



## NSW MACA Housing Choices Position Statement - 30 April 2024

### Summary

#### The Issue

NSW MACA believes that older people have the right to choose where and how they live in housing which suits their choices and needs. Older people in NSW are defined as people aged 60 years and over or 50 years and over for Aboriginal and Torres Strait Island people. The NSW Government is embarking on a large-scale review of Housing Policy, including housing design and planning controls. NSW MACA is concerned that the needs of older people have not been sought or considered in the development of Housing Policy and other related policies such as the adoption of the *Livable Housing Design Standards* in the new National Construction Code (NCC).

#### The Context

Three quarters of older people live in a home they own with no mortgage<sup>1</sup>, some receiving in-home care services to assist them to remain in their homes and communities with which they are familiar and comfortable. Some may require modifications to their homes as they age, such as adding ramps and grab rails. An estimated 5.7% of older people live in Retirement Villages.<sup>2</sup> Well-designed and adaptable housing is the key to enabling people to age-in-place. Government investment in accessible and adaptable housing, including home modifications, is far more cost effective than residential aged care or keeping people in hospitals because their housing does not enable their care needs to be met.

#### Older persons' experience

As the population ages, more people will choose to remain at home rather than move to residential aged care. Older people need to have housing that is designed to allow them to age in place, supported by a network of accessible and affordable services in a liveable community.

#### Age-Friendly Communities

Age-friendly communities are those where the environment outside the home supports the participation of older people. The *Ageing Well in NSW Seniors Strategy 2021-2031* commits the government to work to improve the built environment to make it more age-friendly.

#### Ageing in place

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<sup>1</sup> AIHW, <https://www.aihw.gov.au/reports/older-people/older-australians/contents/housing-and-living-arrangements>, June 2023

<sup>2</sup> AHURI, <https://www.ahuri.edu.au/sites/default/files/documents/2022-11/AHURI-Final-Report-392-Business-models-consumer-experiences-and-regulation-of-retirement-villages.pdf>, December 2022



The *NSW Seniors Strategy* does not clearly make ageing in place a focus. Ageing in place allows older people to remain socially connected, access existing social networks and utilise familiar services. The desire to 'age in place' is often hindered by the inappropriateness of a person's house as they age, including ongoing maintenance and adaptability of the design.

### **Home Modifications**

Home modifications are changes made to the home environment to help people to be more independent and safer in their own home and reduce any risk of injury to them, to their family carers or care workers. Home modifications assist people with disability and older people with aged-related disabilities to be more independent and may reduce the need for ongoing assistance.<sup>3</sup>

### **Retirement Villages**

Retirement Villages are an important component in the housing choice mix for older people. They can provide an opportunity to remain in the local community, whilst providing access to a range of amenities, services, and social connections. The MACA seeks to contribute to the upcoming consultations on the Retirement Village Act to ensure that changes are effectively communicated to older residents.

### **Private rental**

MACA is concerned about the growing number of older people in private rental, which is increasingly unaffordable for people on fixed incomes/pensions.

### **Action Required - MACA requests the NSW Government:**

1. Support the development of age-friendly communities through explicit funding programs for footpaths, way finding, and other facilities which include dementia friendly design principles and are based in universal design
2. Consider the specific housing needs of older people including smaller and single person households and multi-generational households in the NSW Housing strategy, actively seeking MACA input
3. Ensure planning controls allow a range of dwelling types to provide diversity of housing choices so people can stay in their community
4. Adopt the Silver Standard (at the minimum) in the National Construction Code for the *Livable Housing Design Standards* in all new residential buildings
5. Develop an explicit Ageing-in-Place policy that is implemented across whole of government's infrastructure in Health, Transport, and Housing
6. Initiate dialogue with the Commonwealth Government to scale up the Home Modifications program, enabling older homeowners and people with physical disabilities to modify their homes to stay in place
7. Confirm Government priorities for the Retirement Village sector including the scope of formal review in 2024, consultation processes and review of how MACA and other relevant stakeholders can effectively contribute.

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<sup>3</sup> HMinfo Clearinghouse, <https://www.homemods.info/home-mods>, 2024

## MACA Position Statement on Housing Choices for older people

### The Background

#### The Issue

NSW MACA believes that older people have the right to choose where and how they live in housing which suits their choices and needs. The NSW Government is embarking on a large-scale review of Housing Policy, including housing design and planning controls to address the acute rental and home ownership crisis as well as the increasing number of homeless older people. NSW MACA is concerned that the needs of older people have not been sought or considered in the development of the Policy.

*While there are references to older people and people with disability in existing housing initiatives and policies, and references to housing in ageing and disability strategies, a clear and coordinated approach is lacking. The longstanding and unresolved issues in relation to the paucity of accessible housing in NSW provides a useful and timely example, particularly in light of the continuing and projected growth in the ageing and disability populations.<sup>4</sup>*

#### The Context

Three quarters of older people live in a home they own with no mortgage<sup>5</sup>, some receiving in-home care services to assist them to remain in their homes and communities with which they are familiar and comfortable. Some may require modifications to their homes as they age, such as adding ramps and grab rails. An estimated 5.7% of older people live in Retirement Villages.<sup>6</sup> Well designed, and adaptable housing is the key to enabling people to age-in-place.

A key principle in the NSW Seniors Strategy focuses on ‘enabling people to live in their home and community’:

*‘Where we have the option and ability to age in place or live in an environment that is safe and suits our needs: we want homes and services that enable continued mobility, help us remain independent and are in a community we choose.’<sup>7</sup>*

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<sup>4</sup> NSW Ageing and Disability Commission, Housing issues for people with disability, older people and carers in NSW, June 2023

<sup>5</sup> AIHW, <https://www.aihw.gov.au/reports/older-people/older-australians/contents/housing-and-living-arrangements>, June 2023

<sup>6</sup> AHURI, <https://www.ahuri.edu.au/sites/default/files/documents/2022-11/AHURI-Final-Report-392-Business-models-consumer-experiences-and-regulation-of-retirement-villages.pdf>, December 2022

<sup>7</sup> NSW Ageing and Disability Commission, Housing issues for people with disability, older people and carers in NSW, June 2023

## Older persons' experience

As the population ages, more people will choose to remain at home rather than move to residential aged care. Older people need to have housing that is designed to allow them to age in place.

## Age-Friendly Communities

The World Health Organisation's [Age Friendly Cities Guide](#) describes age-friendly communities as places in which older people, communities, policies, services, settings and structures work together in partnership to support and enable us all to age well. An age-friendly community is one that:

- recognises the great diversity among older people
- promotes their inclusion and contribution in all areas of community life
- respects their decisions and lifestyle choices, and
- anticipates and responds to age-related needs and preferences.

In NSW, many councils have developed Ageing/Inclusion Strategies to address the needs of older people. As the population ages there will be more people with dementia living in the community. Dementia-friendly elements will need to be designed into community infrastructure that are focused on reducing the discrimination people and families encounter across public and private sectors.

The NSW Ageing Well in NSW: Seniors Strategy 2021-2031<sup>8</sup> commits the NSW government to:

- work to improve the built environment so older people can live in and enjoy environments that include open spaces, buildings, green infrastructure, natural shade, comfortable walkways, and rest areas, all of which are accessible, safe and easy to navigate
- continue to improve transport systems so older people can get out and about independently, using a range of affordable, accessible transport services
- work towards increased housing options for older people that are age appropriate, affordable, accessible and close to transport, recreation and community services.

## Ageing in place

The recent inquiry into *Homelessness amongst older people aged over 55 in New South Wales* by the Legislative Council Standing Committee on Social Issues found that the NSW Seniors Strategy does not clearly make ageing in place a focus and recommended the implementation of an explicit policy<sup>9</sup>.

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<sup>8</sup> Ageing Well in NSW: Seniors Strategy 2021-2031

<sup>9</sup> NSW Ageing and Disability Commission, [Housing issues for people with disability, older people and carers in NSW](#), June 2023

*Ageing in place* allows older people to remain socially connected, access existing social networks and utilise familiar services. The desire to ‘age in place’ is often hindered by the inappropriateness of a person’s house as they age, including ongoing maintenance and adaptability of the design.

### **Accessible housing design**

From 1 October 2023, the National Construction Code requires all new housing to meet the *Livable Housing Design Standards*<sup>10</sup>. NSW has not committed to adopt this standard. It is the only State apart from Western Australia to not commit to ensuring that all new homes are accessible for everyone.

Mandatory accessibility standards will ensure greater access to appropriate housing support choices for older Australians. Ensuring older people’s housing is accessible, safe and appropriate means that injuries at home are minimised and the demands on the health and welfare sector, home-care, and residential aged-care are reduced.<sup>11</sup>

The ABS estimates that between 2016 and 2041, the NSW population aged 64 years and under is forecast to grow by 32%; however, the 65 year and over population is expected to grow at a much faster pace (66%)<sup>12</sup>.

### **Home Modifications**

Home modifications are changes made to the home environment to help people to be more independent and safer in their own home and reduce any risk of injury to themselves, their family carers or care workers. Modifications to the home include changes to the structure of the dwelling, e.g. widening doors, adding ramps, providing better accessibility, and the installation of assistive devices inside or outside the dwelling, e.g. grab rails, handrails, lifts to name a few. Home modifications assist people with disability and older people to be more independent and may reduce the need for ongoing assistance.<sup>13</sup>

Furthermore, home modifications can provide informal/family carers greater opportunities to work outside the home, which assists human capital in the workforce<sup>14</sup>.

The main programs for older people are as follows:

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<sup>10</sup> Australian Network on Universal Home design [Australian Network for Universal Housing Design – The homes we build today should be fit for all of tomorrow’s Australians \(anuhd.org\)](https://www.anuhd.org/)

<sup>11</sup> Building Better Homes [Older Australians \(buildingbetterhomes.org.au\)](https://www.buildingbetterhomes.org.au/)

<sup>12</sup> NSW Ageing and Disability Commission, [Housing issues for people with disability, older people and carers in NSW](#), June 2023

<sup>13</sup> HMinfo Clearinghouse, <https://www.homemods.info/home-mods>, 2024

<sup>14</sup> NSW Ageing and Disability Commission, [Housing issues for people with disability, older people and carers in NSW](#), June 2023

- Commonwealth Home Support Program (Federal) – home modifications up to \$10,000 for people with low level needs who own their own home or live in private rental.
- Home Care Packages (Federal) – home modifications for people with higher needs who live in their own home or private rental.<sup>15</sup>
- Department of Veterans Affairs Rehabilitation Appliances Program (Federal) – home modifications for veterans.<sup>16</sup>
- Department of Communities and Justice (NSW) – home modifications for public housing tenants.<sup>17</sup>

There is a range of home modifications assistance available to younger people with a disability, including Enable NSW Safe and Supported at Home (SASH) initiative<sup>18</sup> and the National Disability Insurance Scheme (NDIS).

In practice, people living in private rental accommodation find it difficult to have home modifications undertaken. Their landlord has to approve minor or major modifications and may be reluctant to let the work be completed.

The Federal Government is undertaking major reforms to aged care and will create a Support at Home Program from July 2025. As part of this, a specific Assistive Technology and Home Modifications Scheme will be established. The Federal Department of Health and Aged Care intends to trial the scheme with Enable NSW next year. This is an opportunity for the NSW government to assist people to make modifications to their homes (including private rental) to allow them to age in place.

## Retirement Villages

Retirement Villages are an important component in the housing choice mix for older people. They can provide an opportunity to remain in the local community, whilst providing access to a range of amenities, services, and social connections. Based on the 2017 data, in NSW:

- there were 853 villages managed by 267 operators
- the average entry age was 75 and average resident age of 80 with 55,000 residents
- not-for-profit operators comprised 1/3 of the sector with smaller for-profit organisations amounting for 2/3.

The *Inquiry into the NSW retirement village sector (2017)* and subsequent recommendations have facilitated a number of important changes to rights and

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<sup>15</sup> My Aged Care, <https://www.myagedcare.gov.au/aged-care-services/changes-to-my-home>

<sup>16</sup> DVA, <https://www.dva.gov.au/get-support/health-support/care-home-or-aged-care/services-support-you-home/aids-equipment-and-modifications-through-rehabilitation-appliances-program-rap>

<sup>17</sup> DCJ, <https://www.facs.nsw.gov.au/housing/living/maintenance/modification-request>

<sup>18</sup> Enable NSW, <https://www.enable.health.nsw.gov.au/services/home-modifications-sash>

safeguards for residents of villages. The survey results indicate that an ongoing commitment to promote and educate consumers on these reforms, including dispute handling procedures, entry and exit fees and legal obligations is required.

The relevant legislation is the *Retirement Villages Act 1999 No 81 (Current version for 14 July 2023)*. A major review was undertaken in 2017 and there were 17 recommendations made primarily around improving the transparency of contracts and enlarging the role NSW Fair Trading plays to enforce legislation and intervene more effectively in disputes.

It is noted that the Department of Fair Trading is undertaking an evaluation in particular in relation to:

- Enabling resident access to exit entitlement money before their unit is sold.
- Imposing a 42-day cap on recurrent charges for general services after a resident leaves, and
- Requiring operators to prepare asset management plans.

A consultation process will be established in 2024 and also worth noting is the appointment of Mr John Minns as Strata and Property Commissioner. MACA seeks to be involved in this consultation with particular consideration of issues such as:

- the contract simplification
- maintenance fees and fair exit arrangements
- perhaps more feedback forms online from residents as part of the overall consumer satisfaction feedback loop.

MACA is concerned that any changes to the Retirement Villages act be communicated so that older people's cognitive and digital literacy needs are taken into account.

### **Private rental**

MACA is concerned about the growing number of older people in private rental, which is increasingly unaffordable for people on fixed incomes/pensions. More older women on the lowest income quintiles are living in private rental (19,000 women compared with 17,300 men) or are paying off a mortgage (22,100 women compared with 17,900 men)<sup>19</sup>.

The NSW Rental Commissioner<sup>20</sup> stated that:

- Over 2 million renters in NSW which is about one-third of all households
- Between 2016 and 2021, the number of renters over 60 years old increased by 19%
- For a single pensioner, all of Sydney is considered 'extremely unaffordable' as they are paying 60% or more of income in rent (when paying 30% of income in rent is deemed "housing stress")

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<sup>19</sup> Ageing on the Edge

<sup>20</sup> NSW Rental Commissioner presentation to Ageing on the Edge Forum, 7 March 2024



- The rest of NSW is severely unaffordable (38%-60% of income on rent).

MACA supports the appointment of the NSW Rental Commissioner and seeks the opportunity to work with her to improve the situation for older people in private rental.

### **Action Required**

#### **MACA requests the NSW Government:**

1. Support the development of age-friendly communities through explicit funding programs for footpaths, way finding, and other facilities which include dementia friendly design principles and are based in universal design
2. Consider the specific housing needs of older people including smaller and single person households and multi-generational households in the NSW Housing strategy, actively seeking MACA input
3. Ensure planning controls allow a range of dwelling types to provide diversity of housing choices so people can stay in their community
4. Adopt the Silver Standard (at the minimum) in the National Construction Code for the *Livable Housing Design Standards* in all new residential buildings
5. Develop an explicit Ageing-in-Place policy that is implemented across whole of government's infrastructure in Health, Transport, and Housing
6. Initiate dialogue with Commonwealth to scale up the Home Modifications program, enabling older homeowners and people with physical disabilities to modify their homes to stay in place
7. Confirm Government priorities for the Retirement Village sector including the scope of formal review in 2024, consultation processes and review of how MACA and other relevant stakeholders can effectively contribute.





## Acknowledgement / research

Ageing on the Edge, [Ageing on the Edge - National Action Project | Housing For The Aged Action Group \(oldertenants.org.au\)](#)

AHURI, <https://www.ahuri.edu.au/sites/default/files/documents/2022-11/AHURI-Final-Report-392-Business-models-consumer-experiences-and-regulation-of-retirement-villages.pdf>, December 2022

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**MACA Housing Committee members:** Margaret Kay, Lead; Unis Goh; Tony Virtue; Paul Sadler, Roy Starkey