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## **TELSTRA GROUP LIMITED**

# **Telstra submission to Review of rents for communication sites on certain Crown land Revised Draft Report**

## **Public Version**

12 February 2025



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## Executive Summary

Telstra welcomes the opportunity to comment on the Review of rents for communication sites on certain Crown land Revised Draft Report (Revised Draft Report). Telstra still has several concerns regarding IPART's Revised Draft Report recommendations on rents for communication sites on Crown land in NSW. Our key concern remains that the proposed rental prices could hinder carrier colocation and infrastructure deployment, particularly in regional areas of the state, to the detriment of NSW consumers.

A summary of the main concerns that Telstra has outlined in response to the revised recommendations include:

- **Proposed rental prices disincentivise use of Crown land:** Telstra believes that the proposed rental prices will discourage carrier colocation, infrastructure deployment in regional areas, and limit consumer access to telecommunications services, resulting in discriminatory treatment of mobile carriers as tenants on Crown land.
- **Current market rates are too high:** Telstra highlights that the current market is 40%-80% above true rates due to high annual increases, skewed landlord-tenant situations, and outdated IPART fee schedules, leading to unsustainable rents and frequent renegotiations.
- **Inappropriate use of private market evidence:** Telstra believes that using private market evidence as a comparator for rental fees on Crown land is inappropriate and we ask that IPART consider that rental fees should be based on the unimproved value of the freehold land plus a percentage rate of return.
- **Retention of density classifications:** Telstra is disappointed with the retention of density classifications from the IPART 2013 review and ask IPART to consider a single category with a single mechanism for determining rental fees based on recognised land valuation methods.
- **National Parks and Wildlife Services (NPWS) rental fee uplift:** Telstra disagrees with the recommendation to charge one category higher for sites in National Parks, as we believe that it penalises industries that provide critical services without supporting quantitative analysis to justify the uplift.
- **Future reviews and fee escalators:** Telstra is generally supportive of the IPART recommendations in relation to future reviews and the proposed fee escalator rates. However, Telstra asks IPART to consider engaging with land valuation experts in future reviews to address industry concerns regarding the lack of property valuation principles in developing the draft recommendations.



## 1 Introduction

Telstra still has concerns regarding IPART's revised draft report on rents for communication sites on NSW Crown land. Telstra believes the proposed rental prices will discourage carrier colocation, infrastructure deployment in regional areas where sites may become a commercial risk due to above market rental fees, and limit consumer access to telecommunications services. Telstra also believes that the proposed draft recommendations result in the discriminatory treatment of mobile carriers as tenants on Crown land.

The current market is 40%-80% above true rates due to high annual increases, skewed landlord-tenant situations, and outdated IPART fee schedules. Telecommunications carriers face unsustainable rents, high fixed price increases, and legacy deals, leading to renegotiations for more sustainable terms in line with current market rents. We reiterate from our previous submission<sup>1</sup> that this is a direct result of:

- high levels of fixed annual increases
- a skewed prevalence “overanxious lessee and unwilling landlord” situations (a key issue when considering value)
- ratchet clauses within leases that prevent any true market rent reviews with no provision for actual downturns in the market, and
- the previous IPART fee schedule set in 2005 and 2013 (noting the 2019 recommendations were not implemented).

Telstra does not believe that IPART have fully addressed concerns raised by us and the broader industry in previous submissions to this review and subsequent stakeholder meetings with IPART. As such, in our response to the revised draft recommendations, Telstra will be restating many of our previous positions on the draft recommendations that we believe are detrimental to the delivery of telecommunications services to NSW consumers.

## 2 Revised Draft Recommendations.

Telstra's response to the draft recommendations<sup>2</sup> by IPART follows.

### 2.1 That we continue to use the approach of benchmarking against the private market for our recommended fee schedule.

Telstra does not consider the use of private market evidence as a comparator for rental fees on Crown land appropriate in determining rent for communication sites on Crown land. As we have previously stated<sup>3</sup>, Telstra would like IPART to consider rental fees for telecommunications sites be based on the unimproved value of the freehold land, plus a percentage rate of return (e.g. of 6%).

Telstra reiterates our views from our previous submission in August of 2024 that IPART's approach to determining rental fees for communications sites on Crown land is flawed due to the use of outdated and inaccurate market rental data relying on:

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<sup>1</sup> Telstra, August 2024, s1, p4, *Telstra submission to IPART "Review of rents for communication sites on certain Crown land*, available at [https://www.ipart.nsw.gov.au/sites/default/files/cm9\\_documents/Online-Submission-Telstra-Group-Limited-D.-Hunt-13-Aug-2024-103400114.PDF](https://www.ipart.nsw.gov.au/sites/default/files/cm9_documents/Online-Submission-Telstra-Group-Limited-D.-Hunt-13-Aug-2024-103400114.PDF)

<sup>2</sup> IPART, December 2024, p8, *Review of rents for communication sites on certain Crown land Revised Draft Report December 2024*, available at [https://www.ipart.nsw.gov.au/sites/default/files/cm9\\_documents/Revised-Draft-Report-Review-of-rents-for-communication-sites-on-certain-Crown-land-December-2024.PDF](https://www.ipart.nsw.gov.au/sites/default/files/cm9_documents/Revised-Draft-Report-Review-of-rents-for-communication-sites-on-certain-Crown-land-December-2024.PDF)

<sup>3</sup> Telstra, August 2024, s7, p11, *Telstra submission to IPART "Review of rents for communication sites on certain Crown land*, available at [https://www.ipart.nsw.gov.au/sites/default/files/cm9\\_documents/Online-Submission-Telstra-Group-Limited-D.-Hunt-13-Aug-2024-103400114.PDF](https://www.ipart.nsw.gov.au/sites/default/files/cm9_documents/Online-Submission-Telstra-Group-Limited-D.-Hunt-13-Aug-2024-103400114.PDF)



- **Use of Incorrect Lease Data:** Telstra reiterates that IPART's Draft Report relies on lease data that incorrectly cites option renewal dates instead of original commencement dates, leading to the use of outdated market rental data.
- **Skewed Rental Recommendations:** Telstra believes that using lower-priority rental data has resulted in skewed and inflated rental recommendations in the revised Draft Report.

As stated in our previous submission<sup>4</sup>, at the very least, the priority of the data used must be treated with less weight according to the Guidance Paper AVGP 301 - Assessing Rent and Rent Determinations, published by The Australian Property Institute, dated July 2021 which states the following in relation to a hierarchy of evidence:

*In assessing market rent the Valuer should consider the most appropriate evidence in the marketplace. The circumstances where the lease was entered into are also relevant. There is a hierarchy to weight that is placed on evidence. That priority is<sup>5</sup>:*

- New lease to a new tenant.*
- Where current market rent is agreed between the lessor and lessee at a mid-term review or exercise of option specifically, where the rent is to be the market rent and, if not agreed, can be set by determination.*
- Where current market rent is set by determination at a mid-term review or exercise of option. In this case the evidence used by the determining Valuer may have more relevance; and*
- New lease to a sitting tenant on expiry of an existing lease where the tenant has no right of continuing tenure. In this circumstance consideration must be given as to whether a premium rent was agreed rather than lose the goodwill and benefit of an existing fit out.*

## 2.2 The existing density classifications continue to be used to minimise the costs of implementing the updated fee schedule.

Telstra is disappointed with the recommendations in the draft report for the retention of density classifications from the IPART 2013 review. Telstra understands that the density classifications, listed in Table 1 were continued to minimise the costs of implementing the updated fee schedule. However, Telstra is of the view that there should be a single category with a single mechanism for determining rental fees for all users based on recognised land valuation methods.

Table 1: IPART current density classifications<sup>6</sup>

<b>Sydney</b>	local council areas in metropolitan Sydney with a population density of greater than 1,800 people per square kilometre.
<b>High</b>	local council areas in metropolitan Sydney with a population density of less than or equal to 1,800 people per square kilometre as well as the greater metropolitan area of the Central Coast, Newcastle and Wollongong.
<b>Medium</b>	areas within 12.5 kilometre of the centre of the 37 Urban Centres and Localities (UCLs) defined by the Australian Bureau of Statistics (ABS) as having a population of 10,000 or more based on the 2011 census.
<b>Low</b>	rest of NSW

<sup>4</sup> Telstra, August 2024, s3, p6, *Telstra submission to IPART "Review of rents for communication sites on certain Crown land*, available at [https://www.ipart.nsw.gov.au/sites/default/files/cm9\\_documents/Online-Submission-Telstra-Group-Limited-D.-Hunt-13-Aug-2024-103400114.PDF](https://www.ipart.nsw.gov.au/sites/default/files/cm9_documents/Online-Submission-Telstra-Group-Limited-D.-Hunt-13-Aug-2024-103400114.PDF) ibid, s3, p6

<sup>5</sup> Australian Property Institute, 2024, *Guidance Papers*, available at <https://www.api.org.au/standards/standards-resources/>

<sup>6</sup> IPART, 2024 p4 *Review of rents for communication sites on certain Crown land Draft Report July 2024*, available at [https://www.ipart.nsw.gov.au/sites/default/files/cm9\\_documents/Draft-report-Review-of-rents-for-communication-sites-on-certain-Crown-land-July-2024.PDF](https://www.ipart.nsw.gov.au/sites/default/files/cm9_documents/Draft-report-Review-of-rents-for-communication-sites-on-certain-Crown-land-July-2024.PDF)



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We reiterate the position from our previous submissions that<sup>7 8</sup>:

- the proposed fee schedule should align with recognised land valuation methods used by the NSW Valuer General (which consider a range of factors in the valuation of land), and
- IPART should adopt a fair market-based returns rental regime for communications towers on Crown lands.

We believe that this approach would better comply with the Terms of Reference<sup>9</sup> and property valuation principles as it would<sup>10</sup>:

- Have regard to market rentals agreed for similar purposes and sites with a substantially identical landowner (i.e. aligned with how Crown rent is charged to other users of Crown land).
- Have regard to relevant land valuations by tying rents directly to the value of the underlying land, disregarding improvements made by the tenant.
- Achieve a fair market based commercial return on the land and provide a return to the government over and above its Weighted Average Cost of Capital (WACC).
- Be simple, transparent, and cost effective and reflective of the location of the land, without a need for different location categories; and
- Reflect a non-discriminatory approach as legislated pursuant to Schedule 3 to the *Telecommunications Act 1997* (Cth).

Telstra would like IPART to reconsider the recommendation made in our April submission that rental fees for telecommunications sites should be based on the unimproved value of the freehold land, plus a percentage rate of return (e.g. of 6%).

### **2.3 The category uplift to the standard rental schedule would apply to sites in national parks.**

As per our previous submissions, Telstra maintains its disagreement with IPART's recommendation to charge one category higher for sites in National Parks. Our concerns with this approach have been documented in significant detail in our previous submissions, however, are summarised below for completeness.

- Sites are often deployed to provide critical services to the public, despite the relatively low levels of demand. Rather than penalising the industry for providing such services, we submit that IPART should be incentivising the location of key infrastructure in these areas to support the provision of services in and around NPWS land.
- The net community benefit of telecommunications services needs to be a key consideration for IPART when it makes rental recommendations.

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<sup>7</sup> Telstra, April 2024, s4.1, p6, *Telstra submission IPART Review of rents for communication sites on certain Crown Land* available at [https://www.ipart.nsw.gov.au/sites/default/files/cm9\\_documents/Online-Submission-Telstra-Group-Limited-D.-Hunt-12-Apr-2024-101224228.PDF](https://www.ipart.nsw.gov.au/sites/default/files/cm9_documents/Online-Submission-Telstra-Group-Limited-D.-Hunt-12-Apr-2024-101224228.PDF)

<sup>8</sup> Telstra, August 2024, s6.2, p10, *Telstra submission to IPART "Review of rents for communication sites on certain Crown land*, available at [https://www.ipart.nsw.gov.au/sites/default/files/cm9\\_documents/Online-Submission-Telstra-Group-Limited-D.-Hunt-13-Aug-2024-103400114.PDF](https://www.ipart.nsw.gov.au/sites/default/files/cm9_documents/Online-Submission-Telstra-Group-Limited-D.-Hunt-13-Aug-2024-103400114.PDF)

<sup>9</sup> IPART, 2023, *Terms of reference - Review of rents for communication sites on certain lands of the Crown - 12 December 2023*, available at [https://www.ipart.nsw.gov.au/documents/terms-reference/terms-reference-review-rents-communication-sites-certain-lands-crown-12-december-2023?timeline\\_id=16682](https://www.ipart.nsw.gov.au/documents/terms-reference/terms-reference-review-rents-communication-sites-certain-lands-crown-12-december-2023?timeline_id=16682)

<sup>10</sup> Telstra, August 2024, s6.2, p10, *Telstra submission to IPART "Review of rents for communication sites on certain Crown land*, available at [https://www.ipart.nsw.gov.au/sites/default/files/cm9\\_documents/Online-Submission-Telstra-Group-Limited-D.-Hunt-13-Aug-2024-103400114.PDF](https://www.ipart.nsw.gov.au/sites/default/files/cm9_documents/Online-Submission-Telstra-Group-Limited-D.-Hunt-13-Aug-2024-103400114.PDF)



- Telstra supports the protection of the social, cultural and environmental values of National Parks, however, notes that appropriate legislative mechanisms are already in place which acknowledge and seek to protect these areas of significance.

The IPART report seeks to justify the recommendation to charge one category higher in the following statement<sup>11</sup>.

*“Where there are legitimate additional costs which arise because of both direct costs (such as firefighting, trails etc) as well as indirect costs (harm to the natural environment, sightlines in parks for visitors etc) that would not exist if the communication site was not there, we agree that there is a case for some form of uplift.”*

Telstra is of the view that potential harm to the environment and impact on sightlines within a National Park is a very clear planning consideration, which would be assessed as part of a planning process (Development Application) and weighed against the net community benefit of the infrastructure being deployed. Additionally, it is unclear how a standardised increased rental fee would assist in mitigating potential impacts on the environment and sightlines. Telstra contend that this is better addressed, and already extensively considered, in the existing legislative mechanisms (such as Schedule 3 to the *Telecommunications Act 1997* (Cth)) that are in place to protect National Park land.

With respect to the referenced ‘direct costs’ detailed in the above extract; we have not been provided with quantitative analysis of these costs to substantiate the recommendation to maintain the category uplift for sites on NPWS land<sup>12</sup>.

Our previous submission also highlighted the disparity with the Valuer General of Victoria’s current review of fees for National Parks, which is proposing significantly reduced fees compared to those in IPART’s recommendations. This does not appear to have been addressed in the IPART draft report.

#### **2.4 The NPWS rental fee approach not be adopted by the other land management agencies.**

Telstra supports this recommendation.

#### **2.5 Co-users are no longer to pay a co-user fee where the land they licence is located wholly within the primary user’s compound.**

Telstra supports this recommendation as removing co-user fees where the land carrier licence is located wholly within the primary user’s compound is a promising start in rectifying this long-standing issue.

In addition to the removal of co-user fees, Telstra is also seeking a commitment that Crown land agencies implement the fee removal immediately as Telstra been subject to these elevated co-user fees since 2013. Telstra is willing to assist NSW IPART and the land management agencies in determining the sites where we are subject to co-user fees to ensure there is no delay in revoking these burdensome fees.

Telstra further recommends that NSW IPART should develop guidelines for the co-user fees so that interested landowners are not incentivised in amending their lease areas in an attempt to circumvent NSW IPART’s recommendations.

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<sup>11</sup> IPART, December 2024, S3.7, p32, *Review of rents for communication sites on certain Crown land Revised Draft Report December 2024*, available at [https://www.ipart.nsw.gov.au/sites/default/files/cm9\\_documents/Revised-Draft-Report-Review-of-rents-for-communication-sites-on-certain-Crown-land-December-2024.PDF](https://www.ipart.nsw.gov.au/sites/default/files/cm9_documents/Revised-Draft-Report-Review-of-rents-for-communication-sites-on-certain-Crown-land-December-2024.PDF)

<sup>12</sup> IPART, December 2024, S3.7, p33, *Review of rents for communication sites on certain Crown land Revised Draft Report December 2024*, available at [https://www.ipart.nsw.gov.au/sites/default/files/cm9\\_documents/Revised-Draft-Report-Review-of-rents-for-communication-sites-on-certain-Crown-land-December-2024.PDF](https://www.ipart.nsw.gov.au/sites/default/files/cm9_documents/Revised-Draft-Report-Review-of-rents-for-communication-sites-on-certain-Crown-land-December-2024.PDF)





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## 2.6 Co-users are to pay a co-user fee that is set at 50% of the primary user's rental fee where they licence additional land outside of the primary user's compound.

Telstra continues to advocate to IPART the revocation of all co-user fees in all settings. As noted in Telstra's previous submissions to IPART<sup>13 14</sup> the co-user fee construct is a significant regression in the telecommunications market where it hinders mobile carrier from complying with its legislative obligations under the Telecommunications Code of Practice 2021 (Cth) to take all reasonable steps to co-locate and use existing facilities where possible, deters new entrants and penalises carriers requiring them to pay twice for one facility which in turn increases our costs to operate our mobile network.

## 2.7 The co-user discount rate be considered as part of the next rental review.

As we have stated above, Telstra advocates for the removal of co-user fees in all settings. Telstra's position remains that rental fees should be based on the unimproved value of the land and this should include land located outside of the primary user's compound.

## 2.8 Primary users deploying small cell and other similar technology on existing, non-communication infrastructure are to pay rent of \$2,000 per annum where:

- a. the infrastructure is owned by the land management agencies; or
- b. the small cell is deployed on another entity's infrastructure, but a small amount of additional land (not more than 7.5 square meters) is required.

Telstra submits that while the \$2,000 per annum fee is a more competitive proposal than the former co-user arrangements, Telstra will continue to reserve its statutory rights under the *Telecommunications Act 1997* (Cth) to secure tenure to enter onto the land to install and operate a telecommunication's facility.

Telstra also submits that the term '*other similar technology*' is too broad could inadvertently scope in other types of telecommunication's technology. Telstra submits that recommendation 2.8 should have an unambiguous definition and be limited to 'small cell' technology only.

## 2.9 Communication sites located on a rooftop are to pay

- a. the relevant density category rental fee.
- b. plus an additional charge of \$3,380 per annum if they are in the Sydney density category.

As noted in Telstra's previous submission, Telstra has deployed 12 telecommunications rooftop facilities sited on Crown lands across NSW. Telstra reiterates that rooftop sites should be excluded from IPART's recommendation and be considered on a site-by-site basis by using a land valuation approach.

In respect of the rental arrangement for rooftop sites, each mobile network operator will lease their own specific area for their own equipment on a rooftop. The exemption is when a mobile network infrastructure provider establishes a new rooftop where it will attempt to secure sufficient space to enable it to be multi tenanted.

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<sup>13</sup> Telstra, April 2024, s4.7, p8, *Telstra submission IPART Review of rents for communication sites on certain Crown Land* available at [https://www.ipart.nsw.gov.au/sites/default/files/cm9\\_documents/Online-Submission-Telstra-Group-Limited-D.-Hunt-12-Apr-2024-101224228.PDF](https://www.ipart.nsw.gov.au/sites/default/files/cm9_documents/Online-Submission-Telstra-Group-Limited-D.-Hunt-12-Apr-2024-101224228.PDF)

<sup>14</sup> Telstra, August 2024, s5, p8, *Telstra submission to IPART "Review of rents for communication sites on certain Crown land*, available at [https://www.ipart.nsw.gov.au/sites/default/files/cm9\\_documents/Online-Submission-Telstra-Group-Limited-D.-Hunt-13-Aug-2024-103400114.PDF](https://www.ipart.nsw.gov.au/sites/default/files/cm9_documents/Online-Submission-Telstra-Group-Limited-D.-Hunt-13-Aug-2024-103400114.PDF)





Telstra further submits that paying an additional charge of \$3,380 per annum in the Sydney density category is not based on any recognised land valuation principles that Telstra is aware of.

Telstra is concerned that its adoption may encourage other justifications to consider the same unjustifiable pricing construct to which IPART should be cognisant of.

As such, Telstra urges IPART to revoke this arbitrary premium.

## **2.10 The following primary user fees per annum be adopted for communication sites in each density classification.**

**Table 2: Revised draft recommended rental fees by density classification<sup>15</sup>**

Sydney	High	Medium	Low
\$36,915	\$31,012	\$17,251	\$8,793

Telstra is disappointed with the recommendations in the revised draft report for the retention of density classifications from the IPART 2013 review. Telstra understands that the density classifications, listed above in Table 1, were continued to minimise the costs of implementing the updated fee schedule. If IPART are to retain the density classifications, Telstra would like IPART to consider adopting the 2019 recommendations<sup>16</sup> that removed the Sydney density classification, which when combined with the continued approach of charging one category higher for NPWS sites adds significantly to the costs of locating telecommunications infrastructure in the Sydney region.

However, Telstra reiterates that it is of the view that there should be a single category with a single mechanism for determining rental fees for all users based on recognised land valuation methods.

## **2.11 The published fee schedule is to be independently reviewed every 5 years to ensure it continues to reflect market conditions.**

Telstra support this recommendation. We would like IPART to consider engaging a telecommunications valuation specialist to undertake this task.

## **2.12 If IPART is to be provided a future referral to recommend rents for communication towers on crown land the referral should.**

- a. Explicitly state the reason for referring the review to IPART.**
- b. Be under section 12A of the IPART Act so that our information gathering powers are available.**
- c. Broaden the scope to include investigating the range of fees and charges imposed by the land management agencies.**
- d. That the 3 land management agencies improve their records, so they have information on whether co-users rent additional land and the additional costs**

<sup>15</sup> IPART, December 2024, s8.1 p69, *Review of rents for communication sites on certain Crown land Revised Draft Report December 2024*, available at [https://www.ipart.nsw.gov.au/sites/default/files/cm9\\_documents/Revised-Draft-Report-Review-of-rents-for-communication-sites-on-certain-Crown-land-December-2024.PDF](https://www.ipart.nsw.gov.au/sites/default/files/cm9_documents/Revised-Draft-Report-Review-of-rents-for-communication-sites-on-certain-Crown-land-December-2024.PDF)

<sup>16</sup> IPART, November 2019, p9, *Review of Rental Arrangements for Communication Towers on Crown Land*, available at [https://www.ipart.nsw.gov.au/sites/default/files/cm9\\_documents/Final-Report-Review-of-rental-arrangements-for-communication-towers-on-Crown-land-November-2019.PDF](https://www.ipart.nsw.gov.au/sites/default/files/cm9_documents/Final-Report-Review-of-rental-arrangements-for-communication-towers-on-Crown-land-November-2019.PDF)




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**associated with telecommunications towers in national parks.**

Telstra supports this recommendation.

We would like to raise our concerns however with terms of reference that have guided IPART's approach to this review. In gathering information and data for the delivery of their reviews IPART should be developing evidence based recommendations that include:

- The use of recognised property valuation principles, including recognising the underlying value of the land and disregarding improvements made by the tenant.
- Engaging property valuation experts who will adhere to land valuation principles.
- Aligning telecommunication market rentals with how Crown rent is charged to other users of Crown land.
- Being location reflective in the pricing methodology, rather than adopting different categories of location.
- Having regard to the positive externalities generated by telecommunications.

Telstra also shares IPART's concerns regarding record keeping of the three land management agencies. We note with concern that the Crown in its submission indicated that it would take 8 years and cost \$5.5m to execute the removal of co-user fees<sup>17</sup>. This provides the land management agencies with an excuse to delay the removal of co-user fees using the cover of inadequate record keeping and administrative inefficiencies.

**2.13 The rental fees set out in recommendation 10 are to be escalated by 3% per year in line with current private market practice. Existing licences are to adopt the escalator as they are renegotiated.**

Telstra supports the decision by IPART to increase the rental fee by a fixed rate of 3% per annum and cease using the Consumer Price Index (CPI) as the escalator for new leases<sup>18</sup>. Telstra notes that the use of the CPI in volatile market conditions where there is high inflation, formulaic rent escalations have the potential to adjust rents to extreme amounts not expected by either tenant or landlord. Telstra agrees with IPART that a fixed rate of 3% per annum would align with how rental fees are escalated for private market leases<sup>19</sup>.

Telstra notes that IPART are proposing to apply the rent escalator change only on renegotiation of licence agreements. Telstra does not believe that waiting until licence negotiation is a satisfactory outcome and we would like IPART to consider recommending that all existing agreements be varied to apply to the new escalation rate of 3% and no longer be subject to CPI increases.

In addition to this, IPART acknowledges that low-density sites in the private market have escalated less than 3%, however there is no recommendation for a lower escalator in this category<sup>20</sup>. Additionally, there is a lack of adoption of the split of density categories into Remote and Very Remote, which impacts rents in the most remote locations in the State. Therefore, Telstra's view is that sites in the Low category (and if adopted, Remote and Very Remote) should have an escalator applied of 2%.

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<sup>17</sup> Department of Planning, Housing and Infrastructure, Crown Lands and Public Spaces, November 2024, S4.2, p4, Public Submissions, available at [https://www.ipart.nsw.gov.au/sites/default/files/cm9\\_documents/Online-Submission-Department-of-Planning-Housing-and-Infrastructure-Crown-Lands-and-Public-Spaces-M.-Hawyes-11-Nov-2024-112440670.PDF](https://www.ipart.nsw.gov.au/sites/default/files/cm9_documents/Online-Submission-Department-of-Planning-Housing-and-Infrastructure-Crown-Lands-and-Public-Spaces-M.-Hawyes-11-Nov-2024-112440670.PDF)

<sup>18</sup> IPART, December 2024, s8.2 p62, *Review of rents for communication sites on certain Crown land Revised Draft Report December 2024*, available at [https://www.ipart.nsw.gov.au/sites/default/files/cm9\\_documents/Revised-Draft-Report-Review-of-rents-for-communication-sites-on-certain-Crown-land-December-2024.PDF](https://www.ipart.nsw.gov.au/sites/default/files/cm9_documents/Revised-Draft-Report-Review-of-rents-for-communication-sites-on-certain-Crown-land-December-2024.PDF)

<sup>19</sup> LegalVision, 2025, *Common Methods of Commercial Rent Reviews*, available at <https://legalvision.com.au/different-types-of-commercial-rent-reviews/>

<sup>20</sup> IBID, s4.4, p40



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**2.14 The rental escalator is to be reviewed as part of the next rental review.**

Telstra support this recommendation.