

Review of rents for communication sites on certain Crown land

26 February 2024

IPART is reviewing rents for communication sites on certain Crown lands

IPART is conducting a review of the rents for communication sites on Crown land that is managed by three NSW land management agencies:

- The Department of Planning, Housing and Infrastructure – Crown Lands and Public Spaces
- NSW National Parks and Wildlife Service (NPWS), which is part of the Environment and Heritage Group in the Department of Climate Change, Energy, the Environment and Water
- Forestry Corporation of NSW (Forestry Corporation) – a state-owned corporation.

The terms of reference for the review asked us to recommend a fee schedule that is simple and able to be easily implemented by the responsible land management agencies. In forming our recommendations, we are to have regard to:

- updating current rents to reflect fair, market-based commercial returns
- recent and representative market rentals agreed for similar communication sites, reflective of different site conditions and locations across the State
- the land management agencies' requirements under legislation as well as any relevant state strategic plans and policies
- consultations with key stakeholders.¹

We are proposing to recommend rents using a schedule that reflects efficient prices in a workably competitive market. We propose that the fee schedule would vary by geographic remoteness (e.g. by using categories in the Australian Bureau of Statistics' (ABS) Australian Statistical Geography Standard).² The fees would be based upon benchmarking of commercial sites that are similar to those on Crown land as well as any relevant existing leases for other sites on Crown land (i.e. not communication sites). More than one set of fees may be appropriate to reflect the difference in footprint of the user.

We welcome stakeholder feedback on whether this approach is appropriate and practical for ensuring that government land management agencies receive "fair, market-based commercial returns".³ However, other key elements of the current rental arrangements may be able to be refined or changed to better reflect up to date information on market prices and practices, improve simplicity and transparency, and ensure compliance with the *Telecommunications Act 1997* (Cth).

Current fee schedule

The existing fee schedule for communication sites on Crown land are based on the fee schedule that was recommended in our 2013 review.⁴ They have been adjusted for inflation and vary by location (Table 1).

Table 1 Rent for communication licences for standard sites (per financial year)

	Sydney	High	Medium	Low
2022-23	\$39,274	\$32,728	\$18,182	\$8,726
2023-24	\$42,132	\$35,109	\$19,505	\$9,362

Source: Department of Planning, Housing and Infrastructure, [Communication licence rent fact sheet](#), February 2023.

Note: Sydney refers to local council areas in metropolitan Sydney with a population density of greater than 1,800 people per square kilometre. High are those local council areas with a population density of less than or equal to 1,800 people per square kilometre. Medium refers to areas within 12.5 km of the centre of the 37 Urban Centres and Localities (UCLs) defined by the ABS as having a population of 10,000 people or more based on the 2011 census. Low is the remainder of NSW.

We want to hear from you

We want to hear from all interested stakeholders such as those who lease land to providers of communication towers, telecommunications carriers, and users of radio communications services, to help us understand:

- Whether there are any additional sources of data on rental prices for private land. For example, we previously relied upon data from the NSW Land Registry Services.
- Details of current rental arrangements for communication sites on private land.
- Whether rooftop communication sites should be treated differently to other Crown land sites.
- Whether recent changes in ownership arrangements for mobile network towers has influenced rents.
- What effect the phasing out of the 3G network may have on rental arrangements.
- How best to incorporate the social, cultural and environmental value of national park land in recommending rents for communication towers in national parks. Currently National Parks sets the price of their sites one category higher than other land agencies. The *National Parks and Wildlife Act 1974* states that national park land cannot be used for communication facilities if there is a feasible alternative site available.⁵
- The market approach to setting rents and fees for co-users and small cell technology on communication sites on private land.
- The practical implications of using the remoteness categories in the ABS' Australian Statistical Geography Standard to set location categories for fees for communication sites on Crown land.

Have your say

We welcome feedback on the issues raised above or other matters related to the review

[Submit feedback »](#)

Our review process



IPART is currently seeking stakeholder views on the above issues, with consultation ending on 2 April 2024. We will consider all stakeholder submissions when preparing our Draft Report, which we expect to release in June 2024.

We will consult on the Draft Report once it has been released and we expect to hold a public hearing in July 2024. The public hearing will provide IPART an opportunity to discuss the content of our Draft Report in a public forum. Our Final Report will be informed by our stakeholder consultations. We will provide our Final Report to the Government on 12 September 2024 for consideration.

Stakeholders who would like to be notified when relevant material is released can subscribe to receive updates from IPART on our website: www.ipart.nsw.gov.au

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- ¹ [Review of rents for communication sites on certain lands of the Crown – Terms of References](#), December 2023.
 - ² Australian Bureau of Statistics, [Australian Statistical Geography Standard \(ASGS\)](#), accessed 9 February 2024.
 - ³ [Review of rents for communication sites on certain lands of the Crown – Terms of References](#), December 2023.
 - ⁴ IPART, [Review of rental arrangements for communication towers on Crown land Other Industries – Final Report](#), July 2013, p 9.
 - ⁵ *National Parks and Wildlife Act 1974* s 153D.