

Planning (Exempt Development) Single Dwelling Housing Development Control – Molonglo Valley District Declaration 2024 (No 5)

Notifiable instrument NI2024–686

made under the

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

1 Name of instrument

This instrument is the *Planning (Exempt Development) Single Dwelling Housing Development Control – Molonglo Valley District Declaration 2024 (No 5)*.

2 Commencement

This instrument commences on the day after its notification day.

3 Declaration

I declare the development control at schedule 1 for the development of single dwelling housing in residential zones in the Molonglo Valley District.

4 Revocation

This instrument revokes the *Planning (Exempt Development) Single Dwelling Housing Development Control – Molonglo Valley District Declaration 2024 (No 4)* (NI2024–549).

Freya O'Brien
Delegate of the territory planning authority
26 November 2024

Schedule 1

**Residential Zones - Single Dwelling Housing
Development Control**

Molonglo Valley District

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 district of Molonglo Valley 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.

An exemption declaration is a minor approval that can be issued by the Territory Planning Authority that allows a single dwelling, which would be exempt from development approval other than for one or more minor encroachments, to continue to be dealt with as exempt development. In all cases, the departures from the requirements in this control must be consistent with the exemptions for minor non-compliance as set out in the *Planning (Exempt Development) Regulation 2023* and the Territory Planning Authority is satisfied that the departures are minor and will not cause an adverse effect to neighbours.

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*.

SINGLE DWELLING DEVELOPMENT CONTROL - MOLONGLO VALLEY DISTRICT

Coombs	
Item	Control
Bushfire requirements	1. Development complies with the bushfire attack level construction requirements and noise provisions shown in Figure 1 , Figure 2 , Figure 3 , Figure 4 .

Denman Prospect	
Item	Control
Vehicle access	2. No vehicle access is provided from frontages as indicated on Figure 6 , Figure 7 , Figure 8 , Figure 9 , Figure 11 , Figure 12 and Figure 13 .
Private open space	3. For blocks in Figure 6 , the level of private open space is not lower than 1m below the front boundary level for a depth of 3m from the front boundary to the open space. Maximum length of wall at zero setback is limited to length of the adjoining dwelling party wall.
Principle private open space	4. For nominated blocks in Figure 15 and Figure 16 , alternate principle private open space (PPOS) is permitted above the garage. All other PPOS requirements apply as per the relevant Territory Plan code.
Building heights	5. The minimum and maximum number of storeys is nominated in Figure 11 , Figure 12 , Figure 13 , and Figure 14 .
Setbacks	6. For blocks in Figure 10 , Figure 11 , Figure 12 , Figure 13 , Figure 14 , Figure 15 and Figure 16 , the minimum boundary setbacks to floor levels are nominated.
Habitable rooms	7. Blocks identified in Figure 11 , Figure 12 , Figure 14 and Figure 16 are to provide habitable rooms that overlook both front boundaries.
Garages/Carports	8. For blocks in Figures 5 , Figure 6 , Figure 10 , Figure 11 , Figure 12 , Figure 13 , Figure 14 , Figure 15 and Figure 16 , the minimum side boundary setback to garage / carport is as nominated and the maximum length of the wall is 8m. 9. For nominated blocks in Figure 15 and Figure 16 , the minimum side boundary setback to the garage is specified. 10. For nominated blocks in Figure 15 and Figure 16 , the garage opening may exceed 50% if building façade width. Upper floor must provide building articulation.
Gates	11. For blocks in Figure 5 , Figure 6 , Figure 7 , Figure 8 , Figure 9 and Figure 10 boundaries to open space must provide at least one gate access.
Fencing – general	12. Blocks fronting open space identified in Figure 26 provide transparent type fencing with maximum height of 1.2m. 13. For blocks identified in Figure 11 and Figure 15 , no fencing is permitted to the nominated front boundaries. Only landscape treatments are permitted.

Denman Prospect	
Item	Control
Fencing – to open space	<p>14. For blocks addressing open space in Figure 11, Figure 12, Figure 13, Figure 14 and Figure 16, fences are not permitted on nominated front boundaries, however, courtyard walls are permitted and are to be:</p> <ul style="list-style-type: none"> a) Constructed only of brick, block or stonework, any which may be combined with feature panels. b) Maximum height of 1.8m. c) Located on the block boundary or in a location setback from the block boundary as required to permit access by service authorities.
Pedestrian access	<p>15. For blocks identified in Figure 11, Figure 12, Figure 13, Figure 14, Figure 15 and Figure 16, pedestrian access must be provided on all nominated boundaries.</p>
Development provisions	<p>16. Development complies with the specifications identified in Figure 17 to Figure 25.</p> <p>Note: Blocks identified as being subject to mid-sized block provisions are from 500m² or greater, but less than 550m².</p>

Whitlam	
Item	Control
Noise	<p>17. In accordance with Figure 28, Figure 29, Figure 30, Figure 31, Figure 32 and Figure 33, development is designed to minimise the noise impact from William Hovell Drive and John Gorton Drive by having dwelling walls facing the front boundary and within the primary building zone are a minimum wall height of 6 metres above datum ground level for the entire width of the dwelling.</p> <p>Note: the purpose of this specification is to provide acoustic protection measures for the estate.</p>
Boundary setbacks	<p>18. In accordance with Figure 27, Figure 28, Figure 29, Figure 30, Figure 31, Figure 32, Figure 33, Figure 34 and Figure 35, the lower floor level complies with the following side boundary setbacks within the primary building zone and the rear zone:</p> <ul style="list-style-type: none"> a) Minimum setback of 3m from side boundary 1. b) Minimum setback of 1.5m from side boundary 2. c) Garages are setback a minimum of 1.5m from side boundary 2. d) The lower floor level minimum rear boundary setback and all upper floor level setbacks of the Residential Zones Specifications apply. <p>Note: the northern boundary of Section 11 Blocks 13 and 17 are considered side setbacks for the purposes of this requirement.</p>
Boundary setbacks	<p>19. In accordance with Figure 27, Figure 28, Figure 29, Figure 30, Figure 32, Figure 33, Figure 34 and Figure 35, minimum boundary setbacks to lower floor level and/or upper floor level are nominated.</p> <p>For blocks identified in Figure 32 and Figure 34: The total change in ground level resulting from cut or fill does not exceed 1.5m within 1.5m of a side or rear boundary. The change in ground level is the cumulative total of all level</p>

	changes within 1.5m of the boundary taken from the datum ground level to the new finished ground level.
Additional Controls	<p>20. For blocks identified in Figure 27, Figure 28, Figure 29, Figure 30, Figure 32, Figure 33, Figure 34 and Figure 35:</p> <ul style="list-style-type: none"> a) The minimum setbacks to lower and/or upper floor levels is as indicated. b) Vehicle access is not permitted as indicated. c) Courtyard wall to a maximum height of 1.5m constructed of brick or stonework in combination with feature panels that include openings not less than 25% of the surface area, and setback 600mm from the front boundary to incorporate landscaping. The wall is to extend along the boundary and terminate 5 metres from the corner boundary adjoining a road. Refer to Figure 36 for examples of courtyard walls.
Development provisions	<p>21. For blocks identified in Figure 32 and Figure 33, the single level dwelling façade must be a minimum height of 3 metres and a maximum height of 4.5 metres above finished ground level. However, dwellings higher than 4.5m above finished ground level will require an individual acoustic assessment.</p> <p>22. For blocks identified in Figure 30, the minimum number of storeys is 2.</p>
Development provisions	<p>23. Development complies with the specifications identified in Figure 37, Figure 38, Figure 39, Figure 40, Figure 41, Figure 42, and Figure 43.</p> <p>Note: Blocks identified as being subject to mid-sized block provisions are from 500m² or greater, but less than 550m².</p>

FIGURES

Figure 1 – Coombs development requirements

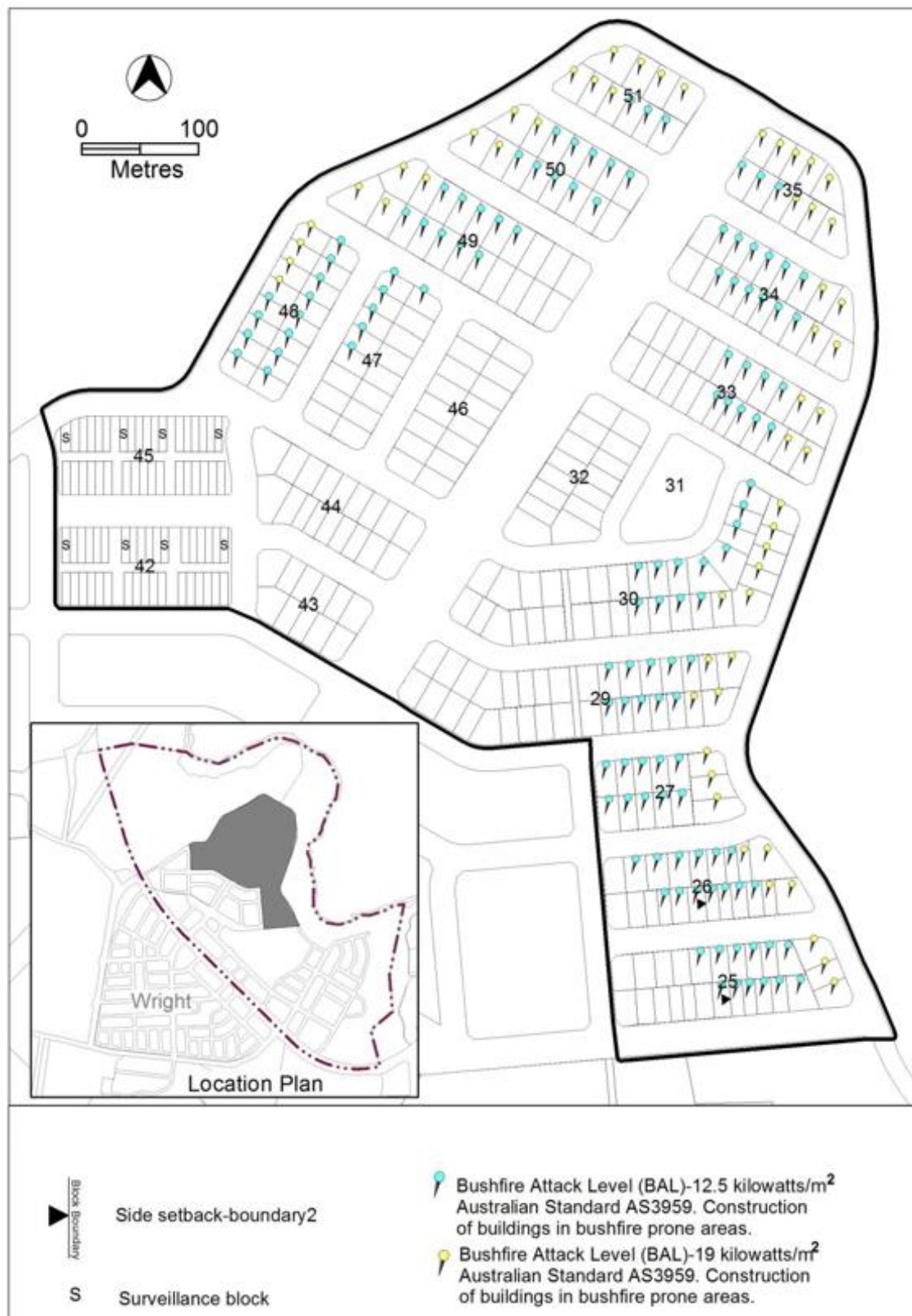


Figure 2 – Coombs development requirements

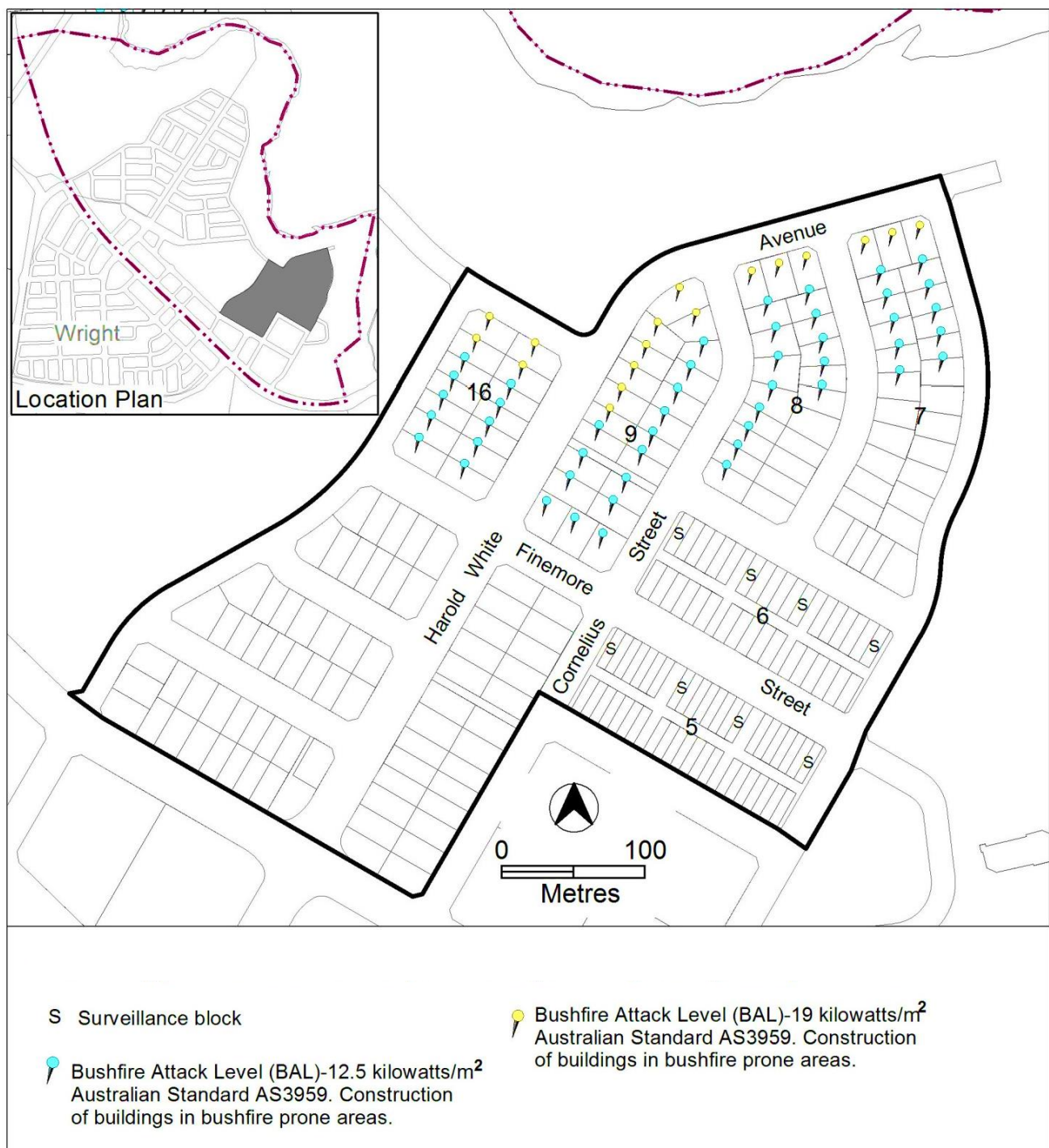


Figure 3 – Coombs development requirements

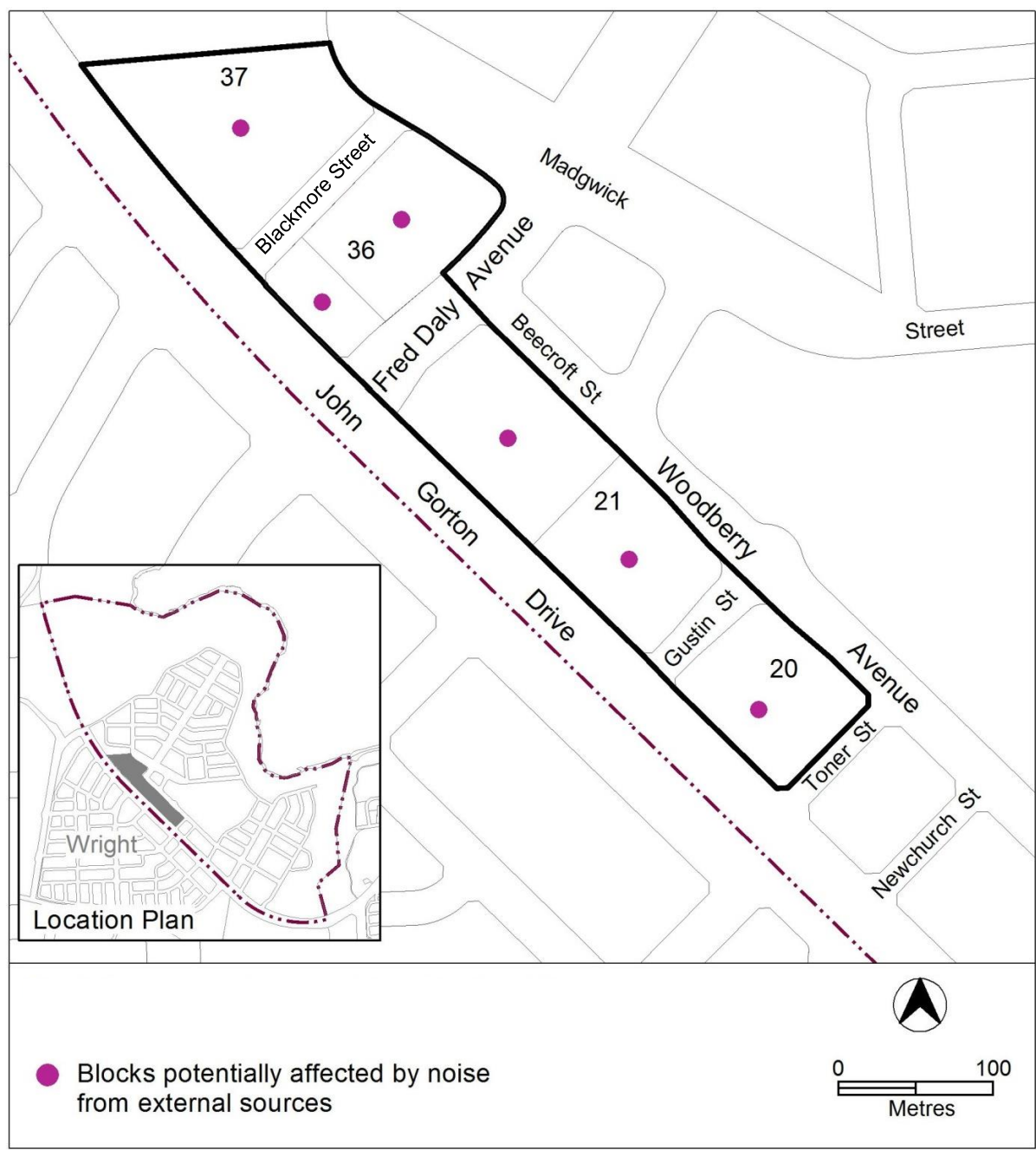


Figure 4 – Coombs development requirements

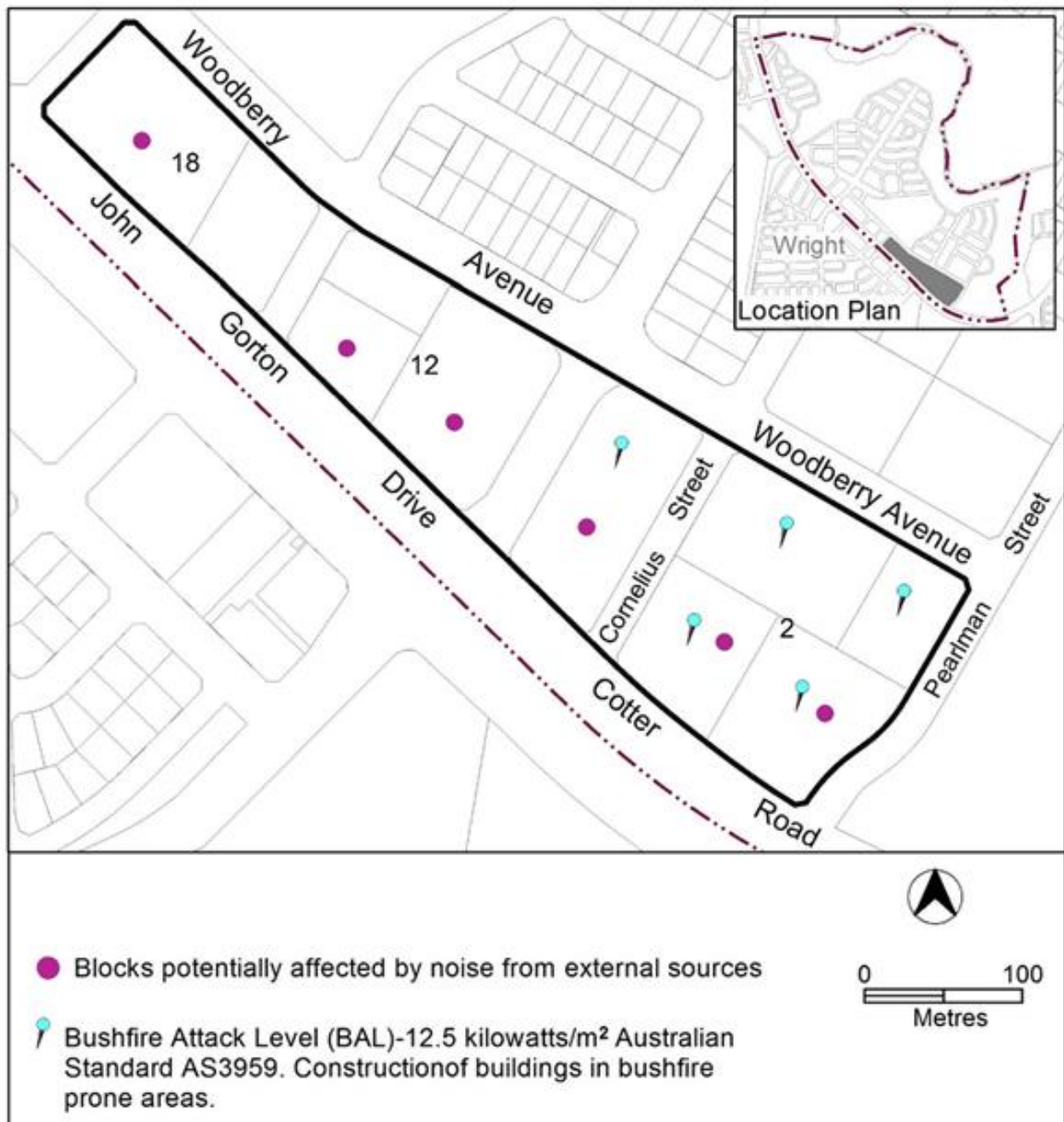


Figure 5 – Denman Prospect development requirements



Figure 6 – Denman Prospect development requirements

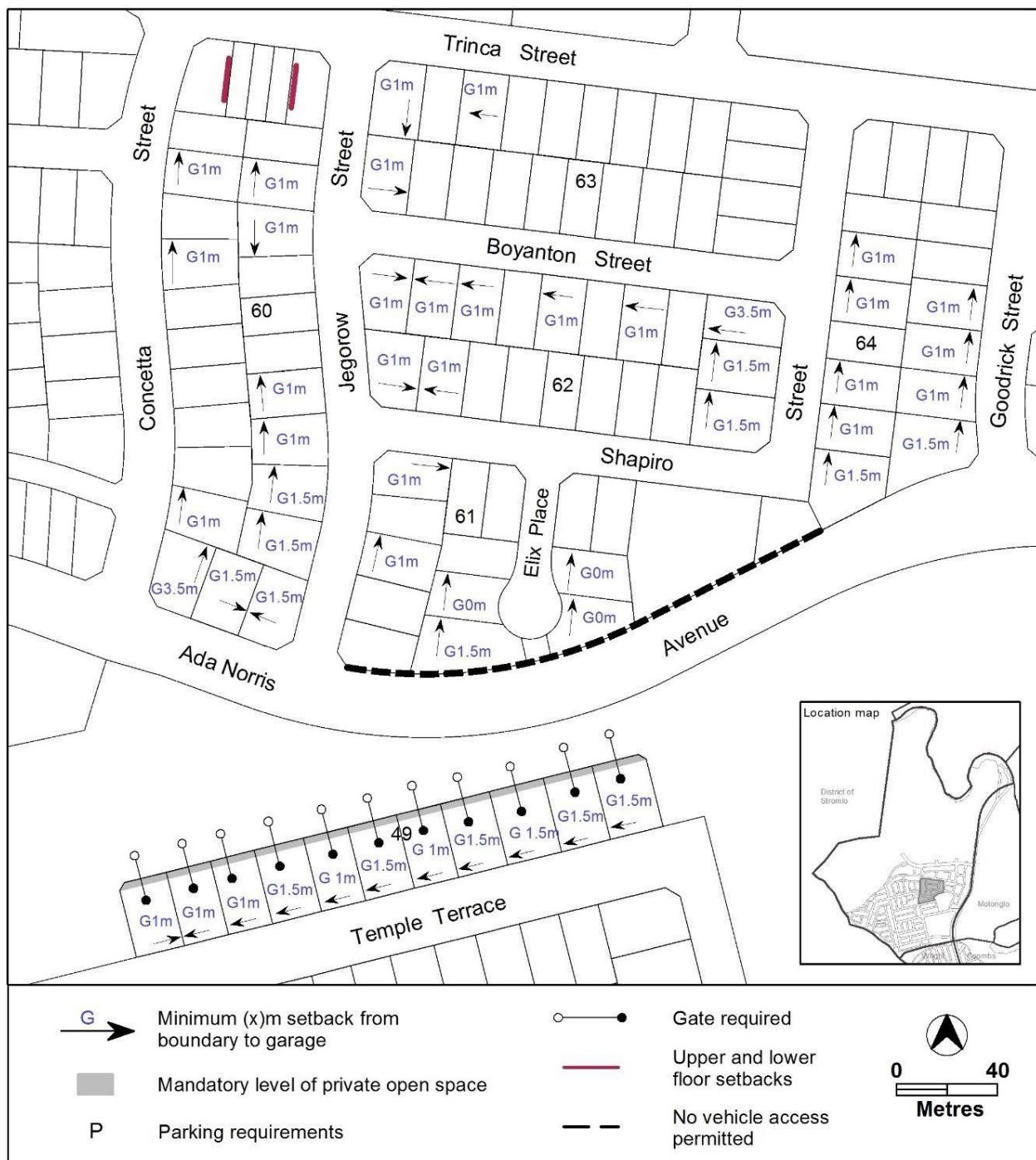
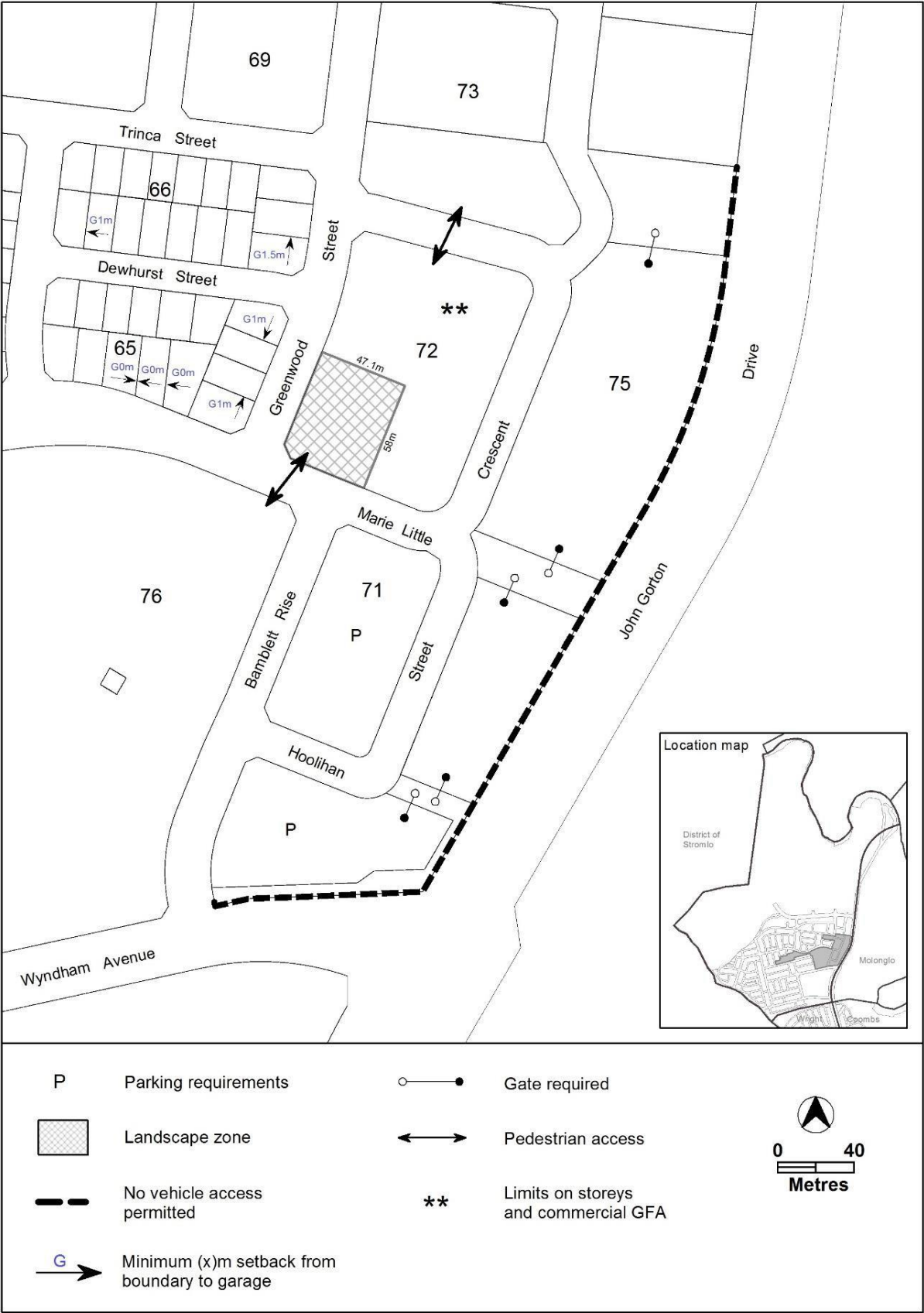


Figure 7 – Denman Prospect development requirements



Location map

District of Stormlo

Molonglo

Winton

Coombs

Holborow Avenue

McMichael Terrace

Martel Street

Foulkes Street

Greenwood Street

Trinca Street

60

63

67

68

69

70

P

P

P

P

P

P

G1m

G1m

G

P

No vehicle access permitted

Upper and lower floor setbacks

Gate required

Minimum (x)m setback from boundary to garage

0 40 Metres

Figure 9 – Denman Prospect development requirements

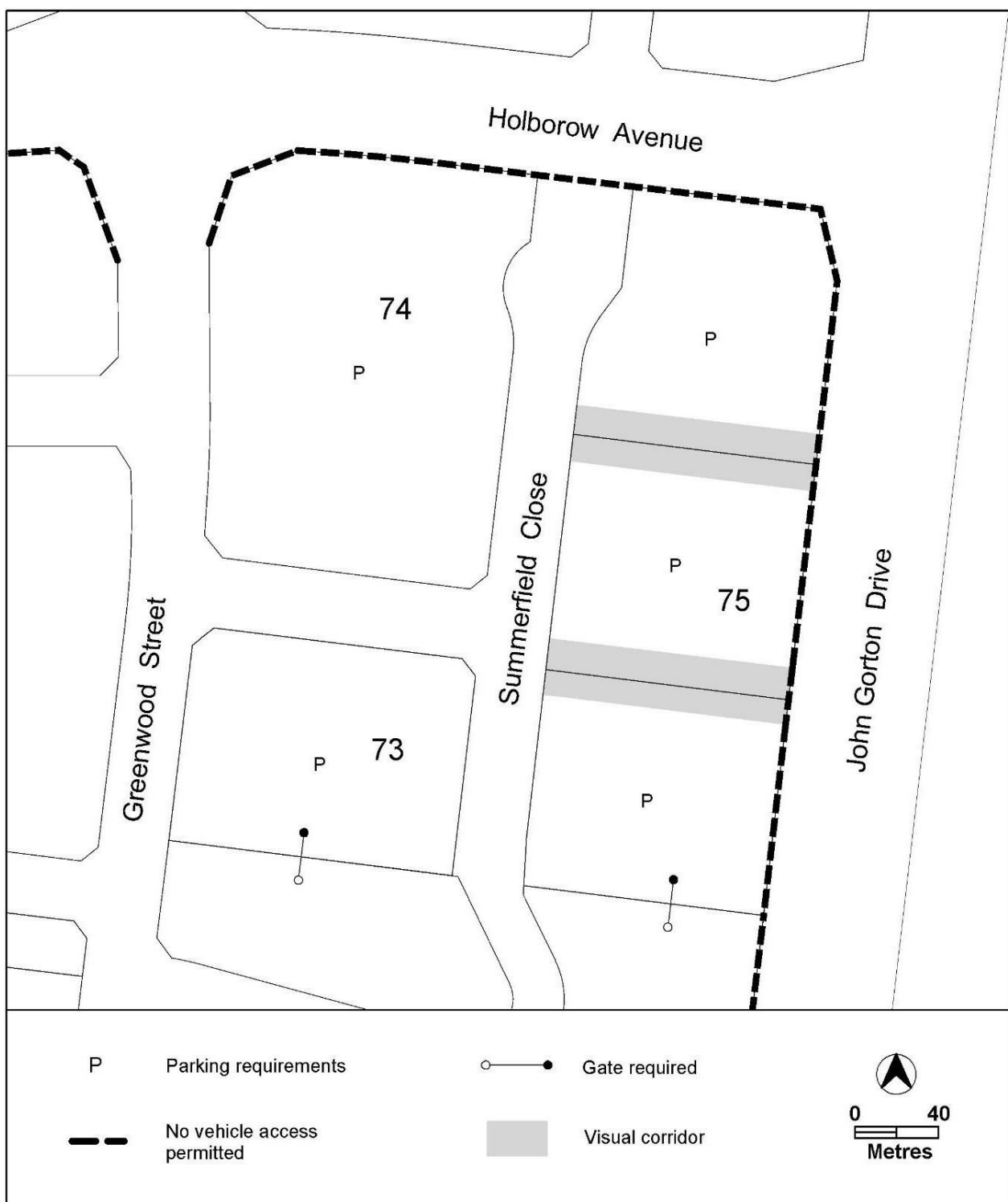


Figure 10 – Denman Prospect development requirements



Location map

District of Stormio

Molonglo

Wright

Combs

Inset A

See Inset A

Legend

- n Nominated minimum setback (metres) - all floors
- n Nominated minimum setback (metres) - all floors
 - side boundary setbacks apply to all floor levels to the nominated boundary within the Primary Building Zone only.
 - unscreened element for walls at nominated setbacks apply as per the relevant Territory Plan policy/specification.
- Front Fences and Courtyard walls addressing Open Space
- G/C → Minimum (x)m setback from boundary to garage/carport
- n Maximum storeys nominated
- n Mandatory minimum storeys
- △ Double frontage built form feature
- Pedestrian access required
- — — No vehicle access permitted
- ★ Built Form Feature
- X X X X No fencing permitted
- P Visitor Parking

0 40
Metres

Figure 12 – Denman Prospect development requirements

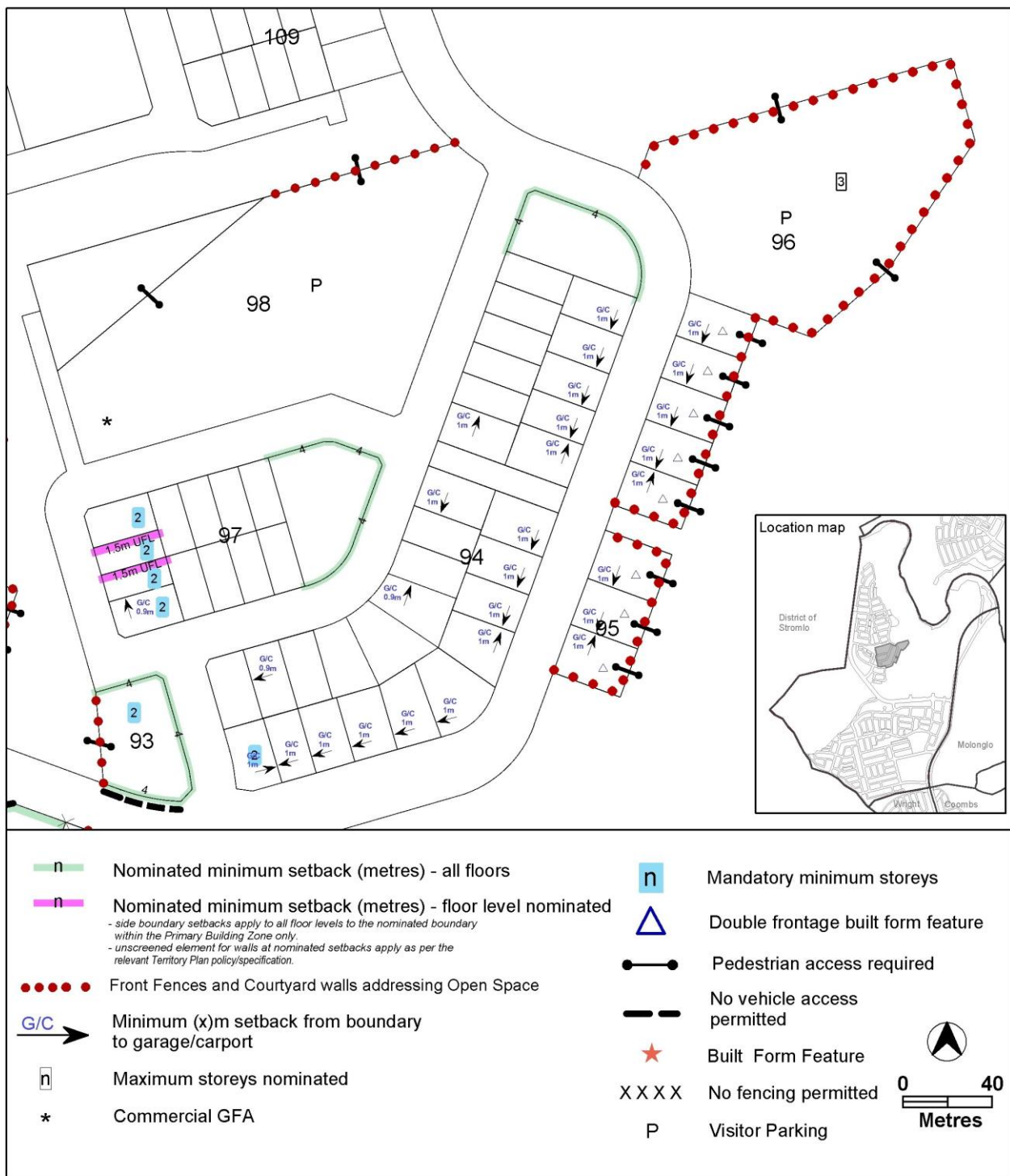


Figure 13 – Denman Prospect development requirements

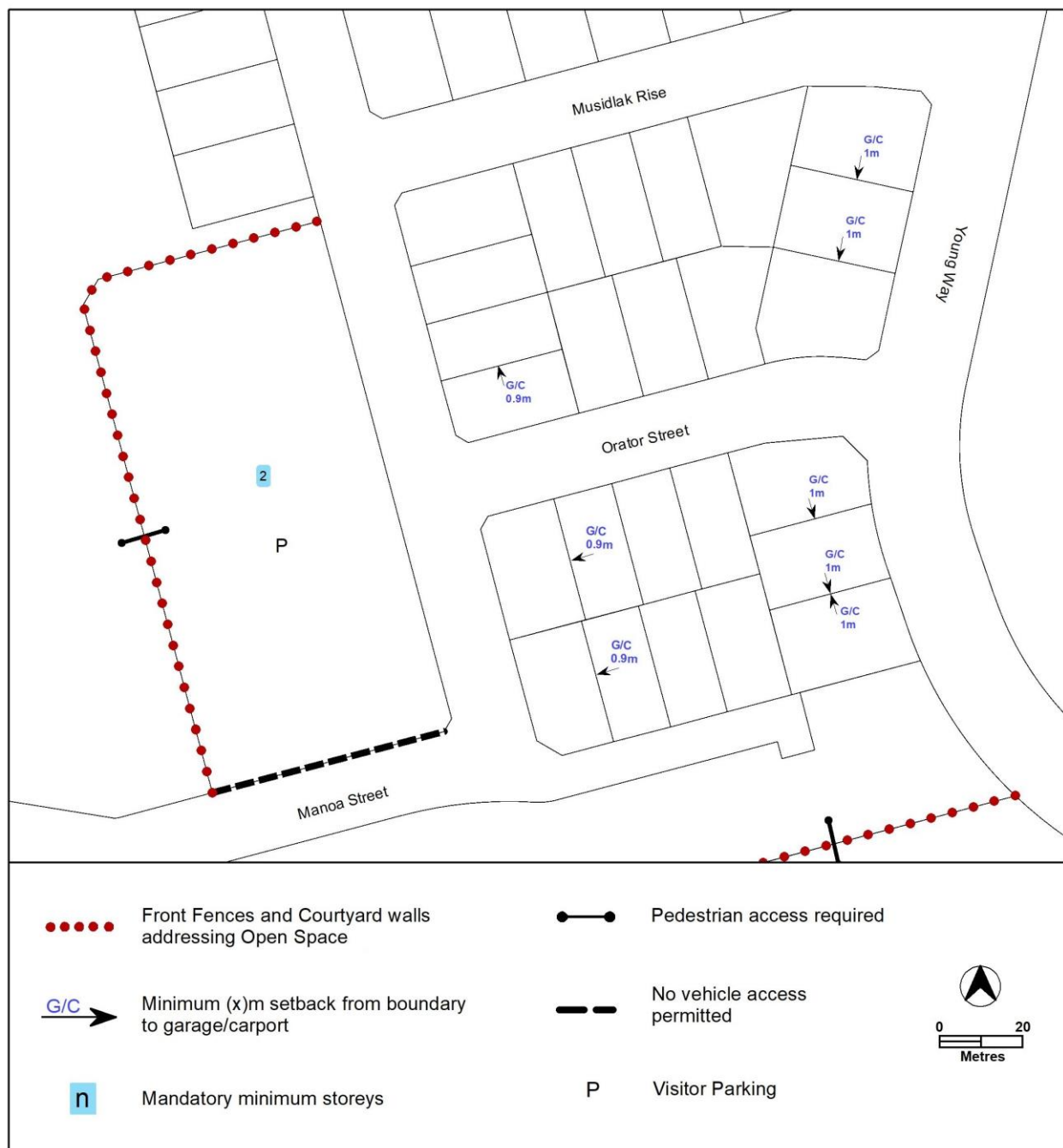


Figure 14 – Denman Prospect development requirements

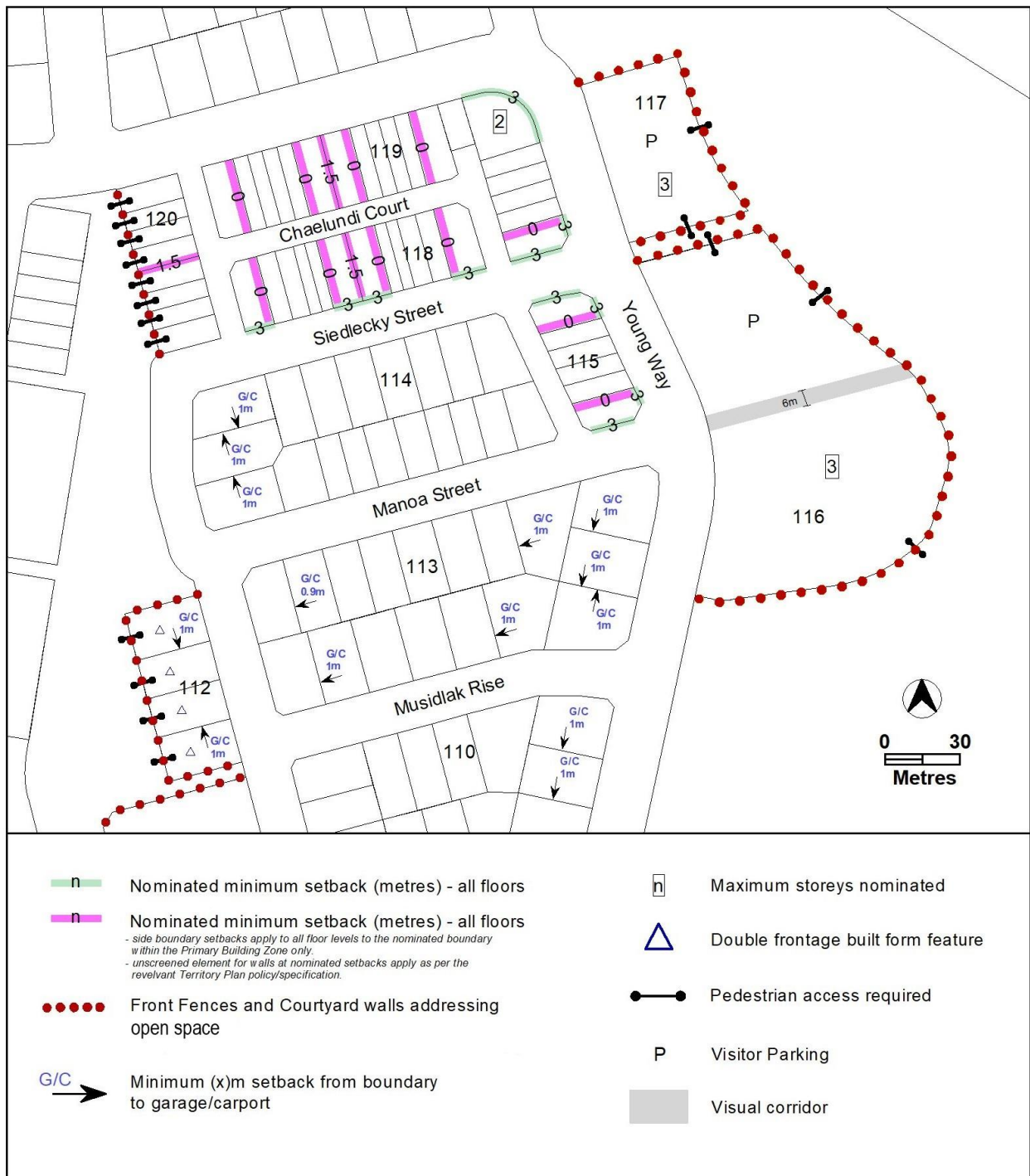


Figure 15 – Denman Prospect development requirements

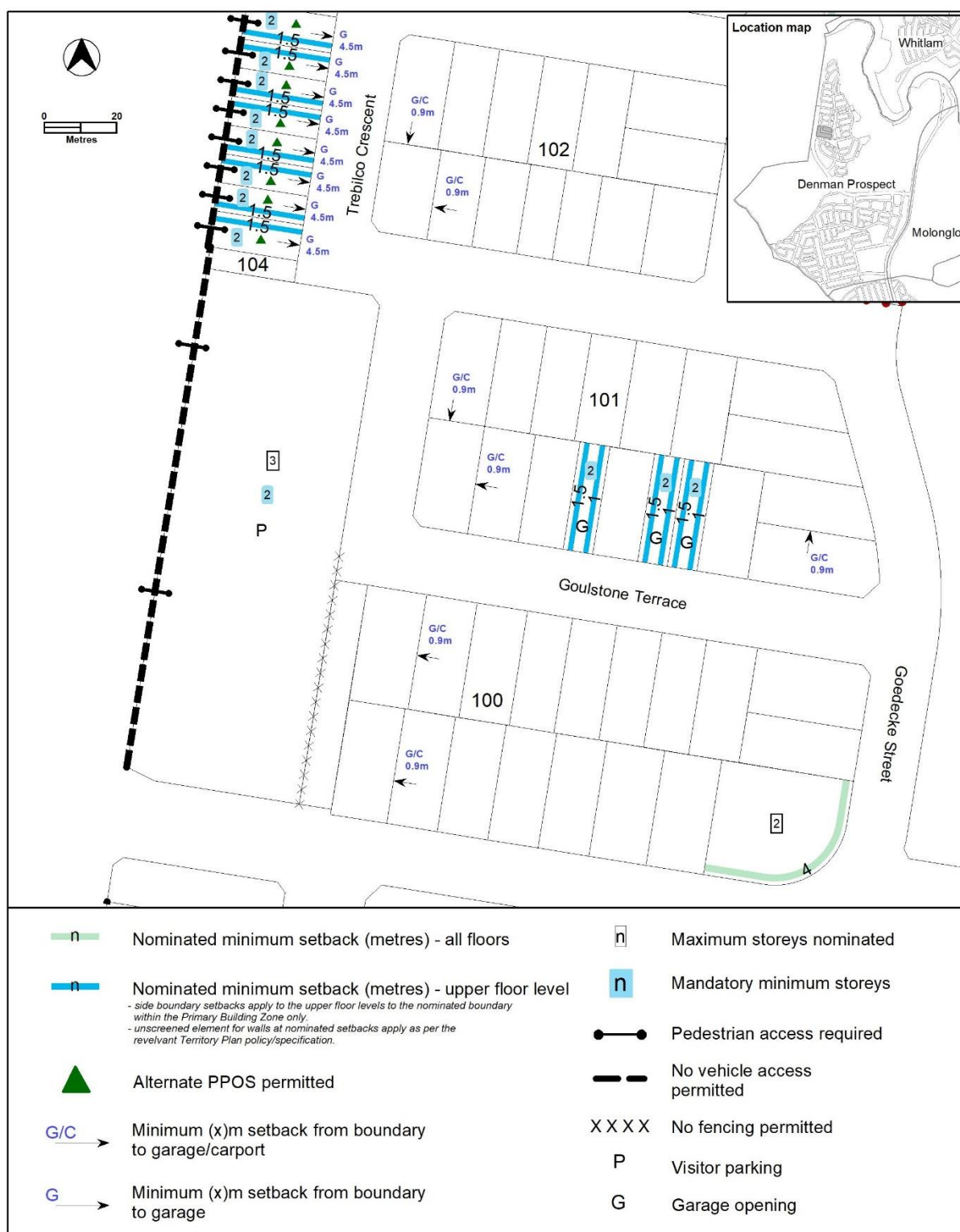


Figure 16 – Denman Prospect development requirements

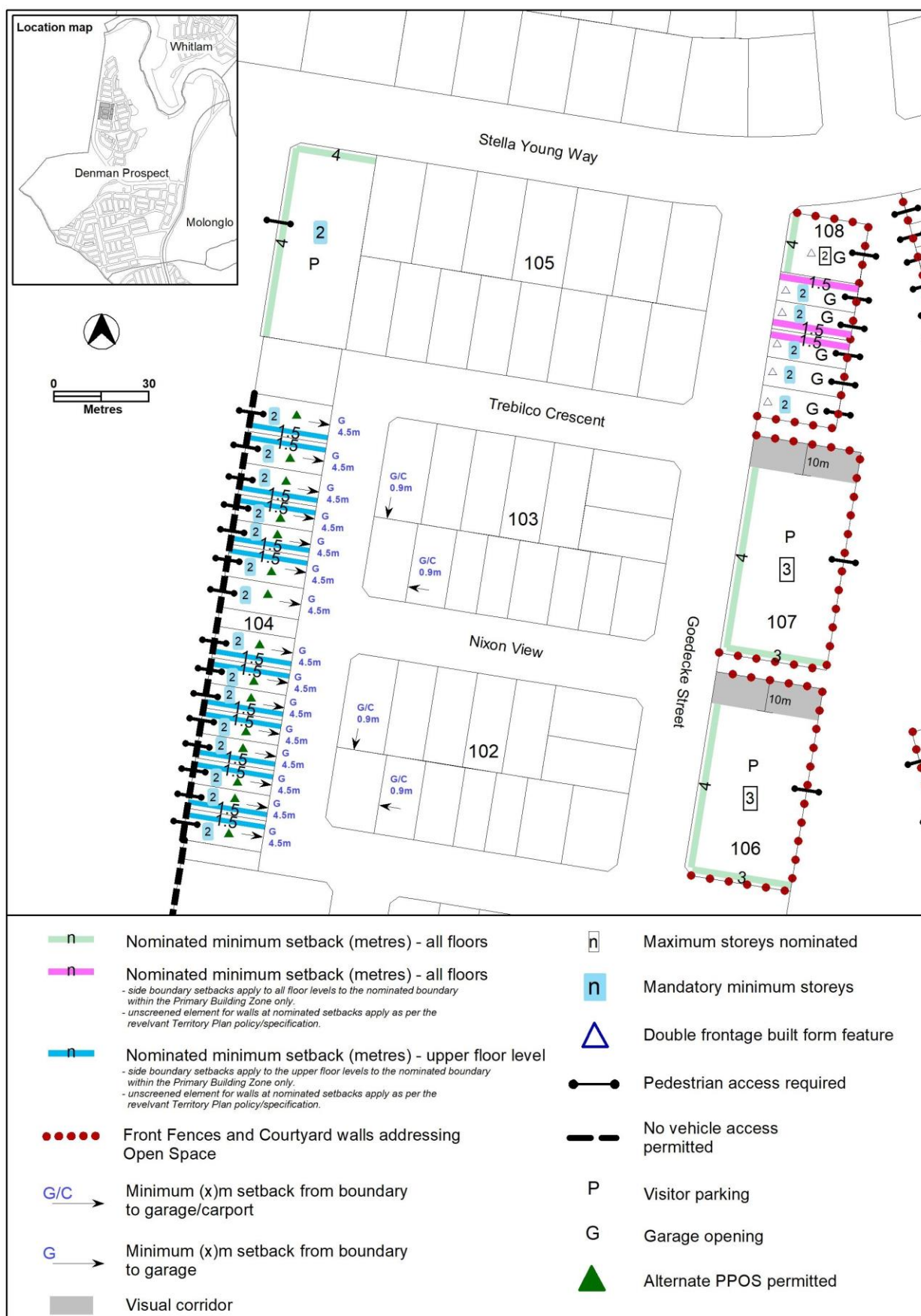


Figure 17 – Denman Prospect development requirements

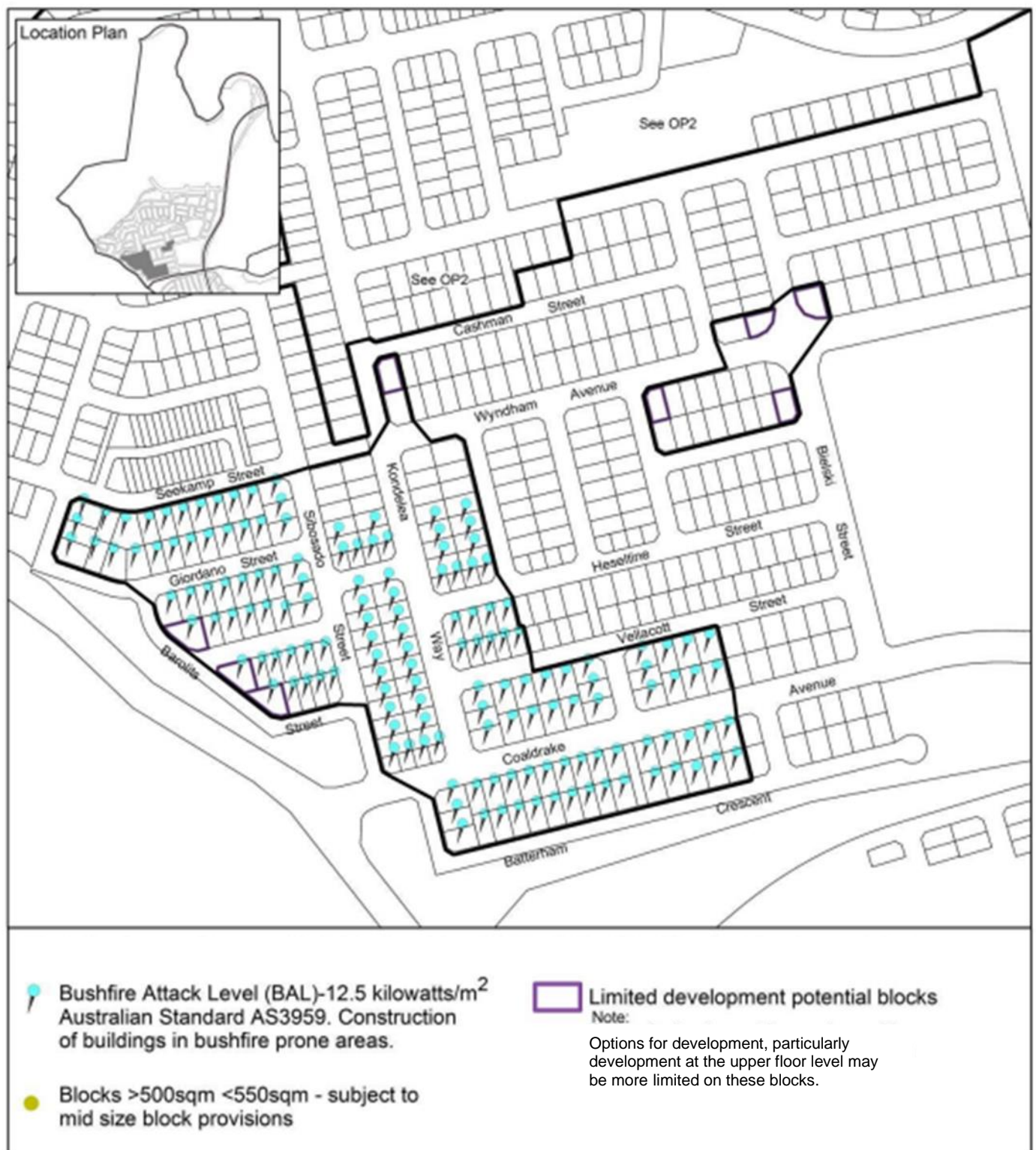


Figure 18 – Denman Prospect development requirements

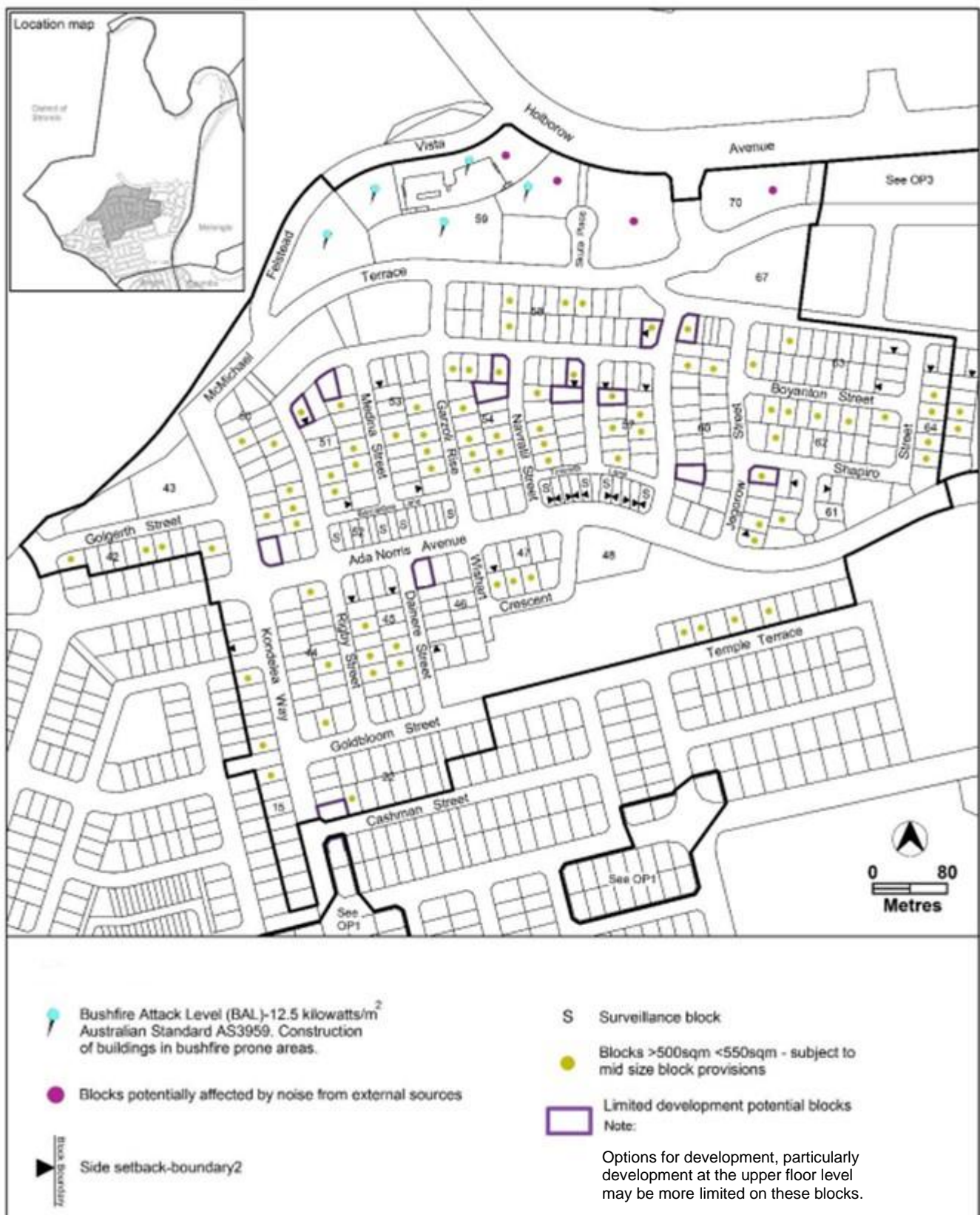


Figure 19 – Denman Prospect development requirements

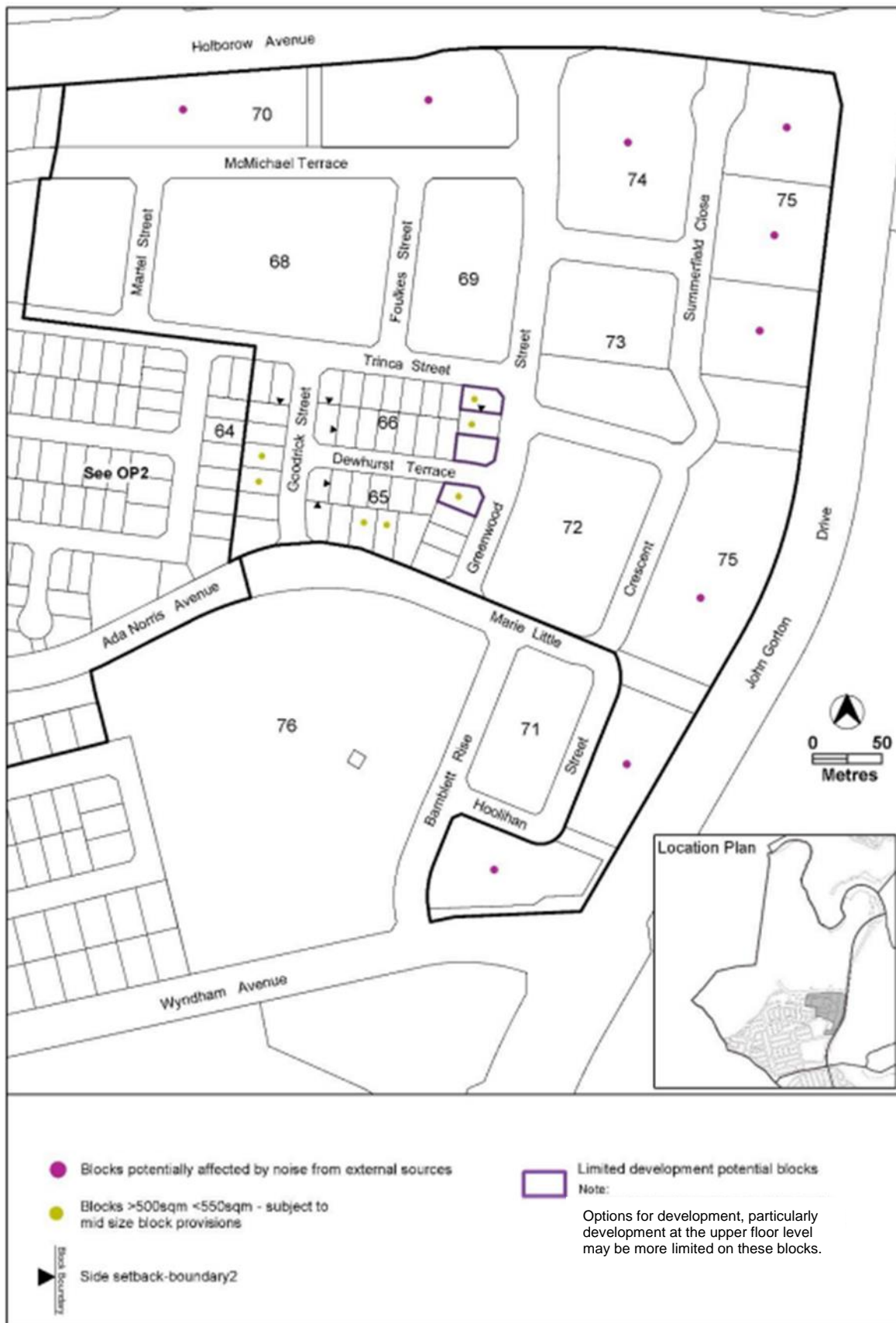


Figure 20 – Denman Prospect development requirements

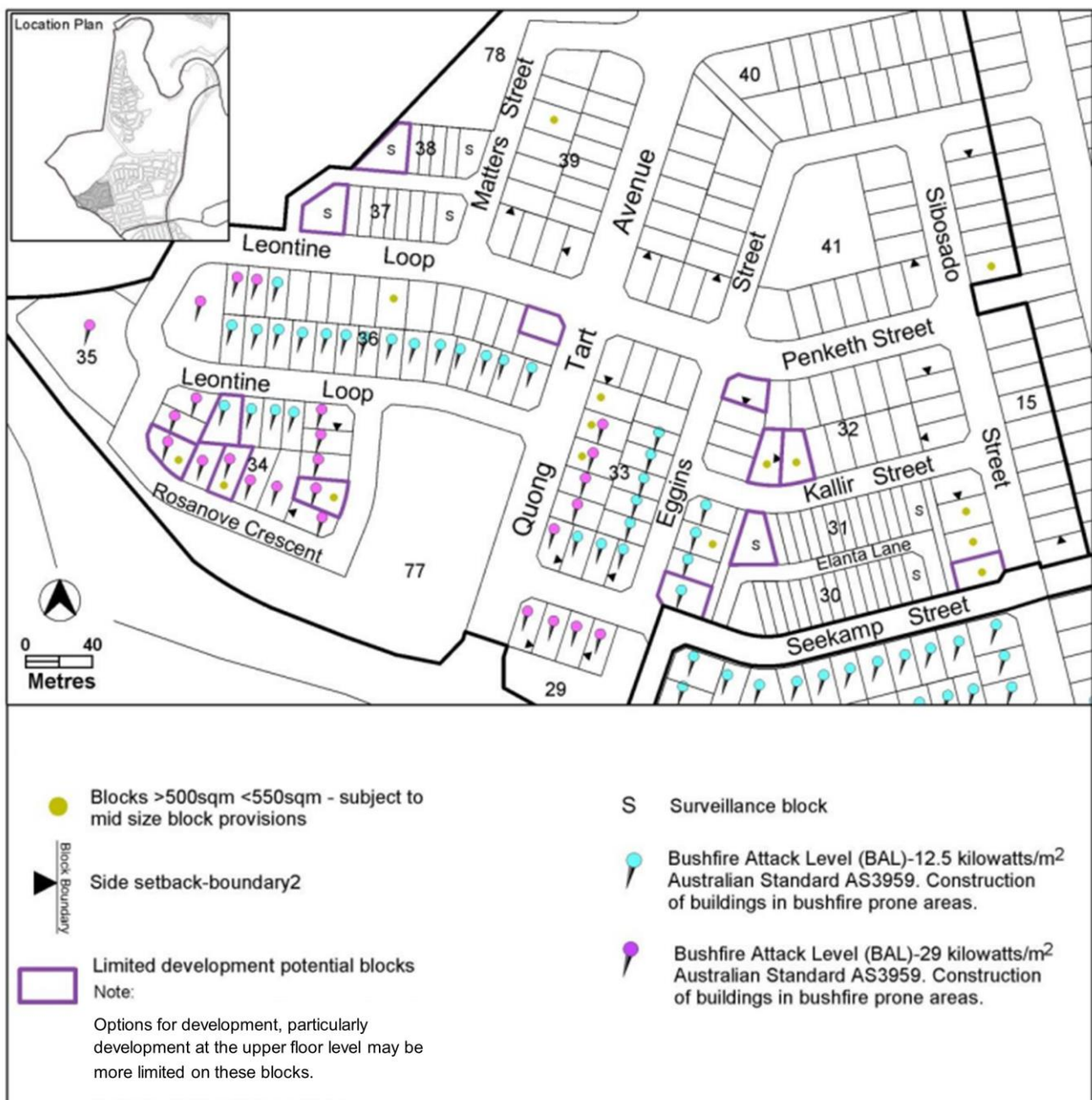


Figure 21 – Denman Prospect development requirements

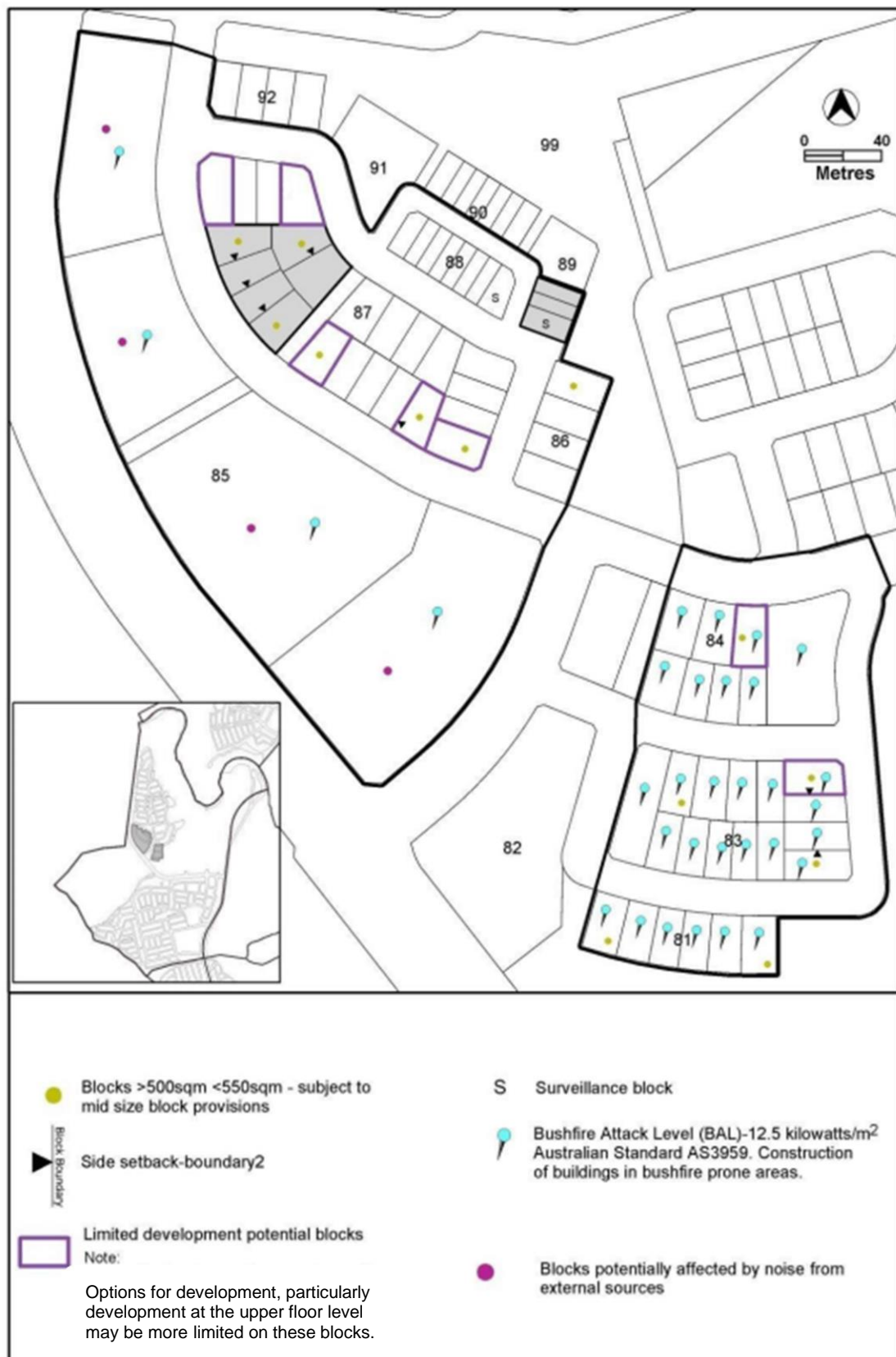


Figure 22 – Denman Prospect development requirements

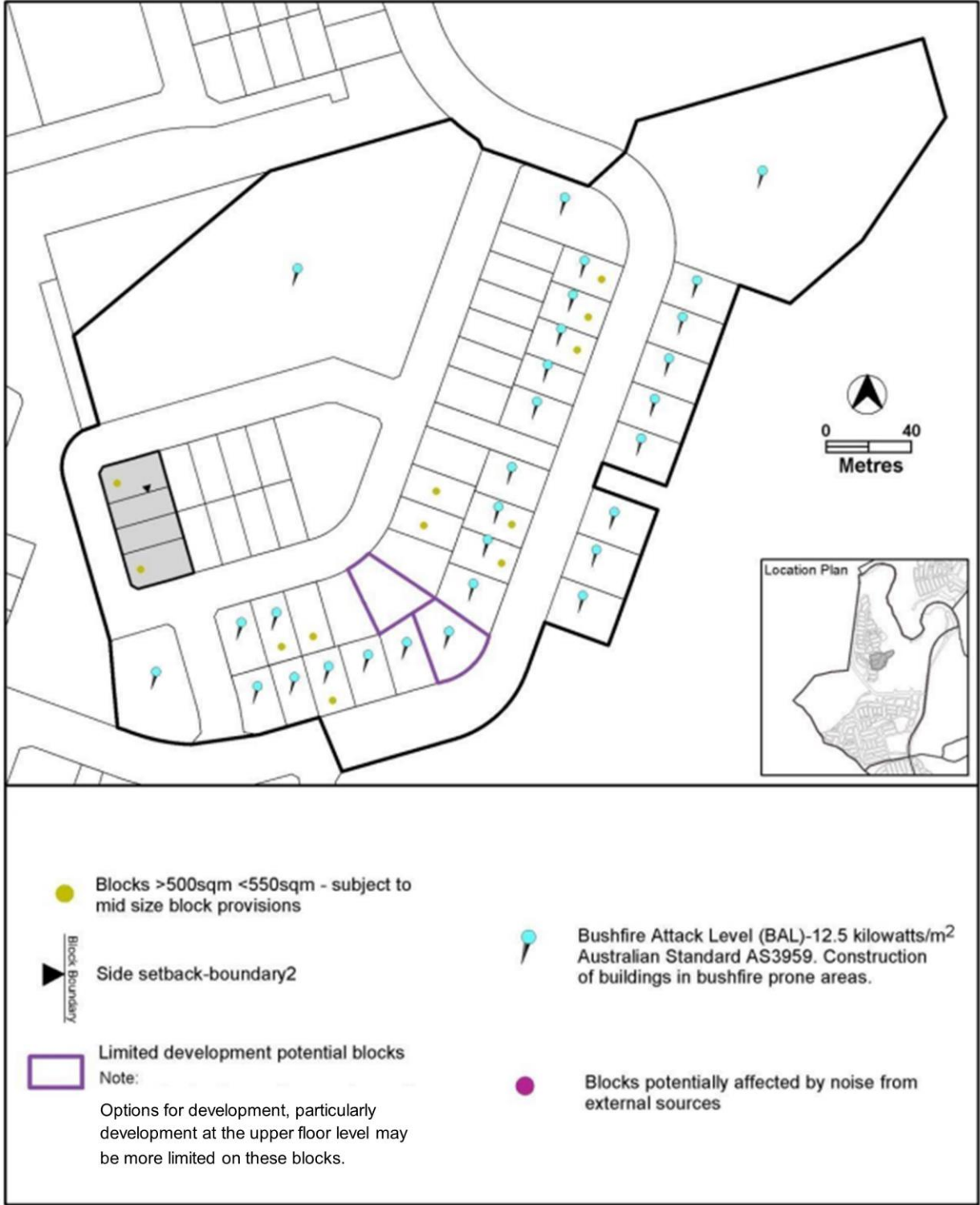


Figure 23 – Denman Prospect development requirements



Figure 24 – Denman Prospect development requirements

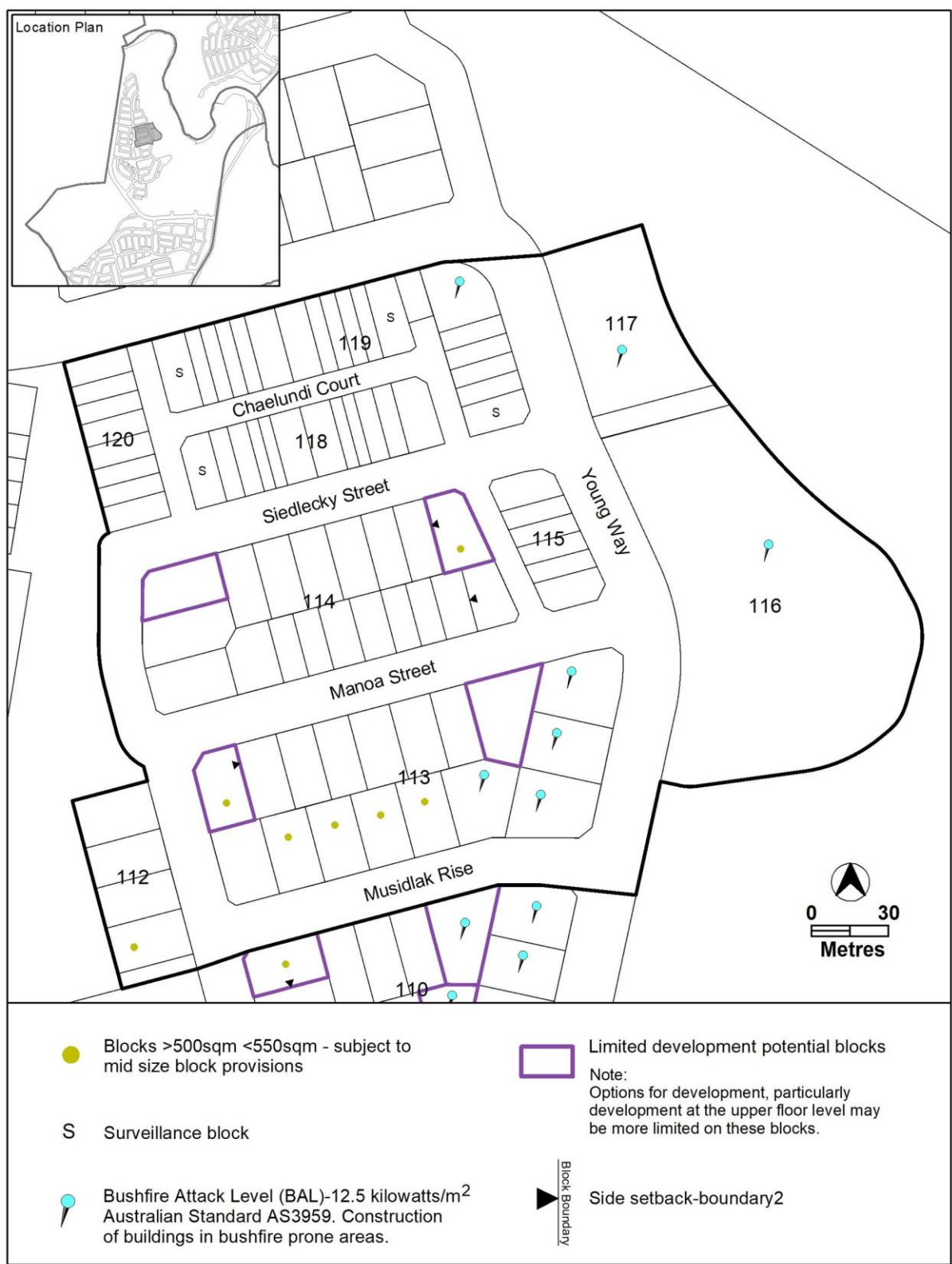


Figure 25 – Denman Prospect development requirements



Figure 26 – Denman Prospect development requirements

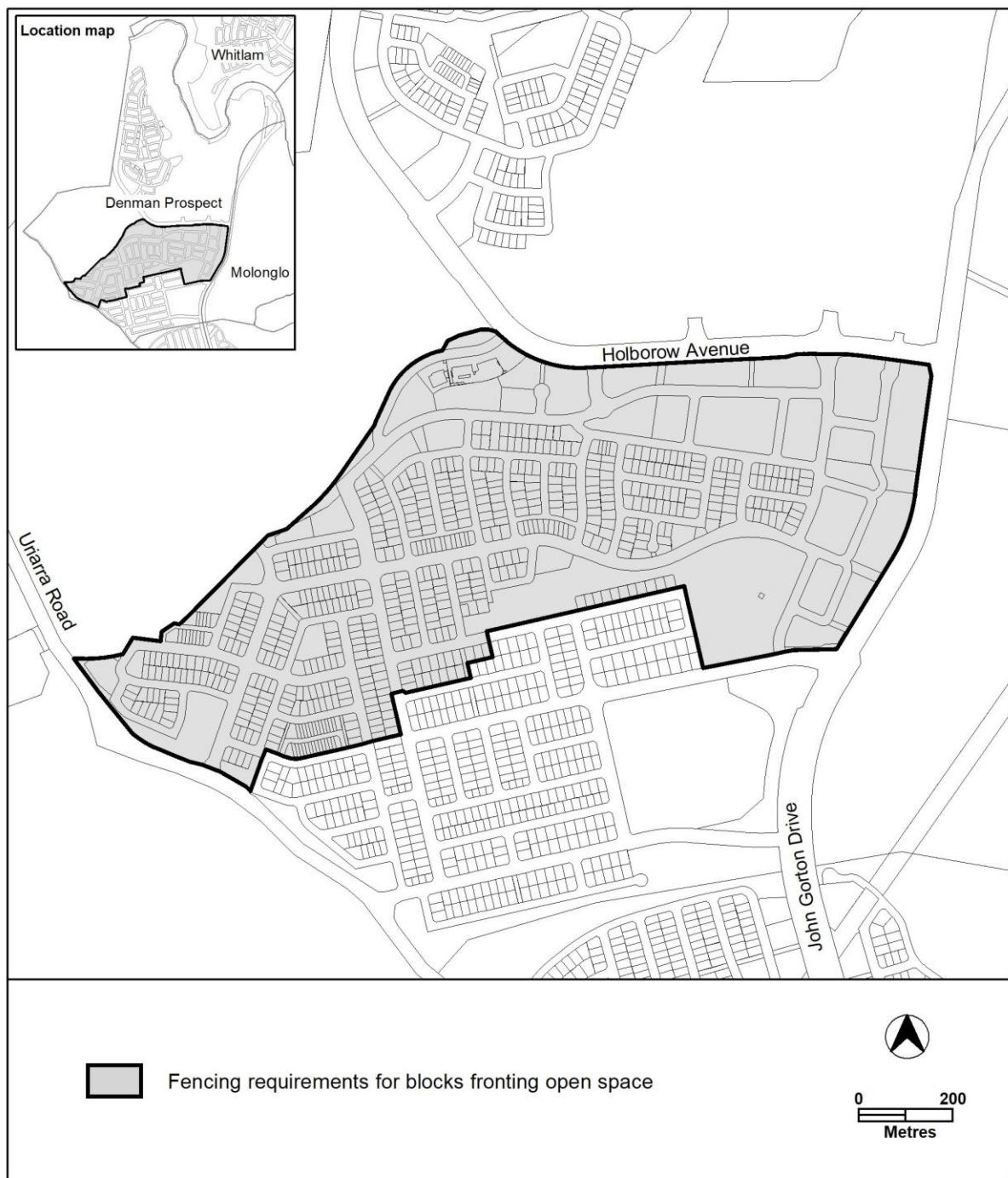


Figure 27 – Whitlam development requirements



Figure 28 – Whitlam development requirements



Figure 29 – Whitlam development requirements



Figure 30 – Whitlam development requirements



Figure 31 – Whitlam development requirements



Figure 32 – Whitlam development requirements

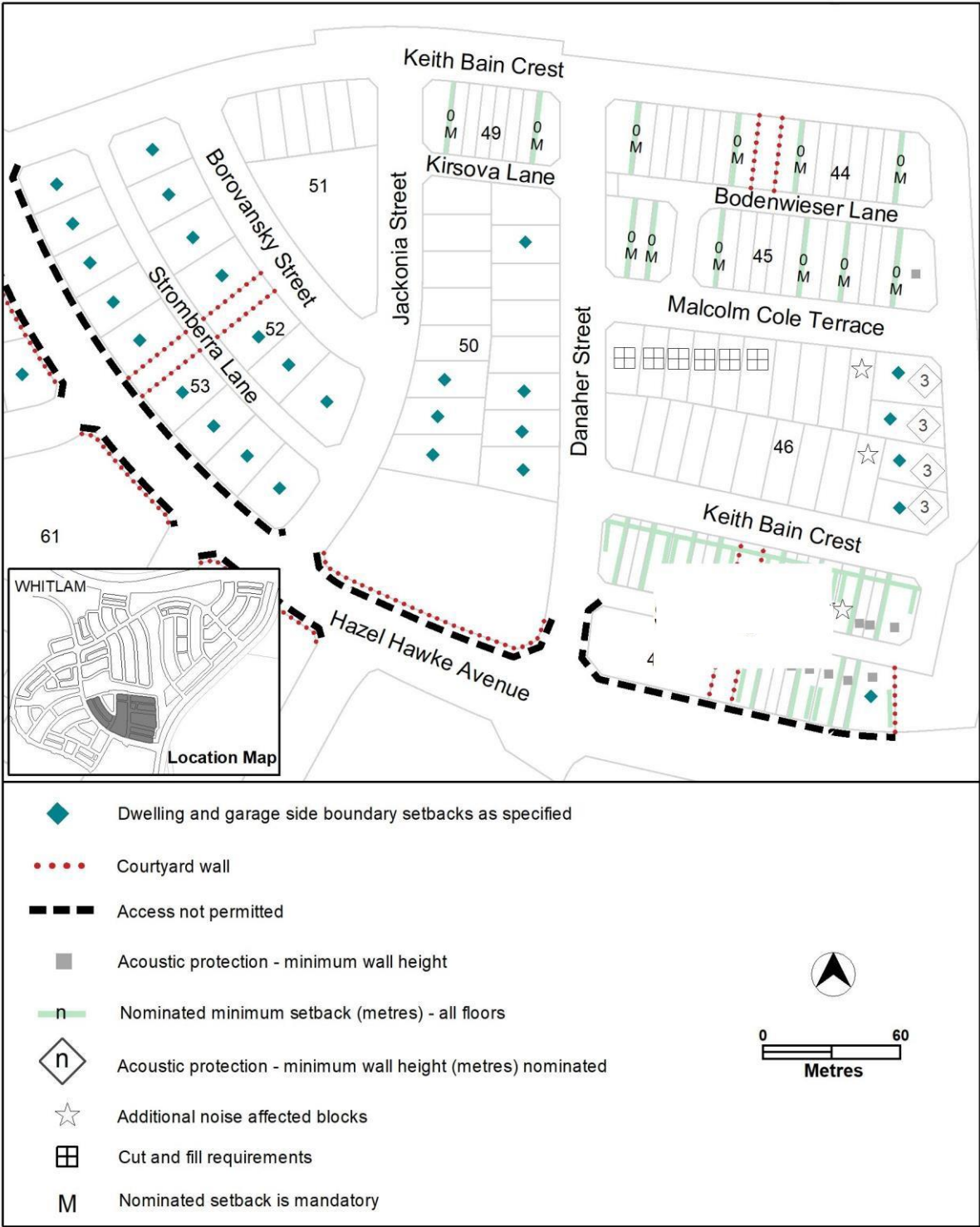


Figure 33 – Whitlam development requirements

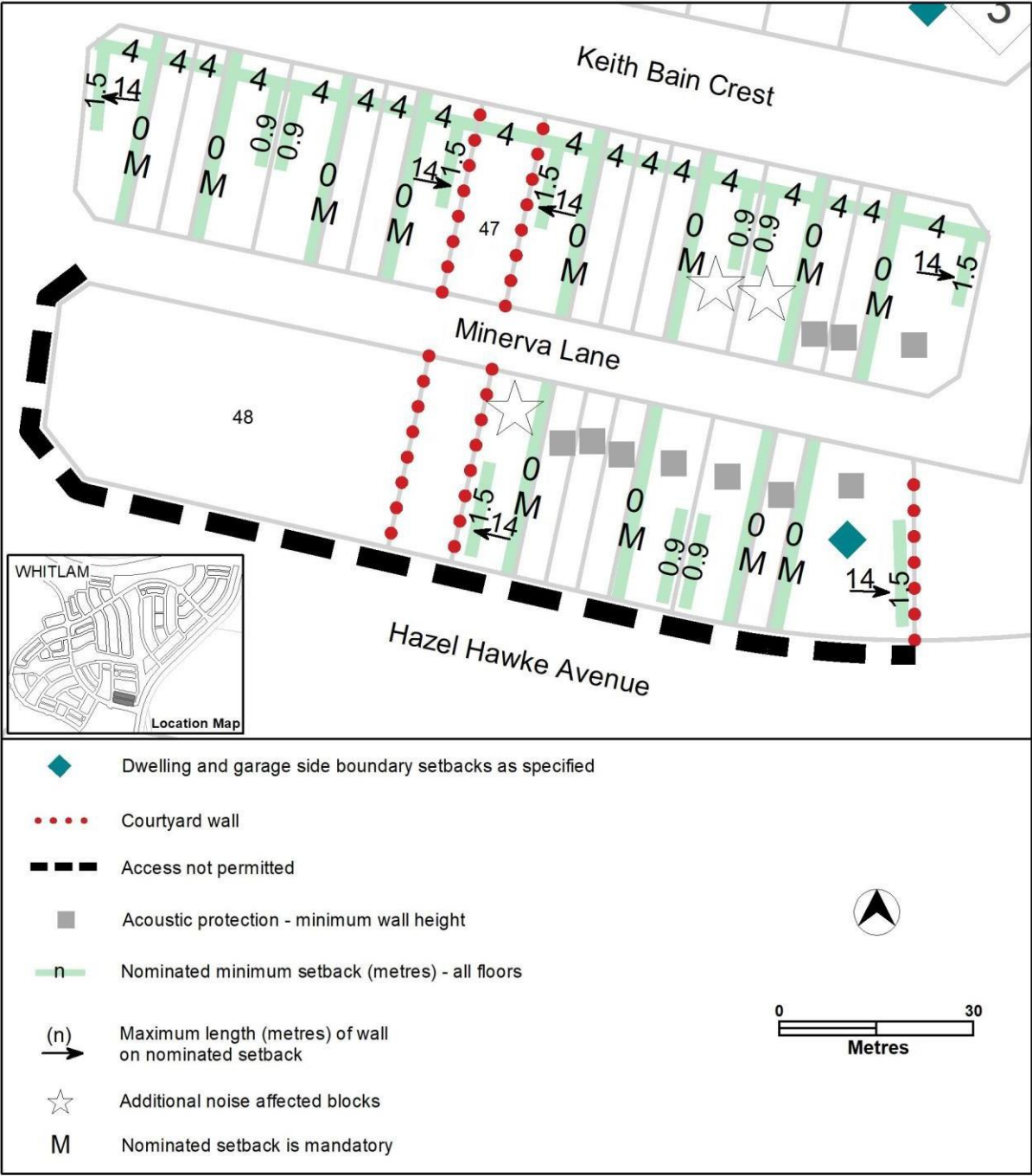


Figure 34 – Whitlam development requirements

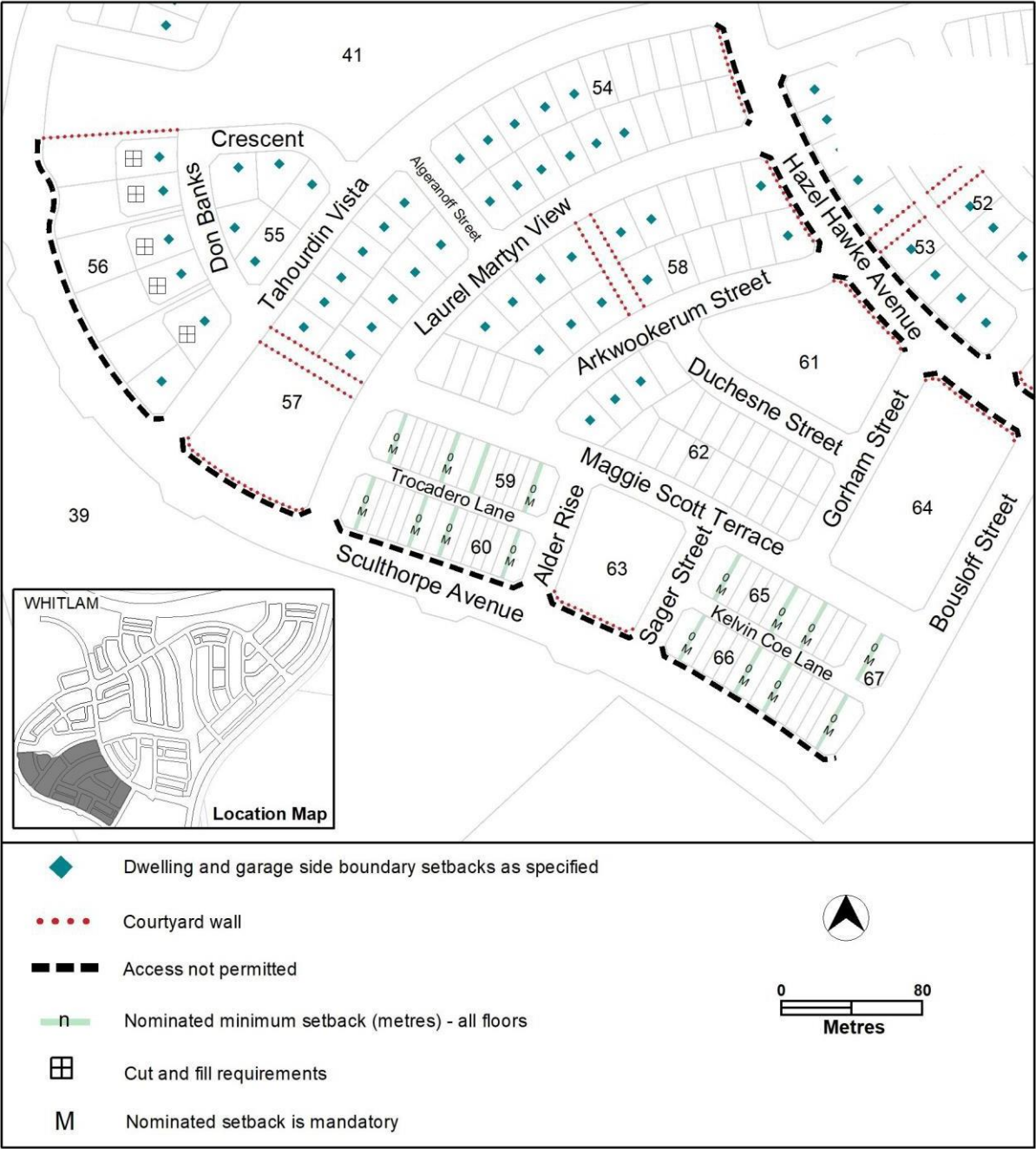
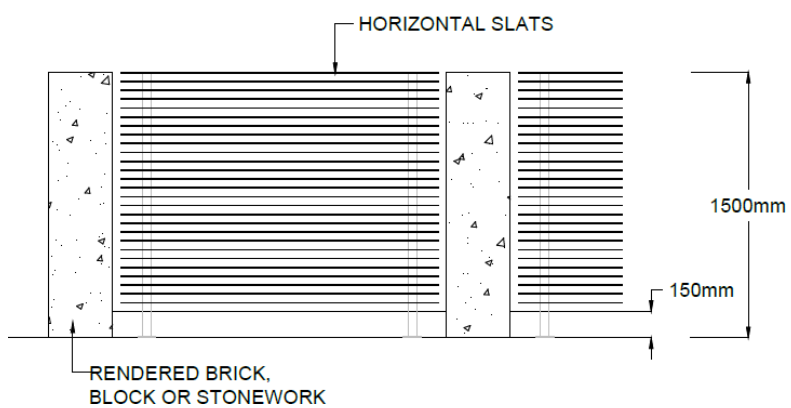


Figure 35 – Whitlam development requirements

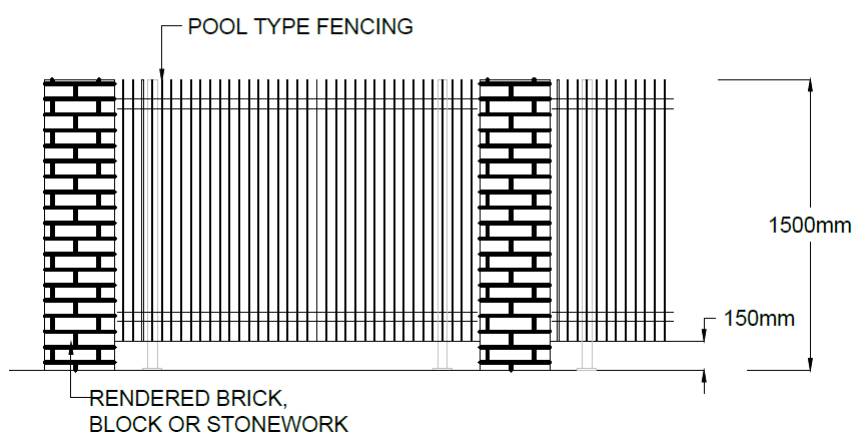


Figure 36 – Whitlam development requirements

TYPE 1



TYPE 2



Elevation of courtyard wall

Figure 37 – Whitlam development requirements



Figure 38 – Whitlam development requirements



Figure 39 – Whitlam development requirements



Figure 40 – Whitlam development requirements

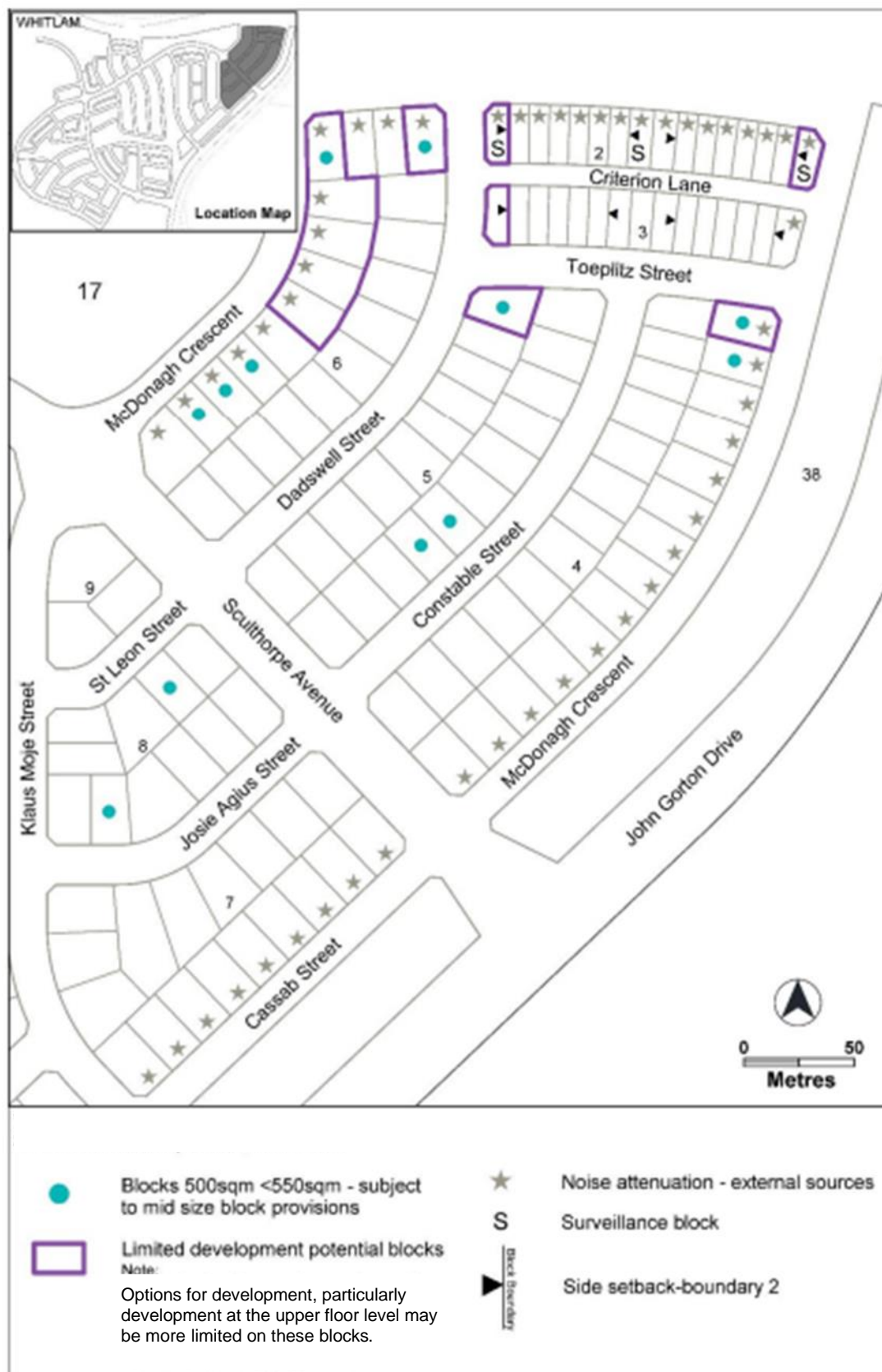


Figure 41 – Whitlam development requirements

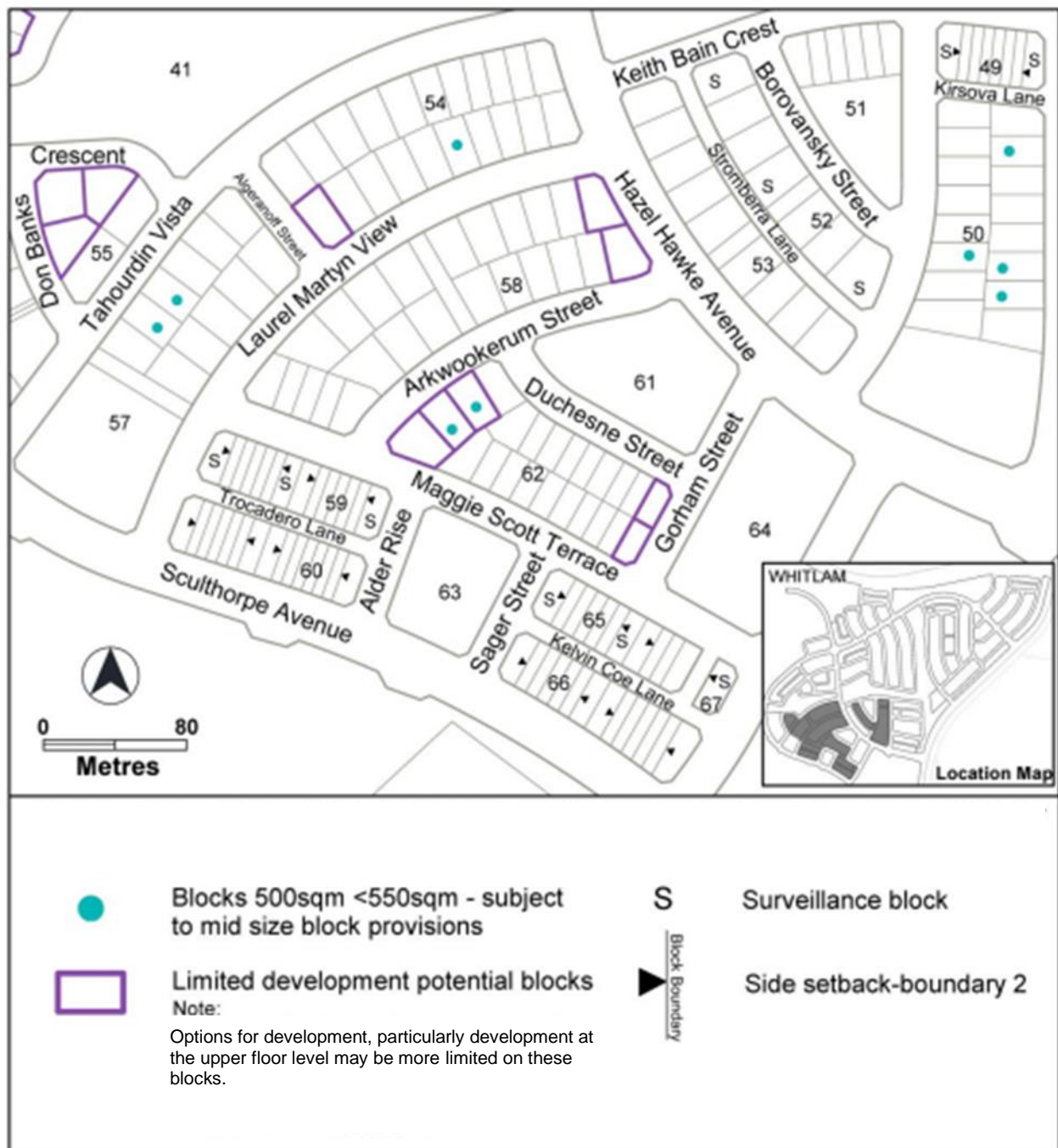


Figure 42 – Whitlam development requirements

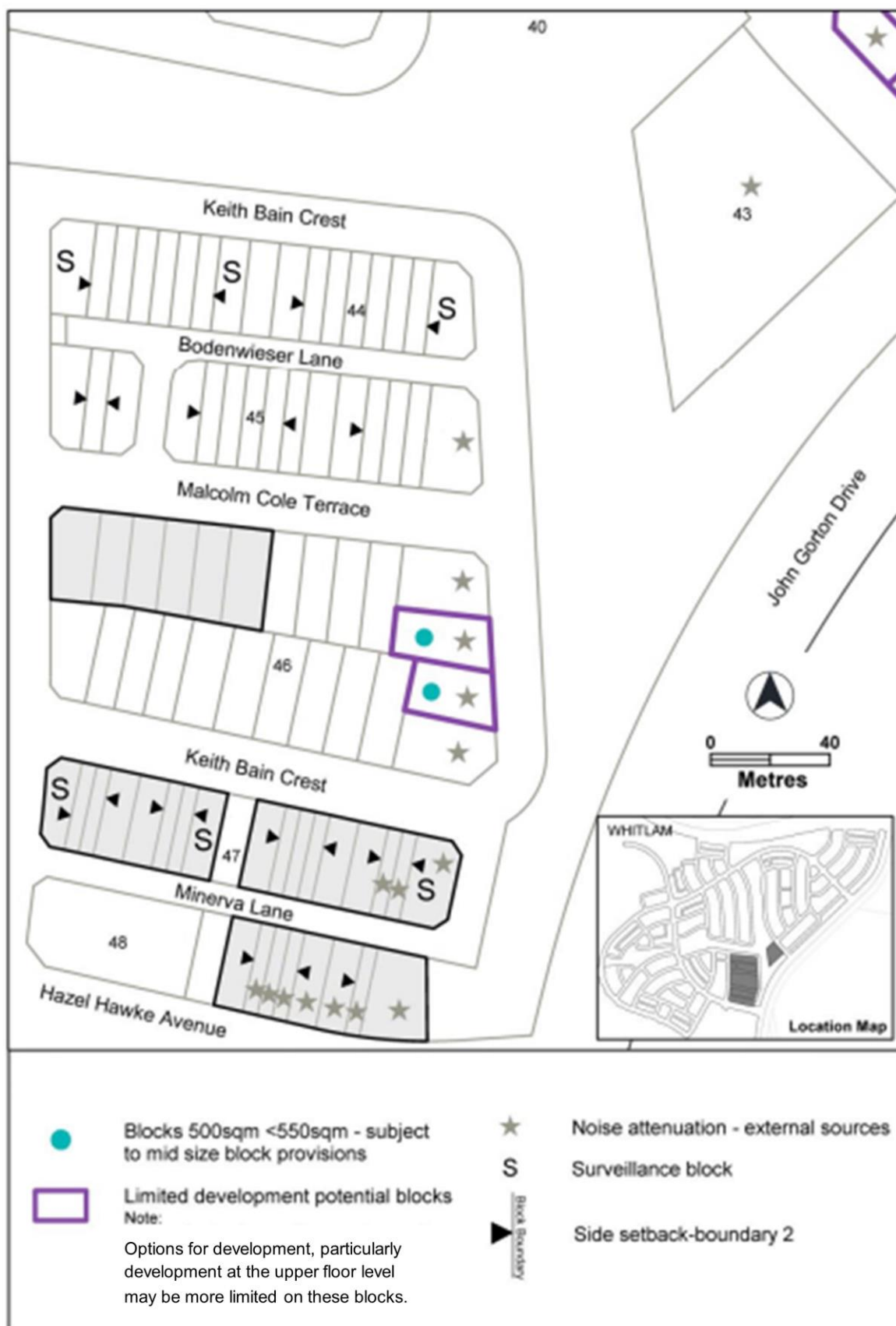


Figure 43 – Whitlam development requirements

