Australian Capital Territory

Planning (Exempt Development) Mandatory Matters Development Control Declaration 2026

Notifiable instrument NI2026–517

made under the

Planning (Exempt Development) Regulation 2023, s 14 (Territory planning authority may declare development controls)

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1 Name of instrument

This instrument is the *Planning (Exempt Development) Mandatory Matters Development Control Declaration 2026.*

2 Commencement

This instrument commences on 1 January 2027.

3 Declaration

I declare the mandatory matters development control at schedule 1 for development exempt from development approval under the *Planning (Exempt Development) Regulation 2023*, schedule 1, part 1.4.

George Cilliers
Chief Planner
19 November 2026

Mandatory Matters Development Control

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

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Application

The Mandatory Matters Development Control applies to all development that is exempt from the requirement to obtain development approval under schedule 1, part 1.4 of the *Planning (Exempt Development) Regulation 2023* (the Regulation).

Pursuant to the general exemption criteria contained in part 1.2 of the Regulation, development mentioned in part 1.4 (Development exempt from development approval) is exempt from requiring development approval if it meets each of the general exemption criteria.

This includes Criterion 8 – compliance with mandatory matters under section 1.17A of the regulation which states that development must comply with the mandatory matters stated in a relevant mandatory matters development control declared under section 14 (1) (d).

An exemption declaration is a minor approval that can be issued by the Territory Planning Authority that allows all development mentioned in part 1.4 of the regulation, other than development mentioned in section 1.137 (Tree damaging etc activity). An exemption declarations allows a development to be exempt from development approval by confirming one or more encroachments as being minor. Mandatory matters contained in this development control are required to be met by all exempt development. An exemption declaration is not able to be granted for a mandatory matter.

Terms used in this development control have the same meaning that they have in the Territory Plan Part G Dictionary and in the *Planning (Exempt Development) Regulation 2023*.

Control	
1. Site coverage – Residential Zones	For single *dwellings* on *blocks* created through the subdivision of an original *residential block*, *site coverage* is a maximum of: a) In RZ1 and RZ2: 45% of the *block* area b) In RZ3, RZ4 and RZ5: 50% of the *block* area. For all other single dwelling housing, *site coverage* is a maximum of: a) For *large blocks*: 40% of the *block* area b) For *mid sized blocks**: 60% of the *block* area c) For *compact blocks*: 70% of the *block* area. Note: Single *dwelling* for the purposes of calculating *site coverage* includes all associated roofed Class 10 *buildings.* * Includes blocks identified as a *mid sized block* in a district single dwelling housing development control
2. Height of building – Residential Zones	For single dwelling housing, maximum height of the *building* above *datum ground level* is: a) RZ1 and RZ2 – 8.5m b) RZ3 – 9.5m c) RZ4 and RZ5 – 10.5m Note: maximum height of building for an exempt single dwelling is 10.5m
3. Number of storeys – Residential Zones	For single dwelling housing, maximum number of storeys is: a) RZ1 and RZ2 –2 storeys. b) RZ3 –2 storeys. c) RZ4 and RZ5 –3 storeys.
4. Works on single dwellings with party walls	Works do not impact the structural integrity or demolish existing party walls.