

Contact Matthew Tsikrikas
[REDACTED]

25 November 2024

Lee Gilligan
National Portfolio Manager
Indara Digital Infrastructure

via email

Dear Mr Gilligan

Your procedural concerns about IPART's review of rents for communications sites

Thank you for your email of 14 November 2024 to Matthew Tsikrikas, raising concerns about the submissions process IPART has followed for its review of rents for communications sites on Crown land, and subsequent letter reiterating those concerns.

IPART treats any concerns about impropriety very seriously. We are committed to following a fair and transparent process, and for that reason have decided to publish a further draft report and have another round of consultation with all stakeholders.

siteXcell is a subsidiary of a lease aggregator with assets in NSW

Thank you for bringing to our attention that siteXcell (a trading name of Total Site Solutions Pty Ltd) is owned by a lease aggregator that holds leases over communications sites in NSW. We were not aware of that, and agree that it should have been noted in siteXcell's report.

In light of that, IPART will treat the information provided by siteXcell as a submission of an interested party, rather than an independent expert.

Your email asked three specific questions about the procurement of siteXcell's report by the land management agencies. We do not know the answers to those questions.

siteXcell was retained by the Department of Planning, Housing and Infrastructure. The selection and supervision of siteXcell is a matter for the Department. We will bring your concern to the Department's attention, for their consideration.

The timing of stakeholder submissions

Your email states that the land management agencies "have been allowed to submit a tailored response against each of the rest of the industry's response – essentially giving them an advantage". To the extent you are suggesting that the agencies had access to other stakeholders' submissions in preparing their own, that is not correct. We published all stakeholders' submissions (including the siteXcell report) at the same time, on 21 October 2024.

However, it is true that the land management agencies' submission was received and accepted after the advertised close date of 12 August 2024. We accepted several stakeholders' submissions after that date, including the submission of a member of the telecommunications industry.

However, the Tribunal has now decided to publish a further draft report. Seeking feedback on the further draft will enable all stakeholders to:

- understand and provide feedback on how we responded to submissions and other material received since the first draft report; and
- have a fair and equal opportunity to provide submissions before IPART makes its final recommendations.

Once again, we would like to thank you for raising concerns with our process. Doing so has assisted us to maintain our commitment to delivering a fair, impartial and transparent process.

IPART's contact officer for this review is Matthew Tsikrikas, Principal Analyst, contactable on [REDACTED].

Yours sincerely

25/11/2024

[REDACTED]

Fiona Towers
Executive Director

Signed by [REDACTED]