



**ACT**  
Government

Environment and  
Sustainable Development

OCTOBER 2011



## Heating, cooling and solar installation

This fact sheet outlines the provisions in legislation for exemptions for external photovoltaic panels, solar water heaters, air conditioners and evaporative coolers.

Under legislation some smaller outdoor structures can be exempt from needing development approval if they meet certain provisions of the Planning and Development Regulation 2008.

### Exemptions from development approval

Certain solar panels that generate electricity from light, solar water heaters, evaporative or refrigerant air-conditioners, reverse cycle air conditioners and support structures may be exempt from development approval if they meet certain criteria including:

- no part is within 1.5m of a side boundary or rear boundary of the block
- if it is mounted on a roof, the distance from the top of the service to the closest point of the roof is not more than 1.5m
- if it is mounted on the ground, no part of the service is between a front boundary and a building line for the block
- it complies with relevant general exemption criteria under the Planning and Development Regulation 2008, Schedule 1, Section 1.10. For information on the general exemption criteria see ESDD's website at [www.actpla.act.gov.au](http://www.actpla.act.gov.au).

Note: changing the external appearance, material or finish of a building or structure may be subject to other laws, including heritage laws and energy efficiency provisions of building laws.

### Exemptions from building approval

The solar panel, solar water heater or air conditioner does not need building approval if it complies with relevant provisions of the Building (General) Regulation 2008, Schedule 1. In summary, the development is exempt provided that:

- it is for a class 1 or class 10a building only
- if an air conditioning unit is involved, it is not the main source of ventilation for the room or building where it is installed.

Also see [www.legislation.act.gov.au/sl/2008-3/](http://www.legislation.act.gov.au/sl/2008-3/) for relevant provisions relating to structures, fires and health.

### Non-compliant development proposals

If your proposed development does not comply with the above exemption criteria you will need to lodge a development application. This may require public notification, which occurs after lodging an application.

For more information about lodging a development application please visit [www.actpla.act.gov.au](http://www.actpla.act.gov.au)

### Information in this fact sheet was accurate at the time of publication.

*Please note: The new Environment and Sustainable Development Directorate (ESDD) unites ACTPLA (ACT Planning and Land Authority) with environmental policy and protection, sustainability policy, the Government architect, heritage, transport planning and nature conservation.*

*The planning development provisions are taken from the Planning and Development Regulation 2008 and the Building (General) Regulation 2008. ESDD recommends you read these documents, which are accessible on our website, and understand that planning exemption does not affect the operation of other territory laws.*

It is advisable to discuss any inquiry with the ESDD Customer Service Centre on 6207 1923 as requirements may have changed.

Website: [www.actpla.act.gov.au](http://www.actpla.act.gov.au)

Email: [actpla.customer.services@act.gov.au](mailto:actpla.customer.services@act.gov.au)

