



Submission to the House of Representatives Standing Committee on Communications and the Arts

Inquiry into co-investment in multi-carrier regional mobile infrastructure - the experience opportunities and challenges (*not including matters related to national security*).

10 November 2022

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CDMPS Key Goals:

In making this submission the Centre for Disaster Management and Public Safety (CDMPS)¹ continues, as it has for many years, to seek recognition in Government Legislation of the mission critical communications used by Australia's Public Safety Agencies (PSAs) as:

- Critical Infrastructure; and
- An "Ecosystem" within Australia's Critical Infrastructure Framework

In this context the "mission critical communications ecosystem" needs to be recognized as a "Public Benefit" comprising the following components:

- The Triple Zero Call Service;
- Public Safety Agencies (PSA) Communications Centers in each State and Territory that accept the transfer of Triple Zero Calls and dispatch PSA resources in response to these calls
- The land mobile radio (LMR) networks that support the PSA response and subsequently provide PSAs with operational communications coverage, capability, and capacity
- The Computer Aided Dispatch (CAD) systems used in the receipt and processing of Triple Zero Calls and the dispatching of PSA discrete resources
- The associated and constantly evolving technologies and interfaces between the components of the ecosystem and the global standards supporting the evolution
- The human resources involved in all the above and in particular the health, safety, and mental wellbeing of these resources i.e. First Responders

Communications infrastructure and its ownership and operation is a core component of the "mission critical communications ecosystem" as would multi-carrier regional mobile infrastructure if adopted.

Committee Terms of Reference

This CDMPS submission takes into consideration the Terms of Reference provided to the Committee by the Minister for Communications and the Arts as follows:

1. Report on the costs, feasibility and *public benefits* associated with the deployment of:
 - (a) infrastructure which supports a single mobile carrier; and
 - (b) the various models for infrastructure which supports multiple mobile carriers;
2. Report on community views on single carrier vs multi-carrier outcomes; and
3. Report on examples of successful multi-carrier outcomes and their applicability in the Australian context.

In providing the Committee with this Terms of Reference the Minister has also advised that the Committee can ignore matters relating to "national security" as being "out of scope".

In preparing this submission CDMPS has identified a number of current initiatives relevant to the Committee's Terms of Reference that have "national security" implications, which are being dealt with

¹ <https://www.unimelb.edu.au/cdmops>

by other Government Inquiries and/or initiatives. If this is the case, then it seems reasonable that they be considered “*out of scope*” for the Committee but their existence and connection to the Committee’s Terms of Reference and the associated risk of ignoring these initiatives needs to be noted and considered in the Committees report and advice to Government.

These matters include the following:

Australian Competition and Consumer Commission (ACCC)² Inquiries:

The ACCC is conducting the following current Inquiries into:

- Towers used in supply of mobile telecommunications and other radio communications services in regional areas, and into the feasibility of ***mobile roaming during national disasters and other emergencies***; and
- The proposed Telstra – TPG agreement relating to Multiple Operator Carrier Networks (MCON) and spectrum sharing in certain regional and urban fringe areas.

New South Wales Telco Authority (NSWTA)

- The release of the results of the Public Safety Mobile Broadband (PSMB) Proof of Concept (PoC) being led by the NSW Telco Authority (NSWTA) on behalf of the States and Territories is imminent. Optus, TPG and Nokia have been contracted to undertake this PoC.
- The NSWTA is undertaking Neutral Mobile Roaming trials.
- The NSWTA is currently considering submissions received reading changes in the “market” for the PSMB capability.
- The ACMA has auctioned spectrum considered for use in the PSMB capability.

Legislation:

The emergence of significant cyber security breaches associated with data held by major corporations has brought a focus to the recently passed Federal Legislation – *Security of Critical Infrastructure Act 2018³ (SOCI)* - in force from 3 December 2021. This Legislative Framework was developed by the Joint Parliamentary Committee on Security and Intelligence⁴ (JPCSI) and relates to critical infrastructure, cyber security, and data storage.

The SOCI Legislation identified the communications sector as “critical” confirming what had been previously recognised in the *Telecommunication and Other Legislation Act 2017*, known as the Telecommunication Sector Security Reforms⁵ (TSSR). This Legislation amended the *Telecommunications Act 1997* to establish a regulatory framework to better manage the national security risks of espionage, sabotage and foreign interference to Australia’s telecommunications networks and facilities.

Together the Security of Critical Infrastructure Act 2018 (SOCI) and TSSR create regulatory frameworks that apply to different critical infrastructure assets and create different statutory obligations.

² Australian Competition and Consumer Commission

³ <https://www.legislation.gov.au/Details/C2021C00570>

⁴ https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Intelligence_and_Security

⁵ https://www.cisc.gov.au/help-and-support-subsite/Files/tss_administrative_guidelines.pdf

In combination or individually the outcomes from these processes have the potential to impact the mission critical communications ecosystem; PSMB service delivery model; and development of an Australian Public Safety Network (PSN) comprising Land Mobile Radio (LMR) and Long-Term Evolution (LTE) technologies as a significant “*Public Benefit*”.

Consultation:

Over the past 13 years the CDMPS has made multiple submissions to Government Inquiries, Committees and Departments seeking support towards achieving the CDMPS Goals with the more notable submissions as follows:

- The 2015 Productivity Commission Inquiry into Public Safety Mobile Broadband (PSMB)
- The 2016 HoRSCITC⁶ Smart ITC Inquiry
- The 2020 Royal Commission into Australia’s National Natural Disaster Arrangements
- The 2021 Regional Telecommunications Review
- The Security of Critical Infrastructure Act 2018 (SOCI)
- The 2022 Security Legislation Amendment (Critical Infrastructure Protection) Act

The CDMPS believes that the consultation process being undertaken by the ACCC in addition to outcomes from the NSWTA activities will inform the Terms of Reference provided by the Minister to the Committee and reduce duplication of effort by all parties involved.

Ecosystem Development and Investment

In parallel with the global emergence of the PSMB capability the technology components of the ecosystem will continue to evolve. The next stages of this evolution will provide the PSMB capability with Prioritisation, Pre-emption, and Quality of Service (PPQoS) and the Next Generation of the Triple Zero Service (NG000) providing data carrying capabilities e.g. data visualisation. These stages of evolution will utilise mobile broadband networks and tower infrastructure in the carriage and storage of data associated with the emergency response function performed by the PSAs and most likely use of a Mobile Virtual Network Operator (MVNO). The recent investment by private equity in the ownership of tower infrastructure demonstrates the global importance and value being placed upon this infrastructure in the context of being a long-term stable investment opportunity. The expected risk mitigation associated with the ownership of this infrastructure presents the opportunity for PSAs to leverage this commercial investment to enhance the delivery of their services to Australian communities and to protect their own personal health and wellbeing particularly during times of natural disaster. In this context the evolution of the ecosystem needs to be seen as a significant “*Public Benefit*” and as a result it is expected that the SOCI – TSSR Legislative Framework will apply to both the existing, upgraded, and evolving ecosystem capabilities reinforcing the need for the achievement of the CDMPS Goals in both Federal and State legislation. The development of a financial model that provides a suitable balance between a commercial return on investment and the “*Public Benefit*” will be essential hence the financial models⁷ being used in international models of investment associated with public safety communications need to be considered.

Further Information:

For further information about this submission please contact:

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⁶ House of Representatives Standing Committee on Infrastructure, Transport & Cities

⁷ <https://www.firstnet.gov/>