



Standing Committee on Communications and the Arts

Inquiry into co-investment in multi-carrier regional mobile infrastructure

Response to Question taken on Notice at the Public Hearing on 8 March 2023

10 May 2023

1. Introduction

On 8 March 2023, Mr Lipton, Ms Aitken and Ms Harrison appeared on behalf of Amplitel Pty Ltd at a public hearing of the Standing Committee on Communications and the Arts *Inquiry into co-investment in multi-carrier regional mobile infrastructure*.

During the hearing, the Committee asked Amplitel to provide examples of Federal and/or State government entities charging “co-user fees” for the use of government land where more than one mobile operator uses the land. In response to that request, Amplitel provides the following response.

[REDACTED]

[REDACTED]

2. Summary

Our analysis of the relevant government entities indicates that this type of charging is most common with State based entities. Although some Federal entities have sought to charge additional rental where co-location exists, Amplitel is in the process of agreeing revised terms with the aim of reducing these types of fees.

In addition to co-user fees, some State government entities require separate and direct leases with all operators located on a site. This approach has the same impact as co-user fees as it duplicates lease charges for the same space.

3. Co-User Fees

The following entities are examples of State government entities that charge co-user fees:

Victoria: [REDACTED]
NSW: NSW Crown Land Agencies¹:
NSW Department of Planning and Environment (DPIE)
Forestry Corporation of NSW
NSW National Parks and Wildlife Service (NPWS)

As set out in Amplitel’s Submission to the Inquiry dated 10 November 2022, the NSW government has not adopted the recommendations contained in NSW Independent Pricing and Regulatory Tribunal (IPART) November 2019 report. The NSW Crown Land Agencies continue to charge based on each co-user paying an additional 50% of the site rent. As a result, where the mobile infrastructure is owned by an infrastructure provider and three mobile operators are co-located, the rent can be 250% of the rent payable for a single user carrier site.

By way of another example, due to the partial sale of Telstra’s interest in Amplitel, one NSW Crown Land Agency seeks to apply the full rental to Amplitel and impose a 50% co-user fee on Telstra. This results in a 50% increase in rental on existing sites with no change to area occupied, carriers on site or change to the facility.

¹ NSW Crown Lands manage 42% of NSW. NPWS manages more than 890 National Parks covering 7.5 million hectares. See <https://www.crownland.nsw.gov.au/> and [About NPWS | NSW National Parks](#)

4. Direct Leases with Co-Locators

Some government landlords require a separate and direct lease with each co-locator. This has the impact of increasing the total rents paid for a site as each mobile operator located on the site must enter into a separate and direct lease with the government landlord (with separate rent payable under each lease), in addition to paying access charges to the mobile infrastructure provider.

The following are examples of State government entities that require a separate and direct lease with each mobile operator (some exceptions apply for specific on-site scenarios):

NSW: [REDACTED]

Vic: [REDACTED]

WA: [REDACTED]