

# CHAPTER 7

## Conclusions and committee view

7.1 Principle 1 of the ACMA *Principles for spectrum management* requires the allocation of spectrum to the highest value use or users'.<sup>1</sup> In addition, the object of the *Radiocommunications Act 1992* is to manage radiofrequency spectrum in order to, amongst other things 'maximise, by ensuring the effective allocation and use of the spectrum, the overall public benefit derived from using the radiofrequency spectrum'.

7.2 The committee recognises that there is no greater use of spectrum as a public resource than that of ensuring the safety of the Australian public. Public safety operations are essential to the public interest.<sup>2</sup> As noted by Mr Chris Cheah of the ACMA, public safety agencies have both particular operational needs and are a 'critical element of our national fabric'.<sup>3</sup>

7.3 In order to optimise the public benefit from the allocation of spectrum, the committee considers that PSAs require at least 20 MHz of spectrum in the 700 MHz band. Without sufficient spectrum to meet actual demands in the future, the decision to allocate 10 MHz (5 + 5 MHz) could have a serious impact on future emergency management capabilities and adversely affect the Australian population.

7.4 The first hours of a mission critical operational response, and particularly the first hour, are the most important in terms of saving lives and property. It is in this period that communications must operate seamlessly, in a timely manner and on an interoperable basis. The public expect that police and emergency service decision makers are provided with all necessary information to make critical decisions to protect lives and property in the event of a crisis or emergency. It would not be acceptable to the public to equip public safety agencies with less than the necessary communications capacity to deal with life-threatening situations.

7.5 The committee also appreciates that there is a growing expectation regarding the role of emergency services in strengthening the disaster resistance and resilience of communities as evidenced by various commissions of inquiry conducted into bushfires and floods. The ability of police and emergency services to meet such expectations (timely action to protect the public, order an evacuation or provide appropriate advice), is vital to sustaining public trust and cooperation. Law enforcement agencies and emergency services have a high public profile and often rely upon public cooperation and information to perform their functions. The inability of PSAs to act in a timely manner following an emergency or in response to a

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1 Australian Communications and Media Authority, *Principles for spectrum management*, March 2009, p.1, [http://www.acma.gov.au/webwr/assets/main/lib310828/principles\\_for\\_spectrum\\_management.pdf](http://www.acma.gov.au/webwr/assets/main/lib310828/principles_for_spectrum_management.pdf) (accessed 10 June 2013).

2 Mr Chris Cheah, ACMA, *Committee Hansard*, 24 June 2013, p. 7.

3 Mr Chris Cheah, ACMA, *Committee Hansard*, 24 June 2013, p. 7.

community need could not only have a detrimental impact on the community but also a significant and long-term effect on the reputation of the PSAs and particularly law enforcement agencies to serve and protect society. The committee recognises that the use of mobile broadband technology is a significant enabler to the effective use of information to deliver improved public safety outcomes as expected by the Australian public.

7.6 The objectives of a PSMB network as set out in Chapter 3 of this report include enhanced situational awareness are vital for PSAs to respond to emergencies and protect their own officers. In order to achieve these objectives, PSAs must be provided a minimum of 20 MHz in the 700 MHz spectrum and supported to establish a national PSMB network. The demise of analogue broadcast television has allowed the reallocation of the vacated 700 MHz part of the radio-frequency spectrum. This development has provided a unique opportunity to establish a national mobile broadband communications network. This network would allow various PSAs to better plan, coordinate and execute their missions using the most up-to-date communications technology, whether it be for their day-to-day operations or for responding to crisis events.

7.7 The committee appreciates that there will be situations in the future whereby public safety agencies will have to utilise commercial operators. Indeed, there was no single submission or witness to the inquiry which contradicted this view. However, the committee is mindful of the need to minimise reliance upon commercial carriers for reasons including their limited resilience and the considerable risks to public safety. Notwithstanding recognition of the commercial carriers themselves of a civil duty to support public safety agencies which is appreciated, the committee believes that any reliance upon commercial operators should be minimised. Provision of 20 MHz of spectrum is important in this regard.

7.8 The costs involved in the development and management of an effective and interoperable national PSMB will be considerable. Costs stretch to updating applications, utilisation of regular software releases and application of patches and enhancements which require modelling and testing before deployment into life networks. The committee appreciates that the operational costs involved in what will be a live and highly dynamic network represent a significant investment for operators.<sup>4</sup> However, the auctioning of spectrum in the 700 MHz band realised a significant financial dividend. The committee supports the view that this dividend should contribute to meeting the costs of securing a national PSMB network and recommends that the Australian Government finance the provision of spectrum for PSAs through the proceeds of the auction.

7.9 The committee understands that the US Government financed the spectrum of law enforcement and emergency services out of the proceeds of the auction of spectrum to commercial carriers and that in Canada, spectrum is provided by the

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4 Ericsson, *Submission 3*, p. 10.

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national government.<sup>5</sup> The committee takes a similar view as ultimately, public safety agencies provide a critical public service.

### **Recommendation 5**

**7.10 The committee recommends that the Australian Government direct an appropriate portion of the proceeds derived from the auction of spectrum to fund the allocation of 20 MHz of spectrum in the 700 MHz band for the purposes of a national public safety mobile broadband network.**

**The Hon Robert McClelland MP  
Chair**

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5 Police Federation of Australia, *Submission 2*, p. 11.

