

From: [Damien Gardner](#)
To: [LRreview](#)
Subject: [EXTERNAL] - Not confidential: Submission in support of stronger .au allocation rules and Draft Report recommendations
Date: Wednesday, 8 July 2026 11:48:59 AM

Dear Policy Advisory Panel,

I am writing in support of the direction of the Draft Report for the .au Licensing Rules Review 2025, particularly the proposals aimed at strengthening the allocation rules for com.au and net.au domain names.

By way of background, I have worked in the Australian hosting and domain industry since 1996, long before auDA existed. I have dealt with .au domain names through the pre-auDA era, the early auDA policy framework, and the later expansion and liberalisation of registration rules. My views are informed by nearly three decades of practical experience with hosting providers, registrants, domain resellers, and the day-to-day operational reality of the .au namespace.

In my view, the com.au and net.au namespaces have always served an important public-interest function. They are not simply speculative digital assets. They exist to provide Australian businesses, organisations, and consumers with a trusted namespace where a registrant has a genuine connection to Australia and a meaningful connection to the domain name they hold.

I strongly support a stricter approach to allocation rules. In particular, I support the Panel giving serious consideration to deleting subparagraph 2.4.4(2)(f) from the .au Licensing Rules, or otherwise substantially tightening the way that provision can be used. The current ability to rely on broad “goods or services” arguments has, in my experience, allowed the rules to drift too far from the original purpose of com.au and net.au.

I appreciate that some businesses have built commercial models around domain name monetisation, domain leasing, domain parking, and resale. However, the fact that a business model has grown around exploiting a permissive rule does not mean that the rule serves the public interest. The .au namespace should not be structured primarily to protect speculative holdings or monetisation portfolios. It should be structured to preserve trust, fairness, and genuine availability for Australian businesses and consumers.

Historically, .au was much more restrictive. I personally believe we should never have moved as far away as we did from tighter limits, including the earlier approach that limited the number of domain names that could be held against a registration number. While I understand that the namespace and the market have changed since then, the principle behind those limits remains sound: com.au and net.au should not become warehouses for speculative inventory.

A stricter allocation framework would provide several benefits:

1. It would improve fairness for genuine Australian businesses seeking names that accurately describe their business, products, or services.
2. It would reduce artificial scarcity caused by large-scale speculative registration.
3. It would strengthen public trust in com.au and net.au by reinforcing that these namespaces are for genuine Australian commercial use.

4. It would reduce the incentive to register domains primarily for resale, parking, pay-per-click advertising, or leverage over future genuine users.
5. It would make compliance simpler and more meaningful, because the test would focus on a genuine connection between the registrant and the domain name rather than broad post-hoc justifications.

I also support increased audits and compliance checks for monetised sites. However, I do not believe audits alone are sufficient if the underlying allocation rule remains broad enough to permit the same conduct through clever framing. Compliance activity is important, but the rules themselves need to be clear, enforceable, and aligned with the purpose of the namespace.

The .au namespace is a public resource. It should not be treated as an unregulated commodity market where the best-resourced operators can accumulate large portfolios of commercially attractive names and then extract value from those who have a genuine need for them. That outcome is not consistent with the community expectation that com.au and net.au domains represent real Australian commercial activity.

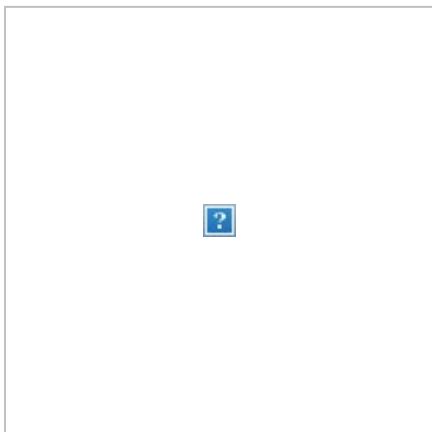
I encourage the Panel to maintain and strengthen the draft direction, particularly in relation to allocation-rule reform. The final recommendations should prioritise the long-term integrity of the .au namespace over the short-term commercial interests of businesses that depend on speculative domain holdings.

Thank you for the opportunity to provide feedback.

Kind regards,

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