



Amendment to Wagga Wagga Local
Environmental Plan 2010

Clause 5.4(9) & 5.5 – Secondary Dwelling
Provisions

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Executive Summary

Overview

This Planning Proposal has been prepared on behalf of Wagga Wagga City Council and is submitted to NSW Department of Planning, Housing and Infrastructure (“the Department”) in support of a Planning Proposal to amend the *Wagga Wagga Local Environmental Plan 2010* (“the WWLEP”).

The proposed amendment seeks to:

- Amend Clause 5.4(9)(b) to increase the maximum floor area of a secondary dwelling on land other than land in a rural zone from 33% of the floor area of the principal dwelling to 65% of the floor area of the principal dwelling; and,
- Amend Clause 5.5(a)(ii) to increase the maximum floor area of a secondary dwelling on land in a rural zone from 33% of the floor area of the principal dwelling to 65% of the floor area of the principal dwelling.

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

Strategic Merit

This Planning Proposal provides an analysis of the physical and strategic planning constraints and opportunities of the site and considers the relevant environmental, social and economic impacts of the proposal and its strategic merit.

The Planning Proposal has strategic merit and is in the public interest for the following reasons:

- The proposal is generally consistent with the strategic planning framework including State, Regional and local planning strategies for Wagga Wagga.
- The resultant development of the land will not create any unacceptable environmental or social impacts as it seeks to minorly amend an existing provision whereby statutory matters will still require consideration during a development application or applicability of the Housing SEPP.
- The development is proposed in response to increasing demands for diversified housing to meet demonstrated needs of the Wagga Wagga community over the short term.
- There will be a net benefit for the Wagga Wagga community through an uptake in secondary dwellings and diverse housing forms.
- The proposal supports ‘aging-in-place’ principles for older resident within family properties, multi-generational family living and opportunities to increase supply of rental housing in established areas.

Planning Proposal Summary

A summary table explaining the outcomes sought by the Planning Proposal is provided below.

Table 1 | Executive Summary Table

Item	Description
Land	R1 General Residential R3 Medium Density Residential R5 Large Lot Residential MU1 Mixed Use C4 Environmental Living RU1 Primary Production RU2 Rural Landscape RU4 Primary Production Small Lots RU5 Villages
Proposed Amendment	• Amend Clause 5.4(9)(b) to increase the maximum floor area of a secondary dwelling on land other than land in a rural zone from 33% of the floor area of the principal dwelling to 65% of the floor area of the principal dwelling; and, • Amend Clause 5.5(a)(ii) to increase the maximum floor area of a secondary dwelling on land in a rural zone from 33% of the floor area of the principal dwelling to 65% of the floor area of the principal dwelling.
Planning Proposal category	Standard The proposal involves an alteration to one existing development standard in the LEP, but is not expected to lead to significant increase in demand for services or infrastructure. The proposal is considered to be consistent with District and Local Planning Policy, including the Local Strategic Planning Statement.

1. Introduction

1.1. Overview

The Planning Proposal has been prepared on behalf of Wagga Wagga City Council in and is submitted to the Department in support of a proposed amendment to the *Wagga Wagga Local Environmental Plan 2010* (“the WWLEP”). The amendment seeks to change a development standard within the WWLEP which relates to the whole Local Government Area (LGA).

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 NSW Department of Planning, Infrastructure & Environment’s guideline titled *Local Environmental Plan Making Guideline (August 2023)* (“the Guidelines”).

This report demonstrates that the proposed amendment is consistent with the intent and objectives of the planning framework and strategic plans and policies including the recently endorsed Local Housing Strategy. Consequently, this will provide the Department with the confidence to endorse the proposed amendment as sought by this Planning Proposal.

It is requested that Council forward the Planning Proposal to the Minister for Gateway Determination in accordance with Section 3.34 of the EP&A Act. The Gateway Determination by the Minister will decide:

- Whether the Planning Proposal is supported to proceed or not.
- Any necessary technical studies or supporting studies (that have not already been completed).
- Whether the Planning Proposal needs to be amended (and possibly resubmitted to the Department) prior to exhibition.
- The duration and extent of community consultation.
- Whether consultation with State or federal authorities (if required).
- Whether a local contributions plan is to be exhibited at the same time as the Planning Proposal.
- Whether a public hearing is needed.
- The timeframes within which the various stages of the process for making of the proposed LEP are to be completed.
- Whether the council is to be authorised to make the proposed instrument as the Local Plan Making Authority (LPMA).
- Any other conditions.

1.2. Background

The growing impact of escalating housing and living costs on the local community is well documented and remains a significant issue affecting communities across New South Wales and Australia. Regional centres such as Wagga Wagga are experiencing acute demand for smaller 1-2 bedroom housing options driven by decreasing household sizes, an aging population, and major infrastructure projects requiring short-term accommodation for temporary workers.

In addition to the demographic changes documented within the region, there are a number of major infrastructure projects which will place increased pressure upon housing needs in Wagga. These include:

- Humelink - a new 500kV transmission line connecting Wagga Wagga, Bannaby and Maragle.
- Inland Rail - a 1,600km freight railway connecting Melbourne and Brisbane via regional Victoria, New South Wales and Queensland.
- Defence infrastructure upgrades - improvements and expansion of facilities at Royal Australian Air Force (RAAF) Base Wagga, Blamey Barracks, Kapooka and the Albury-Wodonga Military Area.

In addition there are at least 6 SSD/SSI projects at various stages of assessment in Wagga Wagga that are expected to create additional housing pressures

Currently, the majority of housing supply in Wagga Wagga comprises traditional 3-4 bedroom, single-family homes, with limited availability of smaller dwellings. Secondary dwellings or 'granny flats' are generally 1-2 bedroom which allow for greater mix and diverse housing opportunities. They can provide a secondary income stream for some households and diversity in living accommodation for property owners.

In response to these challenges, Council at its Ordinary Meeting on 23 June 2025, resolved to prepare a Planning Proposal to expand options currently available to landowners in permissible zones for the development of secondary dwellings. The proposal aims to stimulate development of diversified housing supply and encourage efficient growth patterns through infill development where the majority of infrastructure is already in place.

Secondary dwellings are currently permissible in relevant non-rural zones under the Wagga Wagga Local Environmental Plan 2010. The size of secondary dwellings is regulated by Clause 5.4(9), a mandatory provision under the *Standard Instrument (Local Environmental Plans) Order 2006*. The maximum floor area is currently limited to the greater of 60m² or 33% of the total floor area of the principal dwelling. While this clause is mandatory, councils retain discretion to vary the maximum percentage, which is the subject of this Planning Proposal.

In rural zones, Clause 5.5 is an optional provision of the WWLEP 2010. Council has adopted only subsection (a) of this clause, which regulates floor area. Subsection (b), relating to separation distances between principal and secondary dwellings, was not adopted as these matters are controlled by Clause 8.3 of the Wagga Wagga Development Control Plan which relates to Rural Dwellings.

Between 2010 and 2024, only 107 secondary dwellings were approved in Wagga Wagga which is an average of approximately 8 per annum. By comparison, 220 dual occupancy developments were approved during the same period, more than double the number of secondary dwelling approvals. This disparity suggests that current floor area restrictions may be limiting the attractiveness of secondary dwellings as a housing option.

Under current floor area controls, landowners with smaller established principal dwellings (up to 181.81m²) are limited to a maximum secondary dwelling size of 60m². This threshold effectively limits secondary dwellings to studio-style accommodation, constraining design flexibility and liveability. By comparison, the *Low Rise Housing Diversity Design Guide* establishes a minimum dwelling size of 60m² for dual occupancies and terrace houses (excluding studios), effectively recognising this as the baseline for functional residential accommodation. Increasing the maximum percentage to 65% would enable secondary dwellings on modest principal dwellings to exceed 60m², allowing for more diverse and liveable housing options including separate bedrooms, which better responds to identified demand for 1-2 bedroom accommodation.

Having regard to the above considerations, at its Ordinary Council Meeting on 25 June 2025, Council resolved to prepare a Planning Proposal to amend the WWLEP 2010. This Planning Proposal is classified as a council-initiated proposal prepared on behalf of Council.

While a formal scoping proposal was not required, Council has consulted with the Department of Planning, Housing and Infrastructure, which provided written advice on the Planning Proposal. This advice is discussed below.

1.3. Supporting Plans and 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 1.

Table 2 | Accompanying Documents

No.	Document Name	Prepared by
A	Council Report and Minutes dated 25 June 2025	Wagga Wagga City Council

2. Application of the Planning Proposal

This Planning Proposal does not apply to a specific site but rather applies to all land within the Wagga Wagga Local Government Area where secondary dwellings are currently permissible under the Wagga Wagga Local Environmental Plan 2010.

The proposed amendments to Clauses 5.4(9)(b) and 5.5(a)(ii) will apply to the following land use zones.

Non-Rural Zones (Clause 5.4(9)(b)):

- R1 General Residential
- R3 Medium Density Residential
- R5 Large Lot Residential
- MU1 Mixed Use
- C4 Environmental Living

Rural Zones (Clause 5.5(a)(ii)):

- RU1 Primary Production
- RU2 Rural Landscape
- RU4 Primary Production Small Lots
- RU5 Village

No land is to be rezoned as part of this Planning Proposal. The amendments relate solely to development standards for secondary dwellings within existing permissible zones.

3. Planning Proposal

This section addresses the requirements of the Local Environmental Plan Making Guideline (August 2023) and Section 3.33 of the Environmental Planning and Assessment Act 1979 (“EP&A Act”). It includes:

- Objectives and intended outcomes
- Explanation of provisions
- Justification
- Mapping
- Community consultation
- Project timeline

3.1. Objectives and Intended Outcomes

The objective of the Planning Proposal is to amend Clause 5.4(9)(b) and Clause 5.5(a)(ii) of the WWLEP to increase the maximum floor space area of secondary dwellings from 33% to 65% of the floor area of the principal dwelling.

The intended outcomes are to

- Increase housing diversity by enabling larger, more functional secondary dwellings
- Encourage lower-cost housing supply by improving the financial viability and attractiveness of secondary dwelling development
- Encourage efficient infill development that utilises existing infrastructure and services
- Respond to identified demand for 1–2 bedroom accommodation in Wagga Wagga

3.2. Explanation of Provisions

To achieve the intended outcomes, this Planning Proposal seeks to amend the following clauses of the WWLEP:

Clause 5.4 Controls relating to miscellaneous permissible uses

Amend Clause 5.4(9)(b) to increase the maximum total floor area of a secondary dwelling on land other than land in a rural zone from 33% to 65% of the total floor area of the principal dwelling.

Clause 5.5 Controls relating to secondary dwellings in rural zones

Amend Clause 5.5(a)(ii) to increase the maximum total floor area of a secondary dwelling on land in a rural zone from 33% to 65% of the total floor area of the principal dwelling.

Mapping

This Planning Proposal does not require amendment to any land zoning maps or other maps under the WWLEP.

3.3. Justification

This section demonstrates that the Planning Proposal:

- Is consistent with relevant strategic planning frameworks and directions
- Responds to an identified community need
- Will deliver measurable community benefits

- Is suitable for the land to which it applies

3.4. Section A – Need for the Planning Proposal

Q1. Is the Planning Proposal a result of an endorsed Local Strategic Planning Statement (LSPS), strategic study or report?

While this Planning Proposal was not directly initiated by the Local Strategic Planning Statement or a standalone strategic study, it responds to evidence-based analysis of housing demand and community need identified through Council's ongoing monitoring of development trends and community enquiries. 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.

In support of the proposed change, and as a background assessment to this Planning Proposal, Council has undertaken comparative analysis of secondary dwelling development controls and subsequent dwelling uptake across several regional councils with similar characteristics to Wagga Wagga. It identified that Dubbo Regional Council and Orange City Council had more permissive floor space controls as outlined below.

Table 3 | Comparative analysis of secondary dwelling development controls

Council	Annual Secondary Dwellings Approved (2020-24)	Maximum Allowable Floor Area	Maximum % of Principal Dwelling (Non-Rural)	Maximum % of Principal Dwelling (Rural)
Dubbo	30	60m ²	65%	65%
Orange	34	60m ²	50%	50%
Wagga Wagga	8	60m ²	33%	33%

The analysis demonstrates a strong correlation between more permissive floor area controls and higher uptake of secondary dwelling development:

- Dubbo, with a 65% maximum, approves approximately 22 more secondary dwellings annually than Wagga Wagga
- Orange, with a 50% maximum, approves approximately 26 more secondary dwellings annually than Wagga Wagga
- Both councils have similar development assessment processes and minimum floor area requirements (60m²)

This data suggests that the current 33% limitation in Wagga Wagga is a significant barrier to secondary dwelling development, constraining supply despite identified demand for this housing type.

Increasing the maximum to 65% aligns with contemporary planning objectives by enabling greater housing diversity and choice. Larger secondary dwellings allow for a range of dwelling sizes and configurations beyond studio-style accommodation, providing practical housing options that better meet the needs of different household types. This supports housing affordability by creating lower-cost rental options while providing property owners with an additional income stream to offset mortgage or living costs. The increased flexibility also facilitates aging-in-place and multi-generational living arrangements, allowing elderly parents or adult children to live independently yet close to family support. This is particularly relevant in larger rural contexts, such as Wagga Wagga, which is experiencing an ageing

population¹. Furthermore, secondary dwellings represent an efficient form of development that capitalises on existing infrastructure and services associated with the primary dwelling.

The proposed 65% maximum mirrors Dubbo's approach and demonstrates a measured response to local housing needs. Analysis of principal dwelling sizes in Wagga Wagga indicates a typical range of 100m² to 450m². Under the current 33% control, all principal dwellings below 181.81m² are limited to the minimum 60m² secondary dwelling size. This threshold effectively restricts secondary dwellings to studio-style accommodation with limited capacity for separate bedrooms, adequate living spaces, or accessibility features. For example, a 150m² principal dwelling, common in established residential areas, is constrained to a 60m² secondary dwelling, whereas the proposed 65% control would permit a 97.5m² secondary dwelling on the same site.

The proposed amendment would provide meaningful changes to enable secondary dwellings as a more functional and attractive dwelling option. Importantly, the secondary dwelling would remain clearly subordinate to the principal dwelling, as it would comprise less than 65% of the principal dwelling's size.

This increased flexibility better responds to the identified demand for 1-2 bedroom accommodation while maintaining development standards that ensure secondary dwellings remain ancillary to principal dwellings. The cost to develop a secondary dwelling is generally recognised to be lower than a dual occupancy which provides greater flexibility for homeowners.

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

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

The provisions governing secondary dwelling floor area are contained within mandatory clauses of the Wagga Wagga Local Environmental Plan 2010 (Clauses 5.4(9)(b) and 5.5(a)(ii)), which derive from the Standard Instrument (Local Environmental Plans) Order 2006. Amendments to these LEP provisions can only be achieved through the plan-making process established under Part 3, Division 3.4 of the Environmental Planning and Assessment Act 1979.

Alternative approaches have been considered but are not legally available or effective:

Development Control Plan (DCP) revisions – The DCP cannot override or modify mandatory LEP development standards. While a DCP could provide design guidance for secondary dwellings, it cannot alter the maximum floor area percentage established in the LEP.

State Environmental Planning Policy – The State Environmental Planning Policy (Housing) 2021 contains provisions for secondary dwellings, it does not override the percentage controls in LEP's where Councils have adopted specific standards. Council also has no control over the SEPP and any changes to provisions would require amendments at a Statewide level which would not be responsive to Wagga Wagga's specific local housing needs and context.

Variations to Development Controls – The current LEP provisions do not provide Council any discretion to exceed the maximum floor area percentage specified in the LEP, even where a proposal demonstrates merit. It is noted that Clause 4.6 (Exceptions to development standards) specifically excludes floor area standards for secondary dwellings.

Having regard to the above, the issue to be addressed through the Planning Proposal is a local issue specific to Wagga Wagga. The Planning Proposal process is the most mechanism as it allows proper LGA-specific analysis and consideration.

3.5. Section B – Relationship to 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)?

¹ Refer to *Wagga Wagga Local Housing Strategy 2025*

The Riverina Murray Regional Plan 2041

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.

The Planning Proposal aligns with the following themes of the Regional Plan:

- Part 2 – Communities and places

This theme supports diverse housing options that accommodate changing household sizes and enable aging-in-place. The proposal directly responds to this priority by enabling larger, more functional secondary dwellings that can accommodate diverse household types including elderly residents, adult children, and multi-generational families.

- Part 3 – Economy

This theme recognises the importance of housing diversity and affordability in attracting and retaining workers and supporting economic growth. Secondary dwellings provide lower-cost options for workers, including those employed on major infrastructure projects in the region, while generating additional income for property owners.

A detailed assessment of the Planning Proposal against the relevant goals, directions, and actions of the RMRP is provided below.

Table 4 | Consistency with Riverina-Murray Regional Plan 2041

Part, Objective and Actions	Relevance	Consistency
Part 1 – Environment		
Objective 1 – Protect, connect and enhance biodiversity throughout the region.	Relevant.	Consistent. The proposal does not directly seek to modify or reduce any biodiversity values throughout the region. It applies to zones that already permit secondary dwellings and subsequent development applications as a result of the LEP amendment will be required to assess biodiversity matters.
Objective 2 – Manage development impacts within riverine environments	Relevant.	Consistent. The proposal does not directly seek to modify or reduce any riverine values throughout the region. It applies to zones that already permit secondary dwellings and subsequent development applications as a result of the LEP amendment will be required to consider the riverine environment.
Objective 3 – Increase natural hazard resilience	Relevant.	Consistent. Future development as a result of the proposal is not expected to increase risk to natural hazards as secondary dwellings are permitted in existing zones with no major constraints given the residential use. Subsequent development applications as a result of the LEP amendment will be required to address any applicable natural hazard matters.

Part, Objective and Actions	Relevance	Consistency
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Part 2 – Communities and places

Objective 4 – Support Aboriginal aspirations through land use planning	Relevant.	Consistent. The proposal does not directly seek to modify or reduce any cultural heritage values throughout the region. Subsequent development applications as a result of the LEP amendment will require be required to address any applicable cultural heritage matters.
Objective 5 – Ensure housing supply, diversity, affordability and resilience	Relevant.	Consistent. The Planning Proposal contributes to housing supply by enabling more secondary dwellings to be feasibly developed on existing serviced land without the need for new greenfield land release or costly infrastructure expansion. By allowing a more practical 65% cap, it encourages secondary dwelling approvals to incrementally increase. It promotes housing diversity by facilitating a broader range of dwelling types and sizes suited to different household structures and life stages appropriate with community needs. This includes opportunities for younger people entering the housing market, single-person households, retirees wishing to downsize and multi-generational families seeking to live close together. The proposal ensures more cost-effective development options for both landowners and occupants in the housing market. Homeowners can construct secondary dwellings to generate rental income or provide lower-cost accommodation for family members while tenants can benefit from access to smaller dwellings at lower price points than conventional dwellings. Increasing the range of attainable housing options assists with rental pressure and supports broader economic resilience.
Objective 6 – Support housing in regional cities and their sub-regions	Relevant.	Consistent. The Planning Proposal is consistent with this objective as it supports housing in regional cities and surrounding sub-regions by enabling more secondary dwellings on existing serviced land. This increases local housing supply without requiring new land release and provides opportunities for smaller, lower-cost housing forms within proximity to existing essential services.
Objective 7 – Provide for appropriate rural residential development.	Relevant.	Consistent. The Planning Proposal provides for appropriate rural residential development by allowing secondary dwellings that support intergenerational living and farm succession which is consistent with the character and function of rural areas. It enables older landowners to remain on

Part, Objective and Actions	Relevance	Consistency
		their property while downsizing and allows families to provide mutual support for rural communities.
Objective 8 – Provide for short-term accommodation.	Relevant.	The Planning Proposal supports short-term accommodation opportunities, where permitted by the zone and local policy. This can help meet identified short-term needs, such as seasonal workforce or visitor accommodation, without relying on traditional short-term.
Objective 9 – Plan for resilient places that respect local character	Relevant.	The Planning Proposal maintains the subordinate and ancillary nature of secondary dwellings, ensuring that development remains compatible with existing residential and rural character. By allowing greater flexibility within the existing built form, it supports resilient communities that can adapt to demographic and economic change while preserving local character.
Objective 10 – Improve connections between Murray River communities	Not relevant, the proposal does not relate to connections between Murray River Communities	N/A
Objective 11 – Plan for integrated and resilient utility infrastructure	Relevant.	The proposal supports efficient use of existing infrastructure by promoting development within serviced areas. Secondary dwellings share access, utilities and services with the principal dwelling which minimises additional infrastructure demand while supporting the resilience and cost-effectiveness of local utility networks.
Part 3 - Economy		
Objective 12 – Strategically plan for rural industries	Not relevant, the proposal does not relate to rural industries.	N/A
Objective 13 – Support the transition to net zero by 2050	Not relevant, the proposal does not relate to energy use.	Notwithstanding, the Planning Proposal supports the transition to net zero by promoting more efficient and sustainable land use through infill development within existing serviced areas. Secondary dwellings typically have smaller footprints and lower construction and operational energy demands compared to standard detached houses.
Objective 14 – Protecting and promoting industrial	Not relevant, the proposal does not seek to achieve	N/A

Part, Objective and Actions	Relevance	Consistency
and manufacturing land	industrial or manufacturing outcomes.	
Objective 15 – Support the economic vitality of CBDs and main streets	Relevant.	The Planning Proposal supports this objective by providing lower-cost and diverse housing options proximate to town centres. This indirectly supports the economic vitality of CBDs and main streets through population increase and sustainment of local businesses, services and community facilities.
Objective 16 – Support the visitor economy	Not relevant, the proposal does not relate to tourism.	N/A
Objective 17 – Strategically plan for health and education precincts	Not relevant, the proposal does not relate to health and education precincts.	Notwithstanding, the Planning Proposal complements planning for health and education precincts by providing a wider range of nearby housing options for staff, students and families. Secondary dwellings contribute to a more flexible and lower-cost housing supply in areas with access to existing employment and health infrastructure.
Objective 18 – Integrate transport and land use planning	Relevant.	At a local level, the Planning Proposal is consistent with this objective as it promotes infill development that utilises and consolidates existing transport and utility infrastructure, reducing reliance on new greenfield land release.

In summary, the Planning Proposal is consistent with the relevant objectives of the RMRP by facilitating housing diversity, supporting infill development, and improving housing affordability within established urban areas serviced by existing infrastructure.

Wagga Wagga Local Housing Strategy 2025

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.

The LHS was exhibited from June to August 2025 and subsequently endorsed at Council's Ordinary Meeting on 15 December 2025.

The Planning Proposal directly supports key initiatives and actions identified in the LHS.

The LHS specifically recognises secondary dwellings as an important component of housing diversity and includes actions to encourage uptake of secondary dwellings on existing residential lots. The Strategy identifies the need to examine opportunities and constraints around secondary dwelling development, including a review of current floor area controls. This Planning Proposal is a direct implementation of those strategic actions.

The LHS recommends prioritising infill development within established urban areas to maximise the use of existing infrastructure and services. Secondary dwellings represent an efficient form of infill development that adds housing supply without requiring rezoning or infrastructure expansion into greenfield areas.

The LHS emphasises the need for a greater mix of dwelling types and sizes to accommodate changing household structures, an aging population, and affordability pressures. Increasing the maximum floor area for secondary dwellings from 33% to 65% enables functional 1-2 bedroom dwellings that respond to identified gaps in the housing market.

The Planning Proposal is therefore consistent with key strategic directions of the LHS.

Draft Interim Affordable Housing Paper

The Draft Interim Affordable Housing Paper (IAHP) identifies multiple factors contributing to demand for social and lower-cost housing in Wagga Wagga, including:

- Rental affordability pressures and rent increases
- Growing social housing waitlists
- Aging social housing stock requiring replacement
- Demand for worker accommodation associated with major infrastructure projects
- Mismatch between household sizes and available dwelling types

The draft IAHP was exhibited with the draft LHS during June to August 2025 and Council is currently refining the paper into a comprehensive Affordable Housing Strategy.

The Planning Proposal supports the objectives of the draft IAHP.

Secondary dwellings may provide lower-cost housing options for those in the rental market, including key workers, students, and low-income households. The ability to build larger, more functional secondary dwellings makes them more viable and attractive as rental accommodation.

Increasing the maximum floor area from 33% to 65% allows secondary dwellings to move beyond studio configurations to functional 1-2 bedroom dwellings suitable for a wider range of household types, including small families, couples, and individuals requiring accessible housing. An analysis of secondary dwelling development applications in Wagga Wagga from 2014 found that the average number of bedrooms per dwelling was 1.35. Importantly, 2-bedroom secondary dwellings had an average floor area of approximately 80m² which demonstrates that meaningful increases in floor area are required to deliver layouts that meet contemporary living expectations.

Secondary dwellings provide property owners with rental income that can offset mortgage costs and living expenses, improving housing affordability for owner-occupiers while simultaneously adding to rental housing supply.

Larger secondary dwellings enable elderly relatives or adult children to live independently but close to family support, reducing demand aged care facilities. In a rural context, this also allows for succession planning, supporting continued productivity in rural enterprises. It is noted that this Planning Proposal does not seek to undermine agricultural operations and rural dwellings can have the potential to increase land use conflict with adjoining agricultural activities if not appropriately located or regulated. Secondary dwellings remain ancillary to the primary dwelling, do not create separate titles and are subject to clear controls regarding occupancy, scale, servicing and siting. These controls ensure that agricultural land use and farm layouts are not compromised and that incompatible land uses are not introduced.

The Planning Proposal is therefore consistent with the strategic directions of the draft Interim Affordable Housing Paper and will contribute to improving housing affordability outcomes in Wagga Wagga.

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 is consistent with the Wagga Wagga Local Strategic Planning Statement (LSPS).

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:

- The Environment
- Growing Economy
- Community, Place and Identity

The Planning Proposal aligns with and supports the following planning principles of the LSPS.

Principle 3 – Manage growth sustainably

This principle applies the ‘protect, minimise, mitigate, offset’ hierarchy to ensure development in Wagga Wagga occurs sustainably while managing impacts on biodiversity and natural systems.

The Planning Proposal supports this principle by encouraging infill development on existing properties where infrastructure is already established or can be managed by on-site infrastructure in rural areas. Secondary dwellings represent a low-impact form of development without requiring infrastructure extension or environmental impacts associated with larger greenfield development.

Principle 7 – Growth is supported by sustainable infrastructure

This principle emphasises that utilizing existing infrastructure capacity is essential to achieving sustainable population growth and avoiding the burden of premature infrastructure expansion.

The Planning Proposal directly implements this principle by facilitating additional housing supply within established areas already serviced by infrastructure or in a ‘low-impact’ manner. Secondary dwellings add population and housing without resulting in significant infrastructure loads or requiring significant investment. By increasing the maximum floor area for secondary dwellings, the amendment improves their viability and attractiveness, encouraging property owners to maximise the capacity of existing infrastructure rather than driving demand for urban expansion.

Principle 10 – Provide for a diversity of housing that meets our needs

This principal recognises the need for diverse housing types to accommodate an aging and diversifying population while maintaining liveability, community cohesion, and local character. The LSPS identifies the need for increased medium-density housing and smaller dwelling options to improve diversity and affordability.

The Planning Proposal directly addresses this principle by enabling functional, liveable secondary dwellings that respond to identified gaps in the housing market. Under current controls, secondary dwellings are constrained to ‘studio-style’ accommodation (i.e. 60m²) on all lots with principal dwellings less than 182m². This limits their suitability for key demographic groups including:

- Older residents seeking to downsize while remaining close to family
- Adult children requiring independent accommodation near aging parents
- Small households and couples seeking lower-cost housing options
- Workers requiring short-term accommodation for major infrastructure projects

Increasing the maximum allowable floor area enables secondary dwellings to provide greater variety of accommodation with separate living spaces, improved accessibility features, and enhanced liveability. This expands housing choice within established areas, supporting diverse living arrangements including aging-in-place, multi-generational households, and lower-cost rental accommodation. The Planning Proposal responds to contemporary demographic trends and housing needs while maintaining the subordinate character of secondary dwellings relative to principal dwellings.

Q5. Is the Planning Proposal consistent with any other applicable State and regional studies or strategies?

This Planning Proposal is consistent with applicable State or Regional studies and strategies as outlined below:

Housing 2041 – NSW Housing Strategy

Housing 2041 is the NSW Government's long-term housing strategy, structured around four key pillars: Supply, Affordability, Diversity, and Resilience. The Planning Proposal aligns with and supports each of these pillars:

In relation to supply, the Planning Proposal facilitates additional housing supply by making secondary dwellings more feasible and attractive to property owners. By increasing the maximum floor area from 33% to 65%, the proposal removes a key constraint that currently limits secondary dwelling development. Analysis of comparable councils demonstrates that more permissive floor area controls result in significantly higher approval rates for secondary dwellings.

In relation to affordability, secondary dwellings provide a lower-cost housing option through smaller dwelling sizes, shared infrastructure costs with the principal dwelling, and opportunity for streamlined approval processes through complying development pathways. These considerations have flow on effects in the form of lower establishment and maintenance costs which reduce the ultimate costs of this housing type.

In relation to diversity, the Planning Proposal will expand housing choice by enabling a greater range of secondary dwellings suitable for diverse household types including elderly residents, young professionals, small families, and workers. This addresses the identified gap in Wagga Wagga's housing market, where more traditional 3-4 bedroom single-family homes dominate supply.

In relation to resilience, secondary dwellings support housing resilience by providing flexible accommodation options that can adapt to changing household needs over time. They enable aging-in-place, accommodate returning adult children, provide worker accommodation during major infrastructure projects, rural succession planning and also offer income stability for property owners facing cost-of-living pressures.

The Planning Proposal therefore directly implements and supports the strategic directions of Housing 2041 within the local Wagga Wagga context.

Regional Housing Taskforce

The NSW Government established the Regional Housing Taskforce in June 2021 in response to increasing pressures on housing supply and affordability across regional NSW. The Taskforce conducted extensive consultation throughout regional NSW, including a dedicated Riverina Murray roundtable session in August 2021 with 39 participants, and delivered findings in September 2021 followed by recommendations in November 2021.

The Taskforce findings confirmed that regional housing markets were experiencing acute pressures, with rents growing faster than in Greater Sydney, low rental vacancy rates, and relatively high house price growth. The Riverina Murray region was identified as one of the areas experiencing significant housing challenges requiring targeted policy responses. The Riverina Murray region has been identified as experiencing housing affordability pressures and supply constraints, particularly for smaller dwelling types and lower-cost rental accommodation².

The Taskforce findings report found that regional housing markets are particularly vulnerable to spikes in demand from seasonal or temporary workers, especially in the agriculture, mining, and construction sectors. This finding is particularly relevant to Wagga Wagga, where major infrastructure projects including Inland Rail, Humelink, Project Energy Connect, and Defence infrastructure upgrades are generating substantial temporary worker accommodation needs.

The Taskforce identified a widespread mismatch between housing needs and current housing provision across regional NSW, with the majority of housing stock comprising large, detached houses with three or more bedrooms, while growing demand exists for smaller dwellings due to rising numbers of lone person households, shrinking household sizes, and an aging population. This aligns directly with the housing analysis for Wagga Wagga outlined in the Background section of this Planning Proposal and has been a consistent theme in background work to the LHS.

² Refer to *Table 5 Top 5 issues raised in written submissions by region*

This Planning Proposal directly responds to the Regional Housing Taskforce's findings and recommendations through the following.

- Increasing the maximum floor area percentage from 33% to 65% removes a specific regulatory barrier that currently limits the feasibility and attractiveness of secondary dwellings as a diverse housing option.
- The findings of the Taskforce emphasised the need for smaller dwelling options (1-2 bedrooms) to accommodate demographic change. This Planning Proposal enables secondary dwellings on standard principal dwellings to exceed studio-style accommodation and provide functional separate bedroom configurations, while still retaining a secondary dwelling status.
- Larger and more functional secondary dwellings provide flexible accommodation options for seasonal or temporary workers on large infrastructure projects such as Inland Rail, Humelink, and Defence infrastructure upgrades, as well as other rural enterprises or growing industries.

The Planning Proposal therefore represents targeted implementation of the Regional Housing Taskforce's recommendations, tailored to Wagga Wagga's specific housing market conditions and aligned with the state-wide strategic response to regional housing challenges.

Select Committee on Rural Housing and Second Dwellings Reform

The Select Committee on Rural Housing and Second Dwellings Reform was set up by the NSW Parliament in 2025 and is expected to issue a full report in February 2026. It sits within the Legislative Council committee system and is operating as a time-limited enquiry.

The terms of reference direct the committee to look at reforms that would facilitate the building of second dwellings in rural zones, including potential amendments to State Environmental Planning Policies and local planning controls. The inquiry has been set up as a response to the pressure for rural and regional housing crisis and the difficulties farmers and other rural landowners face when trying to add another dwelling on their land for family or workers.

The inquiry submission released in October 2025 outlined several planning reform mechanisms to improve the delivery of secondary dwellings. While the work is ongoing, the Department is investigating potential amendments to the Housing SEPP that could encourage secondary dwellings to be approved through the CDC pathway. One proposed mechanism involves the removal or expansion of maximum floor area requirements for secondary dwellings which is an approach that aligns with this Planning Proposal to increase allowable floor areas.

Q6. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

This Planning Proposal is consistent with applicable State Environmental Planning Policies (SEPPs).

A detailed assessment against all SEPPs is provided below. The majority of SEPPs are not applicable to the Wagga Wagga Local Government Area or to the circumstances of this Planning Proposal, which relates solely to development standards for secondary dwellings within existing permissible zones.

Where SEPPs are applicable, the Planning Proposal is consistent with their objectives and provisions.

Table 5 | Consistency with Applicable SEPPs

Policy	Applicable to Planning Proposal	Consistency
State Environmental Planning Policy (Biodiversity and Conservation) 2021		
Chapter 2 – Vegetation in non-rural areas	Not applicable.	Not applicable.

Policy	Applicable to Planning Proposal	Consistency
Chapter 3 – Koala habitat protection 2020	Not applicable.	Not applicable.
Chapter 4 – Koala habitat protection 2021	Applies to relevant zones in the LGA.	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 5 – River Murray lands	Not applicable.	Not applicable.
Chapter 6 – Water Catchments	Not applicable.	Not applicable.
Chapter 7 – 12	Repealed.	Not applicable.
Chapter 13 – Strategic conservation planning	Not applicable.	Not applicable.
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	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 (Housing) 2021		
Chapter 2 – Affordable housing	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.
Chapter 3 – Diverse housing	Applies to all land in the State.	This Part applies to development for the purposes of a secondary dwelling on land in a residential zone if development for the purposes of a dwelling house is permissible on the land under another environmental planning instrument. Under this SEPP, secondary dwellings can be constructed as complying development in an R1, R2,

Policy	Applicable to Planning Proposal	Consistency
		R3, R4 and R5 Large Lot Residential under the following controls: <i>(a) no dwellings, other than the principal dwelling and the secondary dwelling, will be located on the land, and</i> <i>(b) the total floor area of the principal dwelling and the secondary dwelling is no more than the maximum floor area permitted for a dwelling house on the land under another environmental planning instrument, and</i> <i>(c) the total floor area of the secondary dwelling is—</i> <i>(i) no more than 60m², or</i> <i>(ii) if a greater floor area is permitted for a secondary dwelling on the land under another environmental planning instrument—the greater floor area.</i> The Planning Proposal is considered consistent with this chapter of the SEPP as it will continue to lawfully enable a greater secondary dwelling size through the LEP mechanism. The proposal continues to satisfy the SEPP's intent by allowing only one secondary dwelling that remains subordinate to the principal dwelling. In doing so, the amendment maintains consistency with State policy while enabling more practical and liveable secondary dwellings that respond to regional affordability and demographic trends. As discussed above, the <i>Inquiry Into Rural Housing and Second Dwellings Reform</i> has identified that DPHI is currently reviewing the scope of secondary dwelling controls. It is considering the amendment (or removal) of prescriptive floor space restrictions in the Housing SEPP to better support housing diversity and affordability outcomes across rural and regional NSW. The Planning Proposal is consistent with the direction of this review and aligns with emerging State policy objectives aimed at increasing flexibility.
Chapter 4 – Design of Residential Apartment Development	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 (Industry and Employment) 2021		
Chapter 2 – Western Sydney employment area	Not applicable.	Not applicable.

Policy	Applicable to Planning Proposal	Consistency
Chapter 3 – Advertising and signage	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 (Planning Systems) 2021

Chapter 2 – State and Regional Development	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.
Chapter 3 – Aboriginal land	Applies to land owned by an Aboriginal Land Council.	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 4 – Concurrences and consents	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 (Precincts – Central River City) 2021

Chapter 2 – State significant precincts	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.
Chapter 3 – Sydney region growth centres	Not applicable to the Wagga Wagga Local Government Area.	Not applicable.
Chapter 4 – Homebush Bay area	Not applicable to the Wagga Wagga Local Government Area.	Not applicable.
Chapter 5 – Kurnell Peninsula	Not applicable to the Wagga Wagga Local Government Area.	Not applicable.

Policy	Applicable to Planning Proposal	Consistency
Chapter 6 – Urban renewal precincts	Not applicable to the Wagga Wagga Local Government Area.	Not applicable.

State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021

Chapter 2 – State significant precincts	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.
Chapter 3 – Darling Harbour	Not applicable.	Not applicable.
Chapter 4 – City West	Not applicable.	Not applicable.
Chapter 5 – Walsh Bay	Not applicable.	Not applicable.
Chapter 6 – Cooks Cove	Not applicable.	Not applicable.
Chapter 7 – Moore Park Showground	Not applicable.	Not applicable.

State Environmental Planning Policy (Precincts – Regional) 2021

Chapter 2 – State significant precincts	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.
Chapter 3 – Activation precincts	Not applicable.	Not applicable.
Chapter 4 – Kosciuszko National Park and alpine resorts	Not applicable to the Wagga Wagga Local Government Area.	Not applicable.
Chapter 5 – Gosford city centre	Not applicable to the Wagga Wagga Local	Not applicable.

Policy	Applicable to Planning Proposal	Consistency
	Government Area.	

State Environmental Planning Policy (Precincts – Western Parkland City) 2021

Chapter 2 – State significant precincts	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.
Chapter 3 – Sydney region growth centres	Not applicable.	Not applicable.
Chapter 4 – Western Sydney Aerotropolis	Not applicable.	Not applicable.
Chapter 5 – Penrith Lakes Scheme	Not applicable.	Not applicable.
Chapter 6 – St Mary's	Not applicable.	Not applicable.
Chapter 7 – Western Sydney Parklands	Not applicable.	Not applicable.

State Environmental Planning Policy (Primary Production) 2021

Chapter 2 – Primary production and rural development	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.
Chapter 3 – Central Coast plateau areas	Not applicable.	Not applicable.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 2 – Coastal management	Not applicable.	Not applicable.
Chapter 3 – Hazardous and offensive development	Applies to all land in the State.	The Planning Proposal does not conflict with the aims and functions of this SEPP.

Policy	Applicable to Planning Proposal	Consistency
Chapter 4 – Remediation of land	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.

State Environmental Planning Policy (Resources and Energy) 2021

Chapter 2 – Mining, petroleum production and extractive industries	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.
Chapter 3 – Extractive industries in Sydney area	Not applicable.	Not applicable.

State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapter 2 – Infrastructure	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.
Chapter 3 – Educational establishments and child care facilities	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.
Chapter 4 – Major infrastructure corridors	Not applicable.	Not applicable.
Chapter 5 – Three ports – Port Botany, Port Kembla and Newcastle	Not applicable.	Not applicable.
Chapter 6 – Moorebank Freight Intermodal Precinct	Not applicable.	Not applicable.

Draft State Environmental Planning Policies

Environment SEPP	Not applicable.	Not applicable.
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Policy	Applicable to Planning Proposal	Consistency
Corridor Protection SEPP	Not applicable.	Not applicable.

No inconsistencies with relevant SEPPs have been identified.

Q7. Is the Planning Proposal consistent with applicable Ministerial Directions (s.9.1 Directions)?

This Planning Proposal is consistent with applicable section 9.1 Directions issued by the Minister for Planning and Homes under the EP&A Act.

Section 9.1 Directions establish principles, aims, objectives, and policies that must be considered in the preparation of LEPs. A Planning Proposal must be consistent with the requirements of these Directions unless an inconsistency can be justified on the grounds that:

- The Planning Proposal is of minor significance, or
- The consent authority has considered a local environmental study that justifies the departure, or
- Other specific justification criteria within the Direction are met

A comprehensive assessment against all section 9.1 Directions is provided below. This assessment determines that the Planning Proposal is either consistent with the Direction, or where applicable, justifiably inconsistent in accordance with the criteria specified within the relevant Direction.

Table 6 | Consistency with Ministerial Directions

No.	Title	Applicable to Planning Proposal	Consistency
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 <i>Riverina Murray Regional Plan 2041</i> . A full response in relation to this Regional Plan has been provided above.
1.2	Development of Aboriginal Land Council Land	Not applicable, as the subject land is not identified on the Land Application Map of State Environmental Planning Policy (Aboriginal Land) 2019.	Not applicable.
1.3	Approval and Referral Requirements	Applies to all Planning Proposals.	The Planning Proposal is consistent with this direction because it does not propose any referral or concurrence requirements or nominate any development as 'designated development'.

No.	Title	Applicable to Planning Proposal	Consistency
1.4	Site Specific Provisions	Not applicable, the Planning Proposal does not seek to introduce any site-specific provisions.	Not applicable.
1.4A	Exclusion of Development Standards for Variation	Not applicable, the Planning Proposal does not seek to introduce or alter an existing exclusion to clause 4.6 of a Standard Instrument LEP	Not applicable.

1. Planning Systems – Place Based

1.5	Parramatta Road Corridor Urban Transformation Strategy	Not applicable, does not apply to the Wagga Wagga LGA.	Not applicable.
1.6	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable, does not apply to the Wagga Wagga LGA.	Not applicable.
1.7	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable, does not apply to the Wagga Wagga LGA.	Not applicable.
1.8	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable, does not apply to the Wagga Wagga LGA.	Not applicable.
1.9	Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable, does not apply to the Wagga Wagga LGA.	Not applicable.
1.10	Implementation of Western Sydney Aerotropolis Plan	Not applicable, does not apply to the Wagga Wagga LGA.	Not applicable.

No.	Title	Applicable to Planning Proposal	Consistency
1.11	Implementation of Bayside West Precincts 2036 Plan	Not applicable, does not apply to the Wagga Wagga LGA.	Not applicable.
1.12	Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable, does not apply to the Wagga Wagga LGA.	Not applicable.
1.13	Implementation of St Leonards and Crows Nest 2036 Plan	Not applicable, does not apply to the Wagga Wagga LGA.	Not applicable.
1.14	Implementation of Greater Macarthur 2040	Not applicable, does not apply to the Wagga Wagga LGA.	Not applicable.
1.15	Implementation of the Pyrmont Peninsula Place Strategy	Not applicable, does not apply to the Wagga Wagga LGA.	Not applicable.
1.16	North West Rail Link Corridor Strategy	Not applicable, does not apply to the Wagga Wagga LGA.	Not applicable.
1.17	Implementation of Bays West Place Strategy	Not applicable, does not apply to the Wagga Wagga LGA.	Not applicable.
1.18	Implementation of the Macquarie Park Innovation Precinct	Not applicable, does not apply to the Wagga Wagga LGA.	Not applicable.
1.19	Implementation of the Westmead Place Strategy	Not applicable, does not apply to the Wagga Wagga LGA.	Not applicable.
1.20	Implementation of the Camellia-Rosehill Place Strategy	Not applicable, does not apply to the Wagga Wagga LGA.	Not applicable.
1.21	Implementation of South West Growth Area Structure Plan	Not applicable, does not apply to the Wagga Wagga LGA.	Not applicable.
1.22	Implementation of the Cherrybrook	Not applicable, does not apply to the Wagga Wagga LGA.	Not applicable.

No.	Title	Applicable to Planning Proposal	Consistency
	Station Place Strategy		
Design and Place			
Nil	N/A	This Focus Area was blank when the Directions were made	N/A
Biodiversity and Conservation			
3.1	Conservation Zones	This direction applies to all Planning Proposals.	The Planning Proposal is consistent with this direction as it does not seek to reduce the environmental protection standards that apply to any relevant land.
3.2	Heritage Conservation	This direction applies to all Planning Proposals.	The Planning Proposal is consistent with this direction as it does not affect existing provisions relating to the protection of known European and Aboriginal heritage.
3.3	Sydney Drinking Water Catchment	Not applicable, does not apply to the Wagga Wagga Local Government Area.	Not applicable.
3.4	Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs.	Not applicable, does not apply to the Wagga Wagga Local Government Area.	Not applicable.
3.5	Recreation Vehicle Areas	This direction applies to all Planning Proposals.	The Planning Proposal is consistent with this direction because it does not enable land to be developed for the purpose of a recreation vehicle area (within the meaning of the Recreation Vehicles Act 1983).
3.6	Strategic Conservation Planning	Not applicable, as the Planning Proposal does not relate to land under State Environmental Planning Policy (Biodiversity and Conservation) 2021 identified as 'avoided land' or a 'strategic conservation area'.	Not applicable.

No.	Title	Applicable to Planning Proposal	Consistency
3.7	Public Bushland	Not applicable, does not apply to the Wagga Wagga Local Government Area.	Not applicable.
3.8	Willandra Lakes Region	Not applicable, does not apply to the Wagga Wagga Local Government Area.	Not applicable.
3.9	Sydney Harbour Foreshores and Waterways Area	Not applicable, does not apply to the Wagga Wagga Local Government Area.	Not applicable.
3.10	Water Catchment Protection	Not applicable, does not apply to the Wagga Wagga Local Government Area.	Not applicable.

Resilience and Hazards

4.1	Flooding	This direction 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 Planning Proposal is consistent with this direction as it's only amending an existing LEP provision which already permits secondary dwellings on land zoned R1, R3, R5, MU1, C4, RU1, RU2, RU4, RU5. 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.
4.2	Coastal Management	Not applicable, Wagga Wagga Local Government Area is not considered coastal area.	Not applicable.
4.3	Planning for Bushfire Protection	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 Planning Proposal is consistent with this direction as it's only amending an existing LEP provision which already permits secondary dwellings on land zoned R1, R3, R5, MU1, C4, RU1, RU2, RU4, RU5. 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.

No.	Title	Applicable to Planning Proposal	Consistency
4.4	Remediation of Contaminated Land	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's only amending an existing LEP provision which already permits secondary dwellings on land zoned R1, R3, R5, MU1, C4, RU1, RU2, RU4, RU5. The Planning Proposal 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 Sulphate Soils	Not applicable, the subject land is not identified as containing acid sulphate soils.	Not applicable.
4.6	Mine Subsidence & Unstable Land	Not applicable, the subject land is not within a Mine Subsistence District.	Not applicable.

Transport and Infrastructure

5.1	Integrating Land Use and Transport	This direction applies to 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.	The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives: <i>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</i> <i>(b) increasing the choice of available transport and reducing dependence on cars, and</i> <i>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</i> <i>(d) supporting the efficient and viable operation of public transport services, and</i> <i>(e) providing for the efficient movement of freight.</i> The Planning Proposal is consistent with this direction as it's only
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No.	Title	Applicable to Planning Proposal	Consistency
			amending an existing LEP provision which already permits secondary dwellings on existing urban zoned capable of achieving the above objectives.
5.2	Reserving Land for Public Purposes	This direction applies to all relevant planning authorities when preparing a Planning Proposal that creates, alters or removes a zone or a provision to enable development on land reserved for public purposes.	The Planning Proposal is consistent with this direction because it does not affect any land reserved for public purposes.
5.3	Development Near Regulated Airports and Defence Airfields	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 land near a regulated airport which includes a defence airfield.	The Planning Proposal is consistent with this direction as it's only amending an existing LEP provision which already permits secondary dwellings on land zoned R1, R3, R5, MU1, C4, RU1, RU2, RU4, RU5. The proposal does not seek to alter any provisions related to airport controls and further development on such land will be subject to Obstacle Limitation Surface (OLS) assessment as necessary.
5.4	Shooting Ranges	This direction applies to all relevant planning authorities when preparing a Planning Proposal that will affect, create, alter or remove a zone or a provision relating to land adjacent to and/ or adjoining an existing shooting range.	The Planning Proposal is consistent with this direction as it's only amending an existing LEP provision which already permits secondary dwellings on land zoned R1, R3, R5, MU1, C4, RU1, RU2, RU4, RU5. The proposal does not seek to rezone any land adjacent to or adjoining an existing shooting range.
5.5	High pressure dangerous goods pipelines	This direction applies when a Planning Proposal authority prepares a Planning Proposal that would permit development for one or more of the specified uses in the application area of relevant pipelines.	The Planning Proposal is consistent with this direction as it's only amending an existing LEP provision which already permits secondary dwellings on land zoned R1, R3, R5, MU1, C4, RU1, RU2, RU4, RU5. Any existing pipeline and their easements will be considered during assessment of any relevant development applications.

Housing

No.	Title	Applicable to Planning Proposal	Consistency
6.1	Residential Zones	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.	A Planning Proposal must, in relation to land to which this direction applies: (a) contain a requirement 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 (b) not contain provisions which will reduce the permissible residential density of land. The Planning Proposal is consistent with this direction as it seeks to amend an existing LEP provision on existing residential land which already permits secondary dwellings and has adequate service infrastructure. The proposal provides opportunities to broaden the housing design type in the LGA and reduces the consumption of land for housing and associated urban development on the urban fringe.
6.2	Caravan Parks & Manufactured Home Estates	This direction applies to all relevant planning authorities when preparing a Planning Proposal	The Planning Proposal is consistent with this direction as it does not reduce the opportunities for caravan parks and manufactured homes estates on the subject land.

Industry and Employment

7.1	Business and Industrial Zones	This direction applies to all relevant planning authorities when preparing a Planning Proposal that will affect land within an existing or proposed Employment zone.	The Planning Proposal is consistent with this direction as it does not reduce the opportunities for employment uses and related public services.
7.2	Reduction in non-hosted short term rental accommodation period	Not applicable, does not apply to the Wagga Wagga Local Government Area.	Not applicable. This direction does not apply to the Wagga Wagga Local Government Area.

No.	Title	Applicable to Planning Proposal	Consistency
7.3	Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable, the subject land is not located within proximity to the Pacific Highway.	Not applicable.

Resources and Energy

8.1	Mining, Petroleum Production and Extractive Industries	Not applicable, the Planning Proposal does not impact on mining, petroleum or extractive industries.	The subject Planning Proposal will not: (a) prohibit the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or (b) restrict the potential development of resources of coal, other minerals, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development.
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Primary Production

9.1	Rural Zones	Not applicable, the Planning Proposal is not rezoning land in accordance with 9.1(1)(a) nor is 9.1(1)(b) relevant to the Wagga Wagga Local Government Area.	Not applicable.
9.2	Rural Lands	This direction applies when a relevant planning authority prepares a Planning Proposal for land outside the local government areas of lake Macquarie, Newcastle, Wollongong and LGAs in the Greater Sydney Region (as defined in the Greater Sydney Commission Act 2015) other than Wollondilly and Hawkesbury.	The Planning Proposal affects land within an existing rural and conservation zone therefore 9.2(1)(a) is relevant. The proposal is considered consistent with this direction as it does not limit or alter any of the rural opportunities and activities on the land: <i>(a) be consistent with any applicable strategic plan, including regional and district plans endorsed by the Planning Secretary, and any applicable local strategic planning statement</i>

No.	Title	Applicable to Planning Proposal	Consistency
			<i>(b) consider the significance of agriculture and primary production to the State and rural communities</i> <i>(c) identify and protect environmental values, including but not limited to, maintaining biodiversity, the protection of native vegetation, cultural heritage, and the importance of water resources</i> <i>(d) consider the natural and physical constraints of the land, including but not limited to, topography, size, location, water availability and ground and soil conditions</i> <i>(e) promote opportunities for investment in productive, diversified, innovative and sustainable rural economic activities</i> <i>(f) support farmers in exercising their right to farm</i> <i>(g) prioritise efforts and consider measures to minimise the fragmentation of rural land and reduce the risk of land use conflict, particularly between residential land uses and other rural land use</i> <i>(h) consider State significant agricultural land identified in chapter 2 of the State Environmental Planning Policy (Primary Production) 2021 for the purpose of ensuring the ongoing viability of this land</i> <i>(i) consider the social, economic and environmental interests of the community</i> The proposal also encourages these opportunities on rural land by enabling secondary dwellings that support landowners and their families in continuing their right to farm. This approach allows older generations to remain on their property while downsizing to a more suitable dwelling.
9.3	Oyster Aquaculture	Not applicable as the subject site is not identified as a	Not applicable.

No.	Title	Applicable to Planning Proposal	Consistency
		'Priority Oyster Aquaculture Area' and is not identified in the <i>NSW Oyster Industry Sustainable Aquaculture Strategy</i> (2006)	
9.4	Farmland of State & Regional Significance on the NSW Far North Coast	Not applicable, does not apply to the Wagga Wagga Local Government Area.	Not applicable.

No unresolved inconsistencies with section 9.1 Directions have been identified.

3.6. 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 not site-specific and any secondary dwelling 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, or authorise any particular development that is not already permitted.

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 amends maximum floor area percentages for secondary dwellings but does not change the land zoning or permissibility of secondary dwellings, site coverage, setback, height, or other development controls and does not change environmental assessment requirements.

Secondary dwellings will continue to be assessed against all applicable environmental planning controls and relevant matters for consideration on a case-by-case basis. The Planning Proposal does generally support environmental sustainability by encouraging infill development.

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

The proposal is expected to have positive social and economic impacts by responding to community demand for diverse and lower-cost housing types. It has the potential to be a supplementary income for principal dwelling owners, increase rental housing stock and provide inter-generational accommodation, particularly for families on farming lots.

3.7. Section D – State and Commonwealth Interests

Q11. Is there adequate public infrastructure for the Planning Proposal?

It is considered that there is adequate infrastructure for the proposal. Infrastructure associated with the principal dwelling is deemed sufficient and connections will be in accordance with service provider requirements.

The proposal seeks to largely encourage infill development within existing urban zones where the majority of essential services and trunk infrastructure are already in place. In rural areas, secondary dwellings can typically be provided with appropriate on-site infrastructure, subject to appropriate assessment of sizing.

Any new secondary dwelling development will be required to comply with specific service provider requirements and development standards at the Development Application (DA) or Complying Development Certificate (CDC) stage, ensuring that local service standards are maintained.

Q12. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway Determination?

Initial consultation regarding this specific Planning Proposal for Wagga Wagga was undertaken with the Department in June 2025. The Department advised Council to ensure that the increased size maintains a clear functional and physical distinction between a secondary dwelling and a dual occupancy development.

The proposal aims to provide greater flexibility and functionality for secondary dwellings while ensuring they remain ancillary and subordinate to the principal dwelling. The proposed 65% maximum total floor area retains a proportional size limit rather than adopting a high fixed maximum. This design standard reinforces the relationship where the secondary dwelling must remain visually and functionally secondary in nature.

Unlike dual occupancy development, secondary dwellings must remain within the same title as the principal dwelling, which limits their market appeal (suitable for smaller, related households) and reduces potential impacts on essential services and infrastructure capacity compared to strata or Torrens title separation. This results in a more incremental increase in demand on local infrastructure compared to dual occupancies which are designed to operate as fully autonomous dwellings and may require separate or upgraded service connections to support independent occupation and future subdivision potential.

The proposal seeks to respond to demonstrated demand for more diverse housing options which is consistent with both the planning framework and contemporary standards of liveability.

Relevant public authorities, including the Department, will be formally consulted further in accordance with the requirements of the Gateway Determination and the Local Environmental Plan Making Guideline.

4. Mapping

The Planning Proposal does not require any amendments to maps adopted under the Wagga Wagga Local Environmental Plan 2010 (WWLEP 2010).

The proposed amendments relate solely to development standards (maximum total floor area) within existing land use zones where secondary dwellings are already permissible.

5. Community Consultation

The Planning Proposal will be exhibited in accordance with the requirements of Clause 4 of Schedule 1 of the EP&A Act, the Local Environmental Plan Making Guideline (August 2023), and any specific conditions imposed by the Gateway Determination.

It is anticipated to be placed on public exhibition for a minimum of 20 working days, or as otherwise specified in Council's adopted Community Participation Plan (CPP).

Written notification of the community consultation will be published on Councils' website and the NSW Planning Portal. In addition to this, any Public Authorities, Government Agencies and other key stakeholders as determined by the Gateway Determination will be notified accordingly.

Written notification of the public exhibition will be provided through multiple channels, including the following.

- Public notices to be provided in on Councils' website and the NSW Planning Portal.
- Documents of the Planning Proposal and supporting material at Council's customer service counter;
- Electronic copies of all documentation being made available to the community free of charge (preferably via downloads from Council's website).
- Notification of all relevant State and Commonwealth public authorities, Government Agencies, and key stakeholders identified in the Gateway Determination.

The written public notice in relation to the above will contain all mandatory information required by the Guideline, including:

- A brief description of the Planning Proposal's objectives and intended outcomes.
- An indication of the land affected by the proposal (the relevant land use zones).
- Information on where and when the Planning Proposal can be inspected.
- The closing date for submissions.
- Confirmation of any delegation of plan-making powers from the Minister to Council.
- The name and address of Council for the receipt of submissions.

During the public exhibition period, the following documents will be made available to the community free of charge (electronically and in physical copies at Council public buildings):

- The Planning Proposal document
- The issued Gateway Determination
- Any technical information relied upon by the Planning Proposal (if applicable)
- Relevant Council reports endorsing the Proposal

At the conclusion of the public exhibition period, Council staff will consider, collate, and respond to all submissions received. A final report will then be prepared for Council to consider the submissions and endorse the final document for submission to the Department for gazettal.

5.1. Project Timeline

The project timeline for the Planning Proposal is indicative only and has been prepared based on the DPHI's LEP-making 'benchmark timelines'. It is noted that factors such as the volume of submissions received, the cycle of Council meetings, and resource availability may influence compliance with the proposed schedule.

Table 7 | Project Timeline (indicative)

Milestone	Description	Anticipated Timeframe
Lodgement	Lodge Planning Proposal with DPHI seeking Gateway Determination.	December 2025
Gateway Determination)	DPHI issues Gateway Determination.	6-8 Weeks
Public Exhibition	Undertake public exhibition of Planning Proposal in accordance with Gateway conditions.	4 Weeks (minimum 20 working days)
Consider Submissions & Finalise Planning Proposal	Consider and respond to submissions, and prepare a post-exhibition report to Council	4 weeks to collate, consider and respond to submissions received.
Council Resolution (Post-Exhibition)	Council considers the outcome of public exhibition and resolves to finalise the Proposal.	4 weeks to prepare council report and include on council agenda.
Submission to NSW DPHI/Parliamentary Counsel	Provide Planning Proposal to DPHI/Parliamentary Counsel (if delegated) for finalisation.	4 weeks.
Notification	Finalisation/gazettal of Planning Proposal	2 weeks.

6. Conclusion

The Planning Proposal seeks to amend Clause 5.4(9)(b) and 5.5(a)(ii) of the *Wagga Wagga Local Environmental Plan 2012* to increase the maximum total floor area of secondary dwellings from 33% to 65% of the principal dwelling's size.

The 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.

The Planning Proposal has significant strategic merit and is demonstrably in the public interest for the following key reasons:

- The proposal is generally consistent with the strategic planning framework, actively supporting State, Regional and local planning strategies by promoting housing diversity, affordability, and efficient infill development.
- It provides a direct and responsive mechanism to the increasing demand for smaller 1–2 bedroom housing options on suitably serviced and zoned land.
- The amendment solely relates to a numerical development standard within existing permissible zones. The resultant development of the land will not create any environmental or social impacts as it seeks to minorly amend an existing provision whereby statutory matters will still require consideration.
- The development is proposed in response to increasing demands for housing diversity on suitably zoned land, including both urban areas with direct access to services and infrastructure and rural areas where secondary dwellings can be accommodated using existing servicing arrangements.
- There will be a net benefit for the Wagga Wagga community through a potential uptake in secondary dwellings.
- The proposal supports aging-in-place for residents within family properties, multi-generational family living and increases supply of lower-cost rental housing in established areas.

Based on the strategic merit, consistency with the planning directions, and the clear public benefit demonstrated in this report, the proposed amendment is appropriate and well-considered.

Appendix A – Council Resolution (23 June 2025)