

RP-2 ENTRY POINT HOUSING PLANNING PROPOSAL

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Summary:

A Planning Proposal has been prepared on behalf of Council to amend the Wagga Wagga Local Environmental Plan 2010 (WWLEP 2010) by introducing an additional local provisions clause to enable the delivery of Entry Point Housing across the Wagga Wagga Local Government Area.

To support the proposed LEP amendment, a draft amendment to the Wagga Wagga Development Control Plan 2010 (DCP) has been prepared, providing detailed guidance for the implementation and operation of the Entry Point Housing scheme. A standard Voluntary Planning Agreement template has also been developed to secure delivery of Entry Point Housing outcomes.

This report recommends that Council endorse the Planning Proposal for submission to the Department of Planning, Housing and Infrastructure (DPHI) for a Gateway Determination. The report also recommends the draft DCP and VPA template are publicly exhibited alongside the Planning Proposal.

Recommendation

That Council:

- a support Planning Proposal LEP26/0001 to amend the Wagga Wagga Local Environmental Plan 2010 as detailed in this report and:
 - i write to the Department of Planning, Housing and Infrastructure (DPHI) requesting a gateway determination under s3.34 of the *Environmental Planning & Assessment Act 1979*
 - ii upon receipt of a Gateway Determination under *Section 3.34 of the Environmental Planning and Assessment Act 1979*, enact all requirements of the Gateway Determination and requirements of Schedule 1, clause 4 of the *Environmental Planning and Assessment Act 1979*
 - iii delegate authority to the General Manager or their delegate all functions under section 3.36 of the *Environmental Planning and Assessment Act 1979* to make the local environmental plan and put into effect the Planning Proposal
 - iv delegate authority to the General Manager or their delegate to make any variations to the planning proposal, to correct any drafting errors or anomalies to ensure consistency with the Gateway Determination or to address any other matter that may arise during the amendment process
- b support the draft amendment to the Wagga Wagga Development Control Plan 2010 – Entry Point Housing Scheme and:
 - i endorse the public exhibition of the draft amendment to the Wagga Wagga Development Control Plan 2010 – Entry Point Housing Scheme for a minimum of 28 days in accordance with Council's Community Participation Plan

- ii receive a further report following the exhibition period addressing any relevant objections received or where any substantial changes are proposed and detailing the outcomes of the public exhibition prior to finalisation of the Development Control Plan amendment
- c support the Entry Point Housing Voluntary Planning Agreement and:
 - i endorse the public exhibition of the Entry Point Housing Voluntary Planning Agreement template to be exhibited alongside the planning proposal
 - ii receive a further report after the public exhibition period addressing any relevant objections and/or proposed substantial changes made in respect of the Voluntary Planning Agreement template

Report

The Entry Point Housing Concept

On 15 December 2025, Council adopted its Local Housing Strategy to guide the future of housing over the next 15 years across the Wagga Wagga local government area.

To achieve the housing objectives, staff have been investigating a range of initiatives to boost housing supply and choice. One such initiative is the Entry Point Housing Program (EPH).

Entry point housing is defined as privately delivered housing that enables access to home ownership at a lower price point than conventional new dwellings, without relying on government subsidies or income-based eligibility criteria.

The EPH Program is designed to offer a pathway to homeownership, providing individuals or households who do not currently own property with an opportunity to enter into housing ownership and to build equity. 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. 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.

The goal of the initiative is to create a developer environment that will facilitate the development of lower cost, well designed, regional housing through a modified development consent pathway. In general terms the model aims to foster cooperation and trust between local government and developers, which will encourage developers to deliver housing because they are confronted with less bureaucracy and greater certainty of outcomes in the development process.

Background

The EPH concept was first raised with the Premier in October 2024. Throughout 2025, several meetings were held between the Department of Planning, Housing and Infrastructure (DPHI) and Council. During these discussions, potential planning pathways were explored. In December 2025, DPHI committed to developing the planning proposal and supporting studies to implement the EPH program as a pilot. A project working group was formed under leadership from DPHI with representatives from Premier's Cabinet Office and Council. A consultant was engaged by DPHI in

March 2026 to commence work with a view to undertaking the feasibility study and developing the legal framework and planning proposal report package.

The project working group determined the most appropriate approach to facilitate EPH approval would be through an amendment to the Wagga Wagga Local Environmental Plan 2010 (WWLEP), rather than via the Housing SEPP as originally proposed by Council.

The outputs developed through the project included:

- Feasibility testing to determine the most feasible housing type for developers and buyers
- Development of the EPH pathway and process
- Development of the legal agreement template outlining the terms and conditions of the EPH pathway
- Planning Proposal to amend the WWLEP
- EPH chapter in the Development Control Plan to guide the criteria, process and design controls for this type of housing.

Feasibility Analysis

The assessment was undertaken to determine whether entry point housing was commercially viable for developers and builders, and more affordable for moderate income households in regional markets.

The feasibility model tested a range of entry point housing typologies against the conventional base case of a 4-bedroom detached dwelling on a standard lot. The model calculated the minimum sale price for each dwelling type by aggregating the costs of land acquisition, construction, statutory charges, finance, marketing and selling costs and the required profit margins on land development and construction.

This feasibility assessment model is intended as a practical tool for Council to support future Entry Point Housing proposals and is intended for Council use only and not for publication. Its purpose is to provide Councils with assurance regarding the proposed offer. The document has been provided under separate cover for reference.

Summary of findings:

- The analysis confirmed that EPH is a viable and effective mechanism for improving access to home ownership in regional greenfield markets, particularly when delivered through modular construction and smaller lot typologies.
- The study suggests the interaction between delivery cost, market demand and market value will need to be tested through market take up.
- The study explored Council incentives and suggests the deferral of Section 7.11 contributions may assist in the attractiveness of this product type.

Proposed EPH Process

The Entry Point Housing (EPH) pathway establishes a framework to deliver affordable, well-located housing for eligible local purchasers in Wagga Wagga through a controlled developer-led process.

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. 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.

The three stages of the EPH pathway are summarised below:

Stage 1: Endorsement to use the EPH Pathway by Council

Developers participate by proposing an EPH site and housing typology and the parties agree to provide an offer to enter into a planning agreement.

The parties negotiate the conditions of the agreement including the EPH sale price with Council, which is then secured through a Voluntary Planning Agreement (VPA) to be registered on title following development consent.

Stage 2: Planning consent under the EPH Pathway

To implement EPH, developers must prepare and submit a DA and obtain development consent.

Stage 3: Post Determination Implementation

This involves the proponent registering the planning agreement on title and establishing the development timeframes. The proponent must satisfy the condition of consent and complete construction within two years.

Upon sale of the dwelling the proponent will issue a caveat on title to manage the condition of sale, whereby dwellings must be sold at the agreed price and only to eligible purchasers, who must be local, not own other property, and occupy the home as their principal residence.

A flowchart has been developed outlining the stages across two scenarios being privately owned land versus Council owned land. If the EPH occurs on Council owned land then Council will need to determine the arrangements of the land ie. Lease or disposal. The flow chart is attached.

The program incorporates long-term affordability safeguards, including restrictions preventing resale or rental for a defined period, ensuring the housing remains accessible to entry-level buyers.

A standard Voluntary Planning Agreement (VPA) template is attached. A review of POL 121 Developer Infrastructure Agreements Policy and delegation to the General Manager will be undertaken following the public exhibition period outlined in this report.

The delegation would authorise the General Manager to sign the agreement, within the defined parameters outlined in the proposed delegation.

Planning Proposal

The Planning 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) have been prepared to support the process and implementation outcomes.

The Planning Proposal, prepared on behalf of Council seeks to create an additional clause in the WWLEP, namely, Clause 7.14 of Part 7 Additional Local Provisions applicable to land within the Wagga Wagga Local Government Area.

The objective of this clause is to provide a simple pathway for EPH for developers/builders of EPH, to specify the minimum development standards to be applied and to enable Council to facilitate EPH development within well located and accessible locations in the LGA.

At this stage the EPH pathway has not been limited to certain key sites and can be considered on R1 General Residential and R3 Medium Density Residential Zones.

Key elements of the proposed additional clause in the WWLEP are summarised as follows, noting the clause will be drafted by Parliamentary Counsel:

Proposed sub clause	Explanation
1. Application of the clause	It is proposed that Entry Point Housing be available on R1 and R3 zoned land as this land is already zoned for residential and is considered accessible, close to facilities and services and where there are utilities (water, sewer and electricity). Figure 1 provides a map demonstrating the residential zoned land where opportunities may exist for EPH. The feasibility study suggests 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.
2. Definition of EPH	Entry Point Housing is required to be defined by explaining the typology, ownership, process and design controls. 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. <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> The residential accommodation must be limited to purchase and not rental.

Proposed sub clause	Explanation
3. Objectives of the clause	The objectives of the Entry Point Housing are to: • create planning controls to support certain housing typologies within R1 General Residential Zone and R3 Medium Density "Residential Zone" for entry point to property ownership. • 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.
4. Criteria to be considered prior to granting consent	Land zoned R1 and R3 land exists throughout the LGA. 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. Land on which EPH is delivered must have road frontage and connections to the necessary utilities and services. 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.
5. Certain development standards will not apply	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.
6. Suitable arrangements	The objective of the EPH 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. The proposed clause requires "suitable arrangements" be made with Council to deliver the objective of the Program.
7. Relationship of these local provisions clause within the WWLEP	This clause takes precedence over other clauses within the WWLEP to ensure the Entry Point Housing provides certainty to developers/builders, and reduced costs.

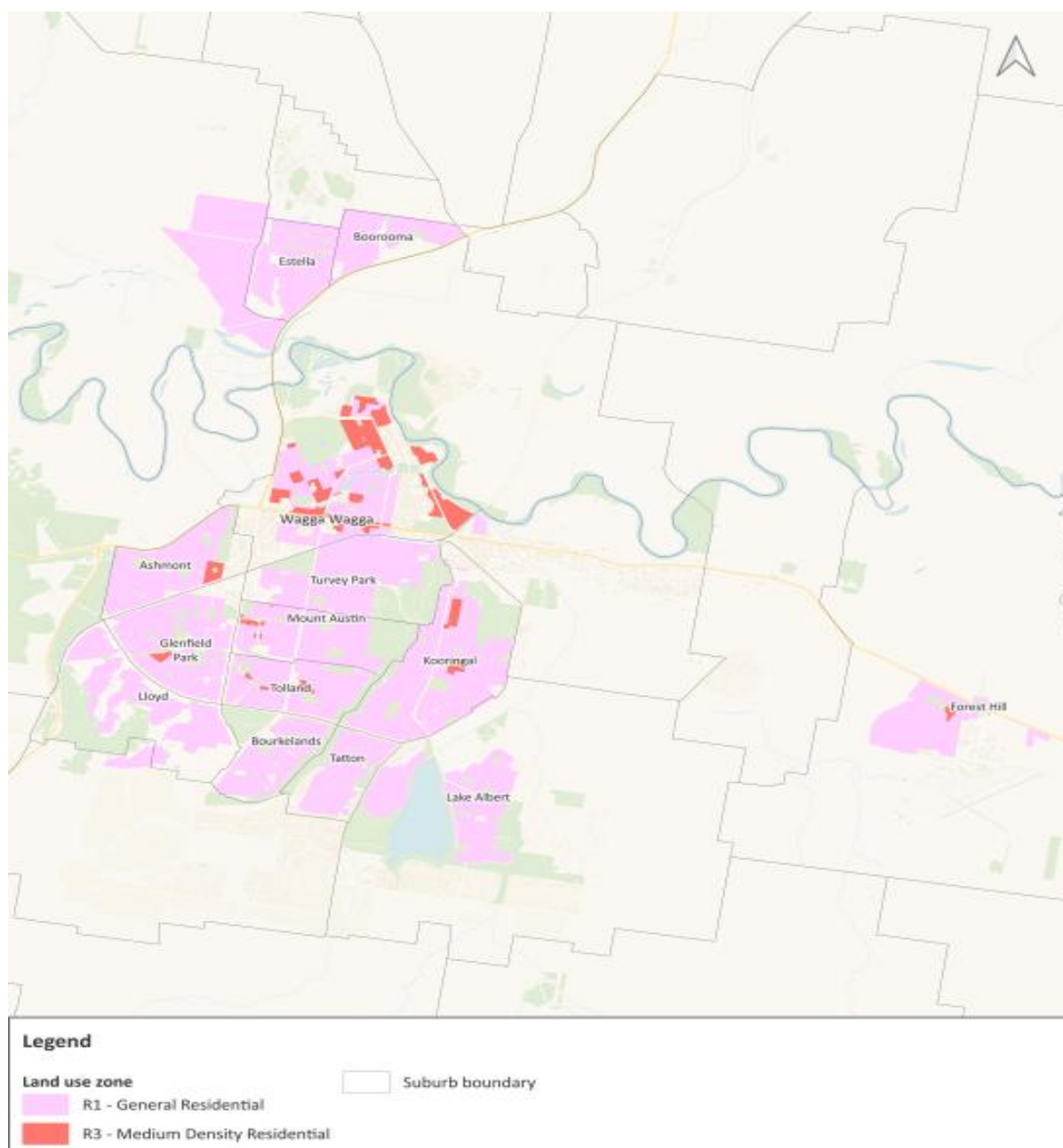


Figure 1 – Residential Zoned Land

The draft planning proposal has been assessed against the relevant State Environmental Planning Policies and Ministerial Directions issued under s9.1 of the EP&A Act.

The draft planning proposal has considered environmental, social and economic impacts as well as local, state and commonwealth infrastructure requirements and interests. 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.

Overall, the draft Planning Proposal is considered to meet the requirements of s3.33(2) of the EP&A Act and the LEP Making Guidelines with respect to determining consistency with the strategic planning framework that applies to this proposal.

Development Control Plan (DCP)

The DCP ensures Entry Point Housing is affordable, well-located, and protected long-term, with controls on developers and buyers to keep homes accessible for first-time purchasers.

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 DCP supplements the local provisions of the WWLEP by providing additional detail. The DCP should be read in conjunction with the WWLEP and the WWLEP will prevail where there is an inconsistency with the DCP.

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 delivery of well-designed, high-quality housing that supports home ownership opportunities.
- Provide a proportionate level of design detail to ensure quality EPH whilst facilitating design innovation
- Provide a mechanism to ensure developers and builders can satisfy the necessary requirements for the EPH program, ensuring EPH dwellings are sold to eligible persons.

The draft DCP contains the following controls:

1. Where and what can be built

- Includes housing types such as houses, villas, townhouses, dual occupancies and semi-detached dwellings
- Must be well-located and serviced, with road frontage and within ~800m of public transport, open space, shops, or community facilities
- Buildings limited to 9.5m height to maintain neighbourhood character
- Must comply with National Construction Code and BASIX.

2. Developer obligations

Council will only approve EPH if developers commit (via a planning agreement) to:

- Build and deliver EPH dwellings as approved and in accordance with the requirements outlined in the legal agreement
- Start development within 24 months and complete promptly
- Sell at an agreed affordable “entry point” price
- Sell only to eligible buyers
- Register the agreement on title for 10 years.

The template voluntary planning agreement is attached to this report.

3. Purchaser eligibility

Purchasers must:

- Live or work in Wagga Wagga LGA
- Not own other property in NSW
- Live in the home (principal residence)
- Sell only to eligible buyers within the prescribed periods
- Only purchase one EPH dwelling.

Public Exhibition

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 Planning Proposal, together with the draft amendment to the Wagga Wagga Development Control Plan 2010 – Entry Point Housing Scheme and the draft Entry Point Housing Voluntary Planning Agreement (VPA) template, will be placed on public exhibition for a minimum of 28 days in accordance with Council's adopted Community Participation Plan (CPP).

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

Following Council's endorsement, the final Planning Proposal and supporting material will be submitted to the Department of Planning, Housing and Infrastructure for finalisation and gazettal. The DCP amendment and VPA template will also be finalised and adopted, subject to Council resolution and the outcomes of the public exhibition.

Once the WWLEP has been amended through the Planning Proposal the intent is for a pilot to be undertaken in Wagga Wagga and then for the program to be potentially rolled out to other interested Councils across NSW.

Financial Implications

N/A

Policy and Legislation

Environmental Planning and Assessment Act 1979
Wagga Wagga Local Environmental Plan 2010

Link to Strategic Plan

Growing

Increase housing supply and diversity

Facilitate housing supply and new products to better satisfy changing community needs through new concepts

Risk Management Issues for Council

Pricing controls, purchaser eligibility, and occupancy requirements will be secured through the Voluntary Planning Agreement (VPA) and supported by statutory declarations at the point of sale. Clear eligibility criteria and purchaser controls will provide consistency and transparency.

A standardised VPA template will be used for each EPH development to ensure clear, consistent, and enforceable obligations, reducing legal ambiguity and risk. In the case of a non-standard VPA being negotiated, this will need to be reported to Council and publicly exhibited to ensure transparency.

Restrictions registered on title will ensure ongoing compliance with key requirements, including resale and occupancy controls.

The EPH program will be tested through a pilot to be reviewed and refined based on market uptake and outcomes.

Internal / External Consultation

October 2024	Meeting with Premier
November 2024	EOI for development partner Presentation at NSW Parliament Meeting with Planning Minister
December 2024	Meetings with DPHI to confirm support Drafting of proposed legislative amendments to support pathway Investigation of framework and legal structures Determination of costs and typologies Consideration of building materials and construction options Consideration of pilot sites
April 2025	Meeting with DPHI
August 2025	Further meeting with Premier in Wagga Letters of support obtained from regional Councils
September 2025	Further briefing information sent to Premier's Department Meeting with Premier in Sydney
December 2025	DPHI and Premier's Department formalised support to commence studies Joint project working group formed
February 2026	Inception meeting Consultant engaged
May 2026	One on one sessions with Councillors were facilitated through Council staff
	Final EPH framework agreed and delivered through the Project Working Group.

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.

It is recommended that the planning proposal, draft DCP and voluntary planning agreement be placed on public exhibition in accordance with CPP for a minimum public exhibition period of 28 days.

Attachments

1. Entry Point Housing Feasibility Assessment

This matter is considered to be confidential under Section 10A(2) of the Local Government Act 1993, as it deals with: information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. - Provided under separate cover.

2. Entry Point Housing Planning Proposal - Provided under separate cover.

3. Entry Point Housing Development Control Plan - Provided under separate cover.

4. Entry Point Housing VPA Template - Provided under separate cover.

5. Planning Proposal Attachment - EPH Flowcharts - Provided under separate cover.