



AUSTRALIAN CAPITAL TERRITORY
LAND (PLANNING AND ENVIRONMENT) ACT 1991
LAND PLANNING AND ENVIRONMENT REGULATIONS AMENDMENT
Subordinate Law No. 31 of 1999
EXPLANATORY STATEMENT

Part VI of the *Land (Planning and Environment) Act 1991* (the Act) provides for approvals and orders in relation to certain activities. Under that Part, section 225 requires that "development", as defined in section 222, shall not be undertaken without approval.

Section 282 of the Act provides for the making of regulations. Subregulation 21(1) provides that Part VI of the Act does not apply to a development prescribed in Schedule 1 to *Land (Planning and Environment) Regulations* (the Regulations).

These amendments to the Regulations respond to Recommendation 2 of the Legislative Assembly Standing Committee on Planning and Environment report '*The protection of amenity rights (such as sunlight and views) of residents from the impact of satellite dishes and cables which are associated with pay television*' (the Report).

Recommendation 2 of the Report required the Government to '*ensure applications for approval of structures such as television antennae and satellite dishes are made only when required.....*'.

The definition of 'exempt building or structure' is amended to make it clear that it does not include a satellite dish or microwave antenna that is for receiving purposes only.

New items 32, 33 and 34 are added to Schedule 1 to prescribe circumstances in which the installation or alteration of satellite dishes and microwave receivers in

residential and non-residential areas is exempt from development approval. The criteria will limit the scope of any exemption to low impact structures.

Item 35 is also added to Schedule 1 to exempt the removal of a satellite dish or microwave antenna referred to in items 32, 33 and 34 from approval.

The Regulations commence on the day of notification in the Gazette.