



Department of **Planning,
Lands and Heritage**

Our ref:
Enquiries:



New Developments
Universal Services Branch
Department of Infrastructure, Transport, Regional Development, Communication and
the Arts
GPO Box 594
CANBERRA ACT 2601

Via email to: new.developments@infrastructure.gov.au

Dear Sir or Madam,

POSSIBLE AMENDMENTS TO PIT AND PIPE EXEMPTION CRITERIA

Thank you for the opportunity for the Department of Planning, Lands and Heritage (the Department) to review possible amendments to the pit and pipe exemption criteria under Part 20A of the *Telecommunications Act 1997*.

Proposed exemption criteria 1 - 3 are supported, without comment.

Proposed criterion 4 (Exemption based on 1,000 m² or greater average lot size)

It is often the case that land zoned for commercial or industrial purposes is subdivided into lots larger than 1,000m². In the case of industrial subdivision, a minimum lot size of 2,000m² is often specified in Western Australian local planning schemes. Commercial sites tend to have considerably larger sizes. Notwithstanding the other proposed exemption criteria, ensuring fixed fibre-ready infrastructure to commercial and industrial premises in these circumstances is thought to be of economic and operational importance to facilitate future businesses in these locations.

In addition, average lot size calculations at subdivision will change when a subdivision is proceeding in stages. For example, it is commonplace in Western Australia that if a developer wishes to subdivide part of a landholding into lots smaller than 1000m² and leave a large balance lot that is intended to be subdivided later, there are circumstances when the balance lot results in the average lot size calculation being considerably greater than 1000m², which works against the objectives of these changes.

Accordingly, it is suggested that consideration be given to:

- making the lot size requirement applicable to residential subdivisions only; and
- specifying an appropriate minimum lot size requirement rather than an average lot size requirement.

The proposed retention of an exemption criterion based on the absence of kerb and channelling being constructed or planned (proposed criterion 5) is supported, without comment.

Should you have any queries, please contact [REDACTED] or via email to [REDACTED]

Yours sincerely

[REDACTED]

21 September 2023