrian routes to all dwellings and communal facilities.

**Better Practice Design Guidelines:**

- Follow the accessibility standard set out in Australian Standard AS 1428.
- For residential care facilities and hostels, refer to the Commonwealth Age Care Accreditation Standards and the Building Code of Australia.
- Provide Seniors Housing on flatter land where proposed roadways and adjoining footpaths do not result in a grade of more than 1 in 10.
- Provide high quality accessible routes to public and semi-public areas of the building and the site, including major entries, lobbies, communal open space, site facilities, parking areas, public streets and internal roads.
- Maximise the number of dwellings with individual street address.
- Provide distinct and separate pedestrian and vehicular circulation on the site. Where this is not possible, driveway/pedestrian paths should be wide enough to allow a vehicle and a wheelchair to pass safely.
- Consider the provision of semi-public through site pedestrian accessways in large development sites.
1(a) - Inappropriate location of seniors housing on land that results in road and footpath gradients that are not conducive to the movement patterns of all older people at Castle Hill, Sydney.

1(b) - Inappropriate location of seniors housing on land that results in road and footpath gradients that are not conducive to the movement patterns of all older people at Castle Hill, Sydney.

1(c) - Locate seniors housing on land where the resulting gradient of roads and footpaths is less than 1 in 10; Woonona, Wollongong

1(d) - Locate seniors housing on land where the resulting gradient of roads and footpaths is less than 1 in 10; Kincumber, Central Coast

1(e) - Separate pedestrian and vehicle access

1(f) - Separate paths of generous width are preferable to shared pedestrian/vehicular accessways. In either case, adequate buffering between dwellings and pedestrian paths or driveways should be considered.

[Source: UDAS 2004, Seniors Living Policy, pg 13]
Example No. 2: Practicality of Dwelling Layouts

The usefulness of dwellings can be reduced by room sizes and shapes that are too small in relation to their intended uses; by having too many doors into rooms making them difficult to use; by poor connections between related rooms or a lack of separation between others. These problems may significantly reduce the flexibility of their use and detrimentally affect their long term value.

Objectives:

- To ensure the spatial arrangement of dwellings is functional and well organised.
- To ensure dwelling layouts provide high standards of residential amenity.
- To maximise the environmental performance of dwellings.

Better Practice Design Guidelines:

- Maximise the number of accessible and adaptable dwellings.
- Design dwellings which respond to the natural and built environments and optimise site opportunities by:
  - Providing private open space in the form of a balcony, a terrace, a courtyard or a garden for every dwelling.
  - Orientating main living space toward the primary outlook and aspect and away from neighbouring noise sources or windows.
  - Locating main living spaces adjacent to main private open space.
  - Maximising opportunities to facilitate natural ventilation and to capitalise on natural daylight.
  - Ensure dwelling layouts and dimensions facilitate furniture removal and replacement.

2(a) - Examples of dwelling layouts appropriate for seniors housing [Source: RFDC 2004, DIPNR, 2002: 67]
Examples No. 3: Visual Links

As residents are increasingly less mobile, a view of the street is often even more important than physical access to it. Windows looking onto a street, verandahs that allow residents to see passing life, and garden terraces that allow a view of life outside all contribute to residents retaining a connection with the area in which they are living.

Objectives:

- To allow an outlook to and surveillance of the street.
- To contribute to the safety of the public domain.
- To maximise outlook and views from principal rooms and private open space without compromising visual privacy.

Best Practice Design Guidelines:

- Improve opportunities for visual links by:
  - Maximising the number of dwellings with living areas and private open space that orientate over public or communal spaces.
  - Using bay windows and balconies, which protrude beyond the main facade and enable a wider angle of vision to the street and communal spaces.
  - Using corner windows which provide oblique views to the street and communal spaces.
- Optimise the visibility, functionality and safety of dwelling and building entrances by:
  - Orientating entrances towards the public street or communal spaces
  - Providing clear lines of sight between entrances, foyers, communal spaces and the street.
5.9 Independent Seniors Living Assessment Panel

Design review panels were established for Council’s as part of the introduction of SEPP 65 and the RFDC. Similar to the manner in which the design panels operate, it is recommended that independent seniors living assessment panels be established to support the role of the Seniors Living Design Code. These panels however should not be established for each LGA, but rather a panel should be established for a particular region. For example a panel would be established for the North-West Subregion as identified in the Metropolitan Strategy. For areas not located within a subregion as identified in the Metropolitan Strategy, a panel should be established for that specific areas broader region, for example Illawarra, Central Coast, Newcastle etc.

The panel would be an independent panel and would consist of a range of people working in the different areas of the seniors living development industry. Recommended organisations to be included on such a panel include representatives from councils, for profit and not for profit development organisations, the Department of Planning, and the Retirement Villages Association for example.

The purpose of the panel is to provide applicants of developments of $20 million or greater with the opportunity to decide whether they would like to have their application assessed by the local council or by the independent seniors living panel. The provision of a panel would allow larger scale developments, generally those of a higher quality and overall standard which are provided by established for profit and not for profit organisations to seek approval from an alternative consent authority other than council. Naturally, councils perspective on the development should be sought, however the independence of the panel and the inclusion of panel members from a variety of different backgrounds would ensure that there would be no bias or pro-development attitude. Likewise the makeup of the panel would ensure that it did not have an anti-development attitude.

There are numerous benefits to the establishment of a panel. These include:

- It takes pressure off local councils by freeing up staff who otherwise would be assessing the development applications.
- Provides the opportunity to fast track the approval of housing for seniors that otherwise may have been stalled in the generally lengthy assessment process of councils.
The overall design rationale and philosophy of the scheme is likely to be clearer to panel members, than local council’s who generally raise issues with minor details of the proposal.

Panel members will have extensive experience with seniors living projects and are therefore likely to require a higher level of design quality in certain aspects of the development that councils may not have a thorough understanding of.

5.10 Conclusion
This chapter demonstrated the inherent need for the development of a design code containing better practice design guidelines for seniors living developments. In particular it established that the development of a design code as a supporting document to the SEPP would be a valuable guide in establishing best practice in the design of seniors housing. Further, it demonstrated that such a guide would assist councils in the assessment of seniors living applications.

This chapter also discussed the three potential options for the development of a design code, and subsequently evaluated each option. It was following this that the chapter detailed the recommended structure and contents of the preferred option, being a Seniors Living Design Code for the whole of NSW as well as its relationship with the existing legislative framework.
6 CONCLUSION

6.1 Recommendations

There are a number of recommendations arising out of this thesis. These can be classified under three headings:

- Amendments to SEPP Seniors Living.
- Development of a Seniors Living Design Code.
- Establishment of an Independent Seniors Living Assessment Panel.

6.1.1 Amendments to SEPP Seniors Living

As discussed in Chapter 4 there are a number of issues with SEPP Seniors Living, being the principal planning policy that governs seniors housing in NSW. Numerous amendments to the SEPP are therefore required. These include:

- The removal of Clause 50 (b) from the SEPP. Clause 50 (b) relates to density and scale being a standard that cannot be used as grounds to refuse development consent if a proposal for self contained dwellings has a floor space ratio of 0.5:1 or less. All other standards for self contained dwelling shall remain unchanged. Similarly, all standards for residential aged care facilities and hostels shall remain unchanged. The removal of the standard ensures that developments in rural locations cannot rely on achieving an FSR of 0.5:1 in accordance with the SEPP, but rather must rely on the FSR control contained within a local planning policy. Removal of this standard will ensure that developments of an inappropriate scale and bulk do not occur in rural locations.

- The further development of the Design Principles concerning all forms of seniors living development at Clauses 33 to 39. These design principles are to be further developed to be firm principles with a clear indication of the intent of the specific design element. They are to be written in a manner that will not result in them being viewed as motherhood statements. Further, they are to be written in a manner that will allow applicants to specifically address them in an application to Council, as well as be written in a way that will allow council to include them as a component of the development assessment report.
6.1.2 Development of a Seniors Living Design Code

A Seniors Living Development Code should be developed by the NSW Department of Planning. The code would support SEPP Seniors Living with the aim of improving the design quality of seniors living developments in NSW. The code would play a role similar to the RFDC and how it is a guideline document that supports the design of residential flat buildings. The code would provide greater certainty in respect to acceptable development standards for proponents and a clearer basis for assessment at the pre-application and development application stages.

The Design Code should be developed taking account of the recommended structure and design considerations as outlined in Chapter 5.

It is also recommended that within the Design Code there is a clause which states that the document must be reviewed and updated/refined where necessary a maximum of six years from the date of its adoption. This will ensure that the design code remains up to date with the changes that will occur in best practice standards for the design of seniors housing.

6.1.3 Establishment of an Independent Seniors Living Assessment Panel

As outlined in Section 5.9 it is recommended that a number of Independent Seniors Living Assessment Panels be established concurrently with the adoption of the Seniors Living Design Code. These panels would be established for particular regions of NSW, such as the Illawarra, Central Coast or Newcastle for example.
The intent of the panel is to provide applicants of developments of $20 million or greater with the opportunity to decide whether they would like to have their application assessed by the local council or by the independent seniors living panel. Generally developments of this value are of a higher design quality and thus the panel provides the opportunity to fast track the approval of housing for seniors that otherwise may have been stalled in the often lengthy local government assessment process.

6.2 Final Conclusions

The Australian population is ageing at an unprecedented rate. Increased longevity, falls in fertility and the maturing of the baby boomer generation is significantly changing the age composition of Australia. It is expected that by 2051 the over 65 population will increase more than threefold from 2.6 million in 2004, to an enormous 9 million by 2051. For Australians aged 85 and over, the growth is even more rapid with it estimated that by 2051 this age cohort will increase ninefold from 300,000 in 2004 to a staggering 2.7 million (ABS Population Projections, 2004).

This imminent escalation in the number of older people in Australia is largely a result of the ageing of the ‘baby boomers’, being defined by high marriage, birth and immigration rates during the twenty year period of 1946-1965 (Murray, 2008). The baby boomers are Australia’s largest demographic cohort, and present severe and wide ranging implications for built environment professionals, particularly in ensuring that new housing provides accommodation options that meet the unique physical and emotional needs of older people.

Accommodation for older people has improved significantly from the highly institutional forms which were developed during the 1970s and 1980s. It however has been established that there are still limited housing options that provide a good balance between retaining older people’s independence, keeping older people close to their family, friends and neighbours and ensuring an appropriate level of care and support is provided (AHURI, 2003).

This thesis has established that design plays a fundamental role in how older people interact with one another and their community, as well as in promoting successful ageing. The design of individual dwellings, neighbourhoods and whole communities influences the characteristics, attitudes, perceptions and the culture of the aged population.
It however is apparent that our urban environments, and specifically housing for older people are not always designed taking into account the value and importance of design and how appropriate design can improve and enhance quality of life for older persons.

Government policies and initiatives have the ability to encourage design quality in the provision of housing for older persons. Within NSW there are two key documents that govern the design and assessment of seniors housing, being SEPP Seniors Living, and the supporting Seniors Living Policy: Urban Design Guidelines for Infill Development.

SEPP Seniors Living has a lengthy history of amendments and reforms since its adoption as SEPP 5 in 1982, and those who work in the seniors living development industry, either in the design or subsequent assessment of seniors living developments, have varying opinions on the contents and overall quality of the SEPP. It has however been established that the SEPP is not sufficient in providing guidance to applicants or in assisting Councils in the assessment of applications from a design merit perspective. In particular, the design principles at Clauses 33 to 39 of the SEPP are motherhood statements and lack adequate and sufficient detail. Further, Clause 50(b) relates to density and scale being a standard that cannot be used as grounds to refuse development consent if a proposal for self contained dwellings has a floor space ratio of 0.5:1 or less. This standard however results in urban development forms of an inappropriate bulk and scale occurring in rural localities.

The Seniors Living Policy was developed by the former Urban Design Advisory Service as a supporting document to SEPP Senior Living to address a specific problem; that being the overall poor development outcomes that were occurring on infill development sites. The Policy appears to have achieved its purpose in assisting applicants in the design of infill development, as well as assisting Councils in their assessment of infill applications. The Policy however was prepared in 2004 and is based on the first version of SEPP Seniors Living, which has since undergone two substantial amendments. Accordingly, it is not up to date with the contents of the SEPP which it supports. Further, the Policy only deals with infill development and thus cannot be used as a guideline in the design and assessment of other forms of seniors housing. There is therefore no guideline document for applicants or Councils when designing or assessing seniors living applications other than infill development in existing urban areas.
Accordingly, in best addressing the inherent lack of a design guideline that promotes the best practice design of seniors housing, it is recommended that a Seniors Living Design Code be developed. Such a design code would draw on the established importance and value of design as outlined in Chapter 2 by Seeman, Cannuscio et al., and Kochera et al.

The design code would address the range of seniors living building typologies and their varied development contexts, as well as contain better practice design guidelines in the design of seniors living developments. The code would play a role similar to the RFDC and how it supports the design of residential flat buildings. The intent of the code would be to provide greater certainty in respect to acceptable development standards for proponents and a clearer basis for assessment at the pre-application and development application stages.

It is believed that through the development and implementation of a Seniors Living Design Code, as well as the adoption of the above recommendations that NSW will be able to adequately plan for and accommodate for the housing needs of an ageing population.
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APPENDIX 1

Division 2 of SEPP Seniors Living

Clause 33: Neighbourhood Amenity and Streetscape

The proposed development should:

(a) recognise the desirable elements of the location’s current character (or, in the case of precincts undergoing a transition, where described in local planning controls, the desired future character) so that new buildings contribute to the quality and identity of the area, and

(b) retain, complement and sensitively harmonise with any heritage conservation areas in the vicinity and any relevant heritage items that are identified in a local environmental plan, and

(c) maintain reasonable neighbourhood amenity and appropriate residential character by:
   (i) providing building setbacks to reduce bulk and overshadowing, and
   (ii) using building form and siting that relates to the site’s land form, and
   (iii) adopting building heights at the street frontage that are compatible in scale with adjacent development, and
   (iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and

(d) be designed so that the front building of the development is set back in sympathy with, but not necessarily the same as, the existing building line, and

(e) embody planting that is in sympathy with, but not necessarily the same as, other planting in the streetscape, and

(f) retain, wherever reasonable, major existing trees, and

(g) be designed so that no building is constructed in a riparian zone.

Clause 34: Visual and Acoustic Privacy

The proposed development should consider the visual and acoustic privacy of neighbours in the vicinity and residents by:
(a) appropriate site planning, the location and design of windows and balconies, the use of screening devices and landscaping, and
(b) ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.

Clause 35: Solar Access and Design for Climate

The proposed development should:

(a) ensure adequate daylight to the main living areas of neighbours in the vicinity and residents and adequate sunlight to substantial areas of private open space, and
(b) involve site planning, dwelling design and landscaping that reduces energy use and makes the best practicable use of natural ventilation solar heating and lighting by locating the windows of living and dining areas in a northerly direction.

Note. AMCORD: A National Resource Document for Residential Development, 1995, may be referred to in establishing adequate solar access and dwelling orientation appropriate to the climatic conditions.

Clause 36: Stormwater

The proposed development should:

(a) control and minimise the disturbance and impacts of stormwater runoff on adjoining properties and receiving waters by, for example, finishing driveway surfaces with semi-pervious material, minimising the width of paths and minimising paved areas, and
(b) include, where practical, on-site stormwater detention or re-use for second quality water uses.

Clause 37: Crime Prevention

The proposed development should provide personal property security for residents and visitors and encourage crime prevention by:

(a) site planning that allows observation of the approaches to a dwelling entry from inside each dwelling and general observation of public areas, driveways and streets from a dwelling that adjoins any such area, driveway or street, and
(b) where shared entries are required, providing shared entries that serve a small number of dwellings and that are able to be locked, and
(c) providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door.

Clause 38: Accessibility

The proposed development should:

(a) have obvious and safe pedestrian links from the site that provide access to public transport services or local facilities, and
(b) provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors.

Clause 39: Waste Management

The proposed development should be provided with waste facilities that maximise recycling by the provision of appropriate facilities.