

9 June 2016  
Level 4, 151 – 241 Goulburn St  
Surry Hills, NSW, 2010

Chief Executive Officer  
Australian Communications and Media Authority  
Red Building, Benjamin Offices,  
Chan Street, Belconnen ACT 2617

Dear Mr Bean,

**Re: Consultation note on the Exposure Draft Radiocommunications (Spectrum Licence Allocation – Residual 700 MHz Band One) Direction 2016**

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I am writing to provide comment on behalf of the Law Enforcement and Security Radio Spectrum Committee (LESRSC) in relation to the consultation note for the *Exposure Draft Radiocommunications (Spectrum Licence Allocation – Residual 700 MHz Band One) Direction 2016*. The LESRSC has various responsibilities including pursuing means of achieving and maintaining the active participation of Law Enforcement and Security agencies in the development and implementation of a national strategic plan for public safety communications.

To this end we have pursued an allocation of spectrum in support of public safety mobile broadband communications for a period in excess of five years, participating in various Federal Government committees and inquiries and producing significant evidence supporting the application. This evidence has been made available to various Commonwealth agencies, including the Department of Communications and the Arts.

The LESRSC is of the strong view that any decision on the Vodafone proposal should be delayed until the critical issue of the allocation of spectrum to States and Territories for a national Public Safety Mobile Broadband (PSMB) capability is properly considered and resolved. It would appear that this latest proposal by Vodafone has not been subject to the same arduous process of assessment as the PSMB proposal.

The LESRSC is aware of the recent Productivity Commission paper recommending a fully commercial solution to meet PSMB requirements with no allocation of spectrum to be made. Meetings with commercial carrier representatives have confirmed that commercial offerings do not negate the requirement of an allocation of spectrum to support the mission critical requirements of public safety agencies as this would require a highly tailored solution. It has also been confirmed that the carriers continue to prioritise a coverage model based on population and do not provide the geographic coverage required by public safety communications, particularly in regional and remote areas.

Concern has also been expressed during this consultation in regard to the current practice of not even providing basic triple zero services in areas covered only by 4G networks. In these areas subscribers are sent a message stating, "you are in one of our new 4G only areas. As this is a data only service you may not be able to make voice or emergency calls." This demonstrates the risk in relying on commercial providers for public safety communications. LESRSC also rejects previous claims by ACMA officials that the stated coverage and capacity requirements of public safety organisations for mobile broadband communications are only to support once in a generation events. Over recent years natural disasters have occurred frequently and continue to highlight the need for mission critical communications.

Frequent outages of carrier networks over wide areas have also demonstrated the limitations of commercial grade networks. Recent terrorist incidents in Europe clearly demonstrated the risk in relying on commercial grade communications, even in countries with a high density of carrier infrastructure and a highly competitive communications market.

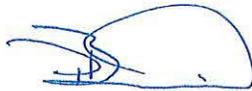
In our submissions, we stressed that an allocation of sufficient spectrum in the appropriate segments is critical for PSMB to work effectively. If this does not occur, public safety officers and volunteers face the risk of not having access to the most efficient and effective fit-for-purpose tools to do their jobs.

The LESRSC believes that the public benefit of saving lives and protecting property is paramount and dictates that a decision on spectrum for public safety is made before any other commercial proposals are considered.

In closing, I note that it is unfortunate and somewhat unusual that this proposal has been circulated and a response required while the Federal Government is in a caretaker period.

I can be contacted at the address above or by telephone (02) 9285 3756.

Yours Sincerely



Peter Barrie  
Chairman Law Enforcement and Security Radio Spectrum Committee