

Communication licences

Information for communication organisations occupying Crown land

A licence is a right granted by the NSW Department of Planning and Environment under the Crown Land Management Act 2016 that gives permission to occupy and use Crown land for a specified purpose and term. The department makes Crown land available under licence to a variety of organisations to construct and operate communication infrastructure.

Licensing of communication infrastructure

For each communication site located on Crown land that the department manages, the department licenses both the tower owner (the primary user) and any organisation co-located on the tower (co-user). The department issues a head-licence agreement to organisations occupying Crown land for communication purposes. The head-licence agreement details the standard terms and conditions for occupying a communication site. The same agreement applies to primary users and co-users.

Each individual site that an organisation occupies is then authorised through a site appendix that annexes to the head licence. New site appendices are granted whenever an organisation with an existing head licence wishes to occupy additional Crown land. Site appendices may also have special conditions that are specific to each site.

Rent for communication licences

Communication licence rents are based on the Independent Pricing and Regulatory Tribunal (IPART) Review of Rental Arrangements for Communication Towers on Crown Land 2013 Final Report. In July 2014, the NSW Government adopted all 23 recommendations of the IPART 2013 report, including a rental fee schedule for communication licences and standard sites. For more information on this rental fee schedule, see the [Communication licence rent fact sheet](#). In November 2019, IPART released its latest Review of Rental Arrangements for Communication Towers on Crown Land to the NSW Government. The NSW Government has not accepted the recommendations in the latest IPART review as the dataset used in the review, which pre-dated COVID-19, does not reflect current market conditions. The next IPART review is due to commence in 2023.

In the interim, communication tenures on Crown land will be managed under the 2013 IPART fee schedule, or respective existing licence conditions, adjusted by the consumer price index where applicable.

Site usage categories

A communication site located on Crown land receives one of 2 classifications:

- Primary user means an organisation that has an agreement with the department for access to Crown land to develop communications infrastructure, including a tower on a site. For more

information, please visit [information on primary users](#), see the [Developing communication facilities on Crown land fact sheet](#).

- Co-user means an organisation that pays a fee to a primary user to locate its communications equipment on a communication tower site. Co-user rentals are calculated at 50% of the rental that would apply if they were occupying the site as a primary user. For more information on co-users, see the [Co-locating on communication facilities on Crown land fact sheet](#).

Each site appendix an organisation receives for a communication site will indicate which site-usage category applies.

Unauthorised communication facilities

The department uses a range of tools to identify the occupation of communication infrastructure on Crown land, including:

- referencing the Australian Communications and Media Authority (ACMA) databases
- reviewing department records
- consulting with primary users
- consulting with Crown land managers
- reviewing spatial imagery.

Licence conditions require the primary user of each site to notify the department about who is co-located on their facilities. The department uses this information to update account information and issue new licences as needed.

Account management

The rent for communication licences is due on 1 July each year.

When a new site appendix is granted, your organisation will have the opportunity to provide your own reference number for each site so that future land-account notices can be readily reconciled against your records.

More information

For more information, please contact:

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