

2005

THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY

LAND (PLANNING AND ENVIRONMENT) AMENDMENT
REGULATION 2005 (No 1)

Subordinate Law No SL2005-19

EXPLANATORY STATEMENT

Circulated by authority of Simon Corbell MLA
Minister for Planning

BACKGROUND AND OUTLINE

The *Land (Planning and Environment) Regulation 1992* creates the ability for Chief Planning Executive to adopt network plans as authority guidelines, thereby exempting development in accordance with the adopted guideline from part 6 of the Act.

The *Land (Planning and Environment) Amendment Regulation 2005 (No 1)* will extend this ability to include telecommunications (mobile phone) networks.

As it currently stands the ability for the Chief Planning Executive to adopt network plans as authority guidelines only relates to reticulated services. While the definition of reticulated network in the regulation does include communications services, it only refers to reticulated systems such as landline telephone connections. It does not include other telecommunications networks such as the cellular mobile phone network.

At the time the regulations were written, the future need for telecommunications networks was not fully appreciated or understood. It can now be argued that the telecommunications systems, especially the mobile phone network form part of the essential urban infrastructure of the ACT and as such warrant similar provisions as those currently afforded to reticulated infrastructure networks.

CLAUSE NOTES

Clause 1 provides for the name of the regulation to be the *Land (Planning and Environment) Amendment Regulation 2005 (No 1)*.

Clause 2 provides that the regulation commences on the day after the notification day.

Clause 3 provides that the regulation amends the *Land (Planning and Environment) Regulation 1992*.

Clause 4 amends the definition of reticulated services in the dictionary to include mobile telecommunications services.