Australian Capital Territory

Planning (Exempt Development) Single Dwelling Housing Development Control – Inner South, Weston Creek, Tuggeranong, East Canberra Districts Declaration 2026

Notifiable instrument NI2026–518

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) Single Dwelling Housing Development Control – Inner South, Weston Creek, Tuggeranong, East Canberra Districts Declaration 2026*.

2 Commencement

This instrument commences on the day after its notification day.

3 Declaration

I make the declaration at schedule 1.

4 Revocation

I revoke the *Planning (Exempt Development) Single Dwelling Housing Development Control – Inner South, Weston Creek, Tuggeranong, East Canberra Districts Declaration 2024* (NI2024-546).

George Cilliers
Chief Planner
6 November 2026

Residential Zones - Single Dwelling Housing Development Control

Inner South, Weston Creek, Tuggeranong, East Canberra Districts

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Application

The Residential Zones - Single Dwelling Housing Development Control enables a single dwelling development, including alterations and extensions, to be exempt from requiring development approval where it meets all the requirements set out in the control declared under section 14 (1) (a) of the *Planning (Exempt Development) Regulation 2023* (the Regulation), and where it meets the relevant development exemption criteria as set out in the Regulation. Where a requirement for a specific block is contained within a district specific single dwelling housing development control for exempt development declarations, that requirement supersedes the corresponding requirement in the Residential Zones – Single Dwelling Housing Development Control.

This control is for the districts of Inner South, Weston Creek, Tuggeranong and East Canberra (as defined in the relevant District Policy of the Territory Plan) and enables single dwelling development to be exempt from requiring development approval where it meets all the requirements set out in this control.

This category of exempt development allows compliant single dwellings to be built without development approval.

Adding a secondary residence is not considered to be exempt development and would require development approval.

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*.

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SINGLE DWELLING DEVELOPMENT CONTROL – INNER SOUTH, WESTON CREEK, TUGGERANONG, EAST CANBERRA DISTRICTS

Inner South

Deakin	
Item	**Control**
Development requirements	1. In Section 5, 6, 7 and 8, maximum height of buildings above natural ground level is 11.5m.
Front Boundary Setback	2. In Sections 5, 6, 7 and 8, the minimum front boundary setback is 10m.

Weston Creek

Duffy – Stromlo Development	
Item	**Control**
Development requirements	3. For dwellings in the Stromlo Settlement (Sections 56, 63, 64, 65): a) Only 1 detached dwelling permitted per block. b) Maximum plot ratio of all development on a block is determined by the formula: P = (140 / B + 0.15) 100, where P is the maximum permissible plot ratio expressed as a percentage and B is the block area in square metres. c) Maximum height of buildings is 1 storey. d) Minimum side setback is 3m. e) Garages are sited behind the building line. f) Front fences are low and transparent (e.g., wire) consistent with a rural character. g) Planting is limited to 20% of block area with remainder maintained as mown lawn or a similar low fire hazard element. 4. The design of buildings: a) Reflect a rural character with light coloured walls and roofs to compliment the open space landscape character of the area, have elements such as verandahs, roofs are pitched metal and large building forms are avoided. Driveways are to be gravel. b) Any structures, plant and equipment situated on or visible above the roofline does not significantly impact on the amenity of the streetscape.

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Tuggeranong

Tharwa	
Item	**Control**
Development requirements	5. Development in Area 1 on Figure 1 complies with the following: a) The maximum number of detached dwellings on each block is 1. b) Subdivision or consolidation of blocks is not permitted. c) Buildings respect the predominant setbacks and orientation of Tharwa's traditional buildings, with the front façade facing the front boundary and oriented to the street. 6. Development in Area 2 on Figure 1 complies with the following: a) Is of low intensity on large blocks permitting point source retention of storm water runoff and opportunities for large scale landscaping. Stormwater runoff should be containable on site. b) Incorporates measures to improve the visual character of the locality. 7. Development meets the required Bushfire Attack Level (BAL) ratings as shown on Figure 2. 8. Maximum plot ratio for residential buildings is 25%. 9. Buildings are a maximum of one storey and a maximum floor to roof apex height of 6m. 10. Minimum floor to ceiling height for residential buildings is 2.7m at the front of the building. 11. Development complies with the following: a) Roofs are: i) A steep pitched gable and/or hip roof design (between 30° and 45°). ii) A prominent feature of dwellings and recognisable as a separate element to the verandahs. iii) Constructed using corrugated metal, or similar, in a neutral and non-reflective colour or traditional galvanised finish. b) Attached garages are located behind the front façade of the primary building and screened from the street. c) Basement garages are accessed from the rear of the primary building and screened from the street. d) Detached sheds are in the rear zone, single storey, and secondary in scale to the primary building. e) Materials and finishes used in the construction of garages, carports and sheds are consistent with those used in the primary building. f) Driveways are predominantly constructed of permeable surfaces such as gravel, concrete wheel strips or permeable paving to minimise sealed hardstand areas and minimise stormwater run-off. Concrete driveways are only used in areas where site topography and overland stormwater run-off present a high likelihood of erosion. g) Courtyard walls are used as a landscape feature and are in the rear zone or integrated with the primary building. h) Tanks are constructed using corrugated metal, or similar, in a neutral and non-reflective colour or traditional galvanised finish. i) Tanks are placed behind the primary building, or underground, or screened using landscape planting. j) All residential buildings incorporate a verandah for at least 50% of the width of the front façade. The minimum depth of the verandah is 2m. k) The minimum size of rainwater tanks required to provide adequate water supply to dwellings is: i) For dwellings less than or equal to 150m² in size – 45,000 litres. ii) For dwellings greater than 150m² in size – 90,000 litres.

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	Note: These are required minimum sizes only. Consideration should be given to ensure appropriate tank size to provide optimal capacity and meet bushfire safety requirements.
Fencing and courtyard walls	12. Fencing complies with the following: a) Maximum height above ground level: i) In the front zone – 1.2m. ii) In the primary building zone and rear zone – 1.8m b) Made using transparent materials such as wire, wire mesh or open timber. c) Privacy screening is provided through landscape planting. d) Non-transparent fences such as sheet metal are not permitted. 13. Courtyard walls are not permitted in the front zone or for use as boundary fencing.
Retaining walls and earthworks	14. Development complies with the following: a) Retaining walls are a maximum of 1m in height and incorporated with the primary building to minimise visual impacts. b) Where earthworks are required, battered soil slopes in conjunction with ground-cover plantings are used to accommodate level changes in preference to engineered retaining walls.
Wastewater	15. Onsite wastewater treatment systems located within 300m of a waterway are endorsed by the ACT Environment Protection Authority (EPA). Note: Any new development or re-development of onsite wastewater treatment systems located within 300m of a waterway will be required to be referred to the ACT EPA for assessment.

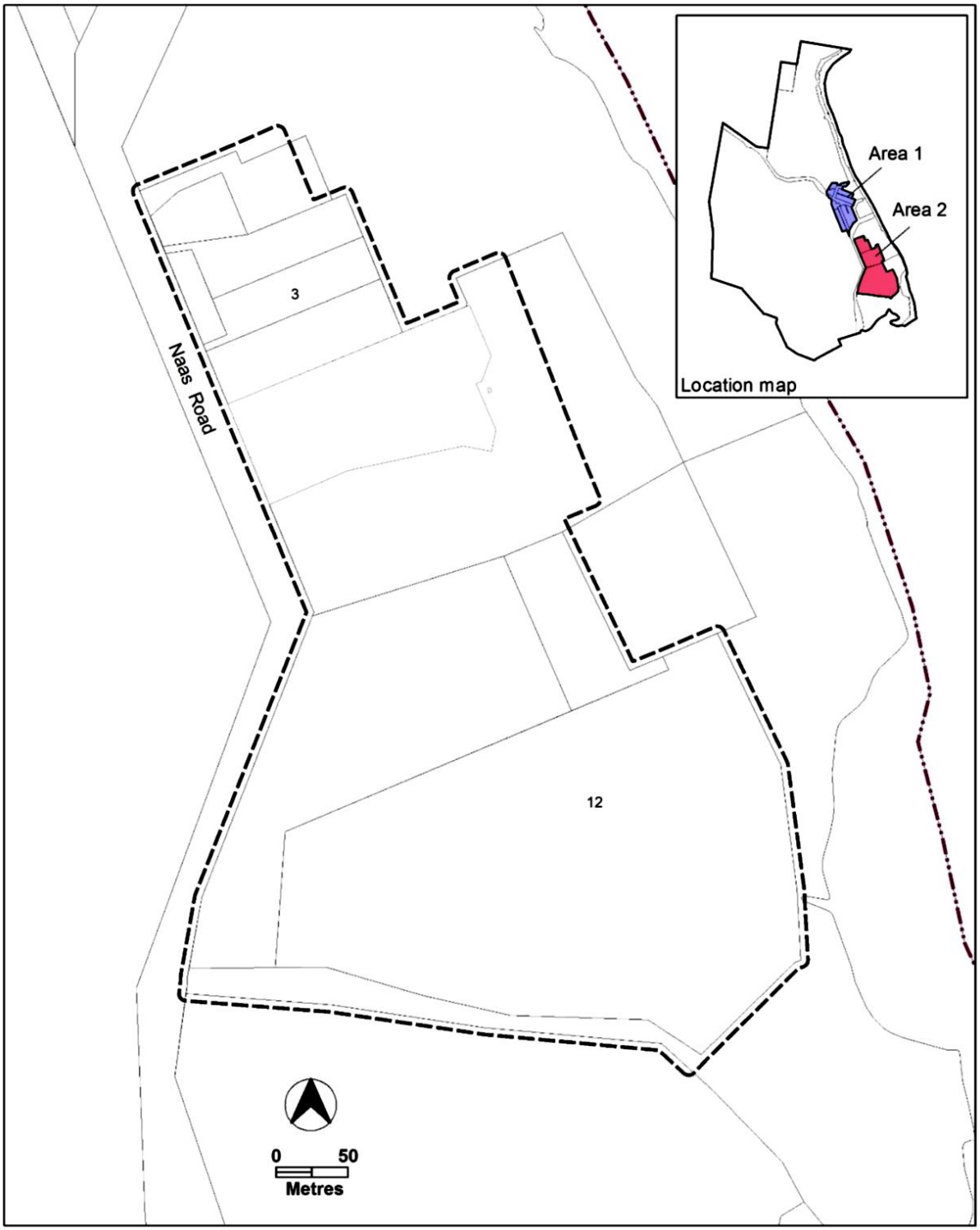
East Canberra

Oaks Estate	
Item	**Control**
Development requirements	16. Front setbacks can differ in depth but must be consistent with the existing variations. 17. The maximum site coverage of standard blocks is 35%.
Front fences	18. Transparent fences achieve a minimum setback of 1m to the front boundary, with a maximum height above datum ground level of 1.2m. Note: Fences maybe located on the front boundary (0m) where it provides opportunities for passive surveillance of the street from the dwelling and does not obstruct sight lines for vehicles and pedestrians on verge areas in accordance with Australian Standard AS2890.1- Off-Street Parking.

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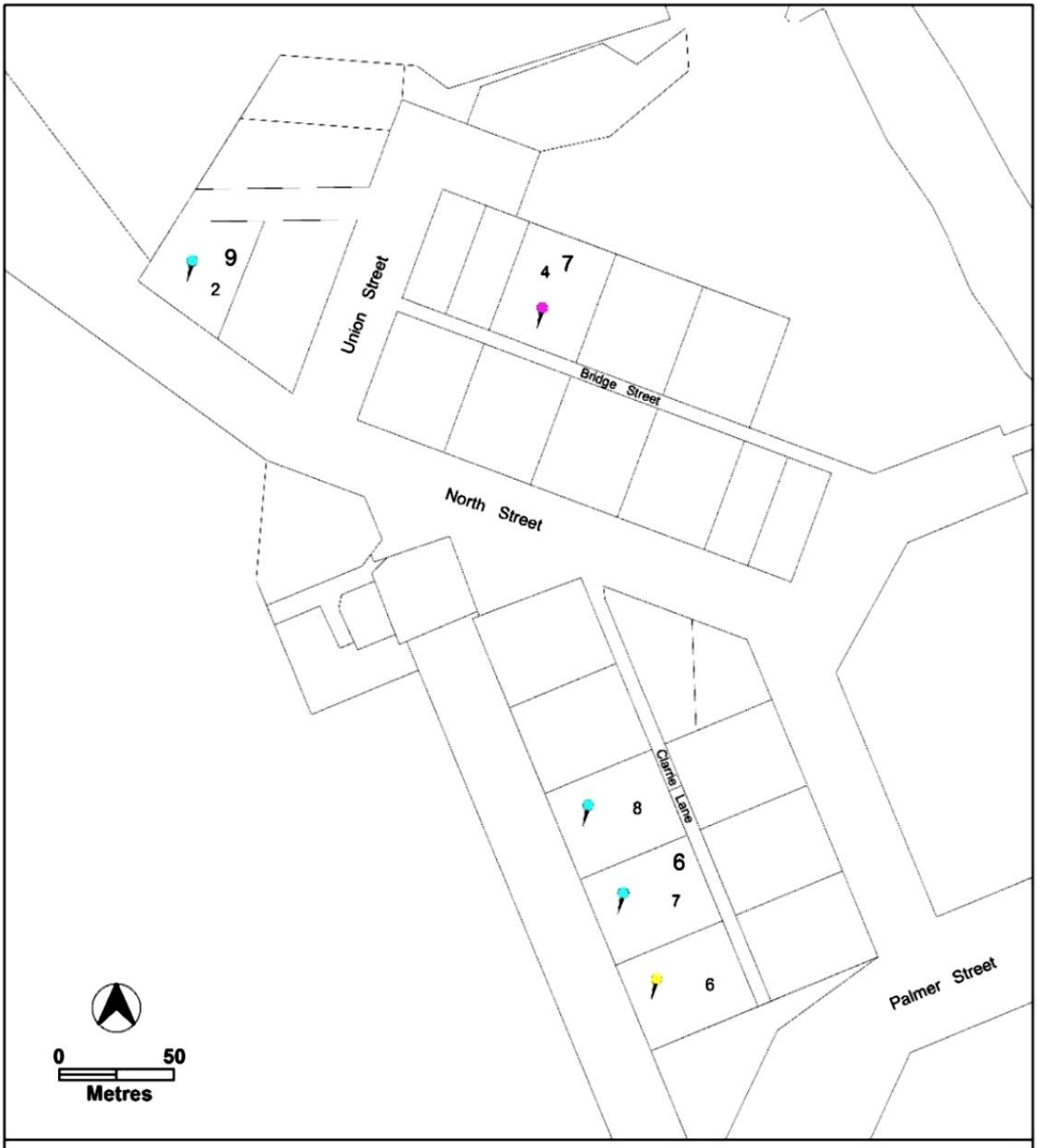
FIGURES

Figure 1 Tharwa



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Figure 2 Tharwa – Residential Bushfire Protection



The following provisions reside in Territory Plan 3.3 Single Dwelling Housing Development Code

Bushfire Attack Level (BAL)-12.5 kilowatts/m^2 Australian Standard AS3959. Construction of buildings in bushfire prone areas.

Bushfire Attack Level (BAL)-29 kilowatts/m^2 Australian Standard AS3959. Construction of buildings in bushfire prone areas.

Bushfire Attack Level (BAL)-19 kilowatts/m^2 Australian Standard AS3959. Construction of buildings in bushfire prone areas.

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