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Your submission for this review:

To: the Proper Officer, IPART Thank you for the opportunity to comment on the IPARTs Revised Draft Report on rents for communications sites on certain Crown land, released in December last year. Free TV strongly supports IPARTs revised draft recommendation that the land management agencies should only charge co-user fees where additional land is licensed, and that co-users should not pay a rental fee if they only licence land wholly located in the primary users compound. Noting IPARTs strong reliance on private sector rental practices, we have previously made the point that NSW government policies on site rental can themselves influence rental practices - of other States, of other agencies (such as councils) administering Crown lands, and indeed, of landlords in the private sector. This is one of the reasons why the regrettable NSW precedent for the routine levying of co-user fees in the absence of any change to the footprint of sites was, and is, of great concern to TV broadcasters, who in practice have little or no flexibility to relocate their transmission sites. In relation to the category uplift to the standard rental schedule for national parks, Free TV notes the apparent grounds for defending the uplift practice appear to have moved on somewhat, from reflecting the opportunity costs of development on environmentally sensitive land (which we do not see as valid grounds for increasing rents, unless limited to new communication sites where there is a practical choice of alternative locations), to allowing NPWS to recoup higher than otherwise management costs of sites on sensitive land and to provide compensation for environmental costs that are not compensated for outside of the communication site rental payment. Free TV notes that TV transmission sites may be located in national parks due to the absence of any geographical alternative, and that once established, it is not practical to move them. If a primary objective of any pricing review is to ensure broad alignment with commercial returns in the market, it is not clear how to square this with an approach driven by Crown agency cost recovery, especially once the cost of the latter exceeds the former. Free TV notes IPART is not proposing to recommend this approach be extended to similar land that is managed by the other two land management agencies. However, it would welcome evidence from stakeholders about the damage caused by access roads and communications-related traffic or the higher communications value of such sites outside of National Parks. For the record, Free TV would be concerned about any extension of the practice of higher-tier pricing to communications sites on other sensitive land. Free TV Australia supports the proposed recommendation to the NSW government that if IPART is to be provided a future referral to recommend rents, the reason for referring the review to IPART should be included to assist stakeholders understand the objectives of the referral. It also supports the proposed recommendation that the scope of any future referral is broadened to include investigating the range of fees and charges imposed by the land management agencies in addition to rent. In support, we refer to our previous submissions to the present review. The experience of Free TVs members has been that the basis for levying additional fees and charges can be opaque. Additional fees and charges, such as for road maintenance, should reflect efficient costs. This has several dimensions, including that the promised services should actually be performed and that the prices levied should be subject to market discipline. Once again, thank you for the opportunity to comment. The quality and thoroughness of IPARTs engagement with stakeholders, and the NSW governments willingness to extend the deadline for the review, are appreciated. Kind regards,

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