

From: [Jan Davis](#)
To: [TPC Enquiry](#)
Subject: COTA Tasmania submission – Draft Amendment 01-2026: Secondary Residences
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Attachments: [COTA Tas Submission - Draft Amendment 01-2026 of the State Planning Provisions – Secondary Residences 260715.pdf](#)

Good afternoon

Please find attached COTA Tasmania's submission on Draft Amendment 01-2026 of the State Planning Provisions relating to secondary residences.

COTA Tasmania supports the proposed increase in the maximum floor area for secondary residences from 60 square metres to 90 square metres. We consider the change has the potential to provide more practical and adaptable housing options for older Tasmanians, carers, people with disability and multigenerational households.

Our submission also identifies several complementary matters that will be important to the success of the reform, including accessible design, utility and metering arrangements, parking and access, security of tenure, consumer protection, and post-implementation monitoring.

Thank you for the opportunity to comment.

Regards

Jan Davis

Policy Officer



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Please note: This is a part time role. I choose to work flexibly, at times that fit in with my commitments. If you receive an email from me when you are not working, please do not rush to respond. I look forward to hearing from you at a time that suits your own work-life balance.

We acknowledge with deep respect the resilience and knowledge of the Tasmanian Aboriginal community, the traditional custodians of lutruwita, Tasmania. I value the wisdom of Aboriginal elders past and present and the role they play in continuing to care for Country.

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Submission: Draft Amendment 01-2026 of the State Planning Provisions – Secondary Residences

1. Overview

COTA Tasmania supports Draft Amendment 01-2026 and, in particular, the proposal to increase the maximum gross floor area of a secondary residence from 60 square metres to 90 square metres.

Secondary residences can provide valuable options for:

- older people wishing to downsize while remaining close to family and established communities;
- ageing in place with informal or paid support nearby;
- multigenerational households;
- carers and people with disability;
- older homeowners seeking additional income; and
- smaller households unable to find suitable and affordable housing.

The proposed increase should allow secondary residences to be more functional, accessible and adaptable than is generally possible within the current 60-square-metre limit. The explanatory report appropriately identifies ageing in place, changing household composition, carers and multigenerational living among the reasons for the amendment.

COTA Tasmania also supports the proposed clarification that secondary residences have the same use status as single dwellings and may be established wherever a single dwelling is allowed, subject to the relevant zone and code requirements. Greater clarity should reduce uncertainty, inconsistent interpretation and unnecessary costs for applicants.

However, planning reform alone will not ensure that secondary residences are accessible, affordable or secure places to live. COTA Tasmania recommends that the amendment be accompanied by practical guidance and complementary measures addressing accessible design, service arrangements, parking, security of tenure and consumer protection.

2. About COTA Tasmania

Council on the Ageing Tasmania (COTA Tasmania) is the leading voice for older Tasmanians. We are an independent, non-partisan, not-for-profit organisation working to advance the rights, interests and wellbeing of people as they age and to ensure that public policy reflects the diversity of older people's lives, circumstances and aspirations.

COTA Tasmania's policy positions are informed by direct engagement with older Tasmanians, our members, community organisations, and service providers across the State. This gives us a strong understanding of the practical barriers older people encounter in finding, financing, adapting and remaining in suitable housing, particularly in regional and rural communities.

3. Why this matters

Housing choice is fundamental to ageing well. Older Tasmanians are not a homogeneous group: some wish to remain in a long-term family home, while others want to downsize, live near family, accommodate a carer, or create a modest income stream. Yet the supply of smaller, affordable and accessible homes is limited, and moving away from an established community can mean losing social connections, familiar services and informal support.

Well-designed secondary residences can help bridge this gap. They can support intergenerational living while preserving privacy and independence; enable care and support to be provided nearby without requiring people to share a household; and make more efficient use of established residential land and infrastructure. Increasing the allowable floor area to 90 square metres is particularly important because a genuinely liveable home may need space for mobility aids, accessible bathrooms, storage, visiting family or a carer.

However, the term ‘granny flat’ can make these arrangements sound simpler and safer than they are. A secondary residence may be someone’s permanent home and may involve a substantial contribution of retirement savings, while ownership and control of the land remain with another person. Poor design, unclear utility arrangements or insecure tenure can undermine the very independence and security the reform is intended to support.

The central issue is therefore not only whether more secondary residences can be built, but whether they are capable of providing safe, accessible, affordable, and secure homes over time. The planning amendment is a useful enabling measure, but it should be accompanied by guidance and safeguards that help people make informed decisions and reduce foreseeable risks.

4. Summary of Recommendations

COTA Tasmania recommends that:

- Draft Amendment 01-2026 proceed, including the increase in maximum gross floor area from 60 square metres to 90 square metres.
- The State Government develop accessible, plain-English guidance, in consultation with older people and disability organisations, explaining how secondary residences can be designed to support ageing in place, accessibility and changing care needs.
- The proposed requirement to share service meters be reconsidered or clarified so that sub-metering and transparent allocation of utility costs are permitted.
- The absence of a mandatory additional parking space be retained, but guidance should address accessible parking, safe paths of travel and emergency and service access.
- Applicants and prospective occupants be provided with a plain-English factsheet covering the approval process, ownership, tenure, financial contributions, residential tenancy arrangements, responsibility for utilities and maintenance, estate planning, and the consequences of sale, death, or family relationship breakdown.
- The Government establish a monitoring framework from commencement and undertake a publicly reported review of the amendment after two or three years.

5. Detailed comments

5.1 *Increasing the maximum floor area*

COTA Tasmania strongly supports increasing the maximum gross floor area to 90 square metres.

A 60-square-metre dwelling may be suitable for some occupants, but it can be difficult to provide adequate storage, an accessible bathroom, circulation space for mobility aids and room for a carer or visiting family within that limit. Tasmania also measures gross floor area from the outside surface of external walls, which further reduces the usable internal space compared with jurisdictions using different measurement methods.

The proposed 90-square-metre limit should enable more flexible designs without changing the fundamental nature of a secondary residence as an additional and subordinate dwelling on the same lot as a principal home. It may also make it more feasible for an older couple to move into a secondary residence rather than separating or entering unsuitable accommodation because a very small dwelling cannot meet their needs.

COTA Tasmania notes that the draft definition also requires the secondary residence to be “appurtenant and subordinate” to the single dwelling. While this is understandable in planning terms, these expressions are unlikely to be readily understood by the public. Plain-English guidance should explain what they mean in practice and how the status of a secondary residence differs from a multiple dwelling or separately titled unit.

5.2 *Accessible and adaptable design*

The amendment is likely to be promoted as supporting ageing in place. To achieve that outcome, consideration of accessibility must begin at the design stage.

Many secondary residences will be built for older parents or relatives. Others may initially be rented to the general community but later occupied by an older person or someone with reduced mobility. Small design decisions can substantially extend the useful life of a home. Examples include step-free entry, wider doorways, adequate bathroom circulation space, reinforced bathroom walls, lever handles, accessible switches and a safe path from parking to the entrance.

COTA Tasmania is not suggesting that detailed building design requirements should necessarily be inserted into the State Planning Provisions. We do, however, recommend that the amendment be accompanied by practical guidance promoting universal and adaptable design. This could include model plans or a checklist prepared with input from older people, disability organisations, occupational therapists, councils and the building industry. Guidance should also encourage designs that can accommodate changing mobility and care needs without costly structural alteration.

The guidance should also explain the relationship between planning approval and other applicable building, plumbing, bushfire and accessibility requirements. A “no permit required” planning pathway does not mean that no other approvals or standards apply.

5.3 *Shared services and meters*

The draft definition would require a secondary residence to share service connections and meters with the single dwelling where the property is connected to reticulated sewerage or a water, gas or electricity meter.

COTA Tasmania understands that shared services help distinguish a secondary residence from a separate multiple dwelling. Nevertheless, mandatory sharing of meters may create practical and financial difficulties, particularly where the secondary residence is rented or occupied by an older family member who manages their finances independently.

Potential issues include:

- uncertainty about how electricity, water and other costs are divided;
- disputes within families or between landlords and tenants;
- reduced visibility of the occupant's actual energy use;
- complications in accessing concessions, hardship assistance or retailer protections;
- difficulties where an occupant has energy-intensive medical equipment or registered life-support needs; and
- lack of control over the utility account where it is held by the occupant of the principal dwelling.

In more serious circumstances, control of an essential service account, access to billing information, or responsibility for payment could also be used as a form of financial coercion or economic abuse. This risk is particularly relevant where the occupant of the secondary residence is dependent on the principal household for accommodation, care, or assistance with financial matters.

The amendment or supporting guidance should distinguish clearly between a shared connection to the network and the ability to install a sub-meter for transparent internal allocation of costs. Permitting sub-metering would not necessarily create a separately serviced or separately titled dwelling, but could provide important consumer protections and reduce the likelihood of family or tenancy disputes.

In more serious circumstances, control of an essential service account, access to billing information or responsibility for payment could also be used as a form of financial coercion or economic abuse. This risk is particularly relevant where the occupant of the secondary residence is dependent on the principal household for accommodation, care or assistance with financial matters.

5.4 *Parking, access, and safety*

COTA Tasmania supports the proposal not to impose a mandatory additional car or bicycle parking space for every secondary residence. A blanket requirement could unnecessarily increase costs, consume private open space and prevent otherwise suitable developments on smaller lots.

However, the absence of a mandatory dedicated space should not imply that the access needs of occupants are unimportant.

Many older Tasmanians, particularly in regional and rural areas, remain dependent on private vehicles because public and community transport options are limited. Some require sufficient space to enter and leave a vehicle using a walking frame, wheelchair or other mobility aid.

Site design guidance should therefore encourage consideration of:

- an accessible parking space where needed by an occupant;
- a firm, level and well-lit path between parking, the street and the residence;

- safe access for ambulances, community transport, home-care workers and tradespeople;
- adequate space for deliveries, waste collection and mobility equipment; and
- safe pedestrian movement where parking and driveways are shared.

The draft does not impose a fixed maximum distance between the two residences, relying instead on shared access, parking and services to establish their relationship.

COTA Tasmania accepts that a prescribed distance could be inflexible, particularly on rural properties.

Nevertheless, guidance should encourage safe and reasonably direct connections between the dwellings where the purpose is to support an older person, a carer or a person with disability.

5.5 Security of tenure and protection from financial harm

Secondary residences are frequently described as “granny flats”, but the legal and financial arrangements behind them can be complex.

An older person may sell their home or contribute substantial savings to construct a residence on land owned by an adult child or another relative. Unless the arrangement is carefully documented, the older person may have no ownership interest or enforceable right to remain.

Difficulties can arise if:

- the property is sold;
- the landowner dies;
- the landowner’s relationship ends;
- the property becomes subject to debt recovery;
- family relationships deteriorate;
- the older person’s care needs change; or
- the older person later seeks residential aged care or income-support assistance.

These matters are not appropriately resolved through planning provisions. However, they are foreseeable consequences of encouraging greater use of secondary residences for ageing in place.

COTA Tasmania recommends that the State Government work with relevant legal, housing, consumer affairs and elder-abuse prevention organisations to provide clear information for property owners and prospective occupants. The information should make clear that planning approval does not confer ownership rights or security of tenure and that independent advice should be obtained before significant money is committed.

This should cover:

- who legally owns the secondary residence;
- whether a tenancy agreement is required;
- rights to remain in the residence;
- responsibility for rates, insurance, repairs and utilities;
- treatment of financial contributions;
- implications for pensions and aged-care assessments;
- estate planning;
- dispute resolution; and
- the importance of obtaining independent legal and financial advice.

This information should be brought together in a plain-English factsheet or guide explaining both the general approval process and the legal, financial and tenure matters that should be considered before a secondary residence arrangement is entered into.

It should be made available through councils, Service Tasmania, Housing Connect, planning and building professionals, and relevant legal, financial, housing, and community organisations.

5.6 *Housing affordability and availability*

COTA Tasmania agrees that secondary residences may make a useful contribution to housing supply and more efficient use of established residential land.

They may create rental opportunities in locations where conventional new housing is difficult or costly to deliver.

However, the amendment should not be presented as a complete response to Tasmania's housing shortage.

There is no guarantee that an approved secondary residence will be rented at an affordable price, made available for long-term occupation, built to an accessible standard, or occupied by an older person.

The reform should therefore sit within a wider housing strategy that includes social and affordable housing, suitable private rental housing, retirement and supported accommodation, home modification programs, and assistance for older people at risk of homelessness.

It should complement, rather than substitute for, sustained public investment in housing that is affordable, accessible and appropriately located.

Consideration could also be given to incentives for secondary residences that are:

- built to recognised accessible or adaptable design standards;
- offered as secure long-term rental housing;
- used for recognised caring arrangements; or
- delivered through affordable housing initiatives.

The Government's explanatory report identifies the amendment as supporting the Tasmanian Housing Strategy 2023–2043. COTA Tasmania recommends that secondary residences also be expressly addressed in the Strategy's implementation and action-planning processes.

This should include consideration of how planning reform will connect with accessible design, affordable rental supply, ageing in place, home-care delivery and protections for older people entering family-based housing arrangements.

5.7 *Implementation and review*

The amendment proposes several changes described as clarifications of the existing operation of the planning scheme, including changes to use tables, parking provisions, the Future Urban Zone, and the Natural Assets Code.

COTA Tasmania supports efforts to make the planning system easier to understand and more consistently applied.

Consistent implementation across councils will be important.

The State Planning Office should provide councils, planners, designers and the public with clear guidance and worked examples, including examples involving:

- an existing principal dwelling and a new secondary residence;
- construction of both residences at the same time;
- conversion of an existing smaller dwelling to secondary-residence status;
- rural or off-grid properties;
- shared and separately installed on-site services;
- sub-metering;
- accessible parking and paths; and
- rental and family occupancy arrangements.

The Government should establish a monitoring and evaluation framework from commencement of the amendment and publish a review after two or three years. The review should examine the number and location of secondary residences, approval pathways, accessibility, occupancy and tenure arrangements, contribution to long-term rental supply, servicing and parking issues, and any unintended consequences.

6. Conclusion

COTA Tasmania supports Draft Amendment 01-2026.

Increasing the maximum size of secondary residences to 90 square metres is a practical reform that should enable more liveable and adaptable homes and provide additional options for older Tasmanians, families and carers. The terms of reference expressly identify the increase and associated clarification of secondary-residence requirements as the purpose of the amendment.

The amendment will be most effective when accompanied by accessible-design guidance, fair and transparent utility arrangements, careful consideration of access and parking, and strong consumer information about ownership, tenure and financial risk.

With these complementary measures, secondary residences can make a useful contribution to housing choice while helping more Tasmanians remain safely connected to family, support networks, and their communities as they age.