



ATTACHMENTS PROVIDED UNDER SEPARATE COVER

ORDINARY MEETING OF COUNCIL

13 July 2026

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RP-1 - DA26/0068 - MULTI DWELLING HOUSING (4 DWELLINGS) AND ASSOCIATED CARPORTS FOR DWELLINGS 1 AND 2 AT 12 SHERWOOD AVE KOORINGAL NSW 2650, LOT 8 DP 242635

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Report of Development Application Pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979

APPLICATION DETAILS

Application No.:	DA26/0068
Modification No.:	N/A
Council File No.:	DA26/0068
Date of Lodgement:	11/02/2026
Applicant:	Skharper Family Investments Pty Ltd 5C Dobney Ave WAGGA WAGGA NSW 2650 Shaun Harper
Proposal:	Multi dwelling housing (4 dwellings) and associated carports for dwellings 1 and 2
Description of Modification:	N/A
Development Cost:	\$675000
Assessment Officer:	Emma Molloy
Determination Body:	Council - Section 1.11 of the Wagga Wagga Development Control Plan where an application for multi dwelling housing seeks to vary numerical controls by more than 10%.
Other Approvals	Nil
Type of Application:	Development Application
Concurrence Required:	No
Referrals:	Internal
Adjoining Owners Notification:	Yes, 27 May to 11 June 2026
Advertising:	Yes, 27 May to 11 June 2026
Owner's Consent Provided:	Yes
Location:	The subject site is located on the southern side of Sherwood Avenue approximately 23 metres from the intersection of Sherwood Avenue and Kilpatrick Street.

SITE DETAILS

Subject Land:	12 Sherwood Ave KOORINGAL NSW 2650 Lot 8 DP 242635
Owner:	Skharper Family Investments Pty Ltd

PLANNING CONTROLS / STATUTORY CLASSIFICATION

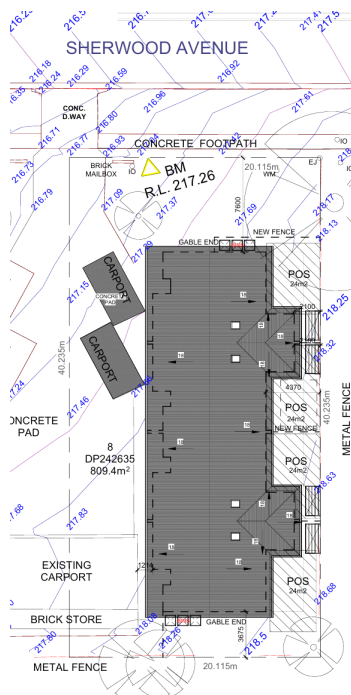
Pursuant to Part 4 (Division 1)

Description of Development

The proposed development seeks consent for a multi dwelling housing (4 dwellings) and two detached carports. The development will comprise of:

- Construction of 4 dwellings. Each dwelling will comprise of two bedrooms, open plan living, dining and kitchen, bathroom, laundry and outdoor area.
- Construction of two detached carports to be used by Units 1 and 2.

The development replaces a previous multi dwelling development in the same configuration that was fire damaged. The development makes use of the existing driveway and carport in the rear of the site which is constructed over the boundary with 10 Sherwood Avenue. There is currently no legal mechanism in place that allows for both 10 and 12 Sherwood to access across either site, therefore conditions will be imposed to require a right of carriageway and parking.



The Site and Locality

The subject site is legally known as Lot 8 DP242635 located at 12 Sherwood Avenue, Koorlingal. The subject site is located on the southern side of Sherwood Avenue approximately 23 metres from the intersection of Sherwood Avenue and Kilpatrick Street. The site is regular in shape and comprises of 809.40m² in area.



The site is currently vacant and cleared and includes a shared driveway and garage with the adjoining lot to the west at 10 Sherwood Avenue. The surrounding locality is predominantly residential with a mix of single storey detached dwellings and multi-unit development.

Easements and Covenants

The subject lot itself is not encumbered by any easements.

Previous Development Consents

BA543/72 - 4 Flats and carports

MATTERS FOR CONSIDERATION PURSUANT TO SECTION 4.15(1)

Section 4.15(a)(i) - The provisions of any environmental planning instrument (EPI)

Wagga Wagga Local Environmental Plan 2010

Under the provisions of the WWLEP2010, the subject site is within the R3 Medium Density zone.

The development proposes multi dwelling housing which is defined as:

3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building.

The development is permissible with consent.

Part 2 Permitted or prohibited development Land Use

1 Objectives of zone

- To provide for the housing needs of the community within a medium density residential environment.
- To provide for a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To ensure that medium density residential environments are of a high visual quality in their presentation to public streets and spaces.

The proposed multi dwelling housing development is consistent with the above objectives, by providing additional housing choice within a medium density residential environment while supporting the efficient use of land and existing services. The development presents an appropriate built form and will contribute positively to the visual quality of the streetscape.

Part 5 Miscellaneous Provisions

5.22 Special Flood Considerations

The northern portion of the subject site is located within the probable maximum flood (PMF) in regard to the Wagga Wagga Major Overland Flow Floodplain Risk Management Study and Plan (MOFFS). This clause applies to sensitive and hazardous development between the flood planning area and the PMF and for development that is not sensitive and hazardous development on land the consent authority considers to be land that may:

- (i) cause a particular risk to life, and
- (ii) require the evacuation of people or other safety considerations.



The proposed development is for residential accommodation and is not specified as sensitive and hazardous development for the purposes of this clause. In addition, the development is not considered to cause a particular risk to life or safety therefore further assessment against this clause is not required.

Part 7 Additional Local Provisions

7.1A Earthworks

Earthworks are expected during construction. The earthworks are minor in nature and will not have an adverse impact on the subject site or adjoining allotments. In addition, conditions of consent will be imposed in regard to erosion and sediment control to ensure the proposed development does not adversely impact the subject site or adjoining allotments.

7.3 Biodiversity

A portion of the subject site is identified as 'Biodiversity' on the 'Terrestrial Biodiversity Map'. The proposed development does not include the removal of any significant vegetation and therefore is not considered to have an adverse impact on biodiversity.

7.6 Groundwater Vulnerability

The subject site is identified as "Groundwater" on the Water Resources Map. The proposed development is not specified for the purposes of this clause therefore assessment under this clause is not required.

7.9 Primacy of Zone E2

The objectives of this clause are to maintain the primacy of Zone E2 Commercial Centre as the principal business, office and retail hub of the Wagga Wagga city centre and to ensure that development does not conflict with the hierarchy of commercial centres, and to strengthen Wagga Wagga's position as an eminent regional centre by creating employment opportunities for tourism, commerce, education, healthcare, culture and the arts. The proposed development seeks consent for multi dwelling housing in a residential zone. As such the proposed use does not involve a use that would conflict with the primacy of the Zone E2 Commercial Centre.

State Environmental Planning Policies (SEPPs)

State Environmental Planning Policy (Resilience and Hazards) 2021

Clause 4.6 states that a consent authority must not grant consent unless it has considered whether the land is contaminated and if the land is contaminated, it is satisfied that the land is suitable in its current state for the purpose for which the development is proposed to be carried out. The subject site is not identified on Council's contaminated land register. The land was subdivided for residential use in 1972 and is not known to have contained a potentially contaminating land use. As such the subject site is suitable for the proposed development and no further investigation is deemed necessary.

State Environmental Policy (Sustainable Buildings) 2022

A Multi Dwelling BASIX Certificate (1827096M_02) was submitted with the application, as such requirements have been met.

Section 4.15(1)(a)(ii) - Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority

No relevant planning instrument under this clause is currently the subject of public exhibition or comment.



Section 4.15(1)(a)(iii) - The provisions of any development control plan

Wagga Wagga Development Control Plan 2010

Proposed development complies with the development standards of the Wagga Wagga Development Control Plan 2010 as follows:

Section 1 - General

1.10 Notification of Development Application

The proposed development was advertised, and surrounding landowners were notified for a period of 14 days from 27 May to 11 June 2026. No submissions were received.

1.11 Complying with the Development Control Plan 2010

Where an application involves the variation of one or more controls within the DCP Council staff have delegation to approve variations but limited to the following circumstances:

- Where adequate justification is provided by the applicant for the number of controls being varied and,
- Any development, other than development that is for multi dwelling housing, where a variation to any numerical control by greater than 10% is proposed, and
- Where no objections have been received in relation to any numerical control that is being varied by greater than 10%, and
- Where the number of submissions in the form of objections received in response to an advertised or notified development application, is less than 10.

The proposed development seeks to vary the following controls:

- C3 within section 2.1 where vehicles are to enter and leave in a forward direction.
- C1 within section 2.2 where the required parking is 1.5 spaces per dwelling. The proposal provides 1 space per dwelling.
- C2 within section 9.2.2 where fencing is required to be below 1.8 metres forward of the building line. The proposal includes a 1.8 metre high fence forward of the building line.
- C1 within 9.3.5 where private open space is required to be directly accessible to the main living area and have a minimum dimension of 4m.
- C4 within section 9.4.4 where the maximum cumulative area of all outbuildings on the site is 8%. The proposal will result in the total amount of outbuildings comprising of 8.77% of the total site area.

Given that the application is for multi dwelling housing and two of the proposed variations exceed the numerical control by more than 10% Council staff do not have delegation to determine the application. Therefore, the application will be determined by Council. The proposed variations are assessed in detail within the relevant sections of the DCP below.

Section 2 - Controls that Apply to All Development

2.1 Vehicle Access and Movements

Access to the site is provided via an existing shared driveway from Sherwood Avenue. Control C3 requires vehicles to enter and exit the site in a forward direction. However, due to the existing site constraints and established development pattern, compliance with this control is not achievable and a variation is required.



Written justification submitted with the application states:

"As this is an existing site, the existing carport slabs are to be used for a new carport to be erected. The new construction is to mirror what is occurring at 10 Sherwood Avenue."

The proposal involves the replacement of a pre-existing carport and multi dwelling development that was damaged by fire. The development utilises an established shared driveway that provides sufficient space for vehicle manoeuvring and visibility within the site. While vehicles are unable to fully turn around, there is adequate room for vehicles to safely stop and give way to other users of the shared access when reversing.

Vehicles entering the site can also move aside within the driveway area and wait for exiting vehicles. This arrangement is considered reasonable given the existing shared driveway configuration, which cannot be significantly altered without adversely affecting existing development on the adjoining property.

Furthermore, Sherwood Avenue services predominantly single dwellings, where vehicles commonly reverse to and from the street. As such, the level of risk associated with the proposed arrangement is consistent with the existing residential streetscape.

Accordingly, the variation to Control C3 is considered reasonable in the circumstances of the site, and the proposal is supported.

2.2 Off-street Parking

The proposed development comprises four two-bedroom dwellings. Parking requirements are calculated as follows:

- 4 x 2 bedroom dwelling = (1.5 spaces per dwelling) = 6 parking spaces required

The proposal provides a total of 4 on-site parking spaces. Units 1 and 2 are each provided with a single carport, while Units 3 and 4 are provided with a parking space within the shared carport structure located at the rear of the site. Accordingly, the development results in a shortfall of 2 parking spaces and therefore requires a variation to Control C1.

Written justification submitted with the application states:

"A variation is sought for this development due to the limited space available on the site, as the design has been based around the pre-existing four-unit residential flat building. Any additional parking would be inconsistent with the established development pattern in the surrounding area."

The proposal seeks to replace a previous multi dwelling development that was extensively damaged by fire. The existing driveway and shared carport structure are proposed to be retained, resulting in a development outcome that responds to the site's established layout and physical constraints.

The proposed development is not expected to generate a significant increase in traffic movements compared to the previous use of the site. Historically, the provision of one parking space per dwelling has adequately serviced the development, and there is no evidence to suggest that parking demand has resulted in adverse impacts on the surrounding locality.

Any additional parking demand, including visitor parking, can be accommodated within Sherwood Avenue without adversely affecting the safety or operation of the surrounding road network. It should also be noted that under a Complying Development Certificate (CDC) a multi dwelling development is required to have one car space per dwelling.

Accordingly, the variation is considered acceptable having regard to the site's constraints, the historical use of the land, and the anticipated parking demand generated by the development.

2.3 Landscaping

A landscaping plan has been submitted with the application. The plan indicates an adequate amount of landscaping within the site therefore the proposed development is considered to comply with the objectives and controls within this section.

2.5 Safety and Security

The proposed development has been designed to make good use of the subject site. Entry to the proposed development is clearly visible and identifiable from the street. Each Unit is provided with a separate sheltered entry to provide each Unit with a sense of address. Unit 1 will provide passive surveillance to the street and each Unit provides passive surveillance to the car parking area in accordance with the objectives and controls within this section.

2.6 Erosion and Sediment Control

Standard conditions of consent will be imposed to ensure the proposed development does not have an adverse impact on the subject site or adjoining allotments regarding soil erosion.

Section 5 - Natural Resource and Landscape Management

5.4 Environmentally Sensitive Land

Environmental sensitivities have been previously assessed in Section 7.6 of this report.

Section 9 - Residential Development

9.1.3 R3 (medium density) Zone in-fill potential

The site is located within an area identified for medium density residential development, characterised by villas, residential units and older detached dwellings, with opportunities for infill redevelopment. The aims of the medium density area are to encourage contemporary housing that increases housing choice, provides a high-quality streetscape presentation, and incorporates quality landscaping, while remaining responsive to the character and form of surrounding development. Development within the area is also encouraged to maximise the efficient use of land.

The proposed development seeks to rebuild a previous multi dwelling, resulting in a form of development that responds appropriately to the site and surrounding locality. By retaining the same number of units, the proposal demonstrates an efficient use of land and achieves the aims of this section.

9.2.1 Site Layout

The proposed development makes good use of the subject site. Access, landscaping and services are integrated to avoid under-utilised spaces. Each unit will have an acceptable amount of solar access. Cross ventilation is achieved through the location of windows and doors. As such, the proposed development is considered to comply.

9.2.2 Streetscape

A well-defined streetscape character is integral to achieving a high-quality residential environment and is established through the relationship between built form and landscape elements. The proposed development seeks to replace a previous multi dwelling constructed in the 1970s and is therefore consistent with the established scale, rhythm and built form of the street.

Unit 1 includes windows to habitable rooms facing Sherwood Avenue in accordance with Control C4. The proposal includes a 1.8 metre high front fence along the Sherwood Avenue frontage. Control C2 limits front fencing to a maximum height of 1.2 metres accordingly, a variation is sought. The applicant provided written justification to support the variation which included:

“Colorbond fence is to be forward of building line to allow private open space, this is fence similar to 10 Sherwood to provide privacy to unit 1. Across the road is a Colorbond fence forward of the building line”

The increased fence height is primarily intended to provide privacy to the private open space and bin storage area associated with Unit 1. The fence is located approximately 1.2 metres in front of the building line which results in a setback of approximately 7 metres from the street, consistent with the setback of the previous development. Importantly, the fence does not extend along the full street frontage, allowing for passive surveillance of Sherwood Avenue from habitable room windows and mitigating any adverse impact on streetscape character.

On balance, the proposal achieves the objectives of Control C2 by maintaining a reasonable relationship between the development and the public domain, respecting the established streetscape, and providing an appropriate level of amenity for future residents. Given the limited visual impact, the consistency with the previous fencing arrangement, and the site-specific need for privacy, the variation is considered to be well founded and is supported in the circumstances.

9.3.1 Site Area per Dwelling

The subject site is located within the R3 Zone as such the maximum site area for multi-dwelling housing is 350m². The site is 809.40m² and therefore a minimum of 2 dwellings need to be provided to comply with the control. The proposed development provides 4 dwellings which satisfies the controls within this section.

9.3.2 Site Cover

Site cover is the proportion of a site that is occupied by buildings, garages and other structures. Multi-dwelling housing is required to have a maximum site cover of 40% to comply with C1. The proposed development will cover 40% of the site therefore the proposed development complies with the relevant control within this section.

9.3.3 R3 Zones - Minimum Frontage

Multi-dwelling housing is required to have a minimum street frontage of 20 metres. The subject site has a frontage towards Sherwood Avenue of 20 metres which complies.

9.3.4 Solar Access

The development has been designed to respond to the constraints of the site, resulting in the living areas being oriented to the west rather than the north or east. Given that the design effectively addresses the existing built form and site constraints, this orientation is considered reasonable. The development is single storey and will not unreasonably impact surrounding development or adjoining private open space, in accordance with the relevant controls and objectives of this section.



9.3.5 Private Open Space

Each Unit is provided with an acceptable amount of private open space that is accessed from the laundry. C1 requires private open space be directly accessible from the main living area therefore a variation has been sought. Written justification was provided on lodgement of the application which includes:

“Due to the retained site access arrangement and narrow building envelope, direct access from internal living areas to private open space is not achievable for all dwellings. Instead, private open spaces are accessed via the internal laundry spaces. This design outcome reflects the configuration of the former development and enables efficient internal layouts while maintaining required setbacks and separation distances”.

As discussed earlier in this report, the proposed development seeks to replace a previous building on the site. As the existing driveway and parking areas are to be retained, the design of the development has been constrained by the existing site layout and is therefore broadly consistent with the previous building footprint.

The previous dwelling provided direct access to the private open space from the kitchen; however, it contained an external laundry. To meet contemporary residential expectations, the proposed development incorporates an internal laundry. As a result, access to the private open space is provided via the laundry. While this arrangement is not ideal, the laundry is directly connected to the open-plan living area and therefore provides a functional and acceptable means of access.

Private open space areas will be effectively screened by boundary fencing between each unit, ensuring an appropriate level of privacy for future occupants. Overall, the development is considered to satisfy the relevant objectives and controls of this section.

9.3.6 Front Setbacks

The front setback creates the building line to the street and a transitional space between the public domain and private property. Front setbacks are important to the visual setting of buildings and help to create attractive streets. The proposed development proposes a 7.6 metre setback which is consistent with the existing adjoining buildings in accordance with C2.

9.3.7 Side and Rear Setbacks

Adequate side and rear setbacks have been provided and will ensure adequate separation between buildings for landscaping, privacy, natural light and ventilation. Therefore, the proposed side setbacks are considered acceptable given the context of the site.

9.4.1 Building Elements

The proposed development has been designed to ensure quality built form. Each Unit is provided with an outdoor area to link external and internal areas. Each Unit is also provided with a clearly visible entry. Ample space is provided so that ancillary components are located within the development and will not be visible from the street. As such the proposed development complies with the objectives and controls within this section.

9.4.2 Materials and Finishes

The development will be constructed of acceptable materials including brick with a Colourbond roof. The proposed development is considered to comply with the objectives and controls within this section.



9.4.3 Privacy

The proposed development has been designed to mitigate privacy concerns both within the development and the wider context. As the development is attached there is little opportunity for overlooking between units with the exception of the private open space to the rear of each unit which will be fenced in accordance with C3. The proposed development is considered to comply with the objectives and controls within this section.

9.4.4 Garages, Carports, Sheds and Driveways

Units 1 and 2 will be provided with carports located within the vehicle manoeuvring area. The carports are positioned behind the building line in accordance with C7. When combined with the existing carport at the rear of the site, the total outbuilding coverage equates to 8.77% of the site area. This exceeds the maximum of 8% permitted under C4, and a variation has therefore been sought.

As discussed earlier in this report, the proposed development replaces a previous building on the site. The existing driveway and parking areas are to be retained, and the proposed carports will provide covered parking consistent with both the former structure and the adjoining development at 10 Sherwood Avenue. Given the minor nature of the exceedance, the variation is considered acceptable and is supported.

9.4.5 Site Facilities

Facilities have been integrated into the overall design and are visually unobtrusive when viewed from both the street and adjoining properties. Each dwelling is provided with access to a dedicated outdoor drying area in accordance with C4.

Sufficient space is available on site to accommodate bin storage within the private open space maintaining a tidy appearance. In addition, the existing letterboxes are proposed to be retained, which is considered acceptable.

Section 4.15(1)(a)(iia) - Planning Agreements

No planning agreements have been entered into under Section 7.4.

Section 4.15(1)(a)(iv) - any matters prescribed by the regulations

Matters prescribed by the regulations have been satisfied.

Section 4.15(1)(b) - the significant likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

	Satisfactory	Not Satisfactory	Not Relevant	Comment
Context & Setting	x			The proposed development is consistent with the existing scale and form within the locality. No concerns are raised in relation to the context and setting of the site.
Streetscape	x			The proposed development is consistent within the locality. The development does include a 1.8 metre high fence along the Sherwood Avenue frontage which provides privacy and bin storage for Unit 1. The fence does not extend along the full street frontage which is considered acceptable and is not considered to have an adverse impact on the streetscape.



Traffic, access and parking	x			The existing vehicle movement and parking areas will be retained by the proposed development. Whilst the areas do not strictly allow for vehicles to leave the site in a forward direction the vehicle movement areas do provide enough space for vehicles to be visible and allow for them to stop and wait if need be. Given the minimal amount of traffic being generated by the development this is considered acceptable.
Heritage			x	Not applicable as the subject site is not within the Heritage Conservation Area and is not known to contain any items of Aboriginal Heritage.
Water Quality & Stormwater	x			The proposal is not anticipated to have any additional impact on water quality and stormwater. Conditions will be imposed in this regard.
Soils, soil erosion	x			Conditions regarding erosion and sediment control will be imposed as part of consent.
Air and microclimate	x			No adverse impacts have been identified.
Flora and Fauna	x			The subject site is void of significant vegetation. No adverse impacts have been identified.
Waste	x			Conditions of consent will ensure that construction waste is disposed of in an appropriate manner.
Energy	x			A valid BASIX Certificate's was lodged with the application.
Noise & vibration	x			The construction of the development will generate some noise standard conditions of consent will be recommended to mitigate impact.
Natural hazards - Flooding - Bushfire Prone Area map	x			The subject site is not identified as bushfire prone. The site is identified as being subject to inundation during a 1% storm event. The mapped inundation area is confined to the northern portion of the site within the front setback and is located entirely outside the proposed building footprint. The site is not within the Flood Planning Area and the anticipated depth of inundation is limited to approximately 30mm. This minor level of flooding is not considered significant and does not give rise to concerns in relation to flood risk or the suitability of the site for the proposed development.
Safety, security and crime prevention	x			The proposed development provides adequate passive surveillance and has clearly defined public and private areas in accordance with CPTED.
Social impact in locality	x			The development will provide variety in housing choice of an acceptable density within the Medium Density Zone.
Economic Impact in Locality	x			The proposed development will provide work for the construction and related industries.
Site design and internal design	x			The proposed development is a replacement of a previous building. The building has been designed to respond to existing site constraints which include the retention of the vehicle movement and parking areas therefore no concerns have been raised.
Overlooking overshadowing	- x			As the development is attached there is little opportunity for overlooking between units with the exception of the private open space to the rear of each unit which will be fenced. Given the single storey nature of the development it is not considered to unreasonably impact surrounding development or adjoining private open space.
Landscaping	x			Adequate landscaping has been proposed. Plants are generally in accordance with requirements.



Construction	x			To comply with BCA standards.
Private open space	x			An adequate amount of private open space has been provided which is appropriately located.
Cumulative Impacts	x			None identified.

The Principles of Ecologically Sustainable Development

The following are principles of ecological sustainability:

1 The precautionary principle

Where there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.

In the application of the precautionary principle, public and private decisions should be guided by:

- (a) careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and*
- (b) an assessment of the risk-weighted consequences of various options.*

The principle requires decision-making to give the environment the benefit of the doubt.

2 Intergenerational equity

The present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations (that is, a partnership among all of the generations that may use or expect to benefit from the nation's resources).

3 Conservation of biological diversity and ecological integrity

Conservation of biological diversity and ecological integrity should be a fundamental consideration.

4 Improved valuation, pricing and incentive mechanisms

Environmental factors should be included in the valuation of assets and services:

- (a) polluter pays (that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement), and*
- (b) the users of goods and services should pay prices based on the full cycle costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste, and*
- (c) environmental goals having been established should be pursued in the most cost-effective way by establishing incentive structures, including market mechanisms which enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.*

The proposed development will not result in any anticipated irreversible environmental damage, the proposal seeks to reconstruct a building on an existing urban site and therefore is not considered to impact on biological diversity or ecological integrity. The proposal is consistent with the precautionary principle to the extent that all potential threats to the environment have been identified and assessed. Accordingly, the principles of ESD are considered to have been followed.



Section 4.15(C) - The Suitability of the site for the development

The subject land located at 12 Sherwood Avenue is considered to be suitable for the proposed development because it is medium density zoned land being developed to accommodate a medium density development and that generally complies with the controls and objectives within the WWLEP2010 and the WWDCP2010.

Section 4.15(d) - any submissions made in accordance with the Act or the regulation

Referrals - The proposed development was referred to Council's relevant Officers. No concerns were raised. Standard conditions of consent were imposed.

Notification - The proposed development was notified for a period of 14 days from 27 May to 11 June 2026.

Advertising - The proposed development was advertised for a period of 14 days from 27 May to 11 June 2026.

Public Submissions and those from public authorities

The application was referred to Riverina Water for comment. Comments were received which included the imposition of conditions pertaining to water supply. Relevant conditions have been recommended.

No public submissions were received.

Section 4.15(e) - the public interest

Multi-dwelling housing is considered to be in the public interest as it directly responds to housing demand and aligns with the strategic objectives of both State and local planning frameworks. It provides a greater diversity of housing options, catering to households of different sizes, incomes, and life stages, thereby supporting social inclusion and housing choice within the community. By increasing housing supply within established residential areas, multi-dwelling housing promotes the efficient use of existing infrastructure and services, reduces urban sprawl, and supports the viability of nearby centres, schools, and community facilities.

In addition, the delivery of diverse and affordable housing options is consistent with the objectives of the Environmental Planning and Assessment Act 1979, which seeks to promote the social and economic welfare of the community. On this basis, multi-dwelling housing is considered to be in the public interest.

Other Legislative Requirements

Section 1.7 of the Environmental Planning and Assessment Act 1979 and Part 7 of the Biodiversity Conservation Act 2016 (Test for determining whether proposed development or activity likely to significantly affect threatened species or ecological communities, or their habitats)

Section 5AA and Part 7 of the Biodiversity Conservation Act 2016 (Test for determining whether proposed development or activity likely to significantly affect threatened species or ecological communities, or their habitats)

There are a number of tests to determine whether the proposed triggers the NSW Biodiversity Offset Scheme under the NSW Biodiversity Conservation Act 2016 and results in the need for further assessments or offsets.



1. *Is the subject site identified as an area of outstanding biodiversity value on the biodiversity values map?*

No

2. *Does the amount of native vegetation being removed exceed the biodiversity offsets scheme threshold.*

No native vegetation is proposed to be removed.

3. *Test of Significance - the test to determine whether the proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats.*

Given that no native vegetation is being removed and the absence of any recorded endangered flora or fauna on the site of the proposed development, is not anticipated to significantly affect threatened species or ecological communities or their habitats.

Based on the above assessment it is satisfied that the development will not trigger the Biodiversity Offset Scheme and no further evidence is required regarding the proposed vegetation removal.

Section 733 of the Local Government Act 1993

Section 733 of the Local Government Act 1993 provides that Councils will not incur liability for decisions or omissions concerning flood liable land or land subject to the risk of bushfire have been considered. A risk assessment has been completed and Council will be able to demonstrate that it has acted appropriately in its decision making when defending claims in liability or in circumstances where administrative decisions are challenged.

Flooding Risk Assessment

Matters relating to flooding have been assessed against the relevant sections in the LEP and DCP. The above assessment supports the application.

Bush Fire Risk Assessment

The subject site is not identified as prone to bushfire therefore no further assessment is required.

Development Contributions - Section 7.11/7.12 Environmental Planning & Assessment Act & Section 64 Local Government Act, 1993 and Section 306 Water Management Act, 2000

Section 7.11

As the lot had 4 units on it and the development application is to replace these, Section 7.11 contributions are not required.

Section 64 Sewer

As the lot had 4 units on it and the development application is to replace these, 64 Sewer contributions are not required.

Section 64 Stormwater

As there is no change in hardstand area (see below), Section 64 Stormwater contributions are not required.



Referrals:

Building Surveyor: Yes, no concerns raised. Standard conditions of consent imposed.
Subdivision Engineer: Yes, no concerns raised. Standard conditions of consent imposed.
Environmental Officer: N/A
Parks & Recreation Officer: N/A

Other Approvals:

Nil

Conclusion:

An assessment of the application has resulted in this application being supported based on the following grounds:

- The application is for the Construction of Multi Dwelling housing in the R3-Medium Density Zone which is permitted with consent.
- The development complies with the requirements of the Environmental Planning and Assessment Act 1979 and will not compromise the outcomes sought for the Wagga Wagga Local Environmental Plan 2010.
- An assessment of the application against the relevant sections of the Wagga Wagga Development Control Plan 2010 demonstrates that the proposed development will not cause any significant adverse impacts on the surrounding natural environment, built environment, infrastructure, community facilities or local character and amenity.

The application is subsequently recommended for approval, subject to conditions.

RECOMMENDATION

It is recommended that application number DA26/0068 for Multi dwelling housing (4 dwellings) and associated carports for dwellings 1 and 2 be approved, subject to the following conditions:

CONDITIONS OF CONSENT FOR APPLICATION NO. DA26/0068

A. SCHEDULE A – Reasons for Conditions

The conditions of this consent have been imposed for the following reasons:

- A.1 To ensure compliance with the terms of the Environmental Planning and Assessment Act 1979 and Regulation 2000.
- A.2 Having regard to Council's duties of consideration under Section 4.15 and 4.17 of the Act.
- A.3 To ensure an appropriate level of provision of amenities and services occurs within the City and to occupants of sites.
- A.4 To improve the amenity, safety and environmental quality of the locality.
- A.5 Having regard to environmental quality, the circumstances of the case and the public interest.
- A.6 Having regard to the Wagga Wagga Development Control Plan 2010.



- A.7 To help retain and enhance streetscape quality.
- A.8 Ensure compatibility with adjoining and neighbouring land uses and built form.
- A.9 To protect public interest, the environment and existing amenity of the locality.
- A.10 To minimise health risk to neighbouring residents and workers.

B. SCHEDULE B – Deferred Commencement Conditions

N/A

C. SCHEDULE C – Conditions

Approved Plans and Documentation

- C.1 The development must be carried out in accordance with the approved plans and specifications as follows.

Plan/DocNo.	Plan/Doc Title	Prepared by	Issue	Date
	Statement of Environmental Effects	Shining Designs Building Design Services		20.02.2026
1827096M_02	BASIX Certificate	Structerre Consulting		16.12.2025
0012685480	NatHERS Certificate	Structerre Consulting		16.12.2026
DA00	Cover Page	Shining Designs Building Design Services	C	9.11.2025
DA02	Site Plan	Shining Designs Building Design Services	C	9.11.2025
DA03	Landscape Plan	Shining Designs Building Design Services	G	4.02.2026
DA04	Ground Floor	Shining Designs Building Design Services	A	9.11.2025
DA05	Elevations	Shining Designs Building Design Services	A	9.11.2025
DA06	Elevations	Shining Designs Building Design Services	A	9.11.2025
DA07	Section	Shining Designs Building Design Services	D	4.02.2026
DA08	BASIX/NOTES	Shining Designs Building Design Services	D	4.02.2026



DA10	3D Drawings	Shining Building Services	Designs Design	C	4.02.2026
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The Development Application has been determined by the granting of consent subject to and as amended by the conditions of development consent specified below.

NOTE: Any modifications to the proposal shall be the subject of an application under Section 4.55 of the Environmental Planning and Assessment Act, 1979.

Requirements before a Construction Certificate can be issued

C.2 Prior to the issue of Construction Certificate the applicant must lodge a bond with Council of:-

\$2000 for security deposit on the kerb and gutter and footpath

Plus a non-refundable administration fee as per Council's Fees and Charges.

NOTE 1: The applicant currently has an ONGOING security bond lodged with Council bond number (BKG1050). This ongoing bond will be attached to this development to act as a security deposit on the kerb and gutter and footpath. No further payment under this condition is required.

NOTE 2: In lieu of payment, the applicant can with written authorisation from their builder, utilise an ongoing bond should their builder hold and ongoing bond.

NOTE 3: All monetary conditions are reviewed annually, and may change on 1 July each year.

NOTE 4: Works in the form of driveways, kerb and gutter and footpath may require you to obtain a Section 138 Roads Act 1993 approval. Please contact Councils Road Reserve Officer on 1300 292 442 prior to undertaking such works.

NOTE 5: Council will accept a once off security deposit for the kerb and gutter and footpath for applicants who lodge multiple DA's with council. If the applicant has security deposits held by Council for kerb and gutter and footpath at the time of Construction Certificate application, then Council may waive the need for an additional bond to be paid.

NOTE 6: The bond held on the kerb and gutter and footpath is fully refundable upon completion of all works and upon inspection by Council to ensure that any damage to Council infrastructure has been repaired. The bond will not be refunded in the event that damage done to Council's infrastructure is not repaired to the satisfaction of Council. All damage is to be repaired at the full cost of the applicant

C.3 Prior to the release of Construction Certificate a compliance certificate under s306 of the Water Management Act 2000 must be obtained in respect of the development relating to water management works that may be required in connection with the development.



- NOTE 1: 'Water management work' is defined in s283 of the Water Management Act to mean a 'water supply work', 'drainage work', 'sewage work' or 'flood work'. These terms are defined in that Act.
- NOTE 2: Riverina Water is responsible for issuing compliance certificates and imposing requirements relating to water supply works for development in the Council's area. An application for a compliance certificate must be made with Riverina Water. Additional fees and charges may be incurred by the proposed development - please contact Riverina Water to ascertain compliance certificate water supply related requirements. A copy of such a compliance certificate is required prior to release of Construction Certificate.
- NOTE 3: The Council is responsible for issuing compliance certificates and imposing requirements relating to sewerage, drainage and flood works for development in its area.
- NOTE 4: Under s306 of the Water Management Act 2000, Riverina Water or the Council, as the case requires, may, as a precondition to the issuing of a compliance certificate, impose a requirement that a payment is made or works are carried out, or both, towards the provision of water supply, sewerage, drainage or flood works.

- C.4 Prior to the issue of a Construction Certificate, the following documents must be submitted to Council and approved by the General Manager or their delegate:
1. Plans showing that the existing sewer spur is upgraded to 150mm diameter. (Note: The works will require Council approval for a Section 68 - Public application)
 2. Plans showing a Right of Carriageway with reciprocal rights over the vehicle movement areas for Lots 7 & 8 DP 242635.

Requirements before the commencement of any works

- C.5 Prior to works commencing on site, toilet facilities must be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be:
- a) a standard flushing toilet connected to a public sewer, or
 - b) if that is not practicable, an accredited sewage management facility approved by Council, or
 - c) if that is not practicable, any other sewage management facility approved by Council.
- NOTE 1: The provision of toilet facilities in accordance with this condition must be completed before any other work is commenced and the toilet facility must not be removed without the prior written approval of Council.
- NOTE 2: "Vicinity" in this condition is defined to mean within 50 metres of the subject building site.

NOTE 3: The toilet facilities are to comply with all WORK COVER NSW requirements.

C.6 Prior to the commencement of works, a Construction Certificate must be obtained, pursuant to Section 6.7 of the Environmental Planning and Assessment Act 1979, as amended, from Council or an Accredited Certifier.

C.7 Prior to works commencing a container must be erected on site for the enclosure of all building rubbish and debris, including that which can be wind blown. The enclosure shall be approved by Council and be retained on site at all times prior to the disposal of rubbish at a licenced Waste Management Centre.

Materials and sheds or machinery to be used in association with the construction of the building must not be stored or stacked on Council's footpath, nature strip, reserve or roadway.

NOTE 1: No building rubbish or debris must be placed, or be permitted to be placed on any adjoining public reserve, footway, road or private land.

NOTE 2: Weighbridge certificates, receipts or dockets that clearly identify where waste has been deposited must be retained. Documentation must include quantities and nature of the waste. This documentation must be provided to Council prior to application for an Occupation Certificate for the development.

NOTE 3: The suitable container for the storage of rubbish must be retained on site until an Occupation Certificate is issued for the development.

C.8 Prior to the commencement of works erosion and sediment control measures are to be established and maintained to prevent silt and sediment escaping the site or producing erosion. This work must be carried out and maintained in accordance with Council's:-

- a) Development Control Plan 2010 (Section 2.6 and Appendix 2)
- b) Erosion and Sediment Control Guidelines for Building Sites; and
- c) Soils and Construction Volume 1, Managing Urban Stormwater

Prior to commencement of works, a plan illustrating these measures shall be submitted to, and approved by, Council.

NOTE: All erosion and sediment control measures must be in place prior to earthworks commencing.

C.9 Prior to works commencing on site:

- i) Council must be notified of any damage to kerb and gutter and footpath fronting the site. The absence of such notification shall indicate that no damage exists and the applicant shall be responsible for the repair of any damage to kerb and gutter or footpath fronting the site.
- ii) Satisfactory protection for existing public infrastructure must be provided and maintained throughout the construction period.



- C.10 Prior to the commencement of works, an Activity Approval is required under Section 68, Part B - 4, 5 and 6, of the Local Government Act 1993 for any public infrastructure sewer / stormwater works, where that work is proposed to be carried out on public or Council owned land.

1. Upgrading existing sewer spur to 150mm diameter requires approval of Public Section 68 Application.

NOTE 1: Works carried out under an approved Section 68 prior to a Development Consent and/or Construction Certificate being issued are subject to change and are at the applicant's risk.

NOTE 2: Prior to the commencement of works a bond may be required to be lodged with Council for public infrastructure works. Refer to Council's Section 68 Activity Approval Application Guide for detail.

- C.11 A Section 68 Approval must be obtained from Council prior to any sewer or stormwater work being carried out on the site.

The licensed plumber must submit to Council, at least two (2) days prior to the commencement of any plumbing and drainage works on site a "Notice of Works".

NOTE: A copy of the Notice of Works form can be found on Council's website.

Requirements during construction or site works

- C.12 No construction materials, plant or equipment relating to work authorised by this consent are to be placed or stored within the road reserve during the period in which work authorised by this consent will be carried out without the prior written approval of the Council.
- C.13 The Builder must at all times maintain, on the job, a legible copy of the plans and specifications approved with the Construction Certificate.
- C.14 All excavation and backfilling associated with the erection/demolition of the building must be properly guarded and protected to prevent them from being dangerous to life or property.
- C.15 The permitted construction hours are Monday to Friday 7.00am to 6.00pm and Saturday 7.00am to 5.00pm, excepting public holidays. All reasonable steps must be taken to minimise dust generation during the demolition and/or construction process. Demolition and construction noise is to be managed in accordance with the Office of Environment and Heritage Guidelines.
- C.16 All earthworks, filling, building, driveways or other works, must be designed and constructed (including stormwater drainage if necessary) so that at no time, will any ponding of stormwater occur on adjoining land as a result of this development.
- C.17 The developer is to maintain all adjoining public roads to the site in a clean and tidy state, free of excavated "spoil" material.

Requirements prior to issue of an Occupation Certificate or prior to operation

- C.18 Prior to issue of an occupation certificate the building number must be displayed in a position clearly visible from the street in letters having a height of not less than 75 mm. The number must be visible against the background on which it is placed.



- C.19 Prior to the issue of an Occupation Certificate the existing sewer spur shall be upgraded to 150mm diameter. (Note: The works will require Council approval for a Section 68 - Public Application in accordance with the details approved under condition C4)
- C.20 Prior to the issue of an Occupation Certificate the Right of Carriageway with reciprocal rights over the vehicle movement areas for Lots 7 & 8 DP 242635 in accordance with the plan required under condition C.4 shall be created and registered with NSW Land Registry Services. Evidence of registration of the Right of Carriageway must be provided to Council.
- C.21 An Occupation Certificate, must be obtained pursuant to Section 6.9 of the Environmental Planning and Assessment Act 1979, from either Council or an accredited certifying authority, prior to occupation of the building.

In order to obtain this, the "Final Occupation Certificate" form must be completed and submitted to Council with all required attachments - failure to submit the completed Occupation Certificate Application form will result in an inability for Council to book and subsequently undertake Occupation Certificate inspection.

NOTE: The issuing of an Occupation Certificate does not necessarily indicate that all conditions of development consent have been complied with. The applicant is responsible for ensuring that all conditions of development consent are complied with.

- C.22 A final inspection must be carried out upon completion of plumbing and drainage work and prior to occupation of the development, prior to the issuing of a final plumbing certificate Council must be in possession of Notice of Works, Certificate of Compliance and Works as Executed Diagrams for the works. The works as Executed Diagram must be submitted in electronic format in either AutoCAD or PDF file in accordance with Council requirements.

All plumbing and drainage work must be carried out by a licensed plumber and drainer and to the requirements of the Plumbing and Drainage Act 2011.

NOTE: The Plumbing Final assessment covers only the physical plumbing works and components installed in accordance with AS 3500. Any civil plumbing designs, including on-site stormwater detention systems or overland flow management, are excluded. These must be certified by the design engineer and submitted to the Principal Certifier, if applicable.

NOTE: Additional fees for inspections at the Plumbing Interim Occupancy / Plumbing Occupation stage may apply. This will depend on the number of inspections completed at this stage of the work/s.

- C.23 Prior to the issue of an Occupation Certificate a Water Plumbing Certificate from Riverina Water County Council shall be submitted to Council.

NOTE 1: The applicant is to obtain a Plumbing Permit from Riverina Water County Council before any water supply/plumbing works commence and a Compliance Certificate upon completion of the works. Contact Riverina Water County Council's Plumbing Inspector on 6922 0618. Please be prepared to quote your Construction Certificate number.

General requirements

- C.24 Any earthworks (including any structural support or other related structure for the purposes of the development):
- (a) must not cause a danger to life or property or damage to any adjoining building or structure on the lot or to any building or structure on any adjoining lot, and
 - (b) must not redirect the flow of any surface or ground water or cause sediment to be transported onto an adjoining property, and
 - (c) retained material must have a gradient of at least 5%, and
 - (d) must be constructed in accordance with the approved plans for such work(s).
 - (e) must be wholly located within the subject site (including footings of any retaining structures)

D. SCHEDULE D – Activity Approval Conditions (Section 68)

N/A

E. SCHEDULE E – Prescribed Conditions

Conditions under this schedule are prescribed conditions for the purposes of section 4.17 (11) of the Environmental Planning and assessment Act 1979.

- E.1 Compliance with Building Code of Australia and insurance requirements under the Home Building Act 1989 (clause 69 EP&A Reg 2021)
- (1) It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the Building Code of Australia.
 - (2) It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the Home Building Act 1989, Part 6 that a contract of insurance is in force before building work authorised to be carried out by the consent commences.
 - (3) It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with the Building Code of Australia, Volume 1, Part B1 and NSW Part I5.
 - (4) In subsection (1), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the relevant date.
 - (5) In subsection (3), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made.



- (6) This section does not apply-
- (a) to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, or
 - (b) to the erection of a temporary building, other than a temporary structure to which subsection (3) applies.

- (7) In this section -
- relevant date has the same meaning as in the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, section 19.

E.2 Erection of signs (clause 70 EP&A Reg 2021)

- (1) This section applies to a development consent for development involving building work, subdivision work or demolition work.
- (2) It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out-
 - (a) showing the name, address and telephone number of the principal certifier for the work, and
 - (b) showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and
 - (c) stating that unauthorised entry to the work site is prohibited.
- (3) The sign must be-
 - (a) maintained while the building work, subdivision work or demolition work is being carried out, and
 - (b) removed when the work has been completed.
- (4) This section does not apply in relation to-
 - (a) building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or
 - (b) Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

E.3 Notification of Home Building Act 1989 requirements (clause 71 EP&A Reg 2021)

- (1) This section applies to a development consent for development involving residential building work if the principal certifier is not the council.
- (2) It is a condition of the development consent that residential building work must not be carried out unless the principal certifier for the development to which the work relates has given the council written notice of the following-
 - (a) for work that requires a principal contractor to be appointed-



- i. the name and licence number of the principal contractor, and
 - ii. the name of the insurer of the work under the Home Building Act 1989, Part 6,
 - (b) for work to be carried out by an owner-builder-
 - i. the name of the owner-builder, and
 - ii. if the owner-builder is required to hold an owner-builder permit under the Home Building Act 1989-the number of the owner-builder permit.
 - (3) If the information notified under subsection (2) is no longer correct, it is a condition of the development consent that further work must not be carried out unless the principal certifier has given the council written notice of the updated information.
 - (4) This section does not apply in relation to Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.
- E.4 Shoring and adequacy of adjoining property (clause 74 EP&A Reg 2021)
- (1) This section applies to a development consent for development that involves excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, including a structure or work in a road or rail corridor.
 - (2) It is a condition of the development consent that the person having the benefit of the development consent must, at the person's own expense-
 - (a) protect and support the building, structure or work on adjoining land from possible damage from the excavation, and
 - (b) if necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation.
 - (3) This section does not apply if-
 - (a) the person having the benefit of the development consent owns the adjoining land, or
 - (b) the owner of the adjoining land gives written consent to the condition not applying.
- E.5 Fulfilment of BASIX commitments (clause 75 EP&A Reg 2021)
- It is a condition of a development consent for the following that each commitment listed in a relevant BASIX certificate is fulfilled-
- (a) BASIX development,
 - (b) BASIX optional development, if the development application was accompanied by a BASIX certificate.

F. SCHEDULE F – General Terms of Approval (Integrated Development)

N/A

Statement of environmental effects_v2 – 12 Sherwood Avenue



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Statement of Environmental Effects (SEE)_v2

Accompanying a development application for
Multi-residential dwelling – 4 units

Applicant: Shaun Harper, C/- SKHARPER FAMILY INVESTMENTS PTY LTD

Site Address: Lot 8, DP242635 12 Sherwood Avenue, Koorringal
NSW 2650

Date: 20/02/2026

LGA: Wagga Wagga City Council



Statement of environmental effects_v2 – 12 Sherwood Avenue

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Statement of environmental effects_v2 – 12 Sherwood Avenue

1. Introduction

This statement of environmental effects has been prepared by **Mariah Foley** from **Shining Designs** to accompany a development application for 4 new multi-residential dwellings separated by party wall, permissible in zone R3 at **Lot 8, DP242635 12 Sherwood Avenue, Koorngal NSW 2650**. The application is being lodged by Mariah Foley with authorisation provided by **Shaun Harper of SKHARPER FAMILY INVESTMENTS PTY LTD**, pursuant to Clause 4.12 of the Environmental Planning and Assessment Act 1979.

2. Description of Development

The proposed development involves the construction of four (4) self-contained residential units as a replacement development following the demolition of the former fire-damaged dwelling. The proposal is designed to provide contemporary, low-density multi-residential accommodation that is consistent in scale, built form, and function with surrounding development.

Each unit is of a similar size and layout, providing efficient and functional internal living spaces suitable for long-term residential use. The development includes a total of four (4) on-site car parking spaces – 2 of which are already existing, with one allocated to each dwelling, accessed from Sherwood Avenue.

The building design incorporates a single-storey form with articulated facades, pitched Colorbond roofing, and face brick external finishes, ensuring compatibility with the established streetscape. Private outdoor areas are provided for each unit, along with appropriate waste storage and landscaped areas. There will be a fire wall in between each dwelling to comply with 60/60/60.

Overall, the development represents a replacement residential use of the site, utilising existing services and infrastructure, and provides an appropriate housing outcome without increasing building height or intensity beyond what is considered suitable for the locality.

3. Site description and analysis

The subject site is located at 12 Sherwood Avenue, Koorngal, within an established residential area characterised by a mix of detached dwellings and low-density multi-residential development. The site has an area of approximately 809.4m² and has frontage to Sherwood Avenue, which provides direct vehicle and pedestrian access. The closest cross streets are Kilpatrick Street and Kenneally Street.

A previous residential unit complex was on the site and was severely damaged by fire and subsequently demolished in 2022, leaving the land vacant. The site is currently cleared and serviced, with existing connections available to essential utilities including water, sewer, electricity, and stormwater infrastructure. Surrounding development is predominantly multi-residential in nature, and the site is suitable for redevelopment consistent with the existing character and zoning of the area. There is 2 existing carports and storage on site, along with 2 more carports to be completed.



Statement of environmental effects_v2 – 12 Sherwood Avenue

Image reference 1: One Agency Real Estate sale photos Taken 2024



Image reference 2: Looking South at block, showing carports and storage. Street view taken March 2025

4. Wagga Wagga Local Environmental Plan 2010

a. Land Use Zoning

The subject site is zoned R3 – ‘Medium Density Residential’ pursuant to Wagga Wagga Local Environmental Plan (WWLEP) 2010

b. Land Use Table

With reference to the land use table for land zoned R3 – ‘Medium Density Residential’, the development is permitted with consent.

1 Objectives of zone

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To ensure that medium density residential environments are of a high visual quality in their presentation to public streets and spaces.

2 Permitted without consent

Home businesses; Home occupations; Roads

3 Permitted with consent

Attached dwellings; Boarding houses; Centre-based child care facilities; Community facilities; Group homes; Home industries; Kiosks; **Multi dwelling housing**; Neighbourhood shops; Oyster aquaculture; Places of public worship; Respite day care centres; Restaurants or cafes; Seniors housing; Take away food and drink premises; Tank-based aquaculture; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Backpackers’ accommodation; Biosolids treatment facilities; Boat building and repair facilities; Camping grounds; Caravan parks; Cemeteries; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Entertainment facilities; Extractive

Statement of environmental effects_v2 – 12 Sherwood Avenue

industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Local distribution premises; Marinas; Mooring pens; Mortuaries; Open cut mining; Passenger transport facilities; Recreation facilities (major); Registered clubs; Research stations; Resource recovery facilities; Restricted premises; Rural industries; Rural workers' dwellings; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste disposal facilities; Waste or resource management facilities; Water recycling facilities; Water treatment facilities; Wharf or boating facilities; Wholesale supplies

5. Planning Controls

Is your proposal permissible in the zone?	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no
Is your proposal consistent with the zone objectives?	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no
Is your proposal in accordance with the relevant development control plan?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no Seek variation to carparking, along with open plan space not accessible direct from living area.

6. Context and setting

Will the development be:	
Visually prominent in the surrounding area?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no
Inconsistent with the existing streetscape?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no
Out of character with the surrounding area?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no
Inconsistent with surrounding land uses?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no

7. Privacy, Views and Overshadowing

Will the development result in any privacy issues between adjoining properties as a result of the placement of windows, decks, pergolas, private open space etc?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no
Will the development result in the overshadowing of adjoining properties resulting in an adverse impact on solar access?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no
Will the development result in any acoustic issues between adjoining properties as a result of the placement of active use outdoor areas, vehicular movement areas, air conditioners and pumps, bedroom and living room windows, etc.?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no – Replacement of burnt down dwelling
Will the development impact on views enjoyed from adjoining or nearby properties and public places such as parks roads and footpaths?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no

8. Access, traffic and Utilities

9. Environmental Impacts

Is the development likely to result in any form of air pollution (smoke, dust, odour etc.)?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no
Does the development have the potential to result in any form of water pollution (eg. sediment run-off)?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no
Will the development have any noise impacts above background noise levels (eg. Swimming pool pumps)?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no
Does the development involve any significant excavation or filling?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no

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Could the development cause erosion or sediment run-off (including during the construction period)?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no
Is there any likelihood in the development resulting in soil contamination?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no
Is the development situated in a heritage area or likely to have an impact on any heritage item or item of cultural significance?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no
Is the development likely to disturb any aboriginal artefacts or relics?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no

10. Flora and Fauna Impacts

Will the development result in the removal of any native vegetation from the site?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no
Is the development likely to have any impact on threatened species or native habitat?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no

11. Waste and Stormwater Disposal

How will effluent be disposed of?	<input checked="" type="checkbox"/> To Sewer <input type="checkbox"/> Onsite
Will liquid trade waste be discharged to Council's sewer?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no
Will the development result in any hazardous waste or other waste disposal issue?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no
How will stormwater (from roof and hard standing) be disposed of:	<input checked="" type="checkbox"/> Council Drainage System <input type="checkbox"/> Other (if other provide details:
Does the development propose to have rainwater tanks?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no
Have all potential overland stormwater risks been considered in the design of the development?	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no – refer to civil engineering drainage diagram

12. Wagga Development Control Plan 2010

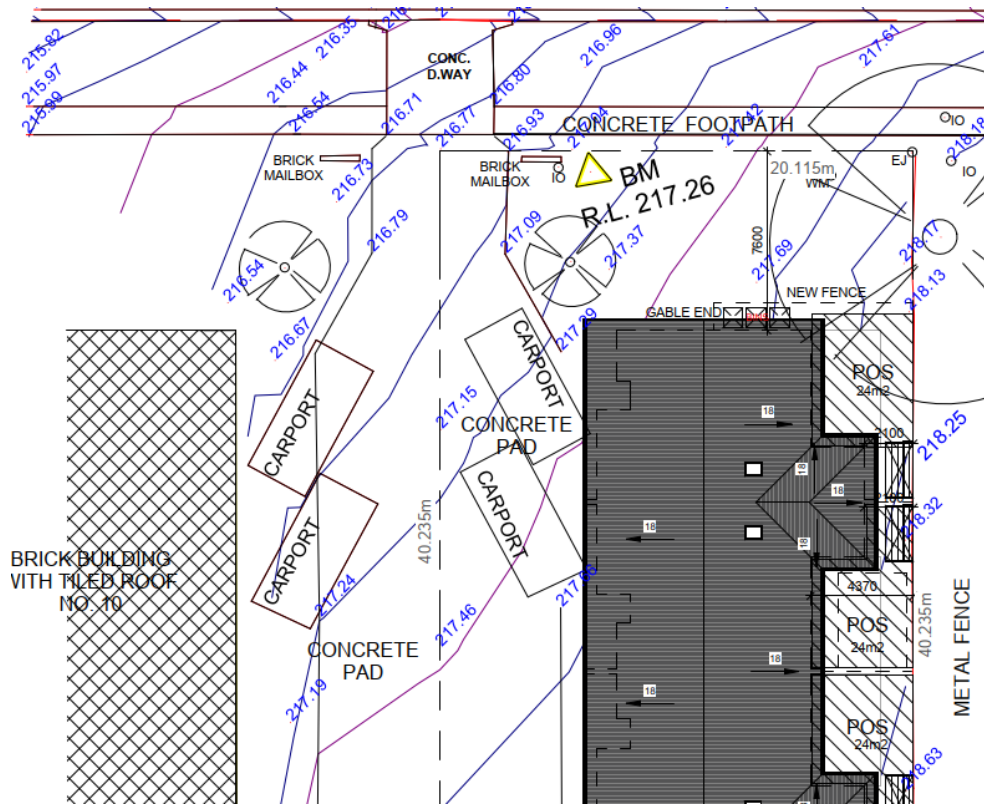
Part B Section 2 – Controls that Apply to All Development

2.1 Vehicle Access and Movements

Vehicle access is available from Sherwood Avenue as per existing. Vehicle access and movement will not be impacted because of this development. It will be based on the existing set up for vehicle access.

A variation is sought for condition 3 *Vehicles are to enter and leave in a forward direction unless it can be demonstrated that site conditions prevent it.* As this is an existing site, the existing carport slabs are to be used for a new carport to be erected. The new construction is to mirror what is happening at 10 Sherwood Avenue.

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2.2 Off-street Parking

2.2 Off-street Parking

Referring to car parking requirement table, 1.5 spaces is required for 2 bedroom dwelling, plus an 1 space per 4 dwellings for visitors. The 2 existing carports and 2 proposed carports will provide off street parking for 4 vehicles. A variation is sought too this development due to minimal space on site, as design was based around pre-existing 4 unit multi-residential dwelling. If anything else was to be done, it will be out of place with surrounding developments.

2.5 Safety and Security

Will the proposal have any economic or social consequences in the area?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no
Has the development addressed any safety, security or crime prevention issues?	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no

2.6 Erosion and Sediment Control Principles

Statement of environmental effects_v2 – 12 Sherwood Avenue

Sedimentation and erosion control measures shall be installed prior to work commencing on-site, and will be maintained throughout the duration of the works, to prevent sediment leaving the site. Proposed sediment and erosion control measures are identified upon the submitted plans.

9.2.1 Site layout

- C1 – Complies - established site with surrounding landscaping
- C2 – Complies
- C3 – Living areas face west due to limitations of site, as would only be able to face East or West due to site orientation and replace multi-residential units that were burnt down. The dwellings have also passed BASIX and Nathers.
- C4 – Complies – operable windows and doors have been situated to facilitate cross ventilation in the design.

9.2.2 Streetscape

- C1 – Complies – Similar to surrounding dwellings
- C2 – A Colorbond fence is to be forward of building line to allow private open space, this is fence similar to 10 Sherwood to provide privacy to unit 1. Across the road is a Colorbond fence forward of the building, as shown in image 4.



Image reference 3: Showing 8 and 10 Sherwood Avenue, Google Street view, captured March 2025.



Image reference 4: 11-13 Sherwood Avenue unit complex, Google Street view, captured March 2025

- C3 – 1800 high fences to separate units.

Statement of environmental effects_v2 – 12 Sherwood Avenue

C4 – Complies, bedrooms front street.

9.2.3 Corner lots and secondary facades – NA

9.2.4 Sloping sites - NA

9.3.1 Site area per dwelling

C1 – NA

C2 – Less than 350m2 per dwelling, working in with surrounding dwellings.

C3 – As above.

9.3.2 Site cover

C1 – Complies – With reference to table 9.3.2a - The maximum permissible site cover for multi-dwelling housing is 323.6m2 (40% of total lot size)

C2 - NA

9.3.3 R3 Zones - Minimum frontage

C1- Complies, block frontage width is 21.115m

9.3.4 Solar access

C1 – Does not comply – laundry/bathroom faces East due to existing access

C2 – Does not comply – skylights utilised on the roof for lighting into living areas. The challenge of the site and to match into existing made the design challenging to work within the existing parameters. An internal laundry was desired, rather than an external laundry as similar to the original design.

C3 – Skylights have been introduced to help with natural light into living areas. There is no direct access from internal living spaces to private open space due to complexity of site and existing access. Other alternatives were explored, however this was the design decided to be pursued.

C4 – A variation is sought based on the above

C5 – NA

C6 – NA

C7 – NA

C8 – NA

9.3.5 Private open space

C1 – Complies – refer to site plan

C2 – Complies

C3 – Complies – proposed fencing will provide adequate privacy between private open spaces of each dwelling

C4 – NA

9.3.6 Front setbacks

Statement of environmental effects_v2 – 12 Sherwood Avenue

C1 – Greater than 3m, which can be considered in R3. Setback of 7.6m, to work within similar frontage to 10 Sherwood Avenue.

C2 – Complies. 7.6m

C3 – Windows implemented to prevent long blank walls, along with the porch being setback further.

9.3.7 Side and rear setbacks

C1 – Complies – There are examples of existing dwellings with similar setbacks as to the proposed units, however the side setback will be 2.1m to the Eastern laundry wall and 3.675m to the rear, on surrounding land. Adequate room is provided around the building for maintenance. No adverse effects are expected for adjoining landowners with the proposed setbacks.

C2 – NA

9.4.1 Building elements

C1 – Complies – internal and external porch are linked, however access to private open space is through laundry to external – similar to other designs in that area.

C2 – Complies

C3 – Complies

C4 – Complies

C5 – N/A

9.4.2 Materials and finishes

C1 – Complies – brick veneer - the proposed materials are durable and to a high standard

C2 – Complies

C3 – Complies – No glossy or highly reflective materials proposed

C4 – Complies

C5 – NA, all one colour brick to match surrounding developments.

9.4.3 Privacy

C1 – Complies – windows and private open spaces have been oriented to ensure adequate privacy between dwellings whilst also allowing for light and ventilation within the dwelling

C2 – Complies – adequate building separation has been maintained with the proposed additions with a large setback to the existing dwelling

C3 – Complies – private, internal fencing is proposed to help with privacy

9.4.4 Garages, carports, sheds, driveways and Outbuildings

2 existing carports on site with brick store, 2 new carports to be erected. Concrete pad driveway is already on site. Will be structural columns on site with new roof to apollo patio specifications of 1 degree

C1 – N/A

Statement of environmental effects_v2 – 12 Sherwood Avenue

C2 - N/A

C3 – Complies

C4 – Does not comply, as total outbuilding maximum is 64.75, however the total site cumulative area of all outbuildings is 71m². A variation is sought due to replacing the 2 prior carports that were existing to the fire in 2022. This is also for 4 units and trying to ensure there is enough off-street parking for residents.



Image 5: Shows concrete pad for 2 carports that were demolished from fire. Image reference: One Agency real estate photos 2024.

C5 – N/A

C6 – Complies, less than 4.8m, roof pitch is 1 degree.

C7 – Complies, is in line with front wall.

9.4.5 Site facilities

C1 – Will comply for utility services to be underground.

C2 – Existing mailbox

C3 – Complies – garbage area as per plan

C4 – Complies – outdoor clothes drying area to be installed on fence – as per plan

9.4.6 Changing the landform – cut and fill

C1 – Complies – the block has a small slope to it and retaining wall less than 600mm on south eastern corner

C2 – Complies

C3 – No retaining walls greater than 600mm proposed

C4 – No easements on site

C5 – No easements on site

Statement of environmental effects_v2 – 12 Sherwood Avenue

- C6 – NA
- C7 – Complies
- C8 – retaining of south eastern corner
- C9 – Complies – any small fill areas for the building pad will be from the cut material on site
- C10 – NA – no building envelope
- C11 – Complies – adequate drainage to be provided around each dwelling to ensure it is not re-directed into neighbouring properties. Civil drainage plan to show detail
- C12 – N/A

13. Assessment of Likely Impacts of Development

Construction Impacts

Will the proposal impact upon any trees, or have any impact on the soil or site drainage patterns during construction?

The development proposes to be set back from any trees to be removed and the minor earthworks will have no impact on drainage.

How will construction noise and rubbish removal be managed during construction?

Construction work will be carried out during prescribed work hours, and in compliance with any conditions of consent relating to hours of construction. Any noise generated would be a short-term. Construction waste will be stored on-site in suitable receptacles as identified upon the submitted plan and shall be removed from site on a regular basis, to minimise the chances of windblown rubbish and nuisance.

Sedimentation and erosion controls

Sedimentation and erosion control measures shall be installed prior to work commencing on-site, and will be maintained throughout the duration of the works, to prevent sediment leaving the site. Proposed sediment and erosion control measures are identified upon the submitted plans.

Privacy

Will the proposal result in the loss of visual or acoustic privacy to any neighbouring land use? No
If so, what measure will be taken to minimise that loss?

No measures are required to address this matter as there are no perceived negative impacts upon existing privacy levels currently enjoyed by adjoining neighbours.

Views

Will the proposal result in the loss of views to any neighbouring land use? No
It has been determined that there will not be any identified loss of views to adjoining properties.

Overshadowing

Will your proposal result in any additional overshadowing to any neighbouring land use? No

Economic and Social Impacts

Will your proposal result in any social and economic impacts within the locality? No

No negative socio-economic impacts to the locality can be foreshadowed. The construction phase will generate a small but positive economic benefit, for trades and businesses in the region.

Statement of environmental effects_v2 – 12 Sherwood Avenue

Drainage

What are the proposed methods of disposing of stormwater from the site and are any new easements required?
Stormwater will be primarily collected via the roof water drainage system and disposed of via an approved stormwater drainage system to the existing drainage system. A civil engineer will also provide a plan for water run off and drainage.

14. Justification of Design Variations

Variation – Solar Access and Internal Daylight (Guide Clauses 2.4H & 2.4G)

The proposal includes minor departures from preferred solar orientation outcomes due to the constrained east–west configuration of the site and the retention of the existing access arrangement associated with the former multi-dwelling development.

Living areas are necessarily oriented east and west as a direct response to site geometry and driveway location. While this limits ideal northern orientation, internal amenity is enhanced through the incorporation of skylights to living spaces and operable windows to all habitable rooms, ensuring satisfactory daylight penetration and natural ventilation.

The development remains single storey and maintains generous setbacks, ensuring no additional overshadowing impacts are created to adjoining properties. Each dwelling achieves reasonable access to natural light and ventilation consistent with the objectives of the Guide, providing healthy internal environments despite the physical constraints of the site.

This variation is considered acceptable as the proposal achieves the underlying intent of Clauses 2.4H and 2.4G by delivering functional, well-lit dwellings without adverse impacts on neighbouring amenity.

Variation – Direct Living Room Access to Private Open Space (Guide Clause 2.4L)

Due to the retained site access arrangement and narrow building envelope, direct access from internal living areas to private open space is not achievable for all dwellings. Instead, private open spaces are accessed via the internal laundry spaces.

This design outcome reflects the configuration of the former development and enables efficient internal layouts while maintaining required setbacks and separation distances.

Each dwelling is provided with compliant private open space areas that are consolidated, fenced for privacy, and usable for outdoor recreation. Skylights and window placement ensure internal living spaces remain well lit, and the proximity of private open spaces maintains functional connectivity between indoor and outdoor areas.

While the preferred design criterion is not strictly met, the proposal achieves the objective of Clause 2.4L by providing usable private outdoor areas that support residential amenity and liveability.

Variation – Car Parking Provision (Guide Clause 2.4N and DCP Controls)

The proposal provides four (4) on-site car parking spaces, equating to one space per dwelling. A variation is sought to visitor parking provisions due to the constrained site dimensions and replacement nature of the development.

The design incorporates two existing and two replacement carports in locations historically used for parking prior to the fire-damaged demolition. Increasing parking provision beyond this would require excessive hardstand, reduced landscaping, or increased building footprint, resulting in poorer urban design outcomes.

The site is located within an established residential area with available on-street parking, and each dwelling is provided with a dedicated off-street space.

Statement of environmental effects_v2 – 12 Sherwood Avenue

This variation achieves the intent of Clause 2.4N by providing appropriate resident parking while avoiding overdevelopment of the site and maintaining landscaped areas and residential character.

Variation – Outbuilding / Carport Area (Guide Clause 2.4N & DCP)

A minor exceedance in cumulative outbuilding area is proposed to allow replacement of two previously existing carports lost in the 2022 fire event.

The additional area is directly linked to reinstating off-street parking capacity for the four dwellings and does not increase building height or bulk. The carports remain lightweight structures with low roof pitch and minimal visual impact, positioned in locations historically occupied by parking structures.

This variation supports the objectives of the Guide by enabling functional site operation while preserving landscaping opportunities and maintaining a low-rise built form consistent with surrounding development.

Overall Merit Assessment

The proposed variations arise from genuine site constraints and the replacement nature of the development. Collectively, they do not result in adverse impacts to streetscape character, adjoining amenity, or residential liveability.

The proposal continues to satisfy the overarching objectives of the Low Rise Housing Diversity Design Guide by delivering:

- Compatible low-rise built form
- Functional dwelling layouts
- Reasonable solar access and ventilation
- Maintained privacy
- Appropriate parking provision
- Retention of landscaped areas

Accordingly, the variations are considered reasonable and acceptable in merit and deliver an appropriate planning outcome for the site.

APPLICANT DECLARATION

I declare to the best of my knowledge and belief, that the particulars stated on this document are correct in every detail and that the information required has been supplied. I acknowledge that the development application may be returned to me if the information is found to be inadequate.

Statement of environmental effects_v2 – 12 Sherwood Avenue

12 Sherwood Avenue – Residential Dwelling

15. APPENDIX # 1

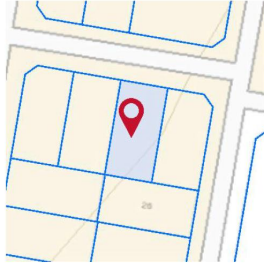
Planning Portal Report

Statement of environmental effects_v2 – 12 Sherwood Avenue



Property Report

12 SHERWOOD AVENUE KOORINGAL 2650



Property Details

Address: 12 SHERWOOD AVENUE KOORIMAL
2650
Lot/Section 8/-/DP242635
/Plan No:
Council: WAGGA WAGGA CITY COUNCIL

Summary of planning controls

Planning controls held within the Planning Database are summarised below. The property may be affected by additional planning controls not outlined in this report. Please contact your council for more information.

Local Environmental Plans	Wagga Wagga Local Environmental Plan 2010 (pub. 26-8-2022)
Land Zoning	R3 - Medium Density Residential: (pub. 14-4-2023)
Height Of Building	NA
Floor Space Ratio	NA
Minimum Lot Size	NA
Heritage	NA
Land Reservation Acquisition	NA
Foreshore Building Line	NA
Riparian Lands and Watercourses	Water Resource
Terrestrial Biodiversity	Biodiversity

Detailed planning information

State Environmental Planning Policies which apply to this property

State Environmental Planning Policies can specify planning controls for certain areas and/or types of development. They can also identify the development assessment system that applies and the type of environmental assessment that is required.

This report provides general information only and does not replace a Section 10.7 Certificate (formerly Section 149)

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Statement of environmental effects_v2 – 12 Sherwood Avenue



Property Report

12 SHERWOOD AVENUE KOORINGAL 2650

- State Environmental Planning Policy (Biodiversity and Conservation) 2021: Allowable Clearing Area (pub. 21-10-2022)
- State Environmental Planning Policy (Biodiversity and Conservation) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008: Land Application (pub. 12-12-2008)
- State Environmental Planning Policy (Housing) 2021: Land Application (pub. 26-11-2021)
- State Environmental Planning Policy (Industry and Employment) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Planning Systems) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Primary Production) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Resilience and Hazards) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Resources and Energy) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Sustainable Buildings) 2022: Land Application (pub. 29-8-2022)
- State Environmental Planning Policy (Transport and Infrastructure) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Transport and Infrastructure) 2021: Subject Land (pub. 2-12-2021)

Other matters affecting the property

Information held in the Planning Database about other matters affecting the property appears below. The property may also be affected by additional planning controls not outlined in this report. Please speak to your council for more information

Land near Electrical Infrastructure	This property may be located near electrical infrastructure and could be subject to requirements listed under Transport and Infrastructure SEPP 2021 Clause 2.48. Please contact Essential Energy for more information.
Local Aboriginal Land Council	WAGGA WAGGA
Regional Plan Boundary	Riverina Murray

This report provides general information only and does not replace a Section 10.7 Certificate (formerly Section 149)

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2 / 2

Statement of environmental effects_v2 – 12 Sherwood Avenue

12 Sherwood Avenue – Residential Dwelling

16. APPENDIX # 2

Historic video of 12 Sherwood and fire.

<https://www.facebook.com/watch/?v=1633056727060572>



Historic images from The Daily Advertiser, shows 2 existing carports, in which the proposed development will re-instate.

S. Harper

12 Sherwood Ave Kooringal

Multi-residential



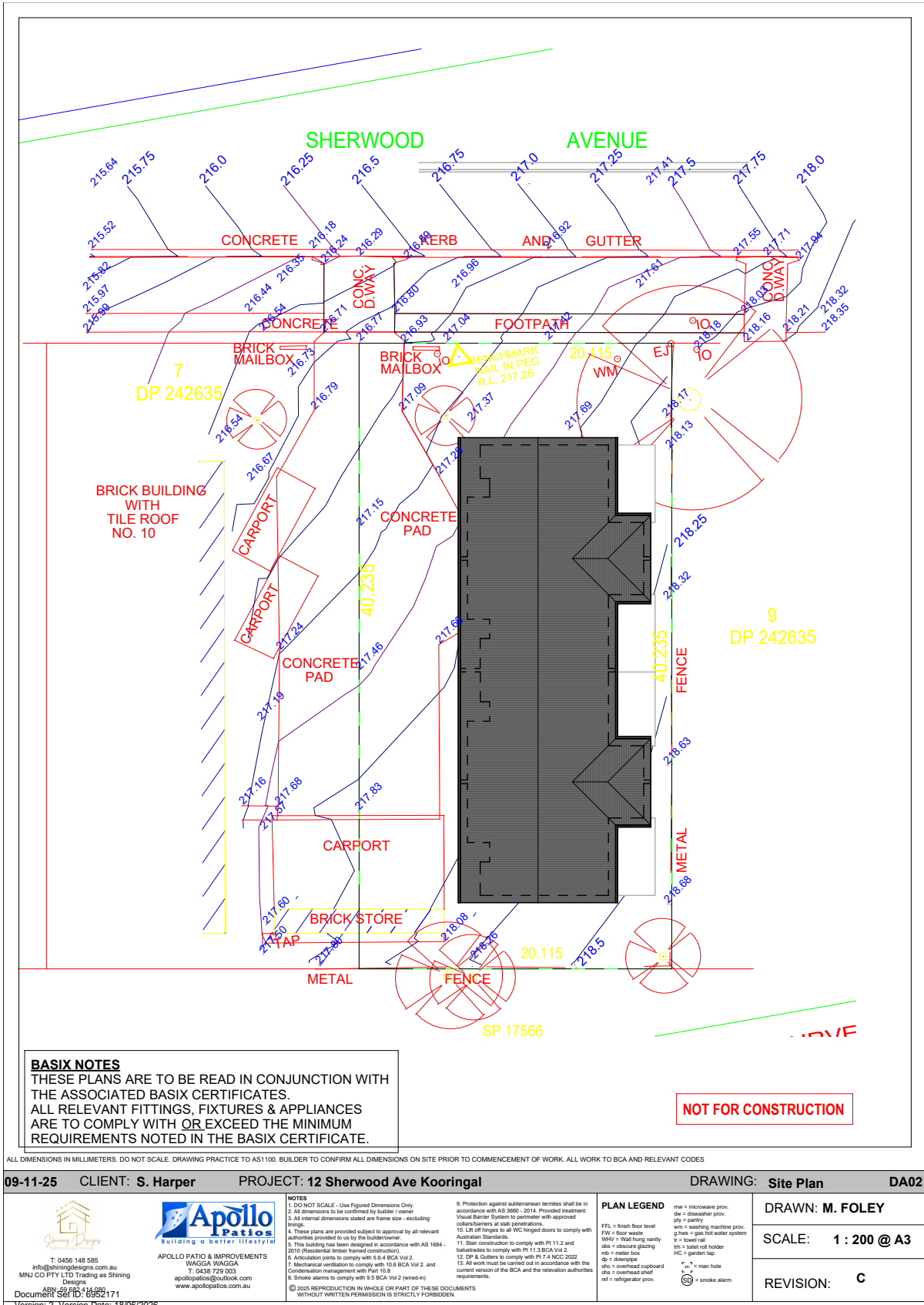
Sheet List	
Sheet Number	Sheet Name
D10	Slab/Drainage Plan
DA00	Cover Page
DA01	Site Analysis
DA02	Site Plan
DA03	Landscape
DA04	Ground Floor
DA05	Elevations
DA06	Elevations
DA07	Roof



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09-11-25 CLIENT: S. Harper PROJECT: 12 Sherwood Ave Kooringal DRAWING: Cover Page DA00				
 SHINING DESIGNS - JUNEE T: 0455 148 585 Doc: 18/06/2026 16:05:47 Version: 2, Version Date: 18/06/2026	 APOLLO PATIOS & IMPROVEMENTS WAGGA WAGGA T: 0438 729 003 apollopatios@outlook.com www.apollopatios.com.au	NOTES 1. DO NOT SCALE - Use Figured Dimensions Only. 2. All dimensions to be confirmed by builder / owner. 3. All external dimensions stated are frame size - excluding linings. 4. These plans are provided subject to approval by all relevant authorities provided to us by the builder/owner. 5. This building has been designed in accordance with AS 1684 - 2010 (Residential timber framed construction). 6. Articulation joints to comply with 5.4.4 BCA Vol 2. 7. Mechanical ventilation to comply with 10.6 BCA Vol 2, and Condensation management with Part 10.8. 8. Smoke alarms to comply with 9.5 BCA Vol 2 (wired-in). © 2025 REPRODUCTION IN WHOLE OR PART OF THESE DOCUMENTS WITHOUT WRITTEN PERMISSION IS STRICTLY FORBIDDEN.	PLAN LEGEND FFL = finish floor level FW = floor waste HW = Wall hung vanity obs = obscure glazing RB = roller box dg = downpipe ohc = overhead cupboard ohs = overhead shelf ref = refrigerator prov. mw = microwave prov. dr = dishwasher prov. ply = pantry wtr = washing machine prov. g/hws = gas hot water system R = lower rail th = toilet roll holder HC = garden tap m = man hole ☼ = smoke alarm	DRAWN: M. FOLEY
				SCALE: @ A3

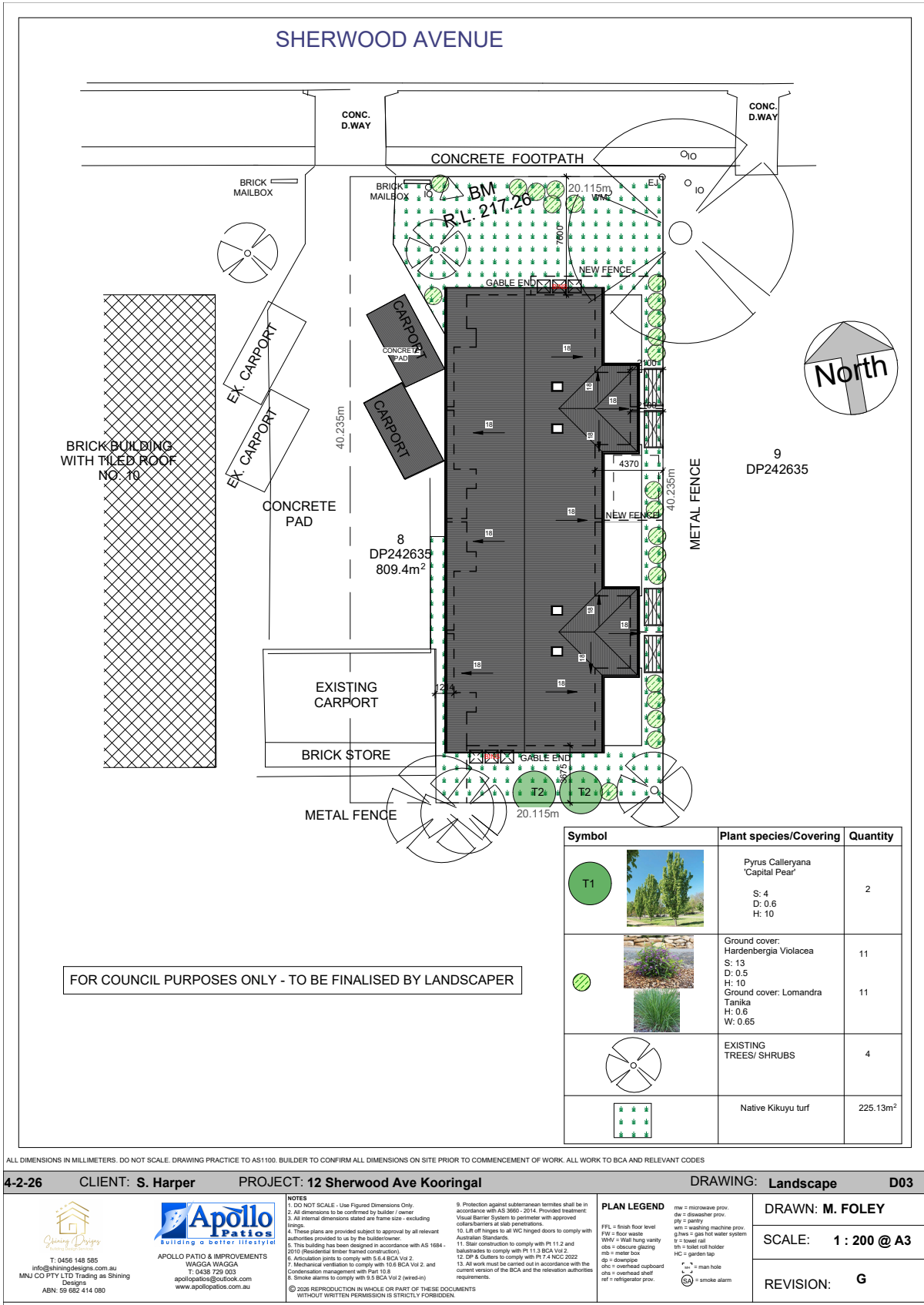


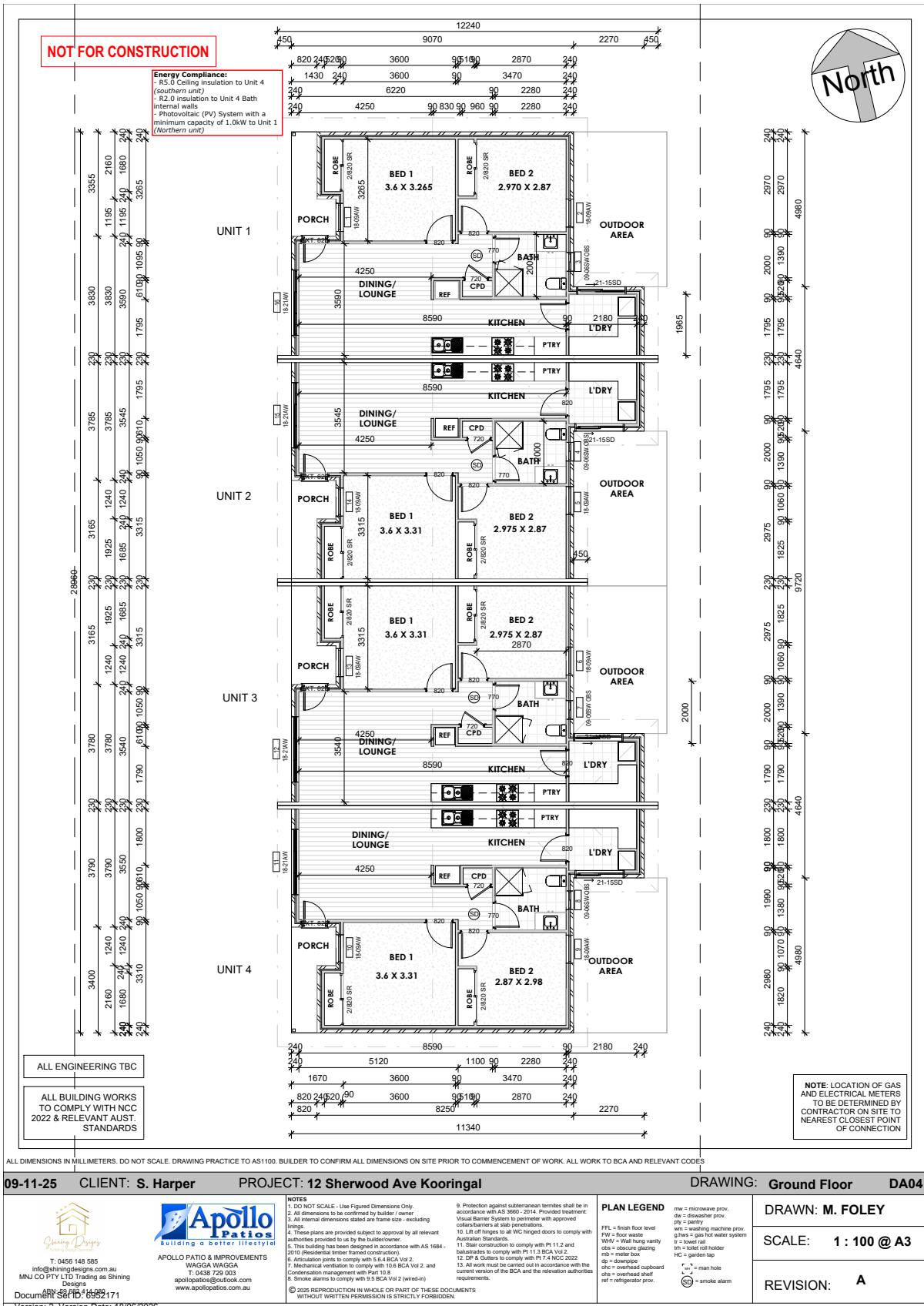
BASIX NOTES
 THESE PLANS ARE TO BE READ IN CONJUNCTION WITH THE ASSOCIATED BASIX CERTIFICATES. ALL RELEVANT FITTINGS, FIXTURES & APPLIANCES ARE TO COMPLY WITH OR EXCEED THE MINIMUM REQUIREMENTS NOTED IN THE BASIX CERTIFICATE.

NOT FOR CONSTRUCTION

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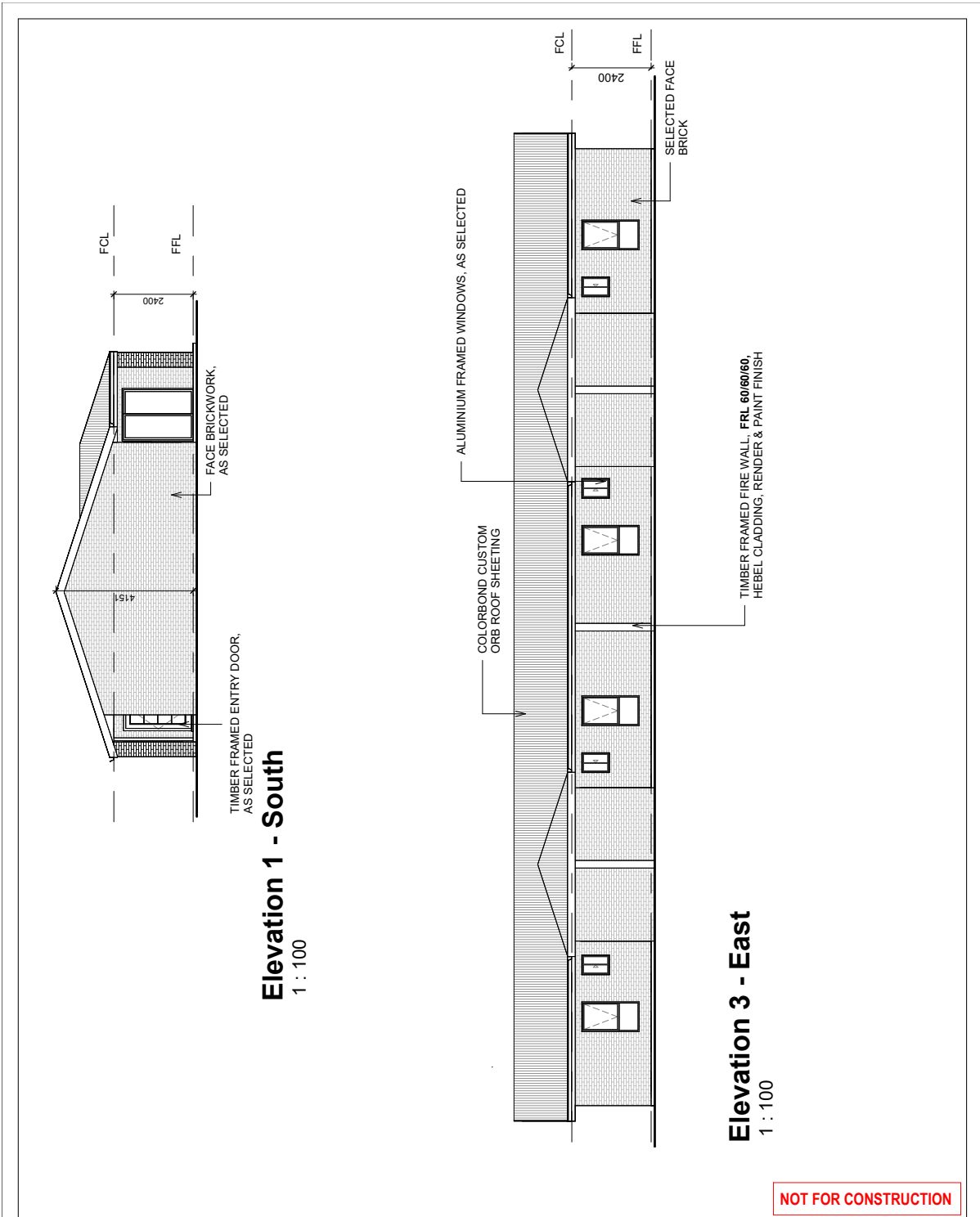
09-11-25 CLIENT: S. Harper		PROJECT: 12 Sherwood Ave Koorngal		DRAWING: Site Plan		DA02			
 T: 0456 148 585 info@shiningdesigns.com.au MNU CO PTY LTD Trading as Shining Designs ABN: 29 662 444 685 Document Set ID: 6952171 Version: 2, Version Date: 18/06/2026		 APOLLO PATIO & IMPROVEMENTS WAGGA WAGGA T: 0438 729 003 apollopatios@outlook.com www.apollopatios.com.au		NOTES 1. DO NOT SCALE - Use Figured Dimensions Only. 2. All dimensions to be confirmed by builder / owner. 3. All internal dimensions stated are frame size - excluding linings. 4. These plans are provided subject to approval by all relevant authorities provided to us by the builder/owner. 5. This building has been designed in accordance with AS 1684 - (2019) (Residential timber framed construction). 6. Articulation joints to comply with 5.6.4 BCA Vol 2. 7. Mechanical ventilation to comply with 10.9 BCA Vol 2 and Condensation management with Part 10.9. 8. Smoke alarms to comply with 9.9 BCA Vol 2 (wired-wireless). 9. Protection against subterranean termites shall be in accordance with AS 3660 - 2014. Provided treatment: Visual Barrier System to perimeter with approved column barriers at slab penetrations. 10. Lift off hinges to all WC hinged doors to comply with Australian Standards. 11. Stair construction to comply with Pt 11.2 and balustrades to comply with Pt 11.3 BCA Vol 2. 12. DP & Gutters to comply with Pt 7.4 NCC 2022. 13. All work must be carried out in accordance with the current version of the BCA and the relevant authorities requirements.		PLAN LEGEND FFL = finish floor level FW = floor waste WFW = Wall hung vanity obs = obscure glazing mb = mirror box sp = downspout ohc = overhead cupboard ohs = overhead shelf ref = refrigerator prov. mw = microwave prov. dhw = dishwasher prov. ply = pantry mhw = gas hot water system R = bowel rail th = toilet roll holder HC = garden tap mh = man hole sm = smoke alarm		DRAWN: M. FOLEY SCALE: 1 : 200 @ A3 REVISION: C	







09-11-25 CLIENT: S. Harper PROJECT: 12 Sherwood Ave Koorlingal DRAWING: Ground Floor DA04

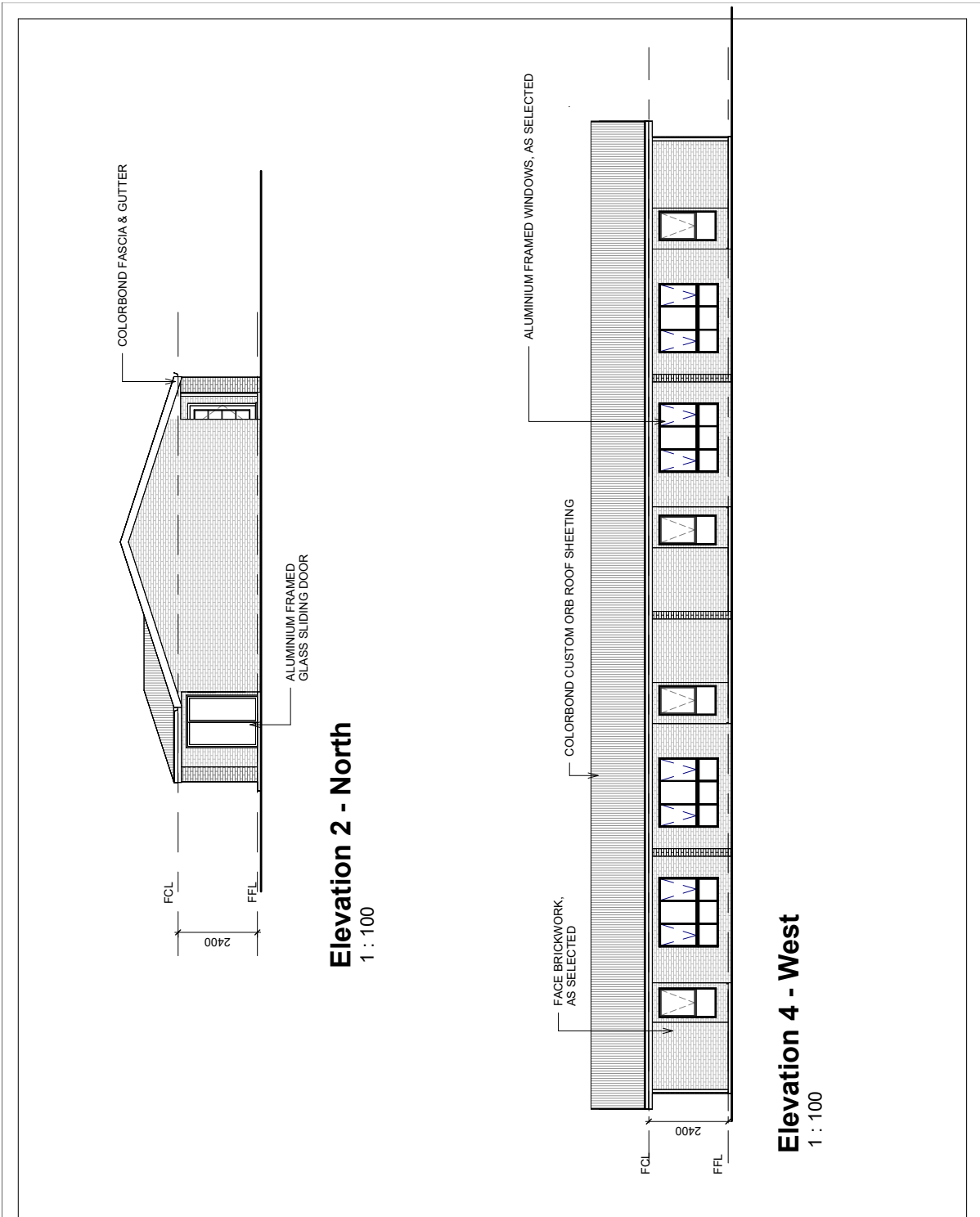
<p>T: 0456 148 585 info@shiningdesigns.com.au MNU CO PTY LTD Trading as Shining Designs Document Ref ID: 6582171 Version: 2, Version Date: 18/06/2026</p>	<p>APOLLO PATIO & IMPROVEMENTS WAGGA WAGGA T: 0438 729 003 apollopatios@outlook.com www.apollopatis.com.au</p>	<p>PLAN LEGEND</p> <p>FFL = finish floor level FW = floor waste MW = microwave prov. pl = pantry wlm = washing machine prov. ghw = gas hot water system r = reveal rail th = toilet roll holder HC = garden tap mb = mirror box ds = doorstop ohc = overhead cupboard ohs = overhead shelf ref = refrigerator prov.</p>	<p>DRAWN: M. FOLEY</p>
			<p>SCALE: 1 : 100 @ A3</p>
			<p>REVISION: A</p>



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09-11-25 CLIENT: S. Harper PROJECT: 12 Sherwood Ave Kooringal DRAWING: Elevations DA05

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				SCALE: 1 : 100 @ A3
				REVISION: A



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09-11-25 CLIENT: S. Harper PROJECT: 12 Sherwood Ave Kooringal DRAWING: Elevations DA06

 T: 0456 148 585 info@shiningdesigns.com.au MNU CO PTY LTD Trading as Shining Designs www.shiningdesigns.com.au Document ID: 6562171 Version: 2, Version Date: 18/06/2026	 APOLLO PATIO & IMPROVEMENTS WAGGA WAGGA T: 0438 729 003 apollopatios@outlook.com www.apollopatios.com.au	NOTES 1. DO NOT SCALE - Use Figured Dimensions Only. 2. All dimensions to be confirmed by builder / owner. 3. All internal dimensions stated are frame size - excluding linings. 4. These plans are provided subject to approval by all relevant authorities provided to us by the builder/owner. 5. This building has been designed in accordance with AS 1684 - 2019 (Residential timber framed construction). 6. Articulation joints to comply with 5.6.4 BCA Vol 2. 7. Mechanical ventilation to comply with 10.6 BCA Vol 2 and Condensation management with Part 10.8. 8. Smoke alarms to comply with 9.9 BCA Vol 2 (wired-in). 9. Protection against subterranean termites shall be in accordance with AS 3660 - 2014. Provided treatment: Visual Barrier System to perimeter with approved column/barriers at slab penetrations. 10. Lift off hinges to all WC hinged doors to comply with Australian Standards. 11. Stair construction to comply with Pt 11.2 and balustrades to comply with Pt 11.3 BCA Vol 2. 12. DP & Gutters to comply with Pt 7.4 NCC 2022. 13. All work must be carried out in accordance with the current version of the BCA and the relevant authorities requirements. © 2026 REPRODUCTION IN WHOLE OR PART OF THESE DOCUMENTS WITHOUT WRITTEN PERMISSION IS STRICTLY FORBIDDEN.	PLAN LEGEND FFL = finish floor level FW = floor waste HW = Wall hung sanitary S = bowel stall SH = toilet roll holder HC = garden tap MB = mirror box DG = downpipe OH = overhead cupboard OS = overhead shelf ref = refrigerator prov. mw = microwave prov. dr = dishwasher prov. ply = pantry wts = washing machine prov. g.hws = gas hot water system S = bowel stall SH = toilet roll holder HC = garden tap MB = mirror box DG = downpipe OH = overhead cupboard OS = overhead shelf ref = refrigerator prov. mw = microwave prov. dr = dishwasher prov. ply = pantry wts = washing machine prov. g.hws = gas hot water system S = bowel stall SH = toilet roll holder HC = garden tap MB = mirror box DG = downpipe OH = overhead cupboard OS = overhead shelf ref = refrigerator prov.	DRAWN: M. FOLEY
				SCALE: 1 : 100 @ A3
				REVISION: A

Typ. Section
1 : 50

NOTES:
ROOF TRUSSES
TIMBER ROOF TRUSSES@ 900C. BY UNIVERSAL TRUSSES. MANUFACTURED TO BCA & AUST. STANDARD.
LINTEL
SIZE TO TRUSS MANUFACTURERS CHART. COLORBOND FASCIA AND GUTTER AS SELECTED. PROVIDE ROOF LIGHTS & VENTILATION TO COMPLY WITH BCA. ROOF PLUMBING, FLASHING & THE LIKE TO COMPLY WITH AUSTRALIAN STANDARDS
INTERNAL LININGS
GYPROCK TO ALL ROOMS.
FIBROUS CEMENT SHEET WALL LINING TO WET AREAS.
WALL FRAMES: TIMBER WALL FRAMES BY UNIVERSAL TRUSSES. MANUFACTURED TO BCA & AS 1684.2-2010 FLOOR TRUSSES TIMBER FLOOR TRUSSES BY UNIVERSAL TRUSSES. MANUFACTURED TO BCA & AUST. STANDARD
FOOTINGS ALL CONCRETE FOOTINGS AND SLABS TO BE IN ACCORDANCE WITH S.A. CODE 2870.1 & ENGINEER'S SPECIFICATION. PROVIDE CONTINUOUS DAMPROOF MEMBRANE UNDER SLAB. PROVIDE DAMPROOF COURSE AT BEARER SEATING LEVELS. PROVIDE STEPPED CAVITY FLASHING WITH WEEP HOLE AT 1200MM CENTERS TO THE EXTERNAL BRICK SKIN AT GROUND FLOOR LEVEL. UNDER WINDOW SILLS AND BRICKWORK ABOVE WINDOWS.
BRICKWORK AS SELECTED. BONDED IN STRETCHER BOND. MORTAR TO COMPLY RELEVANT CODES AND AUSTRALIAN STANDARDS.
LINTELS FOR BRICKWORK ALL BEAMS & LINTELS WORK AS PER ENGINEER'S SPECIFICATION & MANUFACTURER'S TABLE.
STAIRS, BALUSTRADES AND HANDRAILS THE HEIGHT OF THE BALUSTRADE ON A FINISHED FLOOR LEVEL, BALCONY, LANDING OR PATH MUST BE ABOVE 1000MM. OPENINGS IN THE BALUSTRADES MUST BE CONSTRUCTED SO THAT ANY OPENING DOES NOT PERMIT A 125MM SPHERE TO PASS THROUGH IT. THIS SPACE IS TESTED ABOVE THE NOSING LINE ONLY. A HANDRAIL SHOULD BE PROVIDED ALONG AT LEAST ONE SIDE OF THE STAIRS. THE HANDRAILS SHOULD BE CONTINUOUS. ALL STAIRS, BALUSTRADES AND HANDRAILS SHALL COMPLY WITH AS AND BCA.
CONDENSATION MANAGEMENT BUILDING MEMBRANES INSTALLED IN THE BUILDING MUST COMPLY WITH SECTION 10.8
BUILDING SEALING ALL AREAS OF THE BUILDING MUST BE SEALED IN ACCORDANCE WITH SECTION 13.4 OF THE BCA
CONDENSATION MANAGEMENT
BUILDING ELEMENTS IN AREA SUBJECT TO WATER VAPOUR OR CONDENSATION MUST BE CONSTRUCTED TO REDUCE RISKS TO THE HEALTH OF BUILDING OCCUPANTS
ALL CONSTRUCTION MUST MEET NCC 2022 SECTION 10.8 - CONDENSATION MANAGEMENT REQUIREMENTS
10.8.1 - EXTERNAL WALL CONSTRUCTION
10.8.2 - EXHAUST SYSTEMS
10.8.3 - VENTILATION OF ROOF SPACES

Window Schedule				
Mark	Type	Height	Width	Comments
3	09-06SW OBS	840	600	
4	09-06SW OBS	840	600	
5	18-09AW	1740	900	
6	18-09AW	1740	900	
7	09-06SW OBS	840	600	
8	09-06SW OBS	840	600	
9	18-09AW	1740	900	
10	18-09AW	1740	900	
11	18-21AW	1800	2100	
12	18-21AW	1800	2100	
13	18-09AW	1740	900	
14	18-09AW	1740	900	
15	18-21AW	1800	2100	
16	18-21AW	1800	2100	
17	18-18AW	1740	1810	
18	18-18AW	1740	1810	
19	550x700	700	550	
20	550x700	700	550	
21	550x700	700	550	
22	550x700	700	550	

Door Schedule				
Mark	Type	Height	Width	Comments
1	EXT. 820	2110	820	Timber
2	EXT. 820	2110	820	Timber
3	EXT. 820	2110	820	Timber
4	21-18SD	2110	1800	
5	EXT. 820	2110	820	Timber
6	21-18SD	2110	1800	
7	21-18SD	2110	1800	
8	21-18SD	2110	1800	

PowerPanel50 50mm Intertency / Party Wall System with 90mm stud frame

NOTES:
ALL WORK MUST BE CARRIED OUT IN ACCORDANCE WITH THE CURRENT VERSION OF THE BCA AND THE RELEVANT AUTHORITIES REQUIREMENTS.
INSULATION:
EXTERNAL WALLS AS PER BASIS, R0.5 PERFORATED SISALATION.
INTERNAL GARAGE WALLS AS PER BASIS
CEILING AS PER BASIS
SHEET METAL ROOF WITH SISALATION UNDER AS PER BASIS
WEATHERSTRIPS TO ALL EXTERNAL DOORS
NO UNSEALED VENTED DOWNLIGHTS
SELF-SEALING DAMPERS TO ALL EXHAUST FANS

ALL DIMENSIONS IN MILLIMETERS. DO NOT SCALE. DRAWING PRACTICE TO AS1100. BUILDER TO CONFIRM ALL DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF WORK. ALL WORK TO BCA AND RELEVANT CODES

4-2-26

CLIENT: S. Harper

PROJECT: 12 Sherwood Ave Koorlingal

DRAWING: Section

DA07

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MUU CO PTY LTD Trading as Shining Designs
Document Ref ID: 6582171
Version: 2, Version Date: 18/06/2026

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NOTES

- DO NOT SCALE - Use Figured Dimensions Only.
- All dimensions to be confirmed by builder / owner
- All internal dimensions stated are frame size - excluding linings.
- These plans are provided subject to approval by all relevant authorities provided to us by the builder/owner.
- This building has been designed in accordance with AS 1684 - 2010 (Residential timber framed construction).
- Articulation joints to comply with 5.4.4 BCA Vol 2.
- Mechanical ventilation to comply with 10.6 BCA Vol 2 and Condensation management with Part 10.8.
- Smoke alarms to comply with 9.9 BCA Vol 2 (wired-in).
- Protection against subterranean termites shall be in accordance with AS 3660 - 2014. Provided treatment: Visual Barrier System to perimeter with approved catches/bars at slab penetrations.
- Lift off hinges to all WC hinged doors to comply with Australian Standards.
- Slab construction to comply with Pt 11.3 BCA Vol 2 and balustrades to comply with Pt 11.3 BCA Vol 2.
- DP & Gutters to comply with Pt 7.4 NCC 2022
- All work must be carried out in accordance with the current version of the BCA and the relevant authorities requirements.

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PLAN LEGEND

FFL = finish floor level
FW = floor waste
WH = wall hung warty
obs = obscure glazing
RB = roller box
dg = downpipe
ohc = overhead cupboard
ohs = overhead shelf
ref = refrigerator prov.
mw = microwave prov.
ds = dishwasher prov.
ply = pantry
wh = washing machine prov.
ghs = gas hot water system
f = floor fall
th = toilet roll holder
HC = garden tap
m = man hole
sm = smoke alarm

DRAWN: M. FOLEY

SCALE: 1 : 50 @ A3

REVISION: D

Report submitted to the Ordinary Meeting of Council on Monday 13 July 2026.

Attachments

GENERAL BUILDING SPECIFICATIONS

WORKS TO BE CARRIED OUT IN ACCORDANCE WITH NCC 2022 & RELEVANT AUSTRALIAN STANDARDS

CONCRETE & REINFORCEMENT IN ACCORDANCE WITH AS 3600

RESIDENTIAL SLAB CONSTRUCTION IN ACCORDANCE WITH AS2870

VAPOUR BARRIERS AND DAMP-PROOFING MEMBRANES IN ACCORDANCE WITH AS 2870. SARKING & WALL WRAP IN ACCORDANCE WITH AS/NZS 4200.1, BE INSTALLED TO MANUFACTURERS SPECIFICATIONS & AS 4200.2

WET AREAS IN ACCORDANCE WITH H4D1. H4D2 7 H4D3 OF THE NCC VOLUME TWO AND PART 10.2 OF THE HOUSING PROVISIONS OR CLAUSES 10.2.1 TO 10.2.6 & 10.2.12 AND AS 3740.

TIMBER FRAMES & TRUSSES - REFERENCE AS/NZS 1170.1 - 2002, AS/NZS 1170.2 - 2021, AS 1684.2-2021, AS 1720.1 - 2010, AS 1720.5 - 2015 AND AS 4440 - 2004 - INSTALLATION OF NAILPLATED TIMBER ROOF TRUSSES.

EAVES & SOFFIT LININGS IN ACCORDANCE WITH NCC PART 7.5.5

FLASHINGS TO WALL OPENINGS IN ACCORDANCE WITH NCC PART 7.5.6

SELECTION & INSTALLATION OF WINDOWS TO AS 2047

GLAZING IN ACCORDANCE WITH H1D8 & H2D7 OF THE NCC / BCA VOLUME TWO, SECTION 8 OF THE HOUSING PROVISIONS & AUSTRALIAN STANDARDS AS 1288, 2047, 4055.

SHEET METAL ROOFING IN ACCORDANCE WITH NCC PART 7.2, AS 1562.1

GUTTERS & DOWNPIPES IN ACCORDANCE WITH NCC PART 7.4 AND AS/NZS 3500.3

PLASTERBOARD LININGS IN ACCORDANCE WITH AS/NZS 2589

FIBRE CEMENT LINING IN ACCORDANCE WITH AS/NZS 2908.2

CLADDING MATERIAL IN ACCORDANCE WITH NCC CLAUSE H1D7 & NCC HOUSING PROVISION SECTION 7.5 (TIMBER AND COMPOSITE WALL CLADDING).

MASONRY CONSTRUCTION IN ACCORDANCE WITH NCC PART 5, AS 3700, AS4773.1 & AS 4773.2 . MASONRY ARTICULATION JOINTS AS PER AS 4773.2 & NCC HOUSING PROVISION CLAUSE 5.6.8 (VERTICAL ARTICULATION JOINTS). ALTERNATIVELY, ENGINEER TO PROVIDE.

ELECTRICAL WORK INSTALLED IN ACCORDANCE WITH AS/NZS 3000 BY LICENCED ELECTRICAL CONTRACTOR . ARTIFICIAL LIGHTING TO BATHROOMS, AIRLOCKS & LAUNDRIES INSTALLED AS PER AS/NZS 1680.0

PLUMBING & DRAINAGE IN ACCORDANCE WITH AS/NZS 3500 & PLUMBING CODE OF AUSTRALIA 2019

MECHANICAL VENTILATION DISCHARGED DIRECTLY TO OUTDOOR AIR AS PER REQUIREMENTS OF NCC PART 10.8

CONDENSATION MANAGEMENT DETAILS AS PER BCA HOUSING PROVISIONS CLAUSE 10.8.2, (3), (4), (5). I.E TIMER, DRYER, MAKEUP AIR.

FLOW RATE AND DISCHARGE OF EXHAUST SYSTEMS CALCULATIONS IN ACCORDANCE WITH NCC HOUSING PROVISIONS PART 10.8 - CONDENSATION MANAGEMENT.

SUB-FLOOR VENTILATION AND CLEARANCE COMPLIANCE WITH NCC HOUSING PROVISIONS PART 6.2 WHERE CONCERNS THE DESIGN DOES NOT COMPLY, REQUEST SHOWN ON SECTION / ELEVATIONS.

EXTERNAL BALCONIES ARE TO BE WATERPROOFED AS PER NCC H2D8 & AS 4654.1 & 2

THERMAL INSULATION TO COMPLY WITH AS/NZS 4859.1 & INSTALLED AS PER NCC PART 13.2

EXTERNAL WINDOWS & DOORS TO BE SEALED IN ACCORDANCE WITH NCC PART 13.4

SMOKE ALARMS LOCATED IN ACCORDANCE WITH NCC PART 9.5, COMPLY WITH AS 3786 & BE INTERCONNECTED WHERE MORE THAN ONE ALARM IS INSTALLED. LOCATIONS ARE INDICATIVE ONLY.

SLIP RESISTANCE TO STAIRS & LANDINGS IN ACCORDANCE WITH NCC PART 11.2.4

LANDINGS CONSTRUCTED IN ACCORDANCE WITH NCC PART 11.2.5.

BARRIERS & HANDRAILS IN ACCORDANCE WITH NCC PART 11.3



TERMITE RISK MANAGEMENT IN ACCORDANCE WITH NCC PART 3.4, AS 3660.1; OR HAVE BEEN TESTED & PASSED SECTION 5 OF AS3660.3. WHERE CHEMICAL MANAGEMENT SYSTEM USED, BE INCLUDED ON THE APPROPRIATE AUTHORITY'S PESTICIDES REGISTER.

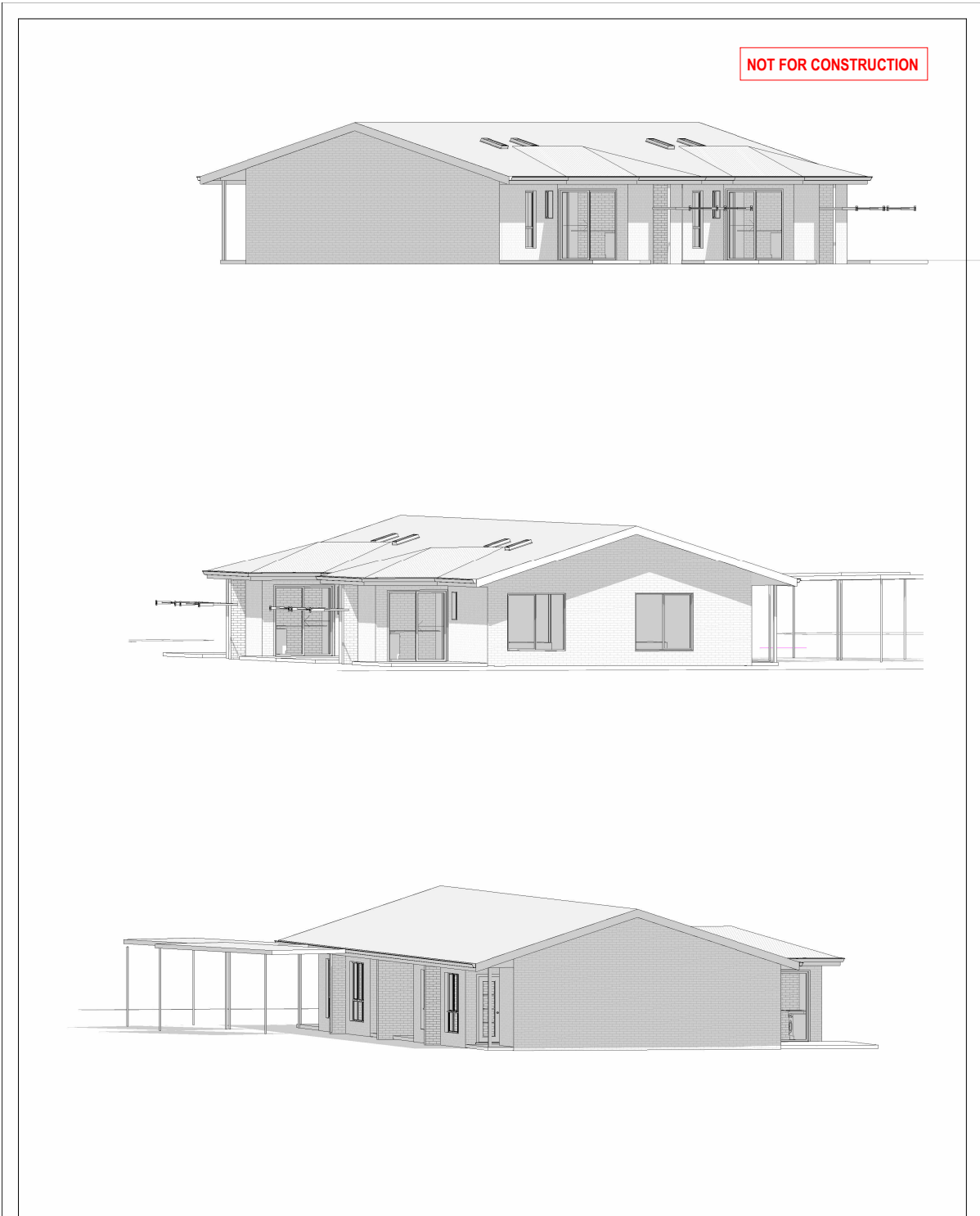
BASIX DETAILS

DETAILS		ENERGY	
STREET ADDRESS	12 SHERWOOD AVENUE UNITS	HOT WATER UNIT	GAS INSTANTANEOUS - 5'
SUBURB	KOORINGAL	COOLING	LIVING SPLIT SYSTEMS
LOT / DP NUMBER	8 / DP242635	HEATING	BEDROOMS SPLIT SYSTEMS
POST CODE	2650		LIVING SPLIT SYSTEMS
LGA	WAGGA WAGGA CITY COUNCIL	VENTILATION	BEDROOMS SPLIT SYSTEMS
NO. OF SEPARATE HOUSES	4	BATHROOM EXHAUST	INDIVIDUAL FAN, DUCTED TO ROOF
SITE AREA	809.40 SQ.M	SWITCH	MANUAL SWITCH ON/OFF
TOTAL ROOF AREA	339.47 SQ.M	KITCHEN EXHAUST	INDIVIDUAL FAN, DUCTED TO ROOF
NO. OF BEDROOMS	8	SWITCH	MANUAL SWITCH ON/OFF
CONDITIONED FLOOR AREA	SQ.M	LAUNDRY EXHAUST	NATURAL VENTILATION
UNCONDITIONED LOOR AREA	SQ.M	SWITCH	N/A
WATER		LIGHTING	
AREA OF GARDEN AND LAWN	0 sqm	NATURAL LIGHTING	BATHWC No. OF ROOMS: 4
AREA OF INDIGENOUS/LOW WATER USE SPECIES	0 sqm		KITCHEN NO - SKYLIGHT: 1 each unit
FIXTURE RATINGS	SHOWERHEAD(S) 3 STAR (>7.5-<=9.0 L/MIN)	ARTIFICIAL LIGHTING	
	TOILET(S) 4 STAR	THE APPLICANT MUST ENSURE MINIMUM OF 80% OF LIGHT FIXTURES ARE FITTED WITH FLUORESCENT, COMPACT FLUORESCENT, OR LIGHT EMITTING DIODE (LED) LAMPS.	
	KITCHEN TAP(S) 3 STAR	KITCHEN APPLIANCES INDUCTION COOKTOP & ELECTRIC OVEN	
	BATHROOM TAP(S) 3 STAR	OTHER PRIVATE OUTDOOR CLOTHES DRYING AREA	
ROOF AREA DIVERTED TO TANK	N/A		
TANK SIZE	NL		
THERMAL - MINIMUM REQUIREMENTS			
CONSTRUCTION	ADDITIONAL INSULATION	OTHER SPECIFICATIONS	
FLOOR = CONCRETE SLAB ON GROUND	AS PER NATHERS		
EXTERNAL WALL - BRICK VENEER	AS PER NATHERS		
CEILING & ROOF - FLAT CEILING / PITCHED ROOF	AS PER NATHERS		
WINDOWS	AS PER NATHERS		

CONSTRUCTION ISSUE



ALL DIMENSIONS IN MILLIMETERS. DO NOT SCALE. DRAWING PRACTICE TO AS1100. BUILDER TO CONFIRM ALL DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF WORK. ALL WORK TO BCA AND RELEVANT CODES

4-2-26	CLIENT: S. Harper	PROJECT: 12 Sherwood Ave Kooringal	DRAWING: BASIX/NOTES	DA08
 T: 0456 148 585 info@shiningdesigns.com.au MNU CO PTY LTD Trading as Shining Designs Document Ref ID: 6582171 Version: 2, Version Date: 18/06/2026		 APOLLO PATIO & IMPROVEMENTS WAGGA WAGGA T: 0438 729 003 apollopatios@outlook.com www.apollopatios.com.au		DRAWN: M. FOLEY SCALE: 1 : 100 @ A3 REVISION: D
NOTES 1. DO NOT SCALE - Use Figured Dimensions Only. 2. All dimensions to be confirmed by builder / owner. 3. All internal dimensions stated are frame size - excluding linings. 4. These plans are provided subject to approval by all relevant authorities provided to us by the builder/owner. 5. This building has been designed in accordance with AS 1684 - 2019 (Residential Timber Framed Construction). 6. Articulation joints to comply with 5.6.4 BCA Vol 2. 7. Mechanical ventilator to comply with 10.6 BCA Vol 2 and Condensation management with Part 10.8. 8. Smoke alarms to comply with 9.5 BCA Vol 2 (wired-wire). 9. Protection against subterranean termites shall be in accordance with AS 3660 - 2014. Provided treatment: Visual Barrier System to perimeter with approved columns/bars at slab penetrations. 10. Lift off hinges to all WC hinged doors to comply with Australian Standards. 11. Stair construction to comply with Pt 11.2 and balustrades to comply with Pt 11.3 BCA Vol 2. 12. DP & Gutters to comply with Pt 7.4 NCC 2022. 13. All work must be carried out in accordance with the current version of the BCA and the relevant authorities requirements. © 2026 REPRODUCTION IN WHOLE OR PART OF THESE DOCUMENTS WITHOUT WRITTEN PERMISSION IS STRICTLY FORBIDDEN.		PLAN LEGEND FFL = finish floor level FW = floor waste HW = Wall hung sanitary H = toilet roll holder HB = roller box DB = downpipe OHC = overhead cupboard OHS = overhead shelf mw = microwave prov. ds = dishwasher prov. ply = pantry mt = washing machine prov. g-hrs = gas hot water system F = floor rail th = toilet roll holder HC = garden tap + = man hole ☼ = smoke alarm ref = refrigerator prov.		



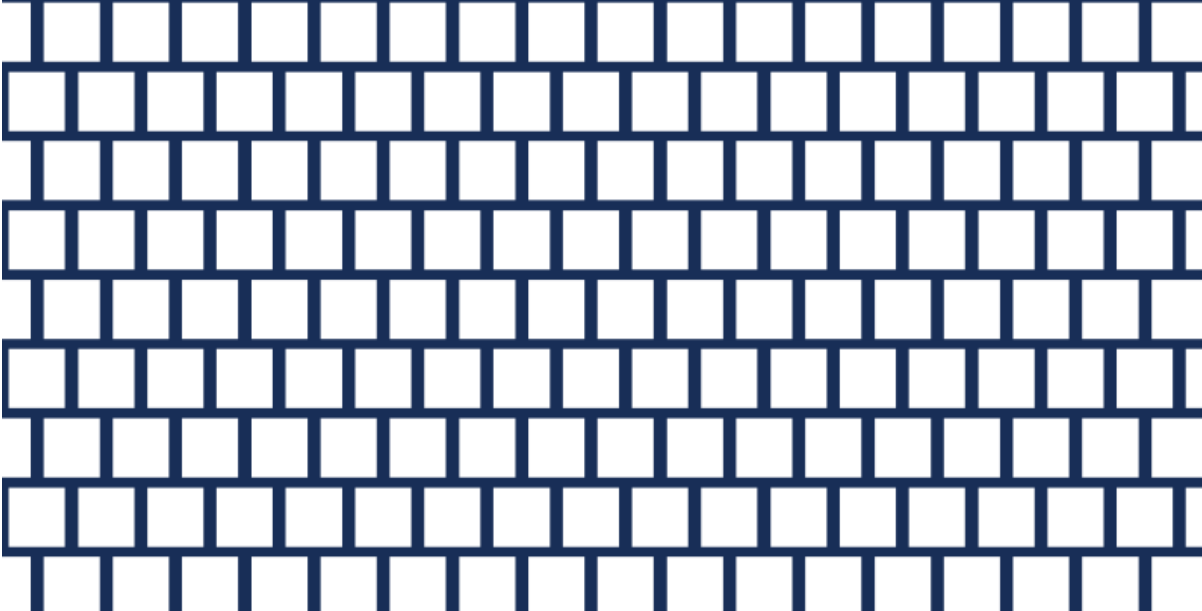
ALL DIMENSIONS IN MILLIMETERS. DO NOT SCALE. DRAWING PRACTICE TO AS1100. BUILDER TO CONFIRM ALL DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF WORK. ALL WORK TO BCA AND RELEVANT CODES

4-2-26 CLIENT: **S. Harper** PROJECT: **12 Sherwood Ave Koorlingal** DRAWING: **3D Drawings** **DA10**

 <p>T: 0456 148 585 info@shiningdesigns.com.au MNU CO PTY LTD Trading as Shining Designs ABN: 59 962 414 086 Document Set ID: 6952171 Version: 2, Version Date: 18/06/2026</p>	 <p>APOLLO PATIO & IMPROVEMENTS WAGGA WAGGA T: 0438 729 003 apollopatios@outlook.com www.apollopatios.com.au</p>	<p>NOTES</p> <ol style="list-style-type: none"> DO NOT SCALE - Use Figured Dimensions Only All dimensions to be confirmed by builder / owner All internal dimensions stated are frame size - excluding linings These plans are provided subject to approval by all relevant authorities provided to us by the builder/owner. This building has been designed in accordance with AS 1684 - 2010 (Prestressed timber framed construction) Articulation joints to comply with 5.6.4 BCA Vol 2. Mechanical ventilation to comply with 10.9 BCA Vol 2 and Condensation management with Part 10.9. Smoke alarms to comply with 9.9 BCA Vol 2 (wired-wireless) Protection against subterranean termites shall be in accordance with AS 3660 - 2014. Provided treatment: Visual Barrier System to perimeter with approved column/barriers at slab penetrations. Lift off hinges to all WC hinged doors to comply with Australian Standards. Stair construction to comply with Pt 11.2 and balustrades to comply with Pt 11.3 BCA Vol 2. DP & Gutters to comply with Pt 7.4 NCC 2002 All work must be carried out in accordance with the current version of the BCA and the relevant authorities requirements. <p>© 2026 REPRODUCTION IN WHOLE OR PART OF THESE DOCUMENTS WITHOUT WRITTEN PERMISSION IS STRICTLY FORBIDDEN.</p>	<p>PLAN LEGEND</p> <p>FFL = finish floor level FW = floor waste WFW = Wall hung vanity obs = obscure glazing hb = hob top dhw = dishwasher ohs = overhead cupboard ohs = overhead shelf ref = refrigerator prov.</p> <p>mw = microwave prov. dhw = dishwasher prov. ply = pantry w/m = washing machine prov. g/hws = gas hot water system R = roller rail th = toilet roll holder HC = garden tap m = man hole SA = smoke alarm</p>	<p>DRAWN: M. FOLEY</p> <p>SCALE: @ A3</p> <p>REVISION: C</p>
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Planning Proposal

Entry Point Housing Program



Prepared for:
Wagga Wagga City Council
15 May 2026



Acknowledgment of Country

HillPDA acknowledges the Traditional Custodians of Country throughout Australia and their continuing connection to land, waters, culture, and community.

We acknowledge the Gadigal people of the Eora Nation and Wurundjeri Woi-wurrung and Bunurong / Boon Wurrung peoples of the Kulin Nation, the traditional owners of the land on which this report is prepared, and we show our respect for elders' past and present.

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Quality assurance

This document is for discussion purposes only unless finalised and approved by a Principal of HillPDA.

Version	Date	Prepared by	Reviewed by	Approved by
V3	31/3/2026 8 April 2026	J. Rudolph	J. Rudolph	
V6	14 April 2026 28/4/2026	J. Rudolph	J. Rudolph	J. Rudolph
Final	29/04/2026	J. Rudolph	J. Rudolph	J. Rudolph
Final May 26	15/05/2026	J. Rudolph	J. Rudolph	J. Rudolph



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- 3.0 Supporting documentation**
- 4.0 Structure of this planning proposal**
- 5.0 Part 1 – Objectives and intended outcomes**
 - 5.1 Objectives
 - 5.2 Intended outcomes
- 6.0 Part 2 – Explanation of provisions**
- 7.0 Part 3 – Justification and strategic and site specific merit**
- 8.0 Part 4 – Maps**
- 9.0 Part 5 - Community consultation**
- 10.0 Part 6 – Project timeline**
- 11.0 Conclusion**

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1.0 INTRODUCTION

The Planning Proposal has been prepared on behalf of Wagga Wagga City Council in support of a proposed amendment to the Wagga Wagga Local Environmental Plan 2010 (“the WWLEP”). The amendment seeks to include an additional Local Provisions Clause to enable the development of Entry Point Housing within Wagga Wagga Local Government Area.

The Proposal has been prepared to address the requirements of Section 3.33 of the Environmental Planning and Assessment Act 1979 (“the EP&A Act”), as well as satisfying the requirements of the (then) NSW Department of Planning, Infrastructure and Environment’s guideline titled Local Environmental Plan Making Guideline (August 2023) (“the Guidelines”).

This report demonstrates the proposed amendment is consistent with the intent and objectives of the planning framework, strategic plans and policies, including the recently endorsed Wagga Wagga Local Housing Strategy. The intended outcome of this Planning Proposal is to provide additional opportunities to encourage home ownership by creating an incentive-based pathway for developers to deliver housing at an entry-level price.





2.0 BACKGROUND

On 15 December 2025, the Wagga Wagga City Council adopted its Local Housing Strategy (LHS) to guide the future of housing over the next 15 years across the Wagga Wagga local government area. The housing vision set by Wagga Wagga City Council is: -

**The right housing for our community, in accessible and sustainable places,
that will successfully transition us into the future.**

The Wagga Wagga LHS estimates that the population is to grow by an additional 8,900 people by 2041, and on this basis, Wagga Wagga City Council has identified the need for an additional 4,150 dwellings. The LHS has five housing objectives to achieve the vision, of which two objectives are associated with increasing housing affordability and housing supply to facilitate the future housing need.

To achieve the housing objectives, Wagga Wagga City Council is investing in a range of initiatives to boost housing supply and choice. One such initiative is to facilitate the supply of quality housing by builders/developers at an entry level housing price point that facilitates home ownership for people/communities who do not own a property, such as, young people, first home buyers and key workforce groups within Wagga Wagga. Currently the entry point cost to purchase a house is high and excludes many people from owning a home in the market.

Wagga Wagga City Council has therefore developed an Entry Point Housing Program. The Entry Point Housing Program is designed to offer a pathway to homeownership, providing individuals or households with an opportunity to enter into housing ownership and to build equity. Whilst the home may not be intended for lifetime ownership, the entry point home provides a practical option for those whose lifestyle, and needs, align with purchasing a home at an entry price, accumulating equity over time, and then leveraging the equity to transition into their next property as the situation or circumstances evolve.

In other words, the home is a priced bracket of private, market rate housing intended to serve as an accessible first step into the housing market for buyers, without government subsidies or income based eligibility. This means Entry Point Housing is different to affordable housing, which is defined through statutory criteria, income bands, and regulated rent settings under the State Environmental Planning Policy (Housing) 2021 (Housing SEPP). Currently, there is no equivalent planning framework to facilitate “entry point housing”—a term frequently used in industry and policy discussions to describe the entry cost segment of private, market rate housing.

High-level financial feasibility has been undertaken by HillPDA to ascertain the current cost and revenue for a typical dwelling in Wagga Wagga, compared to the likely cost and entry price that can support EPH. The feasibility provides confirmation that the EPH Program is achievable. The assessment identified that approximately 21% of the Wagga Wagga population could comprise the potential market segment that would be the target market for the Program.

The Entry Point Housing Program provides developers with an alternative pathway to obtain development consent to develop a quality home at an entry price point. The Entry Point Housing program facilitates innovation in design with flexible planning requirements as will be proposed in the Wagga Wagga Local Environmental Plan, 2010. The Program includes a speedier planning assessment timeframe process (an Accelerated Development Planning Pathway) for a determination of a development application. This enables developers to gain greater confidence on the outcome, speeds up process (thus less time in the planning approvals stage) and lowers

planning risk to achieve a planning determination so to facilitate construction of houses at an entry price point for future homeowners in Wagga Wagga.

The benefit of the Program is outlined in the table below.

Figure 1

: The benefits of Entry Point Housing



Source: Wagga Wagga City Council (2026)

The implementation of the Entry Point Housing Program requires the Wagga Wagga Local Environmental Plan, 2010 (WWLEP) to be amended. The program is intended to apply to residential zoned land and primarily focuses on R1 General Residential and R3 Medium Density zoned housing. The reason is that Entry Point Housing is to occur across the LGA in accessible locations, close to facilities and services and where there are utilities (water, sewer and electricity). At this stage the Program has not been limited to certain key sites. Entry Point Housing is likely to result in the construction of attached dwelling, dwelling house, multiple dwelling (villa – single storey), multiple dwelling (townhouses), dual occupancy (attached) and semi-detached, and will not apply to residential flat buildings.

From an implementation or operational point of view, it requires developers who wishes to access the Entry Point Housing to undertake the following:-

- lodge a development application under Part 4 of the Environmental Planning and Assessment Act, 1979, with Council
- enter into a planning agreement with Council to meet a range of requirements, including complete the construction within two years of approval and an agreed price for the sale of each dwelling
- ensure future purchaser meet specified criteria, including not owning any other property at the time of purchase and that they reside in the house for a minimum period of 10 years.



The proposed Entry Point Housing Program can have significant community and public benefits by increasing home ownership within the LGA, thereby facilitating a place to call home, participating in the economy, and being part of the community.



Figure 2: Case study.

Within the new growth area, Ginninderry, located within the Yass local government area, and bordering the ACT Region, a joint venture between the Suburban Land Agency and Riverview Developments has created a program or house type called "Flexi-Living Homes".

Ginninderry's Flexi-living homes are designed for those looking to enter or re-enter the housing market, with buyers subject to eligibility criteria. Consisting of interlocking, individually titled homes that share garaging between street and lane frontages, as well as townhouses, homes on lots, land, and house packages, the Flexi-living Series delivers multiple benefits, from lower price points and reduced maintenance and operating costs to thoughtful designs that maximise internal and external space. Lot sizes range from 90sqm upwards, and houses are innovative and architecturally designed.



Source: Ginninderry website (2026)

The Flexi-living home price point currently starts from \$398,000, being an affordable, fixed price point and eligibility criteria, including: -

- Must not own any real property either alone or jointly with anyone.
- At least one applicant must occupy the house for a continuous period of at least 3 years, beginning within first year of settlement and must not rent the home before occupying it.
- Undertake not to sell the home for 3 years from the date of settlement.
- For 12 months prior to purchasing, the combined total gross income of all applicants and their domestic partners/s is less than or equal to \$120,000 (regardless of the number of dependents)

Source: <https://ginninderry.com/>



3.0 SUPPORTING DOCUMENTATION

The Planning Proposal has been prepared with input from a number of documents which have been prepared to accompany the application. These documents are included as appendices to this report and are identified in Table below.

Table 1: Accompanying documents

Document name	Prepared by
Draft Entry Point Housing Development Control Chapter	HillPDA
Draft Legal Agreement	Corrs Chamber
Proposed Entry Point Housing Process Flow	HillPDA

Source: HillPDA

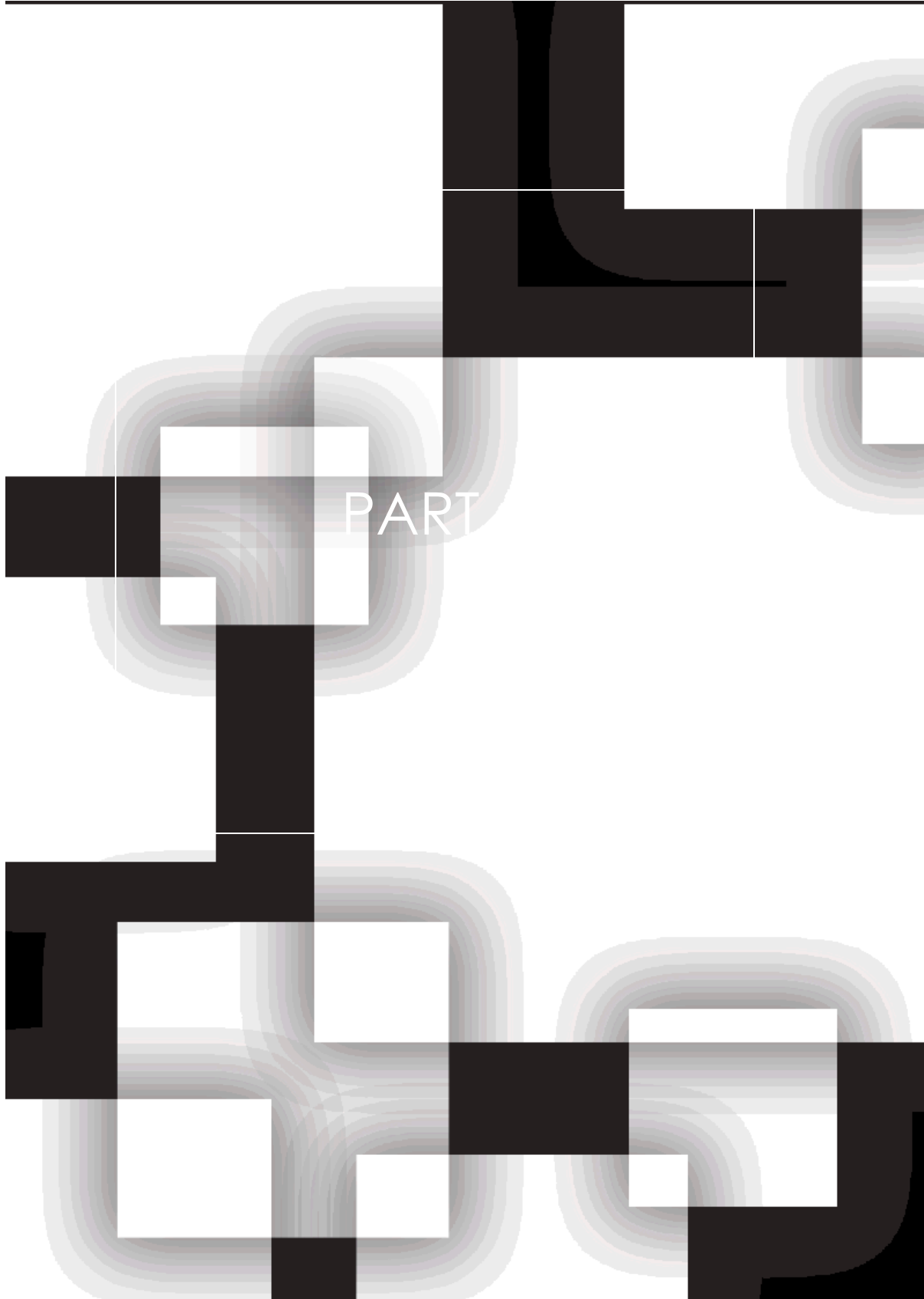


4.0 STRUCTURE OF THIS PLANNING PROPOSAL

The form and content of this Planning Proposal comply with Section 3.33 of the Environmental Planning and Assessment Act 1979 and the NSW Department of Planning and Environment's LEP Making Guidelines (August 2023).

The Planning Proposal is structured as follows:

- Part 1—Objectives or intended outcomes.
- Part 2—Explanation of provisions to be included in the proposed instrument.
- Part 3—Justification and process for implementation
- Part 4—Maps showing proposed modifications and the area to which they apply.
- Part 5—Community consultation to be undertaken.
- Part 6—Draft timeline for the Planning Proposal.



5.0 PART 1 – OBJECTIVES AND INTENDED OUTCOMES

This Planning Proposal applies to all residential zoned land within the Wagga Wagga Local Government Area, namely R1 General Residential and R3 Medium Density Residential zoned land where attached dwelling, dwelling house, multiple dwelling (villa – single storey), multiple dwelling (townhouses), dual occupancy (attached) and semi-detached are currently permissible under the Wagga Wagga Local Environmental Plan 2010 (WWLEP).

5.1 Objectives

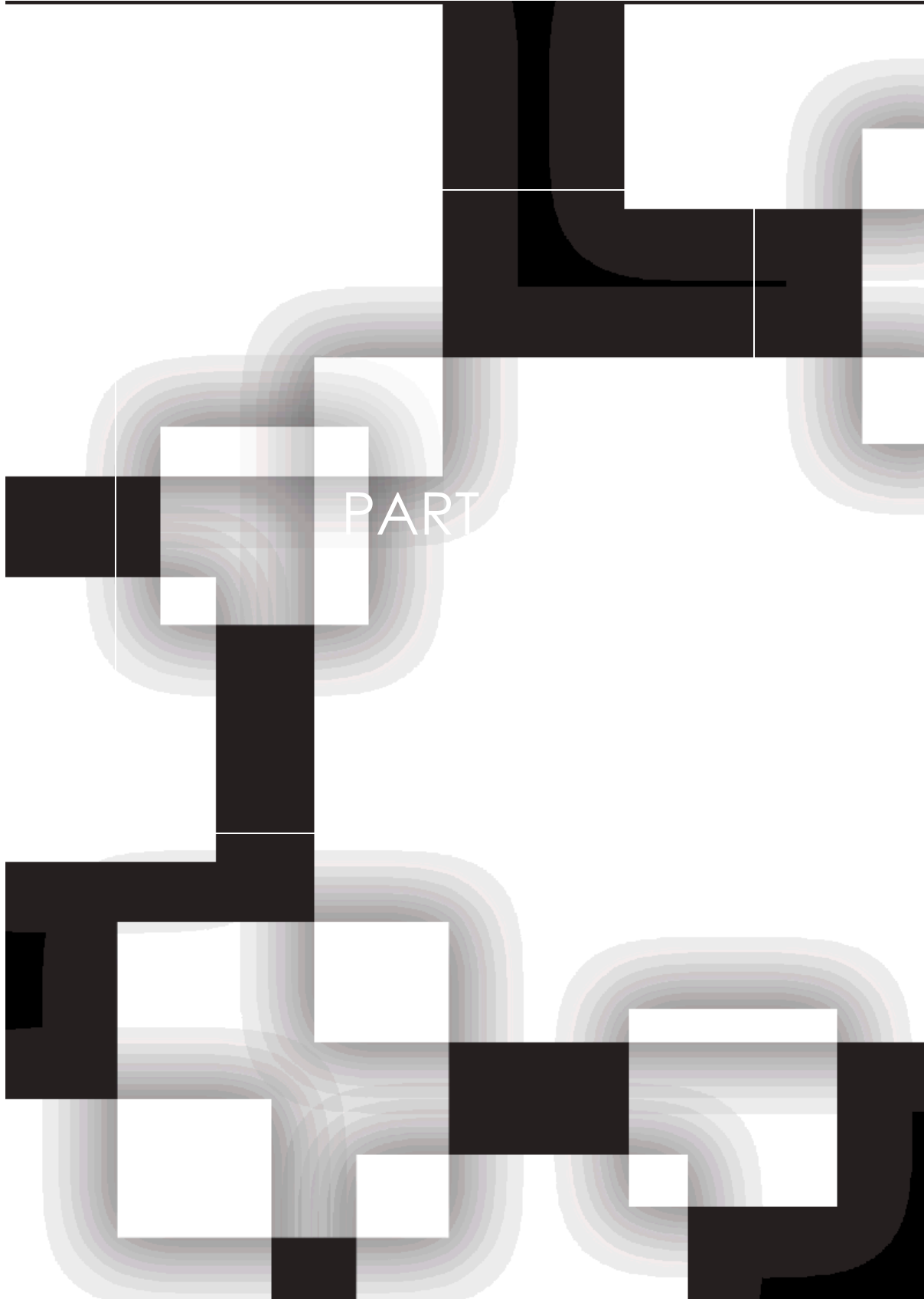
The objective of the Planning Proposal is to create an additional clause in the WWLEP, within Part 7 Additional Local Provisions, as follows:

- To provide a simple pathway for developers/builders to gain greater confidence to build dwellings at an entry price point for future homeowners through straightforward design controls and a speedier timeframe.
- To enable planning controls to support certain housing typologies within the R1 General Residential Zone and R3 Medium Density Housing Zone at an entry point to support house ownership.
- To enable Council to facilitate implementation of entry point housing development within well located and accessible locations in the LGA.

5.2 Intended outcomes

The intended outcomes are to: -

- increase the supply of a diversity of housing at an entry level price point in Wagga Wagga LGA.
- encourage and facilitate the construction of entry level housing which encapsulates quality design for people interested in owning their own home.
- enhance fair access to home ownership within an entry point price range in market housing and ensuring a process that maintains consumer confidence.



6.0 PART 2 – EXPLANATION OF PROVISIONS

To achieve the intended outcomes, this Planning Proposal seeks to amend and create an additional clause in Part 7 Additional Local Provisions of the WWLEP.

The explanation of the provision and the potential wording (outlined in blue shading) of the clause is provided in Table 3 below.

Table 3: Explanation of the provision

Proposed sub-clause	Explanation
	<p>The clause will apply to R1 General Residential and R3 Medium Residential Density zones.</p>
1 - Application of the clause	<p>Entry Point Housing is anticipated to be a smaller house on a smaller than average lot to achieve the price point for individuals or households to enter into home ownership. It is therefore proposed that Entry Point Housing be available on R1 and R3 zoned land. Figure 2 provides a map demonstrating the residential zoned land where opportunities may exist for EPH.</p> <p>Viability testing was undertaken to consider the likely price point for the purchase of land and house, with the best options (whether strata or Torrens title) identified as attached dwelling, dwelling house, multiple dwelling, multiple dwelling (townhouses), dual occupancy (attached) and semi-detached dwelling.</p> <p>The residential accommodation must be limited to purchase and not rental.</p> <p>Potential wording:</p> <ol style="list-style-type: none"> 1. Application of this Clause <ol style="list-style-type: none"> a. This clause applies to development for the purposes of Entry Point Housing on land zoned R1 General Residential and R3 Medium Density Residential, where the following residential accommodation is permitted, namely attached dwelling, dwelling, dwelling house, multiple dwelling, multiple dwelling (townhouses), dual occupancy (attached) and semi-detached dwelling.
2 – Definition of Entry Point Housing	<p>Entry Point Housing is required to be defined by explaining the typology, ownership, process and design controls.</p> <p>The definition is the same as the definition provided in the Development Control Plan which outlines the criteria, process and design controls for this type of housing.</p> <p>Potential wording:</p> <ol style="list-style-type: none"> 2. Definition of EPH Entry Point Housing (EPH) means: - <i>An attached dwelling, dwelling house, multiple dwelling (villa – single storey), multiple dwelling (townhouses), dual occupancy (attached) and/or semi-detached dwelling or the like, that meets the requirements for Entry Point Housing in a Development Control Plan and functions as a market related entry point dwelling priced to support home ownership.</i> <p>The objectives of the Entry Point Housing are to:-</p> <ul style="list-style-type: none"> • To enable planning controls to support certain housing typologies within the R1 General Residential Zone and R3 Medium Density Housing Zone at an entry point to support house ownership. • To enable Council to facilitate implementation of entry point housing development within well located and accessible locations in the LGA. <p>Potential wording:</p> <ol style="list-style-type: none"> 3. Objective of the Clause
3 - Objective of the clause	



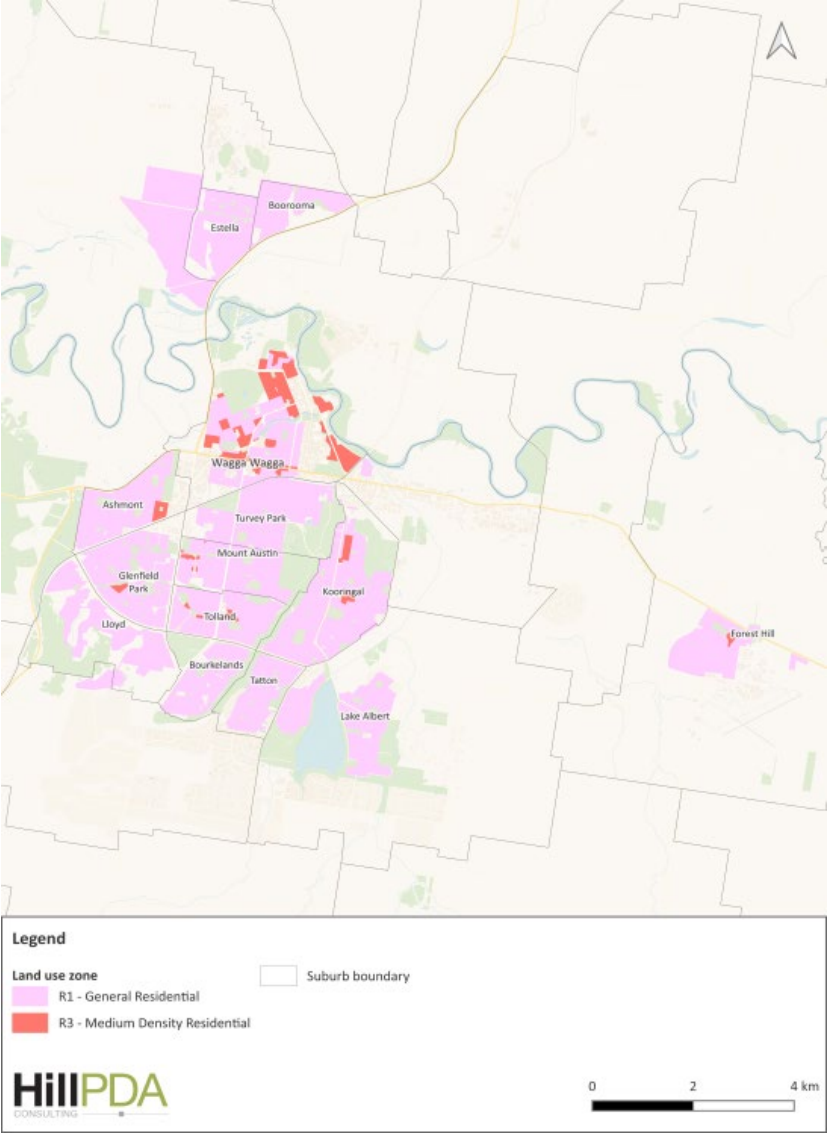
Proposed sub-clause	Explanation
	<p>a. To create planning controls to support certain housing typologies within R1 General Residential Zone and R3 Medium Density Housing Zone for entry point to property ownership.</p> <p>b. To create a development application pathway which enables the consent authority to facilitate and provide certainty for entry point housing development within well located and accessible locations.</p>
<p>4 - Criteria to be considered prior to granting consent</p>	<p>Land zoned R1 and R3 land exists throughout the LGA, meaning there is considerable opportunities to deliver EPH. It would not be effective for EPH to be located in isolated areas, particularly as the cost of installing new roads and utilities would be higher.</p> <p>Land on which EPH is delivered must have road frontage and connection to the necessary utilities and services.</p> <p>The consent authority will need to consider the proposed EPH criteria, mandatory steps and design criteria as part of the planning assessment, and thus it is important to ensure the WWLEP refers to the DCP.</p> <p>Potential wording:</p> <p>4. Development consent must not be granted for purposes of Entry Point Housing unless –</p> <p>a. The land has lawful access and frontage to a public road.</p> <p>b. The land is serviced, or that the consent authority is satisfied that adequate arrangements have been made to service the land when required, with water, sewer, stormwater and electricity.</p> <p>c. The consent authority has considered the applicable provisions of a Council’s Development Control Plan.</p>
<p>5 – Certain development standards will not apply</p>	<p>The proposed development standards of Clauses 4.1, 4.3 and 4.4 will not apply or be “switched off” for the permissible dwelling associated for the EPH only to assist Council to ensure cost efficient design and materials, support innovation, reduce cost of regulation and ensure they consider the matters as outlined in the DCP.</p> <p>Potential wording:</p> <p>5. Development standards in Clauses 4.1, 4.3 and 4.4 do not apply to Entry Point Housing.</p>
<p>6 - Suitable arrangements</p>	<p>The objective of the Program is to ensure the residential dwelling will be sold by the developer at an entry price point, as agreed with Council. The proponent is required to identify and commit to a sale price for EPH that will support home ownership. This, along with other relevant matters required to the satisfaction of the consent authority, is to be documented in a legal agreement, such as a planning agreement.</p> <p>The proposed clause requires “suitable arrangements” be made with Council to deliver the objective of the Program.</p> <p>Potential wording:</p> <p>6. Development consent must not be granted to the erection or use of a building used to which this clause applies unless suitable arrangements are in place to the satisfaction of the consent authority, for the provisions of Entry Point Housing.</p>
<p>7 – Relationship of these local provisions clause within this EPI.</p>	<p>This clause takes precedent over other clauses within the WWLEP to ensure the Entry Point Housing provides certainty to developers/builders, and reduced costs.</p> <p>Potential wording:</p>



Proposed sub-clause	Explanation
7.	Relationship between this Part and remainder of the Plan - A provision of this Part prevails over any other provision of this Plan to the extent of any inconsistency.

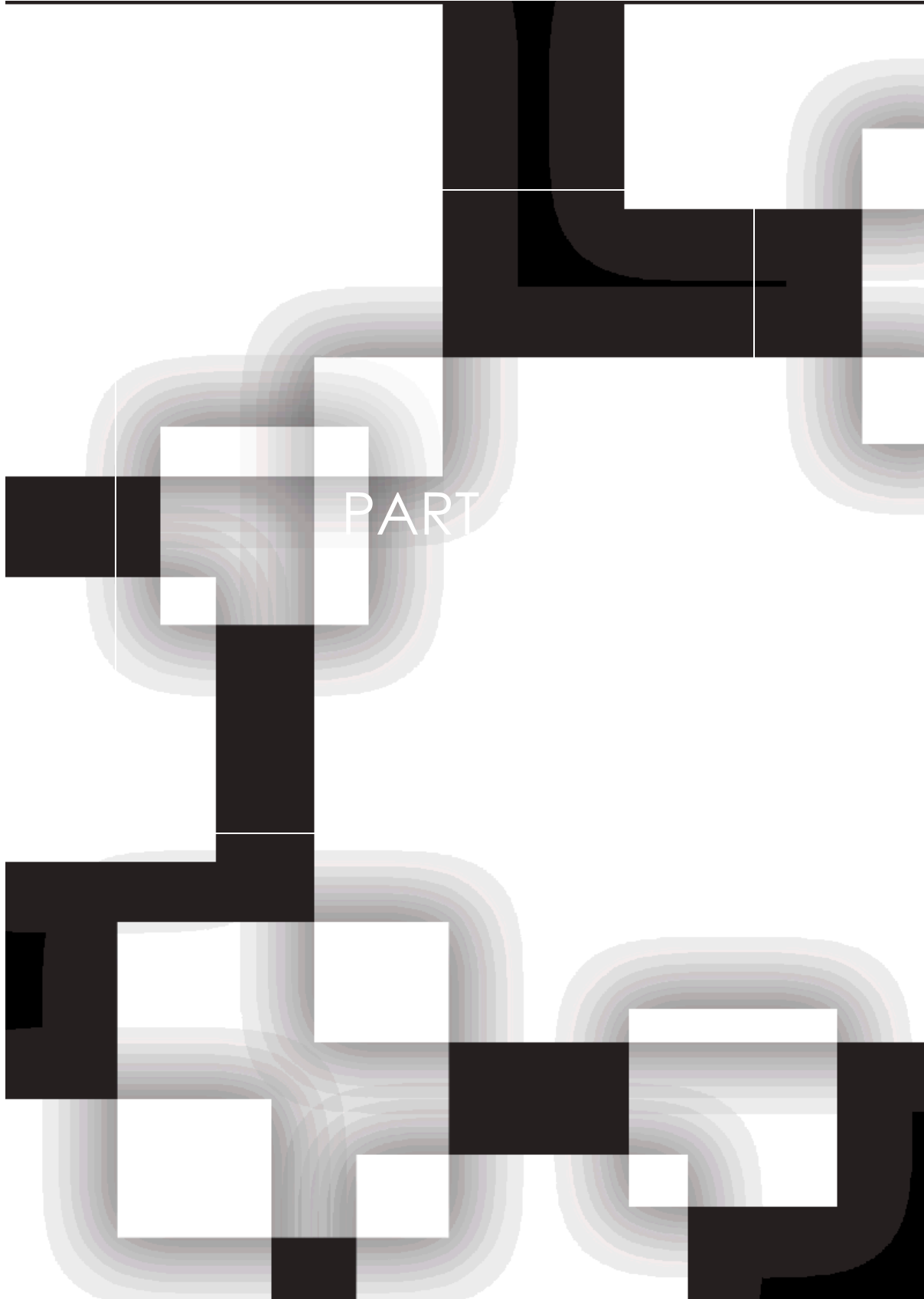
Source: HillPDA

Figure 3: Residential zoned land





Source: HillPDA



7.0 PART 3 – JUSTIFICATION AND STRATEGIC AND SITE SPECIFIC MERIT

Part 3 of the planning proposal provides the rationale for the proposed amendments to Wagga Wagga LEP 2010 and responds to the Proposal's strategic and site-specific merit questions, as outlined in the Department of Planning and Environment's LEP Making Guidelines (August 2023).

Section A – Need for the proposal

Q1. Is the Planning Proposal a result of any strategic study or report?

The Planning Proposal is not the direct result of any single strategic study or report. Rather, it has been informed by Wagga Wagga City Council's objectives of the Local Housing Strategy as well as broader strategic initiatives to increase housing supply and diversity, with a particular focus on improving access to entry-level home ownership.

Council has investigated an Expression of Interest (EOI) process to seek interest with developers and builders to deliver a quality, innovative and affordable house and land product. This initiative seeks to modify existing planning controls to enable a new design and delivery approach that provides well-designed, entry-level housing without compromising quality.

Council wishes to facilitate the supply of housing as outlined in the LHS. Council has considered its role in assessing and facilitating Entry Point Housing proposals, including associated benefits, risks and implementation considerations.

The proposal also aligns with the Council's LHS, which identifies the Entry Point Housing pilot program as a potential innovative mechanism to support target groups including first home buyers, key workers, and other households seeking an affordable pathway into home ownership within the local government area. Viability testing was undertaken to consider the likely price point for the purchase of land and house, with the best options (whether strata or Torrens title) identified as attached dwelling, dwelling house, multiple dwelling, multiple dwelling (townhouses), dual occupancy (attached) and semi-detached dwelling. The residential accommodation must be limited to purchase and not rental.

Further, the need for greater housing diversity has also been acknowledged through the background analysis, gap analysis and community engagement completed to inform the Wagga Wagga Local Housing Strategy.

Q2. Is the Planning Proposal the best means of achieving the objectives and outcomes, or is there a better way?

This Planning Proposal is the most appropriate and effective means of achieving the intended objectives and outcomes.

The proposal facilitates the delivery of the Entry Point Housing model through an amendment to the Wagga Wagga Local Environmental Plan 2010, enabling a locally tailored approach that responds directly to the housing needs and market conditions within the Wagga Wagga Local Government Area. In parallel, amendments to Council's Development Control Plan (DCP) are being prepared to support detailed design and implementation outcomes.

An LEP amendment provides a more efficient and targeted mechanism to implement and test the Entry Point Housing model as a pilot program. This approach enables detailed local analysis, supports innovation in planning controls, and allows for refinement based on outcomes. Importantly, if successful, the model clause introduced through this Planning Proposal can be replicated by other councils across NSW through similar LEP amendments, providing a scalable and practical pathway for broader implementation without requiring immediate state-wide policy change.



The LEP amendment is supported by Section X of the Wagga Wagga Development Control Plan 2010 (DCP) which supplements the local provisions of the Wagga Wagga Local Environmental Plan 2010 by providing additional detail. The DCP should be read in conjunction with the Wagga Wagga Local Environmental Plan 2010.

The planning pathway for Entry Point Housing requires endorsement by the consent authority of the amendments to the local environmental plan as well as a DCP. It also requires the planning agreement template to be endorsed by the local council, with delegation provided by Council to the General Manager to implement the program. This enables a streamlined and faster process for a development application.

There are two EPH planning pathways, with the major difference being whether Council owned land is included in any EPH project, thus requiring additional steps in the process. The two EPH planning pathways are summarized in the attached flow charts.

Having regard to the above, the Planning Proposal represents the most suitable, flexible and deliverable mechanism to achieve the desired housing outcomes.

Section B- Relationship to the strategic planning framework

Q3. Will the Planning Proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

The Planning Proposal will give effect to the objectives and actions of the applicable regional plan and strategies, as demonstrated below.

Housing 2041	
<p><i>Housing 2041</i> is a 20-year NSW Government strategy focused on delivering better housing outcomes through increased security, affordability, and choice.</p> <p>Key priorities include:</p> <ul style="list-style-type: none"> • accelerating supply • strengthening social and affordable housing • improving design and aligning housing with infrastructure 	<p>The Planning Proposal is consistent with <i>Housing 2041</i> as it supports key priorities relating to supply, affordability and design.</p> <p>It contributes to accelerating housing supply by introducing a streamlined approval pathway through the Wagga Wagga Local Environmental Plan 2010, enabling faster delivery of entry-level housing.</p> <p>The proposal supports affordability by facilitating the Entry Point Housing model, which includes mechanisms to secure an entry level sale prices and target eligible households, thereby improving access to home ownership.</p> <p>It also promotes improved design outcomes by applying a tailored Development Control Plan (DCP) framework (prepared separately to this PP) to ensure housing is well-designed and appropriately integrated with existing infrastructure and services in Wagga Wagga.</p>
Riverina Murray Regional Plan 2041	
<p>The Riverina Murray Regional Plan 2041 (RMRP) is the applicable regional plan for this Planning Proposal. The Plan establishes a 20-year vision for the Riverina Murray region and includes priorities that emphasise the need to increase the range and diversity of housing options within existing urban areas to accommodate demographic change and support regional growth.</p>	<p>The proposal directly responds to the various themes and objectives of the Regional Plan.</p> <p>The Planning proposal achieves Objective 5 by contributing to housing supply by enabling the delivery of entry-level housing through the introduction of an Entry Point Housing (EPH) clause within the Wagga Wagga Local Environmental Plan 2010. This clause establishes a clear and streamlined</p>



<p>Themes of the Regional Plan:</p> <p>Part 2 – Communities and places: This theme supports diverse housing options that accommodate changing household sizes and enable aging-in-place.</p> <p>Part 3 – The economy: This theme recognises the importance of housing diversity and affordability in attracting and retaining workers and supporting economic growth.</p> <p>The Plan identifies: -</p> <ul style="list-style-type: none"> ● a desire for a more densely populated city that includes medium density housing, including within new growth areas. ● demand for housing including staging, preferred formats and locations, affordability, ways of improving resilience, along with the timely and orderly provision of infrastructure. <p>Relevant objectives of the RMRP include:</p> <ul style="list-style-type: none"> ● Objective 5: Ensure housing supply, diversity, affordability and resilience. ● Objective 6: Support housing in regional cities and their sub-regions. ● Objective 9: Plan for resilient places that respect local character. 	<p>approval pathway for development on appropriately zoned residential land, reducing uncertainty and encouraging developer participation, thereby accelerating housing delivery.</p> <p>It promotes housing diversity by facilitating a broader range of dwelling types and sizes suited to first home buyers, key workers, and smaller households. This includes opportunities for younger people entering the housing market, single-person households, and other residents seeking more affordable and appropriately scaled home ownership within the region.</p> <p>The proposal ensures more cost-effective development outcomes through increased flexibility in planning controls, including the ability to vary or “switch off” certain standard LEP provisions (such as height of buildings, minimum lot size and floor space ratio) and apply a tailored Development Control Plan (DCP) framework. This approach is intended to reduce development costs and constraints while maintaining design quality through specific controls.</p> <p>In addition, the EPH model incorporates mechanisms to secure long-term affordability, including legally binding agreements with Council to set maximum sale prices and restrict eligibility to targeted groups. These measures ensure that the housing delivered remains accessible to intended cohorts and supports a more resilient and inclusive local housing market.</p> <p>The Planning Proposal is consistent with Objective 6 as it supports housing in regional cities and surrounding sub-regions by unlocking development potential on existing residentially zoned land.</p> <p>The proposal provides opportunities for smaller, more affordable housing forms that are well-located in proximity to existing infrastructure, employment areas and essential services. By reducing barriers to development and creating a more certain and efficient approval pathway, the proposal encourages investment in housing that meets the needs of local workers and residents.</p> <p>The Planning Proposal is consistent with Objective 9 as it enables additional housing through a locally tailored framework within the Wagga Wagga LEP 2010, supported by a development specific DCP that ensures built form, streetscape outcomes and design quality are responsive to the existing character of Wagga Wagga.</p>
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Q4. Is the Planning Proposal consistent with a Council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

The Planning Proposal gives effect to the objectives and actions of the applicable local plans, as outlined below.

Local Strategic Planning Statement 2040	
<p>The Wagga Wagga LSPS establishes a 20-year strategic framework for planning and development within the Local Government Area. It sets a vision for Wagga Wagga to grow as an innovative, thriving, and connected regional city with a population target of 100,000, balanced with environmental sustainability and liveability. The LSPS is structured around three key themes:</p> <ul style="list-style-type: none"> ● The environment ● Growing Economy ● Community, Place and Identity <p>The LSPS also identifies:</p> <ul style="list-style-type: none"> ● the need for a housing strategy to identify specific opportunities and options to deliver on population targets, housing choice and affordability. ● that providing for a mix of greenfield and infill development that achieves a mix of affordable, well designed and adaptive housing to support the future population will provide a balance to growth and infrastructure demand. ● a population growth target of 100,000 people requiring 14,000 additional homes. <p>Relevant principles guiding the LSPS include:</p> <ul style="list-style-type: none"> ● Principle 3 – Manage growth sustainably. ● Principle 7 – Growth is supported by sustainable infrastructure. ● Principle 10 – Provide for a diversity of housing that meets our needs 	<p>The Planning Proposal is consistent with the principles outlined in the Wagga Wagga Local Strategic Planning Statement (LSPS).</p> <p>Principle 3 – Manage growth sustainably.</p> <p>EPH would allow smaller, more space-efficient dwellings through relaxed planning controls (e.g., no minimum lot size, modified setbacks). This may result in more efficient use of land and encourage home ownership.</p> <p>Principle 7 – Growth is supported by sustainable infrastructure.</p> <p>The model will apply to residential zoned land R1 and R3 across the LGA. It will therefore encourage housing growth where services can be provided across the LGA.</p> <p>Principle 10 – Provide for a diversity of housing that meets our needs.</p> <p>The EPH model is intended to increase the provision of medium-density housing and smaller dwelling options to improve diversity and affordability in the LGA.</p>
Community Strategic Plan 2050 (CSP)	
<p>The purpose of the CSP is to identify the community's main priorities and aspirations for the future and to plan strategies for achieving these goals.</p> <p>Engagement was undertaken to inform the Plan, which highlighted strong community concern about housing affordability, cost-of-living pressures and access to diverse housing options.</p> <p>The CSP identifies priorities directly related to housing, including:</p> <ul style="list-style-type: none"> ● Increasing housing supply and diversity (Growing G06) ● Supporting workforce retention (G03) ● Sustainable built environment (S03) 	<p>Increasing housing supply and diversity (G06)</p> <p>The Planning Proposal will result in more dwellings at price points to support entry into home ownership, increasing both the overall supply and the diversity of housing types available.</p> <p>Supporting workforce retention (G03)</p> <p>Affordable entry-level housing enables essential workers to live locally, strengthening workforce stability.</p> <p>Sustainable built environment (S03)</p> <p>Entry point housing will likely result in smaller footprints, efficient design, and infill opportunities,</p>



	supporting more sustainable land use and responsible development patterns.
Wagga Wagga Local Housing Strategy	
<p>The Wagga Wagga Local Housing Strategy (LHS) provides a 20-year strategic framework for residential development in the Wagga Wagga Local Government Area. The Strategy identifies current and projected housing supply, demand, diversity, affordability needs and establishes preferred locations for future housing development.</p> <p>The housing strategy identifies the need to provide:</p> <ul style="list-style-type: none"> • a diversity of housing is critical in greenfield growth areas. • a diversity of housing enables a broad range of people to live in an area, creating a well-rounded community. • denser forms of housing are encouraged around local centres, parks, and open space. • dwelling types such as multi-dwelling housing, attached dwellings and residential flat buildings can be provided to give more people easier access to services and amenities. • fit-for-purpose accommodation for essential workers such as health care workers is an important outcome for the LGA. • housing diversity, with the opportunity to provide a greater variety of affordable housing typologies in the medium density bracket (e.g. apartments and townhouses). • medium and high-density housing to increase diversity and improve affordability. 	<p>A diversity of housing is critical in greenfield growth areas.</p> <p>The Entry Point Housing LEP amendment promotes housing diversity across R1 and R3 residential zones, including new housing in greenfield areas.</p> <p>A diversity of housing enables a broad range of people to live in an area, creating a well-rounded community.</p> <p>The Planning Proposal enables a broader range of people to live in the area by delivering more affordable and accessible housing options targeted to different household types.</p> <p>Denser forms of housing are encouraged around local centres, parks, and open space.</p> <p>The Planning Proposal allows flexibility in development standards, facilitating more efficient and potentially higher-density outcomes in suitable locations.</p> <p>Dwelling types such as multi-dwelling housing, attached dwellings and residential flat buildings can be provided to give more people easier access to services and amenities.</p> <p>The Planning Proposal supports increased housing diversity and density through the ‘switching off’ of certain controls.</p> <p>Fit-for-purpose accommodation for essential workers such as health care workers is an important outcome for the LGA.</p> <p>The EPH model provides a practical, locally-targeted supply response that delivers attainable, appropriately scaled housing for ownership by essential workers, directly aligning with the LGA’s need for stable, suitable, and affordable accommodation for this workforce.</p> <p>Housing diversity, with the opportunity to provide a greater variety of affordable housing typologies in the medium density bracket (e.g. apartments and townhouses)</p> <p>The Planning Proposal enables delivery of medium-density housing such as townhouses at a price point which enables entry into home ownership.</p> <p>Medium and high-density housing to increase diversity and improve affordability.</p>



	<p>The Planning Proposal increases feasibility of denser housing through flexible controls, improving affordability outcomes.</p> <p>'Entry Point Housing' as an innovative measure to broaden the range of housing types built and remove barriers for those trying to enter the housing market.</p> <p>The Planning Proposal directly implements the Entry Point Housing model mentioned as a potential innovative mechanism to explore in the Housing Strategy to broaden housing choice and reduce barriers to home ownership.</p>
Draft Interim Affordable Housing Paper	
<p>Recognising that market housing has struggled to provide sufficient supply to meet demand in Wagga Wagga, there has been an increased focus on social and affordable housing (non-market housing) provision. Recognising the discourse around this type of housing, Council and Ethos Urban prepared the Interim Affordable Housing Paper (IAHP)</p> <p>The Draft Interim Affordable Housing Paper (IAHP) identifies multiple factors contributing to demand for social and lower-cost housing in Wagga Wagga, including:</p> <ul style="list-style-type: none"> • Rental affordability pressures and rent increases. • Increasing social housing waitlists • Ageing social housing stock requiring replacement • Demand for worker accommodation • mismatch between household size and the size of dwellings. <p>The IAHP provides options for Council moving forward. These fall under the categories of advocacy, partnerships, collaboration, statutory mechanisms and direct intervention. This Paper will guide the preparation of Council's Affordable Housing Strategy, in which Council will evaluate which approaches can feasibly be utilised within the Wagga Wagga LGA.</p>	<p>The Planning Proposal supports the objectives of the draft IAHP by providing a statutory planning mechanism that directly increases the supply of entry point cost, well-designed dwellings for new owner occupiers.</p> <p>Addressing rental affordability and rent increases.</p> <p>Entry Point Housing creates a pathway out of long-term renting by enabling eligible residents to purchase a home. This reduces reliance on the private rental market and provides a structural alternative for people who would otherwise struggle to transition into ownership.</p> <p>Increasing social housing waitlists</p> <p>The Entry Point Housing initiative targets home buyers, key workers, and people needing an entry-level home at any stage of life, directly responding to those cohorts.</p> <p>While it may not directly address social housing waitlists, increasing supply at the entry-level ownership stage supports the broader housing continuum. By enabling eligible households to transition out of the private rental market and into ownership, additional rental stock is freed up. This improves rental availability and affordability, easing pressure that would otherwise contribute to demand for social housing. In this way, the EPH initiative indirectly supports the IAHP objective of responding to rising social housing waitlists by improving flow and capacity across the entire housing system.</p> <p>Demand for worker accommodation</p> <p>EPH intends to provide a secure, affordable ownership option, potentially suited to workers, who are critical to local services and industry but may currently be priced out of the market.</p>



	<p>Mismatch between household size and dwelling size.</p> <p>EPH will remove certain prescriptive planning controls (minimum lot sizes, FSR, setbacks etc), enabling smaller, more appropriate dwellings that match contemporary household structures, such as single persons, couples and smaller households.</p>
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Q5. Is the Planning Proposal consistent with any other applicable State and regional studies or strategies?

State Infrastructure Strategy	
<p>The State Infrastructure Strategy (SIS) is a 20-year plan that places strategic fit and economic merit at the heart of investment decisions. Updated every five years, it identifies infrastructure challenges and solutions to grow the economy, boost productivity and improve living standards. The following two principles guiding the development of the Strategy are relevant to the Planning Proposal.</p> <ul style="list-style-type: none"> ● Strengthen service reliability and resilience: Investments in existing assets should focus on lifting the reliability of those assets and resilience of communities most at risk of disruptive events. ● Leverage private investment: Wherever possible, public funding should be supported by private funding and investment in complementary assets and services. 	<p>The proposal supports more efficient use of existing infrastructure by directing housing growth into areas already serviced by transport, utilities and community facilities, maximising the value of current networks.</p> <p>The Planning Proposal is considered consistent with the following two principles:</p> <p>Strengthen service reliability and resilience. Focusing growth in well-serviced locations improves community resilience by reducing pressure on overstretched networks and ensuring reliable access to essential services.</p> <p>Leverage private investment. The proposal encourages private sector delivery of housing and related services, reducing reliance on public expenditure while supporting broader infrastructure outcomes</p>
A 20 Year Economic Vision for Regional NSW	
<p>This Plan guide’s sustainable economic growth, resilience and productivity in regional NSW. It sets out actions, priorities and investment directions over two decades, aiming to unlock economic potential, support thriving regional communities, and ensure long-term liveability and competitiveness. It includes a series of principles, actions, and policy directions that shape how land-use planning, infrastructure, housing, industry development and community wellbeing should be managed across regional areas.</p> <p>Principle 7 – Regulation and planning to promote commercial opportunities. Under this principle, the Vision identifies several planning focused directions relevant to housing and regional growth, including:</p> <ul style="list-style-type: none"> ● Grow vibrant places to live, work and study to encourage business and population growth. ● Investigate planning arrangements over the next 5–10 years that ensure: <ul style="list-style-type: none"> – appropriate housing supply – adequate utilities and infrastructure 	<p>The Planning Proposal is consistent with the recommendations in the Plan, by improving access to suitable housing, which in turn may help to stabilise the local workforce and enhances the business environment. Increased housing availability strengthens the region’s economic foundations and makes it easier for businesses to attract staff, aligning with the Plan’s aim to use planning to promote economic opportunities.</p> <p>The PP will facilitate well-located, affordable and diverse housing options. This supports population retention, encourages young people and workers to remain in or relocate to the area, and contributes to a more vibrant, socially and economically active community. By doing so, it directly aligns with the Vision’s objective to create attractive and liveable regional centres.</p> <p>The Planning Proposal may also increase the supply and diversity of housing in residential zoned areas already serviced or capable of being serviced by</p>



<ul style="list-style-type: none"> - transport systems that support growth - protection of liveability, sense of community and local identity • A focus on ensuring appropriate housing, utilities and transport in growing regional centres as an economic enabler. 	<p>existing infrastructure. This aligns with the Vision's emphasis on ensuring regional centres have appropriate housing supply and are supported by utilities and transport that enable sustainable population and economic growth.</p> <p>By providing housing choice for entry level buyers, the proposal directly supports the Plan's aim of strengthening regional competitiveness, attracting businesses, and enabling economic expansion through improved community amenity and stable population base.</p>
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Q6. Is the planning proposal consistent with applicable SEPPs?

No inconsistencies with relevant SEPPs have been identified. The table below demonstrates consistency of the Planning Proposal with relevant SEPPs.

State Environmental Planning Policy (Housing) 2021	
Chapter 2 – Affordable housing	The Planning Proposal does not conflict with the aims and functions of this SEPP. All development applications as a result of the amendment will continue to consider these matters if relevant.
Chapter 3 – Diverse housing	As above.
Chapter 4 – Design of Residential Apartment Development	As above.
State Environmental Planning Policy (Biodiversity and Conservation) 2021	
Chapter 4 – Koala habitat protection 2021	The Planning Proposal does not conflict with the aims and functions of this SEPP. All development applications as a result of the amendment will continue to consider these matters if relevant.
State Environmental Planning Policy (Sustainable Buildings) 2022	
State Environmental Planning Policy (Sustainable Buildings) 2022 applies to all land in the State.	The Planning Proposal does not conflict with the aims and functions of this SEPP. All development applications as a result of the amendment will continue to consider these matters if relevant.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP)	
<p>The Codes SEPP is a state policy which applies to different types of residential development on residentially zoned land.</p> <p>Under the Codes SEPP, development (such as dwelling houses, dual occupancies and multi-dwelling housing) may be carried out as exempt or complying development, where it complies with the relevant standards set by the policy</p>	This SEPP will not be relevant
State Environmental Planning Policy (Resilience and Hazards) 2021	
Chapter 3 – Hazardous and offensive development	The Planning Proposal does not conflict with the aims and functions of this SEPP.

Chapter 4 – Remediation of land	As above.
State Environmental Planning Policy (Planning Systems) 2021	
Chapter 2 – State and Regional Development	As above.
Chapter 3 – Aboriginal land (applies to land owned by an Aboriginal Land Council)	As above.
Chapter 4 – Concurrences and consents	As above.
State Environmental Planning Policy (Precincts – Regional) 2021	
Chapter 2 – State significant precincts	The Planning Proposal does not conflict with the aims and functions of this SEPP.
State Environmental Planning Policy (Transport and Infrastructure) 2021	
Chapter 2 – Infrastructure	The Planning Proposal does not conflict with the aims and functions of this SEPP. All development applications as a result of the amendment will continue to consider these matters if relevant.

Q7. Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?

This assessment determines that the Planning Proposal’s consistency with the applicable Ministerial Direction (s9.1 Directions), or where applicable, is justifiably inconsistent in accordance with the criteria specified within the relevant Direction.

While it is recognized that further justification may be requested in relation to the Section 9.1 Ministerial Directions, it is considered that this can be addressed by noting that the land is already zoned residential. The proposal does not fundamentally alter the zoning or introduce incompatible land uses, with key planning considerations to be resolved at the development application stage.

Those Ministerial Directions that are not applicable have been assessed; however, they are not included within the table below.

No.	Title	Consistency/applicability
Focus area 1: Planning Systems		
1.1	Implementation of Regional Plans	Applies to all Planning Proposals that apply to land where a Regional Plan has been prepared. The Planning Proposal is consistent with the goals, directions and actions as contained within the Riverina Murray Regional Plan 2041
1.3	Approval and Referral Requirements	Consistent. The Planning Proposal does not propose any referral or concurrence requirements or nominate any development as ‘designated development’. Applies to all Planning Proposals
1.4	Site Specific Provisions	The Planning Proposal does not seek to introduce any site-specific provisions.
1.4A	Exclusion of Development Standards from Variation	Consistent.

		The Planning Proposal does not introduce or alter an existing exclusion to clause 4.6 of a Standard Instrument LEP.
Focus area 1: Planning Systems – Place based		
		Does not apply to the Wagga Wagga LGA
Focus area 3: Biodiversity and Conservation		
3.1	Conservation Zones	Does not apply to this Planning Proposal.
3.2	Heritage Conservation	Consistent. No changes to the application of heritage controls across any residential zoned land.
Focus area 4: Resilience and Hazards		
4.1	Flooding	Consistent. Applies to all relevant planning authorities that are responsible for flood prone land when preparing a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land. The proposal does not seek to alter any provisions related to flooding controls and further development on such land will be subject to assessment as necessary
4.3	Planning for Bushfire Protection	Consistent. This direction applies to all local government areas when a relevant planning authority prepares a Planning Proposal that will affect, or is in proximity to, land mapped as bushfire prone land. The proposal does not seek to alter any provisions related to bushfire controls and further development on such land will be subject to assessment as necessary.
4.4	Remediation of Contaminated Land	Consistent. This direction applies to development for residential purposes whereby land contamination is incomplete or requires investigation. The Planning Proposal is consistent with this direction, as it does not conflict with the SEPP Hazards and Risk provisions related to contaminated land matters and necessary investigations will be required during assessment of a development application
4.5	Acid Sulfate Soils	Consistent. This direction applies to land having a probability of containing acid sulfate soils. The Planning Proposal is not changing the provisions in the LEP and thus would apply to land where development applications will be submitted.
Focus area 5: Transport and Infrastructure		
5.1	Integrating Land Use and Transport	Consistent.



		<p>This direction applies to all relevant planning authorities when preparing a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, employment, village or tourist purposes.</p> <p>This Planning Proposal is consistent with one objective of this direction, to improve ‘access to housing, jobs and services by walking, cycling and public transport’.</p>
Focus area 6: Housing		
6.1	Residential Zones	<p>Consistent.</p> <p>This direction applies to all relevant planning authorities when preparing a planning proposal that will affect land within an existing or proposed residential zone (including the alteration of any existing residential zone boundary), or any other zone in which significant residential development is permitted or proposed to be permitted.</p> <p>The Planning Proposal will meet the objectives of the direction by broadening the choice of building types and locations available in the housing market. The housing will also be of good design, aligned with the objectives of the direction.</p> <p>Further, the Planning Proposal will require that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and the provisions will not reduce the permissible residential density of land.</p>
Focus area 7: Industry and Employment		
		As this Planning Proposal relates to residential zoned land, this Direction is not applicable.
Focus area 9: Primary Production		
		As this Planning Proposal relates to residential zoned land, this Direction is not applicable.

Section C– Environmental, social and economic impact

Q8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

This Planning Proposal is non-site specific. Any development applications, as a result of the proposal, that have the potential to impact critical habitat or threatened species, populations or ecological communities, or their habitats will continue to be assessed during the appropriate assessment pathway.

The proposal will only amend development standards and does not rezone land, identify specific development sites. The Planning Proposal does not alter existing environmental assessment requirements or processes.

Q9. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

No significant environmental effects are anticipated as a result of the Planning Proposal.



The Planning Proposal seeks to introduce a clause to the Wagga Wagga LEP that would allow certain development standards in the LEP to be overridden where development meets the eligibility criteria for Entry Point Housing.

Any future development will still be subject to a Development Application process, environmental assessment under the EP&A Act, and compliance with all relevant technical standards and policies, including State Environmental Planning Policies, infrastructure servicing requirements, and localised impact assessments.

As such, any potential environmental effects, such as traffic, noise, amenity, character, overshadowing, biodiversity, stormwater, contamination or heritage impacts, will be addressed at the DA stage through detailed site-specific investigations and conditions of consent. These assessments will ensure:

- Built form impacts are appropriately managed through design review and assessment against relevant planning controls and design guidelines.
- Amenity impacts (privacy, overshadowing, noise etc) are considered in accordance with relevant planning frameworks.
- Traffic and access impacts are assessed through traffic and parking studies and managed through design, conditions and mitigation measures.
- Environmental constraints (flooding, contamination, stormwater etc) are assessed and mitigated.
- Infrastructure capacity is confirmed through consultation with relevant service authorities.

Given the continued requirement for a full merit assessment at DA stage, the Planning Proposal is not expected to result in any environmental effects beyond those ordinarily associated with low-medium scale residential development. All potential impacts will be addressed and managed through the statutory development assessment process.

Q10. Has the Planning Proposal adequately addressed any social and economic effects?

Yes. The Planning Proposal is expected to generate positive social and economic effects. Any potential negative impacts arising from the Planning Proposal are considered to be manageable and can be addressed through existing planning processes.

Positive social and economic effects

The proposal responds directly to rising housing stress in Wagga Wagga. Although historically more affordable than metropolitan markets, Wagga Wagga is now experiencing increasing pressure due to escalating land and construction costs, limited dwelling diversity and regulatory barriers that constrain the delivery of lower-cost homes. These pressures affect how people live, their financial security, their health and wellbeing, and their capacity to maintain a stable connection to their community.

The Planning Proposal seeks to address these challenges by creating opportunities for attainable home ownership through an incentive-based development pathway. By simplifying the rules and speeding up the approval process, the proposal helps keep homes affordable from the start and reduces the chance of prices increasing as projects progress. This may lessen the financial stress that can affect mental wellbeing, social participation and quality of life for residents.

This benefit also extends to households whose needs are not currently well served by the LGA's existing housing stock. Because Wagga Wagga offers limited housing diversity (85% of all dwellings in Wagga Wagga are separate houses)¹, some smaller households may struggle to find options to purchase a home that suit their lifestyle or stage of life. In some cases, these households may be living in larger dwellings than they need simply because no alternative is available. This can result in people paying more than required for space they do not use, while also reducing the availability of larger homes for growing families who need them. By enabling an entry point to home

¹ Wagga Wagga City Council, *Wagga Wagga Local Housing Strategy 2025*



ownership, the Planning Proposal could help address this mismatch between household needs and available housing, supporting a more efficient and equitable use of the existing housing supply.

The Planning Proposal also delivers important economic benefits. By removing certain restrictive or prescriptive controls, the proposal would give developers and builders a more feasible pathway for delivering quality homes at a lower cost. This may help to promote the construction of more diverse housing types and create cost efficiencies through reducing build prices. Additionally, increased construction activity can also have short and long-term benefits with respect to construction employment and the purchase of materials. Local businesses may also benefit from increased construction-related trade, in direct and indirect expenditure. The construction industry has strong linkages with other sectors, so its impact on the economy goes further than the direct contribution of construction.

The EPH Planning Proposal has the potential to provide both social and economic benefits to the local community in Wagga Wagga. It also offers a strategic model that, if successful, could be applied more broadly across other LGAs in NSW.

Section D- Infrastructure (Local, State and Commonwealth)

Q11. Is there adequate public infrastructure for the Planning Proposal

Yes. It is considered that adequate public infrastructure exists to support the delivery of Entry Point Housing as outlined in the Planning Proposal.

Wagga Wagga is a major regional centre with a well-established network of community, social and physical infrastructure. Strategic assessments undertaken for the LGA, including the *Wagga Wagga Special Activation Precinct Community and Social Infrastructure Assessment* and Council's *Recreation, Open Space and Community Strategy and Implementation Plan 2040*, confirm that the LGA is generally well serviced by schools, emergency services, health facilities, community programs, cultural assets, recreation facilities, sporting fields and places of worship. These studies also recognise that while some services, particularly health and education, are experiencing some capacity pressures, these challenges relate to wider regional population growth and will continue to be addressed through State and local infrastructure planning.

In terms of servicing requirements, the Planning Proposal does not rezone land or create new release areas. Instead, it enables a clearer pathway for entry point small-scale residential development within R1 and R3 residential zoned areas. As such, it is not anticipated to create demand for new large-scale infrastructure beyond what is typically required for standard residential infill development. For greenfield development EPH can be part of a larger subdivision where infrastructure will be provided

Any individual development will need to meet the requirements of relevant service providers and demonstrate adequate servicing at the Development Application stage, ensuring water, sewer, stormwater, electricity, waste collection and other essential services are available.

Council's adopted strategies confirm adequate provision of open space and recreation facilities across the LGA, with planning underway to maintain this as the population grows. The broader LGA is also supported by long-term infrastructure initiatives such as the Riverina Intermodal Freight and Logistics Hub and significant State-led investment in the Special Activation Precinct, which will strengthen regional economic capacity and services over time.

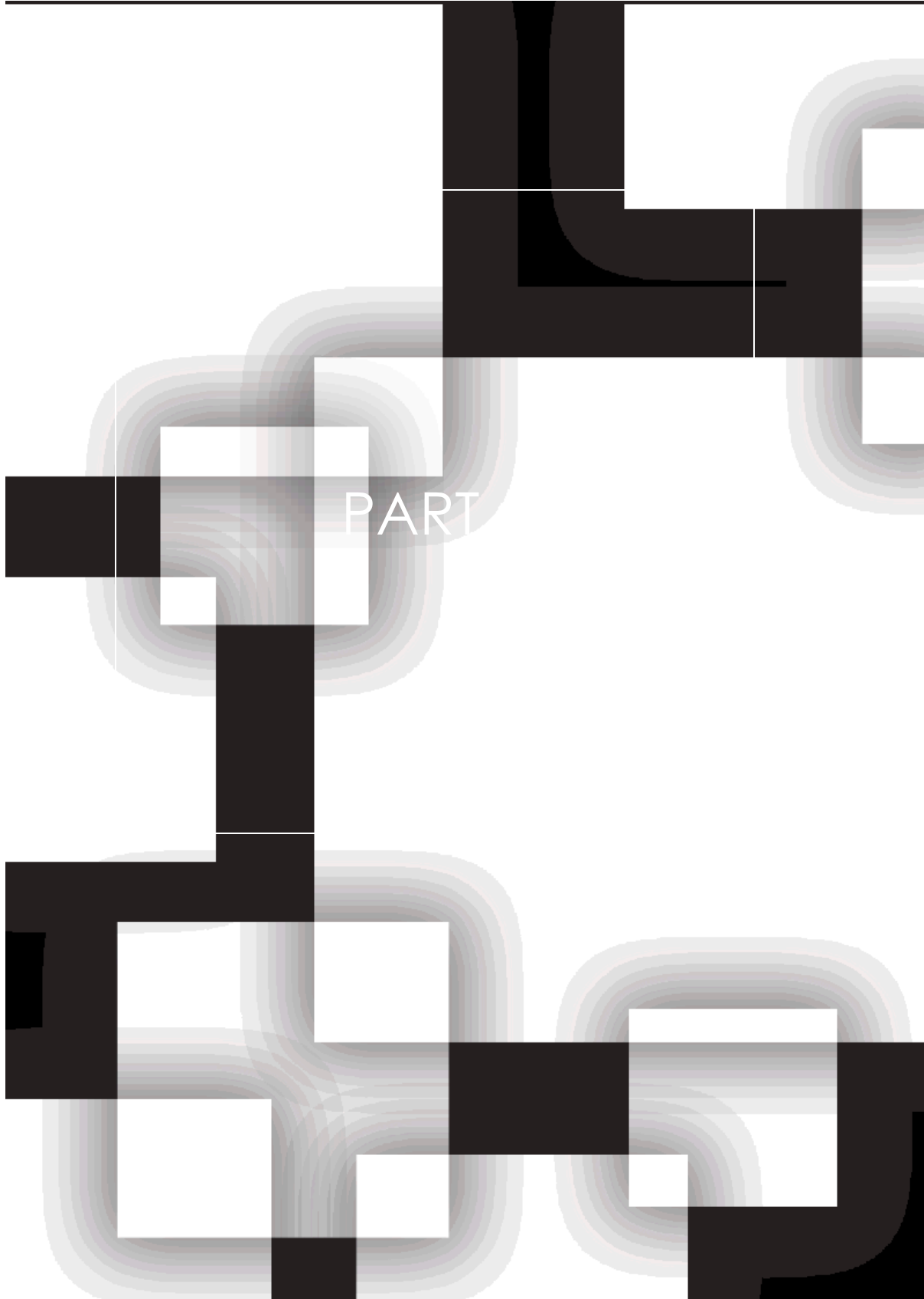
Should any contributions or infrastructure coordination be required, this will be addressed through the DA stage.

Section E- State and Commonwealth interests

Q12. What are the views of state and federal public authorities and government agencies consulted in order to inform the gateway determination?



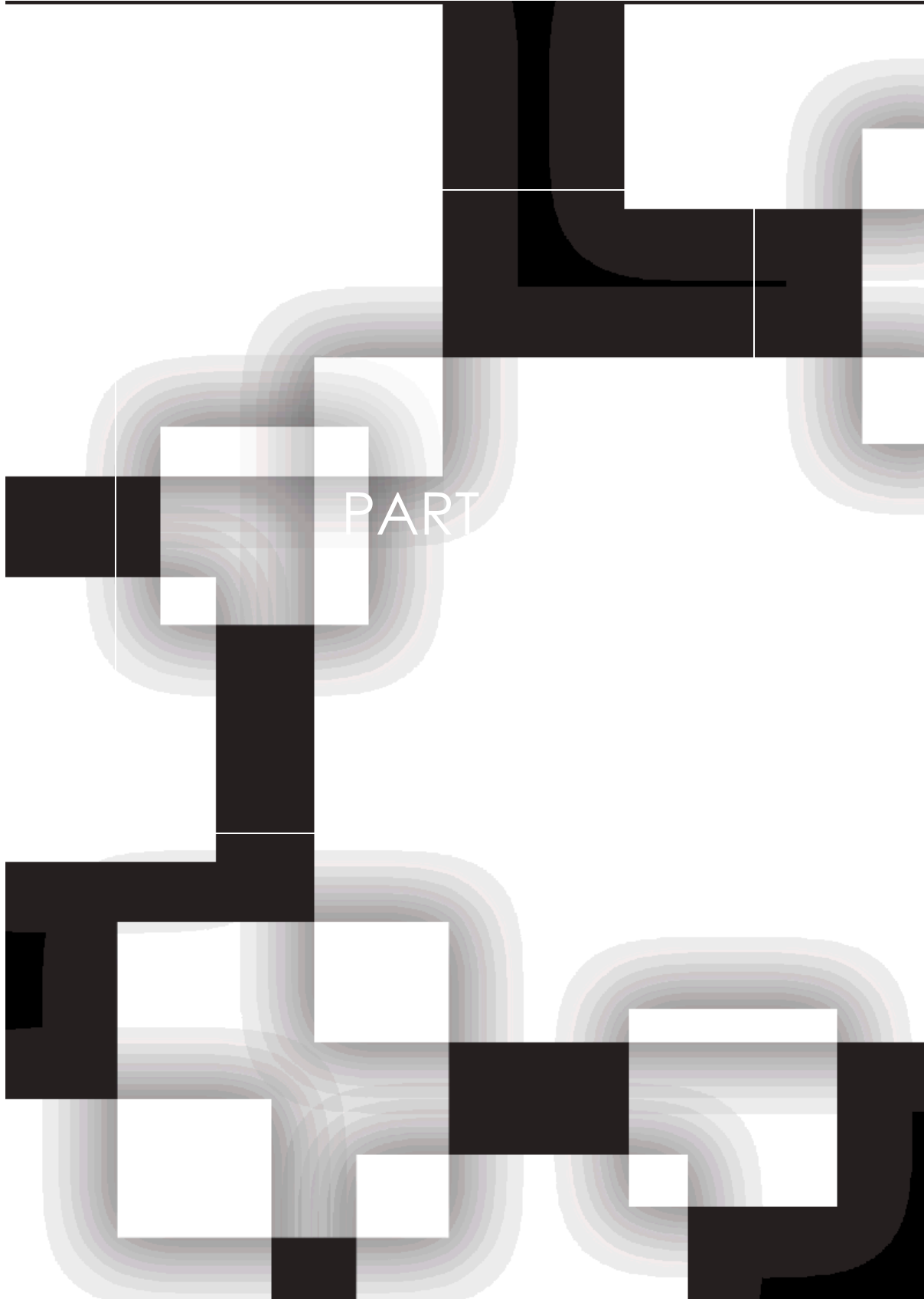
The Department of Planning, Housing and Infrastructure has been consulted, and their views and comments have been included as part of this Planning Proposal.





8.0 PART 4 – MAPS

No amendments to the Wagga Wagga Local Environmental Plan maps are required for this Planning Proposal.



9.0 PART 5 - COMMUNITY CONSULTATION

The Planning Proposal will be publicly exhibited in accordance with Clause 4 of Schedule 1 of the Environmental Planning and Assessment Act 1979, the Local Environmental Plan Making Guideline (August 2023), and any specific conditions issued in the Gateway Determination.

The proposal will be placed on public exhibition for a minimum of 28 working days, in accordance with Council's adopted Community Participation Plan (CPP).

Public exhibition will include a range of notification methods to ensure accessibility for the community. Council will advertise the exhibition period via their website and the NSW Planning Portal, and electronic copies of all documents will be made available free of charge.

In addition, all public authorities, Government agencies and key stakeholders identified in the Gateway Determination will be formally notified. This is expected to include:

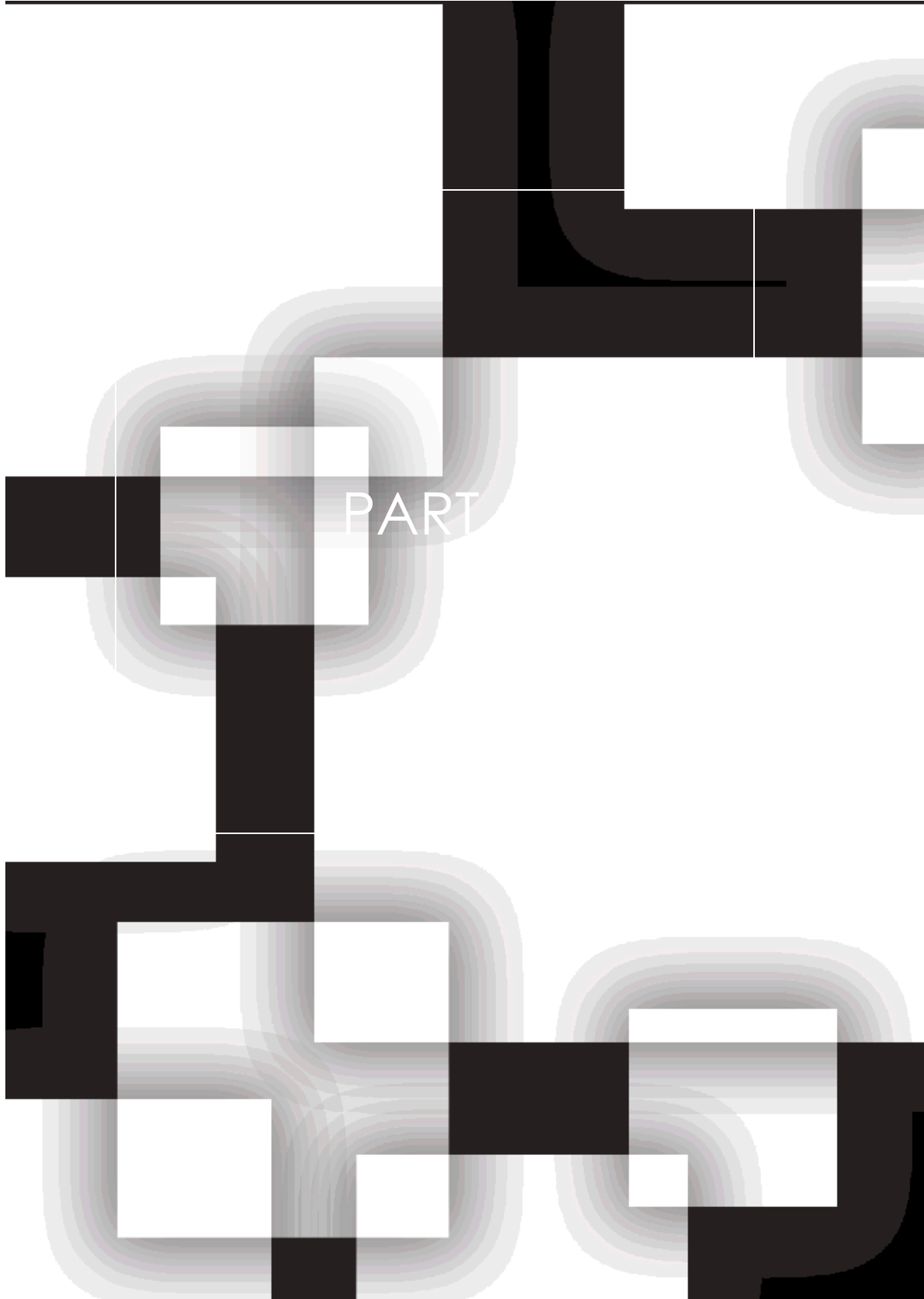
- Relevant NSW Government agencies
- Applicable Commonwealth agencies (if required)
- Local service authorities and utility providers
- Any other organisations specified by the Gateway.

Additional public notices may be placed through Council communication channels such as:

- Notices on the NSW Planning Portal
- Council's website
- Council's social media channels
- Other local advertising channels (such as local newspapers).

At the end of the exhibition period, Council staff will review and summarise all submissions received. A post-exhibition report will then be prepared for Council, outlining any issues raised, Council's responses, and recommended amendments to the Planning Proposal.

Following Council's endorsement, the final proposal and supporting material will be submitted to the Department of Planning, Housing and Infrastructure for finalisation and gazettal.



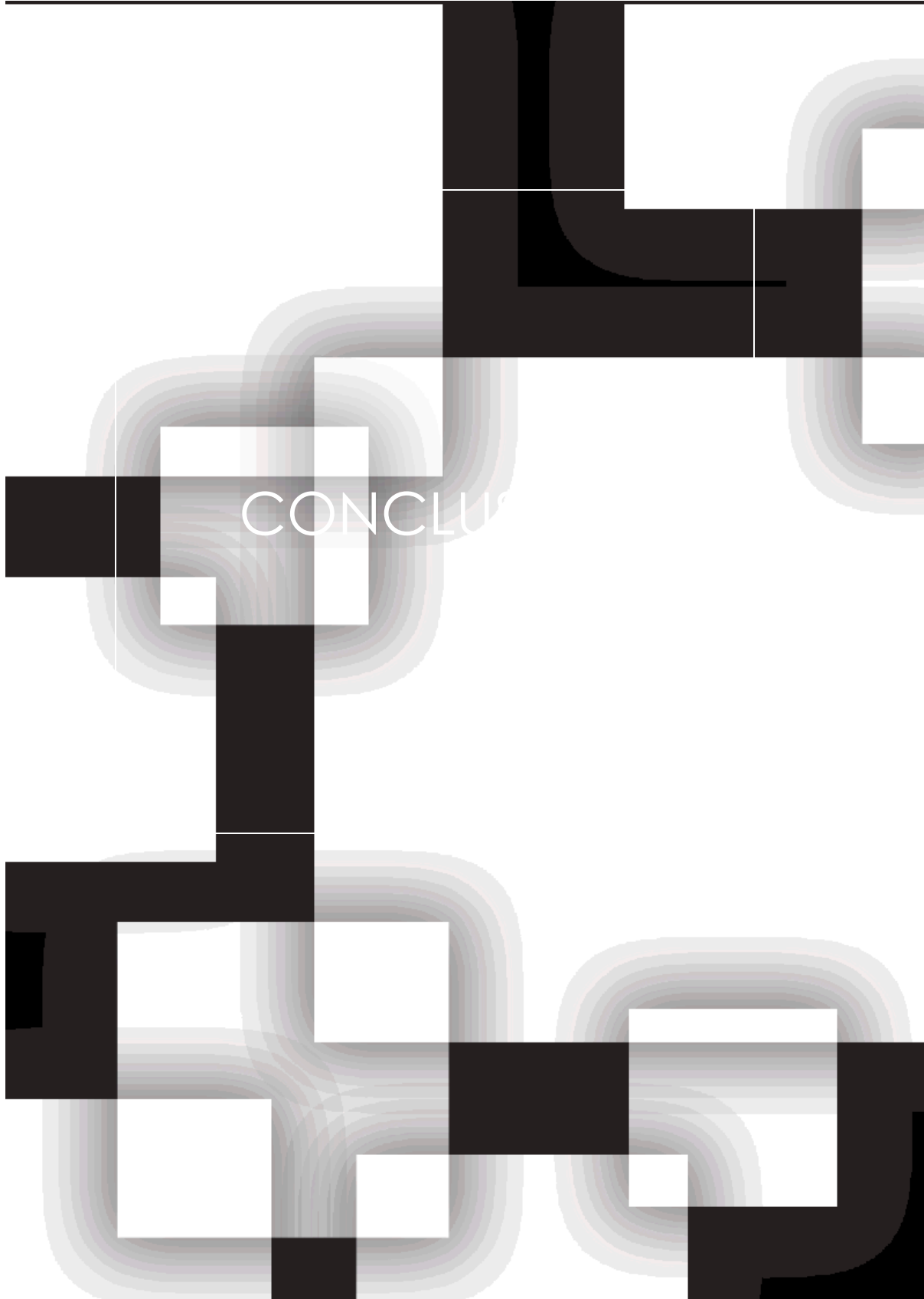


10.0 PART 6 – PROJECT TIMELINE

The following table outlines the indicative Planning Proposal timeline.

Table 2: Proposed timeframe of the amendment to the LEP

Stage	Indicative timeframe
Council Meeting – Consider draft Planning Proposal	May 2026
Gateway determination request lodged	June 2026
Gateway determination received	June 2026
Complete any additional studies (if required)	July 2026
Public exhibition of draft Planning Proposal and public agency consultation (if required by Gateway)	July 2026
Review of submissions	August 2026
Council resolution (post exhibition)	September 2026
Lodgement to the Department for finalisation	September 2026
Finalisation/gazettal of Planning Proposal	September 2026
Notification of LEP amendment	September 2026



11.0 CONCLUSION

Entry Point Housing (EPH) is a planning pathway that enables individuals/families who do not currently own a property to enter home ownership at a targeted entry price point.

An attached dwelling, residential flat building, dwelling house, multiple dwelling (villa – single storey), multiple dwelling (townhouses), dual occupancy (attached) and/or semi-detached or the like, that meets the requirements for Entry Point Housing in a Development Control Plan and functions as a market related entry point dwelling priced to support home ownership.

The Planning Proposal seeks to amend the Wagga Wagga Local Environmental Plan 2012. The objective of the Planning Proposal is to create an additional clause in the WWLEP, namely, Clause 7.14 of Part 7 Additional Local Provisions, in order to:

- To provide a simple pathway for developers/builders to gain greater confidence to build dwellings at an entry price point for future homeowners through straightforward design controls and a speedier timeframe to achieve a planning determination
- Create planning controls to support certain housing typologies within the R1 General Residential Zone and R3 Medium Density Housing Zone at an entry point to enable house ownership.
- To create a speedier development application pathway which enables Council to facilitate implementation of entry point housing development within well located and accessible locations in the LGA.

The Planning Proposal report has been prepared to address the requirements of the Environmental Planning and Assessment Act 1979 (EP&A Act), as well as satisfying the requirements of Local Environmental Plan Making Guideline (August 2023). It provides a comprehensive analysis of the proposal's strategic merit and demonstrates that the amendments are well justified and suitable.



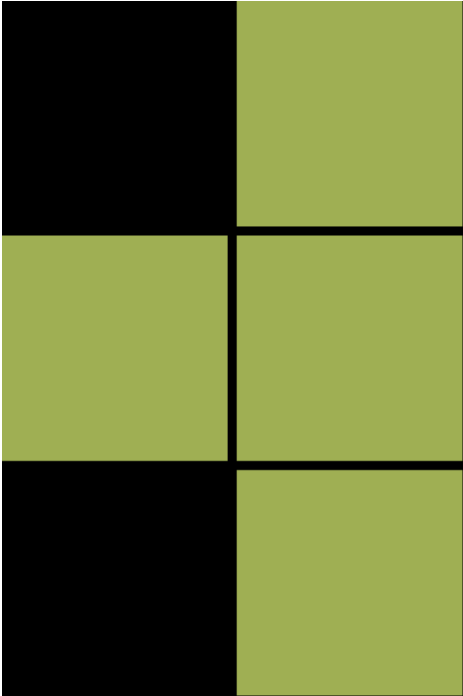
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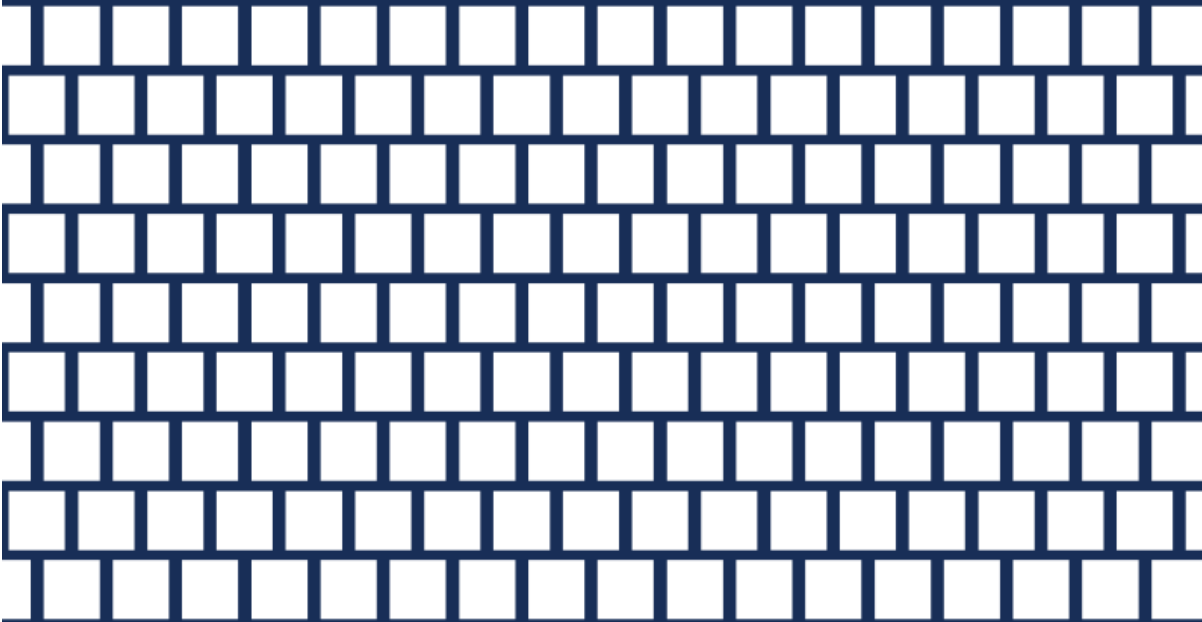
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Wagga Wagga DCP Part F

Section xx: Entry Point Housing Scheme



Prepared for:
Wagga Wagga Council
15 May 2026



Acknowledgment of Country

HillPDA acknowledges the Traditional Custodians of Country throughout Australia and their continuing connection to land, waters, culture, and community.

We acknowledge the Gadigal people of the Eora Nation and Wurundjeri Woi-wurrung and Bunurong / Boon Wurrung peoples of the Kulin Nation, the traditional owners of the land on which this report is prepared, and we show our respect for elders' past and present.

Quality assurance

This document is for discussion purposes only unless finalised and approved by a Principal of HillPDA.

Version	Date	Prepared by	Reviewed by	Approved by
	31 March 2026			
	2 April 2026			
	7 April 2026	J. Rudolph	J. Rudolph	J. Rudolph
	9 April 2026			
Final	29 April 2026	J. Rudolph	J. Rudolph	J. Rudolph
Final May 2026	16 May 2026	J. Rudolph	J. Rudolph	J. Rudolph

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- 3.0 Application Information to be provided**
- 4.0 Design controls**
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 - 4.2 Controls

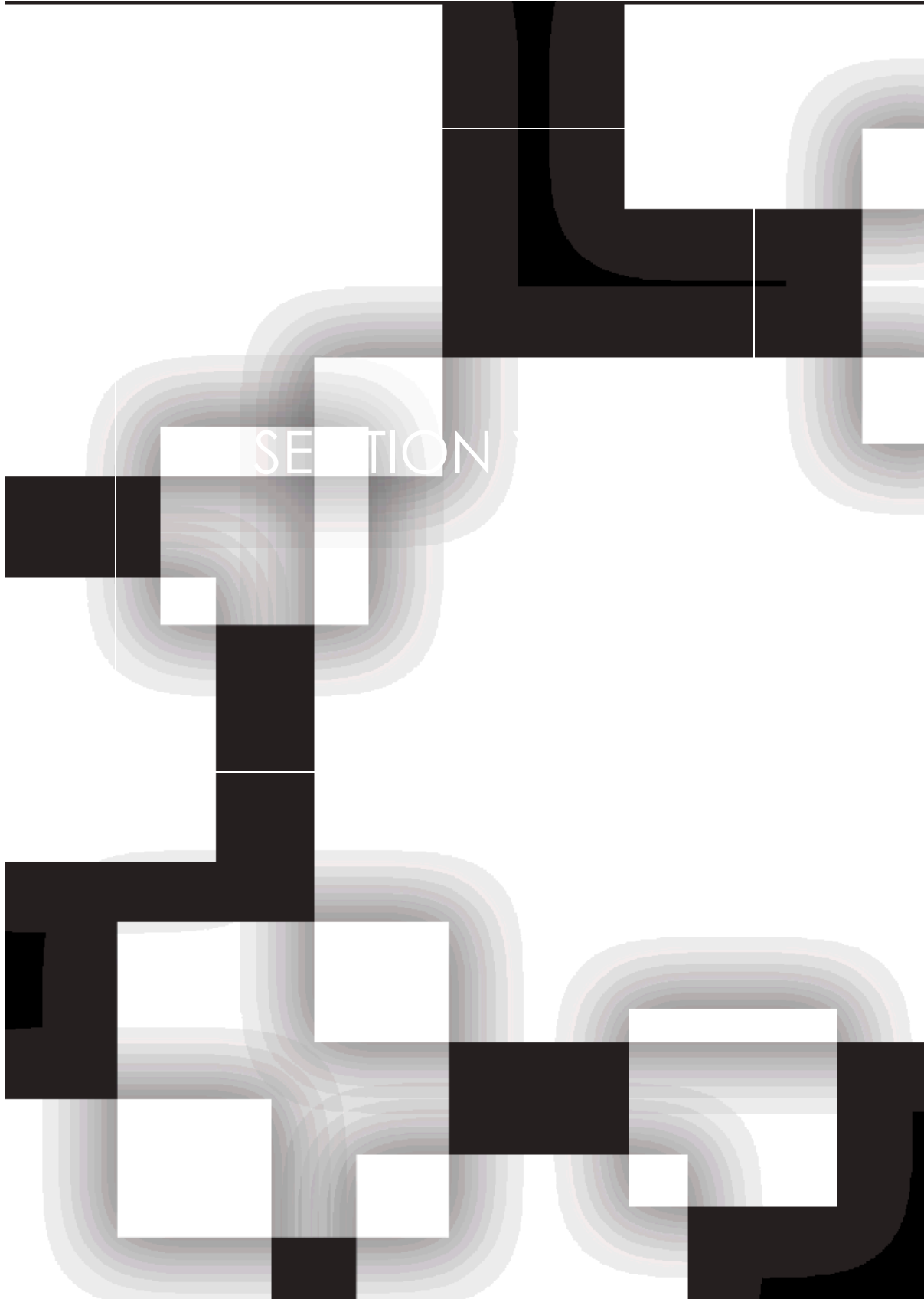
- APPENDIX A : Legal agreement**
- APPENDIX B : Design controls illustrated**

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- Table 1: Documentation and information to be provided with the development application
- Table 2: Design Controls for EPH

Figures

- Figure 1: The benefits of Entry Point Housing



1. ENTRY POINT HOUSING SCHEME

This proposed Development Control Plan chapter, Section xx: Entry Point Housing, will override Part B Section 2, Part D Section 9, xxxx of the Wagga Wagga Development Control Plan 2010 as amended.

1.1 Application

This Chapter of the Wagga Wagga Development Control Plan (DCP) applies to all R1 General Residential and R3 Medium Density zoned land (as defined in the Wagga Wagga Local Environmental Plan 2010) within the local government area of Wagga Wagga where residential development complies with the eligibility criteria of the Entry Point Housing Program.

This chapter should be read in association with clause xxx of the Wagga Wagga Local Environmental Plan 2010 (WLEP), which sets out the requirements to developers to provide individuals/families who do not currently own a property to enter home ownership at a targeted entry price point.

1.2 Commencement date

This Section of the Wagga Wagga Development Control Plan 2010 (the DCP) was approved by Council on xxx 2026.

1.3 About this Section of the DCP

1.3.1 Context

Entry Point Housing (EPH) is an initiative designed to provide a development consent pathway to create an accessible home ownership opportunity at a target price point, for individuals who do not currently own a home. EPH provides an opportunity for a high-quality, entry level home.

EPH is designed to offer an affordable pathway to homeownership, providing individuals with an opportunity to build equity rather than continuing to pay rent. While these homes may not be intended as “forever” homes, they can serve as a practical, long-term option for those whose lifestyle and needs align with them. It is assumed that buyers will use Entry Point Housing as a stepping stone - purchasing a home at an accessible price, accumulating equity over time, and eventually leveraging that equity to transition into their next property as their circumstances evolve.

Unlike “affordable housing” models which have a variety of income tests and sale prices formula rules, EPH adopts a more flexible approach. While there are some basic restrictions on buyers (must be owner-occupiers rather than investors), anyone who does not own other property can buy an Entry Point House.

For developers of EPH, Council is providing a streamlined assessment process and less prescriptive tailored controls to encourage quality housing at a lower price. The removal of restrictions and prescriptions will produce innovation in how cost savings in the build price can be found. The fast track development assessment process provides greater confidence, and an incentive as a reduced timeframe compared, to regular housing products.

The benefit of the Program is outlined in the table below.



Figure 1: The benefits of Entry Point Housing

Source: Wagga Wagga Council (2026)

For Council, the EPH program provides a streamlined planning process on the basis that the developer/builder satisfies Council that the dwelling outcome will be sold at an entry level price point. A legal agreement, such as a planning agreement, must be entered into to achieve the intended outcomes for the EPH program.

From an implementation or operational point of view, it requires developers who wishes to access the Entry Point Housing to undertake the following:-

- lodge a development application under Part 4 of the Environmental Planning and Assessment Act, 1979, with Council.
- enter into a planning agreement with Council to meet a range of requirements, including complete the construction within two years of approval and an agreed price for the sale of each dwelling.
- ensure future purchasers meet specified criteria, including not owning any other property at the time of purchase and that they reside in the house for during their ownership of the property within the prescribed period.

The proposed EPH Program can have significant community and public benefits by increasing home ownership within the LGA, thereby facilitating a place to call home, participating in the economy, and being part of the community.

1.1.1. Definition

Entry Point Housing (EPH) is a pathway that enables individuals/families who do not currently own a property to enter home ownership at a targeted entry price point.

An attached dwelling, dwelling house, multiple dwelling (villa – single storey), multiple dwelling (townhouses), dual occupancy (attached) and/or semi-detached or the like, that meets the requirements for Entry Point Housing in this Development Control Plan and functions as a market related entry point dwelling priced to support home ownership.

1.4 Objectives

The objectives of the EPH DCP Section are to:-

- Create a development pathway to enable the development of entry point housing
- Encourage and facilitate the construction of good quality design of housing for people interested in owning their own home
- To provide a proportionate level of design detail to ensure quality EPH whilst facilitating design innovation
- Providing a mechanism to ensure developers and builders can satisfy the necessary requirements for the EPH program, ensuring EPH dwellings are sold to eligible persons.

1.5 Requirements for Entry Point Housing

As EPH is to occur across the LGA, there are important criteria for developers/builders to fulfill to participate in the program and to ensure that entry point purchasers are not forced to live in remote areas or have substandard living arrangements.

In this respect, the criteria for EPH are the following:-

1. Applies to land zoned R1 General Residential and R3 Medium Density Residential under the WWLEP
2. EPH can comprise the following types of residential accommodation, namely attached dwelling, dwelling house, multiple dwelling (villa – single storey), multiple dwelling (townhouses), dual occupancy (attached) and semi-detached.
3. The land should be accessible and well located, meaning land should have road frontage and be serviced, be within 800m or close to a bus stop or public transport, as well as be within 800m of open space, local shops or social facilities.
4. The proposed height of an EPH dwelling should be 9.5m or lower in order not to have any impact of overshadowing nor impact the street character.
5. The dwelling should comply with the National Construction Code and BASIXs.

1.6 Requirement for developers/builders to undertake Entry Point Housing

A developer/builder may have a single lot or greenfield site as part of the development. EPH will only apply to those lots and dwellings that achieve the EPH program.

In this respect, a consent authority will not grant development consent to development for the purposes of EPH unless it is satisfied that the EPH dwellings will be constructed, sold and retained as EPH in accordance with the requirements of this DCP. The developer is required to commit to various requirements which are outlined in a legal agreement.

The EPH program requires a developer to make “suitable arrangements” for the provision of EPH. For example, a developer may enter into a planning agreement with Council in connection with a development application for development that includes EPH.

Such an agreement should include commitments that:-

1. The EPH is constructed in accordance with the development consent granted by the consent authority
2. Development is to commence within 24 months of the issuing of consent and be completed with EPH dwellings made available for sale expeditiously thereafter
3. Each EPH dwelling is to be sold at a specific price, which is suitable for an “entry point” purchase
4. EPH dwellings are to be sold to eligible purchasers only (see Section 1.7 below)
5. The agreement is registered on title and will remain on the title(s) of any EPH dwelling for a 10 year period.

A template planning agreement that incorporates the above matters is attached in Appendix A.

In addition, the developer/builder must provide the mandated information and documents (as outlined in Section 3 of this document) with the development application.

1.7 Eligibility criteria of purchasers

The objective of the EPH is to ensure the residential dwelling/s will be sold by the developers/builders to a purchaser at an entry price point, as agreed with Council. In order to be eligible to purchase an EPH dwelling, the purchaser must: -

1. Must work and/or live in Wagga Wagga LGA.
2. Not own any real property either individually or jointly (tenants in common or joint tenants) with anyone in NSW.
3. Occupy the dwelling as its principal place of residence, and may not sell the home for a minimum of 2 years from the date of settlement. Various conditions apply as found in the Voluntary Planning Agreement template.
4. Not rent the dwelling, whether on a short term or longer term basis, for a minimum of 10 years from the date of settlement.
5. A person may only purchase (individually or jointly) one EPH dwelling; once one dwelling is purchased that person becomes an ineligible purchaser of future EPH projects.

1.8 Relationships to other plans

The DCP supplements the local provisions of the WWLEP by providing additional detail. The DCP should be read in conjunction with the WWLEP.

The EPH development application must conform to the requirements of the WWLEP, including the zones that are prescribed and uses that can be undertaken in those zones. The WWLEP will prevail where there is an inconsistency with the DCP.

The Wagga Wagga Local Infrastructure Contribution Plan 2019 will apply.

1.9 Savings and transitional provisions

This Plan does not apply to any development application; any application to modify development consent under section 4.55 of the Environmental Planning and Assessment Act 1979, or any application for a review of determination under section 8.2 of the Environmental Planning and Assessment Act 1979, which was lodged with Council but not finally determined before the commencement of this Plan. Any application lodged before the commencement of this chapter will be assessed in accordance with any previous Development Control Plan, technical policy or other Council policy that applied to the site at the time of the application was lodged.

2.0 EPH MANDATORY STEPS AND PROCESS

EPH provides a development assessment and consent pathway to support development of housing which provides an entry point to property ownership.

The planning pathway for EPH requires endorsement by the consent authority of the amendments to the local environmental plan as well as a development control plan (this document). It also requires the planning agreement template to be endorsed by the local council, with delegation provided by Council to the General Manager to implement the program. This enables a streamlined and faster process for a development application.

There are two EPH planning pathways, with the major difference being whether Council owned land is included in any EPH project, thus requiring additional steps in the process. The two EPH planning pathways are:-

1. EPH to be undertaken on privately owned land, subject to achieving the eligibility criteria.
2. EPH development, subject to the agreement from Council and other local government legislative approvals, on Council owned land. If EPH occurs on Council owned land, then it is more complex process as Council will need to determine the arrangements of the land i.e. lease or disposal.

In each of the pathways, there are three main stages, namely:-

Stage 1: Endorsement to use the EPH pathway by the Local Council

- This involves early discussions or a pre-DA meeting with Council regarding the potential EPH site, the proposed EPH housing typology and parties agreeing to provide an offer to enter into a planning agreement.
- Negotiating the conditions of a planning agreement, including the entry point housing purchase price, and coming to an agreement.
- Council support of the planning agreement.
- Public exhibition of a planning agreement.

Stage 2: Planning Consent under the EPH Pathway

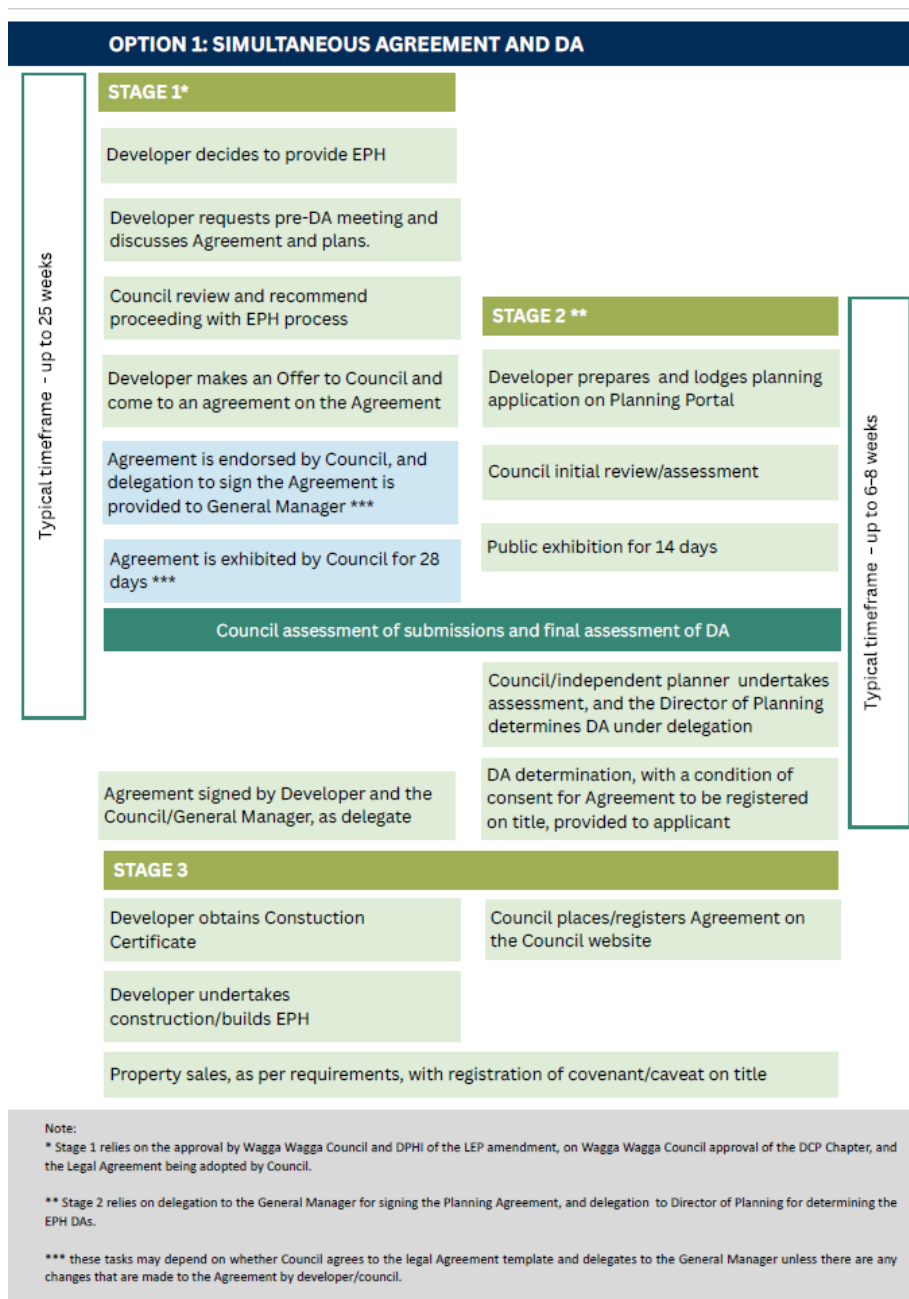
- This involves preparing and submitting a development application with the necessary supporting documents.
- Planning assessment, public exhibition and review of submissions.
- Planning application determination.

Stage 3: Post Determination implementation

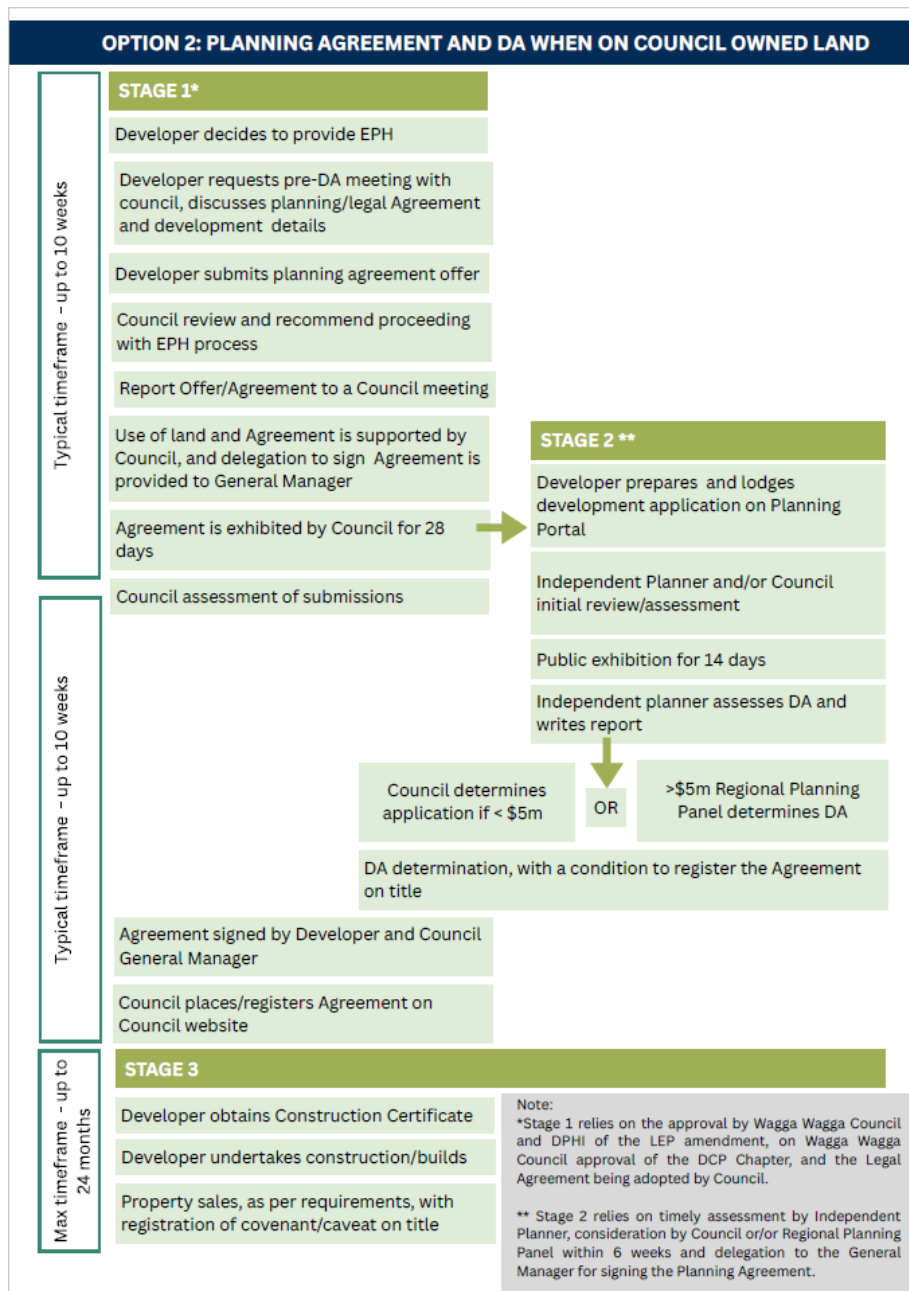
- This involves the proponent registering the planning agreement on title and establishing the build program with the start/completion dates and other building contract conditions with the builder.
- Proponent/developer satisfying the condition of consent.
- Construction of the EPH housing.
- Upon the sale of the dwelling the proponent will issue a caveat on title to manage the condition of sale.

Two flow diagrams are outlined below to demonstrate the process of the two EPH planning pathways.

Planning Pathway 1 - EPH to be undertaken on privately owned land, subject to achieving the eligibility criteria.



Planning Pathway 2 - EPH development, subject to the agreement from Council and other local government legislative approvals, on Council owned land.



3.0 APPLICATION INFORMATION TO BE PROVIDED

This section of the DCP outlines the information required to be submitted for Entry Point Housing development application to Council, over and above, or including information required as stated in Part 3 Division 1 of the Environmental Planning and Assessment Regulation 2021.

Table 1: Documentation and information to be provided with the development application

Requirement	Description
Proponent Details	<ul style="list-style-type: none"> The name and address of the applicant.
Description	<ul style="list-style-type: none"> A description of the proposed development to be carried out.
Location	<ul style="list-style-type: none"> The address and particulars of title of the land on which the proposed EPH is to be carried out.
The estimated cost of development	<ul style="list-style-type: none"> The estimated cost of development.
Sale price	<ul style="list-style-type: none"> The sales price of each EPH dwelling type to be developed.
Landowner consent	<ul style="list-style-type: none"> Evidence of landowner consent.
Site plan	<ul style="list-style-type: none"> A Site plan including location, boundary, site area, existing vegetation, the location and uses of existing buildings,
Documents accompanying the DA	<ul style="list-style-type: none"> A list of documents accompanying the application
Planning document	<ul style="list-style-type: none"> Statement of Environmental Effects, including a statement including any development compliance departures that are being put forward for consideration. Documentation demonstrating that the requirements for “suitable arrangements” be made with Council to deliver the objective of the Program, such as a planning agreement.
Development drawings and context	<ul style="list-style-type: none"> Scaled floor plans of the proposed dwellings showing layout, partitioning, room size and floor areas (minimum dwelling size of 50sqm) Elevations. Proposed parking arrangements including any entry/exit points for vehicles and any provision for vehicle movement within the site. Proposed landscaping and plan. Levels of the land in relation to buildings and roads. Sample board of proposed materials and colours. Details of proposed facades Boundary fence and materials. BASIX certificate Engineering and stormwater plans
Prior experience of builder/developer	<ul style="list-style-type: none"> Relevant and recent experience, personnel.

Source: HillPDA and Environmental Planning and Assessment Regulation 2021 (2026)

4.0 DESIGN CONTROLS

This DCP provides a simple pathway for developers/builders to gain greater confidence to build dwellings at an entry price point for future homeowners because of the simple design control.

The DCP includes a few key guiding controls relevant to Entry Point Housing to ensure that all future homeowners are entitled to good-quality house design, good amenities, and privacy.

4.1 Objectives

1. To ensure quality landscaped open space and green canopy cover on site to reduce urban heat effects and manage on site water
2. To integrate building design and landscaping with internal living areas that link to quality private open space.
3. To provide front and rear setbacks to ensure dwellings are compatible with the surrounding neighbourhood, and ensure adequate onsite areas for access, parking, landscaping, drainage and privacy for adjacent neighbours
4. To ensure development reduces private vehicle ownership and provides minimum parking on site
5. To limit height of buildings to minimise overshadowing of adjacent dwellings and to ensure privacy.

4.2 Controls

1. One car parking space per dwelling should be provided on site, with a preference to be within a covered structure.
2. A dwelling should have a minimum floor area of 50sqm.
3. Landscaped open space and green canopy cover should be provided as per the Table 2 below. Landscaping should include any of the following: green cover, green roofs, green walls, pergolas with climbers, planters, lawns and gardens, rain gardens and permeable pavements, and 50% native species.
4. Provide usable and sufficiently sized private open space to gather, socialise or recreate as per the table below.
5. Dwellings should be set back from the front and rear boundaries as outlined in the table below.
6. Create a front setback to ensure a vehicle can park on the site in the driveway and not inhibit movement on the sidewalk.
7. Maximum height of 9.5m to reduce overshadowing of adjacent dwellings and to support privacy for adjacent neighbours.

Please refer to Table 2 on the following page.

Table 2: Design Controls for EPH

Control	Housing type - Zero lot line or small lot	Housing type – semi detached	Housing type – single storey villa	Housing type - townhouse	Housing type – prefabricated dwelling
Front setback	Minimum 3m to building line and preference 5.5m to carport	Minimum 3m to building line and preference 5.5m to carport	Minimum 3m to building line	Minimum 5.5m	Minimum 5.5m
Rear Setback	Minimum 5m	Minimum 5m	Minimum 3m	Minimum 5m	Minimum 5m
Private open space	Minimum 60sqm	Minimum 60sqm	30sqm per dwelling	Minimum 60sqm	Minimum 60sqm
Required planting	Minimum one tree in front setback and one tree in the rear setback	Minimum one tree in front setback and one tree in the rear setback	Minimum one tree in front setback and one tree in the rear setback	One tree in the rear setback	Minimum one tree in front setback and one tree in the rear setback

Note: If the housing type is not the same or similar to the those in Table 2, the design objectives must be achieved and justification on how they are achieved must be outlined in the statement of environmental effect. The justification should also outline how they are achieving the same outcome as the controls in Table 2

Typical examples to illustrate the design controls are included in **Appendix B**.

APPENDIX A: LEGAL AGREEMENT



Voluntary Planning Agreement

Entry Point Housing – [address]

Wagga Wagga City Council

[Developer]

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<hr/>	
Schedule 1 - Section 7.4 Requirements	
<hr/>	
Schedule 2 - Statutory Declaration	
<hr/>	

Execution

3442-5892-6666v5
Voluntary Planning Agreement

2

Date

Parties

1. **Wagga Wagga City Council** ABN 56 044 159 537 of 243 Baylis Street, Wagga Wagga, NSW 2650 (**Council**)
2. **[Developer]** ABN [insert] of [address] (**Developer**)

Background

- A. The Developer offers to enter into this document with Council for the provision of Entry Point Housing in connection with the Development of the Land, a material public benefit in accordance with section 7.4 of the Act.
- B. To facilitate the Development and satisfy the requirements of clause [XX] of the LEP, the Parties have agreed to enter into this document to specify the arrangements for Entry Point Housing.

Agreed terms

1. Definitions and interpretation

1.1. Definitions

Terms used in this document have the following meanings:

Act	The <i>Environmental Planning and Assessment Act 1979</i> (NSW).
Business Day	A day on which banks are open for business generally in Sydney, and which is not a Saturday, Sunday or bank or public holiday in Sydney and specifically excluding 27, 28, 29, 30 and 31 December.
CPI	The Consumer Price Index (All Groups – Sydney) published by the Australian Bureau of Statistics.
Development	The development of the Land for including Entry Point Housing [, as described in Development Application [insert DA reference] – To be included if a DA has been lodged].
Development Application	Has the meaning given to that expression in the Act and means, for the purpose of this document, an application for Development Consent to carry out the Development.
Development Consent	Has the meaning given to that expression in the Act.
Dwelling	Has the meaning given to that expression in the Act.
Eligible Purchaser	A person or persons, being an individual and not any company or corporation (incorporated or otherwise), who intends to purchase a



Dwelling the subject of this document and provides evidence by way of Statutory Declaration to the Developer that they:

- live, work, and/or intend to live and/or work in the Wagga Wagga Local Government Area;
- intend to use the Dwelling as their principal place of residence; and
- do not own either individually or with another person any real property in NSW.

Entry Point Housing	Has the meaning given to that expression in the LEP and means, for the purpose of this document, each Dwelling in the Development.
Entry Point Price	A purchase price for a Dwelling the subject of this document that is not greater than \$[insert], being an amount that Council agrees is suitable for an Eligible Purchaser. <i>[If there is more than one Dwelling in the Development and they are to be sold at different prices, this definition can be adjusted to list the agreed price for each Dwelling]</i>
Entry Point Purchaser	Has the meaning given to that expression in clause 5(c) .
Land	[insert folio identifier(s) of all land to which the Development relates].
Lease	<ul style="list-style-type: none"> ▪ A residential tenancy agreement within the meaning given to that expression in the <i>Residential Tenancies Act 2010</i> (NSW); ▪ a short-term rental accommodation arrangement within the meaning given to that expression in the <i>Fair Trading Act 1987</i> (NSW); and ▪ any arrangement, including an informal dealing, that is similar to the arrangements in (a) and (b).
LEP	The <i>Wagga Wagga Local Environmental Plan 2010</i> (NSW).
Occupation Certificate	Has the meaning given to that expression in the Act.
Party	A party to this document, including their successors and assigns.
Prescribed Period	A period commencing on the date of this document which ends 10 years after the issue of an Occupation Certificate for an Entry Point Housing Dwelling.
Regulation	The <i>Environmental Planning and Assessment Regulation 2021</i> (NSW).
Restricted Sale Period	A period commencing on the date of this document which ends 2 years after the issue of an Occupation Certificate for an Entry Point Housing Dwelling.
Statutory Declaration	A declaration in the form at Schedule 2 given in the presence of an authorised witness and signed by that witness in accordance with the <i>Oaths Act 1900</i> (NSW).

1.2. Interpretation

In this document, unless the context clearly indicates otherwise:

- a) a reference to a statute, ordinance, code or other law includes regulations and other instruments under it and consolidations, amendments, re-enactments or replacements of any of them;
- b) the singular includes the plural and vice versa;
- c) the word "person" includes a firm, a body corporate, an unincorporated association or an authority;
- d) a reference to a person includes a reference to the person's executors, administrators, successors, substitutes (including, without limitation, persons taking by novation) and assigns;
- e) a reference to anything (including, without limitation, any amount) is a reference to the whole and each part of it and a reference to a group of persons is a reference to all of them collectively, to any two or more of them collectively and to each of them individually;
- f) "include" or "including" when introducing a list of items does not limit the meaning of the words to which the list relates to those items or to items of a similar kind;
- g) a reference to a body, whether statutory or not which ceases to exist or whose powers or functions are transferred to another body is a reference to the body which replaces it or which substantially succeeds to its powers or functions;
- h) no rule of construction applies to the disadvantage of a Party because that Party was responsible for the preparation of this document;
- i) any capitalised term used, but not defined in this document, will have the meaning ascribed to it under, and by virtue of, the Act;
- j) headings are inserted for convenience only and do not affect the interpretation of this document;
- k) if the day on which any act, matter or thing is to be done under this document is not a Business Day, the act, matter or thing must be done on the next Business Day;
- l) a reference in this document to dollars or \$ means Australian dollars and all amounts payable under this document are payable in Australian dollars;
- m) a reference in this document to any agreement, deed or document is to that agreement, deed or document as amended, novated, supplemented or replaced; and
- n) a reference to a clause, part schedule or attachment is a reference to a clause, part, schedule or attachment of or to this document.

2. Planning agreement under the Act

- a) The Parties agree that this document is a planning agreement within the meaning of section 7.4 of the Act.
- b) Schedule 1 of this document summarises the requirements for planning agreements under section 7.4 of the Act and the ways in which this document addresses those requirements.



3. Application of this document

This document applies to the Land and the Development.

4. Commencement

This document operates and is effective and binding on the Parties on the later of:

- a) the date the Parties execute the document; and
- b) Development Consent is granted for the Development.

5. Delivery of Entry Point Housing

- a) Prior to the issue of an Occupation Certificate for the Development, the Developer must construct, finish and fit out the Entry Point Housing in accordance with this agreement and any applicable Development Consent.
- b) The Developer must not sell a Dwelling in the Development:
 - i. to any person other than an Eligible Purchaser; and
 - ii. for an amount that is greater than the Entry Point Price, during the Prescribed Period.
- c) **Clause 6** restricts the ability of an Eligible Purchaser that purchases a Dwelling the subject of this document (Entry Point Purchaser) to deal with that Dwelling.

6. Restrictions that apply to an Entry Point Purchaser

- a) An Entry Point Purchaser may not Lease the Dwelling during the Prescribed Period.
- b) An Entry Point Purchaser must not sell or otherwise dispose of the Dwelling during the Prescribed Period to any person other than an Eligible Purchaser.
- c) An Entry Point Purchaser must not sell or otherwise dispose of the Dwelling to any person other than an Eligible Purchaser during the Restricted Sale Period unless:
 - i. Dwelling is sold for an amount that is less than or equal to the Entry Point Price plus CPI, indexed from the date that the Dwelling was purchased by the Entry Point Purchaser; or
 - ii. Entry Point Purchaser obtains the prior written consent of Council, which must not be unreasonably withheld where the Entry Point Purchaser demonstrates financial hardship.

7. Application of s7.11, s7.12 and Division 7.1, Subdivision 4 of the Act

- a) This document does not exclude the application of sections 7.11 and 7.12 of the Act to the Land or the Development.
- b) This document does not exclude the application of Division 7.1, Subdivision 4 of the Act to the Land or the Development.

8. Registration

- a) The Parties agree to register this document for the purposes of section 7.6(1) of the Act.
- b) Within 20 Business Days of the document commencing, the Developer must deliver to Council in registrable form:



- i. an instrument requesting registration of this document on the title to the Land duly signed by the Developer or, if the Developer is not the registered proprietor of the Land, the registered proprietor; and
- ii. the written irrevocable consent of each person referred to in section 7.6(1) of the Act to that registration.
- c) Upon receipt of the instrument referred to in clause 8(b)(i) signed by Council, the Developer must do all things as are reasonably necessary to enable registration of this document to occur as soon as practicable.
- d) The Parties are to do such things as are reasonably necessary to remove any notation relating to this document from the title to the Land (or part thereof) following the expiration of the Prescribed Period for a Dwelling.

9. Caveat

- a) The Developer acknowledges and agrees that:
 - i. when this document is executed, the Council is deemed to have acquired an equitable estate and interest in the Land for the purposes of section 74F(1) of the Real Property Act 1900 (NSW) and consequently the Council will have a sufficient interest in the Land in respect of which to lodge a caveat over the Land notifying that interest; and
 - ii. it will not object and, if the Developer is not the registered proprietor of the Land, will procure that the registered proprietor does not object, to the Council lodging a caveat in the relevant folios of the Register for the Land nor will it seek to remove any caveat lodged by the Council provided the caveat does not prevent registration of any dealing or plan other than a transfer.
- b) The Council must lodge for registration a withdrawal of any caveat in respect of the Land (or part thereof) as soon as practicable after it is notified, and provided with evidence to confirm, that the Prescribed Period has expired for a Dwelling.

10. Assignment and dealings

- a) The Developer may not sell, transfer, assign or novate or similarly deal with its right, title or interest in the Land (if any), or rights or obligations under the terms of this document, or allow any interest in them to arise or be varied, in each case, without Council's consent and unless, prior to any such sale, transfer, assignment, charge, encumbrance or novation, the Developer:
 - i. at no cost to Council, first procures the execution by that person of an agreement in favour of Council by which that person agrees to be bound by this document as if they were a party to the original document;
 - ii. satisfies Council that the purchaser, transferee, assignee or novatee, is reasonably capable of performing its obligations under this document; and
 - iii. satisfies Council that the Developer is not in material breach of this document.
- b) Clause 10(a) does not apply to:
 - i. a sale to an Eligible Purchaser in accordance with this document; or
 - ii. an Entry Point Purchaser (to whom clause 6 applies).

11. Dispute Resolution

11.1 Dispute

- a) If any dispute arises out of this document (Dispute), the Parties must resolve the Dispute in accordance with this clause 11.



- b) A Party to this document must not commence any court or arbitration proceedings, except where a Party seeks urgent interlocutory relief, without having first complied with this clause 11.
- c) Any referral or undertaking of the dispute resolution process in this clause 11 does not suspend any other obligations of the Parties under this document.

11.2 Notice of Dispute

A Party claiming that a Dispute has arisen must give notice to the other Party specifying the nature of the Dispute.

11.3 Representatives to meet

- a) Representatives of the Parties must meet promptly (and in any event within 10 Business Days of receipt of a notice) and attempt in good faith to resolve the Dispute.
- b) The Parties may, without limitation:
 - i. resolve the Dispute during the course of that meeting;
 - ii. agree that further material or consideration is needed to effectively resolve the Dispute (in which event the Parties will, in good faith, agree to a timetable for resolution); or
 - iii. agree that the Parties are unlikely to resolve the Dispute and, in good faith, agree to a form of alternative dispute resolution (including expert determination, arbitration or mediation) which is appropriate for the resolution of the Dispute.

12. Notices

12.1 Delivery

Any notice, consent, information, application or request that must or may be given or made to a Party under this document is only given or made if it is in writing and sent in one of the following ways:

- a) delivered or posted to that Party at its address set out below; or
- b) emailed to that Party at its email address set out below.

Wagga Wagga City Council

Attention: General Manager
Address: Wagga Wagga City Council
243 Baylis Street
Wagga Wagga NSW 2650
Phone Number: 1300 292 442
Email Address: council@wagga.nsw.gov.au

Developer

Attention: [insert]
Address: [insert]
Phone Number: [insert]
Email Address: [insert]



12.2 Change of details

If a Party gives the other Party 10 Business Days' notice of a change of its address or email address, any notice, consent, information, application or request is only given or made by that other Party if it is delivered, posted or electronically sent to the latest address or email address.

12.3 Giving of notice

Subject to **clause 12.4**, any notice, consent, invoice, information, application or request is to be treated as given or made at the following time:

- a) if it is delivered by process server, when it is served at the relevant address; or
- b) if it is sent by registered post, seven Business Days after it is posted; or
- c) if it is sent by email, as soon as the email has been sent to the correct email address and the recipient has received the email without error.

12.4 Delivery outside of business hours

If any notice, consent, information, application or request is delivered on a day that is not a Business Day, or if on a Business Day, after 5pm on that day in the place of the Party to whom it is sent, it is to be treated as having been given or made at the beginning of the next Business Day.

13. General

13.1 Legal Costs

The Developer agrees to pay Council's reasonable costs associated with reviewing, preparing, negotiating, amending, executing and stamping this document and any document related to this document.

13.2 Entire Agreement

This document constitutes the entire agreement of the Parties about its subject matter and supersedes all previous agreements, understandings and negotiations on that subject matter.

13.3 Further Acts

Each Party must promptly execute all documents and do all things that another Party from time to time reasonably requests to affect, perfect or complete this document and all transactions incidental to it.

13.4 Governing law and jurisdiction

This document is governed by the law of New South Wales. The Parties submit to the non-exclusive jurisdiction of its Courts and Courts of appeal. The Parties will not object to the exercise of jurisdiction by those Courts on any basis.

13.5 No Fetter

Nothing in this document shall be construed as requiring Council to do anything that would cause it to be in breach of any of its obligations at law, and without limitation, nothing shall be construed as limiting or fettering in any way the exercise of any statutory discretion or duty, including a statutory discretion to grant Development Consent.



13.6 Representations and warranties

The Parties represent and warrant that they have power to enter into this document and comply with their obligations under this document and that entry into this document will not result in the breach of any law.

13.7 Severability

- a) If a clause or part of a clause of this document can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way.
- b) If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part is to be treated as removed from this document, but the rest of this document is not affected.

13.8 Modification

No modification of this document will be of any force or effect unless it is in writing and signed by the Parties to this document and is in accordance with the provisions of the Act.

13.9 Waiver

- a) The fact that a Party fails to do, or delays in doing, something the Party is entitled to do under this document, does not amount to a waiver of any obligation or exercise of a right of, or breach of obligation by, another Party.
- b) A waiver by a Party is only effective if it is in writing.
- c) A written waiver by a Party is only effective in relation to the particular obligation, right or breach in respect of which it is given. It is not to be taken as an implied waiver of any other obligation, right or breach or as an implied waiver of that obligation, right or breach in relation to any other occasion.
- d) A single or partial exercise or waiver by a Party of a right relating to this document does not prevent any other exercise of that right or the exercise of any other right.
- e) A Party is not liable for any loss, cost or expense of any other Party caused or contributed to by the waiver, exercise, attempted exercise, failure to exercise or delay in the exercise of a right.

13.10 Relationship of Parties

This document is not intended to create a partnership, joint venture or agency relationship between Council and the Developer.

13.11 Further Steps

Each Party must promptly do whatever any other Party reasonably requires of it to give effect to this document and to perform its obligations under it.

11.1.1 Explanatory Note

The explanatory note prepared in connection with this document pursuant to the Regulation is not to be used to interpret this document. **[To be prepared by Council prior to public exhibition of this document.]**

13.12 Counterparts

This document may be executed in any number of counterparts. All counterparts taken together constitute one instrument.



13.13 Rights cumulative

Except as expressly stated otherwise in this document, the rights of a Party under this document are cumulative and are in addition to any other rights of that Party.





SCHEDULE 1 - Section 7.4 Requirements

The parties acknowledge and agree that the table set out below provides for certain terms, conditions and procedures for the purpose of this document complying with the Act.

Table 1 – Requirements under section 7.4 of the Act

Requirement under the Act	This document
Planning instrument and/or development application – (section 7.4(1)) The Developer has:	
(a) sought a change to an environmental planning instrument.	No
(b) made, or proposes to make, a Development Application.	[Yes/No]
(c) entered into an agreement with, or is otherwise associated with, a person, to whom paragraph (a) or (b) applies.	[Yes/No]
Description of land to which this document applies – (section 7.4(3)(a))	The Land as defined in clause 1.1.
Description of development to which this document applies – (section 7.4(3)(b))	The Development as defined in clause 1.1.
The scope, timing and manner of delivery of the provision required by this document – (section 7.4(3)(c))	See clause 5.
Applicability of sections 7.11 and 7.12 of the Act – (section 7.4(3)(d))	Not excluded.
Applicability of Division 7.1, Subdivision 4 of the Act – (section 7.4(3)(d))	Not excluded.
Consideration of benefits under this document if section 7.11 applies – (section 7.4(3)(e))	Not applicable.
Mechanism for dispute resolution – (section 7.4(3)(f))	See clause 10.
Enforcement of this document – (section 7.4(3)(g))	See clauses 8 and 9.
No obligation to grant consent or exercise functions – (section 7.4(10))	See clause 13.5.



SCHEDULE 2 - Statutory Declaration



Statutory Declaration

OATHS ACT 1900, NSW, EIGHTH SCHEDULE

I, _____, do solemnly and sincerely declare that
[name of declarant]

I am eligible to purchase an Entry Point Housing dwelling, based on the information set out in this declaration. Notably, I declare that I: *[* please cross out any text that does not apply]*

- live at [insert residential address, being a location in the Wagga Wagga Local Government Area]
- work at [insert company name and address, being a location in the Wagga Wagga Local Government Area]
- intend to live and/or work at [insert residential and/or company address, being a location(s) in the Wagga Wagga Local Government Area].

I declare further that, upon the purchase of an Entry Point Housing dwelling, I intend to reside at that dwelling as my principal place of residence.

I declare further that, I do not own, either individually or with another person, any real property in the State of NSW, and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the *Oaths Act 1900*.

Declared at: _____ on _____
[place] *[date]*

[signature of declarant]

in the presence of an authorised witness, who states:

I, _____, a

[name of authorised witness] *[qualification of authorised witness]*

certify the following matters concerning the making of this statutory declaration by the person who made it: *[* please cross out any text that does not apply]*

1. *I saw the face of the person OR *I did not see the face of the person because the person was wearing a face covering, but I am satisfied that the person had a special justification¹ for not removing the covering, and
2. *I have known the person for at least 12 months OR *I have confirmed the person’s identity using an identification document and the document I relied on was

_____ *[describe identification document relied on]*

[signature of authorised witness] *[date]*

¹ The only “special justification” for not removing a face covering is a legitimate medical reason (at September 2018)



Execution

Executed as a deed.

The Common Seal of **Wagga Wagga City Council** was affixed on [insert date] pursuant to clause 400 of the *Local Government (General) Regulation 2021* (NSW):

.....
Mayor

.....
General Manager

.....
Name of Mayor (print)

.....
Name of General Manager (print)

Executed by [Developer] ABN [insert] in accordance with section 127(1) of the *Corporations Act 2001* (Cth):

.....
Company Secretary/Director

.....
Director

.....
Name of Company Secretary/Director (print)

.....
Name of Director (print)

APPENDIX B: DESIGN CONTROLS ILLUSTRATED

Zero Lot-line dwelling



A minimum 3m front setback to the building line reinforces a suburban character, allows for tree planting in the front setback and provides separation from the road to enhance the privacy of residents.

A minimum 5.5m setback to the carport allows for a second car to be parked in the driveway without encroaching into the public footpath.

A minimum 0.9m side setback allows for maintenance access to the side of the house and for fire separation as per NCC standards.

Tested lot	
Site area	260m ² and 350m ²
Lot frontage	10.5m
Site depth	25m

Tested dwelling	
Storeys	1
Number of bedrooms	2
Number of bathrooms	2
Parking type	Carport
Gross floor area (GFA)	100m ²

A minimum 5m rear setback allows for tree planting in rear yards, helping to create ecological corridors along rear fences. It also creates opportunities for increased sun access to residences and reinforces a suburban character.

The carport may be converted to a garage in the future. On lots deeper than 25m, the dwelling can be extended up to the rear setback, if desired.

Proposed minimum sizes	
Front setback	min 3m to building line min 5.5m to carport
Rear setback	min 5m
Side setback	min 0.9m
Private open space	min 60m ²
Landscape area	min 100m ²
Site coverage	max 110m ²
Required planting	min one tree in front setback and min one tree in rear setback

Figure 1 Parameters used to test minimum lot sizes.



Figure 2 Example of a zero lot dwelling (21 Court Street, Mudgee)

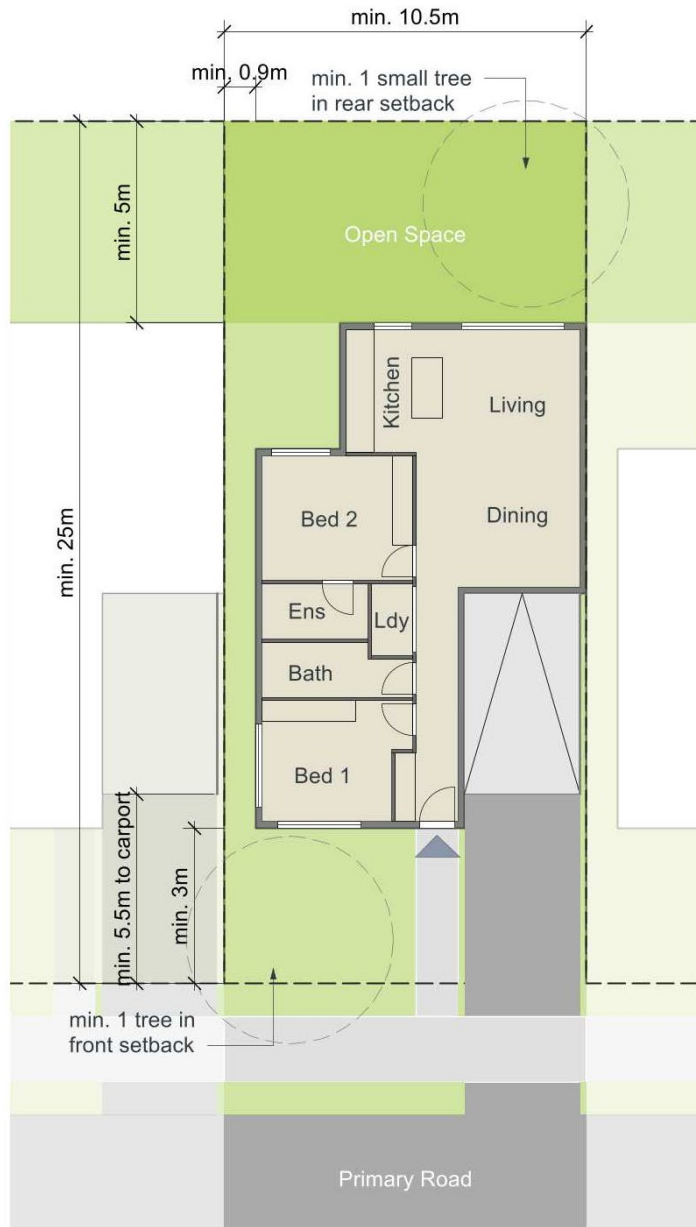


Figure 3 Zero lot-line dwelling plan

Semi-detached dwelling



A minimum 3m front setback to the building line reinforces a suburban character, allows for tree planting in the front setback and provides separation from the road to enhance the privacy of residents.

A minimum 5.5m setback to the carport allows for a second car to be parked in the driveway without encroaching into the public footpath.

A minimum 0.9m side setback allows for a walkway and maintenance access to the side of the house and for fire separation as per NCC standards.

Tested lot	
Site area	290m ² and 350m ²
Lot frontage	11.5m
Site depth	25m and 30m

Tested dwelling	
Storeys	1
Number of bedrooms	2
Number of bathrooms	2
Parking type	Carport
Gross floor area (GFA)	100m ²

A minimum 5m rear setback allows for tree planting in rear yards, helping to create ecological corridors along rear fences. It also creates opportunities for increased sun access to residences and reinforces a suburban character.

The carport may be converted to a garage in the future. On lots deeper than 25m, the dwelling can be extended up to the rear setback, if desired.

Proposed minimum sizes	
Front setback	min 3m to building line min 5.5m to carport
Rear setback	min 5m
Side setback	min 0.9m
Private open space	min 60m ²
Landscape area	min 134m ²
Site coverage	max 109m ²
Required planting	min one tree in front setback and min one tree in rear setback

Figure 4 Parameters used to test minimum lot sizes.



Figure 5 Example of semi-detached dwelling (604 Olive Street, Albury)





Figure 6 Semi detached dwelling plan

Villa development



A minimum 3m front setback to the building line reinforces a suburban character, allows for tree planting in the front setback and provides separation from the road to enhance the privacy of residents.

A minimum 0.9m side setback allows for walkways and maintenance access to the side of dwellings and for fire separation as per NCC standards. Minimum 3m dimensions for private open space will ensure that backyards are of a usable size, regardless of side setback dimensions.

A minimum 3m rear setback allows for deep soil and the planting of one small tree in the rear yard. The tree should be capable of reaching a minimum of 2m in height at maturity, so it can provide shade to residents and help reduce the urban heat island effect.

The common driveway and car ports are to be designed to allow for vehicle manoeuvring, so cars can enter and exit the site in a forward direction.

Tested lot	
Site area	750m ² (total)
Lot frontage	15m
Site depth	50m

Tested dwelling	
Storeys	1
Number of bedrooms	2
Number of bathrooms	2
Parking type	Carport
Gross floor area (GFA)	90m ² per dwelling

Proposed minimum sizes	
Front setback	min 3m to building line
Rear setback	min 3m
Side setback	min 0.9m
Private open space	min 30m ² per dwelling
Landscape area	min 50m ² per dwelling
Site coverage	max 100m ² per dwelling
Required planting	min one tree in front setback and min one tree in rear setback

Figure 7 Parameters used to test minimum lot sizes.



Figure 8 Example of villa development (140 North Street, Berry)



Figure 9 Villa development plan



Townhouses

For front-loaded townhouses, a minimum 5.5m front setback allows for a car to be parked at the front of the dwelling without encroaching into the public footpath.

A minimum 5m rear setback allows for tree planting in rear yards, helping to create ecological corridors along rear fences. It also creates opportunities for increased sun access to residences and reinforces a suburban character.

For rear-loaded townhouses, a front setback of 3m to the building line reinforces a suburban character, allows for tree planting and provides separation from the road to enhance the privacy of residents.

A minimum 5m dimension for the private open space allows for tree planting in rear yard and creates opportunities for increased sun access to residences. This is in addition to any space at the rear that is required for car parking.

A minimum 1m rear setback helps vehicles to manoeuvre into garages.

Tested lot	
Site area	120m ² and 180m ²
Lot frontage	6m
Site depth	20m and 30m

Proposed minimum sizes	
Front setback	min 5.5m
Rear setback	min 5m
Side setback	0m
Private open space	min 30m ²
Landscape area	min 39m ²
Site coverage	max 57m ²
Required planting	min one tree in rear setback

Tested dwelling	
Storeys	1
Number of bedrooms	2
Number of bathrooms	2.5
Parking type	Carport
Gross floor area (GFA)	100m ²

Figure 10 Parameters used to test minimum lot sizes.



Figure 11 Example of townhouses (23 Stuart Street, Concord West)

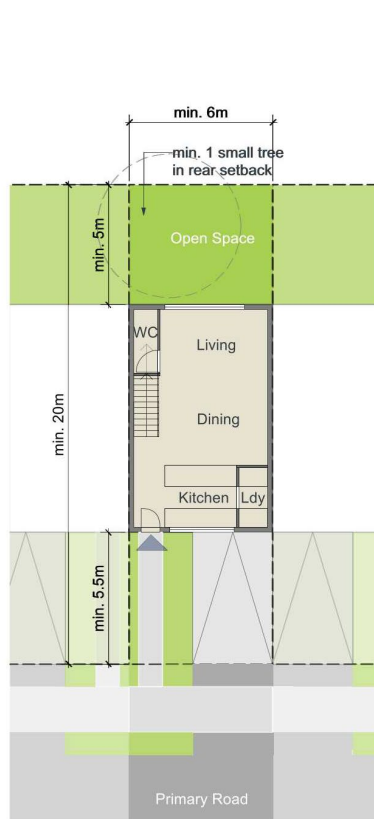
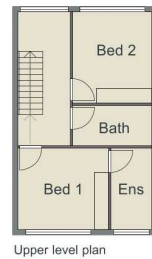
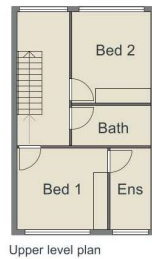


Figure 12 Front-loaded townhouse plan



Figure 13 Rear-loaded townhouse plan

Prefabricated dwelling

A minimum 5.5m front setback to the building line reinforces a suburban character, allows for tree planting in the front setback and provides separation from the road to enhance the privacy of residents. It also allows for a car to be parked in front of the dwelling without encroaching into the public footpath.

A minimum 0.9m side setback allows for a walkway and maintenance access to the side of the house and for fire separation as per NCC standards.

A minimum 5m rear setback allows for tree planting in the rear yard, helping to create ecological corridors along rear fences. It also creates opportunities for increased sun access to residences and reinforces a suburban character.

On lots deeper than 25m, the dwelling can be extended up to the rear setback, if desired.

Tested lot	
Site area	300m ²
Lot frontage	12m
Site depth	25m

Tested dwelling	
Storeys	1
Number of bedrooms	3 (or 2+study)
Number of bathrooms	1.5
Parking type	Carport
Gross floor area (GFA)	100m ²

Proposed minimum sizes	
Front setback	min 5.5m
Rear setback	min 5m
Side setback	min 0.9m
Private open space	min 60m ²
Landscape area	min 169m ²
Site coverage	max 106m ²
Required planting	min one tree in front setback and min one tree in rear setback

Figure 14 Parameters used to test minimum lot sizes.



Figure 15 Example of a prefabricated dwelling (Meki Kit by Imagine Kit Homes)

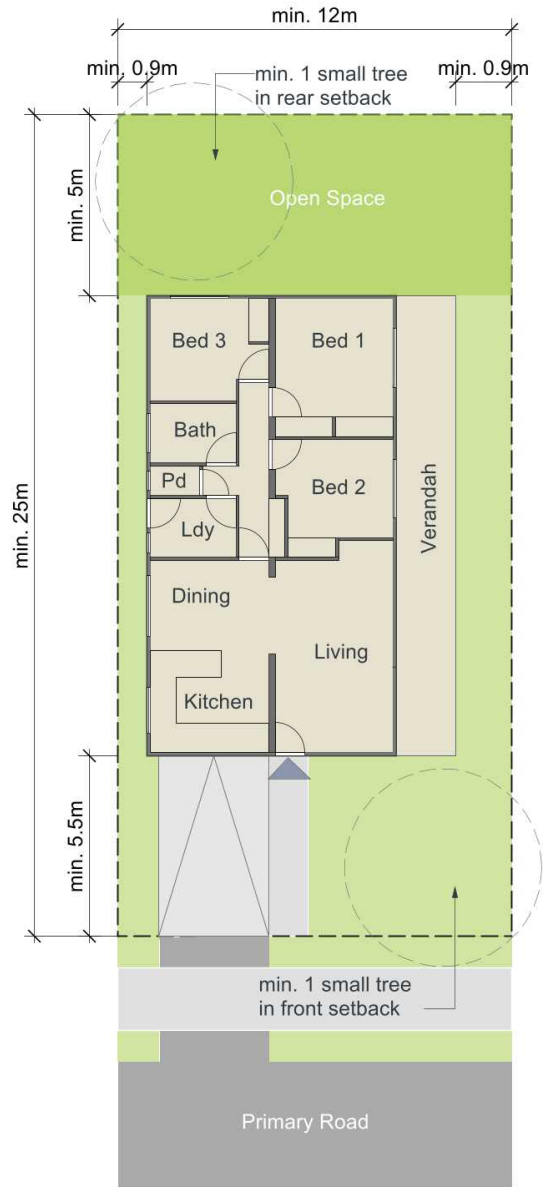


Figure 16 Prefabricated dwelling plan



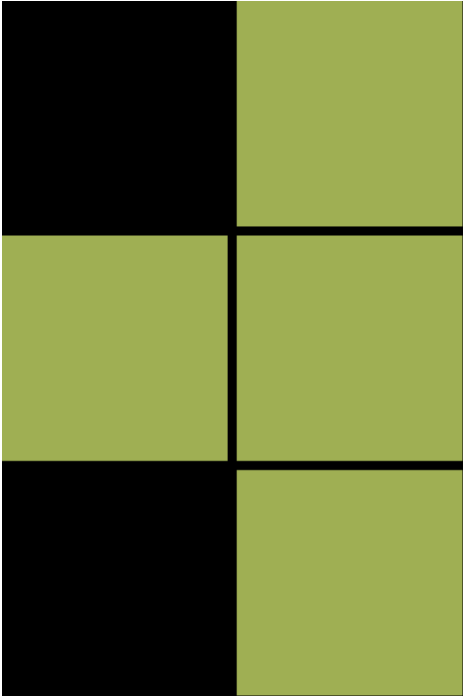
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Voluntary Planning Agreement

Entry Point Housing – [address]

Wagga Wagga City Council

[Developer]

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CONFIDENTIAL

Date

Parties

- 1 **Wagga Wagga City Council** ABN 56 044 159 537 of 243 Baylis Street, Wagga Wagga, NSW 2650 (**Council**)
- 2 **[Developer]** ABN [insert] of [address] (**Developer**)

Background

- A The Developer offers to enter into this document with Council for the provision of Entry Point Housing in connection with the Development of the Land, a material public benefit in accordance with section 7.4 of the Act.
- B To facilitate the Development and satisfy the requirements of clause [XX] of the LEP, the Parties have agreed to enter into this document to specify the arrangements for Entry Point Housing.

Agreed terms

1 Definitions and interpretation

1.1 Definitions

Terms used in this document have the following meanings:

Act	The <i>Environmental Planning and Assessment Act 1979</i> (NSW).
Business Day	A day on which banks are open for business generally in Sydney, and which is not a Saturday, Sunday or bank or public holiday in Sydney and specifically excluding 27, 28, 29, 30 and 31 December.
CPI	The Consumer Price Index (All Groups – Sydney) published by the Australian Bureau of Statistics.
Development	The development of the Land for including Entry Point Housing [, as described in Development Application [insert DA reference] – To be included if a DA has been lodged].
Development Application	Has the meaning given to that expression in the Act and means, for the purpose of this document, an application for Development Consent to carry out the Development.
Development Consent	Has the meaning given to that expression in the Act.
Dwelling	Has the meaning given to that expression in the Act.

Eligible Purchaser	A person or persons, being an individual and not any company or corporation (incorporated or otherwise), who intends to purchase a Dwelling the subject of this document and provides evidence by way of Statutory Declaration to the Developer that they: <ul style="list-style-type: none">(a) live, work, and/or intend to live and/or work in the Wagga Wagga Local Government Area;(b) intend to use the Dwelling as their principal place of residence; and(c) do not own either individually or with another person any real property in NSW.
Entry Point Housing	Has the meaning given to that expression in the LEP and means, for the purpose of this document, each Dwelling in the Development.
Entry Point Price	A purchase price for a Dwelling the subject of this document that is not greater than \$[insert], being an amount that Council agrees is suitable for an Eligible Purchaser. <i>[If there is more than one Dwelling in the Development and they are to be sold at different prices, this definition can be adjusted to list the agreed price for each Dwelling]</i>
Entry Point Purchaser	Has the meaning given to that expression in clause 5(c) .
Land	[insert folio identifier(s) of all land to which the Development relates].
Lease	<ul style="list-style-type: none">(a) A residential tenancy agreement within the meaning given to that expression in the <i>Residential Tenancies Act 2010</i> (NSW);(b) a short-term rental accommodation arrangement within the meaning given to that expression in the <i>Fair Trading Act 1987</i> (NSW); and(c) any arrangement, including an informal dealing, that is similar to the arrangements in (a) and (b).
LEP	The <i>Wagga Wagga Local Environmental Plan 2010</i> (NSW).
Occupation Certificate	Has the meaning given to that expression in the Act.
Party	A party to this document, including their successors and assigns.
Prescribed Period	A period commencing on the date of this document which ends 10 years after the issue of an Occupation Certificate for an Entry Point Housing Dwelling.
Regulation	The <i>Environmental Planning and Assessment Regulation 2021</i> (NSW).
Statutory Declaration	A declaration in the form at Schedule 2 given in the presence of an authorised witness and signed by that witness in accordance with the <i>Oaths Act 1900</i> (NSW).

1.2 Interpretation

In this document, unless the context clearly indicates otherwise:

- (a) a reference to a statute, ordinance, code or other law includes regulations and other instruments under it and consolidations, amendments, re-enactments or replacements of any of them;
- (b) the singular includes the plural and vice versa;
- (c) the word "person" includes a firm, a body corporate, an unincorporated association or an authority;
- (d) a reference to a person includes a reference to the person's executors, administrators, successors, substitutes (including, without limitation, persons taking by novation) and assigns;
- (e) a reference to anything (including, without limitation, any amount) is a reference to the whole and each part of it and a reference to a group of persons is a reference to all of them collectively, to any two or more of them collectively and to each of them individually;
- (f) "include" or "including" when introducing a list of items does not limit the meaning of the words to which the list relates to those items or to items of a similar kind;
- (g) a reference to a body, whether statutory or not which ceases to exist or whose powers or functions are transferred to another body is a reference to the body which replaces it or which substantially succeeds to its powers or functions;
- (h) no rule of construction applies to the disadvantage of a Party because that Party was responsible for the preparation of this document;
- (i) any capitalised term used, but not defined in this document, will have the meaning ascribed to it under, and by virtue of, the Act;
- (j) headings are inserted for convenience only and do not affect the interpretation of this document;
- (k) if the day on which any act, matter or thing is to be done under this document is not a Business Day, the act, matter or thing must be done on the next Business Day;
- (l) a reference in this document to dollars or \$ means Australian dollars and all amounts payable under this document are payable in Australian dollars;
- (m) a reference in this document to any agreement, deed or document is to that agreement, deed or document as amended, novated, supplemented or replaced; and
- (n) a reference to a clause, part schedule or attachment is a reference to a clause, part, schedule or attachment of or to this document.

2 Planning agreement under the Act

- (a) The Parties agree that this document is a planning agreement within the meaning of section 7.4 of the Act.
- (b) **Schedule 1** of this document summarises the requirements for planning agreements under section 7.4 of the Act and the ways in which this document addresses those requirements.

3 Application of this document

This document applies to the Land and the Development.

4 Commencement

This document operates and is effective and binding on the Parties on the later of:

- (a) the date the Parties execute the document; and
- (b) Development Consent is granted for the Development.

5 Delivery of Entry Point Housing

- (a) Prior to the issue of an Occupation Certificate for the Development, the Developer must construct, finish and fit out the Entry Point Housing in accordance with this agreement and any applicable Development Consent.
- (b) The Developer must not sell a Dwelling in the Development, and must use all reasonable endeavours to procure that no Dwelling in the Development is sold:
 - (i) to any person other than an Eligible Purchaser; and
 - (ii) for an amount that is greater than the Entry Point Price, during the Prescribed Period.
- (c) **Clause 6** restricts the ability of an Eligible Purchaser that purchases a Dwelling the subject of this document (Entry Point Purchaser) to deal with that Dwelling.

6 Restrictions that apply to an Entry Point Purchaser

An Entry Point Purchaser may not sell, Lease or otherwise dispose of that Dwelling during the Prescribed Period, unless the:

- (a) Dwelling is sold for an amount that is less than or equal to the Entry Point Price plus CPI, indexed from the date that the Dwelling was purchased by the Entry Point Purchaser; or
- (b) Entry Point Purchaser obtains the prior written consent of Council, which must not be unreasonably withheld where the Entry Point Purchaser demonstrates financial hardship.

7 Application of s7.11, s7.12 and Division 7.1, Subdivision 4 of the Act

- (a) This document does not exclude the application of sections 7.11 and 7.12 of the Act to the Land or the Development.

- (b) This document does not exclude the application of Division 7.1, Subdivision 4 of the Act to the Land or the Development.

8 Registration

- (a) The Parties agree to register this document for the purposes of section 7.6(1) of the Act.
- (b) Within 20 Business Days of the document commencing, the Developer must deliver to Council in registrable form:
 - (i) an instrument requesting registration of this document on the title to the Land duly signed by the Developer or, if the Developer is not the registered proprietor of the Land, the registered proprietor; and
 - (ii) the written irrevocable consent of each person referred to in section 7.6(1) of the Act to that registration.
- (c) Upon receipt of the instrument referred to in **clause 8(b)(i)** signed by Council, the Developer must do all things as are reasonably necessary to enable registration of this document to occur as soon as practicable.
- (d) The Parties are to do such things as are reasonably necessary to remove any notation relating to this document from the title to the Land (or part thereof) following the expiration of the Prescribed Period for a Dwelling.

9 Caveat

- (a) The Developer acknowledges and agrees that:
 - (i) when this document is executed, the Council is deemed to have acquired an equitable estate and interest in the Land for the purposes of section 74F(1) of the *Real Property Act 1900* (NSW) and consequently the Council will have a sufficient interest in the Land in respect of which to lodge a caveat over the Land notifying that interest; and
 - (ii) it will not object and, if the Developer is not the registered proprietor of the Land, will procure that the registered proprietor does not object, to the Council lodging a caveat in the relevant folios of the Register for the Land nor will it seek to remove any caveat lodged by the Council provided the caveat does not prevent registration of any dealing or plan other than a transfer.
- (b) The Council must lodge for registration a withdrawal of any caveat in respect of the Land (or part thereof) as soon as practicable after it is notified, and provided with evidence to confirm, that the Prescribed Period has expired for a Dwelling.

10 Assignment and dealings

- (a) The Developer may not sell, transfer, assign or novate or similarly deal with its right, title or interest in the Land (if any), or rights or obligations under the terms of this document, or allow any interest in them to arise or be varied, in each case, without Council's

consent and unless, prior to any such sale, transfer, assignment, charge, encumbrance or novation, the Developer:

- (i) at no cost to Council, first procures the execution by that person of an agreement in favour of Council by which that person agrees to be bound by this document as if they were a party to the original document;
 - (ii) satisfies Council that the purchaser, transferee, assignee or novatee, is reasonably capable of performing its obligations under this document; and
 - (iii) satisfies Council that the Developer is not in material breach of this document.
- (b) **Clause 10(a)** does not apply to:
- (i) a sale to an Eligible Purchaser in accordance with this document; or
 - (ii) an Entry Point Purchaser (to whom **clause 6** applies).

11 Dispute Resolution

11.1 Dispute

- (a) If any dispute arises out of this document (Dispute), the Parties must resolve the Dispute in accordance with this **clause 11**.
- (b) A Party to this document must not commence any court or arbitration proceedings, except where a Party seeks urgent interlocutory relief, without having first complied with this **clause 11**.
- (c) Any referral or undertaking of the dispute resolution process in this **clause 11** does not suspend any other obligations of the Parties under this document.

11.2 Notice of Dispute

A Party claiming that a Dispute has arisen must give notice to the other Party specifying the nature of the Dispute.

11.3 Representatives to meet

- (a) Representatives of the Parties must meet promptly (and in any event within 10 Business Days of receipt of a notice) and attempt in good faith to resolve the Dispute.
- (b) The Parties may, without limitation:
 - (i) resolve the Dispute during the course of that meeting;
 - (ii) agree that further material or consideration is needed to effectively resolve the Dispute (in which event the Parties will, in good faith, agree to a timetable for resolution); or
 - (iii) agree that the Parties are unlikely to resolve the Dispute and, in good faith, agree to a form of alternative dispute resolution (including expert determination, arbitration or mediation) which is appropriate for the resolution of the Dispute.

12 Notices

12.1 Delivery

Any notice, consent, information, application or request that must or may be given or made to a Party under this document is only given or made if it is in writing and sent in one of the following ways:

- (a) delivered or posted to that Party at its address set out below; or
- (b) emailed to that Party at its email address set out below.

Wagga Wagga City Council

Attention: General Manager
Address: Wagga Wagga City Council
243 Baylis Street
Wagga Wagga NSW 2650

Phone Number: 1300 292 442

Email Address: council@wagga.nsw.gov.au

Developer

Attention: [insert]

Address: [insert]

Phone Number: [insert]

Email Address: [insert]

12.2 Change of details

If a Party gives the other Party 10 Business Days' notice of a change of its address or email address, any notice, consent, information, application or request is only given or made by that other Party if it is delivered, posted or electronically sent to the latest address or email address.

12.3 Giving of notice

Subject to **clause 12.4**, any notice, consent, invoice, information, application or request is to be treated as given or made at the following time:

- (a) if it is delivered by process server, when it is served at the relevant address; or
- (b) if it is sent by registered post, seven Business Days after it is posted; or
- (c) if it is sent by email, as soon as the email has been sent to the correct email address and the recipient has received the email without error.

12.4 Delivery outside of business hours

If any notice, consent, information, application or request is delivered on a day that is not a Business Day, or if on a Business Day, after 5pm on that day in the place of the Party to whom it is sent, it is to be treated as having been given or made at the beginning of the next Business Day.

13 General

13.1 Legal Costs

The Developer agrees to pay Council's reasonable costs associated with reviewing, preparing, negotiating, amending, executing and stamping this document and any document related to this document.

13.2 Entire Agreement

This document constitutes the entire agreement of the Parties about its subject matter and supersedes all previous agreements, understandings and negotiations on that subject matter.

13.3 Further Acts

Each Party must promptly execute all documents and do all things that another Party from time to time reasonably requests to affect, perfect or complete this document and all transactions incidental to it.

13.4 Governing law and jurisdiction

This document is governed by the law of New South Wales. The Parties submit to the non-exclusive jurisdiction of its Courts and Courts of appeal. The Parties will not object to the exercise of jurisdiction by those Courts on any basis.

13.5 No Fetter

Nothing in this document shall be construed as requiring Council to do anything that would cause it to be in breach of any of its obligations at law, and without limitation, nothing shall be construed as limiting or fettering in any way the exercise of any statutory discretion or duty, including a statutory discretion to grant Development Consent.

13.6 Representations and warranties

The Parties represent and warrant that they have power to enter into this document and comply with their obligations under this document and that entry into this document will not result in the breach of any law.

13.7 Severability

- (a) If a clause or part of a clause of this document can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way.
- (b) If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part is to be treated as removed from this document, but the rest of this document is not affected.

13.8 Modification

No modification of this document will be of any force or effect unless it is in writing and signed by the Parties to this document and is in accordance with the provisions of the Act.

13.9 Waiver

- (a) The fact that a Party fails to do, or delays in doing, something the Party is entitled to do under this document, does not amount to a waiver of any obligation or exercise of a right of, or breach of obligation by, another Party.
- (b) A waiver by a Party is only effective if it is in writing.
- (c) A written waiver by a Party is only effective in relation to the particular obligation, right or breach in respect of which it is given. It is not to be taken as an implied waiver of any other obligation, right or breach or as an implied waiver of that obligation, right or breach in relation to any other occasion.
- (d) A single or partial exercise or waiver by a Party of a right relating to this document does not prevent any other exercise of that right or the exercise of any other right.
- (e) A Party is not liable for any loss, cost or expense of any other Party caused or contributed to by the waiver, exercise, attempted exercise, failure to exercise or delay in the exercise of a right.

13.10 Relationship of Parties

This document is not intended to create a partnership, joint venture or agency relationship between Council and the Developer.

13.11 Further Steps

Each Party must promptly do whatever any other Party reasonably requires of it to give effect to this document and to perform its obligations under it.

13.12 Explanatory Note

The explanatory note prepared in connection with this document pursuant to the Regulation is not to be used to interpret this document. ***[To be prepared by Council prior to public exhibition of this document.]***

13.13 Counterparts

This document may be executed in any number of counterparts. All counterparts taken together constitute one instrument.

13.14 Rights cumulative

Except as expressly stated otherwise in this document, the rights of a Party under this document are cumulative and are in addition to any other rights of that Party.

Schedule 1 - Section 7.4 Requirements

The parties acknowledge and agree that the table set out below provides for certain terms, conditions and procedures for the purpose of this document complying with the Act.

Table 1 – Requirements under section 7.4 of the Act

Requirement under the Act	This document
Planning instrument and/or development application – (section 7.4(1)) The Developer has:	
(a) sought a change to an environmental planning instrument.	No
(b) made, or proposes to make, a Development Application.	[Yes/No]
(c) entered into an agreement with, or is otherwise associated with, a person, to whom paragraph (a) or (b) applies.	[Yes/No]
Description of land to which this document applies – (section 7.4(3)(a))	The Land as defined in clause 1.1 .
Description of development to which this document applies – (section 7.4(3)(b))	The Development as defined in clause 1.1 .
The scope, timing and manner of delivery of the provision required by this document – (section 7.4(3)(c))	See clause 5 .
Applicability of sections 7.11 and 7.12 of the Act – (section 7.4(3)(d))	Not excluded.
Applicability of Division 7.1, Subdivision 4 of the Act – (section 7.4(3)(d))	Not excluded.
Consideration of benefits under this document if section 7.11 applies – (section 7.4(3)(e))	Not applicable.
Mechanism for dispute resolution – (section 7.4(3)(f))	See clause 10 .
Enforcement of this document – (section 7.4(3)(g))	See clauses 8 and 9 .
No obligation to grant consent or exercise functions – (section 7.4(10))	See clause 13.5 .

Schedule 2 - Statutory Declaration

CONFIDENTIAL

Statutory Declaration

OATHS ACT 1900, NSW, EIGHTH SCHEDULE

I, _____, do solemnly and sincerely declare that
[name of declarant]

I am eligible to purchase an Entry Point Housing dwelling, based on the information set out in this declaration. Notably, I declare that I: *[* please cross out any text that does not apply]*

- live at *[insert residential address, being a location in the Wagga Wagga Local Government Area]*
- work at *[insert company name and address, being a location in the Wagga Wagga Local Government Area]*
- intend to live and/or work at *[insert residential and/or company address, being a location(s) in the Wagga Wagga Local Government Area]*.

I declare further that, upon the purchase of an Entry Point Housing dwelling, I intend to reside at that dwelling as my principal place of residence.

I declare further that, I do not own, either individually or with another person, any real property in the State of NSW, and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the *Oaths Act 1900*.

Declared at: _____ on _____
[place] *[date]*

[signature of declarant]

in the presence of an authorised witness, who states:

I, _____, a _____
[name of authorised witness] *[qualification of authorised witness]*

certify the following matters concerning the making of this statutory declaration by the person who made it: *[* please cross out any text that does not apply]*

1. *I saw the face of the person OR *I did not see the face of the person because the person was wearing a face covering, but I am satisfied that the person had a special justification¹ for not removing the covering, and

2. *I have known the person for at least 12 months OR *I have confirmed the person's identity using an identification document and the document I relied on was

[describe identification document relied on]

[signature of authorised witness] *[date]*

¹ The only "special justification" for not removing a face covering is a legitimate medical reason (at September 2018)

Execution

Executed as a deed.

The Common Seal of **Wagga Wagga City Council** was affixed on [insert date] pursuant to clause 400 of the *Local Government (General) Regulation 2021* (NSW):

.....
Mayor

.....
Name of Mayor (print)

.....
General Manager

.....
Name of General Manager (print)

Executed by [Developer] ABN [insert] in accordance with section 127(1) of the *Corporations Act 2001* (Cth):

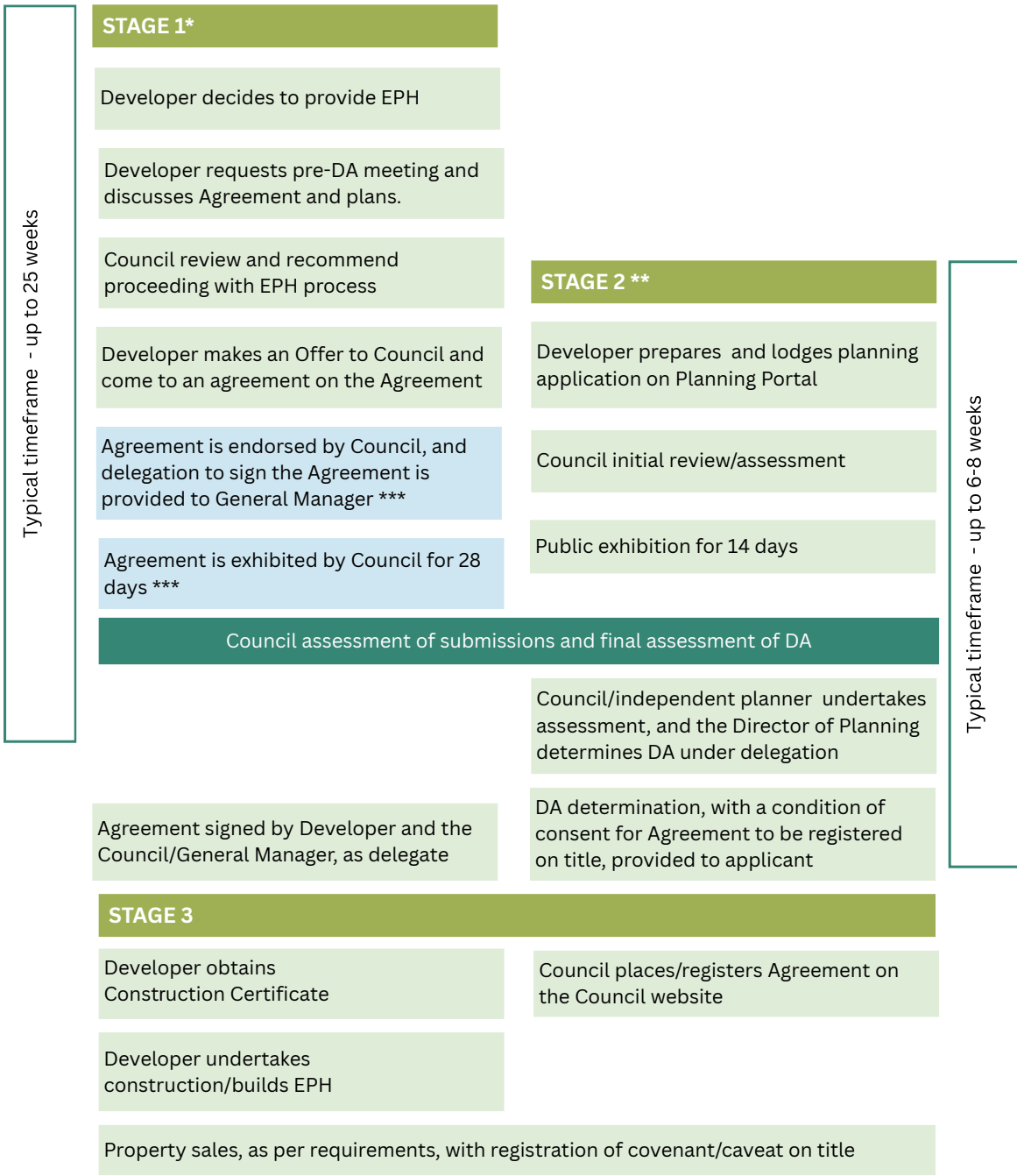
.....
Company Secretary/Director

.....
Name of Company Secretary/Director (print)

.....
Director

.....
Name of Director (print)

OPTION 1: SIMULTANEOUS AGREEMENT AND DA



Note:

* Stage 1 relies on the approval by Wagga Wagga Council and DPHI of the LEP amendment, on Wagga Wagga Council approval of the DCP Chapter, and the Legal Agreement being adopted by Council.

** Stage 2 relies on delegation to the General Manager for signing the Planning Agreement, and delegation to Director of Planning for determining the EPH DAs.

*** these tasks may depend on whether Council agrees to the legal Agreement template and delegates to the General Manager unless there are any changes that are made to the Agreement by developer/council.

OPTION 2: PLANNING AGREEMENT AND DA WHEN ON COUNCIL OWNED LAND

