

## MURRAY RIVER COUNCIL

### CONSULTATION ON POSSIBLE AMENDMENTS TO PIT AND PIPE EXEMPTION CRITERIA

#### Discussion of possible amendments (MRC comments in red)

1. No part of the project area of the development is located inside the fixed-line SIP network region of a relevant SIP.  
**Agree, no further comment.**
2. A relevant SIP has provided written notice to the developer that it will not install a fixed-line network inside the project area.  
**Agree, no further comment.**
3. No underground utility infrastructure (electricity, gas, mains water, and sewerage) is installed or planned to be installed in proximity to each building lot situated in the project area.
  - **Are the four listed utilities the only utilities considered as “underground”?**
  - **Does raw water fit into this as well?**
  - **Does etc. need to be added or a clearer definition on what is included as underground utility infrastructure?**
  - **Are there any impacts with the changes in Victoria to not install gas moving forward, particularly in cross border communities?**
4. The average lot size in the development must be 1,000m<sup>2</sup> or greater.
  - **This appears light and that a greater focus on metropolitan areas has been undertaken.**
  - **Consideration of “2,000m<sup>2</sup> or greater”.**
5. There is no kerb or channelling, and constructed or planned to be constructed in proximity to each building lot situated in the project area.
  - **Not sure if this is really needed, and again, it feels like a metropolitan focus.**
  - **It’s also a potential secondary item to the underground utility infrastructure criteria.**
  - **If there is no underground infrastructure, it’s hard to see K&C being constructed.**
  - **However, there is no concern with having an extra item like this listed in the criteria.**

Consideration to replace criteria 3, 4 & 5 with something like “The proposed development must be rural in nature” or equivalent.

It’s assumed that all of the criteria has to be met and this would also be the preference for the submission to be a valid exemption.

The original exemption criteria states that for developments to be exempt, “it must meet all of the requirements”. However, the equivalent language wasn’t seen in the consultation paper (but we acknowledge this may come later).

Regarding the suggested questions for consideration, the following is noted:

- Should the possible changes be adopted in full, or part, or not?  
**Full, pending above comments and further clarifications as required.**
- Should alternative proposals that have been rejected (adjacency, growth areas, and minimum number of lots) still be considered?  
**Yes.**

- Are there other exemption criteria that could be considered as well?  
**No.**
- Is 1,000m<sup>2</sup> a reasonable average lot size for exempting developments?  
**As above, 2,000m<sup>2</sup> should be considered for regional areas.**
- Should criteria 3, 4 and 5 all need to be met to give rise to an exemption or would it be sufficient for one or two of them to be met to warrant an exemption being available?  
**All.**
- Would criteria 1, 2 and 6 discussed above work by themselves as threshold criteria, without the need for criteria 3, 4 and 5?  
**No.**
- Would criterion 6 above give SIPs too much discretion, allowing them to exercise quasi-regulatory functions, and would arrangements for taking ownership of pit and pipe where fixed line infrastructure was not being immediately provided be better left to purely commercial processes?  
**Yes, too much discretion. If an exemption is not given, NBN Co or another SIP should take ownership.**