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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Margaret Lopez / s22(1)(a)(ii)

SB25-000275

**SUBJECT: Online Gambling****Key Deliverables**

- The Australian Government committed to responding to the Online Gambling inquiry, and is closely considering all 31 recommendations. The government has undertaken extensive consultation which has raised additional considerations that are continuing to be worked through.
- The government has delivered the most significant gambling harm reduction measures of the last decade – *detailed below*.

**Talking Points**

- The Australian Government takes seriously our responsibility to protect Australians – particularly children and young people – from the harms of online gambling.
- The government is closely considering the recommendations from the Online Gambling Inquiry report (**Attachment A** refers).
- Since being sworn in, the Hon Anika Wells MP, Minister for Communications and Minister for Sport, has had several meetings with harm reduction advocates, broadcasters and sporting codes to discuss the inquiry report and the harms of gambling.
- The government is also considering the outcomes of a separate review of the regulation of online keno and foreign-matched lotteries, and a statutory review of BetStop has commenced.
- The government has delivered the most significant gambling harm reduction initiatives of the past decade, including:
  - launching BetStop – the National Self-Exclusion Register for online wagering in August 2023, with close to 48,000 registrations as at August 2025;
  - banning the use of credit cards for online wagering, which commenced in June 2024;
  - introducing mandatory minimum classifications for gambling-like content, including loot boxes and simulated gambling, in computer games, which commenced in September 2024;
  - introducing mandatory customer pre-verification in September 2023, which requires wagering service providers to verify a customer's identity before they can place a bet; and
  - introducing new evidence-based taglines with stronger messages about the risks and harms of online wagering, which commenced in March 2023.

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Version Number: 01

Date: 23/09/2025

Page 1 of 6

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Margaret Lopez / s22(1)(a)(ii)

SB25-000275

**Key Issues**Online Gambling Inquiry

- On 28 June 2023, the House of Representatives Standing Committee on Social Policy and Legal Affairs released the final report from its inquiry into online gambling and its impacts on those experiencing gambling harm.
- The Online Gambling Inquiry made 31 recommendations ranging from the need for consistent national consumer protections and improved research and data, reform of online gambling regulation and gambling advertising rules, and addressing illegal offshore gambling and simulated gambling games.
- The Department of Social Services (DSS) is leading the government's response to the Online Gambling Inquiry in collaboration with the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts, and other responsible agencies, including Treasury.
- The department has responsibility for 9 recommendations around wagering advertising, illegal offshore gambling, and gambling-like content in computer games.
- Between August and September 2024, the government consulted on a proposed model for wagering advertising reform with broadcasters, sporting codes, wagering service providers, digital platforms, racing sectors, harm reduction advocates and academia, and state and territory governments.
- In March 2025, the department engaged Nielsen to provide additional data to complement stakeholders' views and to further understand the volume of wagering advertising and wagering advertising revenue across all platforms.

BetStop – the National Self-Exclusion Register

- BetStop allows individuals to self-exclude themselves from Australian interactive wagering services (telephone and online) for periods ranging from 3 months to a lifetime.
- Wagering providers cannot open a betting account, accept a bet or send direct marketing material to persons registered on BetStop.
- Since its commencement (in August 2023), close to 48,000 Australians have registered with BetStop. Notably, 79% of registrants are aged 40 and under and 39% have registered for a lifetime ban. Over 31,000 people have active exclusions.
- A review of BetStop's regulatory framework is underway, as required under legislation.
- The review is being led by Mr Richard Eccles, who was appointed by the former Minister for Communications, the Hon Michelle Rowland MP, and is undertaking the review with

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Page 2 of 6

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OFFICIAL

## 2025-2026 Supplementary Budget Estimates

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SB25-000275

support from the department. Mr Eccles has diverse experience in the public health, online safety and technology sectors.

- Public consultation to inform the Review was held from December 2024 to April 2025. The review heard from over 30 stakeholder groups and 25 written submissions were received.
- A final review report must be delivered to the minister by the end of February 2026, which is within 18 months of the end of the first 12 months of operation, and will be tabled in Parliament.
- Operational, compliance and enforcement questions regarding BetStop should be directed to the Australian Communications and Media Authority (ACMA).

Illegal gambling services

- The ACMA administers a website blocking regime to disrupt illegal gambling services. The ACMA has requested internet service providers block access to almost 1,300 illegal websites since 2019.
- The ACMA has issued 2 compliance alerts relating to illegal gambling advertising in 2025. Questions about these compliance notices should be directed to the ACMA.
  - In May 2025, the ACMA issued a compliance alert regarding illegal gambling advertising being broadcast or streamed during international live sporting feeds. These international feeds may include virtual and/or physical advertisements for online gambling services, including offshore gambling services, and efforts should be made to remove these advertisements from live feeds.
  - In June 2025, the ACMA published a compliance alert warning social media influencers that promoting illegal gambling services in Australia is illegal and may expose them to significant penalties. This followed a recent increase in reports about social media influencers promoting illegal sites.

Senate Order for the Production of Documents

- On 23 July 2025, the Senate agreed to an Order for the Production of Documents related to the government's response to the Online Gambling Inquiry (OPD No. 8).
- Senator the Hon Don Farrell tabled the response to OPD No. 8 on behalf of the minister on 31 July 2025. The response provided access to 7 redacted documents and noted 7 documents were subject to a public interest immunity claim in full.
- Senator David Pocock was critical of the response and moved a second motion, which the Senate agreed to on 28 August 2025 (OPD No. 88).
- Senator the Hon Don Farrell tabled a response to OPD No. 88 on behalf of the minister on 2 September 2025, which maintained the public interest immunity claim.

Contact: s22(1)(a)(ii)

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Phone: s22(1)(a)(ii)

Version Number: 01

Date: 23/09/2025

Page 3 of 6

OFFICIAL

Released under the FOI Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Margaret Lopez / s22(1)(a)(ii)

SB25-000275

- On 2 September 2025, the Senate agreed to a third motion moved by Senator Pocock (OPD No. 141) requiring Senator the Hon Don Farrell to attend the Senate to explain why OPD No. 8 had not been complied with.
- Senator the Hon Don Farrell appeared before the Senate on 3 September 2025 and maintained the public interest immunity claim over the documents.

Credit Card Ban

- Online wagering service providers are banned from accepting credit cards, credit-related products (e.g. digital wallets) or digital currencies (e.g. cryptocurrency) as payment methods.
- These requirements commenced on 11 June 2024 and brings online wagering in line with land-based gambling regulations, where credit card use is already banned.
- The ACMA has responsibility for overseeing compliance with the credit betting ban.

Review into the regulation of online keno and foreign matched lotteries

- The department conducted a targeted review into the regulation of online keno and foreign matched lotteries, which included consultation with key stakeholders, including harm reduction advocates, community organisations, academics, states and territories and industry.
- The review followed a recommendation by a Senate Standing Committee review of legislation banning the use of credit cards for online wagering.
- To date, online lottery services have been exempted from many of the government's gambling harm minimisation measures, including BetStop and the credit card ban.
- The government will consider the review findings, including examining options to enhance nationally consistent consumer protections.

Classification for computer games containing gambling-like content

- Mandatory minimum classifications for computer games containing gambling-like content came into force in September 2024, following unanimous agreement from the states and territories.
  - An R 18+ (Restricted) classification applies to games with 'simulated gambling' and legally restricts access to these games to persons aged 18 and over, aligning with current age-based restrictions for real-world gambling.
  - An M (Mature) classification rating applies to games containing 'loot boxes' that can be purchased, highlighting the risks associated with these products which should be considered by parents and carers before allowing children in their care to engage with them. SB25-000304 – Classification Reform refers.

Contact: s22(1)(a)(ii)

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Phone: s22(1)(a)(ii)

Version Number: 01

Date: 23/09/2025

Page 4 of 6

OFFICIAL



OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Margaret Lopez / s22(1)(a)(ii)

SB25-000275

National Consumer Protection Framework for Online Gambling

- The National Consumer Protection Framework (NCPF) is a set of standard protections to minimise gambling harm related to online wagering activity. DSS has responsibility for the majority of measures under the NCPF, including:
  - *Mandatory customer pre-verification* – Implemented in September 2023, which requires wagering service providers to verify a customer's identity before they can place a bet.
  - *Staff training* – Implemented in March 2023 which requires all staff involved in the online gambling industry to undertake training in the responsible service of online wagering.
  - *Gambling harm taglines* – Implemented in March 2023 which requires wagering advertisements to include one of 7 taglines that provide nationally consistent messaging about the risks and potential harm from online wagering.

**Supporting Information***Freedom of Information (FOI) Requests*

- FOI 25-389 – Briefing materials prepared for or presented to the Minister for Communications regarding gambling, gambling advertising reform or the Murphy Report between 1 April 2025 and 30 May 2025.
- FOI 25-410 (followed by Internal Review 25-410) – Any briefs to the Communications Minister, the Hon Anika Wells MP, that relate to gambling reform.
- FOI 26-017 – All documents exchanged between the Department and the Communications Minister or her office regarding reforms to gambling advertising. The scope of this request excludes media clippings and is from 4 May 2025 to the date of this request.

*Relevant Media Reporting*

- "Explosion in unregulated offshore bookmakers exposing Australia sporting codes to risks of match-fixing and corruption", Herald Sun, 24/8/25  
<https://www.heraldsun.com.au/sport/afl/explosion-in-unregulated-offshore-bookmakers-exposing-australia-sporting-codes-to-risks-of-matchfixing-and-corruption/news-story/f0e0cb0670b0280f7d0f56b017aeebcc>

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Version Number: 01

Date: 23/09/2025

Page 5 of 6

OFFICIAL

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Margaret Lopez / s22(1)(a)(ii)

SB25-000275

- “‘Let’s make some f\*\*\*ing money’: The rise of Australia’s social media gambling influencers”, news.com.au, 5/8/25  
<https://www.news.com.au/technology/online/social/lets-make-some-fing-money-the-rise-of-australias-social-media-gambling-influencers/news-story/bca0338c55d77b7910f9819a7e66bff2>
- “Sportsbet advertises multi-bets on AFL website after pulling TV ads due to ‘community sentiment’”, The Guardian, 3/8/25  
<https://www.theguardian.com/australia-news/2025/aug/03/sportsbet-advertises-multi-bets-on-afl-website-after-pulling-tv-ads-due-to-community-sentiment-ntwnfb>

**Attachment**

- A: Online Gambling Inquiry – List of Recommendations

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Version Number: 01

Date: 23/09/2025

Page 6 of 6

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## ATTACHMENT A

## Online Gambling Inquiry – List of Recommendations

No.	Recommendation
1	The Committee recommends that responsibility for online gambling harm reduction is held by a single Australian Government Minister.
2	<p>The Committee recommends that the Australian Government, with the states and territories, develop a comprehensive national strategy on online gambling harm reduction. The strategy should be based on public health principles and include measures that:</p> <ul style="list-style-type: none"> <li>• prevent gambling harm from occurring</li> <li>• intervene early when there is risk of harm</li> <li>• provide appropriate treatment and support for those experiencing harm</li> <li>• include measures to protect the most vulnerable that are developed with communities to ensure they are culturally safe and linguistically appropriate.</li> </ul> <p>The national strategy should be in place within twelve months, allowing that implementation would be progressive.</p>
3	<p>The Committee recommends that, as the priority of the national strategy and with the cooperation of the states and territories, the Australian Government:</p> <ul style="list-style-type: none"> <li>• establish national regulation and a national online gambling regulator with the sole purpose of reducing harm and with responsibility for all licencing and regulation</li> <li>• levy online wagering service providers (WSPs) to fund the national strategy harm reduction measures for which the Australian Government has responsibility.</li> </ul>
4	The Committee recommends that the Australian Government develop and fund an ongoing, online gambling public education campaign with national advertising and marketing, particularly online. All gambling-related public education resources should be made available on the Australian Government's Student Wellbeing Hub and by the Office of the eSafety Commissioner to help promote awareness of gambling harm to young people and offer strategies to limit exposure.
5	<p>The Committee recommends that the Australian Government:</p> <ul style="list-style-type: none"> <li>• resource the Australian Institute of Family Studies' Australian Gambling Research Centre to take on an additional role as a national clearinghouse for gambling research</li> <li>• provide ongoing funding for gambling research, in particular: <ul style="list-style-type: none"> <li>○ research to develop a set of standard indicators of risk and harm that can be applied in regulation and policy</li> <li>○ prevalence studies on online gambling harm across both licenced and illegal gambling platforms and websites</li> <li>○ research into vulnerable groups</li> <li>○ research into best practice interventions, treatments and supports</li> <li>○ research about gambling-related suicides.</li> </ul> </li> </ul>
6	<p>The Committee recommends that:</p> <ul style="list-style-type: none"> <li>• national regulation requires online WSPs to disclose de-identified customer data on gambling participation, risk indicators, interventions and harm to the regulator and approved researchers on a consistent and systematic basis</li> <li>• the Australian Government conduct a feasibility study of Spain, France and other jurisdiction's data vault facilities with the aim of implementing a system that provides real-time operator data to the regulator and approved researchers.</li> </ul>

## ATTACHMENT A

No.	Recommendation
7	<p>The Committee recommends that the Australian Government develop and implement:</p> <ul style="list-style-type: none"> <li>• technological solutions and resources to quickly and more effectively block offshore gambling websites including skin gambling websites and mirror sites</li> <li>• a protocol for blocking transactions to known illegal gambling operators, in cooperation with Australian banks and other payment system providers</li> <li>• stronger sanctions for companies and known individuals who profit from illegal gambling.</li> </ul>
8	<p>The Committee recommends that the Australian Government lead the development, with international organisations and other countries, of multilateral agreements that:</p> <ul style="list-style-type: none"> <li>• improve international cooperation to combat illegal online gambling across borders</li> <li>• aim to reduce gambling harm and protect public policy and research from gambling industry interference.</li> </ul>
9	<p>The Committee recommends that the levy for online gambling harm reduction support the national regulator to work with all jurisdictions on best practice prevention, detection, early intervention, treatment and rehabilitation programs for people experiencing gambling harms, including:</p> <ul style="list-style-type: none"> <li>• better training for staff working in health, community and financial counselling services, and crisis and gambling helpline staff, to identify gambling harms, comorbid issues and suicide risk, to minimise stigma, and to provide best practice treatment and support</li> <li>• support for Aboriginal and Torres Strait Islander community-controlled health organisations and other organisations that assist culturally and linguistically diverse clients or patients</li> <li>• increased availability of integrated treatment services</li> <li>• enhanced referral pathways to specialist treatments and peer-based support services, including at the end of a self-exclusion period</li> <li>• the development and implementation of screening tools for gambling harm in all mental health and drug and alcohol assessments.</li> </ul>
10	<p>The Committee recommends that the Australian Government develops industry guidelines for the banking and financial sector, online WSPs and other relevant organisations to educate staff about gambling harm. The guidelines should include protocols for the referral of customers experiencing gambling harm who are at risk of suicide.</p>
11	<p>The Committee recommends that the Australian Government, in cooperation with the states and territories, establish a national data collection program on gambling harms and suicides. Data should be systematically collected from health and other practitioners and support services that interact with people who experience gambling harm, including emergency departments and coroners. The data collection should include de-identified customer data provided to the regulator by online WSPs.</p>
12	<p>The Committee recommends that the multi-stage evaluation of the National Consumer Protection Framework for Online Gambling (NCPF), due to commence in 2023, includes an investigation into whether the small consumer credit contract sector is complying with its responsible lending obligations to customers who gamble.</p>
13	<p>The Committee recommends that the Australian Government work with the Australian Banking Association to develop a set of minimum gambling consumer protection standards for implementation by all banks, including a block on gambling merchant categories for self-excluded individuals using BetStop. If agreement is unable to be reached, minimum standards should be mandated in legislation.</p>

## ATTACHMENT A

No.	Recommendation
14	The Committee recommends that, in developing national regulation, the Australian Government conduct a risk assessment of available payment methods. Payment methods that do not minimise the risk of criminal activity and gambling harm should be prohibited from being used for online gambling.
15	The Committee recommends that national regulation should require customers' identities to be verified prior to the commencement of online gambling.
16	The Committee recommends that the Australian Government prohibit all online gambling inducements and inducement advertising, and that it do so without delay.
17	<p>The Committee recommends that the evaluation of the NCPF:</p> <ul style="list-style-type: none"> <li>• analyse deidentified customer data to determine whether voluntary pre-commitment is working to reduce harm</li> <li>• examine the strengths and weaknesses of universal, mandatory pre-commitment systems overseas, in comparison to Australia's current voluntary system, and undertake further reforms if it can be demonstrated that an alternative approach will drive improved outcomes overall.</li> </ul>
18	The Committee recommends that national regulation impose a customer duty of care on online WSPs. An online WSPs' compliance with this legal duty should be assessed against a set of standard indicators of risk and harm.
19	The Committee recommends that the Australian Government should investigate the benefits and feasibility of requiring online WSPs to apply a standard behavioural algorithm to reduce online gambling harm.
20	The Committee recommends national regulation require online WSP staff to undertake research-informed training that demonstrates a sound awareness of the legal obligations and guidelines for practice in responsible service of online gambling. Staff should also undertake annual refresher training.
21	The Committee recommends national regulation prohibit commissions being paid to staff or any third party involved in the referral or provision of online gambling to an individual.
22	The Committee recommends that national regulation include provisions to prevent the proceeds of crime from being used to fund online gambling. A legal taskforce should be established as soon as practical to develop these provisions.
23	The Committee recommends that the national regulator be provided with a broad suite of powers to monitor online gambling, ensure compliance and enforce the law. Penalties should be severe enough to be a genuine deterrent to multinational corporations breaching their legal obligations.
24	The Committee recommends that the Australian Government establish an appropriately resourced national online gambling ombudsman, to sit within the national regulator.
25	The Committee recommends the Australian Government consult with industry and people who gamble to determine minimum bet limits for online wagering for inclusion in national regulation.

## ATTACHMENT A

No.	Recommendation
26	<p>The Committee recommends the Australian Government, with the cooperation of the states and territories, implement a comprehensive ban on all forms of advertising for online gambling, to be introduced in four phases, over three years, commencing immediately:</p> <ul style="list-style-type: none"> <li>• Phase One: prohibition of all online gambling inducements and inducement advertising, and all advertising of online gambling on social media and online platforms. Removal of the exemption for advertising online gambling during news and current affairs broadcasts. Prohibition of advertising online gambling on commercial radio between 8.30-9.00am and 3.30-4.00pm (school drop off and pick up).</li> <li>• Phase Two: prohibition of all online gambling advertising and commentary on odds, during and an hour either side of a sports broadcast. Prohibition on all in-stadia advertising, including logos on players' uniforms.</li> <li>• Phase Three: prohibition of all broadcast online gambling advertising between the hours of 6.00am and 10.00pm.</li> <li>• Phase Four: by the end of year three, prohibition on all online gambling advertising and sponsorship.</li> </ul> <p>Gambling advertising on dedicated racing channels and programming should be exempt from the ban.</p> <p>Small community radio broadcasters should be exempt from further restrictions until December 2025.</p>
27	<p>The Committee recommends that the National Classification Scheme be consistently applied to games available from online app stores, such as the Google Play Store, Apple App Store and the Steam Store.</p>
28	<p>The Committee recommends that the Australian Government develops and implements a public information campaign that educates all consumers, in particular parents, caregivers, teachers and young people, on all elements of simulated gambling. The campaign should be informed by research and publicly evaluated.</p>
29	<p>The Committee recommends that the Australian Government commissions research into an effective simulated gambling warning label. The label should be incorporated into the National Classification Scheme.</p>
30	<p>The Committee recommends that the Australian Government convene a working group to develop and implement minimum consumer protections for interactive games and make suggestions for legislative mechanisms to implement tighter controls on simulated gambling and its advertising. The working group should consider whether games containing loot boxes that can be purchased for money or simulated gambling should have:</p> <ul style="list-style-type: none"> <li>• spending controls as a default function</li> <li>• transparent odds and drop rates for items</li> <li>• algorithmic loot box features disabled as a default setting, allowing players to opt in.</li> </ul> <p>The Australian Government should conduct a review of the implementation of these protective measures and consider legislative options if minimum consumer protections are not being consistently applied.</p>



## ATTACHMENT A

No.	Recommendation
31	The Committee recommends that a legislative review of the national regulator (Recommendation three) be conducted, two years after commencement and then every five years subsequently. The review should consider developments in research about the risk of harm from simulated gambling, gambling-like elements in games and the gambling of in-game items, particularly to children and young people, and the effectiveness of regulatory responses to these issues overseas.

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Margaret Lopez / s22(1)(a)(ii)

SB25-000277

**SUBJECT: ABC Board Appointments****Key Deliverables**

- All appointments have been made in accordance with the requirements outlined in the *Australian Broadcasting Corporation Act 1983* (ABC Act) and *Special Broadcasting Service Act 1991* (SBS Act).

**Talking Points**

- Appointments to the Australian Broadcasting Corporation (ABC) Board are subject to a merit-based selection process conducted by the independent Nomination Panel, which is established under the ABC Act.
- The resignation of Mr Peter Tonagh in December 2024 created a non-executive Director (NED) vacancy and a Deputy Chair vacancy.
- There are no quorum issues arising from this.

ABC Board Deputy Chair

- On 18 September 2025, Ms Georgina Somerset AM was reappointed as Deputy Chair for 6 months.
- The Deputy Chair is appointed from the ABC Board's existing NED members.
- Consideration of a longer-term Deputy Chair will be made following the outcome of the NED merit-based selection process currently under way.

ABC Board NED vacancy

- A merit-based selection process to fill the ABC Board's NED vacancy is currently underway.

Upcoming ABC vacancies

- The next ABC Board vacancy will arise on 12 May 2026, when Mr Mario D'Orazio's term as NED concludes.

**Key Issues**ABC Board NED Feb - March 2025 selection process

- Applications were open for 3 weeks and closed on 3 March 2025 following a national advertising campaign.
- The Nomination Panel provided a report to the Australian Government which assessed applicants against the statutory criteria set out in the *Australian Broadcasting*

**Contact:** Margaret Lopez**Cleared by:** Bridget Gannon, First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 23/09/2025

Page 1 of 2

OFFICIAL

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

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SB25-000277

*Corporation (Non-executive Director – Selection Criteria) Determination 2024* and also considered the government's gender diversity target and geographic representation.

- The government is currently considering next steps.

**Background**Merit-based selection process - legislative requirements

- Part 3A of the ABC Act provides that the Nomination Panel must conduct a merit-based selection process before the appointment of a NED to the ABC and SBS Boards.
- The Nomination Panel must provide the minister with a report nominating at least 3 candidates for each vacancy, including a comparative assessment of those candidates against selection criteria for NED's (determined under legislative instrument by the minister (s 24B, ABC Act)).
- The minister recommends a candidate for appointment to the Governor-General who makes the appointment (s 24X, ABC Act).

Board remuneration

- The ABC is responsible for Board remuneration based on rates determined by the Remuneration Tribunal, under the *Remuneration Tribunal (Remuneration and Allowances for Holders of Part-time Public Office) Determination 2025*.

Chair	Deputy Chair	Member
\$201,840	\$99,650	\$66,470

**Attachments**

- A: ABC Board membership list as at 3 October 2025

**Contact:** Margaret Lopez**Cleared by:** Bridget Gannon, First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 23/09/2025

Page 2 of 2

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**AUSTRALIAN BROADCASTING CORPORATION (ABC) Board membership as at 3 October 2025**

<u>NAME</u>	<u>GENDER</u>	<u>POSITION</u> <i>(previous term/s in italics)</i>	<u>FT/PT</u> <i>(previous term/s in italics)</i>	<u>STATE OF RESIDENCE</u>	<u>DATE APPOINTED</u> <i>(previous term/s in italics)</i>	<u>EXPIRY DATE</u> <i>(previous term/s in italics)</i>
Mr Kimberley WILLIAMS AM	M	Chairperson	PT	NSW	<b>07.03.24</b>	<b>06.03.29</b>
Ms Georgina SOMERSET AM	F	Deputy Chairperson	PT	QLD	<b>18.09.25</b> <i>06.02.25</i>	<b>18.03.26</b> <i>05.08.25</i>
		Non-executive Director			<b>23.02.22</b> <i>23.02.17</i>	<b>22.02.27</b> <i>22.02.22</i>
Mr Hugh MARKS*	M	Managing Director	FT	NSW	<b>10.03.25</b>	<b>09.03.30</b>
Mr Mario D'ORAZIO	M	Non-executive Director	PT	WA	<b>13.05.21</b>	<b>12.05.26</b>
Ms Laura TINGLE*	F	Staff elected Director / Non-executive Director	PT	NSW	<b>01.05.23</b>	<b>30.04.28</b>
Ms Nicolette MAURY	F	Non-executive Director	PT	NSW	<b>16.10.23</b>	<b>15.10.28</b>
Ms Louise McELVOGUE	F	Non-executive Director	PT	NSW	<b>16.10.23</b>	<b>15.10.28</b>
Ms Katrina SEDGWICK OAM	F	Non-executive Director	PT	VIC	<b>02.10.24</b>	<b>01.10.29</b>

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VACANT

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Non-executive  
Director

PT

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Current Gender and Geographic composition		
Gender balance	Geographic balance	
Males: 3 (33%) Females: 6 (66%)	NSW:3 VIC: 1 SA: 0 NT: 0	WA: 1 QLD: 1 TAS: 0 ACT: 0 Other (e.g overseas) 0

*Note: Individuals marked with an asterisk (\*) are exempt from geographical reporting as these are not government appointments.*

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Margaret Lopez / s22(1)(a)(ii)

SB25-000278

**SUBJECT: SBS Board Appointments****Key Deliverables**

- All appointments have been made in accordance with the requirements outlined in the *Australian Broadcasting Corporation Act 1983* (ABC Act) and *Special Broadcasting Service Act 1991* (SBS Act).

**Talking Points**

- Appointments to the Special Broadcasting Service (SBS) Board are subject to a merit-based selection process conducted by the independent Nomination Panel, which is established under the SBS Act.
- The Managing Director is appointed by the SBS Board; the Australian Government does not have a statutory role in appointing the Managing Director.

SBS Board Chair vacancy

- A merit-based selection process to fill the SBS Board Chair vacancy is currently underway.
- In September 2025, the Hon Anika Wells MP, Minister for Communications and Minister for Sport, requested the independent Nomination Panel conduct a new merit-based selection process.
- The decision to commence a new process is at the minister's discretion and provides the opportunity for the government to consider the appointment afresh.
- This is in line with SBS's unique responsibilities as a leading multicultural broadcaster and expectations for a Chair in providing strategic leadership.
- Applications for the current selection process opened on 24 September 2025 and will close on 15 October 2025.

Interim acting arrangements

- Interim acting arrangements for the SBS Chair and Deputy Chair positions have been put in place by the government. These are providing continuity and stability on the SBS Board, pending the appointment of an SBS Chair.
- As provided for under the SBS Act (s24(1)), Ms Christine Zeitz, substantive Deputy Chair, has been acting as SBS Chair since Mr George Savvides AM concluded his term on 8 July 2025.
- Ms Zeitz acting as SBS Chair has created a temporary vacancy in the Deputy Chair position.

**Contact:** s22(1)(a)(ii)**Cleared by:** Margaret Lopez, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 25/09/2025

Page 1 of 3

OFFICIAL



OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Margaret Lopez / s22(1)(a)(ii)

SB25-000278

- The minister appointed Dr Nicholas Pappas AM, non-executive Director, as acting Deputy Chair from 25 September 2025 until the earlier of 8 July 2026 or the appointment of a Chair by the Governor-General.

Appointment of new SBS Managing Director

- Mr James Taylor was appointed as SBS Managing Director on 22 October 2018, and commenced his second 5-year term on 22 October 2023.
- On 12 August 2025, he announced he would be stepping down later this year.
- The SBS Board has appointed an acting Managing Director in the interim.
- Questions about the recruitment process should be put to the SBS Board.

**Key Issues**SBS Board Chair 2024 selection process

- Applications were open for 3 weeks and closed on 28 October 2024 following a national advertising campaign.
- The Nomination Panel provided a report to the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts on 21 February 2025, which assessed applicants against the statutory criteria set out in the *Special Broadcasting Services (Non-executive Director – Selection Criteria) Determination 2024* and also considered the government's gender diversity target and geographic representation.
- The department briefed the former Minister for Communications, the Hon Michelle Rowland MP, on 24 February 2025.
- The department briefed Minister Wells on 21 May 2025. The minister declined to appoint a candidate from the selection process and wrote to the new Nomination Panel Chair on 18 September 2025 to request that a new selection process be conducted.

SBS Board interim acting arrangements

- SBS Chair and Deputy Chair acting arrangement can be in place for up to 12 months where required (*Acts Interpretation Act 1901, s33A*).

**Background**Merit-based selection process - legislative requirements

- Part 3A of the SBS Act provides that the Nomination Panel must conduct a merit-based selection process before the appointment of a Chair or non-executive Director to the SBS Board.

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Phone: s22(1)(a)(ii)

Version Number: 02

Date: 25/09/2025

Page 2 of 3

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OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Margaret Lopez / s22(1)(a)(ii)

SB25-000278

- The Nomination Panel must provide the minister with a report nominating at least 3 candidates for the vacancy, including a comparative assessment of those candidates against the selection criteria (determined under legislative instrument by the minister (SBS Act, s43).
- The minister recommends a candidate for appointment to the Governor-General who makes the appointment (SBS Act, s43B).

Board remuneration

- The SBS is responsible for Board remuneration based on rates determined by the Remuneration Tribunal, under the *Remuneration Tribunal (Remuneration and Allowances for Holders of Part-time Public Office) Determination 2025*.
- On 16 August 2025, the Remuneration Tribunal issued the *Remuneration Tribunal Amendment Determination (No. 4) 2025*, which set new remuneration amounts for SBS Board members.

Chair	Deputy Chair	Member
\$134,990	\$94,190	\$67,600

**Attachments**

- A: SBS Board membership list as at 3 October 2025

Contact: s22(1)(a)(ii)

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Phone: s22(1)(a)(ii)

Version Number: 02

Date: 25/09/2025

Page 3 of 3

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**OFFICIAL****SPECIAL BROADCASTING SERVICE (SBS) as at 3 October 2025**

<u>NAME</u>	<u>GENDER</u>	<u>POSITION</u> <i>(previous term/s in italics)</i>	<u>FT/PT</u> <i>(previous term/s in italics)</i>	<u>STATE OF RESIDENCE</u>	<u>DATE APPOINTED</u> <i>(previous term/s in italics)</i>	<u>EXPIRY DATE</u> <i>(previous term/s in italics)</i>
<i>Current members:</i>						
Ms Christine ZEITZ	F	Acting Chairperson	PT	SA	<b>09.07.25</b>	<b>Earlier of 08.07.26 or when Chair appointed</b>
		<i>Deputy Chairperson</i>			<i>30.09.21</i>	<i>08.07.25</i>
		<i>Non-executive Director</i>			<b>10.05.23</b> <i>10.05.18</i>	<b>09.05.28</b> <i>09.05.23</i>
Dr Nicholas Pappas AM	M	Acting Deputy Chairperson	PT	NSW	<b>25.09.25</b>	<b>Earlier of 08.07.26 or when Chair appointed</b>
		Non-executive Director			<b>12.12.24</b>	<b>11.12.29</b>
Ms Jane Palfreyman*	F	Acting Managing Director	FT	NSW	07.10.25	Until Managing Director appointed
					<i>28.08.25</i>	<i>11.09.25</i>
Ms Kathryn Fink*	F	Acting Managing Director	FT	NSW	<b>12.09.25</b>	<b>06.10.25</b>
Mr Vic ALHADEFF	M	Non-executive Director	PT	NSW	<b>30.09.21</b>	<b>29.09.26</b>
Ms Katrina RATHIE	F	Non-executive Director	PT	NSW	<b>31.03.22</b>	<b>30.03.27</b>
Mr Aaron FA'AOSO	M	Non-executive Director	PT	QLD	<b>16.02.23</b>	<b>15.02.28</b>

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Dr Andrew LU AM	M	Non-executive Director	PT	WA	16.02.23	15.02.28
Ms Cassandra WILKINSON	F	Non-executive Director	PT	NSW	08.06.23	07.06.28

Gender and Geographic composition		
Gender balance (all positions)	Geographic balance	
Males: 5 (56%) Females: 4 (44%)	NSW: 4 VIC: 0 SA: 1 NT: 0	WA: 1 QLD: 1 TAS: 0 ACT: 0 Other (e.g. overseas): 0

*Note: Individual marked with an asterisk (\*) is exempt from geographical reporting as appointment is made by the SBS Board.*

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Margaret Lopez / s22(1)(a)(ii)

SB25-000280

**SUBJECT: SBS Western Sydney****Key Deliverables**

- On 20 November 2021, the Australian Government committed to commissioning a feasibility study into the relocation of the Sydney-based headquarters and studios of the SBS from Artarmon to Western Sydney, alongside the provision of a multi-purpose space for content creation.
- An Initial Feasibility Study was completed in 2024.
- Given the significant costs involved in a full relocation and precinct approach, the government decided not to pursue this option. Instead, the government has decided to explore a Western Sydney production hub and has funded the SBS to undertake this next phase of work.

**Talking Points**

- SBS is leading the development of a business case for a production hub and talent incubator in Western Sydney.
- Specific questions on the project should be directed to the SBS, because this is an active and commercially sensitive process, subject to a probity framework, and SBS is operationally independent.

**Key Issues**

- The government provided funding to the SBS in December 2024 to develop a business case for the new SBS production facility in Western Sydney.
- The facility scope includes a production hub for new content creation, as well as a talent incubator to support education and career development opportunities in the sector.

**Financial Information as at 31 July 2025**

- The department received \$0.8 million over 2 years from 2024-25 for resourcing to support the project (1.5 ASL in 2024-25 and 2.5 ASL in 2025-26).
  - The department will develop advice for the Hon Anika Wells MP, Minister for Communications and Minister for Sport, and the government and liaise with relevant agencies to facilitate decision making on the business case. Staff are supporting SBS and the minister through the business case development process, including via support with corporate-type functions (e.g. AusTender registration).

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Page 1 of 3

OFFICIAL

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Margaret Lopez / s22(1)(a)(ii)

SB25-000280

- SBS received \$5.9 million over 2 years from 2024-25 (\$2.0 million and \$3.9 million). The quantum of funding provided reflects that planning for the delivery of an infrastructure project of this scale is not core business for SBS.
  - SBS has established a dedicated project management team to identify a suitable site and develop the business case for the new facility. Expert consultancies are also being engaged by SBS to successfully deliver the business case.

## Financial Information – Full program envelope for department and SBS

	2024-25 \$m	2025-26 \$m	2026-27 \$m	2027-28 \$m	2028-29 \$m	TOTAL \$m
Department appropriation	0.3	0.5	0	0	0	0.8
SBS appropriation	2.0	3.9	0	0	0	5.9
<b>Total (Department and SBS)</b>	<b>2.3</b>	<b>4.4</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>6.7</b>

## Background

- An open and competitive Expression of Interest process for site selection closed on 28 May 2025.
- Shortlisted proponents from the EOI process were invited to submit a detailed and competitive Request for Proposal (RFP) by 29 August 2025. The RFPs will be assessed over coming months.
- Site identification will inform the business case provided to government, which is anticipated to be submitted by early 2026.
- A fully costed business case is needed to support an informed government investment decision ahead of progressing with project delivery, noting the anticipated capital, operational and content costs for establishing and operating the new hub.
  - The project will require approval from the Parliamentary Standing Committee on Public Works (\$15 million threshold).
  - The project may also be subject to the Department of Finance's two-stage capital works approval process, depending on the site selected (e.g. fit out of existing building versus greenfield development).

Contact: Margaret Lopez

Cleared by: Bridget Gannon, First Assistant Secretary

Phone: s22(1)(a)(ii)

Version Number: 1

Date: 17/09/2025

Page 2 of 3

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Margaret Lopez / s22(1)(a)(ii)

SB25-000280

## Supporting Information

*Freedom of Information (FOI) Requests*

- FOI 25-216 - Documents relating to the relocation of the SBS headquarters from Artarmon to Western Sydney.
- MO 24-155 - Briefs or talking points received by the Minister for Communications in 2023 in respect of a potential move of SBS from its current location at Artarmon. Applicant sought review by Information Commissioner, who decided not to undertake a review under the FOI Act. Went to AAT (2024/2176) in May 2024. Settled by consent orders, with additional material released.

*Relevant Media Reporting*

- "West is not the best for SBS – Relocation 'too expensive'", Linda Silmalis, The Sunday Telegraph, 8 December 2024  
[https://www.dailytelegraph.com.au/subscribe/news/1/?sourceCode=DTWEB\\_WRE170\\_a\\_GGL&dest=https%3A%2F%2Fwww.dailytelegraph.com.au%2Fnews%2Fns%2Falbanese-government-says-moving-sbs-to-natural-heartland-of-sydneys-west-is-too-costly%2Fnews-story%2Fb05e43779f65de0c2402803b33ad856b&memtype=anonymous&mode=premium&v21=HIGH-Segment-2-SCORE](https://www.dailytelegraph.com.au/subscribe/news/1/?sourceCode=DTWEB_WRE170_a_GGL&dest=https%3A%2F%2Fwww.dailytelegraph.com.au%2Fnews%2Fns%2Falbanese-government-says-moving-sbs-to-natural-heartland-of-sydneys-west-is-too-costly%2Fnews-story%2Fb05e43779f65de0c2402803b33ad856b&memtype=anonymous&mode=premium&v21=HIGH-Segment-2-SCORE)
- "SBS to expand to Western Sydney with the establishment of a production hub", SBS, 8 December 2024  
<https://www.sbs.com.au/language/english/en/article/sbs-is-set-to-expand-to-western-sydney-with-the-establishment-of-a-production-hub/wnxt4p3xk>

Contact: Margaret Lopez

Cleared by: Bridget Gannon, First Assistant Secretary

Phone: s22(1)(a)(ii)

Version Number: 1

Date: 17/09/2025

Page 3 of 3

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Margaret Lopez / s22(1)(a)(ii)

SB25-000286

**SUBJECT: Election Commitment: Legislating 5 year funding terms for National Broadcasters****Key Deliverables**

- In the 2022 election, the Australian Government committed to a review of options to support the independence of the national broadcasters, which has been delivered, with a report of findings published in December 2024.

**Talking Points**

- The government announced it would legislate 5-year funding terms for the national broadcasters on 17 December 2024 and made this an election commitment on 13 April 2025.
- This legislation will affirm the intent that the Australian Broadcasting Corporation (ABC) and Special Broadcasting Service (SBS) have stable, 5-year funding terms, but would not mandate or lock in the quantum of funding.
- The government will consult on the proposed legislative changes in due course.

**Key Issues**

- On 13 April 2025, the government committed to legislate 5-year funding terms for the national broadcasters (**Attachment A**). While 5-year funding terms for the ABC and SBS were introduced on 1 July 2023, they currently exist only by convention.
- In making the election commitment, the former Minister for Communications, the Hon Michelle Rowland MP, also signalled potential reforms to the independent Nomination Panel process for making appointments to the ABC and SBS Boards, and to the indexation arrangements for ABC funding.
- The Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts is providing advice to the minister on implementing other reform options identified during the *Review of options to support the independence of the national broadcaster* (the review).
- The government is considering next steps and decisions on the other findings of the review are a matter for the government.

**Attachment**

- A: Speech – Address to ABC Friends Rally (April 2025)

**Contact:** Margaret Lopez**Cleared by:** Bridget Gannon, First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 17/09/2025

Page 1 of 1

OFFICIAL

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Margaret Lopez / s22(1)(a)(ii)

SB25-000289

**SUBJECT: News Media Assistance Program****Key Deliverables**

- The Australian Government announced \$153.5 million in funding for the News Media Assistance Program (News MAP) to support publishers and local journalists to bring local news to communities across the country.
- The grant opportunity to news organisations is being designed and is expected to open for applications by the end of the year.
- Of the \$33 million committed to the Australian Associated Press (AAP) under News MAP, a first payment of \$7 million was provided in August 2025.
- The News Media Relief Program provided \$12.2 million in 2024-25 as urgent financial support to 147 eligible regional, independent suburban, multicultural and First Nations news publishers.

**Talking Points**

- The News Media Assistance Program (News MAP) is a package of measures to support the provision of public interest journalism and media diversity in Australia.
- On 16 December 2024, following extensive consultation and the release of the News MAP policy framework, the government announced funding of \$153.5 million for the following measures:
  - \$99.1 million over 3 years from 2025-26 in sector grants to news organisations;
  - \$33 million over 3 years from 2025-26 to support the AAP;
  - \$3.8 million over 3 years from 2025-26 for the development of Australia's first National Media Literacy Strategy; and
  - \$17.6 million over 4 years from 2024-25 (and \$1.7 million in 2028-29) for the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts to support program delivery.
- The government also announced a minimum commitment of \$3 million per year for 2 years from 2025-26 for regional newspaper advertising across the total Commonwealth media advertising spend. The Department of Finance has carriage of this commitment.
- The government announced an expert advisory panel to provide advice on the allocation of funding to news organisations and the design and targeting of mechanisms. Options for this panel are being considered by government.
- The government will also deliver on its election commitment to provide \$328,000 to 4 LGBTIQ+ media organisations – *JOY Media*, the *Star Observer*, *Q News* and

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Cleared by: Bridget Gannon, First Assistant Secretary

Phone: s22(1)(a)(ii)

Version Number: 01

Date: 30/09/2025

Page 1 of 10

OFFICIAL

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OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Margaret Lopez / s22(1)(a)(ii)

SB25-000289

*OUTInPerth*, to support the provision of news and content to LGBTIQA+ communities that reflects their lived experiences.

- The News MAP sits alongside the News Bargaining Incentive (NBI) for which the Treasury department has primary responsibility (SB25-000291 refers).

## Key Issues

*Support for the news media sector through News MAP grants*

- The Australian news media sector faces significant revenue pressures due to technological change and changing consumption habits of citizens who consume news on digital platforms. The dominance of digital platforms in advertising markets – the primary revenue stream of traditional news media organisations – has grown significantly within the past decade.
- Continuing funding support for Australian news media in the interim will provide vital support to local news outlets, which in turn support their communities through access to relevant, trusted and impactful journalism.

*2024-25 MYEFO News MAP package funding*

- On 16 December 2024, the government announced \$153.5 million for News MAP, which includes administered and departmental funding over 4 years from 2025-26. See MYEFO extract at [Attachment A](#).

Measure	2025-26 \$ m	2026-27 \$ m	2027-28 \$ m	2028-29 \$ m	Total \$ m
<b>Administered funding</b>					
Grants to news businesses	34.1	32.5	32.5	0	99.1
Support for AAP	11.0	11.0	11.0	0	33.0
<b>Total Administered</b>	<b>45.1</b>	<b>43.5</b>	<b>43.5</b>	<b>0</b>	<b>132.1</b>
<b>Departmental funding</b>					
National Media Literacy Strategy	1.3	1.3	1.2	0	3.8
Funding to administer grants	4.8	6.0	5.1	1.7	17.6
<b>Total departmental</b>	<b>6.1</b>	<b>7.3</b>	<b>6.3</b>	<b>1.7</b>	<b>21.4</b>
<b>Total administered and departmental</b>	<b>51.2</b>	<b>50.8</b>	<b>49.8</b>	<b>1.7</b>	<b>153.5</b>

- The announcement of 16 December 2024 also included \$27 million for the Community Broadcasting Program and the Indigenous Broadcasting and Media Program.
- Funding for the News Media Relief Program (NMRP) was redirected from unallocated funding from the Regional Roads Australia Mobile Program under the Better Connectivity Program for Regional and Rural Australia.

Contact: s22(1)(a)(ii)

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Phone: s22(1)(a)(ii)

Version Number: 01

Date: 30/09/2025

Page 2 of 10

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Margaret Lopez / s22(1)(a)(ii)

SB25-000289

*News MAP Policy Framework*

- The News MAP Policy Framework guides the way forward for evidence-based and targeted government support that addresses ongoing pressures in the news sector, while balancing the need to maintain the independence of the sector. It outlines the key policy objectives of: Access; Diversity; Freedom; Quality; Engagement; and Representation.
- See **Attachment B** for an overview of the policy objectives and supporting initiatives.
- The News MAP Policy Framework and package of measures was informed by extensive public and industry consultation from December 2023 to February 2024. The department received 71 written submissions. On 10 December 2024, the department published 62 public written submissions.

*Grants to the news sector*

- As part of News MAP, the government will provide \$99.1 million over 3 years from 2025-26 in grants to the news sector.
- The purpose of the funding is to:
  - preserve the employment of journalists, investment in journalism and the continuing operation of existing news providers; and
  - support business innovation and build the commercial sustainability and resilience of news organisations.
- Grant opportunities are being designed and guidelines are being finalised. Subject to approvals, the first grant opportunity is expected to be opened for applications by the end of the year.

*Support for Australian Associated Press (AAP)*

- News MAP includes \$33 million over 3 years from 2025-26 to support the financial sustainability of AAP.
- The first payment \$7 million was made to AAP in August 2025, through a variation to the existing agreement. This has been published on GrantConnect.
- The second and third years of funding will be made available to AAP through a new grant opportunity which is expected to be published in late 2025.
- In addition to the \$33 million announced on 16 December 2024, the government has provided \$43 million to AAP since it was established as a not-for-profit organisation in 2020.

Contact: s22(1)(a)(ii)

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Phone: s22(1)(a)(ii)

Version Number: 01

Date: 30/09/2025

Page 3 of 10

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Margaret Lopez / s22(1)(a)(ii)

SB25-000289

*National Media Literacy Strategy*

- The government has committed \$3.8 million over 3 years from 2025-26 to develop Australia's first National Media Literacy Strategy (the Strategy). Media literacy is the ability to critically engage with media in all aspects of life, including identifying mis and dis-information and understanding the intent behind media content.
- The department is progressing an approach to market to procure a co-design partner for the Strategy, and will also undertake consultation with the media literacy education sector and communities.

*Government advertising*

- The government has mandated a minimum commitment of \$3 million per year for 2 years from 2025-26 for regional newspaper advertising, including digital formats, across the total Commonwealth media advertising spend.
- The Department of Finance is working with the whole-of-government master media agency to implement the commitment.

*Proposed Roundtable/Consultation with Experts*

- As part of the News MAP, the government announced that it would consult with experts on the design and targeting of mechanisms to support sustainability and capacity building, including attracting philanthropy.
- The department is working to design the details of the roundtable to bring together industry experts to provide insights, guidance and advice on optimal grant design.
- Significant consultation has already been undertaken for the News MAP Program and Framework. The department invited media sector organisations, peak bodies, and other stakeholders to submit their views, providing a strong evidence base for the development of the grants, and negating the need for an Expert Panel.

Election Commitments*Election Commitment - Investing in LGBTIQ+ Community Connection Program*

- In April 2025, the government announced that if re-elected, it would invest in LGBTIQ+ communities by funding 4 media organisations dedicated to telling their stories. These commitments were: \$250,000 to *JOY Media* and \$78,000 (that is, \$26,000 each) to the *Star Observer*, *Q News* and *OUTInPerth*. See **Attachment C**.
- To deliver these commitments, the department is developing a targeted (closed) grant program that is expected to be published on GrantConnect and made available to these organisations in coming months.

Contact: s22(1)(a)(ii)

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Phone: s22(1)(a)(ii)

Version Number: 01

Date: 30/09/2025

Page 4 of 10

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Margaret Lopez / s22(1)(a)(ii)

SB25-000289

Previous News MAP measures

- **News Media Relief Program (NMRP):** \$15 million in 2024-25 for the NMRP to provide urgent grants to regional, independent suburban, multicultural and First Nations news publishers. See detailed information below.
  - The NMRP was announced on 21 October 2024 and ran from 29 November 2024 to 31 March 2025.
  - The NMRP provided \$12.22 million in grants to eligible regional, independent suburban, multicultural and First Nations news publishers creating news content distributed online, to assist with the costs of employing eligible journalists working on public interest journalism.
  - Successful applications: of 180 total applications, 148 applications were successful. Supported 1,161 journalists across 147 news rooms, including 98 regional, 21 suburban, 3 First Nations and 25 multicultural media organisations.
  - Eligible organisations received \$13,000 per full time equivalent journalist producing core news content that is distributed digitally.
  - Successful applicants can be found on the GrantConnect website.
  - Unsuccessful applications: Of 180 total applications, 32 applicants were deemed ineligible and 1 applicant withdrew.
    - The majority of ineligible applicants were assessed as ineligible as they did not provide core news content to an eligible geographic community (regional or local suburban) or an eligible audience (First Nations or culturally and linguistically diverse).
    - These included 2 LGBTIQ+ organisations – *Q News* and the *Star Observer*.
- **AAP:** Funding of \$43 million to AAP over 5 years from 2020-21 to 2024-25.

Financial Year	2020-21 (\$ m)	2021-22 (\$ m)	2022-23 (\$ m)	2023-24 (\$ m)	2024-25 (\$ m)	Total (\$ m)
Funding provided	12.5	7.5	1.8	9.2	12.0	43.0

- **Media Diversity Measurement Framework:** \$10.5 million over 4 years from 2023-24 for the Australian Communications and Media Authority (ACMA) to implement the Media Diversity Measurement Framework.

Financial Year	2023-24 (\$ m)	2024-25 (\$ m)	2025-26 (\$ m)	2026-27 (\$ m)	Total (\$ m)
Funding committed	2.2	3.7	2.4	2.1	10.5
					and \$2.1 million per year on-going

Note: Discrepancies in table between totals and sums of components is due to rounding.

Contact: s22(1)(a)(ii)

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Phone: s22(1)(a)(ii)

Version Number: 01

Date: 30/09/2025

Page 5 of 10

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Margaret Lopez / s22(1)(a)(ii)

SB25-000289

- *Local and Independent News Association (LINA)*: \$4.16 million in total funding for the LINA from 2023-24 to 2025-26 to support hyperlocal and independent news businesses and to collect data on the state of local news.
  - LINA is an industry association supporting digital, hyperlocal and independent news publishers, including small media businesses servicing regional and suburban communities.
  - LINA received grant funding of \$1.5 million in 2022-23 and \$659,000 in 2024-25 from the early News MAP initiatives and has received \$2 million in 2025-26 to continue its services to independent and hyperlocal news businesses, which range from training, legal and editorial services, networking opportunities to business development.

Financial Year	2022–23 (\$ m)	2023–24 (\$ m)	2024–25 (\$ m)	Total (\$ m)
Funding committed	1.5	0.659	2.0	4.16

**Attachments**

- A: MYEFO 2024 25, Appendix A: Policy decisions taken since the 2024 25 Budget pp. 286-287
- B: News MAP Policy Framework – alignment of policy objectives and initiatives
- C: 2025 Election Commitment Announcements

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Phone: s22(1)(a)(ii)

Version Number: 01

Date: 30/09/2025

Page 6 of 10

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2025-2026 Supplementary Budget Estimates

Environment and Communications

Lead/Support contact: Margaret Lopez / s22(1)(a)(ii)

SB25-000289

Attachment A: MYEFO 2024-25, Appendix A: Policy decisions taken since the 2024-25 Budget pp. 286-287

Budget 2024-25 | Mid-Year Economic and Fiscal Outlook 2024-25

Supporting News and Media Diversity

Payments (\$m)	2023-24	2024-25	2025-26	2026-27	2027-28
Department of Infrastructure, Transport, Regional Development, Communications and the Arts	-	2.1	56.6	55.8	54.9
Special Broadcasting Service Corporation	-	2.0	3.9	-	-
Australian Taxation Office	-	0.8	0.8	0.3	-
National Indigenous Australians Agency	-	-	4.0	4.0	4.0
Australian Broadcasting Corporation	-	-	-	40.9	42.2
Total – Payments	-	4.8	65.3	101.0	101.1
Related receipts (\$m)					
Australian Taxation Office	-	-	..	..	..
Australian Communications and Media Authority	-	-	-50.2	-0.1	-
Total – Receipts	-	-	-50.2	-0.1	..

The Government will provide \$285.3 million over four years from 2024-25 (and \$44.7 million in 2028-29 and \$43.0 million per year ongoing) to support news and media diversity in Australia. Funding includes:

- \$168.5 million over four years from 2024-25 for the *News Media Assistance Program*, including:
  - \$116.7 million over four years from 2024-25 (and \$1.7 million in 2028-29) for the *News Media Assistance Program* to sustain public interest news and journalism, support business innovation and build commercial sustainability and resilience of news organisations, including \$17.6 million for the Department of Infrastructure, Transport, Regional Development, Communications and the Arts to support program delivery
  - \$33.0 million over three years from 2025-26 to support the financial sustainability of the Australian Associated Press
  - \$15.0 million in 2024-25 for the *News Media Relief Program* to provide urgent support for eligible regional, independent suburban, multicultural and First Nations news publishers
  - \$3.8 million over three years from 2025-26 to develop a National Media Literacy Strategy to improve media literacy in Australia.
- \$89.8 million over four years from 2024-25 for National Broadcasters, including:
  - \$83.1 million over two years from 2026-27 (and \$43.0 million per year ongoing) for the Australian Broadcasting Corporation (ABC) to provide stable funding to support the operation of its television, radio and digital media services

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Environment and Communications

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SB25-000289

Attachment A: MYEFO 2024-25, Appendix A: Policy decisions taken since the 2024-25 Budget pp. 286-287

Infrastructure, Transport, Regional Development, Communications and the Arts | Budget 2024-25

- \$6.7 million over two years from 2024-25 for the Special Broadcasting Service (SBS), supported by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts to develop a business case to establish a standalone Western Sydney production hub and talent incubator.
- \$27.0 million over three years from 2025-26 for Community Broadcasting and First Nations Media, including:
  - \$15.0 million over three years from 2025-26 for the *Community Broadcasting Program* to support the community broadcasting sector, including community television
  - \$12.0 million over three years from 2025-26 for the *Indigenous Broadcasting and Media Program* to support the First Nations media and broadcasting sector.

The Government will also:

- suspend the Commercial Broadcasting Tax for one year, from 9 June 2025 to 8 June 2026, to provide temporary relief for commercial television and radio broadcasters. This change is estimated to decrease receipts by \$50.3 million over two years from 2025-26
- introduce the News Bargaining Incentive to support the sustainability of news and public interest journalism. Funding includes \$1.9 million over three years from 2024-25 for the Australian Taxation Office to introduce and administer the Incentive, which will apply for income years starting on or after 1 January 2025
- mandate a minimum commitment of \$3.0 million per year for two years from 2025-26 for regional newspaper advertising across the total annual Commonwealth Government media advertising spend.

The cost of the *News Media Relief Program* measure will be met from a reprioritisation of funding from the 2022-23 October Budget measure titled *Better Connectivity Plan for Regional and Rural Australia*.

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Phone: s22(1)(a)(ii)

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Page 8 of 10

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2025-2026 Supplementary Budget Estimates

Environment and Communications

Lead/Support contact: Margaret Lopez / s22(1)(a)(ii)

SB25-000289

Attachment B

News MAP Policy Framework – alignment of policy objectives and initiatives

- The News MAP Policy Framework guides the way forward for evidence-based and targeted government support that addresses ongoing pressures in the news sector, while balancing the need to maintain the independence of the sector. It outlines the key policy objectives of: Access; Diversity; Freedom; Quality; Engagement; and Representation.
- The News MAP grant opportunities are being designed to align with the News MAP policy framework.

Policy Objective	Government initiatives to support this objective
<b>Access:</b> Citizens have access to relevant, quality, public interest journalism	<ul style="list-style-type: none"><li>• Grants to the Australian news sector, including:<ul style="list-style-type: none"><li>○ \$99.1 million in grants announced as part of News MAP on 16 December 2024</li><li>○ News Media Relief Program announced on 21 October 2024</li></ul></li><li>• Support for Australian Associated Press</li><li>• Support for the Local and Independent News Association for capacity building for small, news businesses and to collect data on the state of local and hyperlocal news.</li></ul>
<b>Diversity:</b> Control over the production of journalism and distribution of news is adequately diverse	<ul style="list-style-type: none"><li>• ACMA’s Media Diversity Measurement Framework</li><li>• Support for the Public Interest Journalism Initiative</li><li>• Grants to the Australian news sector, including:<ul style="list-style-type: none"><li>○ \$99.1 million in grants announced as part of News MAP on 16 December 2024</li><li>○ News Media Relief Program announced on 21 October 2024</li></ul></li><li>• Support for Australian Associated Press</li><li>• Support for the Local and Independent News Association for capacity building for small, news businesses and to collect data on the state of local and hyperlocal news.</li></ul>
<b>Freedom:</b> Access to information, and the conduct of journalism, is not unduly threatened or restricted	<p>Initiatives are focussed on the diversity of media ownership, and aim to promote a strong, independent media sector. In contrast, regulation of content must be carefully balanced with the freedom of the press.</p> <p><b>The importance of a free media</b> is recognised through an emphasis on industry playing a lead role in the development and administration of content standards that reflect community expectations. For example, print media is predominantly self-regulated by the Australian Press Council, which maintains standards</p>

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2025-2026 Supplementary Budget Estimates

Environment and Communications

Lead/Support contact: Margaret Lopez / s22(1)(a)(ii)

SB25-000289

	of practice. In the case of commercial TV, the ACMA oversees compliance with industry codes of practice.
<b>Quality:</b> News is generally of sufficient quality to properly inform and not misinform	<b>Government initiatives, such as grants to the Australian news sector, are focussed on enabling conditions for quality journalism</b> and high ethical standards and make support conditional on a commitment to those qualities.
<b>Engagement:</b> Citizens have an interest, and the capability, to critically engage with relevant news	The government has provided \$3.8 million over 3 years from 2025-26 to develop a <b>National Media Literacy Strategy</b> to deliver a clear and coordinated approach to building Australians’ media literacy, which is a critical component of the engagement objective.
<b>Representation:</b> News coverage reflects the Australian community and diversity of Australian perspectives	Grants to the Australian news sector have been designed to ensure funding reaches a diverse range of news providers, for example: <ul style="list-style-type: none"><li>• The NMRP made available \$15 million in grants to eligible regional, independent suburban, multicultural and First nations news publishers creating news content distributed online.</li></ul>

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## ATTACHMENT C

**ELECTION COMMITMENT**

JOSH BURNS MP

**MEMBER FOR MACNAMARA**

GED KEARNEY MP

**MEMBER FOR COOPER**

PETER KHALIL MP

**MEMBER FOR WILLS****SUPPORTING LGBTIQA+ COMMUNITY CONNECTION WITH JOY MEDIA**

A re-elected Albanese Labor Government will deliver \$250,000 to support JOY Radio - the nation's first and only LGBTIQA+ community radio station.

Based out of Melbourne, JOY Radio is an essential voice for LGBTIQA+ Australians and has been connecting and empowering the community for over 30 years.

This funding, which complements financial support from the Victorian Government, will help JOY Media and its volunteers continue to serve, inform and connect the LGBTIQA+ community across the country, with daily content over its broadcast FM and DAB+ radio, website, podcasts and social media platforms.

This commitment builds on the Albanese Labor Government's work alongside LGBTIQA+ Australians, including:

- Establishing Australia's first ever National Action Plan for the Health and Wellbeing of LGBTIQA+ People
- Funding to scale up dedicated LGBTIQA+ services
- Support for Australia hosting World Pride and the Human Rights Conference in 2023
- Adding a new topic of 'sexual orientation and gender' to the 2026 census to better inform policy decisions impacting LGBTIQA+ Australians
- Funding for Australia's LGBTIQA+ museum, Qtopia, and
- Legislating the strongest ever protections for LGBTIQA+ people through the Hate Crimes Bill

Consistent with past practice, election commitments will be delivered in line with Commonwealth Grants Rules and Principles.

**Comment attributable to Josh Burns MP, Member for Macnamara:**

"Right in the heart of Macnamara in our beautiful Victorian Pride Centre, JOY Media is a powerful voice and platform for the LGBTIQA+ community.

**ATTACHMENT C**

"I have seen firsthand how important JOY is to our local community, and this funding will mean LGBTIQ+ Australians, and their allies can engage and connect with JOY's content.

"JOY Media is celebration of diversity, inclusion and connection, and I am proud to support the hardworking staff and volunteers who are dedicated to uplifting their community"

**Comment attributable to Ged Kearney MP, Member for Cooper:**

"Cooper's LGBTIQ+ community holds a special place in their hearts for Joy – as do I. This funding for JOY Radio will foster community connections within and across LGBTIQ+ communities, which is crucial to building the health literacy of and about LGBTIQ+ people.

"Media outlets like JOY Media help amplify activities and safe places, to reduce social isolation, promote healthy lifestyles and foster peer support."

**Comment attributable to Peter Khalil MP, Member for Wills:**

"Every time I'm on air with Macca and the team it's an absolute joy to discuss politics and what matters to my diverse community in Melbourne's north.

"This funding ensures that JOY Media can continue their important work in promoting LGBTQIA+ voices and stories across Australia."

**Saturday, 5 April 2025**



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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Margaret Lopez / s22(1)(a)(ii)

SB25-000291

**SUBJECT: News Bargaining Incentive****Key Deliverables**

- On 12 December 2024, the Australian Government announced it will establish a News Bargaining Incentive to ensure large digital platforms contribute to the sustainability of news media in Australia.
- The government has committed to consultation with stakeholders on the final design of the Incentive. We understand that The Treasury has met with stakeholders, but no consultation paper has been released to date.

**Talking Points**

- The Incentive is intended to support Australia's news sector by incentivising large digital platforms to renew or enter into commercial deals with news organisations, as envisioned under the News Media Bargaining Code.
- As proposed, the Incentive would include a charge and offset mechanism. Platforms would incur a liability, which could be reduced by entering into commercial deals with news organisations and through other eligible expenditure.
- The Hon Dr Daniel Mulino MP, Assistant Treasurer and Minister for Financial Services, is responsible for the Incentive. Questions about the Incentive are best directed to the Treasury.
- Questions about the disposition of foreign governments and officials, or the potential trade implications, are best directed to the Department of Foreign Affairs and Trade.

**Key Issues**Status and Timing

- On 12 December 2024, the former Minister for Communications, the Hon Michelle Rowland MP, and the former Assistant Treasurer, the Hon Stephen Jones MP, announced the Incentive (**Attachment A**).
- The announcement committed to public consultation on the details of the Incentive, and indicated that "a public consultation paper [was] expected to be released in early 2025".
- A fact sheet attached to the announcement (**Attachment B**) further indicated that:
  - Consultation on the Incentive would commence in early 2025, with legislation to follow 'detailed consultation'.
  - The charge element of the Incentive would apply for income tax years commencing on or after 1 January 2025.

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Page 1 of 9

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Margaret Lopez / s22(1)(a)(ii)

SB25-000291

- We understand that The Treasury has met with some stakeholders, but no formal public consultation has occurred nor has a consultation paper been released.

Scope

- Details of the Incentive remain subject to consultation and decisions by government.
- The Incentive is expected to apply to large digital platforms operating significant social media or search services, irrespective of whether they carry news.
- The Treasury anticipates Google, Meta and TikTok would be subject to the Incentive.

Revenue

- The Incentive is intended to incentivise commercial deals, not raise revenue.
- The government has therefore not considered how any revenue resulting from the Incentive would be used.

International Sensitivities

- Digital platforms have raised objections about the Incentive with the Office of the US Trade Representative.
- Some commentary has characterised the Incentive as a Digital Services Tax, or suggested it discriminates against US-based companies.
- Any questions about implications for international relations or trade are best directed to the Department of Foreign Affairs and Trade.

Department's Role

- Work on the Incentive is being led by The Treasury. The Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts has provided The Treasury with input when requested, but has not drafted consultation materials or participated in any targeted stakeholder consultation.
- The department has provided briefing to the Hon Anika Wells MP, Minister for Communications and Minister for Sport, on issues relating to the Incentive.

Background

- On 29 February 2024, Meta announced that it would not renew its commercial deals, nor enter into new deals, with Australian news businesses.
- Meta has indicated that, if designated, it would withdraw news from its services, as it has done in Canada in response to similar legislation, and as it did in Australia in 2021.

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Phone: s22(1)(a)(ii)

Version Number: 01

Date: 17/09/2025

Page 2 of 9

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Margaret Lopez / s22(1)(a)(ii)

SB25-000291

- This would allow Meta to nullify its liability under the Code, and would also deprive Australian news businesses of a critical distribution channel and prevent Australians from accessing news on some of the most popular social media platforms.

News Media Bargaining Code

- The *Treasury Laws Amendment (News Media and Digital Platforms Mandatory Bargaining Code) Act 2021* commenced on 3 March 2021, establishing a mandatory code of conduct to address bargaining power imbalances between major digital platforms and Australian news businesses.
- The News Media and Digital Platforms Mandatory Bargaining Code (the Code) sets out standards and a mandatory framework for bargaining, mediation and arbitration of disputes over remuneration for the use of news content online. These provisions apply to registered news businesses and any digital platforms designated by the Treasurer.
- The designation mechanism creates a strong incentive for digital platforms and news businesses to reach commercial agreements outside the Code. Meta and Google entered into deals with Australian news businesses worth an estimated \$200 - \$250 million per year.
- No digital platform has been designated to date.
- The Incentive is intended to address this limitation of the Code and ensure that digital platforms continue to support the sustainability of Australian news media.

**Supporting Information***Questions on Notice (QoNs)*

- SQ25-000052 - List of departmental officials working on News Media Bargaining Code and the incentive

*Freedom of Information (FOI) Requests*

- FOI 26-016 - documents which relate to the News Bargaining Incentive (NBI) and Australia's trade relationship with the United States.

*Relevant Media Reporting*

- "Zuckerberg lobbies Trump on digital taxes then came the Truth Social post", Sam Buckingham-Jones, AFR, 29 August 2025 – [afr.com/politics/federal/publisher-hopes-for-tech-deals-dim-amid-trump-threat-delays-20250827-p5mqbt](https://www.afr.com/politics/federal/publisher-hopes-for-tech-deals-dim-amid-trump-threat-delays-20250827-p5mqbt)

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Phone: s22(1)(a)(ii)

Version Number: 01

Date: 17/09/2025

Page 3 of 9

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Margaret Lopez / s22(1)(a)(ii)

SB25-000291

- “As the President... I will stand up to Countries that attack our incredible American Tech Companies”, Donald Trump, Truth Social, 26 August 2025 – [truthsocial.com/@realDonaldTrump/posts/115092243259973570](https://truthsocial.com/@realDonaldTrump/posts/115092243259973570)

**Attachments**

- A: Media Release Announcing the Incentive
- B: Fact Sheet Published by The Treasury

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Page 4 of 9

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2025-2026 Supplementary Budget Estimates

Environment and Communications

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SB25-000291

Attachment A: Media Release Announcing the Incentive

Albanese Government to establish News Bargaining Incentive

The Albanese Government will establish the News Bargaining Incentive to ensure large digital platforms contribute to the sustainability of news media in Australia.

A strong and diverse news sector is vital for a healthy democracy.

However the rapid growth of digital platforms has disrupted revenues to Australia’s media sector, which threatens the viability of public interest journalism.

The News Media Bargaining Code was introduced in 2021 to incentivise digital platforms to enter into commercial deals with news publishers.

The code acknowledged that large digital platforms are unavoidable trading partners for Australian news media businesses in reaching audiences online, and sought to address the imbalance of bargaining power between digital platforms and news media publishers.

However, the code has limitations. It allows platforms to avoid their obligations by removing news. This is not in the best interest of Australians. A significant proportion of Australians use digital platforms to access news, and we want this to continue.

The Government is acting to address this, by establishing a News Bargaining Incentive to encourage digital platforms to enter into or renew commercial deals with news publishers.

Australia does not intend to raise revenue from this policy.

The bargaining incentive includes a charge and an offset mechanism. Platforms that choose not to enter or renew commercial agreements with news publishers will pay the charge. Platforms with these agreements will, however, be able to offset their liability.

The incentive will apply to large digital platforms operating significant social media or search services irrespective of whether or not they carry news.

The Government will consult stakeholders on the final design of the scheme.

A public consultation paper is expected to be released in early 2025.

The incentive builds on significant work underway to ensure Australian laws keep pace with digital technologies, including the development of a new scams prevention framework, a

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2025-2026 Supplementary Budget Estimates

Environment and Communications

Lead/Support contact: Margaret Lopez / s22(1)(a)(ii)

SB25-000291

digital competition regime, implementation of privacy reforms, and ongoing work related to artificial intelligence.

The Government will have further announcements outlining support for news media.

[Download the News Bargaining Incentive Fact Sheet \[DOCX 149KB\]](#)

**Comments attributable to the Assistant Treasurer and Minister for Financial Services, the Hon Stephen Jones MP**

*“The Government wants Australians to continue to have access to quality news content on digital platforms.*

*“Digital platforms receive huge financial benefits from Australia, and they have a social and economic responsibility to contribute to Australians’ access to quality journalism.*

*“This approach strengthens the existing code by addressing loopholes that could see platforms circumvent their responsibility to pay.”*

**Comments attributable to the Minister for Communications, the Hon Michelle Rowland MP**

*“The Albanese Government is committed to a diverse and sustainable news media sector, given this is critical to the health of Australia’s democracy.*

*“Large digital platforms have an important role to play in providing access to news for all Australians, and contributing to the sustainability of public interest journalism.*

*“The News Bargaining Incentive is an important step towards securing support for Australia’s news media.”*

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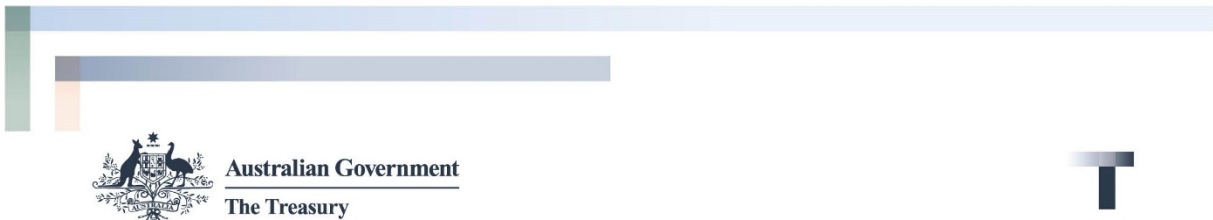
## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Margaret Lopez / s22(1)(a)(ii)

SB25-000291

## Attachment B: Fact Sheet by the Treasury



## News Bargaining Incentive Fact Sheet

### What is the News Bargaining Incentive?

- The News Bargaining Incentive is aimed at ensuring that large digital platforms contribute to the sustainability of news and journalism in Australia, but with a clear preference for this to be done through the renewing or entering of commercial deals.
- The policy is designed to support Australia's news sector by incentivising digital platforms to renew or enter commercial deals as envisioned under the News Media and Digital Platforms Mandatory Bargaining Code that was established in 2021.
- The incentive includes a charge and an offset mechanism. Large digital platforms that choose not to enter or renew commercial agreements supporting Australian journalism will pay the charge. Platforms with these agreements will however be able to offset their liability due to a non-refundable offset against the charge.

### When will the News Bargaining Incentive commence?

- Consultation on the incentive will begin in early 2025, with legislation to follow detailed consultation.
- The charge element of the incentive would apply for income tax years commencing on or after 1 January 2025. It will apply on an income year basis.

### Who will be affected?

- The incentive will apply to large, digital platforms operating significant social media or search services, irrespective of whether they carry news content.
- The proposed test for application would have three limbs:
  - A digital platform will be considered large if it, together with its related bodies corporate, has gross annual revenue of over \$250 million attributable to Australian markets, exclusive of GST.

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Phone: s22(1)(a)(ii)

Version Number: 01

Date: 17/09/2025

Page 7 of 9

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Margaret Lopez / s22(1)(a)(ii)

SB25-000291

- The digital platform must operate a social media and/or search service. It is expected definitions of these terms will be narrow and targeted to ensure the incentive does not inadvertently capture specific services do not support the incentive's objective of incentivising commercial deals envisioned under the code. For example, it is not expected to capture dating services such as Bumble and direct messaging services such as Signal.
- The social media and/or search service must be significant.
- It is expected that few services will fall within scope of the incentive. We anticipate Meta, Google and TikTok would fall within scope of the incentive.
- The government will consult with relevant stakeholders on the technical details of the incentive including the test for application.

## How will the charge work?

- The intention of the incentive is not to raise tax revenue.
- The charge element of the incentive and accompanying offset will be set to incentivise commercial deals between digital platforms and news businesses. The consultation process will ensure the rate is set at the appropriate level.
- The calculation of the charge will be based on total gross revenues attributable to Australian markets. It will apply to large digital platforms operating significant social media or search services, irrespective of whether they carry news content.
- Large digital platforms that are subject to the charge will be incentivised to renew or enter into commercial deals to remunerate Australian news organisations for the production of journalism with a non-refundable offset against the charge.

## How will the offset work?

- Entities subject to the incentive will be able to reduce their liability, in part or in full, by claiming against a non-refundable offset for eligible expenditure supporting journalism.
  - This will include expenditure under commercial deals to remunerate news organisations, and other contributions to the news sector.
- The offset will be designed to strongly incentivise entities to renew or enter into commercial deals, rather than pay the charge. Eligible expenditure will offset liability for the charge at a greater than 1 for 1 rate (that is, eligible expenditure of \$100 will reduce the liability for the charge by more than \$100).

## How will the incentive interact with other taxes or levies paid by multinationals?

- The charge element of the incentive will apply in addition to corporate income tax and will not be a deductible expense for corporate income tax purposes.

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Date: 17/09/2025

Page 8 of 9

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Margaret Lopez / s22(1)(a)(ii)

SB25-000291

## Why is there a need for the incentive?

- The government considers that a strong and diverse news sector is vital for a healthy democracy.
- However, the rapid growth of digital platforms has disrupted revenues to Australia's media sector, which threatens the viability of public interest journalism.
- The News Media Bargaining Code was introduced in 2021 to incentivise digital platforms to enter into commercial deals with news publishers.
- The code acknowledged that large digital platforms are unavoidable trading partners for Australian news media businesses in reaching audiences online, and sought to address the imbalance of bargaining power between digital platforms and news media publishers.
- However, the code has limitations. It allows platforms to avoid their obligations by removing news. This is not in the best interest of all Australians.
- A significant proportion of Australians use digital platforms to access news, and the government wants this to continue.
- The government is acting to address this, by establishing a News Bargaining Incentive to encourage digital platforms to enter or renew commercial deals with news publishers. Australia does not intend to raise revenue from this policy.

## What about the News Media Bargaining Code?

- The code successfully prompted digital platforms to enter commercial deals with Australian news organisations. However, the code has been challenged by Meta's decision to cease its commercial deals in Australia.
- The policy is designed to reinforce the code by incentivising commercial deals as envisioned under the code and ensure digital platforms continue contributing to journalism in Australia.

## What consultation is proposed?

- Commencement of public consultation would be announced via a press release (and the consultation paper published on the Treasury website) by the Assistant Treasurer and Minister for Communications in early 2025.
- Following consideration of submissions on the consultation paper, exposure draft legislation will be developed for public consultation.
- Legislation to implement the incentive this process is expected to occur after the election.

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Version Number: 01

Date: 17/09/2025

Page 9 of 9

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Margaret Lopez / James Penprase

SB25-000293

**SUBJECT: Media Reform****Key Deliverables**

- The Australian Government is working to ensure Australia's media continues to keep us informed, reflects our diverse cultures and perspectives, upholds and respects community standards and ensures access to services.
- The government has: legislated a television prominence framework and a reformed anti-siphoning scheme; implemented initial reforms to the National Classification Scheme; extended the licences of Channel 31 Melbourne and Channel 44 Adelaide; and provided an additional \$27 million for community broadcasting.

**Talking Points**

- The government's current media reform priorities include:
  - implementing the television prominence framework and an expanded anti-siphoning scheme;
  - consulting on a framework for radio prominence; and
  - assessing the state of television infrastructure in remote and regional areas.
- The government is also progressing the following initiatives:
  - introducing Australian content requirements on streaming services;
  - implementing the next phase of reforms to the National Classification Scheme;
  - providing financial relief for commercial broadcasters with the temporary suspension of the Commercial Broadcasting Tax; and
  - improving the provision of audio description and captioning.
- The government is committed to modernising media laws and policy settings, informed by appropriate consultation processes.

**Key Issues**Current priorities

- The government is working to progress its media reform priorities, including through consultation with relevant stakeholders.

*Television prominence and anti-siphoning reforms*

- On 9 July 2024, the *Communications Legislation Amendment (Prominence and Anti-siphoning) Act 2024* (the Act) received Royal Assent. The Act introduces a prominence framework for television that will ensure that Australians can easily find and access free-to-air television services on new smart televisions.

**Contact:** James Penprase**Cleared by:** Margaret Lopez, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 25/09/2025

Page 1 of 4

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Margaret Lopez / James Penprase

SB25-000293

- The television prominence framework commenced on 10 July 2024, with obligations to apply from 10 January 2026.
- The Australian Communications and Media Authority (ACMA) has published guidance about how it will interpret key provisions of the framework and is working with manufacturers to prepare for compliance with the framework.
- The Act also strengthens the anti-siphoning scheme, extending it to regulate online streaming services for the first time. The reformed anti-siphoning scheme commenced on 17 December 2024.

*Radio prominence*

- On 30 September 2024, a public consultation paper on radio prominence was released, with submissions closing on 11 November. A total of 13 submissions were received: 12 from industry; and 1 from an individual.
- The government is considering the issues and views raised through these submissions.

*Assessing the state of television infrastructure in remote and regional areas*

- The Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts has been working closely with industry as part of the Remote and Regional Television Transmission and Reception Audit, examining gaps and deficiencies in the provision of free-to-air television services in remote and regional Australia.
- The Audit process is ongoing, and the information gleaned through it will inform government consideration of the need for infrastructure renewal to support access to television services, including in First Nations communities.
- Departmental officials and representatives from various broadcasters have also been engaging on future technology options for free-to-air television. It is anticipated that discussions will continue over the coming months.

Supporting initiatives

- The government is progressing a number of initiatives that support its objectives for media reform.

*Australian content requirements on subscription video on demand (streaming) services (SB25-000360)*

- Under Australia's National Cultural Policy, *Revive*, the government committed to introduce an Australian screen content requirement on subscription video on demand (streaming) services. The requirement is the joint responsibility of the Minister for Communications and the Minister for the Arts.

**Contact:** James Penprase**Cleared by:** Margaret Lopez, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 25/09/2025

Page 2 of 4

OFFICIAL

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Margaret Lopez / James Penprase

SB25-000293

- The government is undertaking a genuine consultation process and is taking the time to consider views about the best way to support ongoing investment in, and production of, Australian stories. Consultation is taking longer than we would have liked, but we are determined to get the requirement right.

*Classification reform (SB25-000304)*

- On 29 March 2023, the government announced a two-stage classification reform process. Stage 1 reforms prioritised immediate improvements to the National Classification Scheme (the Scheme), including to improve the capacity of the Scheme to classify growing volumes of online content. Legislation implementing these reforms commenced on 14 March 2024.
- Stage 2 reforms aim to bring the Scheme into alignment with a modern media environment, particularly the treatment of online content.
- This includes a holistic update to modernise and harmonise the Classification Guidelines to ensure classification decisions remain consistent with community standards and expectations.

*Commercial Broadcasting Tax (CBT) – temporary suspension*

- The government announced in the 2024-25 Mid-Year Economic and Fiscal Outlook that it would suspend the CBT for 1 year, from 9 June 2025 to 8 June 2026, to provide temporary relief for commercial television and radio broadcasters.
- The 1-year suspension of the CBT, which will save commercial television and radio broadcasters an estimated \$50.3 million, has been implemented by way of 100% rebate of the CBT liabilities of all commercial broadcasters.
- The 1-year suspension of the CBT builds on the government's previous extension of, and 12.5% increase to, the partial CBT rebate for eligible regional broadcasters. Eligible regional broadcasters will be entitled to a partial rebate of their CBT liabilities in 2026-27, and 2027-28, after the end of the 1-year suspension of the CBT.

*Audio description and captioning*

- Captions and audio description are key features that deliver accessible television. These are not currently provided at consistent levels across all types of television services in Australia.
- The department is developing proposals to harmonise and improve levels of captioning and audio description on Australian television services.

**Contact:** James Penprase**Cleared by:** Margaret Lopez, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 25/09/2025

Page 3 of 4

OFFICIAL

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Margaret Lopez / James Penprase

SB25-000293

**Background**Election commitments

- On 7 May 2022, the government issued a media release titled 'Labor will support local TV and free sport in the streaming age' and committed to:
  - Reviewing the anti-siphoning scheme and give Australians the chance to watch, for free, events of national and cultural significance.
  - Legislating a prominence regime to ensure Australian TV services can easily be found on connected TV platforms.
- These commitments have been implemented with the passage of the *Communications Legislation Amendment (Prominence and Anti-siphoning) Act 2024*. The reformed anti-siphoning scheme and the new anti-siphoning list commenced on 17 December 2024, while the obligations under the television prominence framework will apply to smart television and other connected devices manufactured and supplied in Australia from 10 January 2026.

Previous public statements

- On 14 November 2022, the former Minister for Communications, the Hon Michelle Rowland MP, delivered a speech to the Communications and Media Law Association (CAMLA) titled *Media Policy: Priorities for a New Government*. This set out priorities for the government's media reform program, along with a set of key objectives:
  - A level playing field in which Australian media outlets can thrive, while maintaining Australia's well-earned reputation as a desirable place to invest and grow new businesses.
  - Equitable access to media services and content for all Australians, regardless of financial means or location.
  - Consistent regulation of services that make available content that is 'like' TV and radio, with the flexibility to accommodate new and emerging services and technologies.
  - Access to a vibrant and diverse range of news media for all Australians, where no one voice dominates political and social debates.
- On 24 October 2024, the former Minister for Communications announced (at the RadComms 2024 conference) that there would be consultation in 2025 on future technology options for future for television, shaped by the possibility of realising a digital dividend. The speech indicated that a sustainable television sector needs a 'managed transition' (deliberate and coordinated choices on technology and other matters). In turn, this requires a consensus on the future state of television technology in a decade's time and beyond.

**Contact:** James Penprase**Cleared by:** Margaret Lopez, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 25/09/2025

Page 4 of 4

OFFICIAL

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OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Margaret Lopez / James Penprase

SB25-000295

**SUBJECT: Regional Broadcasting****Key Deliverables**

- The Australian Government is committed to ensuring that all Australians have equitable access to media services, regardless of financial means or location.
- The government has: passed legislation to enable access to regional television services; extended the Viewer Access Satellite Television (VAST) safety net service to 30 June 2031; implemented the Broadcasting Resilience Program (BRP) to improve the resilience of regional radio broadcasting sites; and suspended the Commercial Broadcasting Tax (CBT) for certain regional commercial broadcasters.

**Talking Points**

- The government recognises the importance of television and radio services in regional areas.
- The government has implemented a range of initiatives to support the provision of broadcasting services in regional Australia. These include:
  - Passage of the *Communications Legislation Amendment (Regional Broadcasting Continuity) Act 2024* in November 2024 to support continued access to television services in remote and regional Australia, and to remove impediments to broadcasters operating their transmission networks more efficiently.
  - Provision of around \$148 million (GST inclusive where applicable) over 7 years to continue the VAST safety net service through to 2031, providing long-term certainty for the broadcasting industry and over 1.5 million Australians who rely on VAST.
  - Implementation of the BRP, providing \$20 million over 3 years from 2022-23 to BAI Communications to improve the resilience of 98 ABC broadcast sites that are used for emergency broadcasting and are at greater risk of failure due to natural disasters.
  - Suspension of the CBT for 1 year, from 9 June 2025 to 8 June 2026, to provide temporary relief for commercial television and radio broadcasters.

**Key Issues***Communications Legislation Amendment (Regional Broadcasting Continuity) Act 2024*

- The *Communications Legislation Amendment (Regional Broadcasting Continuity) Act 2024* (the Act) commenced on 11 December 2024. The Act improves access to the VAST service by enabling the Australian Communications and Media Authority (ACMA) to declare an area to be 'service-deficient' where there has been a material reduction in the number of commercial television broadcasting services provided terrestrially. This

**Contact:** James Penprase**Cleared by:** Bridget Gannon, First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 17/09/2025

Page 1 of 4

OFFICIAL

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Margaret Lopez / James Penprase

SB25-000295

permits audiences in the area to access VAST. This will directly benefit residents of Mildura where viewers would otherwise not be entitled to access VAST following the cessation of Mildura Digital Television (MDT) in July 2024.

- The Act also allows the ACMA to deem a single transmitter licence to transmit the broadcasting service or services of 2 or more broadcasting licences. This removes a regulatory impediment that otherwise places such consolidation in breach of relevant licence conditions and other regulatory obligations, enabling broadcasters to operate more efficiently in terms of the transmission of their services. This will allow broadcasters to reduce the costs of transmission by using fewer transmitters. WIN Television is already doing so in regional South Australia and in Griffith, consolidating its transmission arrangements while continuing to provide the same services to viewers.

Viewer Access Satellite Television (VAST)

- In the 2022-23 Budget, the government committed to extend the VAST safety net television service for 7 years to 2031. In late June 2024, the new 7-year agreements with the VAST broadcasters were signed, providing around \$148 million (GST inclusive where applicable) in funding over the 7 years.

Commercial Broadcasting Tax (CBT)

- The government announced in the 2024-25 Mid-Year Economic and Fiscal Outlook that it will suspend the CBT for 1 year, from 9 June 2025 to 8 June 2026, to provide temporary relief for commercial television and radio broadcasters. The 1-year suspension of the CBT, which will save commercial television and radio broadcasters an estimated \$50.3 million, has been implemented by way of 100% rebate of the CBT liabilities of all commercial broadcasters.
- The 1-year suspension of the CBT builds on the government's previous extension of, and 12.5% increase to, the partial CBT rebate for eligible regional broadcasters. Eligible regional broadcasters will be entitled to a partial rebate of their CBT liabilities in 2026-27, and 2027-28, after the end of the 1-year suspension of the CBT.

Remote and Regional Television Transmission and Reception

- The Remote and Regional Television Transmission and Reception Audit commenced in 2024. The Audit has focused on identifying gaps and deficiencies that may be affecting access to services in remote First Nations communities, and assessing the state of terrestrial transmission infrastructure (including 'self-help' sites) in remote and regional Australia. This work is ongoing and will inform future government consideration of measures to support the television infrastructure needs of service providers and audiences in these communities.

**Contact:** James Penprase**Cleared by:** Bridget Gannon, First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 17/09/2025

Page 2 of 4

OFFICIAL

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OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Margaret Lopez / James Penprase

SB25-000295

**Background**Key industry developments

- The broadcasting sector faces significant financial and operational headwinds, and these are most acute in remote and regional Australia given the fixed costs associated with serving large geographic areas that are thinly populated. These pressures have been amplified by the fragmentation of the advertising market and the growth of online services. These pressures are demonstrated in the actions taken by broadcasters over the last 18 months:
  - In May 2024, the Board of Mildura Digital Television – a commercial broadcasting licensee that provided Network Ten content to residents in Mildura – decided to cease operations from 1 July. According to the Board, MDT had never made a profit.
  - In April 2024, WIN Television ‘consolidated’ the broadcasting services it provides under the authority of 3 commercial television broadcasting licences over 2 transmitters instead of 3 in the Mount Gambier/South East TV1 and Riverland TV1. This has allowed WIN to realise cost savings and reduce spectrum use.
  - In August 2025, WIN undertook a similar consolidation in Griffith and MIA TV1.

VAST

- Since 2010, the VAST platform has delivered free-to-air television broadcast services via satellite to locations in Australia that cannot receive terrestrial television transmission due to their remoteness and/or terrain.
  - It is estimated that more than 200,000 households in mainly remote and regional areas across Australia rely on VAST for access to commercial free-to-air television services.
  - A significant number of households (primarily in remote WA, NT and Queensland) also rely on VAST retransmission feeds to terrestrial television towers.
- The Western VAST service is provided by WA Satco Pty Ltd – a joint venture of Seven West Media and WIN Television. The Eastern VAST service is provided by Eastern Australia Satellite Broadcasters Pty Ltd – a joint venture of Imparja Television and Seven West Media.

Recent media transactions

- A number of major media transactions and acquisitions have been completed over recent months.
  - On 1 March 2025, Paramount (the owner of Network Ten) completed its acquisition of commercial television broadcasting licences in the licence areas of Regional Queensland TV1, Southern New South Wales TV1 and Eastern and Western Victoria TV1 from Southern Cross Media Group Limited, the parent company of Southern Cross Austereo (SCA).

**Contact:** James Penprase**Cleared by:** Bridget Gannon, First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 17/09/2025

Page 3 of 4

OFFICIAL

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OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Margaret Lopez / James Penprase

SB25-000295

- On 1 May 2025, Paramount also acquired WIN Network's (WIN) Northern New South Wales TV1 commercial television broadcasting licence.
- On 2 April 2025, international sports streaming company DAZN Group Limited (DAZN) completed its purchase of Foxtel Group (Foxtel).
- On 1 July 2025, Seven announced the completion of its acquisition of SCA's remaining regional television assets in Tasmania TV1, Spencer Gulf TV1, Broken Hill TV1, Mt Isa TV1, Darwin TV1, and Remote, Central and Eastern Australia.

**Contact:** James Penprase**Cleared by:** Bridget Gannon, First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 17/09/2025

Page 4 of 4

OFFICIAL

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Transport, Regional Development, Communications, Sport and the Arts

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandebroek / Andrew Hyles

SB25-000298

**SUBJECT: Statutory Review of the Online Safety Act 2021****Key Deliverables**

- An independent review of the *Online Safety Act 2021* (the Act) was completed in 2024 and tabled in Parliament on 4 February 2025.
- On 13 November 2024, the Australian Government announced it would legislate a Digital Duty of Care.
- On 2 September 2025, the government announced it would act to restrict access to 'nudify' apps and undetectable stalking apps.

**Talking Points**

- The final report of the Statutory Review (the review) of the Act was provided to the government on 31 October 2024, and tabled in Parliament on 4 February 2025. The review made 67 recommendations.
- A key recommendation of the review was imposing a duty of care on online services to prevent certain broad categories of harm.
  - A duty of care would require services engage in an ongoing cycle of risk assessment, mitigation and review, and encompass safety by design.
- On 13 November 2024, the government announced its intention to legislate a Digital Duty of Care.
- Adopting a duty of care is a significant reform. The model is yet to be settled but will be informed by feedback from stakeholders and careful consideration will be given to appropriate transitional arrangements for industry and eSafety.
- Timing of the introduction of new duty of care legislation is a matter for the government.
- On 2 September 2025, the Hon Anika Wells MP, Minister for Communications and Minister for Sport, announced the government's intention to ban search engines and app stores from surfacing, selling or distributing "nudify" and undetectable stalking apps.
  - This is another key recommendation of the review.
- The government is carefully considering the other recommendations of the review.
- The cost of the review was met from within existing departmental resourcing, with the reviewer, Ms Delia Rickard PSM, reimbursed a total of \$150,534.80 for remuneration and associated travel costs.

Contact: s22(1)(a)(ii)

Cleared by: Andrew Hyles, A/g First Assistant Secretary

Phone: s22(1)(a)(ii)

Version Number: 01

Date: 17/09/2025

Page 1 of 6

OFFICIAL

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OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandebroek / Andrew Hyles

SB25-000298

**Key Issues**Final report of the Statutory Review of the Act

- The majority of the report's 67 recommendations sit under 4 broad themes:
  - Duty of care – including establishing an overarching duty, risk assessment, mitigation and transparency obligations, statutory categories of harm, tiering of platform obligations by reach or risk, simplified definitions of online industry sections, regulator-made enforceable codes, and regulator powers to issue reporting notices and to require audits.
  - Supporting individuals – including enhancements to complaints schemes, mandatory improvements to complaints handling, implementing an Ombuds scheme and awareness raising.
  - A stronger, more effective regulator – including stronger penalties and enforcement, investigation and information sharing, fit-for-purpose definitions of class 1 and 2 materials, and clarifying informal powers.
  - Governance – including transitioning to a Commission model, implementing a standalone eSafety Commission, improved internal processes/transparency, increased resourcing for expanded functions and cost recovery.
- Other recommendations relate to various matters including:
  - considering options to prohibit “nudify” and stalking products
  - convening experts (fusion cells) to address “wicked problems” that cannot be addressed through the Act alone, such as implications of end-to-end encryption for combatting child sexual exploitation and abuse material
  - long term transition to a single digital regulator, and
  - requiring services to have a local presence.
- The recommendations of the review are listed at **Attachment A** and the Executive Summary is at **Attachment B**.

Work on legislating a Digital Duty of Care

- Work is underway to develop a model appropriate to the Australian context and informed by consultation with key stakeholders.
- The review recommended:
  - a singular and overarching duty on all online service providers to take reasonably practicable steps to prevent foreseeable harms to Australians as a result of use of their services, a concept well established in Work Health and Safety legislation.
  - Statutory categories of “enduring harms” to which the duty would apply, including harms to young people, harms to mental wellbeing, the instruction and promotion of harmful practices, and other illegal content, conduct and activity.

**Contact:** s22(1)(a)(ii)**Cleared by:** Andrew Hyles, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 17/09/2025

Page 2 of 6

OFFICIAL

Released under the FOI Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandenbroek / Andrew Hyles

SB25-000298

- Obligations on services to conduct risk assessment, mitigation and undertake transparency reporting.
- Tiering of obligations according to services' reach or level of risk associated with their use, with obligations such as transparency reporting, internal compliance, data sharing with authorised researchers and audits applying to higher tier providers.
- Simplifying sections of industry to reflect the convergence of functions of online service providers and improve clarity around obligations.
- Empowering the regulator to make enforceable codes as needed to ensure clarity around compliance, and require additional reporting and audits.
- The Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts is working closely with colleagues across government, and looking internationally to learn from successes and challenges experienced by countries implementing similar online safety laws.
- Appropriate transitional arrangements will be needed to implement a duty of care, including in regards to existing industry codes and standards and the Basic Online Safety Expectations made under the Act.

Government's intention to ban "nudify" and undetectable stalking tools

- On Tuesday 2 September, the minister announced the government's intention to restrict access to "nudify" and undetectable stalking apps, as recommended by the review.
- This action will help address current legislative gaps and proactively prevent abuse facilitated by evolving technologies.
- The new laws will complement current state and Commonwealth legislation prohibiting stalking and the distribution of non-consensual, deepfake sexually explicit materials, and build on the work to protect young Australians through the social media minimum age laws.
- The department will work with industry to determine how best to prevent access to these harmful products while preserving tracking apps used for lawful purposes.

Government's response to the remaining recommendations of the review

- The government recognised the need to strengthen the online safety framework to address current and emerging harms to Australians, which is why it brought forward the review of the Act to commence a year earlier than the statutory requirement.
- There is no legislative requirement to provide a formal response to the review. A response to the review is a matter for the government.

Contact: s22(1)(a)(ii)

Cleared by: Andrew Hyles, A/g First Assistant Secretary

Phone: s22(1)(a)(ii)

Version Number: 01

Date: 17/09/2025

Page 3 of 6

OFFICIAL

Released under the FOI Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandebroek / Andrew Hyles

SB25-000298

**Background**Digital Duty of Care announcement 13 November 2024

- The former Minister for Communications, the Hon Michelle Rowland MP, announced the government's intention to legislate a Digital Duty of Care in line with the review. The minister noted that:
  - a Duty of care places a legal obligation to take reasonable steps to protect others from harm, a concept well established in Work Health and Safety law in Australia.
  - There is a growing movement towards a more systemic and preventative approach to online safety, including in the UK and European Union. Harmonisation with like-minded jurisdictions will more effectively drive change while minimising regulatory burden on industry.
  - A duty of care framework would be underpinned by risk assessment and risk mitigation measures, be informed by safety-by-design principles and include reporting and transparency requirements of platforms. It would help to future proof the Act, as services would need to continually identify and mitigate potential risks as technology and service offerings change and evolve.
  - The changes would place proactive obligations on platforms, and work with existing complaint and removal schemes for illegal and harmful material.

The review process

- Under Section 239A of the Act, the Minister for Communications must "cause to be conducted" an independent review of the Act's operation.
- The review is required to commence within 3 years of the Act's commencement (by 2025), and a written report tabled in each House of the Parliament within 15 sitting days of being provided to the minister.
- The government published the terms of reference for the review on 13 February 2024.
- The report was informed by extensive stakeholder engagement including 72 meetings with industry, civil society, community members and law enforcement, as well as Australian and international government bodies and academics, and a public consultation process which received more than 2,270 responses.

Other proposals relating to a Digital Duty of Care and "nudify" apps

- On 25 November 2024, then independent MP, Ms Zoe Daniel, introduced the Online Safety Amendment (Digital Duty of Care) Bill 2024 in the House of Representatives.

**Contact:** s22(1)(a)(ii)**Cleared by:** Andrew Hyles, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 17/09/2025

Page 4 of 6

OFFICIAL

Released under the FOI Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandenbroek / Andrew Hyles

SB25-000298

- On 27 November 2024, Senator Hanson Young proposed amending the Social Media Minimum Age Bill to include a number of additional provisions including the imposition of duty of care obligations on large providers.
- On 28 July 2025, independent MP, Ms Kate Chaney MP, proposed amending the Criminal Code Act to create new offences targeting the misuse of emerging technologies to create, train, or use tools that facilitate the production of child abuse material.

Intersection with other reports

- The Joint Select Committee on Social Media and Australian Society released its final report on 18 November 2024, with several recommendations intersecting with those in the OSA review.
- For example, both recommend a statutory duty of care be placed on digital platforms, greater enforceability of Australian laws for social media, data access for independent researchers and resourcing for the eSafety Commissioner.

**Financial Information as at 2 September 2025**

- Total expenditure on the review is \$150,534.80 (GST inclusive) excluding printing.
- In 2024-25 expenditure on the review was \$80,588.85 (GST inclusive).
  - Ms Rickard undertook 49 days of work at a cost of \$78,547 (GST inclusive).
    - 47 days of work between 1 July 2024 and 31 October 2024 at a cost of \$75,341 (GST inclusive).
    - 2 days of work between 24 December 2024 and 20 January 2025 at a cost of \$3,206 (GST inclusive).
  - Ms Rickard travelled to Sydney:
    - on 1 October to meet with the eSafety Commissioner and staff at a total cost of \$898 (GST inclusive).
    - on 1 November to meet with the minister in her electoral office and discuss the review report at a cost of \$1,143.85 (GST inclusive).
- The department had previously estimated the cost of the review would be in the order of \$150,000 (approximately 90 days' work and up to \$10,000 for travel).
- Remuneration for Ms Rickard was set at a rate of \$1,603.00 (GST inclusive) per working day, in line with the Remuneration Tribunal (Remuneration and Allowances for Holders of Part-time Public Office) Determination 2023.
- There was a significant underspend on travel for the review, however printing was not costed in the original review funding commitment.
- Printing the review report cost \$5,036.90 (GST inclusive).

Contact: s22(1)(a)(ii)

Cleared by: Andrew Hyles, A/g First Assistant Secretary

Phone: s22(1)(a)(ii)

Version Number: 01

Date: 17/09/2025

Page 5 of 6

OFFICIAL

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OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandebroek / Andrew Hyles

SB25-000298

**Supporting Information***Relevant Media Reporting*

- “Government moves to ban deepfake apps in crackdown on AI”, Peter Stefanovic, Sky News, 2 September 2025 - <https://www.skynews.com.au/australia-news/politics/government-moves-to-ban-deepfake-apps-in-crackdown-on-ai/video/1ffd3d2e4a44c90b146ce10f3bc5b71e>
- “Too important not to act: AI-generated sex abuse targeted in online safety laws overhaul”, Cheyne Anderson, SBS News, 2 September 2025 - <https://www.sbs.com.au/news/article/new-restrictions-deepfake-abuse/20rntdz8p>

**Attachments**

- A: Recommendations of the Online Safety Act review
- B: Executive Summary of the review report

**Contact:** s22(1)(a)(ii)**Cleared by:** Andrew Hyles, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 17/09/2025

Page 6 of 6

OFFICIAL

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OFFICIAL

## Recommendations of the Statutory Review of the Online Safety Act 2021

### Chapter 3 – Objects of the Online Safety Act

**Recommendation 1:** That the objects of the Online Safety Act should be amended to include more descriptive objectives that are linked to the various functions covered by the Act.

### Chapter 4: Who should be regulated?

**Recommendation 2:** That current definitions of the online industry sections should be simplified to online platforms, online search and app distribution services, online infrastructure services, and equipment and operating system services. These should be included in the Act to better reflect online safety risks and future proof the Act.

**Recommendation 3:** That the Government consider options to recognise the role of providers of online safety related services and technology in helping to identify and stop the distribution of child sexual exploitation and abuse material.

### Chapter 5: Duty of care

**Recommendation 4:** That Australia adopt a singular and overarching duty of care that encompasses due diligence, and is underpinned by safety by design principles, risk assessment, risk mitigation, and measurement.

**Recommendation 5:** The harms that should be highlighted for attention under a duty of care should at a minimum include:

- Harms to young people, including child sexual exploitation and abuse (including grooming), bullying and problematic internet use.
- Harms to mental and physical wellbeing, including threats to harm or kill, or attacks based on a person or group of people's protected characteristics, such as sex, gender, sexual orientation, race, ethnicity, disability, age or religion.
- Instruction or promotion of harmful practices, such as self-harm/suicide, disordered eating and dares that could lead to grievous harm.
- Threats to national security and social cohesion, such as through promotion of terrorism and abhorrent violent extremist content.
- Other Illegal content, conduct and activity.

**Recommendation 6:** Entities with the greatest reach or risk should be required to complete a risk assessment at least every 12 months and to carry out a risk assessment when significant changes are made to the design and operation of their service. These entities should also be required to provide an annual report detailing their risk assessments, risk mitigations and how successful they have been to the regulator.

**Recommendation 7:** Services used by 10 per cent of Australian users or more should be automatically part of the highest tier with additional mandatory responsibilities. The regulator should have a power to deem whether other online services do, or do not, meet the reach or risk requirement, noting that the reach or risk of services may change over time.

**Recommendation 8:** The best interests of the child should be a primary consideration for online service providers in assessing and mitigating the risks arising from the design and operation of their services, including risks to children who may use the service *and* risks to children as a result of how the service may be used.

**Recommendation 9:** The eSafety Commissioner should be empowered to create mandatory rules (in the form of codes) on how entities can comply with certain aspects of the duty of care requirements, including addressing specific online harms. This should not stop services from taking additional steps to protect people. Codes would not create safe harbours.

### Chapter 6 – Accountability and transparency

**Recommendation 10:** In addition to risk assessments, a service with the greatest reach or risk should be required to provide an annual transparency report and publish a summarised version on its website. This should not replace the broad power for eSafety to require periodic and non-periodic transparency reports from all services.

**Recommendation 11:** Services with the greatest reach or risk should be required to have a well-resourced compliance function that reports directly to senior management as needed, and at least quarterly to the audit and risk committee and annually to the Board. Only the Board (or its equivalent) can dismiss the head of the compliance function.

**Recommendation 12:** The regulator should have the discretion and power to require services to undertake an audit at their own expense.

**Recommendation 13:** Subject to adequate safeguards, services with the greatest reach or risk should be required to share data with authorised researchers for the purposes of determining compliance with a duty of care model, the takedown schemes and research into emerging problems and harms.

### Chapter 7 – Safety nets supporting online users

**Recommendation 14:** For the avoidance of doubt, the legislation should make it clear that informal requests for takedown are legal and legitimate as they lead to quicker results for individuals who are often in severe distress.

**Recommendation 15:** Users experiencing adult cyber abuse or child cyberbullying should only need to wait 24 hours (not 48 hours) following a complaint to a service before eSafety is able to issue a removal notice.

**Recommendation 16:** The regulator should be empowered to waive the statutory delay to issue a removal notice for the child cyberbullying and adult cyber abuse scheme where no clear complaint mechanism exists on the online service, or where reporting would lead to a reasonably foreseeable risk of further harm to the user experiencing the abuse.

**Recommendation 17:** The Australian Government should develop a whole of government 'no wrong door' approach to support individuals seeking help to address online harms. This will require cooperation and information sharing across portfolios, including law enforcement, to address a range of issues such as online safety, child safety, privacy and scams, among others.

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## Recommendations of the Statutory Review of the Online Safety Act 2021

**Recommendation 18:** The adult cyber abuse scheme should be amended by lowering the threshold. The new threshold should require that an ordinary reasonable person would conclude that ‘it is likely the material was intended to have an effect on a particular Australian adult’, and that an ordinary reasonable person would ‘regard the material as being, in all the circumstances, menacing, harassing or seriously offensive.’

**Recommendation 19:** The Act should enable the regulator to issue a removal notice for material that has met the regulatory threshold for removal under a prior complaint, where the regulator becomes aware that the material has been reposted.

**Recommendation 20:** The Act should include additional powers to require an end user to stop posting cyber abuse about an Australian adult in an end-user notice, subject to a civil penalty for non-compliance.

**Recommendation 21:** The Act should include a definition of online hate material. The definition should acknowledge that online hate involves an attack against a person or people that is based on a protected characteristic and can include dehumanisation. Notably, the definition of online hate material should not include views regarding ideas, concepts or institutions. The definition should also consider potential exclusions (for example where material is posted for artistic, scientific, or journalistic purposes), and potential impacts on the constitutional implied freedom of political communication.

**Recommendation 22:** The Act should be amended to ensure that, in interpreting the threshold of harm for adult cyber abuse, the reasonably proximate cumulative harm caused by online hate material is taken into account.

**Recommendation 23:** The Act should define a ‘volumetric attack’ and the regulator should be empowered to issue a notice or notices to multiple platforms based on a single complaint to address volumetric attacks.

**Recommendation 24:** The Act should be amended to provide the regulator with the ability to issue a notice to services in relation to a suspected ‘volumetric attack’, which may require information related to the attack, specify remedial actions to be taken, and require the service to report back on steps taken.

**Recommendation 25:** All services should be required to have an easily accessible simple and user-friendly way to make a complaint and internal complaint handling processes that are in line with a code on internal dispute resolution. In particular, this should include a way for non-users to report issues such as when intimate images have been posted without consent on a service. Services should also be required to respond to reports within a reasonable time and for some issues within 24 hours.

**Recommendation 26:** In line with the Australian Competition and Consumer Commission’s Digital Platform Services Inquiry, the Australian Government should develop and implement an Ombuds scheme that covers digital platforms and online search and app distribution services.

### Chapter 8 – Wicked problems

**Recommendation 27:** The Australian Government should explore how best to prohibit search engines and app stores from surfacing, selling or distributing ‘nudify’ apps and undetectable stalking apps.

**Recommendation 28:** The Australian Government and the regulator should both be able to convene multi-stakeholder ‘fusion cells’ to analyse ‘wicked problems’ (such as the implications of end-to-end encryption for combatting child sexual exploitation and abuse, and technology-facilitated abuse and gender based-violence) and develop coordinated multi-stakeholder solutions.

### Chapter 9 – Links to the National Classification Scheme

**Recommendation 29:** The Online Safety Act should be decoupled from the National Classification Scheme with new Class 1 and Class 2 definitions and thresholds specified in the Act and, as far as possible, be based on equivalent standards in the National Classification Scheme.

**Recommendation 30:** New Class 1 definitions and thresholds should clearly focus on illegal and seriously harmful material and directly correspond to the Criminal Code where appropriate. Sexually explicit material that includes violent and seriously injurious practices, such as choking, should sit under Class 1.

**Recommendation 31:** New Class 2 definitions and thresholds should include material that is legal but may be harmful, particularly for minors, and consensual sexually explicit material including non-injurious fetish material.

**Recommendation 32:** Class 2 definitions and thresholds should also capture material dealing with harmful practices such as disordered eating, self-harm and substance use to address their heightened impact, especially on young people, in the context of social media. In the longer term, industry should be obliged to prevent dissemination of such content through a broader code dealing with mental and physical wellbeing under duty of care provisions.

**Recommendation 33:** In reforming the Online Safety Act and the National Classification Scheme, the regulatory remit of eSafety should be clarified. Content that is subject to the National Classification Scheme should fall outside eSafety’s remit (except features that are uniquely social media enabled).

### Chapter 10 – Penalties and enforcement

**Recommendation 34:** The maximum civil penalty that a court can impose should be increased to the greater of 5 per cent of global annual turnover or \$50 million.

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<b>Recommendations of the Statutory Review of the Online Safety Act 2021</b>	
<b>Recommendation 35:</b>	The civil penalties for non-compliance with removal notices should be increased to a maximum of \$10 million for companies.
<b>Recommendation 36:</b>	The Act should be amended to empower the regulator to use enforceable undertakings or issue remedial directions to services in relation to all relevant penalty provisions, to seek to bring them back into compliance.
<b>Recommendation 37:</b>	The Act should allow removal and link-deletion notices to be issued simultaneously under the Online Content Scheme.
<b>Recommendation 38:</b>	The Act should empower the regulator to simultaneously issue link removal notices for all harmful content under removal schemes.
<b>Recommendation 39:</b>	The finalised duty of care model should include scope to consider repeated non-compliance by services in removing content as evidence of non-compliance with the duty of care.
<b>Recommendation 40:</b>	The Online Safety Act should include consistent powers to require end-users to remove content and refrain from posting abuse in the future.
<b>Recommendation 41:</b>	The Government should expand access restriction powers against services for seriously harmful non-compliance.
<b>Recommendation 42:</b>	The Government should consider options for business disruption powers for seriously harmful non-compliance.
<b>Recommendation 43:</b>	The Government should consider the feasibility of requiring major platforms to have a local presence for the purpose of facilitating enforcement action.
<b>Recommendation 44:</b>	The Act should require major platforms, that is those designated under the reach or risk criteria under the duty of care requirements, to have a contact point for service in Australia.
<b>Recommendation 45:</b>	The Government should consider options for introducing a licensing scheme for major services as a condition for operation.
<b>Chapter 11 – Investigations and information gathering powers</b>	
<b>Recommendation 46:</b>	The Act should be amended to empower the regulator with stronger powers in relation to investigations, including to: <ul style="list-style-type: none"> <li>• Incorporate the monitoring and investigations provisions of the Regulatory Powers Act into the Act</li> <li>• Initiate investigations of a services' compliance with the duty of care</li> <li>• Initiate investigations into reposted material that was previously reported and taken down.</li> </ul>
<b>Recommendation 47:</b>	Amend the Act to provide the regulator with appropriate flexibility to conduct investigations as it thinks fit, including the use of technological tools to assist with investigations and content removal, and the use of sock-puppet accounts.
<b>Recommendation 48:</b>	Provide additional powers to the regulator to improve its ability to obtain end-user information under Part 13, including a requirement that prevents services from informing end-users when they have received a notice under Part 13, a requirement for services to collect a user's phone number as a condition for opening an account, and provide a new power to compel the preservation of accounts for investigative purposes.
<b>Recommendation 49:</b>	The Act should be amended to empower the regulator with stronger information gathering powers, including to: <ul style="list-style-type: none"> <li>• Improve its ability to obtain end-user information under Part 13 of the Act</li> <li>• Set the time period for a written notice to provide evidence under Part 14 of the Act.</li> </ul>
<b>Recommendation 50:</b>	Section 205 of the Act should be amended to confirm that non-compliance with a requirement to give evidence includes information as requested under section 199 (and other sections in Part 14 of the Act).
<b>Recommendation 51:</b>	The Act should be amended to require services to inform the regulator of all actions the service has taken in response to the regulator's actions and requests (including informal requests).
<b>Recommendation 52:</b>	The Act should be amended to require services to maintain certain records, such as measures taken to comply with obligations under the Act and any actions taken in response to eSafety requests and risk assessments, for the purposes of the regulator's investigations.
<b>Recommendation 53:</b>	The Act should be amended to allow the regulator to disclose information to: <ul style="list-style-type: none"> <li>• any head of a Commonwealth agency or Department</li> <li>• international authorities</li> <li>• teachers, school principals, parents or guardians regarding complaints from a child about image-based abuse (as can be done for child cyberbullying).</li> </ul>
<b>Recommendation 54:</b>	Allow the regulator to disclose certain information to Non-Government Organisations who have an approved role in assisting the regulator with enforcement activities.
<b>Chapter 12 – Promotion, education and research</b>	

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## Recommendations of the Statutory Review of the Online Safety Act 2021

**Recommendation 55:** The regulator's continued awareness raising activities should include in-person outreach, including in hard to reach communities, and hard copy resources.

**Recommendation 56:** Educational and promotional material should not only focus on what the regulator does for people experiencing harms, but also include simple messaging about how to make a complaint. Online safety education delivered at schools should focus on awareness of the regulator as a source of help. News media outlets should be encouraged to provide information about the regulator at the end of articles detailing experiences of online harms.

**Recommendation 57:** If a decision to make structural changes to the regulator includes a change to its name, a major campaign re-launching the regulator should be conducted. The timing of this campaign should be coordinated to align with major changes to the Act.

### Chapter 13 – Governance

**Recommendation 58:** To support collective decision making, the regulator should move to a Commission model of governance and be known as the 'Online Safety Commission'.

**Recommendation 59:** That the Commission should be comprised of a Chair, Deputy Chair and a Commissioner, with flexibility for the Commission to grow up to nine members as the functions and powers of the regulator increase.

**Recommendation 60:** That in moving to a Commission, the Act should require Commission members to have an appropriate mix of skills to support informed and robust decision-making.

**Recommendation 61:** That a newly formed Commission has strong internal governance processes, is transparent in how it does its work, and ensures that it reports meaningfully on its performance.

**Recommendation 62:** That following consideration of the regulator's functions and responsibilities under a new regulatory framework, the regulator should transition to a standalone, independent regulator to support its growing functions and responsibilities, and to future-proof the regulator.

**Recommendation 63:** That the regulator should be appropriately resourced to implement the right regulatory infrastructure and carry out its functions. This includes having an ongoing dedicated and appropriately resourced legal team, appropriate corporate management and the information technology it needs to do its job well. Consideration should be given to how other regulators operate to determine what may be appropriate in the regulator's context.

**Recommendation 64:** A cost recovery mechanism should be developed to fund the cost of regulating industry, with details to be settled by government in consultation with industry.

### Chapter 14 – A reform pathway

**Recommendation 65:** That if required, the Government should prioritise implementation of the key reforms arising from this review that will provide the most substantial and immediate online safety protections for Australians, including in particular the new duty of care and associated reforms. This should coincide with eSafety moving to a Commission model of governance and appropriate resourcing to support the implementation of priority reforms.

**Recommendation 66:** That the updated Online Safety Act be subject to independent review within 3 years of the commencement of the key reforms to the Act, or by 2029, whichever is earliest.

**Recommendation 67:** That the Australian Government consider how its existing administrative arrangements relating to online harms are operating and whether there is a case for having a central online harms regulator. Given the level of change that needs to happen now to better protect Australians, this consideration may be best left to around the time of the next review.

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# Attachment B- Executive Summary

## Overview

The statutory review of the *Online Safety Act 2021* was announced on 22 November 2023 by Michelle Rowland MP, the Minister for Communications. As part of the announcement, Minister Rowland acknowledged the review had been brought forward by one year to make sure Australia's online safety laws keep pace with the evolving online environment. Ms Delia Rickard PSM was appointed to conduct the review.

As set out in the Terms of Reference, the purpose of this Review was to undertake a broad-ranging examination of the operation and effectiveness of the Act, including key consideration of:

- the existing complaints schemes
- whether the Act should be amended to include a duty of care
- ensuring that industry acts in the best interests of the child
- whether additional arrangements are needed to capture harms not explicitly covered by the Act
- whether penalties and enforcement are adequate; and
- whether the existing powers are sufficient or changes are needed to strengthen the Act.

The review has drawn on evidence from a range of sources, including extensive stakeholder consultation, public submissions and available research. The public submission process yielded more than 2,270 responses with 169 substantive submissions. The review also involved 72 meetings and roundtables, with civil society organisations, government and law enforcement agencies, the tech and digital platforms industry and international stakeholders.

## The Online Safety Act 2021

The review found that the Online Safety Act has been world leading and has provided support to individuals through a range of complaint and removal schemes as well as strengthened powers to address illegal and harmful material. It has also established trail-blazing transparency requirements on industry and enabled eSafety to engage in a range of educational activity to help Australians stay safe online.

The review considered the current objects of the Act which are to improve and promote online safety for Australians and found that more descriptive objects would better serve the Act. It has recommended that the objects of the Act would be to enhance the online safety of Australians and Australia by:

- promoting human rights and safety
- promoting and protecting the best interests of the child
- building an evidence base around online safety and existing and emerging online harms
- preventing and alleviating online harm present in Australia; and
- improving online safety for all in Australia by advancing service provider responsibility for preventing harms and mitigating the damage done along with user empowerment and transparency.

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## Defining the online industry

The review found that the eight sections currently specified for the purposes of the Act are no longer fit for purpose. The sections are currently defined as social media services, relevant electronic services, designated internet services, internet search engine services, app distribution services, hosting services, internet carriage services and those who manufacture, supply, maintain or install relevant equipment. The review heard that the sections created uncertainty, and that the sections are complicated and confusing.

The review has recommended new categories of industry sections to better reflect a risk-based and proportionate regulatory approach. In defining new categories of industry, the goal is to capture all parts of industry which may facilitate online harm. The following industry sections have been recommended:

1. Online Platforms (services providing online interaction and online content;
2. Online Search and App Distribution Services (services which gate-keep access to online platforms)
3. Online Infrastructure Services; and
4. Equipment and Operating System Services (including manufacturers, suppliers, maintenance and installers).

The review recommends a proportionate approach to the application of obligations on industry, particularly in relation to reporting. Obligations should be tiered according to their reach (that is the extent of their Australian user base) and the level of risk associated with use of the service. This is to capture services in addition to the most popular platforms, which may inherently pose a greater level of risk to some or all users - due to their features, use by vulnerable groups (including children), or past behavior or policies with respect to safety.

## A duty of care

A common theme heard throughout consultation was the need for a more systemic and preventative approach to online harms. Australia's current laws and regulatory settings are not good enough to address the volume of online harm that is occurring. The review recommends that Australia adopt a singular and overarching duty of care that encompasses due diligence, and is underpinned by safety by design principles, risk assessment, mitigation and measurement. An overarching duty of care would place responsibility on service providers to take reasonable steps to address and prevent foreseeable harms on their services. It shifts much of the burden for remaining safe online away from individual users and onto those most capable of identifying and addressing harms – the service providers themselves.

Our major international counterparts in Europe, the United Kingdom and North America are almost all moving towards a systems-based, proactive approach. While there are differences in approaches, the overall objective remains the same: **services must take reasonable steps to keep their users safe**. Greater consistency across our respective national regimes would simplify compliance for service providers, reducing costs and regulatory burdens. This would also provide economies of scale and more coordinated and efficient investments in safety. Measures which maximise convergence of regulation between countries can also help to maximise the potential for securing and enforcing extra-territorial compliance.

## Enduring categories of harm

To complement the overarching duty of care provisions and framework for the performance of due diligence, the review recommends establishing enduring categories of harm within the Act. While



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the examples within the categories may change over time, the following broad categories should be included in a reformed Online Safety Act:

- Harms to **young people**.
- Harms to **people's mental and physical wellbeing**.
- **Instruction or promotion of harmful practices**.
- Threats to national security and social cohesion.
- Other illegal content, conduct and activity.

## Risk assessment

An essential part of meeting the duty of care for online service providers is a requirement to undertake regular risk assessments of their services. Risk assessment requirements are a core feature under both the European Union's Digital Services Act and the United Kingdom's Online Safety Act, and are built into the first phase of Australia's industry codes and standards. They are at the heart of a preventative and systemic approach to making the online world a safer place by design, and by working to prevent harms rather than merely responding after the fact. As the saying goes, 'it is better to put a fence at the top of the cliff, than an ambulance at the bottom of it.'

All service providers should diligently perform risk assessments and implement mitigations (which include safety by design principles), both at regular intervals and when introducing or significantly altering products or features. However, stringent and enforceable risk assessment requirements should particularly be placed on the larger services with high 'reach' and other services posing a high risk.

Risk reporting obligations must capture the whole risk assessment cycle and include the essential components of assessment, mitigation and measurement. The review found that to remain effective, risk assessment must be ongoing, and will require services to regularly repeat the process.

The review has recommended that in introducing a duty of care, the regulator should be empowered to make codes to provide mandatory and enforceable compliance measures to direct them about how to comply with certain aspects of a duty of care. Codes, however, are not intended to create safe harbours and the absence of a code should not prevent the regulator from taking enforcement action under the duty of care.

A considerable amount of time and effort has gone into developing the industry codes and standards under the Online Content Scheme, and the work is still underway on developing a second phase of codes. The report supports the continuation of this work as it will take time to make and implement any legislative changes based on the recommendations in the report. Implementing the current Act should continue so that the protections it provides remain in place. There will need to be transitional arrangements to ensure a continuity of protection under the Act as the new framework is implemented.

## Accountability and transparency

The review observed the opaque nature of services, and in particular online platforms and search and app distribution services, and that the term "black box" is often associated with online services. It is recommended that transparency measures are put in place both so that the regulator can properly monitor the safety of services and so that others can make assessments of how much trust to place in the services.

The review found that one of the most useful powers that eSafety has is its ability to require services to provide information related to the Basic Online Safety Expectations. This enables the regulator to

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ask forensic questions and make an assessment about how much services are, or are not, doing to keep users safe. It can deliver broader online safety gains by shedding light on a service's practices.

The review found that more transparency is needed and recommended that services with the greatest reach and risk prepare and provide an annual transparency report to eSafety. With transparency reports required annually, it is recommended that the service publish a summary of its report on its website, rather than eSafety producing the public report as is currently the case. Services would not need to reveal matters that are commercial in confidence or which could be used by bad actors to, for example, circumvent systems.

The regulator should continue to be able to require transparency reports from all services and ask the questions needed to better understand what services are and aren't doing, and the consequences.

### **Compliance and audits**

Ideally all services should have a well-resourced compliance function that reports directly to the audit and risk committee (or equivalent) as needed, but at least quarterly. At a minimum all services of greatest reach and risk must have a compliance function. The compliance function should be independent from other areas of the service and staff should have training in compliance. Only the board should be able to dismiss the head of the compliance function.

eSafety should have the discretion to require a service to be audited at their own expense and provide the audit report to eSafety.

### **Providing researchers with information**

Research contributes greatly to society's ability to meet current and future changes and can directly benefit the wellbeing of citizens. A scheme that provides accredited independent researchers access to data would encourage more research and more detailed consideration of the many complex problems in the online world and help decision makers. The report has recommended that those services designated as having the greatest reach and risk should be required to be involved in sharing data for research purposes, though clearly other services could voluntarily do so.

The scheme would be targeted towards research for the purposes of determining compliance with a duty of care model, the takedown schemes and research into emerging problems and harms. Services should only be able to refuse access if they do not have the data, if giving access to the data will lead to significant vulnerabilities in the security of their service, or if it would compromise confidential information (including trade secrets). Researchers would need to be authorised to participate in the scheme and the scheme would need to be designed to minimise the administrative burden for all involved, ensuring the projects are of genuine value to the advancement of online safety and to have regard to the Privacy Act.

### **Safety nets- supporting online users**

No government can completely protect its people from online harms. Systems-based regulation, such as a duty of care and due diligence, aims to prevent harms from occurring, whereas complaint-based removal schemes focus on minimising the impact of harms once they have occurred. Investigating individual complaints is resource intensive but necessary, at least for now, to protect individuals and limit the harm they experience.

The review found that the removal schemes are recognised as a strong, world-leading model of regulation that have been successful in addressing impacts on individual users. Civil society and industry representatives noted that the existing schemes are highly valued and mostly perceived to

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be working well. In addition to the benefits that a duty of care will bring, there are changes needed to address inconsistencies across the four complaint and content-based removal schemes and changes to better support those making a complaint.

**Reducing the window-wait time to issue a notice**

The review found that the complaint scheme rules allow seriously harmful content to remain online for too long. Under current arrangements, the online service must have failed to act on a complaint for 48 hours before eSafety can issue a formal removal notice. It is recommended that this is reduced to 24 hours. However, there are circumstances such as where no clear complaint mechanisms exist on the online service, or where reporting would lead to a reasonably foreseeable risk of further harm to the user experiencing the abuse, where eSafety should be empowered to waive the statutory delay.

**Adult cyber abuse scheme**

The adult cyber abuse scheme should be amended by lowering the threshold. The new threshold should require that an ordinary reasonable person would conclude that 'it is likely the material was intended to have an effect on a particular Australian adult', and that an ordinary reasonable person would 'regard the material as being, in all the circumstances, menacing, harassing or seriously offensive'.

The Act should also include additional powers to require an end-user to stop posting cyber abuse about an Australian adult in an end-user notice, subject to a civil penalty for non-compliance.

**Harmful patterns of behaviour**

The review found that the schemes' current focus on specific items of content can limit the regulatory response to harmful material that is reposted after it has been taken down. Even though the content has previously met the regulatory threshold for action, the affected individual would need to make a new complaint to eSafety before the reposted material could be removed. It is recommended that the Act be amended to enable eSafety to issue a removal notice for material that has met the regulatory threshold for removal under a prior complaint, where eSafety becomes aware that the material has been reposted.

The review also found there are unnecessary inconsistencies between some of the schemes and recommends that eSafety be empowered to issue an end-user notice requiring a user to stop posting cyber abuse about an Australian adult. This would better align the adult cyber abuse scheme with the child cyberbullying and image-based abuse schemes.

**Online hate**

The review acknowledges that online hate is not new, but its prevalence online and its ability to spread at a magnitude and order not seen before is a major concern. Online hate has the potential to cause significant harm to individuals and impact community safety more broadly. The review heard about many experiences of individuals and community groups experiencing online hate and it is clear that further regulatory intervention is needed to address these harms. It is recommended that a definition of online hate material be included in the Act, that a systems approach is adopted to stop online hate against individuals and groups, and that when interpreting the threshold of harm for adult cyber abuse, that online hate material is considered.

**Volumetric attacks**

The review considered volumetric (pile-on) attacks and heard many individual experiences of online abuse which included volumetric or 'pile-on' attacks. Where the harm of individual comments can be damaging to the targeted user's wellbeing, the impact of a volumetric attack done at scale can

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magnify and compound the harm. Often the content is shared with an accelerating level of outrage and toxicity, and ultimately a high volume of abuse. These attacks can be among the most serious forms of online abuse. It is recommended that the Act defines a 'volumetric attack' or 'pile-on' attack, which is currently not defined.

The distribution of harmful content by various individual users and across different platforms means there is no single point for regulatory action. The Act should also be amended to provide eSafety with the ability to issue a notice to services in relation to a suspected 'volumetric attack', which may require information related to the attack, specify remedial actions to be taken, and require the service to report back on steps taken.

**No wrong door**

The review also explored ways to better support individuals who are seeking help for a harm experienced online, and acknowledged that this is usually when they have suffered something significant, such as abuse, threats, reputational damage or financial losses. There are many places that a person can complain to, including eSafety, the police and anti-discrimination bodies and other regulators. In light of this, the report has recommended that the Australian Government should develop a whole of government 'no wrong door' approach to support individuals seeking help to address online harms. This will require cooperation and information sharing across portfolios, including law enforcement, to address a range of issues such as online safety, child safety, privacy and scams, among others.

**Striking a balance between protections and freedoms**

During the review, protecting freedom of speech or expression was a key concern raised. Some raised concerns that content moderation limits freedom of speech, while others described the silencing effects of online abuse and adverse impacts on their work, health, relationships and personal security. The review acknowledges that all human rights are indivisible and afforded equal status, but that freedom of expression requires specific consideration in online spaces because of the opportunities digital platforms provide for realising the benefits of free speech. A broad range of human rights interact with freedom of speech, including: freedom of opinion and expression, freedom of thought, conscience, and religion or belief, right to take part in public affairs and elections, right of privacy and reputation, right to health, rights of equality and non-discrimination and the rights of the child. As the right to freedom of speech is not absolute, a balancing act between competing rights is required. The proposal to amend the objects of the Act makes it clear that online safety regulation needs to be centred around all human rights, and not just the right to free speech.

**Dispute resolution**

Access to good dispute resolution mechanisms is an important part of how we protect people in Australian society. The eSafety takedown schemes don't catch all types of bad conduct and even world class systems for platforms are not 100 per cent fool proof. The review considered how to better support individuals who need somewhere to go to resolve disputes. This includes people whose posts have been removed who believe they have been taken down unfairly as well as people who have failed to have posts that harm them or their group taken down.

All services should be required to have an easily accessible, simple and user-friendly way to make a complaint and internal complaint handling processes that are in line with a code on internal dispute resolution. In particular, this should include a way for non-users to report issues such as when their intimate images have been posted without consent. Services should also be required to respond to reports within a reasonable time. The review also recommends that, in line with the Australian Competition and Consumer Commission (ACCC)'s Digital Platform Services Inquiry, the Australian

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Government should develop and implement an Ombuds scheme that covers digital platforms and online search and app distribution services.

## Wicked problems

The recommendations in the report to introduce a duty of care obligation on services and strengthening the complaints schemes are expected to go a long way to addressing many online harms and result in a significant uplift in safety for all Australians. That said, the review found that some serious harms are likely to require considerably more work to move the dial. Some examples provided are the complex issue of targeted technology facilitated abuse; the increasing use of end-to-end encryption and the implications for being able to deal with child sexual exploitation and abuse material and other illegal material, and sextortion, which is often perpetrated offshore along with many other online scams.

The review recommends that the Government seek to prohibit 'nudify' apps and services and undetectable cyberstalking apps. It notes that the benefits of end-to-end encryption have been recognised by services, governments and others (though many disagree) and that services must rise to the challenge of preventing and detecting child sexual exploitation and abuse material despite the existence of encryption. Technology facilitated abuse and addressing child sexual exploitation and abuse material despite end-to-end encryption are problems that will require a multi-dimensional, and multi-stakeholder approach if we are to make a real difference.

It is recommended that the Australian Government and the regulator should both be able to convene multi-stakeholder 'fusion cells', that involve the smartest people on the issues to analyse 'wicked problems' (such as the implications of end-to-end encryption for combatting child sexual exploitation and abuse and technology facilitated abuse and gender based-violence) and develop coordinated multi-agency and multi-stakeholder solutions.

The review acknowledges the recent introduction by Snap, Meta and Apple of new and enhanced safety features to combat sextortion, but it is likely that more still needs to be done and applied to all relevant services. If competition doesn't spur comprehensive responses then combatting sextortion may also benefit from a fusion cell approach, especially as sextortion often involves multiple platforms in a single sextortion attempt.

## Links to the National Classification Scheme

During the review, industry and eSafety raised the issue of needing to decouple the regulation of Class 1 and Class 2 material from the National Classification Scheme. The review found that using these borrowed thresholds, which entail applying a range of considerations under the classification scheme, is not fit for purpose. Instead a framework that supports efficient decision making of dynamic and potentially high-volume online content and allows for rapid responses to illegal and harmful content is needed.

The review recommends that the Online Safety Act be decoupled from the National Classification Scheme with new Class 1 and Class 2 definitions and thresholds to be specified in the Act and, as far as possible, should align with equivalent standards in the National Classification Scheme. In addition, it is recommended that regulatory remit of eSafety and the National Classification Scheme is more clearly defined, and in particular that content that is currently classified should not also be subject to the Act, with the exception of social media enabled user generated and interactive features such as chat features in gaming.

## Penalties and enforcement

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The review found that more significant penalties are needed to act as a deterrent and to take appropriate enforcement action, especially for those online services which are among the richest global corporations in the world. Should new obligations be placed on services under a duty of care, appropriate and persuasive penalties must be in place. Coupled with stronger penalties, there needs to be a range of enforcement options available to the regulator including those with a remedial focus.

The review recommends a stronger maximum civil penalty. Maximum penalties for a breach of the duty of care should be increased to the greater of 5 per cent of global annual turnover or \$50 million. The civil penalties for non-compliance with removal notices should be increased to a maximum of \$10 million for companies.

The review supports broader application of remedial powers and improved alignment in penalty provisions across the complaints schemes under the Act including that immediate link-deletion powers should be extended to all of the content removal schemes, not just the Online Content Scheme, to limit the discoverability of harmful material. The regulator should also have streamlined and more effective powers to deal with individuals who continually harass and abuse others online.

The review acknowledges the fundamental challenges of extra-territorial enforcement that apply to regulating the online world, and recommends exploring a number of options to ensure that services submit to the jurisdiction of our courts and their rulings. These include:

- requiring major platforms to have a local presence in Australia
- exploring the feasibility of requiring at least large services to be licensed to operate
- at a minimum, a point of service should be established by major platforms in Australia
- broader access restrictions; and
- business disruption powers.

It is also suggested that Australia's enforcement of online safety laws will be most effective if it is 'interoperable' and coordinated with like action by our international partners, such as the United Kingdom and the European Union.

## Investigation and information gathering powers

The majority of the eSafety Commissioner's current investigative work is focused on complaints made under the Act's removal schemes, and the codes and standards. However, a duty of care would involve proactive and systemic obligations and more general and robust investigations powers are needed.

To support its investigations authority under an expanded Act, the regulator will need to the right powers to conduct investigations, monitor compliance, and to inspect, audit and validate information provided by services. Specifically, this includes providing the regulator with flexibility and the right technological tools to assist with investigations, content removal and the use of sock-puppet accounts.

The review found that changes are also needed to eSafety's information gathering and disclosure powers. Where the Commissioner believes on reasonable grounds that an online service has information about the identity or contact details of the end-user, and it relates to the operation of the Act, it may be necessary to obtain end-user information (basic subscriber information). For example, in the circumstances of issuing an end-user removal notices for child cyberbullying, image-based abuse or adult cyber abuse material, the Commissioner would be empowered to unmask the anonymity of users where an investigation or the exercise of regulatory powers requires this.



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The ability to share information about investigations of online services and online harms more broadly where it relates to the operations of the Act can deliver better regulatory outcomes. The review has recommended that the Act be amended to allow eSafety to disclose information to any head of a Commonwealth agency or department or an international authority. There is also a need to be able to disclose to teachers, school principals, parents or guardians regarding complaints about image-based abuse to bring it in line with the child cyberbullying scheme. Where Non-government organisations have an approved role in assisting eSafety with enforcement activities, eSafety should also be able to disclose certain information.

## Promotion, education and research

A core function of eSafety, which has been in place from the very start, is that of promotion and education. Teaching the community about online safety, supporting others to deliver online safety education and promoting the supports available to those who are experiencing online harm is crucial. The review found that these functions (awareness raising about eSafety, education and capacity building to prevent online harms, strategic partnerships, and research and evaluation) are as important as ever.

However, throughout the review, a common theme raised was the need for more to be done to boost awareness of eSafety and online safety more broadly, particularly in harder to reach groups such as First Nations and remote communities. The review acknowledges the significant work done to promote eSafety and educate the community and notes that there are encouraging trends in these areas. It supports the continuation of these efforts and continued leveraging of media opportunities and strategic partnerships with sporting organisations as well as education and community sectors.

## Governance- a future-proofed regulator

In considering the current governance arrangements, the review acknowledged that the functions and powers of the eSafety Commissioner have increased substantially since the creation of the role in 2015. Coupled with an increasingly complicated and contested operating environment, a new governance structure, a Commission model of governance, is recommended. A Commission model of governance would support better decision-making and would include a Chair, Deputy Chair and a Commissioner, with the potential for there to be up to nine Commission members. The new Commission should be known as the Online Safety Commission.

Ultimately, the ideal end state is a standalone, independent regulator to support eSafety's growing functions and responsibilities.

In any event, the regulator must be appropriately resourced and have the right regulatory infrastructure in place to carry out its functions. This includes an ongoing dedicated and appropriately resourced legal team, appropriate corporate management and the right IT in place to do its job well. In determining what may be appropriate in the eSafety context, consideration should be given to how other regulators operate. The review has also recommended that a cost recovery mechanism be developed to fund the cost of regulating industry.

## A reform pathway

Should the key recommendations in this report be adopted, their development and implementation will take time to get right. However, this does not detract from the urgency of implementing the recommendations as soon as practicable and, if required, prioritising those changes that provide the most immediate benefits to Australians.



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The report recommends that implementing a duty of care and supporting eSafety are the first priority. A duty of care is a priority as it will be the most effective and immediate means of improving online safety for Australians, and online services will require a reasonable time to adapt to the new regulatory model. It is also a priority to move to a multi-Commissioner model of governance. Improving the operation of some or all of the Act's four complaints schemes (child cyberbullying, adult cyber abuse, non-consensual sharing of intimate images, and the online content scheme) will have an additional direct benefit to those Australians who experience online harms.

The review has also highlighted one of the enduring challenges of attempting to regulate the online world. That is, it is continuously evolving and governments all over the world are constantly playing catch-up. To address this, the review recommends that an updated Online Safety Act should be subject to an independent review within three years of the commencement of the key reforms to the Act, or by 2029, whichever is earliest. In addition, the Australian Government should consider how its existing administrative arrangements relating to online harms are operating and consider the merits of an overarching Digital Services Commission.

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandenbroek / Anthea Fell

SB25-000300

**SUBJECT: Online Safety (Key Government Actions)****Key Deliverables**

- The Australian Government is committed to reducing online harms experienced by young Australians, including passing historic legislation to delay access to social media until the age of 16.
- The government has announced it will legislate a Digital Duty of Care for online services to proactively address harms on their platforms.
- The government is also taking action to reduce access to 'nudify' apps and undetectable stalking apps and will work with regulators and experts to identify options that are targeted, measured and effective.

**Talking Points**

- The Australian Government has consistently been a world leader on online safety, and is continuing to deliver reforms that prevent online harm, especially for kids.
- Key measures include:
  - Legislation to delay access to social media until the age of 16 – this is about protecting young people, and supporting parents in their efforts to protect their children's health and well-being (Refer to SB25-000302 for details).
  - Industry codes and standards, overseen by the eSafety Commissioner, that are designed to tackle the worst-of-the-worst content online (e.g. child sexual exploitation material, pro-terror content) and restrict children's access to inappropriate online content (e.g. pornography, self-harm content) across a range of technology including generative AI (Refer to SB25-000397 for details).
  - Investment in digital literacy and online safety education, with a commitment of \$6.45 million from 2025 onwards.
  - Quadrupled base funding for the eSafety Commissioner, bringing it to \$42.5 million each year from 2023 (ongoing and indexed), with an additional \$45.7 million over 4 years from 2024–25 (and \$12.3 million per year ongoing) to ensure the regulator is resourced to tackle the biggest and richest tech companies in the world.
- The government is also responding to technological changes and advancements as they arise including acting to:
  - introduce a Digital Duty of Care, which will put the onus on online services to take responsibility for the harms on their platforms; and
  - reduce or restrict access to 'nudify' apps and undetectable stalking apps, both of which are mostly weaponised against Australian girls and women.

**Contact:** Anthea Fell**Cleared by:** Andrew Hyles, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 17/09/2025

Page 1 of 5

OFFICIAL

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandenbroek / Anthea Fell

SB25-000300

**Key Issues**

- More Australians are needing help to deal with online harms than ever before. In 2023-24, eSafety received:
  - more than 4.7 million unique visitors to its website
  - more than 13,000 complaints about child cyberbullying, adult cyber abuse and image-based abuse, and
  - more than 13,000 complaints about illegal and restricted content.

Nudify apps and undetectable stalking apps

- On 2 September 2025, the government announced that it would undertake work to restrict access to nudify apps and undetectable stalking apps.
- As part of this, the potential for interventions through the entire tech stack are being explored, including the creation, accessibility, distribution, and/or downloading the technology.
- This work will be progressed alongside the Digital Duty of Care, while ensuring legitimate and consent-based Artificial Intelligence and online tracking services are not inadvertently impacted.
- It is expected that a range of potential measures may require amendments to various Commonwealth Acts including the *Online Safety Act 2021*, the *Telecommunications Act 1997*, and the *Commonwealth Criminal Code Act 1997*.

Age Assurance and Social Media Age Limits

- Refer to *SB25-000302* for further details on the implementation of the age assurance trial and social media minimum age legislation.

Duty of care and the review of the Online Safety Act

- To ensure the *Online Safety Act 2021* (the Act) remains fit-for-purpose, the government brought forward the independent statutory review of the Act by 1 year. The final report of this comprehensive review was tabled in Parliament on 4 February 2025.
- Refer to *SB25-000298* for further details on the review.
- On 13 November 2024, the government announced that it would introduce a Digital Duty of Care.
- Under a duty of care, service providers will be required to take reasonable steps to prevent foreseeable harms, with the framework to be underpinned by risk assessment and risk mitigation and informed by safety-by-design principles.

**Contact:** Anthea Fell**Cleared by:** Andrew Hyles, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 17/09/2025

Page 2 of 5

OFFICIAL

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OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandenbroek / Anthea Fell

SB25-000300

Online Safety funding

- In the 2023-24 Budget, the government quadrupled eSafety's base funding, bringing it to \$42.5 million each year ongoing and indexed.
- In the 2023-24 MYEFO, the government provided \$6.7 million over 4 years for eSafety to improve its investigation and response capability for referrals of violent and extremist content, and to strengthen its technological capability.
- In the 2024-25 Budget, the government committed \$7.9 million, including:
  - \$6.5 million in 2024-25 to develop a trial of age assurance technologies to protect young Australians from harmful online content, and
  - \$1.4 million over 2 years to boost eSafety's legal and compliance functions.
- At the 2024-25 MYEFO, the government provided \$76.1 million over 4 years from 2024-25 (and \$16.9 million per year ongoing from 2028-29) to support the implementation of a minimum age of access to social media. Funding includes:
  - \$45.7 million over 4 years from 2024-25 (and \$12.3 million per year ongoing) for the Office of the eSafety Commissioner to provide regulatory oversight and enforcement functions
  - \$15.5 million over 4 years from 2024-25 (and \$3.5 million per year ongoing) for the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts to support the delivery of the government's online safety priorities
  - \$10.0 million over 2 years from 2024-25 to deliver a national public awareness campaign to help parents and carers, young people, educators and the community to understand and support the transition to a social media minimum age, and
  - \$5.0 million over 4 years from 2024-25 (and \$1.1 million per year ongoing) for the Office of the Australian Information Commissioner to provide regulatory oversight of the privacy safeguards.

Industry codes

- Refer to SB25-000397 for further details on the Industry Codes and Standards.

Digital and media literacy and online safety education

- The government is investing in the online education and literacy of young Australians to prevent online harms from occurring.
- The government has committed \$6.45 million for a range of programs that aim to equip young Australians with skills and knowledge to stay safe online including:
  - \$450,000 to Smacktalk for a 2 year grant to deliver information sessions about the dangers of online sextortion, to commence in February 2026;

**Contact:** Anthea Fell**Cleared by:** Andrew Hyles, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 17/09/2025

Page 3 of 5

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OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandebroek / Anthea Fell

SB25-000300

- \$6 million to boost online safety learning in schools to continue the delivery of vital digital literacy and safety learning tools for all Australian school children, for free, commencing in 2026.

**Background**

- The government has implemented a range of other initiatives to support online safety, including improving digital and media literacy for children and calling on industry to improve the safety of users of online dating services.

Nudify apps and undetectable stalking apps

- Nudify apps allow users to generate non-consensual sexually explicit material of others using Artificial Intelligence to alter everyday images.
- Undetectable stalking apps are installed on a person's device and allow that person's location, messaging and other activities to be tracked by the installer or a third party without the person's knowledge.

Digital and media literacy

- The government committed \$6 million over 3 years from 2023-24 to 2025-26 to the Alannah and Madeline Foundation for delivery of its 'Safe Kids are eSmart kids' digital and media literacy education program in Australian schools.
- The program provides schools with free tools to teach kids how to be safe, smart and responsible in the digital world.
- The program includes 3 products, spanning 3 age groups:
  - 4 to 9 years (eSmart Digital Licence for lower primary school);
  - 10 to 14 years (eSmart Digital Licence+); and,
  - 12 to 16 years (eSmart Media Literacy Lab).

Online dating: Voluntary industry code of practice

- The Online Safety Code for Dating Services (the Code) commenced operation in October 2024 to address online dating services complaints and report handling processes, trust and safety teams, engagement with law enforcement and reporting requirements.
- As at 1 April 2025, the major online dating platforms in Australia were signatories to the Code. These are:
  - Match Group (including, Tinder, Hinge, OKCupid, Plenty of Fish and match.com)
  - Bumble (including Bumble and Badoo)
  - ParshipMeet US Holding Inc (including eHarmony, MeetMe, Tagged, Skout and Growlr)
  - Grindr

**Contact:** Anthea Fell**Cleared by:** Andrew Hyles, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 17/09/2025

Page 4 of 5

OFFICIAL

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandenbroek / Anthea Fell

SB25-000300

- Spark
- eSafety has commenced an evaluation of the effectiveness of the Code and will provide the findings of this process to the Hon Anika Wells MP, Minister for Communications and Minister for Sport, in the coming months.

Inquiry by the Joint Committee on Social Media and Australian Society

- The government established the Joint Committee on Social Media and Australian Society to inquire and report on the influence and impacts of social media on Australians. The Committee released its final report on 18 November 2024. The government is carefully considering the report and will respond in due course.

**Supporting Information***Relevant Media Reporting*

- “Warning for parents as government vows to restrict 'nudify' apps used to create child abuse material”, ABC News, 2 September 2025  
<https://www.abc.net.au/news/2025-09-02/child-safety-expert-warns-of-ai-generated-child-abuse/105724916>
- “eSafety commissioner says YouTube 'turning blind eye' to child abuse”, ABC News, 6 August 2025  
<https://www.abc.net.au/news/2025-08-06/esafety-commissioner-says-google-turning-blind-eye-child-abuse/105617742>

**Contact:** Anthea Fell**Cleared by:** Andrew Hyles, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 17/09/2025

Page 5 of 5

OFFICIAL

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandenbroek / Anthea Fell

SB25-000302

**SUBJECT: Age Assurance and Social Media Minimum Age Legislation****Key Deliverables**

- The Australian Government passed world-first legislation last year that will require certain social media platforms to prevent Australians under 16 from having accounts from 10 December 2025.
- On 31 August 2025, the final report of the independent Age Assurance Technology Trial was released. The Trial demonstrates that platforms have the tools to comply with the social media minimum age legislation – there is no excuse for platforms not to be ready by December.

**Talking Points**

- The government is backing Australian families, parents and kids by taking action to reduce online harms, including passing historic legislation to delay access to social media until the age of 16.
- Delaying access to social media will protect young Australians at a critical stage of their development, giving them 3 more years to build real world connections and online resilience.
- From 10 December 2025, age-restricted social media platforms must take reasonable steps to prevent Australians under 16 from having accounts.
  - Age-restricted social media platforms include Facebook, Instagram, Snapchat, TikTok, X and YouTube, amongst others.
- The inclusion of YouTube in the social media minimum age follows advice from the eSafety Commissioner that it is one of the most common platforms on which children are encountering harmful content.
  - YouTube is comparable in form, function and use to other social media platforms captured under the legislation.
- The eSafety Commissioner is responsible for compliance with the social media minimum age and will determine whether platforms have taken “reasonable steps” to prevent under 16s from holding accounts.
- The Commissioner’s expectations for what steps platforms will take to comply, as well as her approach to enforcement, is clearly set out in the regulatory guidance issued on 16 September.
- The eSafety Commissioner has been actively working with platforms on compliance with the new laws, noting the onus is ultimately on platforms to identify and de-activate kids accounts by 10 December.

**Contact:** Anthea Fell**Cleared by:** Sarah Vandenbroek, First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 24/09/2025

Page 1 of 12

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandenbroek / Anthea Fell

SB25-000302

*Age Assurance Technology Trial*

- The final report of the Age Assurance Technology Trial, published on 31 August 2025, demonstrates that platforms have the tools to comply – there is no excuse for platforms not to have a combination of age assurance methods ready by December.
  - The report also highlights that tools and systems exist to actively address circumvention, such as AI-generated spoofing, document forgeries and Virtual Private Networks (VPNs).
  - In particular, platforms have already shown that when they really want to, they can counter the use of VPNs.
- Australians have high expectations that their data will be protected.
  - Platforms and age assurers will need to comply with Australia's stringent privacy laws. This includes those enshrined in the social media minimum age legislation, which states that platforms must not hold onto information they collect for checking age, and must provide an alternative age assurance method to government ID.
- Age assurance providers involved in the trial demonstrated a strong understanding of the importance of privacy and personal information.

**Key Issues**Social Media Minimum Age Legislation

- The *Online Safety Act 2021* (OSA) was amended in November 2024 to introduce a social media minimum age framework (SMMA), providing greater protections for young Australians at a critical stage of their development.
- The SMMA:
  - Requires certain social media platforms to take reasonable steps to prevent under 16s from having accounts. This is the minimum age obligation.
  - Introduces a new definition for 'age-restricted social media platform' to which the minimum age obligation applies, alongside rule-making powers for the Minister for Communications to further target the definition.
  - Provides for the minimum age obligation to take effect by 10 December 2025, 12 months after Royal Assent of the SMMA Act.
  - Specifies that no Australian will be compelled to use government ID (including Digital ID) to prove their age online, and platforms must offer reasonable alternatives to users.
  - Establishes robust privacy protections, placing limitations on the use of information collected by platforms for the purposes of satisfying the minimum age obligation, and requiring the destruction of information following its use.

**Contact:** Anthea Fell**Cleared by:** Sarah Vandenbroek, First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 24/09/2025

Page 2 of 12

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OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandenbroek / Anthea Fell

SB25-000302

- Provides powers to the eSafety Commissioner and Information Commissioner to seek information relevant to monitoring compliance, and issue and publish notices regarding non-compliance.
- Imposes maximum penalties of up to \$49.5 million for a breach of the minimum age obligation by platforms.

*Which platforms must comply with the minimum age obligation?*

- All services that meet the definition of 'age-restricted social media platform' in the SMMA, and are not excluded in legislative rules, will be subject to the minimum age obligation.
- It will be for the eSafety Commissioner to determine which platforms are in or out of scope of the social media minimum age. The Commissioner has been working extensively with platforms on compliance with the legislation in the lead up to December, including on whether a service is likely to be an age-restricted platform.
- The Commissioner also published a self-assessment tool on 4 September 2025 to provide additional transparency and assist services understand whether they are subject to the social media minimum age.
- In determining which platforms are in or out of scope, the Commissioner will have regard to the features and functions of the platform, how they are deployed, and how they influence user engagement and experiences.

*YouTube*

- On 29 July 2025, the Hon Anika Wells MP, Minister for Communications and Minister for Sport, made the Online Safety (Age-Restricted Social Media Platforms) Rules 2025 (the Rules), which excluded services from the scope of the SMMA. This included services like online games, messaging services, email, services for specific purposes like professional networking, education or healthcare.
- These exclusions seek to strike a balance between protecting young people from the harms associated with social media use, and allowing ongoing access to services that are essential for communication, education and health.
- The Rules maintain access to services that are (currently) known to pose fewer risks of online harms, particularly arising from addiction, problematic use, unhealthy social comparisons, and exposure to content that is inappropriate for children.
- The inclusion of YouTube in the social media minimum age follows advice from the eSafety Commissioner that it is one of the most common platforms on which children are encountering harmful content. YouTube is comparable in form, function and use to other social media platforms captured under the legislation.

**Contact:** Anthea Fell**Cleared by:** Sarah Vandenbroek, First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 24/09/2025

Page 3 of 12

OFFICIAL

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandenbroek / Anthea Fell

SB25-000302

- The eSafety Commissioner's advice noted that 76% of children and young people aged between 10 to 15 were on YouTube. Concerningly, 37% of these users reported that they were exposed to harmful content on YouTube and a further 21% encountered online hate.

*What will implementation look like? How can this be done?*

- Given differences in the types of services offered by platforms and how they are used, the reasonable steps required by each platform to comply with new social media minimum age laws will likely vary.
- The eSafety Commissioner is overseeing compliance with the social media minimum age. The Commissioner's expectations for what steps platforms will take to comply, as well as her approach to enforcement, is clearly set out in the regulatory guidance issued on 16 September.
- The guidance requires platforms to:
  - Detect and deactivate underage accounts.
  - Prevent re-registration or circumvention.
  - Provide accessible review mechanisms for users.
- Additionally, the guidance is clear that platforms cannot:
  - rely on self-declaration of age
  - force people to hand over government ID, consistent with protections built into the legislation
  - retain more than the required information to demonstrate compliance.
- The guidance also encourages platforms to take a layered or 'waterfall' approach to compliance, meaning platforms apply several age assurance methods to increase confidence in age estimates, while reducing the risk of bias.
- The findings of the independent Age Assurance Technology Trial are one of a number of inputs the eSafety Commissioner considered in developing the guidance. The report clearly states there are a range of age assurance technologies that can be used effectively and efficiently, and there are no substantial technical barriers to implementation.
- It's up to platforms to continue to work with the eSafety Commissioner and the Office of the Australian Information Commissioner to make sure they are ready to meet their legal and social responsibility and restrict under-16s from holding accounts on their services from 10 December.

Contact: Anthea Fell

Cleared by: Sarah Vandenbroek, First Assistant Secretary

Phone: s22(1)(a)(ii)

Version Number: 02

Date: 24/09/2025

Page 4 of 12

OFFICIAL

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OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandenbroek / Anthea Fell

SB25-000302

Age Assurance Trial – Technology Trial

- On 31 July 2025, the Age Check Certification Scheme (ACCS) delivered the final report of the Age Assurance Technology Trial to the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts.
- The Trial was funded in the 2024-25 Budget to examine options to protect children online. The scope of the trial included consideration of how age assurance could work in relation to social media.
- The minister publicly released the final report on 31 August 2025 (media release at **Attachment A**).
- The report includes assessment of more than 60 technologies from 48 providers, covering age verification, age estimation, age inference, successive validation, parental control and parental consent solutions.
- High level findings include:
  - Age assurance can be done in Australia and there are no substantial technical barriers to implementation.
  - While there is no one-size-fits-all solution, the report clearly states there are a range of technologies that can be used to better protect young Australians from violent, explicit and age-inappropriate content and keep them safer online. Many of the solutions tested are already being used by online service in Australia and abroad.
  - There are few barriers to digital platforms strengthening their existing frameworks to check age, and no excuse to taking more proactive steps to protect Australian children and young people online.
- The outcomes of the trial are also directly relevant to the phase 2 codes (SB25-000397 refers) under the OSA, which impose obligations on industry to prevent children from accessing or being exposed to online pornography and other age-inappropriate material. The trial will help inform enforcement and industry compliance with the codes.

*Industry Participation*

- Participation in the trial was entirely voluntary. Through a range of communication channels and industry networks, ACCS invited engagement in the trial, which ultimately elicited 60 age assurance solutions being put forward for consideration.
  - ACCS wrote directly to the major social media platforms to invite their participation in the trial.
  - The department also encouraged platforms to participate in the trial through direct engagements.

**Contact:** Anthea Fell**Cleared by:** Sarah Vandenbroek, First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 24/09/2025

Page 5 of 12

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandebroek / Anthea Fell

SB25-000302

*Which technology should platforms use*

- The purpose of the trial was not to identify a single technology that age-restricted social media platforms will be required to use – that is for individual platforms to determine.
- The trial found age assurance can work effectively. The report clearly states there are a range of age assurance technologies that can be used effectively, and there are no substantial technical barriers to implementation.
- Consistent with this, the eSafety Commissioner's regulatory guidance is non-prescriptive – it does not dictate or endorse any specific system or technology that platforms will need to have in place. This approach recognises that each platform is different, and the steps they will need to take will differ.
- That said, the guidance is very clear about what will not be considered adequate. Platforms cannot:
  - rely on self-declaration of age
  - force people to hand over government ID
  - retain more than the required information to demonstrate compliance.

*Reduced accuracy of facial age estimation in certain conditions and for culturally diverse communities*

- The best performing facial age estimation systems evaluated in the trial were able to estimate a user's age within 1.3 to 1.5 years of their actual age. It did confirm that facial age estimation is harder for teenagers than for very young or older people.
- This report has helped flush out these issues and clearly identify the circumstances where a more layered approach might be called for – where the young person might be asked to take additional steps to prove their age.
- eSafety's regulatory guidance is clear that platforms are expected to apply 'buffer zones' and take a layered approach to increase overall confidence in age checks.
- Given the availability of a wide range of tools to check user age, the onus remains firmly on platforms to work with the eSafety Commissioner to identify what age assurance steps are 'reasonable' for their circumstances.

*Circumvention – VPNs*

- The trial proves that the platforms have the tools to limit circumvention – particularly when it suits their business models.
- VPNs are designed to obscure a user's IP address and make it appear as if the user is accessing a service from a different location – not make a user invisible.

**Contact:** Anthea Fell**Cleared by:** Sarah Vandebroek, First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 24/09/2025

Page 6 of 12

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OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandebroek / Anthea Fell

SB25-000302

- The use of VPNs to avoid digital regulation is not a new challenge – VPN detection and geolocation enforcement are well-established in other highly regulated sectors such as online gambling and video streaming.
- The trial explored how geolocation and VPN detection services can support enforcement by identifying circumvention attempts.
- The platforms have already shown that when they really want to, they can detect if a person is using a VPN. For example:
  - Netflix uses VPN detection technology to determine whether a person is using a VPN. When a VPN is detected, Netflix will only display content it has worldwide rights for.
  - When TikTok was briefly banned in the US earlier this year, the vast majority of users were unsuccessful in accessing the platform through a VPN.
- The trial proves that the platforms have the tools to limit circumvention – particularly when it suits their business models.

*Privacy*

- We know data privacy is a significant concern for Australians – this is reflected in the social media minimum age legislation.
- Strong protections for personal information collected by platforms for age assurance purposes are built into the laws.
- These safeguards require platforms to ringfence and destroy any information collected for the purposes of age assurance, with serious penalties applicable for breaches.
- Additionally, platforms must not use information collected through age assurance methods for any other purpose, unless explicitly agreed by the user.
- The legislation also includes 2 information protection provisions that:
  - empower the minister to exclude specified types of information being collected and used by platforms for the purposes of meeting the minimum age obligation, and
  - specify that platforms must not collect government-issued identification or require the use of Digital ID (provided by an accredited service, within the meaning of the Digital ID Act 2024), unless a reasonable alternate means is also offered.
- Privacy was also a key consideration in the trial.
- During the trial, providers showed a strong commitment to providing private and secure age assurance methods, including handling personal information appropriately.
- That said, the report highlights that it is up to digital platforms and age assurance service providers to conduct their own privacy impact assessments, and ongoing privacy

**Contact:** Anthea Fell**Cleared by:** Sarah Vandebroek, First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 24/09/2025

Page 7 of 12

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandebroek / Anthea Fell

SB25-000302

compliance monitoring, in accordance with Australian laws. This is consistent with the views of the Office of the Australian Information Commission.

*Over retention of data*

- The trial noted that some age assurance providers were holding onto more information than needed – not for commercial gain, but due to concerns about what information the regulator might need to see to ensure the efficacy of their age check tools.
- Regulatory guidance on the SMMA issued by the eSafety Commissioner clearly states that providers are not required to retain user data as a record of individual age checks, and any age assurance methods that ask for too much information, or which are not consistent with Australia's privacy laws, will not meet the threshold for compliance.
- The regulator will be focussed on the systems and processes used to assure age, not on producing the data that is captured in the process.

**Background***Social media minimum age*

- At the 2024-25 MYEFO, the government provided \$76.1 million over 4 years from 2024-25 (and \$16.9 million per year ongoing from 2028-29) to support the implementation of a minimum age of access to social media. Funding includes:
  - \$45.7 million over 4 years from 2024-25 (and \$12.3 million per year ongoing) for the Office of the eSafety Commissioner to provide regulatory oversight and enforcement functions
  - \$15.5 million over 4 years from 2024-25 (and \$3.5 million per year ongoing) for the department to support the delivery of the government's online safety priorities
  - \$10.0 million over 2 years from 2024-25 to deliver a national public awareness campaign to help parents and carers, young people, educators and the community to understand and support the transition to a social media minimum age, and
  - \$5.0 million over 4 years from 2024-25 (and \$1.1 million per year ongoing) for the Office of the Australian Information Commissioner to provide regulatory oversight of the privacy safeguards.
- On 30 July 2025, the minister made the Online Safety (Age-Restricted Social Media Platforms) Rules 2025 (the Rules), which exclude the below services from the minimum age obligation (media release at **Attachment B**).
  - Messaging, email, voice calling or video calling
  - Online games
  - Services that enable end-users to share information (such as reviews, technical support or advice) about products or services

**Contact:** Anthea Fell**Cleared by:** Sarah Vandebroek, First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 24/09/2025

Page 8 of 12

OFFICIAL



OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandenbroek / Anthea Fell

SB25-000302

- 
- Services that enable engagement on professional networking or professional development
  - Services that support the education of end-users
  - Services that facilitate communication between educational institutions and students or students' families
  - Services that facilitate communication between providers and users of health care services.
  - The eSafety Commissioner provided advice on the draft rules on 19 June 2025, in which she expressed broad support for the draft rules, with the exception of the proposed exclusion of YouTube from the minimum age obligation.
    - The Commissioner's advice noted YouTube's use of persuasive design features and functionality that may be associated with harms to health, including those that may encourage excessive consumption without breaks and amplify exposure to harmful content (such as infinite scroll, auto-play, qualitative social metrics (i.e. 'likes'), and tailored and algorithmically recommended content feeds).

*Age assurance*

- Age assurance refers to various methods which are used to determine a person's age online, encompassing age verification, age estimation and age inference technologies:
  - Age verification relies on evidence of an individual's year or date of birth, typically from an identity document.
  - Age estimation analyses the biological or behavioural features of humans that vary with age, such as their face or voice.
  - Age inference is based on verified information which indirectly implies that an individual is over or under a certain age or within an age range, for example holding a credit card implies that the holder is 18 years old or above in Australia.

*Technology Trial – Procurement Approach*

- An open tender process for the trial of age assurance technologies opened on 10 September 2024 and closed on 7 October 2024 (25 calendar days).
  - A total of 7 tenders were received.
  - 2 information sessions for prospective tenderers were held on 18 and 24 September 2024, with a total of 29 attendees representing 16 organisations.
- On 8 November 2024, the technology trial contract was awarded to ACCS. ACCS was selected for the trial after submitting a strong proposal that demonstrated experience and technical expertise, a competitive price and a low residual risk rating – overall, demonstrating the best value for money for the department.

**Contact:** Anthea Fell**Cleared by:** Sarah Vandenbroek, First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 24/09/2025

Page 9 of 12

OFFICIAL

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandenbroek / Anthea Fell

SB25-000302

- ACCS was also the only tenderer to provide a detailed project plan, evaluation framework and stakeholder approach that was similar in scale and complexity to what was described in the Request for Tender.
- ACCS is an accredited conformity assessment body in the UK. This means the company is qualified to assess age assurance solutions, with strong protections in place to safeguard impartiality. ACCS also published an evaluation proposal, specifying how information will be treated and technologies assessed.
- The contract was valued at \$3,830,277.00 (AusTender reference CN4111198).

*Technology trial – Assessment Criteria*

- Technologies were evaluated for their:
  - Accuracy (can detect a user's age)
  - Interoperability (can be used across platforms)
  - Reliability (consistently produces the same result)
  - Ease of use (simple to operate)
  - Freedom from bias (avoids racial or other bias)
  - Protection of privacy (protects personal information)
  - Data security (if user data is stored and if it is secure and or de-identified)
  - Human rights protections (accessibility for users, including people with disability).

**Supporting Information***Questions on Notice (QoNs)*Please also refer to **Attachment C**:

- Senator Fatima Payman (SQ25-000095), regarding SMMA implementation.
- Senator Fatima Payman (SQ25-000311), regarding consultation with Australia's Information Commissioner.
- Senator Sarah-Hanson Young (SQ25-000130), regarding online age verification.
- Senator Sarah Hanson-Young, (SQ25-000124) regarding YouTube exemption.

*Freedom of Information (FOI) Requests*Please refer to **Attachment D**.*Order(s) for the Production of Documents*

- Production of Documents (No. 37; No 92; No 138) - Senator Payman
- Production of Documents (No. 110) - Senator Payman

**Contact:** Anthea Fell**Cleared by:** Sarah Vandenbroek, First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 24/09/2025

Page 10 of 12

OFFICIAL

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandenbroek / Anthea Fell

SB25-000302

## Recent Ministerial Comments (Minister Wells)

- *"There is no one perfect solution when it comes to keeping young Australians safer online – but the social media minimum age will make a significantly positive difference to their wellbeing."*
- *"The rules are not a set and forget, they are a set and support."*
- *"As parents, we are really trying our best when it comes to the internet, but it is like trying to teach your kids to swim in the open ocean, with the rips and the sharks, compared to at the local council pool. We can't control the ocean, but we can police the sharks."*
- *"This [Age Assurance Trial Final] report is the latest piece of evidence showing digital platforms have access to technology to better protect young people from inappropriate content and harm."*
- *"While there's no one-size-fits-all solution to age assurance, this trial shows there are many effective options and importantly that user privacy can be safeguarded."*

## Relevant Media Reporting

- "Report on social media age assurance trial says there is not a one-size-fits-all solution", Michelle Grattan, The Conversation, 31 August 2025.  
<https://theconversation.com/report-on-social-media-age-assurance-trial-says-there-is-not-a-one-size-fits-all-solution-263909>
- "Trial of tech that could be used to keep Australian under-16s off social media finds some errors 'inevitable'", Josh Butler, The Guardian, 31 August 2025.  
<https://www.theguardian.com/australia-news/2025/aug/31/age-assurance-technology-trial-report-australia-under-16-social-media-ban-some-errors-inevitable>
- "Online age check given tech tick", The Australian, 31 August 2025.  
[https://www.theaustralian.com.au/subscribe/news/1/?sourceCode=TAWEB\\_WRE170\\_a\\_GGL&dest=https%3A%2F%2Fwww.theaustralian.com.au%2Fnation%2Fage-verification-trial-greenlights-labors-social-media-ban%2Fnews-story%2Ff43852f580820d8f5c382a5ed1ab6d79&mementype=anonymous&mode=premium&v21=HIGH-Segment-1-SCORE&V21spcbehaviour=append](https://www.theaustralian.com.au/subscribe/news/1/?sourceCode=TAWEB_WRE170_a_GGL&dest=https%3A%2F%2Fwww.theaustralian.com.au%2Fnation%2Fage-verification-trial-greenlights-labors-social-media-ban%2Fnews-story%2Ff43852f580820d8f5c382a5ed1ab6d79&mementype=anonymous&mode=premium&v21=HIGH-Segment-1-SCORE&V21spcbehaviour=append)
- "Australia social media ban: VPN firms expect user boom after new age restriction law", Sam Buckingham-Jones, Australian Financial Review, 26 August 2025.  
<https://www.afr.com/companies/media-and-marketing/australia-expecting-massive-vpn-spike-over-youth-social-ban-20250826-p5mpt1>

Contact: Anthea Fell

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Phone: s22(1)(a)(ii)

Version Number: 02

Date: 24/09/2025

Page 11 of 12

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandenbroek / Anthea Fell

SB25-000302

**Attachments**

- A: Media Release – Age Assurance Technology Trial findings
- B: Media release – Online Safety (Age-Restricted Social Media Platforms) Rules 2025
- C: Responses to Questions on Notice – Senators Payman (SQ25-000095; SQ25-000311) and Hanson Young (SQ25-000124; SQ25-000130)
- D: Table - Freedom of Information Requests

**Contact:** Anthea Fell**Cleared by:** Sarah Vandenbroek, First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 24/09/2025

Page 12 of 12

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**Environment and Communications****QUESTION ON NOTICE****Additional Estimates 2024 - 2025****Infrastructure, Transport, Regional Development, Communications and the Arts****Committee Question Number: 56****Departmental Question Number: SQ25-000095****Division/Agency Name:** DIV - Digital Platforms Safety and Classification**Hansard Reference:** Written (03 March 2025)**Topic:** Online Safety Amendment (Social Media Minimum Age) Act**Senator Fatima Payman asked:**

In December, the Online Safety Amendment (Social Media Minimum Age) Act was assented to. The Act provides for details of the social media ban to be provided via delegated legislation.

1. Which social media services will be affected by this ban?
2. Which social media services will be exempt from this ban?
3. Could you detail the evolution of Youtube's status within the ban from being initially included, to then being excluded as part of a general "education and health support" apps exclusion, to then being excluded on a specific YouTube-only basis?
  - a. Did the idea of a YouTube-specific exemption come from the department or the government?
4. Snapchat has been deemed a social media app, while WhatsApp, Facebook Messenger and Signal have been designated as messaging apps. The discussion paper cites "social networking features such as stories and 'Snap Map'", the latter being a location-sharing service, as reasons for Snapchat's inclusion. However, the three aforementioned messaging apps also offer comparable features, but are excluded from the ban. Could you detail the justification for Snapchat's inclusion in the ban?
5. Telegram has been cited by Five-Eyes security and law enforcement agencies as one platform through which young people are accessing extremist propaganda videos. Has the government considered whether Telegram should be included in the ban?
6. What evidence or methodology is the government using to determine whether a platform has the sole or significant purpose of enabling online social interaction?
7. What information, as referred to in section 63DA of the Online Safety Act, will the government prohibit social media services from collecting for the purpose of complying with 63D?
8. As prescribed in section 63E, when does the government intend to table the instrument setting the date for the ban to take effect?
9. On what date will the social media ban take effect?
10. Documents obtained by Crikey under Freedom of Information requests from the Department of Communications in mid-October 2024 were released with the minimum age redacted. "This suggests that staff were using an age other than 16, given that the cabinet decision to use 16 as the minimum age has since been disclosed. [Minister] Rowland's spokesperson did not deny this when [it was put to them]." Was an age other than 16 being used in the development of this bill?

- a. If YES,
    - i. What age was being used?
    - ii. Doesn't such a major change occurring so close to the enactment of the policy highlight the arbitrary and unscientific nature of the ban?
  - b. If NO,
    - i. Why was the minimum age redacted when these documents were released?
    - ii. Why did Minister Rowland's spokesperson not rule this out when contacted by Crikey?
11. As the government considered several ages during the development of this policy, what evidence does the government rely on for the choice of 16 years compared to 15 or 14?
12. Why was the exemption framework, that would have allowed online services to apply to the eSafety commissioner for exemption from the ban, removed from the bill?

**Answer:**

1. The definition of 'age-restricted social media platforms' under the *Online Safety Amendment (Social Media Minimum Age) Act 2024* (the SMMA Act) casts a wide net to ensure the minimum age obligation applies broadly to the range of services that are commonly understood to be social media, including, but not limited to TikTok, Facebook, Snapchat, Reddit, Instagram and X (formerly Twitter).
2. As part of the second reading speech on the Bill, the Minister for Communications indicated the Australian Government's intention to exclude the following services from the social media minimum age obligation:
  - a) Messaging
  - b) Online games
  - c) Apps that primarily function to support health
  - d) Apps that primarily function to support education
  - e) YouTube.

These proposed exclusions will be achieved through legislative rules made under paragraph 63C(6)(b) of the *Online Safety Act 2021* (the OSA), a provision introduced as part of the SMMA Act.

The Department of Infrastructure, Transport, Regional Development, Communications and the Arts is leading targeted consultation on the draft rules in February and March 2025 to seek feedback from stakeholders with strong interests and/or relevant expertise. This includes youth groups, parents and carers, the digital industry, and child-development, mental-health and legal experts. This process builds on the extensive consultations undertaken as part of the age assurance trial and development of the social media minimum age legislation.

The outcomes of this consultation will inform the final design of the legislative rules, which are subject to the decision of the Minister for Communications.

3. The government has announced its intention to exclude YouTube using legislative rules.  
The exclusion of YouTube from the minimum age obligation is consistent with broad community sentiment, which highlights the value of YouTube as a tool for education and learning.
4. The exclusion for messaging is targeted towards core messaging services – demonstrated by the inclusion of a ‘sole or primary purpose’ test. These features include the ability to share photos and videos to the world at large, as well as find and follow other users online.
5. Consultation undertaken during the development of the SMMA Act highlighted significant benefits in excluding messaging services from the minimum age obligation, in order to maintain young people’s access to a key channel of connection and community.  
  
Services excluded from the SMMA Act will still be subject to other laws, including the broader OSA itself. On this basis, a Digital Duty of Care is a more appropriate mechanism for addressing harm and driving safety improvements on messaging services.
6. The SMMA Act introduces a minimum age obligation on ‘age-restricted social media platforms’, which is a new term introduced into the OSA (section 63C). A condition of the definition is that a sole or significant purpose of the platform is to ‘enable online social interaction between 2 or more users’. This test is adapted from the existing definition of ‘social media service’ in the OSA (section 13).  
  
Whether a particular service meets the test is fact-dependent, and must be determined on a case-by-case basis.
7. None are currently being considered.
8. The minimum age obligation must come into effect on or before 10 December 2025. It is the government’s intention to give effect to the minimum age obligation as soon as practicable, balancing the need to act quickly to minimise risks of harm to young Australians online, with realistic timeframes for regulatory compliance.
9. See the response to Question 8.
10. The government examined options for a minimum age from 14 to 16 years.  
  
The decision to set the minimum age at 16 years followed extensive consultation with young people (including First Nations and youth from culturally and linguistically diverse families), parents and carers, academics and child development experts, community, industry and civil organisations, and state and territory governments.
11. There are differing views amongst experts about the ‘right age’ at which young people can safely access social media. However, there is a growing body of evidence to suggest that at 16, young people are, generally-speaking, outside the most vulnerable adolescent stage.



For example, in 2022, a group of UK psychologists and neuroscientists, analysing longitudinal data on 17,400 young people, found that – noting variation exists across individuals – young girls experience a negative link between social media use and life satisfaction when they are 11 to 13 years-old and young boys when they are 14 to 15 years old.

Setting the minimum age at 16 years balances the expectations of Australians to minimise the harms experienced by young people on social media, while supporting their rights to participate in beneficial online activities, including connections with friends, accessing community and support services, and participating in public life.

12. Consideration was given to including an approach to harm minimisation in the form of an exemption framework in the SMMA Act. However, the government's commitment to legislate a Digital Duty of Care will see a more comprehensive and effective approach to harm minimisation in digital interactions by young people – and indeed all Australians.

## Environment and Communications

## QUESTION ON NOTICE

## Additional Estimates 2024 - 2025

## Infrastructure, Transport, Regional Development, Communications and the Arts

Committee Question Number: 159

Departmental Question Number: SQ25-000311

Division/Agency Name: DIV - Digital Platforms Safety and Classification

Hansard Reference: Written (14 March 2025)

Topic: Online Safety Amendment - Consultation with Australian Information Commissioner

Senator Fatima Payman asked:

In December, the Online Safety Amendment (Social Media Minimum Age) Act was assented to. The Act specifies that the Minister for Communications must, under section 63C(5)(a), seek advice from the Australian Information Commissioner, and must have regard to that advice.

1. Has the Minister yet consulted with the Commissioner as required by this section?
2. What advice, if any, has the Commissioner given to the Minister as regards the designation of electronic services as age-restricted social media platforms?
3. What electronic services has the Commissioner recommended be designated as age-restricted social media platforms?
4. What electronic services has the Commissioner recommended be excluded from designation as age-restricted social media platforms?

Answer:

Section 63C of the *Online Safety Act 2021* provides for the definition of an 'age-restricted social media platform' for the purposes of the social media minimum age framework. Under the section, the Minister for Communications may make rules to both carve out services from the minimum age obligation (s63C(6)(b)), as well as designate particular services as age-restricted social media platforms (s63C(1)(b)). In exercising either rule-making power, the minister is required to seek and have regard to the advice of the eSafety Commissioner (not the Australian Information Commissioner).

As part of the second reading speech on the *Online Safety Amendment (Social Media Minimum Age) Act 2024*, the minister indicated the Australian Government's intention to carve out the following services from the social media minimum age obligation:

- a) Messaging
- b) Online games
- c) Apps that primarily function to support health
- d) Apps that primarily function to support education
- e) YouTube.

The Department of Infrastructure, Transport, Regional Development, Communications and the Arts is leading targeted consultation on draft rules reflecting the above exclusions, and will brief the minister on the outcomes. Following this, but before making the legislative

rules, the minister will seek and have regard to the advice of the eSafety Commissioner, in accordance with subsection 63C(7) of the *Online Safety Act 2021*.

Aside from the above, no other rules are currently being considered.

**Environment and Communications****QUESTION ON NOTICE****Additional Estimates 2024 - 2025****Infrastructure, Transport, Regional Development, Communications and the Arts****Committee Question Number: 76****Departmental Question Number: SQ25-000130****Division/Agency Name:** DIV - Digital Platforms Safety and Classification**Hansard Reference:** Written (04 March 2025)**Topic:** Online Age Verification**Senator Sarah Hanson-Young asked:**

Could you provide an update on the progress of the online age verification?

**Answer:**

The independent trial of age assurance technologies, run by the Age Check Certification Scheme (ACCS), is ongoing and on track for delivery of a final report in June 2025.

The first 2 project milestones have been completed:

- Milestone 1: Project plan delivered to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts on 8 November 2024.
- Milestone 2: Evaluation proposal provided to the department on 6 January 2025.

The preliminary report (milestone 3) is due in April 2025, and the final report (milestone 4) is due in June 2025.

Updates on progress of the trial, including a detailed timeline, are available on ACCS's website ([www.ageassurance.com.au](http://www.ageassurance.com.au)).

**Environment and Communications****QUESTION ON NOTICE****Additional Estimates 2024 - 2025****Infrastructure, Transport, Regional Development, Communications and the Arts****Committee Question Number: 75****Departmental Question Number: SQ25-000124****Division/Agency Name: DIV - Digital Platforms Safety and Classification****Hansard Reference: Written (04 March 2025)****Topic: YouTube's exemption from Online Safety Amendment (Social Media Minimum Age) Act 2024****Senator Sarah Hanson-Young asked:**

1. Could you please outline the Department's reasoning for deciding to exempt Youtube from the age restriction legislation.
2. Could you please provide all relevant information regarding your conclusion within the Discussion paper deeming Youtube as "an important source of education and informational content, relied on by children, parents, carers and educational institutions."
3. Could you confirm whether educational value is the only reason for Youtube's exemption. If not, what other factors were considered.
4. Could you confirm when the Government made the decision to exempt Youtube from the legislation.

**Answer:**

The proposed exclusion of YouTube from the minimum age obligation was a decision of the Australian Government.

The exclusion of YouTube from the minimum age obligation is consistent with broad community sentiment, which highlights the value of YouTube as a tool for education and learning.

While the government has stated its proposal to exclude YouTube, legislative rules are yet to be made by the Minister for Communications giving effect to this. The Department of Infrastructure, Transport, Regional Development, Communications and the Arts is consulting on the draft rules in February and March and will brief the minister on the outcomes. Following this, but before making the legislative rules, the minister is required to seek and have regard to the advice of the eSafety Commissioner under subsection 63C(7) of the *Online Safety Act 2021*.

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Reference / link	Request	Status/comments
<a href="#"><u>FOI 25-176</u></a>	Briefing notes prepared for the Department Secretary and the Minister of Communications on the proposed age restrictions or under-age access ban to be imposed on social media platforms between 1 September 2024 and 7 November 2024.	<b>Released:</b> 31 January 2025
<a href="#"><u>FOI 25-181</u></a>	Documents relating to the Approach to Market for the Age Assurance Technology Trial 2024—ATM ID:10029696.	<b>Released:</b> 9 January 2025
<a href="#"><u>FOI 25-195</u></a>	Documents relating to the drafting of the Impact Analysis Equivalent Supplementary Analysis of OIA24-08210: Social Media Age Limit.	<b>Released:</b> 20 January 2025
<a href="#"><u>FOI 25-196</u></a>	The briefing pack prepared by the Department for the Online Safety Amendment Bill 2024 inquiry.	<b>Released:</b> 21 January 2025
<a href="#"><u>FOI 25-204</u></a>	Document relating to meeting notes arising from FOI 25-093 regarding consultation round tables held for the Age Assurance Trial.	<b>Released:</b> 24 December 2024
<a href="#"><u>FOI 25-210</u></a>	All emails, meeting notes or other records of communications sent to and from the Office of Parliamentary Counsel for the Online Safety Amendment (Social Media Minimum Age) Bill 2024 [Provisions].	<b>Practical refusal</b>
<a href="#"><u>FOI 25-211</u></a>	Notes from consultation process for the Online Safety Amendment (Social Media Minimum Age) Bill 2024 [Provisions] legislative design principles	<b>Released:</b> 24 February 2025
<a href="#"><u>FOI 25-253</u></a>	List of the meetings held by the Cross-Government Working Group on Age Assurance and the meeting agenda for the meeting of 9 December 2024.	<b>Released:</b> 14 February 2025
<a href="#"><u>FOI 25-262</u></a>	Correspondence between Minister Rowland's office and any of Meta/Facebook/Instagram, TikTok, Snapchat or YouTube/Google regarding social media reforms in the Online Safety Amendment (Social Media Minimum Age) Bill 2024 for the period 28 November 2024 to 4 February 2025.	<b>Released:</b> 14 April 2025
<a href="#"><u>FOI 25-270</u></a>	Correspondence between, and records of meetings between, the Department and employees of Google relating to the minimum age limit for social media platforms in the time period 1 July 2024—1 February 2025.	<b>Released:</b> 17 April 2025 <i>Applicant sought Information Commissioner Review – response sent 22 September 2025</i>

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<u>FOI 25-285</u>	<ul style="list-style-type: none"> <li>All documents that contain rationale for YouTube being exempted from the laws enshrined in the Online Safety Amendment (Social Media Minimum Age) Bill 2024</li> <li>Limit search to documents produced or sent in November 2024.</li> <li>Exclude text messages such as SMS, WhatsApp, Signal etc.</li> <li>If the document in question contains in part some information that is subject to cabinet confidentiality, please redact that specific information, but I request that the entire document not be ruled exempt on that basis.</li> </ul>	<b>Released:</b> 28 March 2025
<u>FOI 25-291</u>	<p>All documents of the Department of Infrastructure, Transport, Regional Development, Communications and the Arts which relate to any Rules made, or proposed to be made, under section 63C(6)(b) of the Online Safety Act 2021 (Cth). This includes:</p> <ol style="list-style-type: none"> <li>1. all documents relating to any consultation undertaken, or advice sought, with all persons (including the eSafety Commissioner) in relation to any aforementioned proposed Rules;</li> <li>2. any and all notes of discussions held with respect to the aforementioned proposed Rules;</li> <li>and</li> <li>3. any and all correspondence with respect to the aforementioned proposed Rules.</li> </ol>	<b>Practical refusal</b>
<u>FOI 25-304</u>	Correspondence between the Department and employees of Google relating to the minimum age limit for social media platforms in the time period 1 July 2024 to 13 March 2025.	<b>Released:</b> 5 May 2025
<u>FOI 25-325</u>	All documents, including but not limited to emails and electronic messages sent or received by employees working in the Communications and Media division of the Department or senior executive officials of the Department (e.g. those sent using "Signal", "whatsapp" or by way of an sms) that mention "YouTube" between 4 March and 5 March 2025 (inclusive), except where "Youtube" is mentioned in a signature block.	<b>Practical refusal</b>
<u>FOI 25-363</u>	Documents relating to meetings with Google and YouTube and correspondence between Minister for Communications and CEO of YouTube.	<b>Released:</b> 11 July 2025

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<u>FOI 25-387</u>	A copy of the Social Research Centre report on research into Australians' attitudes towards the use of age assurance technologies for access to online services, which was delivered to the department on 2 January, 2025.	<b>Social Research Centre report was released publicly</b>
<u>FOI 25-390</u>	Correspondence between the Department and employees of TikTok relating to the minimum age limit for social media platforms in the time period May 3, 2025 to June 3, 2025.	<b>No documents in scope</b>
<u>FOI 25-409</u>	All documents provided to, or shared with, the offices of the communications minister Anika Wells, regarding the Online Safety Amendment (Social Media Minimum Age) Bill 2024, and the trial of age assurance technology. Please limit searches for this material to the period 1 May 2025 to 6 June 2025. Please include documents such as, but not limited to, briefing materials, information packs, back pocket briefs, summaries and emails.	<b>Released:</b> 26 August 2025
<u>FOI 25-413</u>	<p>List of emails on the department's email servers received from email addresses on the web domain <a href="mailto:@36months.com">@36months.com</a> or <a href="mailto:@finchcompany">@finchcompany</a> between 1/1/2024 and 1/1/2025, with the details of:</p> <ul style="list-style-type: none"> <li>- the sender's email address</li> <li>- the subject line</li> <li>- the date/time of the email.</li> </ul> <p>This does not include the contents of the email, just the metadata about the email.</p>	<b>Released:</b> 12 August 2025
<u>FOI 25-418</u>	<ol style="list-style-type: none"> <li>1. Any documents (including, but not limited to, email correspondence, handwritten or electronic notes, cloud-based or collaborative documents or files, briefing notes, diary notes, meeting notes, Signal messages and Whatsapp messages) from any meeting between Andrew Irwin and Google in October 2024;</li> <li>2. Any documents (including, but not limited to, email correspondence, handwritten or electronic notes, cloud-based or collaborative documents or files, briefing notes, diary notes, meeting notes, Signal messages and Whatsapp messages) from the meeting held between the Department, Minister Rowland's office and Google on 1 November 2024;</li> <li>3. Any documents (including, but not limited to, email correspondence, handwritten or electronic notes, cloud-based or collaborative documents or files, briefing notes,</li> </ol>	<b>Released:</b> 18 August 2025

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	diary notes, meeting notes, Signal messages and Whatsapp messages) from the meeting held between the Department and Google on 23 January 2025.	
<u>FOI 25-421</u>	<p>1. The evaluation report (and any drafts circulated for comment) produced under the "Age Assurance Technology Trial" commissioned by the Department in 2024-25, including all annexes, appendices and data tables that set out the measured accuracy of each age-assurance method tested (e.g., facial age estimation, voice analysis, behavioural analysis, document-based verification).</p> <p>2. Any interim or progress reports provided to the Department by the project consortium (including KJR, Age Check Certification Scheme and any subcontractors) that contain accuracy figures or performance metrics for the trial.</p> <p>3. Correspondence (including emails, briefing notes and ministerial submissions) dated 1 July 2024 – 30 June 2025 that summarise, tabulate or explain the trial's accuracy results (e.g., "85 % within <math>\pm 18</math> months" or similar statistics) about the social-media age-restriction legislation.</p>	<b>Practical refusal</b>
<u>FOI 25-429</u>	Copy of the original preliminary report provided to the Communications Minister in April on the age assurance technology trial.	<b>No documents in scope</b>
<u>FOI 26-003</u>	<p>Documents associated with the preliminary briefing by the Age Assurance Technology Trial given to the Minister/ Communications department between 1/4/25 and 19/06/25.</p> <p>This includes communications, meeting notes, documents given by the AATT (or the people running the trial, the ACCS) for the initial results of the trial specifically given to the government.</p>	<b>Released:</b> 5 September 2025
<u>FOI 26-007</u>	<p>1. Any communications, correspondence or other documents dated between 21 November 2024 and 7 July 2025, referencing any legal challenge to the operation of, or application of, any of the Social Media Minimum Age Legislation (in whole or in part).</p> <p>2. Any communications, correspondence or other documents passing between eSafety and the Department, dated between 1 September 2024 and 7 July 2025, regarding which services may or may not be included in the Social Media Minimum Age Legislation, including any legislative rules made under the OSA.</p>	<b>Released:</b> 22 September 2025

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	3. Any submissions, communications, correspondence or other documents passing between any Stakeholder and the Department, dated between 1 January 2025 and 7 July 2025, regarding which services may or may not be included, in the Social Media Minimum Age Legislation, including any legislative rules made under the OSA.	
<u>FOI 26-010</u>	<p>(1) Correspondence, meetings or phone call records between the TikTok or Anacta Strategies and the Department regarding [subject matter] since 13 May 2025.</p> <p>(2) Any of the following briefs related to any meetings or correspondence with TikTok or Anacta Strategies on the topic of [subject matter] since 13 May 2025:</p> <ul style="list-style-type: none"> <li>- Briefs/Submissions provided by the department to the Minister for Communications</li> <li>- Briefs/Submissions provided internally by the Department to its senior executive</li> </ul>	<b>Released:</b> 12 September 2025
<u>FOI 26-046</u>	Drafts of the Department of Communication's Online Safety (Age-Restricted Social Media Platforms) Rules 2025, and internal correspondence and documents about its drafting for the period 1/12/24-1/8/25.	<b>Released:</b> 22 September 2025
<u>FOI 26-047</u>	<p>Advice given to the Minister for Communications from the Department's targeted stakeholder consultation for the Online Safety (Age-Restricted Social Media Platforms) Rules 2025.</p> <p>(This is referenced in the Rules explanatory statement which says "Feedback received from 34 individual meetings, 6 roundtables and 38 written submissions informed advice to the Minister for Communications.")</p> <p>A list of 104 stakeholders who were consulted, including a list of the 34 individual meetings, attendees of the 6 roundtables, and authors of the 38 written submissions. Just to be clear: the only thing I want is the identities of which organisations or individuals who had the meetings/attended the roundtables/submitted submissions, and not their contents).</p>	<p><b>Statutory deadline:</b> 22 September 2025</p> <p>FOI team seeking 30-day extension</p>
<u>FOI 26-050</u>	<p>(a) documents relating to the selection of members for the Age Assurance Stakeholder Advisory Board, chaired by Professor Jon Rouse APM; and</p> <p>(b) documents relating to the representation, or lack thereof, of young people, LGBTIQ+ people, culturally and linguistically diverse people, disability and</p>	<b>No documents in scope</b>

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	<p>neurodivergence, and/or adult industry and sex workers on the Stakeholder Advisory Board; and</p> <p>(c) any correspondence with Collective Shout, or with representatives or employees of Collective Shout, or with Melinda Tankard-Reist about the participation of Ms Tankard-Reist on the Stakeholder Advisory Board or her suitability for such participation; and</p> <p>(d) any documents discussing Collective Shout or Melinda Tankard-Reist in connection with age assurance or the age assurance trial.</p> <p>This request covers documents dated between 1 July 2024 and 12 August 2025, inclusive.</p>	
<u>FOI 26-058</u>	<p>Documents that clarify the identity and role of the individual referred to as “Sarah V.” in internal government communications related to the Online Safety Amendment (Social Media Minimum Age) Bill 2024.</p> <p>1. The full name, title, and departmental affiliation of “Sarah V.” as referenced in redacted documents associated with the bill’s development, consultation, or internal briefing processes.</p> <p>2. Any correspondence, meeting minutes, or policy drafts authored or co-authored by “Sarah V.” that pertain to the bill or its implementation strategy.</p> <p>3. A list of contributors or advisors involved in shaping the bill, including any consultants or public servants whose names were abbreviated or redacted in public-facing documents.</p>	<b>Released:</b> 10 September 2025
<u>FOI 26-063</u>	The final findings/report of the Age Assurance Technology Trial	<b>Withdrawn following public release of AATT final report.</b>
<u>FOI 26-064</u>	Documents, including emails and meeting minutes, held by the Department of Communications that mention The Wiggles, Kate Chiodo, Nick Webb and Matthew Salgo in relation to the Social Media Minimum Age policy.	<b>Statutory deadline:</b> 8 October 2025
<u>FOI 26-066</u>	Document titled "DPSC Division – Standard Words" for the Social Media Minimum Age policy that was distributed in July 2025.	<b>Released:</b> 19 September 2025

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandenbroek / Anthea Fell

SB25-000397

**SUBJECT: Industry Codes and Standards****Key Deliverables**

- The Australian Government is improving online safety for all Australians by embedding safeguards, including age assurance, across a wider range of digital services so children can't access inappropriate and harmful content.
- Under the *Online Safety Act 2021*, industry has developed codes to protect young Australians from seeing certain content, including porn, suicide and self-harm content.

**Talking Points**

- The government is working to improve online safety for all Australians and industry is expected to take responsibility for the safety of its products and services.
- The *Online Safety Act 2021* (the Act) requires industry to agree on the codes with the eSafety Commissioner to keep Australians, particularly young people, safer online.
- The latest set of codes developed under the Act – termed Phase 2 codes – will help protect children from exposure to age-inappropriate content across a range of internet services.
- The risks young Australians face are real. Research from the eSafety Commissioner reveals that 1 in 3 young people who had seen online pornography first encountered it unintentionally before the age of 13.
- Any service that hosts or facilitates access to harmful content (like pornography, very violent or self-harm material) will need to ensure measures are in place to prevent children accessing that content.
- In many cases, the codes will enforce practices that some companies are already using, such as safe search functions that automatically blur sensitive content. And where appropriate, age assurance methods will be needed to prevent under 18s from viewing adult content.
  - Importantly, age assurance will not be required to use search engines like Google in a logged-out state.
- The codes also cover how industry will better protect children from harms that come about from AI technologies intended for adults, such as sexualised chatbots.
- The industry codes complement the social media minimum age framework by addressing harmful content on a broader range of services.

**Contact:** Anthea Fell**Cleared by:** Andrew Hyles, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 17/09/2025

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandebroek / Anthea Fell

SB25-000397

- Privacy protections have been built in to all aspects of Australia's online safety policy. There are provisions in the new codes that services must consider whether age assurance measures comply with Australia's privacy laws.

**Key Issues**

- The codes have been developed in 2 phases: the first focused on the most seriously harmful content (Phase 1), and the second focused on restricted or otherwise age-inappropriate content (Phase 2).
- The Phase 1 codes have been in place since December 2024.
- On 30 June 2025, the eSafety Commissioner registered 3 of the 9 'Phase 2' codes, including a code relating to search engine services, as well as codes covering enterprise hosting services and internet carriage services such as telcos.
- On 9 September 2025, the remaining 6 codes were registered (the Relevant Electronic Services Code, the Designated Internet Services Code, the Social Media Services (Core features) Code, and Social Media Services (Messaging features) Code, the Equipment Services Code and the App Distribution Services Code).
- This means that codes now regulate all parts of the online world: from getting online (using infrastructure and internet service providers), through to accessing material (through search engines, app stores, and websites) and the types of content these products and services host (including restricted content like pornography and generative AI material).
- The codes will uplift the overall safety standards of online services, including gatekeeper services such as search engines, to prevent children accessing harmful content across a range of services.
- Age assurance will be used in parts of these codes to limit children's access to age-inappropriate material online, such as online pornography, violent content and themes of suicide, self-harm and disordered eating.
- If industry does not comply with these codes (or standards mandated by eSafety), they can face financial penalties of up to \$49.5 million.

*What does this mean for using the internet?*

- A key feature of the Phase 2 industry codes is the requirement for certain industry sections to implement age assurance to limit children's access to age-inappropriate material.

**Contact:** Anthea Fell**Cleared by:** Andrew Hyles, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 17/09/2025

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandenbroek / Anthea Fell

SB25-000397

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- For example, the Search Engine Services code requires providers of search engines to implement age assurance measures for all account holders, where technically feasible and reasonably practicable.
  - If you enter a search relating to suicide or self-harm, any material promoting this will be downranked, and health information and support services will be promoted.
  - Age assurance only applies to logged-in account holders; logged out account holders, or end-users without an account will not be age assured.
  - Search engines will continue to offer functionality to everyone, even in a logged-out state.
  - In addition, search engines are also required to apply tools and/or settings by default to reduce the risk of Australian children accessing online pornography and high impact violence material in searches where the platform does not provide appropriate age assurance.

*Link to social media minimum age legislation*

- The industry codes and any standards produced under the Act will operate alongside the social media minimum age framework.
  - The social media minimum age legislation focuses on harms which are unique or primarily arise on social media platforms, including algorithmic harms, cyberbullying and mental health impacts.
  - The Phase 2 codes are designed to address a range of harm across all parts of the online industry.
  - The results of the age assurance trial will help inform what reasonable and appropriate steps can be taken by industry to meet age assurance requirements in the Codes.

*Privacy*

- Under the codes, services need to comply with Australia's privacy laws when implementing measures such as age assurance.
- The Head Terms of the codes specify that services must consider whether age assurance measures have been designed to comply with privacy laws and whether the impact on user privacy of any such measures is proportionate.
- The government's independent Age Assurance Technology Trial also found age-assurance technology can be both effective and safeguard privacy.
- The Office of the Australian Information Commissioner is the Australian privacy regulator. It can take action whenever it considers a party is in breach of Australian privacy law.

**Contact:** Anthea Fell**Cleared by:** Andrew Hyles, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 17/09/2025

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandenbroek / Anthea Fell

SB25-000397

*Process for developing the codes*

- The process for developing the codes is set out in the *Online Safety Act 2021*.
- The codes development process was subject to Parliamentary scrutiny in 2021 through the House of Representatives and Senate's consideration of the Act. There have been no changes to the code development process since 2021.
- The eSafety Commissioner's registration of the Phase 2 industry code followed a consultation process from 22 October – 22 November 2024.
- The Act required industry to both conduct public consultation on draft codes (for at least 30 days) and give consideration to public submissions received during that period.
- The industry associations responsible for the codes conducted a robust public consultation process that reflected the requirements outlined in eSafety's guidance to industry.
- This included proactively emailing over 200 stakeholders with draft codes, encouraging them to lodge a submission, as well as promoting both consultation periods to the general public via the media.
- There was also a virtual roundtable with expert stakeholders on key issues relating to the draft codes.
- 25 submissions from organisations and members of the public were received in the second round of consultation. Submissions where the submitter has granted permission to publish are publicly available online.

*Co-regulatory approach*

- The codes are drafted by industry – not by government – and are registered by the eSafety Commissioner only when she considers they provide appropriate community safeguards.
- If the Commissioner was not satisfied with a draft code, she could instead impose an enforceable industry standard.
- Unlike codes, the Commissioner's standards are legislative instruments and subject to ordinary parliamentary disallowance processes.
- Co-regulation, where government works with industry to develop regulation, is an established part of the Australian regulatory system.
  - It enables industry associations to leverage their expertise, experience and technical knowledge to develop robust regulatory frameworks.
  - A co-regulatory process means that the rules that result reflect what industry can and will do.

**Contact:** Anthea Fell**Cleared by:** Andrew Hyles, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 17/09/2025

Page 4 of 9

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandenbroek / Anthea Fell

SB25-000397

- Any codes or standards registered will bind industry participants regardless of their participation in the development process.

**Background**

- Under the Act, illegal and restricted online content is called Class 1 and Class 2 material, and is defined by reference to the National Classification Scheme (see table below).
- The codes and standards outline the steps that industry must take to prevent access or exposure to, or distribution of, Class 1 and Class 2 material.
- The industry codes framework covers 8 sections of the online industry: social media services, relevant electronic services (RES), designated internet services (DIS), search engine services, hosting services, app distribution services, equipment services, and internet carriage services.

**Table - Regulation of classified content under the *Online Safety Act***

Class 1A	Material that is seriously harmful, such as child sexual abuse material, pro-terror material, and extreme crime and violence.
Class 1B	Material that is also harmful but is more context dependent, and includes crime and violence and drug-related material.
Class 1C	Specific categories of fetish pornography.
Class 2A	Online Pornography (not simulated).
Class 2B	Online pornography – material which includes realistically simulated sexual activity between adults. Material which includes high-impact nudity. Other high-impact material which includes high impact sex, nudity, violence, drug use, language and themes (includes social issues like crime, suicide, drug and alcohol dependency, death, serious illness, family breakdown and racism). Also includes simulated gambling in computer games.

**Phase 1 Codes**

- The first phase of codes and standards are now in operation and cover the most seriously harmful online content, such as child sexual exploitation material, pro-terror material and extreme crime and violence material (Class 1A and Class 1B material).
- The eSafety Commissioner registered 6 ‘Phase 1’ industry codes, and made 2 ‘Phase 1’ industry standards (relating to DIS and RES).
- Industry codes for social media services, app distribution services, hosting services, internet carriage services and equipment services commenced on 16 December 2023.
- The industry code for search engine services commenced on 12 March 2024.

**Contact:** Anthea Fell**Cleared by:** Andrew Hyles, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 17/09/2025

OFFICIAL

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandenbroek / Anthea Fell

SB25-000397

- Industry standards for DIS and RES commenced on 22 December 2024.
- eSafety has taken enforcement action under these codes and standards, including issuing a formal warning to 'chat roulette' provider OmeTV for its alleged failure to meet child safety requirements.
- The Phase 1 Codes will be subject to an industry-led review after they have been in operation for 2 years.
  - The social media services, app distribution services, hosting services, internet carriage services and equipment services will have been in operation for 2 years by December 2025.
  - The search engine services code will have been in operation for 2 years by March 2026.

Phase 2 Codes

- The second phase of codes focuses primarily on limiting children's access to age-inappropriate content, such as online pornography (Class 1C and Class 2 material).
  - Other harmful material covered by the phase 2 codes include violent content and themes of suicide, self-harm and disordered eating.
- On 1 July 2024, the Commissioner issued notices to industry associations requesting that they develop the second phase of codes.
- The Phase 2 Search Engine Services Code, Hosting Services Code and Internet Carriage Services Code commence on 27 December 2025. The age assurance requirements for the Search Engine Services Code commence on 27 June 2026.
- The 6 remaining Phase 2 industry codes were registered on 9 September 2025 and will commence in March 2026. The age assurance requirements for the App Distribution Code will commence in September 2026.
- The Phase 2 codes will be subject to an industry-led review after they have been in operation for 2 years.

2025 Senate Inquiry

- On 27 August 2025, the Senate referred the following matters to the Environment and Communications References Committee for inquiry and report by 31 October 2025:
  - The implementation of regulations aimed at protecting children and young people online, with particular reference to the Internet Search Engine Services Online Safety Code and the under 16 social media ban, including:
    - a) privacy and data protection implications of age verification;
    - b) the expansion of corporate data collection and user profiling capabilities enabled by code compliance requirements;

**Contact:** Anthea Fell**Cleared by:** Andrew Hyles, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 17/09/2025

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandenbroek / Anthea Fell

SB25-000397

- c) the technical implementation and efficacy of age verification and content filtering mechanisms;
  - d) alternative technical approaches to online safety for all users, including young people;
  - e) appropriate oversight mechanisms for online safety codes;
  - f) global experience and best practice; and
  - g) any other related matters.
- Submissions were due by 22 September 2025. The Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts provided a submission.

**Supporting Information***Relevant Media Reporting*

- “Big tech not stopping online sharing of child abuse images, eSafety commissioner says, amid new online codes”, The Guardian, 9 September 2025.  
<https://www.theguardian.com/australia-news/2025/sep/08/big-tech-not-stopping-online-sharing-of-child-abuse-images-esafety-commissioner-says-amid-new-online-codes>
- “eSafety Commissioner Julie Inman Grant to target AI chatbots in world-first online safety reform”, ABC News, 8 September 2025  
<https://www.abc.net.au/news/2025-09-08/chatbots-banned-from-talking-sex-or-suicide-with-australian-kids/105750012>
- “Age verification is coming to search engines in Australia – with huge implications for privacy and inclusion”, The Guardian, 23 July 2025.  
<https://www.theguardian.com/commentisfree/2025/jul/23/new-rules-will-radically-change-the-way-we-use-the-internet-in-australia-and-not-just-social-media>

**Attachments**

- A: Entry into force of the Phase 1 and Phase 2 codes and standards.

**Contact:** Anthea Fell**Cleared by:** Andrew Hyles, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 17/09/2025

Page 7 of 9

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandenbroek / Anthea Fell

SB25-000397

## Attachment A

## Entry into force of the Phase 1 and Phase 2 codes and standards

Code	Relevant Dates	Notes
<b>Phase 1 Codes and Standards</b>		
Social Media Services Code	16 December 2023 – came into effect	<i>Prevent access and exposure to the highest-harm online material, such as child sexual abuse material and pro-terror content.</i>
Internet Carriage Services Code		
App Distribution Services Code		
Hosting Services Code		
Equipment Services Code		
Search Engine Services Code	12 March 2024 – came into effect	
Designated Internet Services (DIS) Standard	22 December 2024 – came into effect	<i>Drafted by the eSafety Commissioner after judging that the draft codes for these services were not acceptable.</i>
Relevant Electronic Services Standard	22 December 2024 – came into effect	<i>The DIS Standard also covers ‘nudify apps’ that use generative AI to create pornography or ‘nudify’ images without effective controls to prevent the generation of material such as child exploitation and abuse content.</i>
<b>Phase 2 Codes</b>		
Search Engine Services Code	27 December 2025 – all provisions (except age assurance provisions) come into effect	<i>Protect children from exposure to pornography, violent content, and themes of suicide, self-harm and disordered eating.</i>
	27 June 2026 – age assurance provisions come into effect	
Enterprise Hosting Services Code	27 December 2025 – comes into effect	
Internet Carriage Services Code	27 December 2025 – comes into effect	
Relevant Electronic Services Code	9 March 2026 – comes into effect	<i>The 6 remaining Phase 2 industry codes were registered on 9 September 2025.</i>
DIS Code		
Social Media Services (Core features) Code, and Social		

Contact: Anthea Fell

Cleared by: Andrew Hyles, A/g First Assistant Secretary

Phone: s22(1)(a)(ii)

Version Number: 01

Date: 17/09/2025

Page 8 of 9

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandenbroek / Anthea Fell

SB25-000397

Code	Relevant Dates	Notes
Media Services (Messaging features) Code	9 September 2026 – age assurance provisions come into effect for the APP distribution code	
Equipment Services Code		
App Distribution Services Code (APP)		

**Contact:** Anthea Fell**Cleared by:** Andrew Hyles, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 17/09/2025

Page 9 of 9

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandenbroek / Mitchell Cole

SB25-000304

**SUBJECT: Classification Reform****Key Deliverables**

- On 25 February 2025, the Australian Government announced that it is working with the states and territories to update classification guidelines for publications, films and computer games to address areas of community concern, including around gender-based violence, mental health themes and sexually explicit content.
- The Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts engaged a supplier (the Social Research Centre and Mettlesome), who have undertaken targeted stakeholder and community consultation and drafted recommended updates to the classification guidelines. These recommendations will be tested through a national survey in September, prior to public consultation in early 2026.
- Final agreement will occur through the Standing Council of Attorneys-General (SCAG) in mid-2026.

**Talking Points**

- On 29 March 2023, the government announced a two-stage process to reform the National Classification Scheme (the Scheme).
- Legislation to enact the first stage of classification reforms commenced on 14 March 2024 and included:
  - expanding options for industry to self-classify content, with oversight from the Classification Board;
  - removing the need for content that has been classified by broadcasters to be re-classified under the *Classification (Publications, Films and Computer Games) Act 1995* (Classification Act) for online and other platforms; and
  - expanding classification exemptions for low-risk cultural content to promote community access.
- Stage 1 reforms also included the introduction of mandatory minimum classifications of R 18+ for computer games containing simulated gambling, and M for games containing in-game purchases linked to elements of chance. These changes commenced on 22 September 2024 following agreement by all state and territory governments.
- Stage 2 reforms aim to ensure that the Scheme is fit for purpose in a modern media environment and the current classification criteria is responsive to evolving community standards, expectations and evidence.

**Contact:** Mitchell Cole**Cleared by:** Andrew Hyles, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 17/09/2025

Page 1 of 5

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandenbroek / Mitchell Cole

SB25-000304

- The department has engaged the Social Research Centre and Mettlesome to undertake a functional update of the *Guidelines for the Classification of Publications 2005*, *Guidelines for the Classification of Films 2012*, and *Guidelines for the Classification of Computer Games 2023* (the classification guidelines), to ensure classification decisions remain consistent with community standards and expectations.
  - This update will be informed by recommendations from prior reviews, current areas of community concern and best available evidence of harms.
- The department is also working with states and territories to examine the roles and responsibilities under the *Intergovernmental Agreement on Censorship 1995*, particularly as they relate to the regulatory arrangements for online content.

**Key Issues**

- The Scheme provides a framework for the classification of films, computer games and certain publications so that adults can make informed choices about what they and those in their care read, hear, see and play.
- The Scheme was established in 1995 under cooperative arrangements between the Commonwealth and the states and territories.
- Research from the department shows that classification is wanted and valued by Australians to make informed choices on media content that they and those in their care consume.
- Several reviews, including the Australian Law Reform Commission's 2012 review (*Classification: Content regulation and convergent media*) (ALRC review) and the 2020 *Review of Australian classification regulation* (Stevens Review) - released by the government on 29 March 2023, called for reform to the Scheme because it:
  - is no longer fit-for-purpose;
  - does not adequately regulate content delivered online; and
  - has not kept pace with evolving community standards.
- The shortcomings of the scheme created an unequal regulatory burden and variable compliance across content types and platforms, threatening the utility of the Scheme as a trusted source of information.
- The government's reforms aim to deliver a contemporary classification framework that reflects the modern media environment.
- Due to the cooperative nature of the Scheme, reform measures require unanimous agreement from all state and territory ministers with responsibility for classification (Attorneys-General).

**Contact:** Mitchell Cole**Cleared by:** Andrew Hyles, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 17/09/2025

Page 2 of 5

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandebroek / Mitchell Cole

SB25-000304

*Stage 2 reforms consultation*

- The department held targeted discussions with key government stakeholders, including the Classification Board, and with interested industry and community stakeholders.
- An 8-week public consultation process was undertaken between April and May 2024 through which 140 submissions were received.
- Feedback on the following key areas for reform were sought through the process:
  - clarifying the scope and purpose of the Scheme, including the types of content that should be subject to classification
  - ensuring the classification guidelines continue to be aligned with, and responsive to, evolving community standards, expectations and evidence, and
  - establishing fit-for-purpose governance and regulatory arrangements for the Scheme, under a single national regulator responsible for media classification.
- The proposed reforms received broad support from industry, community and relevant government stakeholders during the public consultation process.
- Submissions highlighted that updates to the classification guidelines were required to address a number of key areas of community concern including the treatment of mental health and suicide depictions, content permitted at the X 18+ classification and children's access to sexually explicit material in publications.
- A Commonwealth/state officials working group was established by the Standing Council of Attorneys-General (SCAG) in September 2023 to facilitate communication and information sharing across jurisdictions in relation to proposed reforms, particularly where they may impact on existing cooperative arrangements.

Further information*The Stevens Review*

- The government does not intend to formally respond to the Stevens Review.
- The Review's findings and recommendations are instead contributing to the evidence base informing ongoing classification reforms.

*Classification of publications*

- Under cooperative arrangements, states and territories are responsible for the enforcement of classification for physical media, including publications.
- The role of classification in relation to publications is being considered as part of the second stage of reforms.

**Contact:** Mitchell Cole**Cleared by:** Andrew Hyles, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 17/09/2025

Page 3 of 5

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandebroek / Mitchell Cole

SB25-000304

*Industry self-classification*

- Legislation to enact the first stage of classification reforms commenced in March 2024 enabling, among other measures, the expansion of options for industry to self-classify content.

**Background**

- The current Scheme was established in 1995 through the Classification Act and the *Intergovernmental Agreement on Censorship 1995*.
- The Scheme is a cooperative scheme between the government, states and territories. The government is responsible for classification of content and the states and territories are responsible for enforcement.
- A publication, film or computer game may be classified either by the Classification Board, through use of a government approved classification tool, or by using classifiers that have been trained and accredited by government.
- 4 classification tools have been approved by the Minister for Communications since 2014.
- Under cooperative arrangements, states and territories must unanimously agree to the Scheme.
- The need for unanimity among jurisdictions has acted as a barrier to timely updates of the Scheme to adapt to emerging community concerns.

**Contact:** Mitchell Cole**Cleared by:** Andrew Hyles, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 17/09/2025

Page 4 of 5

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sarah Vandebroek / Mitchell Cole

SB25-000304

## Supporting Information

*Relevant Media Reporting*

- “Films and video games have age classifications. Should books?”, Michelle Wakim, ABC News, 17 August 2025  
<https://www.abc.net.au/news/2025-08-17/should-books-have-age-classifications-like-films-and-video-games/105651008>
- “Steam Mass Ban Has Completely Changed Everything”, Angharad Redden, Gaming Bible, 15/8/25  
<https://www.gamingbible.com/news/platform/steam/steam-mass-ban-738703-20250815>
- “Here’s Why Steam Is Banning Adult Games”, Stephen Johnson, Lifehacker Australia, 31/7/25  
<https://au.lifehacker.com/gaming/115102/news/heres-why-steam-is-banning-adult-games>
- “Mastercard and Visa face backlash after hundreds of adult games removed from online stores Steam and Itch.io”, Josh Taylor, The Guardian, 29/7/25  
<https://www.theguardian.com/world/2025/jul/29/mastercard-visa-backlash-adult-games-removed-online-stores-steam-itchio-ntwnfb>

Contact: Mitchell Cole

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Phone: s22(1)(a)(ii)

Version Number: 01

Date: 17/09/2025

Page 5 of 5

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000308

**SUBJECT: Final NBN Upgrades (New Funding Commitment)****Key Deliverables**

- The Australian Government is providing up to \$3 billion in equity funding to NBN Co to upgrade the remaining 622,000 Fibre to the Node (FTTN) premises by the end of 2030. Once complete, this will enable over 94% of all NBN fixed line premises to access close to gigabit speeds.

**Talking Points**

- On 13 January 2025, the government announced funding to upgrade the remaining FTTN premises in the NBN's fixed line network by 2030. NBN Co is contributing \$800 million to deliver these upgrades.
- The government's contribution is an equity investment for Budget accounting purposes and there is no impact on the underlying cash balance. There will be an increase in the level of Commonwealth debt and public interest debt costs.
- The equity appropriation profile as at the 2025-26 Budget is set out in Budget Paper 1 (Statement 3: Table 3.4). The Department of Finance can provide information on the budget accounting treatment of the equity investment.
- On 7 March 2025, the government and NBN Co finalised a revised Equity Funding Agreement, and quarterly payments for the final upgrades commenced in April 2025. The Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts administers the equity payments in consultation with the Department of Finance as joint shareholder departments.
- These final premises are the most complex to upgrade so partial funding for this measure has been retained in the Contingency Reserve pending finalisation of NBN Co's detailed design work.
- Since finalisation of the Equity Funding Agreement, NBN Co has started the detailed design work for each premises. This will determine how each premises are to be upgraded, the overall project cost and therefore how much of the \$3 billion in equity is required.
- There will be no impact on NBN Co's wholesale prices, which are subject to Consumer Price Index (CPI) linked price controls under an arrangement known as the Special Access Undertaking (SAU).

**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 03/09/2025

Page 1 of 5

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000308

**Key Issues**Upgrade Progress

- This measure builds on the commitment from the October 2022 Budget of \$2.4 billion in equity to upgrade 1.5 million premises to full fibre access.
- NBN Co has commenced these final upgrades this calendar year by incorporating essential planning and design work into the existing schedule of upgrades.
- Work has commenced on upgrades for more than 228,000 premises nationwide, with construction for around 54,000 of these premises underway.

Funding details

- \$1.4 billion of the committed funding for the final upgrades has already been appropriated to the department through Appropriation Bill No. 4 of 2025. The remaining \$1.6 billion is in the Contingency Reserve.
- Funding from the Contingency Reserve will be appropriated to the department once the final upgrade cost has been settled. This is planned to occur in the context of the 2026-27 Budget, with any final cost adjustments to be made in the 2027-28 Budget context.
- Provision of the funding held in the Contingency Reserve will be dependent on NBN Co balancing cost efficiencies, for example through using alternative technologies, and maximising the use of fibre-based technology.
- NBN Co has received around \$2.3 billion in equity for both upgrade commitments.

Design of complex premises

- Within this final upgrade footprint, there is a portion of premises which will be very complex and expensive to upgrade to full fibre, due to reasons such as heritage listings, longer build distances and third-party infrastructure like aerial utilities.
- These premises require detailed design work to understand the best way to connect them. Some of them will still receive full fibre (making them Fibre-to-the-Premise, or FTTP). However, the more cost prohibitive premises could receive an alternate technology, such as fixed wireless or, if applicable, connection via Low Earth Orbit Satellite (LEOSat).
- This detailed design work to determine project costs will largely be completed during 2025, with final adjustments throughout 2026.
- More detailed information on how NBN Co will determine which technology to deploy to these more complex premises should be directed to NBN Co.

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**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary
**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 03/09/2025

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000308

Pricing impacts

- NBN Co's wholesale prices are subject to CPI linked price controls under an arrangement with the ACCC known as the Special Access Undertaking (SAU).
- The CPI linked price controls are forecast to apply until the early 2030s, and this will not be affected by the announced upgrades.
- From around the early 2030s, the maximum wholesale prices NBN Co can charge under the SAU will be linked to a revenue allowance that is calculated by reference to expenditure, which the ACCC has assessed to be prudent and efficient.

Impact on NBN Co financial position

- The investment will assist NBN Co to reduce its operating costs over time, by replacing the aging copper network with more resilient fibre. The copper network is increasingly degrading and becoming expensive to maintain.
- NBN Co will continue to access global and domestic debt markets to fund Corporate Plan commitments, including these upgrades.
- Detailed questions on NBN Co's financial position should be directed to NBN Co.

**Background**Timeline

25 October 2022	Previously, government committed \$2.4 billion in equity funding over 4 years for NBN Co to upgrade 1.5 million premises from FTTN to FTTP.
13 January 2025	Government announced a new commitment of up to an additional \$3 billion in equity funding over 6 years for NBN Co to upgrade the final FTTN premises.
13 January 2025	NBN Co announced a commitment to fund \$800 million of the upgrade costs as well as continuing to meet the costs for connections to premises.
14 February 2025	Appropriation Bill 4 passed. Initial \$1.4 billion equity funding included in the department's forward estimates.
7 March 2025	Revised Equity Funding Agreement executed.
December 2025	1.5 million upgrades to be completed from 2022 commitment.
December 2030	Upgrades complete from 2025 commitment. Over 94% of all fixed line premises will be able to access close to gigabit speeds.

**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 03/09/2025

Page 3 of 5

OFFICIAL



OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000308

Nature of the upgrades

- The final upgrades are undertaken in the same way as previous upgrades, where NBN Co builds a street level fibre network connecting the existing fibre infrastructure (from the node). This enables a fibre lead in to the premises to be constructed, finalising the connection to FTTP, when the household orders a high-speed connection (100 Mbps or higher plan). NBN Co will fund the lead in costs on top of their \$800 million contribution.

Locations for upgrades

- NBN Co will continue with planning work for the upgrades across all states and territories and will complete the remaining premises by 2030. Specific locations within the final upgrade footprint are being progressively announced by NBN Co.
- NBN Co advise that around 97,000 premises in the final upgrades will be in the ACT.
- The ACT is amongst the most complex and expensive to upgrade due to challenges like replacing the existing overhead telecommunications infrastructure with in-ground fibre in hard-to-dig rock.
- NBN Co's upgrades in the ACT, as across the country, will modernise and replace its existing aging copper infrastructure to improve service quality and choice. While there will be areas of overlap between networks, it is not an overbuild given the majority of premises remain reliant on aging copper infrastructure.
- Specific questions about the planning work, including the ACT portion of the build, should be directed to NBN Co.

If raised: Fibre to the Basement footprint

- The Fibre to the Basement (FTTB) component of the fixed line network are generally apartment buildings in cities and towns with in-building copper connections which are more protected from environmental factors.
- As a result, the urgency associated with the FTTN copper replacement is not a factor in deciding when to upgrade these premises to full fibre.
- NBN Co plans to progressively upgrade these premises on a commercial basis, FTTB premises are not included in the equity-funded upgrade footprints.

Impact of the upgrades on NBN Co's valuation

- The fair value estimate of the investment in NBN Co published in the department's financial statements uses a discounted cash flow method. This is a forward-looking assessment of future cash flows, discounted to a net present value based on the discount rate of a hypothetical market owner.

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**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary
**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 03/09/2025

Page 4 of 5

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000308

- There is no direct relationship between additional equity being provided, or additional capital expenditure being undertaken, and the valuation determined by the department.

**Financial Information – Appropriated funding for upgrades (excluding \$1.6 billion held in Contingency Reserve)**

	22-23 \$m	23-24 \$m	24-25 \$m	25-26 \$m	26-27 \$m	27-28 \$m	TOTAL \$m
622k Upgrades	-	-	246.1	953.2	186.0	0	<b>1,385.3</b>
1.5m Upgrades	304.7	771.3	1,227.2	96.8	-	-	<b>2,400.0</b>
<b>Total appropriated \$m</b>	<b>304.7</b>	<b>771.3</b>	<b>1,473.3</b>	<b>1,050.0</b>	<b>186.0</b>	<b>0</b>	<b>3,785.3</b>

**Equity paid to NBN Co for Upgrades in each financial year (\$m)**

	22-23 \$m	23-24 \$m	24-25 \$m	Total \$m
622k Upgrades	-	-	124.7	<b>124.7</b>
1.5m Upgrades	304.7	771.3	1,061.2	<b>2,137.2</b>
<b>Total equity paid \$m</b>	<b>304.7</b>	<b>771.3</b>	<b>1,185.9</b>	<b>2,261.9</b>

**Supporting Information***Relevant Media Reporting*

“Telco war erupts: Vodafone accuses NBN Co of wasting billions on ‘overbuilding’ its network”, Jared Lynch, The Australian, 28 July 2025 (see **Attachment A**)

**Attachments:**

- A: Media Report – The Australian, 28 July 2025

**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary

**Phone:** s22(1)(a)(ii)

**Version Number:** 02

**Date:** 03/09/2025

Page 5 of 5

OFFICIAL

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000310

**SUBJECT: NBN Pricing and SAU****Key Deliverables**

- NBN Co's Special Access Undertaking (SAU) with the Australian Competition and Consumer Commission (ACCC) regulates the company's wholesale prices, service standards and expenditure.
- In October 2023, the ACCC accepted a revised SAU variation proposal submitted by NBN Co having regard to the long-term interests of end users.

**Talking Points**

- The SAU regulates NBN Co's wholesale prices, it does not regulate retail prices. Individual retailers make their own decision as to the prices they set for their products in a competitive market. Consumers are encouraged to choose a retailer best suited to their needs.
- When implemented in 2023-24, the varied SAU's average impact on retailers' wholesale costs was flat. Subsequently, the varied SAU has limited annual price increases on NBN Co's overall suite of wholesale products to inflation.
- On 14 September 2025 NBN Co implemented an initiative known as 'Accelerate Great' to uplift the speeds of high-speed plans with no associated increase in wholesale prices. Retailers have discretion as to whether they change their retail prices in response.

**Key Issues**

27 July 2022	Media release from the former Minister for Communications, the Hon Michelle Rowland MP, supporting NBN Co withdrawing the SAU variation proposal it submitted in March 2022 and submitting a revised proposal capable of ACCC acceptance.
14 August 2023	NBN Co lodged a proposal to vary its SAU. NBN Co had submitted prior variation proposals on 29 March 2022 and 29 November 2022.
17 October 2023	ACCC accepted NBN Co's proposed variation to its SAU having regard to the long-term interests of end users.
1 December 2023	Varied wholesale pricing and service standards implemented through NBN Co's Wholesale Broadband Agreement (WBA5). The average impact on wholesale costs for retailers was flat.

**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 03/09/25

Page 1 of 5

OFFICIAL

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000310

1 July 2024	NBN Co increased wholesale charges for 2024-25 on its overall suite of core services by around 4.1%, consistent with Consumer Price Index (CPI) linked price controls.
1 July 2025	NBN Co increased wholesale charges for 2025-26 on its overall suite of core services in line with CPI linked price controls (around 2.4%).
2 July 2025	NBN Co submitted its Replacement Module Application (RMA) to the ACCC. The RMA sets out NBN Co's proposed expenditure, baseline service standards and entry level pricing offer for the next SAU regulatory period commencing on 1 July 2026.
22 August 2025	ACCC released its consultation paper on NBN Co's RMA. This paper noted that the Hon Anika Wells MP, Minister for Communications and Minister for Sport, was considering issuing a Government Policy Project Notice in relation to NBN Co's upgrade of remaining premises on its fibre-to-the-node network to give them access to mostly fibre-to-the premises (FTTP) technology.
14 September 2025	NBN Co implemented its 'Accelerate Great' initiative increasing the speeds of its 100/20 megabits per second (Mbps) service to 500/50 Mbps, 250/25 Mbps service to 750/50 Mbps, and 1000/50 Mbps service to 1000/100 Mbps.  NBN Co is providing these speed uplifts at no increase in its wholesale prices to retailers. These services are available on NBN Co's FTTP and hybrid fibre coaxial (HFC) networks. The company is also offering new 2 Gbps services available on its FTTP and HFC networks.
31 March 2026	Expected due date for ACCC draft determination on the RMA.
2 June 2026	Expected due date for ACCC final determination on the RMA unless extended.
1 July 2026	Next SAU regulatory period commences.
30 November 2026	Expected WBA5 expiry.
30 June 2040	SAU expires.

Contact: Shanyn Sparreboom Cleared by: Shanyn Sparreboom, A/g First Assistant Secretary

Phone: s22(1)(a)(ii)

Version Number: 01

Date: 03/09/25

Page 2 of 5

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000310

SAU impact on prices

- The below table shows the average combined wholesale charge to retailers for each of the 6 main NBN products designed for residential consumers in the periods prior to the varied SAU being implemented, under the varied SAU arrangements implemented in 2023-24, and following subsequent annual price changes.
- Wholesale price changes were implemented on 1 July 2025, in line with price controls in the varied SAU which limit annual increases on NBN Co's overall suite of core services to the preceding December quarter's CPI figure (2.4% in the December 2024 quarter).
- The price controls allow some flexibility on individual services. The average combined wholesale charge increases for the 12/1 Mbps, 50/20 Mbps and 250/25 Mbps services were more than CPI, but 25/5 Mbps, 100/20 and 1000/50 were less than the December 2024 quarterly CPI figure.

Service	Pre-SAU Variation (October 2023)	Accepted SAU (2023-24)		Accepted SAU (2024-25)		Accepted SAU (2025-26)	
		Charge	Change to pre SAU variation	Charge	Change to pre SAU variation	Charge	Change to pre SAU variation
12/1	\$32.40	\$30.76	-5.10%	\$32.57	0.52%	\$33.47	3.30%
25/5	\$39.70	\$32.36	-18.50%	\$33.96	-14.46%	\$34.64	-12.75%
50/20	\$50.10	\$51.16	2.20%	\$53.59	6.97%	\$55.19	10.16%
100/20 or 500/50 uplifted from 14 September 2025	\$55.90	\$55.00	-1.60%	\$57.22	2.40%	\$58.53	4.70%
250/25 or 750/50 uplifted	\$64.10	\$60.00	-6.40%	\$62.22	-2.90%	\$63.93	-0.27%
1000/50 or 1000/100 uplifted	\$83.10	\$70.00	-15.80%	\$72.22	-13.10%	\$73.93	-11.03%

December 2023 Quarter CPI – 4.1% (reference point for 2024-25 price increases)

December 2024 Quarter CPI – 2.4% (reference point for 2025-26 price increases)

- Prior to the SAU variation, the pricing of these products included both fixed charge and variable connectivity virtual circuit (CVC) charge components. CVC effectively acts as a capacity charge and is paid by retailers on a per Mbps basis.
- Under the varied SAU, variable charges no longer apply to 100 Mbps and above services. Variable CVC charges for the 50/20 Mbps, 25/5 Mbps and 12/1 Mbps services have been progressively reduced and will be phased out by 1 July 2026.
- The calculations undertaken by NBN Co of its average combined wholesale charges shown in the above table incorporate both fixed and variable CVC charges.

**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 03/09/25

Page 3 of 5

OFFICIAL

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000310

- NBN Co prepared analysis showing that the average combined wholesale charge to retailers for each of these services in 2023-24 would have been higher under the SAU variation proposal it lodged in March 2022 as compared to the accepted arrangements.
- The SAU variation proposal lodged in March 2022 would then have allowed for CPI linked annual price increases, or CPI plus 3% on some products.

Retail price changes

- Following the ACCC's decision to accept the varied SAU in October 2023, several retailers announced price changes.
- On 2 November 2023, the ACCC published a media release noting it will be monitoring retailers to ensure they are upfront with consumers about retail price changes and accurate in how they present the suitability of their plans for different household types.
- A number of retailers again adjusted their prices in July 2024, describing a range of factors affecting their pricing decisions. The quantum of some of these price changes did not necessarily align with the increases in NBN Co's average combined wholesale charges introduced on 1 July 2024. A similar trend was also observed in July 2025.
- On 18 December 2024, the ACCC published its 2023-24 Communications Market Report setting out 2023-24 NBN retail pricing trends. The report estimates that the average advertised prices for the 12 Mbps, 25 Mbps, 100 Mbps and 250 Mbps services decreased in 2023-24, while the prices for 50 Mbps services were broadly steady.

Replacement Module Application process

- The RMA sets out NBN Co's expenditure, benchmark service standard and entry level offer proposals for the next SAU regulatory cycle (commencing on 1 July 2026).
- NBN Co submitted its RMA on 2 July 2025 following consultation with industry, consumer groups and a targeted consumer panel. The ACCC is assessing the RMA and is expected to make a draft Replacement Module Determination (RMD) by 31 March 2026, and publish a final RMD by 2 June 2026, unless extended.

- s45, s47(1)(b), s47D

**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary

**Phone:** s22(1)(a)(ii)

**Version Number:** 01

**Date:** 03/09/25

Page 4 of 5

OFFICIAL

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000310

**Supporting Information***Questions on Notice (QoNs)* (See **Attachment B**)

- SQ24-000018: Details of rejected special access undertaking for NBN Co
- SQ24-000020: NBN plan pricing
- SQ24-000131: NBN – Wholesale prices on residential NBN plans in March 2022

*Relevant Media Reporting* (See **Attachment A**)

- “What Is NBN Accelerate Great?”, FibreMax, 5 August 2025 – <https://fibremax.au/insights/nbn-accelerate-great-explained/>
- “NBN Speed Upgrade 2025”, Pallav Verma, Econnex, 14 July 2025 – <https://www.econnex.com.au/internet/blogs/nbn-speed-upgrade-2025>

**Attachments**

- A: Summary of relevant Media Releases
- B: Questions on Notice (QoNs)

**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 03/09/25

Page 5 of 5

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## SB25-000310: NBN Pricing and SAU

Media releases

Title	Source	Key points
<b>nbn wholesale price changes from 1 July (1 May 2025)</b>	<a href="#">NBN Co</a>	<ul style="list-style-type: none"> <li>Wholesale prices will be adjusted, on average, by just under the annual percentage change in the Consumer Price Index, measured over the 12 months to 31 December 2024.</li> <li>On NBN Co's most popular residential speed tiers across the fixed line network, average wholesale prices are forecast to increase by between \$0 and \$1.71 per month.</li> <li>For services targeted at business customers, NBN Co will introduce discounts on selected plans to encourage small and medium businesses to adopt plans that may better suit their needs compared to a standard residential service. With these discounts, effective prices will remain stable from 1 July 2025 and come down from 1 September 2025.</li> </ul>
<b>6 Million Families To Pay Albanese's Double Whammy NBN Price Hikes (2 July 2024)</b>	<a href="#">Shadow Minister for Communications</a>	<ul style="list-style-type: none"> <li>NBN Co announced two price hikes in eight months.</li> <li>About 6 million Australian families would be affected.</li> <li>From November 2023 to July 2024, families on 25 and 50 Mbps plans will see an average increase of about 11% on Telstra plans, and up to 14% on Aussie Broadband. Optus customers on these plans will see an increase of up to 11% between August 2023 and July 2024.</li> </ul>

## Attachment B: Questions on Notice (QoNs)

- SQ24-000018: Details of rejected special access undertaking for NBN Co
- SQ24-000020: NBN plan pricing
- SQ24-000131: NBN – Wholesale prices on residential NBN plans in March 2022

**Environment and Communications****QUESTION ON NOTICE****Additional Estimates 2023 - 2024****Infrastructure, Transport, Regional Development, Communications and the Arts****Committee Question Number: 11****Departmental Question Number: SQ24-000018****Division/Agency Name:** DIV - Communications Infrastructure**Hansard Reference:** Spoken, Page No. 27 (20 February 2024)**Topic:** Details of rejected special access undertaking for NBN Co**Senator Karen Grogan asked:**

CHAIR: So the special access undertaking was adjusted. It was originally made in 2022. Is that correct?

Mr Windeyer: There was a first version, which was then rejected by the ACCC, and then a revised one that was accepted or a variation, technically speaking, which was then accepted by the ACCC; that's right.

CHAIR: Why was it rejected?

Mr Windeyer: Look, I can't remember all the details of the ACCC's rejection or the challenges with it. It was certainly quite different in a number of ways from the one that has been accepted, including with respect to pricing. The pricing proposals in that previous SAU, from memory, allowed scope for prices to go up by at least inflation. I think it was inflation plus two or three per cent, from memory.

CHAIR: Given inflation at the moment, that would have been quite a significant impact on households?

Mr Windeyer: That's right, Senator. I would probably need to take on notice the details of that first one. It was rejected. It was of that order.

**Answer:**

NBN Co submitted a proposal to vary its Special Access Undertaking (SAU) on 29 March 2022.

On 23 May 2022, the Australian Competition and Consumer Commission (ACCC) published a consultation paper on the March 2022 proposal inviting submissions.

The consultation paper identified a number of specific issues with the March 2022 proposal, including:

- Elements of pricing arrangements in the March 2022 proposal and their impact on retailer costs.
- The March 2022 proposal appearing to propose no link between prices and underlying costs.

- The March 2022 proposal not specifying a baseline set of service standards or performance benchmarks that NBN Co would meet or better over the SAU period, nor containing any commitment to include them in future regulatory periods.

On 27 July 2022, NBN Co wrote to the ACCC to withdraw the March 2022 SAU variation proposal.

On 28 July 2022, the ACCC publicly released submissions to the consultation paper. These submissions raised a series of concerns with the March 2022 proposal, with a number of submissions recommending that the ACCC reject the proposal.

The ACCC consultation paper and associated submissions are available at:

<https://www.accc.gov.au/by-industry/telecommunications-and-internet/national-broadband-network-nbn-access-regulation/nbn-co-sau-variation-march-2022/consultation-paper>.

A revised proposal from NBN Co to vary the SAU was accepted by the ACCC on 17 October 2023.

The table below shows analysis that has been generated by NBN Co for the six main NBN services comparing the main elements of the pricing arrangements and the average overall wholesale cost, referred to as the average combined charge, for:

- The March 2022 proposal.
- The Wholesale Broadband Agreement (WBA4) arrangements applying prior to the varied SAU being given effect through WBA5.
- Pricing arrangements in the accepted SAU variation implemented through WBA5.

Service (megabits per second (Mbps))	Bundled Discounts (WBA4 Arrangements)		March 2022 SAU proposal		Accepted SAU		Average Combined Charge		
	AVC Charge	Connectivity Virtual Circuit (CVC) Inclusions (Mbps)	AVC Charge	Inclusions (Mbps)	AVC Charge	Inclusions (Mbps)	Bundled Discounts (WBA4 Arrangements)	March 2022 SAU proposal	Accepted SAU
12/1	\$22.5	0.15	\$26.0	0.00	\$24.4	0.00	\$32.4	\$35.1	\$31.2
25 / 5-10	\$37.0	1.60	\$26.0	0.1	\$26.0	0.22	\$39.7	\$38.0	\$32.1
50/20	\$45.0	2.65	\$50.0	2.45	\$50.0	3.55	\$50.1	\$52.1	\$51.1
100/20 HomeFast	\$58.0	4.50	\$60.0	-	\$55.0	-	\$55.9	\$60.0	\$55.0
250/25 Home SuperFast	\$68.0	5.75	\$70.0	-	\$60.0	-	\$64.1	\$70.0	\$60.0
1000/50 HomeUltraFast	\$80.0	7.00	\$80.0	-	\$70.0	-	\$83.1	\$80.0	\$70.0

Overage rate	\$8.0	\$8.0	\$5.5
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The March 2022 proposal also provided for a new 12/1 Mbps service designed for voice and basic broadband needs, which was also included in the new arrangements implemented

following the acceptance of the varied SAU. This has not been included in the comparison table as this service was not available under the arrangements applying through WBA4.

The applicable price controls in the March 2022 proposal on the annual movement in individual product prices would have varied between products or product groups and comprise:

- flat monthly charge offers (including 100/20 Mbps, 250/25 Mbps and 1000/50 Mbps services): CPI (consumer price index) plus 3 per cent per financial year for the first regulatory period, and the greater of CPI or 3 per cent in subsequent regulatory periods
- bundled product offers (including 50/20 Mbps and 25/5 Mbps services): CPI for the bundle product prices over the SAU term
- CVC overage charge of \$8 per Mbps: no ability for NBN Co to make nominal or real increases over the SAU term
- all other offers (e.g. Network to Network Interface (NNI) offers): CPI less 1.5 per cent per financial year over the SAU term that applies at present.

## Environment and Communications

## QUESTION ON NOTICE

## Additional Estimates 2023 - 2024

## Infrastructure, Transport, Regional Development, Communications and the Arts

Committee Question Number: 12

Departmental Question Number: SQ24-000020

Division/Agency Name: DIV - Communications Infrastructure

Hansard Reference: Spoken, Page No. 28-29 (20 February 2024)

Topic: NBN plan pricing

Senator Sarah Henderson asked:

Senator HENDERSON: Mr Windeyer, we'll come back to the issue of NBN pricing. We care about what Australians are paying. I am very surprised that you say you have very limited knowledge about the retail plans. I will ask you to provide to the committee on notice any relevant correspondence, briefs, emails or advices in relation to the retail pricing of NBN plans.

Mr Windeyer: I'm happy to do that.

Senator HENDERSON: I think the department would or should be cognisant and even providing the minister with advice on what has happened to retail prices.

Mr Windeyer: I'm happy to take that on notice, Senator.

Senator HENDERSON: I really do challenge the way you've characterised this. Secondly, I put to you—it has been put to me directly by one of the providers—that this change in pricing absolutely gave the green light for the telcos to step in and hike up their prices. If you don't think there's any causal link, I don't think, Mr Windeyer, you've been doing your homework.

Mr Betts: The causal link is that there has been a reduction in wholesale prices and an increase in retail prices?

Senator HENDERSON: That's right, Mr Betts.

Mr Windeyer: Senator, I'm happy to take it on notice.

[...]

Senator HENDERSON: [...] Mr Windeyer, as I say, I am very surprised that you don't see any causal link. That is completely contrary to the advice that we've received. We will raise this again. Telstra, Optus, Foxtel and Aussie Broadband all announced price increases to come into effect at the end of November on their 25 and 50 megabit per second plans. Literally, these changes came in directly after the new pricing agreement. The fact that you don't see any causal link is concerning. As I say—

Mr Windeyer: We're happy to take it on notice.

**Answer:**

The Department of Infrastructure, Transport, Regional Development, Communications and the Arts does not undertake market wide analysis of the retail pricing of NBN plans.

The department uses whole of market analysis generated by the Australian Competition and Consumer Commission (ACCC) given the ACCC's role in tracking and reporting on prices and

competition in the telecommunications sector. For example, the ACCC's Communications Market Report provides analysis of changes in the retail prices of NBN plans. The Australian Bureau of Statistics' Consumer Price Index (CPI) report also sets out Communication goods and services prices as an individual group.

In terms of the impact of the new wholesale pricing arrangements introduced following the acceptance of the SAU, NBN Co has stated that, on average, this reduced the wholesale cost to retailers for the 12/1 megabits per second (Mbps), 25/5 Mbps, 100/20 Mbps, 250/25 Mbps and 1000/50 Mbps plans. It also stated that, on average, the wholesale cost of the 50/20 Mbps plan increased by less than the Consumer Price Index (CPI) (which was 4.1 per cent for the 12 months to December 2023 quarter). However, it is important to note that NBN Co's wholesale price changes will affect individual Retail Service Providers (RSPs) differently. Also, there are a range of factors that affect the pricing decisions of RSPs.

The department is aware that the prices of some retail plans changed around the time of, or following, the ACCC's decision to accept NBN Co's proposal to vary its Special Access Undertaking (SAU) on 17 October 2023. However, this was not universal and the approach of individual RSPs has varied.

Following its decision to accept the varied SAU, the ACCC issued a press release on 2 November 2023 titled "NBN retailers on notice as Australians urged to shop around for deals" regarding its expectations as to representations by RSPs about the drivers of retail price changes (this media release is **Attachment A**). Commissioner Anna Brakey stated:

*"This week we wrote to all NBN retailers making clear our expectation that they are upfront and honest with consumers about what the price changes will be and why these changes are happening"*

There are large number of RSPs offering NBN plans at different price points. The department's advice to consumers, consistent with that of the ACCC, is to consider offers from a range of suppliers to seek the NBN offer that gives them the best value.

#### **Attachment**

Attachment A: ACCC Media Release of 2 November 2023: "Australians retailers on notice as Australians urged to shop around for deals"





# NBN retailers on notice as Australians urged to shop around for deals

## Date

2 November 2023

## Topics

[Buying and selling products and services](#)
[Pricing](#)
[Regulated infrastructure](#)
[Telecommunications and internet](#)

The ACCC is urging Australian households to shop around for their NBN broadband plans and check for any offers that represent better value for them, following NBN Co notifying retailers of changes to the wholesale prices that it will charge them from next month.

At the same time, the ACCC has put NBN retailers on notice that it will be monitoring to ensure they are upfront with consumers about retail price changes and being accurate in how they present the suitability of their plans for different household types.

The ACCC recently accepted proposed changes to NBN Co's regulatory commitments after a detailed consultation and negotiation process.

As a result of these changes, the maximum wholesale prices for some NBN speed tiers will initially reduce, including prices for the most affordable services, while some others will increase. For instance, the wholesale prices for the 100 Mbps and 25 Mbps speed tiers will initially decrease, while the wholesale price for the 50 Mbps speed tier will increase.

However, the actual retail prices paid by households are still set by retail service providers who compete for business, meaning there are a variety of deals available for consumers.

"It has never been more important for consumers to compare prices between retailers to make sure they are getting a deal that represents good value for them. There are significant price differences between retailers so it is worth seeing what other deals are available," ACCC Commissioner Anna Brakey said.

"Consumers can use our Measuring Broadband Australia reports to check how well retailers are meeting their speed claims and to see what different speed plans can deliver in terms of commonly used applications like gaming experience and simultaneous streaming."

"Given cost of living pressures impacting many households, we expect retailers to assist customers to select NBN plans that best suit their needs so that they avoid paying more than necessary," Ms Brakey said.

As the wholesale price changes come into effect the ACCC has also reminded NBN retailers of their obligations under Australia's consumer and competition laws.

"This week we wrote to all NBN retailers making clear our expectation that they are upfront and honest with consumers about what the price changes will be and why these changes are happening," Ms Brakey said.

"NBN retailers should not be pushing households towards more expensive offers with speed inclusions that are higher than they need. If we were to see this, it would raise concerns. We expect NBN retailers to provide clear information to consumers about suitable plans for their circumstances and preferences," Ms Brakey said.

"Less expensive 25 Mbps speed plans allow households to access most online applications, including high-definition streaming applications. Depending on the number of people online at the same time, many households could find that a 25 Mbps plan offers good value for them," Ms Brakey said.

"We are concerned where we see advertising by NBN retailers that suggests households need to be on 50 Mbps or even 100 Mbps plans to stream multiple shows at once, when a less expensive plan may be sufficient. Of course, some households may have a preference for the higher speed tiers, but we want to make sure that customers have clear and accurate information to guide their decisions."

# Background

NBN Co's services are taken to be declared under Part XIC of the Competition and Consumer Act (CCA), which enables the ACCC to regulate the terms and conditions of access, such as wholesale price, to apply where the terms of access cannot be agreed.

In August 2023, NBN Co lodged a revised Special Access Undertaking (SAU) variation proposal that the ACCC consulted on. The ACCC accepted the August 2023 proposal.

While the new wholesale arrangements under the accepted SAU will have important implications for consumer offers, it is up to individual broadband providers to decide any changes to their residential and business plans.

The ACCC monitors the performance of broadband providers in the Measuring Broadband Australia program. This program provides consumers with accurate and independent information about broadband performance to assist their purchasing decisions. The report includes quarterly updates for the streaming capacity of the various NBN plan speeds.

























































NBN plan speed	% that can reliably stream HD & UHD videos from Netflix								
25									7+ Concurrent HD video streams
	100.0%	100.0%	100.0%	99.0%	99.0%	97.9%	97.9%	95.8%	
50									1-2 Concurrent UHD video streams
	97.9%	83.3%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
100									7+ Concurrent HD video streams
	100.0%	100.0%	100.0%	99.8%	99.8%	99.6%	99.1%	99.1%	
250									3-4 Concurrent UHD video streams
	99.8%	97.9%	88.1%	68.4%	0.0%	0.0%	0.0%	0.0%	
Fixed Wireless Plus									7+ Concurrent UHD video streams
	100.0%	100.0%	99.5%	97.6%	95.9%	90.8%	82.0%	54.1%	
Fixed Wireless Plus									7+ Concurrent UHD video streams
	100.0%	100.0%	98.9%	98.9%	95.6%	95.6%	95.6%	92.2%	
Fixed Wireless Plus									1-2 Concurrent UHD video streams
	96.1%	69.7%	40.8%	17.1%	5.3%	0.0%	0.0%	0.0%	

Image: quality of experience streaming high definition (HD) and ultra-high definition (UHD) video during busy hours (7 to 11 pm, Monday to Friday), May 2023, including underperforming and impaired services.

## Release number

138/23

## General enquiries

[Contact us](#) to report an issue or make an enquiry.

## Media enquiries

Media Team - 1300 138 917, [media@accc.gov.au](mailto:media@accc.gov.au)

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Transport, Regional Development, Communications, Sport and the Arts

**Environment and Communications****QUESTION ON NOTICE****Additional Estimates 2023 - 2024****Infrastructure, Transport, Regional Development, Communications and the Arts****Committee Question Number: 57****Departmental Question Number: SQ24-000131****Division/Agency Name: Agency - NBN Co. Ltd****Hansard Reference: Spoken, Page No. 106 (13 February 2024)****Topic: NBN – Wholesale prices on residential NBN plans in March 2022****Senator Fatima Payman asked:**

Senator PAYMAN: With regard to the original SAU submission in March 2022 under the former government, on how many residential NBN plans were wholesale prices going down?

Mr Rue: I don't recall. I'd have to take that on notice, I'm sorry. I have been focused on this arrangement. I'm sorry, but I'll have to take that on notice.

**Answer:**

In making a comparison between the NBN Co March 2022 Special Access Undertaking (SAU) proposal and the NBN Co SAU proposal of August 2023, it is important to note that the pricing constructs differ (as outlined below).

Based on Access Virtual Circuit (AVC) charges, which is the fixed cost relating to an individual connection to the NBN network, the March 2022 SAU proposal compared to the then in market Wholesale Broadband Agreement (WBA4) pricing, would have resulted in one residential plan (25/5-10 Mbps) with a wholesale price reduction, while the Home UltraFast (1000/50 Mbps) wholesale price would have remained unchanged. All other residential speed tiers – 12/1 Mbps, 50/20 Mbps, Home Fast 100/20 Mbps, and Home SuperFast 250/25 Mbps – would have had wholesale AVC price increases compared to AVC charges under WBA4 bundled discounts.

Based on Average Combined Charges, the March 2022 SAU proposal would have seen effective price increases in four of six residential plans (12/1 Mbps, 50/20 Mbps, 100/20 Mbps and 250/25 Mbps) compared to then in market WBA4 pricing.

Under NBN Co's WBA5 which reflects the accepted SAU, five out of six of the most popular NBN wholesale residential plans dropped in price on 1 December 2023 when compared to the WBA4 average combined charge, and the one plan that went up had higher CVC inclusions.

The table below shows NBN Co's analysis comparing the pricing arrangements proposed in the March 2022 proposal with those that were in place through the WBA4, and those that were in place as part of the Accepted SAU and given effect through WBA5.

Service (megabits per second (Mbps))	Bundled Discounts (WBA4 Arrangements)		March 2022 SAU proposal		Accepted SAU	
	AVC Charge	Connectivity Virtual Circuit (CVC) Inclusions (Mbps)	AVC Charge	Inclusions (Mbps)	AVC Charge	Inclusions (Mbps)
12/1	\$22.5	0.15	\$26.0	0.00	\$24.4	0.00
25 / 5-10	\$37.0	1.60	\$26.0	0.1	\$26.0	0.22
50/20	\$45.0	2.65	\$50.0	2.45	\$50.0	3.55
100/20 HomeFast	\$58.0	4.50	\$60.0	-	\$55.0	-
250/25 Home SuperFast	\$68.0	5.75	\$70.0	-	\$60.0	-
1000/50 HomeUltraFast	\$80.0	7.00	\$80.0	-	\$70.0	-

Average Combined Charge		
Bundled Discounts (WBA4 Arrangements)	March 2022 SAU proposal	Accepted SAU
\$32.4	\$35.1	\$31.2
\$39.7	\$38.0	\$32.1
\$50.1	\$52.1	\$51.1
\$55.9	\$60.0	\$55.0
\$64.1	\$70.0	\$60.0
\$83.1	\$80.0	\$70.0

Overage rate	\$8.0
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\$8.0
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\$5.5
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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyyn Sparreboom

SB25-000312

**SUBJECT: NBN Remuneration****Key Deliverables**

- NBN Co was established under the *Corporations Act 2001* and is a Government Business Enterprise (GBE). The Australian Government does not set remuneration or incentives for GBE employees, including NBN Co executives.

**Talking Points***Remuneration and Incentives*

- NBN Co's remuneration and payment of incentives are the responsibility of the NBN Co Board and made publicly available in the NBN Co Annual Report.
- The Remuneration Tribunal determines the salary range for roles of Chief Executive Officers (CEOs) and some other leaders of GBEs, including NBN Co. The salary range is based on the role itself, not individuals appointed to those roles.
- NBN Co and other GBEs then decide on a salary for an individual appointed to a role within the salary range determined by the Remuneration Tribunal.
- The Statement of Expectations (SoE) (see Supporting Information) outlines the government's expectations regarding remuneration. Remuneration is expected to be appropriately governed and consistent with relevant industry benchmarks and government guidance.
- Public companies such as NBN Co play an important role in Australian society and they help keep Australians connected.
- It is critical for the success of these entities that there be good governance. Good governance helps strike the balance between public interest and commercial imperative, and provides a framework for sound decision making and oversight.

*NBN Co Chief Executive Officer (CEO) position*

- The position of NBN Co CEO is listed as a Principal Executive Office (PEO) under the *Remuneration Tribunal Act 1973*. This provides consistency between NBN Co and other GBEs.
- The NBN Co CEO's contract of employment, including remuneration and incentives, are set by the NBN Co Board, within the salary range determined by the Remuneration Tribunal.
- *If asked:* Questions about the Remuneration Tribunal process for the NBN Co CEO should be addressed to the Remuneration Tribunal.

**Contact:** Shanyyn Sparreboom **Cleared by:** Shanyyn Sparreboom, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 03/09/2025

Page 1 of 3

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000312

- 
- *If asked:* Questions about the contract terms should be addressed to NBN Co.
- 

**Key Issues***NBN Co CEO contract details*

- The details of the contract and remuneration for Ms Ellie Sweeney and her predecessor are set by the NBN Co Board and specific details of such contracts are not provided to Shareholder Departments.
- The CEO's salary (including Short-term incentive (STI) payments (i.e. bonuses) is published each year in NBN Co's Annual Report.

*Performance-based Incentives*

- In response to the Commonwealth Performance Bonus Guidelines issued in August 2021, the NBN Co Board undertook an internal review of the performance incentive framework for its staff, to ensure it aligned with the guidelines.
- s45, s47(1)(b), s47D  
[REDACTED]
- For NBN Co employees, who were previously subject to the STI framework, they had 64% of their former maximum at-risk remuneration incorporated into their total fixed remuneration in 2022.
- s45, s47(1)(b), s47D  
[REDACTED]

*2025 Annual Report - STI outcomes*

- For financial year 2024-25, the Board assessed 6 corporate measures, each comprised of various metrics to meet the Company's plans - the Board was satisfied that NBN Co's performance across the 6 metrics met or exceeded expectations.
- The Board arrived at a total STI pool of 70% of the maximum available, which was equivalent to \$4.4 million.
- Any further questions on remuneration targets should be directed to NBN Co.
- The 6 corporate measures include:
  - Financial performance
  - Connected premises and speed tier mix
  - Delivery of government policy on track
  - Customer experience and reputation
  - Sustainability

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**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary
**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 03/09/2025

Page 2 of 3

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyyn Sparreboom

SB25-000312

- Enterprise strategic outcomes
- Further information regarding how the STI is calculated should be directed to NBN Co.
- See **Attachment A** for executive remuneration details, including STI payments, from the 2024-25 Annual Report.

**Background***Extract from Statement of Expectations relating to remuneration:*

NBN Co's Board is fully accountable to Shareholder Ministers for:

- the performance of NBN Co, including (but not limited to) promoting:
  - (1) the proper use and management of the economic resources for which the Board is responsible;
  - (2) the achievement of the objects and/or purposes of the GBE; and
  - (3) financial sustainability;
- setting a remuneration structure that: is transparent; ensures that the executive remuneration is appropriately aligned to key performance indicators, with fit for purpose targets that incentivise high performance beyond business as usual outcomes but are restrained and justifiable to the Parliament and the Australian public; is appropriately governed; is not inconsistent with relevant industry benchmarks; and is consistent with any government guidance.

**Attachments**

- A: NBN Co executive remuneration details – 2024-25 Annual Report

**Contact:** Shanyyn Sparreboom **Cleared by:** Shanyyn Sparreboom, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 03/09/2025

Page 3 of 3

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# REMUNERATION OF KEY MANAGEMENT PERSONNEL

## REMUNERATION OF SENIOR EXECUTIVES

Remuneration for Senior Executives deemed to be KMP is shown in the table below. NBN Co has applied the requirements of the PGPA Rule in its disclosures for the period ended 30 June 2025, which includes the assessment of Senior Executives as KMP in accordance with the meaning defined in AASB 124 *Related Party Disclosures*. Comparative information presented has not been adjusted.

		Short-term benefits		Post-employment			Total
		Base salary and fees <sup>1</sup>	STI award <sup>2</sup>	Superannuation	Other Post Employment	Long Service Leave <sup>3</sup>	Termination Benefits
		\$	\$	\$	\$	\$	\$
<b>Senior Executives deemed to be KMP as at 30 June 2025</b>							
E Sweeney <sup>4</sup>	2024	-	-	-	-	-	-
	2025	1,492,042	406,623	22,449	-	1,705	1,922,819
D Ljubanovic	2024	543,869	128,166	20,549	-	16,300	708,884
	2025	764,382	158,429	29,932	-	45,031	997,774
W Irving	2024	1,091,625	228,466	27,399	-	23,598	1,371,088
	2025	1,092,026	208,260	29,932	-	49,075	1,379,293
P Knox <sup>5</sup>	2024	1,036,636	257,829	27,399	-	38,242	1,360,106
	2025	1,220,610	291,381	29,932	-	37,223	1,579,146
J Parkin	2024	809,527	180,188	27,399	-	33,041	1,050,155
	2025	869,673	164,540	29,932	-	31,517	1,095,662
A Perrin	2024	1,013,706	219,038	27,399	-	2,747	1,262,890
	2025	1,040,498	201,135	29,932	-	8,218	1,279,783
<b>Former Executives deemed to be KMP</b>							
S Rue <sup>6</sup>	2024	2,019,223	644,994	23,229	-	165,224	2,852,670
	2025	-	-	-	-	-	-
K Dyer <sup>7</sup>	2024	276,182	-	6,850	-	19,837	302,869
	2025	-	-	-	-	-	-
<b>Total</b>	2024	<b>6,790,768</b>	<b>1,658,681</b>	<b>160,224</b>	<b>-</b>	<b>298,989</b>	<b>8,908,662</b>
	2025	<b>6,479,231</b>	<b>1,430,368</b>	<b>172,109</b>	<b>-</b>	<b>172,769</b>	<b>8,254,477</b>

### NOTES

- 2025 base salary includes annual leave paid and the movement in the annual leave provision during the period calculated in accordance with AASB 119 *Employee Benefits*.
- The cash STI award for FY25 is to be paid in August 2025.
- Long service leave amounts relate to the movement in the provision for long service leave during the relevant period, which is calculated in accordance with Australian Accounting Standards. In estimating the provision, consideration is given to expected future wage and salary levels, fulfilment of service level milestones and periods of service. Expected future payments are discounted using market yields on national corporate bonds at the balance date. Long service leave provisioning is adjusted for cessation of employment, including retirement, to reflect the settlement of any entitlements.
- E Sweeney was appointed as the new Chief Executive Officer of the Company and appointed to the Board effective 3 December 2024.
- The remuneration included in the table for Mr Knox is in relation to his role of Interim Chief Executive Officer for the period 1 July 2024 to 2 December 2024 and his role as Chief Financial Officer for the period 3 December 2024 to 30 June 2025.
- S Rue ceased as KMP on 6 May 2024. The remuneration included in the table covers the period that Mr Rue was KMP. Post resignation, Mr Rue remained an employee of NBN Co and has continued to provide ongoing service to NBN Co during his notice period, albeit on a restricted basis that did not meet the definition of KMP. Mr Rue's notice period ran until 4 November 2024 and he received total remuneration of \$1,396,777 during his notice period, in accordance with the contractual terms and conditions of his employment contract.
- The remuneration included in the table covers the period that Ms Dyer was KMP. After ceasing to be KMP on 30 September 2023, Ms Dyer remained an employee of NBN Co and continued to provide ongoing service during her notice period, albeit on a restricted basis that did not meet the definition of KMP. Ms Dyer's notice period ran until 31 January 2024 and she received total remuneration of \$456,072 after ceasing to be KMP until the end of her notice period. This remuneration was made in accordance with the contractual terms and conditions of her employment contract.

NON-EXECUTIVE DIRECTORS

Non-Executive Director fees

All Non-Executive Directors of NBN Co are appointed by the Commonwealth of Australia through the Shareholder Ministers.

Fees for Non-Executive Directors are set through the determinations of the Commonwealth Remuneration Tribunal (the Tribunal), an independent statutory body overseeing the remuneration of key Commonwealth offices. NBN Co is regulated to comply with the Tribunal's determinations and plays no role in the consideration or determination of Non-Executive Director fees.

The Tribunal sets annual Chair and Board fees (exclusive of statutory superannuation contributions) that are inclusive of all activities undertaken by Non-Executive Directors on behalf of NBN Co (i.e. inclusive of Committee participation). Statutory superannuation is paid in addition to the fees set by the Tribunal.

The following table sets out the Non-Executive Director fees (excluding superannuation) as directed by the Tribunal for FY25 and FY24.

Board position	2024–25 annual entitlement From 1 July 2024	2023–24 annual entitlement From 1 July 2023
Chair	251,000	242,510
Non-Executive Directors	125,570	121,320

## REMUNERATION OF NON-EXECUTIVE DIRECTORS

Remuneration for Non-Executive Directors for FY25 and FY24 is shown in the table below:

		Short-term benefits	Post- employment	Total remuneration
		Director fees \$	Superannuation contributions \$	\$
<b>Non-Executive Directors</b>				
P Bains	2024	121,320	13,345	134,665
	2025	125,570	14,441	140,011
N Caesar	2024	121,320	13,345	134,665
	2025	125,570	14,441	140,011
D Clarke <sup>1</sup>	2024	16,703	1,835	18,538
	2025	-	-	-
C Darvall AM <sup>2</sup>	2024	-	-	-
	2025	35,997	4,126	40,123
A Dix <sup>3</sup>	2024	93,288	10,262	103,550
	2025	-	-	-
N Lockwood <sup>4</sup>	2024	121,320	13,345	134,665
	2025	89,693	10,315	100,008
M Malone <sup>5</sup>	2024	121,320	13,345	134,665
	2025	100,837	11,596	112,433
K McKenzie <sup>6</sup>	2024	242,510	26,676	269,186
	2025	125,500	14,433	139,933
M Mrdak AO <sup>7</sup>	2024	90,990	10,009	100,999
	2025	125,570	14,441	140,011
E Parker <sup>8</sup>	2024	121,320	13,345	134,665
	2025	54,699	6,290	60,989
K Russell <sup>9</sup>	2024	23,437	2,578	26,015
	2025	188,285	21,653	209,938
J Scarlett <sup>10</sup>	2024	-	-	-
	2025	35,877	4,126	40,003
<b>Total</b>	<b>2024</b>	<b>1,073,528</b>	<b>118,085</b>	<b>1,191,613</b>
	<b>2025</b>	<b>1,007,598</b>	<b>115,862</b>	<b>1,123,460</b>

### NOTES

1. D Clarke ceased to be a Non-Executive Director effective 21 August 2023.
2. C Darvall AM was appointed as a Non-Executive Director effective 19 March 2025.
3. A Dix ceased to be a Non-Executive Director effective 6 April 2024.
4. N Lockwood ceased to be a Non-Executive Director effective 18 March 2025.
5. M Malone ceased to be a Non-Executive Director effective 19 April 2025.
6. K McKenzie ceased to be a Non-Executive Director effective 31 December 2024.
7. M Mrdak AO was appointed as a Non-Executive Director effective 1 October 2023.
8. E Parker ceased to be a Non-Executive Director effective 7 December 2024.
9. K Russell was appointed as Interim Chair effective 1 January 2025 and subsequently Chair effective 1 April 2025.
10. J Scarlett was appointed as a Non-Executive Director effective 19 March 2025.

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000314

**SUBJECT: NBN Co/Kuiper Agreement****Key Deliverables**

- NBN Co's partnership with Amazon's Project Kuiper will ensure continuity of fixed broadband internet service for approximately 75,000 premises currently served by Sky Muster satellites and approximately 307,000 eligible premises in the satellite footprint.

**Talking Points**

- On 5 August 2025, NBN Co, Amazon, the Minister for Communications, the Minister for Finance, and the Assistant Minister for Science, Technology and the Digital Economy announced a partnership with Kuiper to provide wholesale, fixed broadband to customers via Kuiper's Low Earth Orbit satellite (LEOSat) technology.
- This agreement will extend the benefits of the NBN, such as free installation, competitive pricing, customer support and consumer protections to more Australians in regional, rural and remote Australia.
- NBN Co's partnership with Kuiper will transition premises in the satellite footprint from the ageing Sky Muster satellites to a modern LEOSat solution, enabling higher speeds and significantly lower latency.
- Kuiper is expected to launch a trial service by 2026. A rollout of services will begin from the southern-most points of Australia as coverage moves towards the equator. Customer migrations are anticipated to begin from late 2026 and continue through to 2028.
- NBN Co will commence consultations with industry and regional stakeholders in the coming months to ensure a smooth transition and to inform the configuration of service offerings.
- The Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts will continue to monitor the deployment of the Kuiper constellation and NBN Co's testing, verification and transition activities.

**Key Issues**Suitability of LEOSats for Sky Muster replacement

- NBN Co's geostationary satellites (GEOSats), Sky Muster 1 and Sky Muster 2, entered service in 2015 and 2016 and are expected to be operational into the early 2030s. The NBN Co Kuiper partnership provides a replacement service before Sky Muster satellites reach their end of life.

**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 9/9/2025

Page 1 of 10

OFFICIAL

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000314

- Customers who transition to LEOSat services will benefit from significantly higher speeds and lower latencies than existing Sky Muster connections. The performance level of LEOSat-based broadband services is broadly comparable to metropolitan internet options and will be suitable for streaming content, video conferencing, working from home and gaming.

Continuity of service for Sky Muster customers

- NBN Co expect to commence customer migrations from Sky Muster to Kuiper in late 2026 s45, s47(1)(b), s47D
  - Sky Muster services will continue to serve current premises until the new LEOSat service is fully established and according to the legislated withdrawal process for NBN services.
  - Service commencement delays are possible, noting the deployment of a LEOSat internet service is a complex process involving significant levels of coordination, precision and expense.
- Strain on Sky Muster capacity has been reduced by NBN Co's Fixed Wireless and Satellite Upgrade Program (completed in December 2024), which made 120,000 premises previously in the satellite footprint eligible for NBN Fixed Wireless services. This enabled a significant uplift of service performance for remaining satellite customers, although technological limitations such as very high latency remain.

LEOSat development in comparison to fibre and fixed wireless access investment

- NBN Co's LEOSat broadband internet product will also complement NBN Co's investments in fibre and fixed wireless upgrades for regional Australia.
- The most suitable technology choice to serve a particular premise will depend on several factors including performance, future readiness, the cost of civil works and the cost of maintaining the services.
- For most locations fibre to the premises (FTTP) offers the best performance and most reliable service, however it is not always the most suitable option when the cost of civil works is too great. For some locations, where the geography does not support fibre deployment, fixed wireless can be the most practical and affordable option.
- For very remote premises LEOSat services would be considered the more practical and suitable arrangement.

Data sovereignty

- Many elements of the telecommunications network are manufactured, owned and operated overseas. A significant volume of Australian internet traffic is transmitted over

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**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary
**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 9/9/2025

Page 2 of 10

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OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000314

international subsea cable infrastructure to and from data centres and networks worldwide.

- Kuiper and other LEOSat operators are required to hold an Australian carrier licence and therefore are subject to Australian telecommunications laws and regulations including the *Telecommunications Act 1997* and the *Security of Critical Infrastructure Act 2018*.
  - These laws and regulations are enforced by the Australian Communications and Media Authority, the Australian Competition and Consumer Commission and Australia's security agencies.

Kuiper LEOSat Broadband Plan costs

- Questions related to plan costs and other pricing matters are best directed towards NBN Co.
- s45, s47(1)(b), s47D [REDACTED]
- As lower speed plans may not be carried across to the new product range, some increases in costs may occur for customers on entry level Sky Muster plans. However, plan costs, inclusions and other elements of the new product are yet to be consulted with regional stakeholders and retail service providers (RSPs). This will occur in the coming months.
- Kuiper will also sell services outside of its partnership with NBN Co, providing further competition for services in regional Australia.

Sky Muster shutdown

- s45, s47(1)(b), s47D [REDACTED]  
Sky Muster satellites will reach their end of life in approximately 2032. NBN Co is not planning to shut down Sky Muster services until all customers are transitioned to an alternative service.
- Sky Muster services will continue to serve current premises until the new LEOSat service is established and as according to the legislated withdrawal process.
- NBN Co is planning significant consultation with RSPs and regional customers prior to the launch of its LEOSat product, including on transition arrangements and pricing.

Fibre network upgrades

- NBN Co's agreement with Kuiper only applies to premises in the Sky Muster satellite footprint, so does not currently capture premises in the fibre network upgrades.

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**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary

**Phone:** s22(1)(a)(ii) [REDACTED]

**Version Number:** 01

**Date:** 9/9/2025

Page 3 of 10

OFFICIAL



OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000314

**Background**Request for Information (RFI) Process and Contract

- In June 2023, NBN Co released a request for information to satellite industry participants for a replacement to the ageing Sky Muster geostationary satellites, which will reach their end of life in approximately 2032.
- NBN Co considered various LEOsat operators during the commercial RFI process. Factors for consideration included the participant's capacity to deliver a wholesale consumer focused service, suitability to support NBN Co's highly regulated role in the market and the performance characteristics and price point of services.
- Kuiper was identified by NBN Co as the best option. The parties subsequently negotiated contractual terms for delivery of the service.
- While the Shareholder Ministers and department were notified of key developments, NBN Co and Kuiper are the contractual parties and the NBN Co Board of Directors was responsible for final approval for NBN Co to enter into the contract.
- The contract is commercial in confidence. Further questions are best directed towards NBN Co.

**Supporting Information***Questions on Notice (QoNs)*

- SQ25-000322 - Minister's knowledge of NBN Co's preferred proponent (Budget Estimates 27 March 2025) - see **Attachment A**

*Recent Ministerial Comments*

- Media release: Albanese Government delivering high speed broadband for regional Australia – see **Attachment B**

*Relevant Media Reporting*

- "Hopes joint NBN Co–Amazon satellite internet will transform remote connectivity", Chris Lewis, ABC, 7 August 2025 - <https://www.abc.net.au/news/2025-08-07/satellite-internet-competition-nbn-amazon-starlink/105620108>
- "NBN Co snubs Musk, inks satellite deal with Bezos' Amazon", David Swan, SMH, 5 August 2025 – <https://www.smh.com.au/technology/nbn-co-snubs-elon-inks-satellite-deal-with-bezos-amazon-20250805-p5mkha.html>

**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 9/9/2025

Page 4 of 10

OFFICIAL

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000314

**Attachments**

- A: Minister's knowledge of NBN Co's preferred proponent - SQ25-000322 - (Budget Estimates 27 March 2025).
- B: Media release: Albanese Government delivering high speed broadband for regional Australia

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**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 9/9/2025

Page 5 of 10

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000314

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**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 9/9/2025

Page 6 of 10

OFFICIAL

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyyn Sparreboom

SB25-000314

## Attachment A

## Environment and Communications

## QUESTION ON NOTICE

## Budget Estimates 2025-2026

Infrastructure, Transport, Regional Development, Communications, Sport and the Arts

Committee Question Number: 5

Departmental Question Number: SQ25-000322

Division/Agency Name: DIV - Communications Infrastructure

Hansard Reference: Spoken, Page No. 101 (27 March 2025)

Topic: Minister's knowledge of NBN Co preferred proponent

Senator Ross Cadell asked:

Senator CADELL: Okay. Has a provider been selected?

Mr Williams: The process, as we've given testimony before, is a process of commercial-in-confidence. We're well advanced in that process but at a critical stage in a very complex range of negotiations. Ultimately, there's no deal to be done until a deal's ready to be done, and we're not at that stage where there is something that's inkable. We are far enough advanced to be comfortable that we can see a pathway to a low-Earth-orbit partnership being something that makes sense to NBN and to the community to offer services to most remote citizens at a point before the retirement of Sky Muster. I think you alluded to some of these points in previous discussions. There are a range of careful considerations around sovereignty issues to be managed—data sovereignty, commercial issues, technology issues, operating and cost issues. You'll be the first to know.

Senator CADELL: I will not be; I would hope the minister would be the first to know!

Speaking of that, does the minister know the preferred proponent at the moment?

Senator McAllister: If that question is addressed to me, I'll take it on notice. As you understand, I represent the minister and I don't know her state of mind.

Contact: Shanyyn Sparreboom Cleared by: Shanyyn Sparreboom, A/g First Assistant Secretary

Phone: s22(1)(a)(ii)

Version Number: 01

Date: 9/9/2025

Page 7 of 10

OFFICIAL

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OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000314

**Answer:**

In June 2023, NBN Co announced the release of a closed Request For Information (RFI) to Low Earth Orbit (LEO) satellite providers to further understand their offerings.

The former Minister for Communications, the Hon Michelle Rowland MP, was regularly informed by NBN Co on the progress of the LEOSat RFI as part of standard shareholder engagement processes. These matters are considered commercial in confidence.

As a Government Business Enterprise, NBN Co is required, under Section 91 of the Public Governance, Performance and Accountability Act 2013, to keep Shareholder Ministers informed on potential decisions impacting its future operation via a 'Section 91 notice' (Notice).

NBN Co provided a Notice in mid-February 2025, detailing its intention to progress negotiations with a preferred LEOSat provider. Formal advice was provided to the former minister on the content provided in the Notice in early March 2025.

The decision on whether or not to enter into a contract is however, a matter for the NBN Co Board.

**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary

**Phone:** s22(1)(a)(ii)

**Version Number:** 01

**Date:** 9/9/2025

Page 8 of 10

OFFICIAL

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Transport, Regional Development, Communications, Sport and the Arts

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000314

Attachment B

## Albanese Government delivering high speed broadband for regional Australia

The Albanese Government's commitment to greater connectivity will see up to 300,000 homes and businesses have faster and more reliable broadband through new technology deployed 600km above Australia.

A historic agreement signed between NBN Co Limited and Amazon Project Kuiper will bring city-quality broadband to Australia's hardest to reach places.

This nation-building agreement is another step towards Australia becoming the most connected continent and is targeted to help rural and remote areas of Australia.

NBN Co's agreement with Project Kuiper will deliver broadband internet services via a constellation of Low Earth Orbit Satellites (LEOSats), about 600 kilometres above the Earth.

This represents a major change in technology from NBN Co's existing Sky Muster satellite services and will ensure continuity of high-speed internet for people living and working in regional and remote areas.

NBN Co will consult with retail partners and regional stakeholders regarding the timing of upgrading users of Sky Muster satellites to Project Kuiper's services. Access to existing Sky Muster services will continue until the transition to the new service is complete.

Today's announcement complements the Government's continued investment in the NBN to upgrade premises currently using outdated fibre to the node technology, and the expansion of the fixed wireless footprint.

### Quotes attributable to Minister for Communications, Anika Wells:

"It is critical that a country as vast as Australia prioritises connectivity regardless of postcode.

"Providing better broadband from the cities to the regions is a key element of our plan to make Australia the most connected continent.

"Our Government embraces new technology, particularly when it helps to deliver essential services.

"The agreement between NBN Co and Project Kuiper will boost access to reliable, fast and affordable broadband internet across Australia.

**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary

**Phone:** s22(1)(a)(ii)

**Version Number:** 01

**Date:** 9/9/2025

Page 9 of 10

OFFICIAL

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Transport, Regional Development, Communications, Sport and the Arts

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000314

"This will improve public safety, provide resilience during natural disasters and improve quality of life for all Australians, especially in regional and remote communities."

**Quotes attributable to Minister for Finance, Senator Katy Gallagher:**

"Right now, too many Australians in regional, rural, and remote areas don't have access to fast and reliable internet, and the Albanese Government is focused on fixing this."

"This agreement between NBN Co and Project Kuiper will help to address this longstanding issue, boosting opportunities and driving productivity for workers and businesses across the country."

**Quotes attributable to Assistant Minister for Science, Technology and the Digital Economy, Andrew Charlton:**

"Adopting new technology is essential in ensuring our digital economy keeps pace with the world."

"People throughout Australia deserve access to world-class technology that lifts living standards and creates more opportunities."

"The Albanese Labor Government will continue to invest in technology in a way that captures the economic opportunity, ensuring the benefits are spread equitably."

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**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary

**Phone:** s22(1)(a)(ii)

**Version Number:** 01

**Date:** 9/9/2025

Page 10 of 10

OFFICIAL

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Transport, Regional Development, Communications, Sport and the Arts



OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000316

**SUBJECT: Low Earth Orbit Satellites – Other****Key Deliverables**

- Low Earth Orbit Satellites (LEOSats) are currently providing 2 distinct connectivity services for consumers in Australia:
  - LEOSat-based Fixed Broadband service - internet connectivity provided to a premise through a fixed terminal or dish at the building or vehicle.
  - LEOSat-based Direct to Device (D2D) service - text services are provided to a standard mobile device located outside of terrestrial coverage. In the coming years, D2D is expected to provide access for voice calls and basic internet.

**Talking Points**

- LEOSat operators are providing broadband connectivity across Australia, primarily through Starlink and One Web. Starlink is the market leader with approximately 350,000 reported services. Other LEOSat providers such as Lynk, AST SpaceMobile currently do not offer consumer focused products.
- NBN Co's partnership with Amazon's Project Kuiper is expected to encourage competition and provide access to better connectivity in rural and remote Australia.
- While LEOSat fixed broadband represents an improvement of broadband services for some consumers, especially for people living in rural and remote areas, fibre still offers faster speeds, and greater reliability.
- LEOSat performance can decline due to congestion, particularly in metropolitan areas where high levels of demand and network use exist. For example, in the Greater Brisbane and Greater Perth areas, Starlink charges a one-off 'demand surcharge' at sign up of \$1,295 (as at August 2025).
- The Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts and the Australian Communications and Media Authority (ACMA) continue to monitor how our legislative and regulatory framework applies to LEOSats, particularly for D2D. This includes how D2D can support Triple Zero services and Australia's future universal service arrangements.
- The Australian Government has indicated it will leverage D2D capability to support a new Universal Outdoor Mobile Obligation (UOMO). The department continues to engage with stakeholders on this policy.

**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 03**Date:** 22/09/2025

Page 1 of 18

OFFICIAL

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OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shynyn Sparreboom

SB25-000316

**Key Issues***Market Offerings in Australia*LEOSat Fixed Broadband in Australia

Timeline of notable events in the Australian LEOSat Broadband market	
April 2021	Starlink beta trial launches in Australia – subscriber numbers have risen steadily since.
June 2023	NBN Co released a request for information to satellite industry participants, including LEOSat providers, for a replacement to the ageing NBN Sky Muster geostationary satellites.
March 2024	Telstra, which does not offer NBN Sky Muster services, began offering a Telstra Satellite Home Internet service using the Starlink network. Telstra is also offering voice-only plans using Starlink to connect some Universal Service Obligation customers.
April 2025	It is estimated that Starlink has more than 350,000 broadband customers in Australia.
August 2025	NBN Co and Amazon announced partnership for Amazon's Project Kuiper to provide wholesale internet access over LEOSats. For more information, see SB25-000314 (NBN Co/Kuiper Agreement).
Mid 2026	Kuiper plans to launch broadband services in Australia from mid-2026. NBN Co plans to launch residential services in tandem.

- LEOSat Fixed Broadband was not an option for broadband services during the initial establishment and rollout of the NBN. Recent technological advancements have enabled rapid, market-led deployment of LEOSat services. LEOSats are expected to form part of the mix of technologies providing broadband and telephony services for Australian customers into the future.
- Currently LEOSat broadband services in Australia are mainly provided through Starlink, owned and operated by SpaceX. Starlink has resale agreements with Telstra for consumer, Optus for business and Vocus for business and government. The range of operators and service offerings are expected to increase as new providers enter the market.
- Starlink is the only company currently offering direct to consumer LEOSat broadband internet, Eutelsat OneWeb provides enterprise-only fixed broadband.
- However, with the recent announcement between NBN Co and Amazon Project Kuiper, Australian consumers will soon have more choice.

**Contact:** Shynyn Sparreboom **Cleared by:** Shynyn Sparreboom, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 03**Date:** 22/09/2025

Page 2 of 18

OFFICIAL

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000316

- Starlink services are predominantly used within the NBN fibre to the node (FTTN) and satellite footprints; other NBN technologies, such as fibre to the premises and fixed wireless are typically more affordable or outperform Starlink services.
- On 25 July 2025, SpaceX reported a global network outage of Starlink services. The outage lasted for approximately 2 ½ hours and was due to a failure of key internal software services that operate the core network.

*Market Offerings in Australia*Direct-to-device (D2D) LEOSat capability in Australia

Timeline of notable events in the Australian D2D market	
July 2023	Optus announced a partnership with Starlink for D2D services in July 2023. The initial timing for this D2D service was expected to start with sporadic text services in late 2024, however this has been delayed.
Late 2024	Telstra announced trials with Lynk Global in late 2024 (have not occurred). Telstra has not yet revealed whether the arrangement with Lynk will result in a consumer service offering.
August 2024	TPG Telecom announced a partnership with Lynk Global.
January 2025	Telstra announced that it has partnered with SpaceX in Australia to provide a D2D service.
May 2025	Lynk Global and TPG performed an initial test of their D2D service. No commercial services have been deployed.
June 2025	Telstra launched Telstra Satellite Messaging, a D2D service that is included for Telstra customers on premium plans with a compatible phone. The service provides text messaging only.
Late 2026 – Early 2027	Starlink voice and data testing anticipated to begin.

- Some LEOSat providers are partnering with mobile network operators (MNOs) to provide direct connectivity between mobile phones and satellite networks, enabling Australians to access 'direct-to-device' services.
- D2D allows consumers to send and receive texts by connecting their mobile phones directly to a satellite without the need for a dish. In future, D2D is expected to allow voice calls and basic access to the internet.
- In June 2025, Telstra launched D2D text messaging for consumer and small business customers on Telstra's month-to-month mobile plans with a Samsung Galaxy S25 series, Samsung Galaxy Fold/Flip 7, and iPhones 13 onwards including the recently released

**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 03**Date:** 22/09/2025

Page 3 of 18

OFFICIAL

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000316

iPhone 17 series. According to Telstra, over 90,000 messages are sent or received per day using the service.

- While Apple already offers a similar (but limited) feature for sending emergency text messages from recent iPhones, other D2D services are focused on delivering baseline services directly to a range of consumer-grade mobile devices. Apple's Emergency SOS via satellite uses mobile satellite services (MSS) spectrum to send a message via Globalstar's LEOSat network to an international triage centre, which then places a voice call to Triple Zero in Australia.

*LEOSat Working Group*

- The LEOSat Working Group (Working Group) was announced by the former Minister for Communications, the Hon Michelle Rowland MP, on 21 October 2022. The Working Group is an expert forum which considers contemporary and strategic communication policy issues related to LEOSat technology.

Timeline of relevant events	
February 2023	Working Group meeting 1 – inaugural meeting and agreeing terms of reference
May 2023	Working Group meeting 2 – digital inclusion and closing the gap and USO services
July 2023	Working Group meeting 3 – direct to device and resilience and redundancy
September 2023	Working Group meeting 4 – economic benefits of LEOSats
April 2024	2023 Chair's Report published
June 2024	Working Group meeting 5 – forward work plan and Bureau of Communications, Arts and Regional Research (BCARR) economic impact study
July 2024	Working Group meeting 6 – First Nations community internet access options
February 2025	Working Group meeting 7 – direct to device deployment and state of market

- The Working Group meets on an as needs basis to inform and support government decision making, including how to capture the benefits of this technology as early as possible.
- The Working Group consists of industry, government and First Nations representation and is chaired by the Deputy Secretary of the Communications and Media Group within the department.

**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary

**Phone:** s22(1)(a)(ii)

**Version Number:** 03

**Date:** 22/09/2025

Page 4 of 18

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OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000316

- Topics discussed include: digital inclusion, universal service framework, resilience in emergency scenarios, the economic benefits of LEOsats, and D2D capability including consumer awareness.

*Other Roles of Satellites and LEOsats*NBN Co's Sky Muster satellite service

*If raised: Lead SES is Nicolle Power, Universal Services Branch, Communications Infrastructure Division.*

- As of July 2025, NBN Sky Muster had 75,415 active services.
- The residential grade satellite services offered by Starlink and NBN Co differ in relation to provision of user support, professional installation, set up costs and ongoing charges.
- The government's \$480 million investment to upgrade NBN Co's fixed wireless network has helped free up capacity on Sky Muster satellites and over 120,000 premises previously able to access the NBN via Sky Muster are now eligible for fixed wireless services. Premises that remain in the NBN satellite footprint can now access improved Sky Muster Plus Premium products, which offer fully unmetered data and speeds of up to 100 Mbps.
  - *If raised:* Questions about the number of customers on NBN Co Sky Muster or Fixed Wireless networks can be directed to NBN Co.

NBN Co and Amazon Project Kuiper Agreement

- NBN Co's partnership with Amazon's Project Kuiper (Kuiper) will ensure continuity of fixed broadband internet service for approximately 75,000 premises currently served by Sky Muster satellites and approximately 307,000 eligible premises in the satellite footprint.
- On 5 August 2025, NBN Co, Amazon, the Minister for Communications, the Minister for Finance, and the Assistant Minister for Science, Technology and the Digital Economy announced a partnership with Kuiper to provide wholesale, fixed broadband to customers via Kuiper's LEOsat technology.
- This agreement will extend the benefits of the NBN, such as free installation, competitive pricing, customer support and consumer protections to more Australians in regional, rural and remote Australia.
- NBN Co's partnership with Kuiper will transition premises in the satellite footprint from the ageing Sky Muster satellites to a modern LEOsat solution, enabling higher speeds and significantly lower latency.

**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary

**Phone:** s22(1)(a)(ii)

**Version Number:** 03

**Date:** 22/09/2025

Page 5 of 18

OFFICIAL

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000316

- Kuiper is expected to launch a trial service by 2026. A rollout of services will begin from the southern-most points of Australia as coverage moves towards the equator. s45, s47(1)(b), s47D
- NBN Co will commence consultations with industry and regional stakeholders in the coming months to ensure a smooth transition and to inform the configuration of service offerings.

LEOSats as part of modernised universal service regime

*If raised: Lead SES is Nicolle Power, Universal Services Branch, Communications Infrastructure Division.*

*Refer brief SB25-000322 (Universal Service – Delivery and Reform) and SB25-000326 (UOMO) for further information.*

- As a first step towards modernising Australia's universal services framework, the government has announced its intention to establish a Universal Outdoor Mobile Obligation (UOMO).
- The Uomo would require the 3 MNOs (Optus, Telstra and TPG) to ensure that mobile coverage is reasonably available outdoors across Australia.
- The government issued an exposure draft of legislation on 18 September 2025. Submissions are due by 19 October 2025.
- The government is also continuing work to consider opportunities for further modernisation of the universal services framework, noting there is also stakeholder interest in the potential use of LEOSats to provide fixed voice services. The Regional Telecommunications Independent Review has recommended that current arrangements be modernised on a technology-neutral basis, subject to proposed technology used being proven and consumers being supported through this change. Technical trials are also being undertaken to better understand the 'real-world' performance of LEOSats to deliver fixed voice services.

LEOSats in emergenciesNational Triple Zero emergency call service

*If raised: Lead SES is Kath Silleri, Emergency Communications and Resilience Branch, Communications Services & Consumer Division.*

*Refer brief SB25-000353 (Telecommunications Outages and 000) for further information.*

- LEOSat D2D emergency calls to Triple Zero will be available when the voice capability of these networks is activated.

**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary

**Phone:** s22(1)(a)(ii)

**Version Number:** 03

**Date:** 22/09/2025

Page 6 of 18

OFFICIAL



OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000316

- No action by the government is required to enable this service to come online. However, the department continues to consider developments in this area to identify both opportunities and roadblocks.
- From a regulatory perspective, the Emergency Call Service (ECS) Determination requirement that Carriers and Carriage Service Providers (CSPs), who provide voice carriage services, must deliver calls to Triple Zero will apply equally where those services are delivered via LEOSat D2D capability. The department is considering whether there will be issues in providing location information to the Emergency Call Person (called Advanced Mobile Location or AML) when calls to Triple Zero are made through a LEOSat voice service.
- It is also the department's understanding that the existing obligations under the ECS Determination for emergency call camp-on will also extend to calls made through LEOSat D2D technology.
- Emergency call camp-on is an arrangement where a mobile phone that cannot access the emergency call service on its 'home' network (because it is out of range, or its home network is unavailable) will 'camp-on' to another mobile network that is available and within range to connect the emergency call. Camp-on only works if another mobile network is available to the end-user.
- The department is currently in the process of working with the ACMA on ensuring that industry is fully cognisant of these obligations.
- During the review into the Optus Outage of November 2023, the department identified a need to establish a testing regime to provide confidence that emergency calls would be successfully carried regardless of the device and the network used. The department has engaged the University of Technology Sydney (UTS) to develop the technical requirements of a testing code for Communications Alliance. The resultant code is under consideration by the ACMA for implementation.
- To complement this work, the department has also engaged the UTS to establish a testing facility to carry out a prescribed set of tests to ensure device and network capability for emergency calling. Understanding the capability of LEOSat D2D services to successfully carry calls to Triple Zero, including facilitating emergency camp on, will be an area of interest for this new testing regime.
- The existing national Triple Zero system is voice only. Legislative change would be necessary to enable messaging to Triple Zero, including via LEOSats. Engagement on the operational model, impact and adaptations would also be required with Carriers, CSPs, the Emergency Call Person and Emergency Services Organisations.

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**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary
**Phone:** s22(1)(a)(ii)**Version Number:** 03**Date:** 22/09/2025

Page 7 of 18

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OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000316

- Apple's Emergency SOS via satellite is a proprietary emergency service for newer iPhone models. Apple's Emergency SOS via satellite uses mobile satellite services (MSS) spectrum to send a message via Globalstar's LEOSat network to an international triage centre, which then places a voice call to Triple Zero in Australia.

Temporary disaster roaming

*If raised: Lead SES is Kath Silleri, Emergency Communications and Resilience Branch, Communications Services & Consumer Division.*

- On 26 March 2024, the department, in conjunction with the National Emergency Management Agency (NEMA), provided a report to the former Minister for Communications and the former Minister for Disaster and Emergency Management scoping a temporary disaster roaming (TDR) capability for Australia.
- This would enable consumers, regardless of their mobile provider, to obtain mobile connectivity during emergencies provided there was sufficient coverage on other mobile networks. Following the report, the former Minister for Communications announced a preference for an industry-led TDR solution.
  - The extent to which the development of LEOSat D2D functionality may complement or mitigate the need for TDR was one element discussed in the report.
- The department continues to work with the MNOs to bring about an industry-led TDR solution.

Regulatory considerations

*If raised: Lead SES is Andrew Irwin, Markets & Competition Branch, Communications Infrastructure Division.*

- The department undertook a targeted consultation with industry and relevant government agencies to ascertain whether there are any regulatory gaps governing satellites that need to be addressed before satellite D2D services gain mass market adoption in Australia. Submissions received indicated that the regulatory framework is generally fit for purpose.
- In particular, LEOSat providers who offer public telecommunication services in Australia are treated in the same manner as other telecommunications providers, and will need to hold a carrier licence or have a Nominated Carrier Determination from the ACMA in place. For example, Starlink Australia Pty Ltd holds a carrier licence. The carrier licence requirement underpins a range of other regulatory protections, such as those relating to competition and national security.
- Similarly, the ACMA has engaged with stakeholders to explore whether the spectrum management framework is fit-for-purpose to manage satellite D2D services. The ACMA

**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary

**Phone:** s22(1)(a)(ii)

**Version Number:** 03

**Date:** 22/09/2025

Page 8 of 18

OFFICIAL

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000316

conducted a consultation from 9 November 2023 to 7 February 2024 on potential regulatory issues for satellite D2D services. On 21 October 2024, the ACMA released its guidance on operation of International Mobile Telecommunications (IMT) satellite D2D services. This guidance states that the current spectrum licensing framework allows for the operation of satellite D2D services within the Australian mainland and Tasmania.

- The department is continuing to work with the ACMA on regulatory matters.

**Background**

- LEOSats orbit between approximately 160–2,000 kilometres above the earth and can follow alternative routes to the Earth's equatorial rotation. Compared to other satellites, LEOSats are closer to the Earth and as a result communication distances are shorter. LEOSats can transmit with lower latency (shorter delays) and require less power, but tend to have a shorter lifespan.
- Starlink is the largest LEOSat player in Australia, having recently entered into supply arrangements for broadband services with Telstra, Optus and Vocus. Smaller LEOSat constellations exist and mainly focus on business or enterprise applications. For example, OneWeb has entered into arrangements with Telstra (to provide mobile backhaul).

Constellation costs

- Launching a constellation of LEOSat incurs a very high cost on operators which is partially offset by the global coverage offered by LEOSats. Starlink and Project Kuiper are supported by their large parent companies, SpaceX and Amazon. Companies such as Telesat and Eutelsat's OneWeb are partnered with governments to support their rollout.
- Starlink, OneWeb, Amazon and Telesat are reportedly investing at least \$US10 billion, \$US3.3 billion (invested to-date), \$US10 billion (launch costs alone) and \$US5 billion respectively.
- Competition in the launch market and technological advancements have reduced the cost of rocket launches. Individual LEO satellites are also less expensive than a geostationary satellite alternative, however LEOSats generally have a shorter lifespan and likely need replacement approximately every 7 years.

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**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary

**Phone:** s22(1)(a)(ii)

**Version Number:** 03

**Date:** 22/09/2025

Page 9 of 18

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OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000316

**Supporting Information***Questions on Notice (QoNs)*

- SQ25-000055 Meetings with Starlink – see **Attachment A**
- SQ25-000322 Minister's knowledge of NBN Co preferred proponent – see **Attachment B**

*Freedom of Information (FOI) Requests*

- FOI 25-348 - documents relating to Starlink or SpaceX.

*Recent Ministerial Comments*

- Media Release: Albanese Government delivering high speed broadband for regional Australia. See **Attachment C**

*Relevant Media Reporting*

- "Hopes joint NBN Co–Amazon satellite internet will transform remote connectivity", Chris Lewis, ABC, 7 August 2025 - <https://www.abc.net.au/news/2025-08-07/satellite-internet-competition-nbn-amazon-starlink/105620108> - see **Attachment D**

**Attachments**

- A: SQ25-000055 Meetings with Starlink
- B: SQ25-000322 Minister's knowledge of NBN Co preferred proponent
- C: Media Release: Albanese Government delivering high speed broadband for regional Australia
- D: Article by Chris Lewis, ABC, 7 August 2025 "Hopes joint NBN Co–Amazon satellite internet will transform remote connectivity"

**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 03**Date:** 22/09/2025

Page 10 of 18

OFFICIAL

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000316

Attachment A

**Committee Question Number:** 6**Departmental Question Number:** SQ25-000055**Division/Agency Name:** DIV - Communications Infrastructure**Hansard Reference:** Spoken, Page No. 28-29 (25 February 2025)**Topic:** Meetings with Starlink**Senator Sarah Hanson-Young asked:**

Senator HANSON-YOUNG: I can see there's obviously a gap there. You will get the exact date of the briefing from Starlink for me. Who proposed that Starlink brief that group? Was that by an industry member on the working group? Was it proposed by the government? Who proposed that Starlink would brief?

Mr Chisholm: We requested it.

Senator HANSON-YOUNG: You requested it directly to Starlink?

Mr Chisholm: Yes.

Senator HANSON-YOUNG: Could I have a copy of that correspondence?

Ms La Rance: I will take on notice how we communicated with them. I also confirm that that meeting was on 11 February. It was around understanding the experiences that they'd had in the US, including regulatory approaches, in light of the recent bushfires.

Senator HANSON-YOUNG: Have there been any other meetings with Starlink and the department?

Mr Chisholm: As a member of the working group, in the last 12 months the working group has met about three times. Then, separate meetings with Starlink—I will take that on notice.

Senator HANSON-YOUNG: I am happy for you to take that on notice, including any meetings which the minister or the minister's office may have had with them.

**Answer:**

The Department of Infrastructure, Transport, Regional Development, Communications and the Arts met with members of SpaceX's Starlink team twice.

- On 3 December 2024, the department met with Starlink to discuss technical aspects of the direct to device (D2D) capability and how it operates, including testing and resilience

**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary

**Phone:** s22(1)(a)(ii)

**Version Number:** 03

**Date:** 22/09/2025

Page 11 of 18

OFFICIAL

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OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000316

functions. As part of this discussion, Starlink provided information on the use of D2D in the United States (US) during Hurricanes Helene in September and Milton in October 2024.

- On 31 January 2025, the department met with Starlink to discuss details on the presentation at the upcoming Working Group, particularly around the emergency response to hurricanes and the Los Angeles wildfires.

Starlink have attended 6 of the 7 Working Group meetings since the first meeting was held on 10 February 2023. Over the last 12 months, Starlink has been present at 3 meetings of the Working Group.

On 25 February, Minister Rowland's office also met with SpaceX to discuss the UOMO initiative.

**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary

**Phone:** s22(1)(a)(ii)

**Version Number:** 03

**Date:** 22/09/2025

Page 12 of 18

OFFICIAL

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OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000316

Attachment B

**Committee Question Number:** 5**Departmental Question Number:** SQ25-000322**Division/Agency Name:** DIV - Communications Infrastructure**Hansard Reference:** Spoken, Page No. 101 (27 March 2025)**Topic:** Minister's knowledge of NBN Co preferred proponent**Senator Ross Cadell asked:**

Senator CADELL: Okay. Has a provider been selected?

Mr Williams: The process, as we've given testimony before, is a process of commercial-in-confidence. We're well advanced in that process but at a critical stage in a very complex range of negotiations. Ultimately, there's no deal to be done until a deal's ready to be done, and we're not at that stage where there is something that's inkable. We are far enough advanced to be comfortable that we can see a pathway to a low-Earth-orbit partnership being something that makes sense to NBN and to the community to offer services to most remote citizens at a point before the retirement of Sky Muster. I think you alluded to some of these points in previous discussions. There are a range of careful considerations around sovereignty issues to be managed—data sovereignty, commercial issues, technology issues, operating and cost issues. You'll be the first to know.

Senator CADELL: I will not be; I would hope the minister would be the first to know!

Speaking of that, does the minister know the preferred proponent at the moment?

Senator McAllister: If that question is addressed to me, I'll take it on notice. As you understand, I represent the minister and I don't know her state of mind.

**Answer:**

In June 2023, NBN Co announced the release of a closed Request For Information (RFI) to Low Earth Orbit (LEO) satellite providers to further understand their offerings.

The former Minister for Communications, the Hon Michelle Rowland MP, was regularly informed by NBN Co on the progress of the LEOSat RFI as part of standard shareholder engagement processes. These matters are considered commercial in confidence.

**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 03**Date:** 22/09/2025

Page 13 of 18

OFFICIAL

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000316

As a Government Business Enterprise, NBN Co is required, under Section 91 of the Public Governance, Performance and Accountability Act 2013, to keep Shareholder Ministers informed on potential decisions impacting its future operation via a 'Section 91 notice' (Notice).

NBN Co provided a Notice in mid-February 2025, detailing its intention to progress negotiations with a preferred LEOSat provider. Formal advice was provided to the former minister on the content provided in the Notice in early March 2025.

The decision on whether or not to enter into a contract is however, a matter for the NBN Co Board.

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**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary

**Phone:** s22(1)(a)(ii)

**Version Number:** 03

**Date:** 22/09/2025

Page 14 of 18

OFFICIAL

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Transport, Regional Development, Communications, Sport and the Arts



OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000316

Attachment C

## Albanese Government delivering high speed broadband for regional Australia

The Albanese Government's commitment to greater connectivity will see up to 300,000 homes and businesses have faster and more reliable broadband through new technology deployed 600km above Australia.

A historic agreement signed between NBN Co Limited and Amazon Project Kuiper will bring city-quality broadband to Australia's hardest to reach places.

This nation-building agreement is another step towards Australia becoming the most connected continent and is targeted to help rural and remote areas of Australia.

NBN Co's agreement with Project Kuiper will deliver broadband internet services via a constellation of Low Earth Orbit Satellites (LEOSats), about 600 kilometres above the Earth.

This represents a major change in technology from NBN Co's existing Sky Muster satellite services and will ensure continuity of high-speed internet for people living and working in regional and remote areas.

NBN Co will consult with retail partners and regional stakeholders regarding the timing of upgrading users of Sky Muster satellites to Project Kuiper's services. Access to existing Sky Muster services will continue until the transition to the new service is complete.

Today's announcement complements the Government's continued investment in the NBN to upgrade premises currently using outdated fibre to the node technology, and the expansion of the fixed wireless footprint.

### Quotes attributable to Minister for Communications, Anika Wells:

"It is critical that a country as vast as Australia prioritises connectivity regardless of postcode.

"Providing better broadband from the cities to the regions is a key element of our plan to make Australia the most connected continent.

"Our Government embraces new technology, particularly when it helps to deliver essential services.

"The agreement between NBN Co and Project Kuiper will boost access to reliable, fast and affordable broadband internet across Australia.

**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary

**Phone:** s22(1)(a)(ii)

**Version Number:** 03

**Date:** 22/09/2025

Page 15 of 18

OFFICIAL

OFFICIAL

**2025-2026 Supplementary Budget Estimates****Environment and Communications****Lead/Support contact: Lisa La Rance / Shanyn Sparreboom****SB25-000316**

"This will improve public safety, provide resilience during natural disasters and improve quality of life for all Australians, especially in regional and remote communities."

**Quotes attributable to Minister for Finance, Senator Katy Gallagher:**

"Right now, too many Australians in regional, rural, and remote areas don't have access to fast and reliable internet, and the Albanese Government is focused on fixing this.

"This agreement between NBN Co and Project Kuiper will help to address this longstanding issue, boosting opportunities and driving productivity for workers and businesses across the country."

**Quotes attributable to Assistant Minister for Science, Technology and the Digital Economy, Andrew Charlton:**

"Adopting new technology is essential in ensuring our digital economy keeps pace with the world.

"People throughout Australia deserve access to world-class technology that lifts living standards and creates more opportunities.

"The Albanese Labor Government will continue to invest in technology in a way that captures the economic opportunity, ensuring the benefits are spread equitably."

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**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 03**Date:** 22/09/2025

Page 16 of 18

OFFICIAL

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Transport, Regional Development, Communications, Sport and the Arts

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000316

## Attachment D

**Hopes joint NBN Co–Amazon satellite internet will transform remote connectivity**

Article by Chris Lewis, ABC, 7 August 2025

Australia is set to get another satellite internet provider in 2026, giving SpaceX's Starlink some long-awaited competition.

Government-owned NBN Co has partnered with Amazon to roll out high-speed broadband using 3,200 low Earth orbit (LEO) satellites from Amazon's Project Kuiper.

Reliable connectivity in the bush is essential for emergency services. *(ABC Midwest and Wheatbelt: Chris Lewis)*

Starlink already has about 7,000 operational satellites providing internet to remote parts of the country.

With Amazon entering the game, there will soon be more than 10,000 LEO satellites focused on delivering high-speed internet — and that is not counting all the other satellites in orbit.

The new service is expected to launch in 2026, and NBN Co says it will offer a major upgrade in speed and reliability for people currently using its satellite network.

Since Sky Muster launched in 2015, ongoing issues with its reliability and performance prompted [many internet users to switch to Starlink](#), which quickly became a popular provider thanks to its LEO satellites.

The transition from Sky Muster to LEO satellites has sparked hopes that a bit of competition might finally benefit regional users.

Amazon's KA-01 mission launch earlier this year. *(Supplied: Amazon Project Kuiper)*

NBN Co's chief development officer for regional and remote services, Gavin Williams, said the partnership would benefit new and existing customers.

He said the new venture with Amazon would replace NBN's Sky Muster, which is currently just two satellites 36,000 kilometres into space.

"The Kuiper constellation will be 3,200 satellites, so a lot more satellites, and in round numbers will be around 600 kilometres from Earth," he said.

Amazon has built ground stations that will connect customers' outdoor boxes with satellites. *(Supplied: NBN Co)*

Mr Williams said this would greatly increase the speed of the internet for up to 300,000 customers.

**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary

**Phone:** s22(1)(a)(ii)

**Version Number:** 03

**Date:** 22/09/2025

Page 17 of 18

OFFICIAL

Released under the FOI Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Shanyn Sparreboom

SB25-000316

"In an online world, the imperatives and significance of fast and reliable broadband in remote parts of the country [is vital]," he said.

"If your home-based classroom's offline, you can't just pop the kids down to school.

"If your online shop doesn't work, you can't just pop down to Woolies down the street.

"It's literally and figuratively a lifeline for customers in remote WA."

The new satellite service will bring connectivity to isolated places within Australia. *(ABC Midwest and Wheatbelt: Chris Lewis)*

**Technology critical for remote towns**

For remote areas, such as the Shire of Yalgoo, CEO Ian Holland said satellite technology was important for emergency services.

"A lot of our area historically hasn't been covered by anything other than a really slow-to-connect sat [satellite] phone," Mr Holland said.

"We've had some investment for Starlink units for our fire trucks, and I know that other emergency services such as WA Police and St John have been rolling out LEO equipment as well.

"Even just being able to make that phone call, talking with RFDS about a medical emergency, and anything that makes response faster and allows people to be tracked down faster is a massive boom to emergency services out here."

Ian Holland says while the satellites are great for isolated locations, the night sky becomes full of streaking satellites. *(ABC Midwest and Wheatbelt: Chris Lewis)*

Mr Holland said that while competition between companies would be a win for consumers, the night sky was already getting crowded with satellites.

Staying connected wherever we are comes at a cost.

"From a night sky perspective, we can already look up and see the trails of these objects flying through," Mr Holland said.

"I think that's the reality of where technology is going within this space."

**Contact:** Shanyn Sparreboom **Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary

**Phone:** s22(1)(a)(ii)

**Version Number:** 03

**Date:** 22/09/2025

Page 18 of 18

OFFICIAL

Released under the FOI Act 1982 by the Department of Infrastructure,  
Transport, Regional Development, Communications, Sport and the Arts

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Jason Ashurst

SB25-000318

**SUBJECT: First Nations Digital Inclusion Budget Measures****Key Deliverables:**

- The Australian Government has committed \$68 million over 4 years to support First Nations digital inclusion.
- 23 remote First Nations communities now have free community Wi-Fi, and delivery of other programs to support First Nations digital inclusion is underway.

**Talking Points:**

- The inclusion of Target 17 in the National Agreement on Closing the Gap – which commits to the goal of equal levels of digital inclusion by 2026 – reflects the importance of addressing the digital divide for First Nations Australians.
- The 2024-25 Budget included funding for First Nations digital inclusion, \$68 million over 4 years, starting from 2023-24, to provide broadband connectivity in remote communities, digital mentoring and support, and improved data collection.
- This funding responds to recommendations made by the First Nations Digital Inclusion Advisory Group (the Advisory Group) in its initial report, and aligns with the actions identified in the First Nations Digital Inclusion Roadmap.
- Applications for a contestable community Wi-Fi grants program were open from February to May 2025. Outcomes of the program are expected to be announced following the execution of grant agreements with successful applicants.
- The combined grant opportunity for the First Nations Digital Support Hub and Network of Digital mentors was open from February to March 2025. Grant agreements for both programs are now under negotiation.

**Key Issues**2024-25 Budget measures to progress First Nations digital inclusion

The 2024-25 Budget include \$68 million over 4 years for the following programs:

- \$40 million over 4 years from 2023–24 to deliver free community Wi-Fi in remote First Nations communities. This investment in community Wi-Fi includes:
  - \$20 million to NBN Co to deliver free community Wi-Fi to 23 First Nations communities using NBN Co's satellite technology.
  - \$20 million to deliver free community Wi-Fi solutions to additional remote First Nations communities, through a contestable grants program.

**Contact:** Jason Ashurst**Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 3**Date:** 01/09/2025

OFFICIAL

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Jason Ashurst

SB25-000318

- \$22 million over 3 years from 2024–25 to establish a First Nations Digital Support Hub and a Network of Digital Mentors:
  - \$4 million to establish the First Nations Digital Support Hub
  - \$18 million for the network of Digital Mentors, including \$9 million from the National Indigenous Australians Agency (NIAA) for remote communities.
- \$6 million over 3 years from 2024–25 to expand the Australian Digital Inclusion Index (ADII) to improve the national collection of data on First Nations digital inclusion.
- These programs were funded under the 2022–23 October Budget measure titled Better Connectivity Plan for Regional and Rural Australia (BCP), and from the NIAA's Indigenous Advancement Strategy.

NBN Co Free Community Wi-Fi

- On 13 February 2024, the Prime Minister announced that NBN Co would be funded to roll out free Community Wi-Fi in around 20 remote communities, with Digital Champions available in each community to support members get online and stay online.
- Based on consultation with the Advisory Group, NIAA, the Department of Social Services and state and territory governments, a list of potential communities were engaged to participate in the program and have Wi-Fi services activated.
- As at 29 July 2025, all 23 remote communities have active services. In partnership with NBN Co, the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts will continue capturing information and feedback from the activated sites, which is provided to the communities. The operation of services is funded until 2028.
- The funding amount of \$20 million was determined through commercial negotiations with NBN Co, and a grant agreement was executed on 30 June 2024. A variation to support Digital Champions was executed on 4 December 2024.

Free Community Wi-Fi (contestable program)

- A further \$20 million is being provided to deliver community Wi-Fi services in more remote First Nations communities. This funding is being awarded to suitable applicants through an open competitive grants process.
- The program is targeting communities with poor levels of connectivity and digital inclusion, and will provide sustainable and affordable place-based solutions.
- Following public consultation on the draft Grant Opportunity Guidelines in late 2024, the grant opportunity opened for applications on 17 February and closed on 22 May 2025.

**Contact:** Jason Ashurst**Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 3**Date:** 01/09/2025

OFFICIAL

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Jason Ashurst

SB25-000318

- The department established a First Nations Project Noticeboard to provide First Nations communities with the ability to have a voice on their connectivity needs and assist potential applicants in identifying the types of solutions communities are looking for when developing their applications for the program.
- This grant opportunity is seeking innovative place-based solutions, including through the use of emerging technologies such as low earth orbit satellites (LEOSats).
- The department has completed its assessment of applications and provided funding recommendations to the Hon Anika Wells MP, Minister for Communications and Minister for Sport. Outcomes of the program are expected to be announced following the execution of grant agreements with successful applicants.

First Nations Digital Support Hub and Network of Digital Mentors

- \$4 million over 2 years from 2024-2025 will go towards a First Nations Digital Support Hub, which will help First Nations people to be online safely, and effectively, and to understand the connectivity options that best suits their needs.
- The Digital Support Hub will be supplemented by a Network of Digital Mentors with an allocation of \$18 million over 3 years from 2024-2025, \$9 million of which is being provided by the NIAA.
- The Network of Digital Mentors program will provide in-community assistance helping members get connected, increase awareness of risks (such as scams) and develop digital skills to enable participation in the economy and to access services.
- Following consultation on draft Grant Opportunity Guidelines in late 2024, the grant opportunity for these programs opened on 17 February and closed on 13 March 2025.
- Due to the caretaker period and complexities with finalising grant agreements with the recommended providers, there have been some delays with delivering these programs.

Improving the national collection of data on First Nations digital inclusion

- \$6 million over 3 years from 2024-2025 is being provided to increase the scope and sample size of the Australian Digital Inclusion Index (ADII). The current ADII data set on First Nations digital inclusion draws on very low sample sizes.
- Funding for the delivery of this measure was awarded to the RMIT University, with the grant agreement executed on 29 November 2024 and the program now underway.
- A direct one-off ad-hoc grant was considered the best approach and value for money to maximise outcomes and align with the next round of ADII data collection.
- This funding will enable RMIT to:

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Jason Ashurst

SB25-000318

- conduct 2 new rounds of data collection in 2024-25 and 2025-26 financial years, respectively, focusing on First Nations people through a total of up to 5,600 online and face-to-face surveys, including an increased urban and regional sample
- report progressively on First Nations digital inclusion across 3 key indicators of access, affordability and digital ability, in 2025-26 and 2026-27
- provide a better understanding of the digital inclusion challenges faced by First Nations people.
- The first round of survey work in urban and regional areas (~2800 surveys) has been completed by RMIT partner Ipsos. First round data is being cleansed and analysed for publication in Q4 2025, along with the development of a new First Nations dashboard.

## Financial Information as at 31 July 2025

<b>Program/Project Start Date:</b>	<b>2023-24</b>				
<b>Program/Project End Date:</b>	<b>30 June 2027</b>				
	2023-24 \$m	2024-25 \$m	2025-26 \$m	2026-27 \$m	<b>TOTAL \$m</b>
Appropriation Budget	19.4	19.1	17	12.5	<b>68</b>
Less:					
Actual Expenditure YTD at 31 July 2025	19.4	3.1	0		<b>22.5</b>
Total Committed Funds at 31 July 2025	19.4	3.1	1	2.5	<b>26</b>
Total Uncommitted Funds (balance)	0	16	16	10	<b>42</b>

*Note: Committed funds relate to funds committed under a Funding Agreement, Contract or Program of Works where the Project, Profile and Conditions have been agreed to, or a formal offer has been made pending agreement, by the recipient.*

- Expenditure of \$19.40 million in 2023-24, was to NBN Co to deliver free community Wi-Fi to 23 remote communities, using NBN satellite technology.
- Additional expenditure of \$0.60 million was made to NBN Co in 2024-25 to provide Digital Champions to support these communities in accessing and using the community Wi-Fi services safely and effectively.
- An initial payment of \$1.25 million was made to RMIT in 2024-25 following execution of the grant agreement and to allow the commencement of the first round of data collection on First Nations digital inclusion by RMIT partner Ipsos.

Contact: Jason Ashurst

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Version Number: 3

Date: 01/09/2025

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Jason Ashurst

SB25-000318

- A second payment of \$1.25 million was made to RMIT in June 2025 following the successful completion of the first round of survey work in urban and regional areas (~2000 surveys) and agreements with First Nations partner organisations finalised for data collection to commence in 10 targeted research sites.

**Contact:** Jason Ashurst**Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 3**Date:** 01/09/2025

Page 5 of 5

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Jason Ashurst

SB25-000320

**SUBJECT: School Student Broadband Initiative (SSBI)****Key Deliverables**

- The Australian Government committed to providing free broadband for up to 30,000 families during the 2022 Federal election.
- The School Student Broadband Initiative (the Initiative) stopped accepting new families on 30 June 2025 as the 30,000 cap had been met.

**Talking Points**

- To boost education opportunities and narrow the digital divide, the Initiative was launched on 3 February 2023, to provide 30,000 eligible families free NBN services for an initial period of 12 months.
- This is the first time a measure of this kind has been rolled out nationally. Working with vulnerable communities took time – both initiating engagement and building awareness of the Initiative.
- On 28 January 2025, the government announced an additional \$4.9 million to extend the Initiative. The extension means all connected families will receive a free NBN service until 30 June 2028.
- In total, the government has invested \$14.8 million towards the Initiative. This includes \$13.7 million in grant funding for NBN Co to lead implementation and \$1.1 million for grant administration and evaluation activities.
- The Initiative ceased accepting new nominations in May 2025 due to reaching the connection allocation. Families who had received vouchers were able to redeem them with a retail service provider and connect to the Initiative up to 30 June 2025.
- An evaluation of the SSBI is currently underway to assess the impact the Initiative has had on families and students.
- The government is continuing to look at ways to support Australian families with cost of living relief.

**Key Issues**

- The School Student Broadband Initiative is being implemented by NBN Co, working with retail service providers (RSPs), to deliver free services to 30 June 2028.
- To be eligible, a family must have:
  - Had a school age student at home (full or part-time) enrolled in an Australian school (up to year 12 including Prep in Queensland/Victoria/Tasmania, Kindergarten in

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Page 1 of 6

OFFICIAL

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Jason Ashurst

SB25-000320

New South Wales, Reception in South Australia, Transition in the Northern Territory/Australian Capital Territory and Pre-Primary in Western Australia).

- Not had an active NBN network internet service at their current residential address within the 14 days prior to applying (having a mobile internet service did not affect eligibility).
- Lived in a premise that could access the NBN network through a standard connection.
- Around 60 nominating organisations participated by identifying eligible families including: state and territory education departments, non-government school sectors, charities and local community organisations, social housing providers and individual schools. Federal Members of Parliament and Senators were also able to identify and nominate families.
- 11 RSPs have participated in the initiative, reflecting strong industry support: activ8me, Aussie Broadband, Belong (Telstra), Connected Australia (previously known as Lemonade Broadband), Exetel, Launtel, Multiwave, Optus, SkyMesh, Superloop and Vodafone (TPG). Participating RSPs are compensated for their costs in delivering free services via subsidies. While some RSPs ceased taking new orders prior to the Initiative's cap being reached, they continue to provide free services to the families that signed up.
- NBN Co and the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts are monitoring the planned transfer of Exetel SSBI services to Superloop as part of its acquisition by them, however no disruption is anticipated.
- Services are available across all NBN technologies, providing 50 megabits per second (Mbps) fixed-line services, Fixed-Wireless Plus and Sky Muster Plus services, depending on where the family lives, with large or unlimited data quotas. There are 2 participating RSPs (activ8me and SkyMesh) that are regional and remote specialists offering services over Sky Muster satellite.

s45, s47(1)(b), s47D

- The Initiative stopped accepting new nominations and issuing vouchers on 5 May 2025. Families with vouchers were able to redeem them with participating RSPs until 11:59pm on 30 June 2025.
- The Initiative stopped accepting new families as the 30,000 cap had been met.
- A reconciliation process was undertaken by NBN Co with participating RSPs to determine the final number of active services.
- s45, s47(1)(b), s47D

Contact: Jason Ashurst

Cleared by: Shanyn Sparreboom, A/g First Assistant Secretary

Phone: s22(1)(a)(ii)

Version Number: 2

Date: 23/09/2025

Page 2 of 6

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Jason Ashurst

SB25-000320

Evaluation of the Initiative

- In January 2025, and following an Approach to Market, the department entered into a contractual arrangement with the Verian Group to evaluate the Initiative. The total value of the contract is \$293,460.00 (GST exclusive) as at September 2025.
- Evaluation is a critical component of program implementation which will also inform future policy considerations.
- Families, nominating organisations, retail service providers and NBN Co will be invited to share feedback on the Initiative throughout this process.
- The evaluation aims to assess the impact of the Initiative on participating school children and their families.
- The evaluation is undergoing a standard Ethics Review process with surveys and interviews scheduled for October, and findings expected mid-2026.

Future of the Initiative

- The government is continuing to look at ways to support Australian families with cost of living relief.
- The evaluation of the Initiative will help to inform this process.
- NBN Co has been asked to identify and bring to market a suitable product for families ahead of the free service period ending on 30 June 2028.
- The department continues to work with NBN Co and industry partners on service offerings which could be introduced for families, including through forums such as the Low Income and Digital Inclusion Forum.

Government grants to NBN Co for implementation and extension of the Initiative

- The grant opportunities were limited to NBN Co as the only entity that can undertake this project, reflecting the social purpose and non-commercial nature of this Initiative.
- The first grant opportunity of \$4.5 million was published on 9 January 2023 and applications closed on 23 January 2023. The former Minister for Communications, the Hon Michelle Rowland MP, approved the grant outcome to NBN Co on 15 March 2023 and the Funding Agreement between NBN Co and the Business Grants Hub (Department of Industry, Science and Resources) was executed on 14 March 2024.
- The second grant opportunity of \$4.3 million, that supported the Initiative's extension until December 2025, was opened for applications on 23 May 2024 and with NBN Co submitting its application on 31 May 2024. The former Minister for Communications approved the grant outcome on 17 June 2024 and the Funding Agreement between NBN Co and the Business Grants Hub was executed on 28 June 2024.

**Contact:** Jason Ashurst**Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 2**Date:** 23/09/2025

Page 3 of 6

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Jason Ashurst

SB25-000320

- On 28 January 2025, a further extension of the Initiative was announced with an additional grant payment of \$4.9 million to NBN Co, to extend free services until 30 June 2028, which was administered in March 2025.

**Background**Establishment of a National Referral Centre (NRC)

- On 18 October 2023, Anglicare Victoria was engaged by NBN Co to operate a National Referral Centre (NRC). This facilitated easier access to free services by allowing families to self-nominate and provide guidance to families to organise a connection from a participating RSP. It also provided translation services and resources to assist people from various cultural backgrounds.
- The NRC remained in operation until 30 September 2025.

Reasons for families being found ineligible

- The reasons for ineligibility were not collected through the online portal used by the NRC and other organisations to register nominations. However, based on advice from the NRC the main reasons families were found ineligible are:
  - the family already had an existing and active NBN service;
  - they didn't have school aged children; and/or
  - they weren't experiencing financial hardship.

Limited Access Areas

- Limited access areas (LAAs), comprising of approximately 200 islands and remote areas with poor road access, were initially ineligible to receive free services due to high costs and long timeframes necessary for NBN Co to install equipment and maintain services.
- The department and the First Nations Digital Inclusion Advisory Group worked with NBN Co to remove this eligibility barrier for targeted pilot areas, with Palm Island and Torres Strait Island no longer classified as LAAs.
- Engagement with communities across Palm Island and the Torres Strait proved successful with a total of 200 orders placed.

Integrity measures to minimise the risk of the free broadband initiative being gamed

- Assessing the need for a free service was the responsibility of the nominating organisation and/or the NRC.
- NBN Co built an online portal so organisations could directly and securely register nominations and RSPs could check eligibility using unique voucher codes supplied to families before providing free services. The system was also used by NBN Co to monitor

**Contact:** Jason Ashurst**Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 2**Date:** 23/09/2025

Page 4 of 6

OFFICIAL

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Jason Ashurst

SB25-000320

the nomination process, if families had recently disconnected from the NBN and to ensure fair distribution of available services.

- NBN Co and the department were aware of anecdotal reports, including posts in online forums, that some families may be disconnecting their existing NBN service to then apply for and receive a free service through the Initiative. This issue was monitored with a 14-day disconnection period implemented to deter this behaviour.

**Financial Information as at 30 June 2025**

The below outlines the breakdown of government funding (Administered) provided for the Initiative (GST exclusive).

<b>Program/Project Start Date:</b>	<b>2022-23</b>						
<b>Program/Project End Date:</b>	<b>30 June 2028</b>						
	2022-23 \$m	2023-24 \$m	2024-25 \$m	2025-26 \$m	2026-27 \$m	2027-28 \$m	<b>TOTAL \$m</b>
Appropriation Budget	4.5*	4.3	4.9	0	0	0	<b>13.7</b>
Less:							
Actual Expenditure YTD at 30 June 2025	4.5*	4.3	4.9				
Total Committed Funds at 30 June 2025	4.5*	4.3	4.9	0	0	0	<b>13.7</b>
Total Uncommitted Funds (balance)	0	0	0	0	0	0	<b>0</b>

*Note: Committed funds relate to funds committed under a Funding Agreement, Contract or Program of Works where the Project, Profile and Conditions have been agreed to, or a formal offer has been made pending agreement, by the recipient.*

\*This required a movement of funds from 2022-23 FY to 2023-24 FY as the funding agreement was not executed in time.

Additionally, a breakdown of funding (Departmental) provided for the Initiative is outlined below (GST exclusive).

<b>Program/Project Start Date:</b>	<b>2022-23</b>						
<b>Program/Project End Date:</b>	<b>30 June 2028</b>						
	2022-23 \$m	2023-24 \$m	2024-25 \$m	2025-26 \$m	2026-27 \$m	2027-28 \$m	<b>TOTAL \$m</b>
Business Grants Hub costs	0.15	0.26	0.05	0.03	0.02	0.02	<b>0.5</b>
Evaluation costs	0.00	0.00	0.15	0.15	0.15	0.15	<b>0.6</b>
Total departmental appropriation	0.15	0.26	0.20	0.18	0.17	0.17	<b>1.1</b>

Contact: Jason Ashurst

Cleared by: Shanyyn Sparreboom, A/g First Assistant Secretary

Phone: s22(1)(a)(ii)

Version Number: 2

Date: 23/09/2025

Page 5 of 6

OFFICIAL



OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Jason Ashurst

SB25-000320

**Supporting Information***Questions on Notice (QoNs)*

- SQ24-001269 / Committee Question Number 16 (Senator Pocock) - Non-NBN household applications and calls relating to the School Student Broadband Initiative – see **Attachment A**

**Attachments**

- A: SSBI QoN SQ24-001269 / Committee Question Number 16 (Senator David Pocock).

**Contact:** Jason Ashurst**Cleared by:** Shanyin Sparreboom, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 2**Date:** 23/09/2025

Page 6 of 6

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## Environment and Communications

### QUESTION ON NOTICE

#### Supplementary Budget Estimates 2024 - 2025

#### Infrastructure, Transport, Regional Development, Communications and the Arts

Committee Question Number: 16

Departmental Question Number: SQ24-001269

Division/Agency Name: DIV - Communications Infrastructure

Hansard Reference: Spoken, Page No. 32 (05 November 2024)

**Topic:** Non-NBN household applications and calls relating to the School Student Broadband Initiative

**Senator David Pocock asked:**

Senator DAVID POCOCK: If I can ask one question on non-NBN households, how many applications have you had, or can't you get through the first hurdle?

Dr Ashurst: We don't have that number; we can go back and ask. There is the National Referral Centre, where most families can phone the 1800 number to identify whether they are eligible.

Senator DAVID POCOCK: Maybe on notice: the number of calls to 1800 versus the 18,734?

Dr Ashurst: We can take it on notice.

**Answer:**

The School Student Broadband Initiative (the Initiative) is providing up to 30,000 eligible families with a free National Broadband Network (NBN) service. This is a targeted affordability measure by the Australian Government to boost educational opportunities and narrow the digital divide.

To be eligible for the Initiative, a family must:

- have a school age student at home (full or part-time), enrolled in an Australian school
- not have an active NBN service at their current residential address or in the past 14 days
- live in a premises that can access the NBN through a standard connection.

Families can apply by either contacting the National Referral Centre at 1800 954 610 or [www.anglicarevic.org.au/student-internet/](http://www.anglicarevic.org.au/student-internet/), or be identified by one of the other 60 nominating organisations.

The reasons for ineligibility are not collected through the online portal used by the National Referral Centre and other organisations to register nominations. However, based on advice from the National Referral Centre the main reasons families are found ineligible are:

- the family already has an existing and active NBN service
- they don't have school aged children
- they aren't experiencing financial hardship.

As at 31 October 2024, the Initiative has connected 19,350 families. Of these, the National Referral Centre has connected 12,800 families, issued 18,980 free internet vouchers to eligible families and found 5,275 families ineligible. The National Referral Centre has received around 250 calls from the ACT seeking access to the Initiative.

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Nicolle Power

SB25-000322

**SUBJECT: Universal Service - Delivery and Reform****Key Deliverables**

- In October 2023, the Australian Government announced public consultation on options to modernise universal service delivery and funding arrangements, alongside independent voice technology trials to consider whether Low Earth Orbit Satellites (LEOSats) are capable of delivering high-quality fixed voice services.
- In February 2025, the government announced its intention to progress a new Universal Outdoor Mobile Obligation (UOMO) to complement existing baseline fixed services (see SB25-000326). Consultation on UOMO legislation is underway and the government has indicated this is the first step towards modernisation of the universal services framework.

**Talking Points**

- Current universal service arrangements ensure people in Australia have access to fixed telephone and broadband services and payphones are available in key locations nationally. There has been consultation on the services a modernised universal service framework should support and how those services should be delivered and funded.
- The 2024 Regional Telecommunications Independent Review Committee (RTIRC) recommended modernisation through merging the Universal Service Obligation (USO) and Statutory Infrastructure Provider regimes, NBN Co becoming the default service provider for voice and broadband services, and a transition to technology-neutrality.
- The government's response to the 2024 Regional Telecommunications Review Report was released on 18 September. Reflecting the importance of mobile coverage to the community, the response noted that legislation to create a new Uomo is currently being consulted on to improve coverage across regional and remote Australia.
- The Government Response also recognised the importance of broader universal service reform, and is carefully considering potential approaches to improve delivery and funding of baseline fixed services provided to homes and businesses.

**Key Issues**

- In 2023 and 2024, the government ran 2 consultation processes – the first seeking stakeholder views on opportunities to reform the longstanding USO, and the second seeking views on associated funding arrangements. This reflects that new technologies, including LEOSats and investment in NBN Co's regional networks, and changing market dynamics have been raised as providing the potential for a new approach, including to enable the new Uomo (SB25-000326).

**Contact:** Nicolle Power**Cleared by:** Sam Grunhard, A/g Deputy Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 23/9/2025

Page 1 of 7

OFFICIAL

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Nicolle Power

SB25-000322

- Following these consultations, a report summarising stakeholder responses on delivery and funding issues was released on 18 October 2024.
- In addition, recently concluded independent technical trials considered how LEOsats might support fixed voice services. This reflects concerns from rural and remote consumers that there are robust, resilient and reliable services proven in the Australian environment.
- The 2024 RTIRC also extensively engaged with stakeholders about universal service arrangements and other regional communications matters. RTIRC's universal service recommendations are in **Attachment A**.
- As a first step in modernising arrangements, work is underway on the UOMO (SB25-000326 refers) including consultation on draft legislation. The government has noted through its response to the 2024 Regional Telecommunications Review Report that it is carefully considering its preferred approach to the USO in light of stakeholder feedback and associated views from RTIRC.

*First stage of consultation – delivery*

- The previous Minister for Communications released a discussion paper on 30 October 2023 seeking input on characteristics and outcomes for a modernised universal service framework. Submissions closed on 1 March 2024.
- Overall stakeholders are supportive of changes to existing arrangements to better reflect evolving consumer needs and the emergence of newer technologies.
- Many suggested a more flexible, technology-neutral approach to service delivery, including to adopt modern networks and services best suited to each premises.

*Second stage of consultation – funding arrangements*

- Non-commercial telecommunications services in Australia are funded through a \$100 million annual contribution from the government and the Telecommunications Industry Levy (TIL) which supports contracts for USO voice services, payphones, Triple Zero and the National Relay Service. The Regional Broadband Scheme (RBS) supports delivery of non-commercial NBN fixed wireless and satellite services. More details on the Regional Broadband Scheme are included in SB25-000328.
- A consultation paper *Funding of universal telecommunications services* was released on 10 April 2024 and submissions closed on 14 May 2024. The discussion paper sought feedback from stakeholders on desirable key principles and characteristics of sustainable long-term funding arrangements.

**Contact:** Nicolle Power**Cleared by:** Sam Grunhard, A/g Deputy Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 23/9/2025

Page 2 of 7

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OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Nicolle Power

SB25-000322

- Over 20 submissions were received and all public submissions have been published. There was general agreement from consultation that simpler levy arrangements would better reflect the market and enable greater efficiency and sustainability.

*Voice trials*

- The Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts contracted Scyne Advisory to conduct independent trials to help inform whether LEOSats are capable of delivering high-quality fixed voice services. These trials considered fixed voice services, and did not consider direct to device (D2D) mobile services, which have now come into the market.
- Scyne was selected as offering value for money following a competitive tender process. The tender process was consistent with Commonwealth Procurement Rules and the *Public Governance, Performance and Public Accountability Act 2013*. The total contract value is up to \$5.384m.
- The trials tested performance of LEOSats at 50 regional and remote locations across Australia, running from November 2024 to July 2025. Regional NBN Co services (fixed wireless and satellite) were also trialled in parallel to provide a comparison.
- Data was collected on the reliability and quality of voice services, as well as information about weather and climate conditions to test performance across different conditions. High-level results were progressively published by the department throughout the trials, and are available from the department's website.
- Scyne provided final data to the department in late-August 2025. The results are being carefully considered, alongside other sources of data.
- Starlink and NBN fixed wireless services generally performed well across the majority of technical metrics. As broadly expected, NBN Sky Muster did not perform as well on some technical metrics, including because that network has some inherent limitations in terms of capacity and higher latency.
- In broad terms, Scyne's analysis of trial data has found performance of LEOSats was not impacted by weather conditions, although we are still considering the full data and findings.

**Background**

- Telstra is the regulated USO provider and must offer voice services nationally. The statutory USO is backed up by a 20-year contract (running to 30 June 2032), which includes requirements to maintain existing copper lines to support voice services outside the NBN fixed-line network.

**Contact:** Nicolle Power**Cleared by:** Sam Grunhard, A/g Deputy Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 23/9/2025

Page 3 of 7

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Nicolle Power

SB25-000322

- NBN Co is the default provider of broadband services nationally and its network also supports voice services in NBN Co's fixed-line and fixed wireless footprints (that is, the vast majority of fixed voice services). This is locked in by statutory infrastructure provider (SIP) laws that took effect from 1 July 2020.
- Since 2012, Telstra has received a fixed payment of \$230 million per annum for delivery of USO voice services and \$40 million per annum for payphones subject to meeting relevant regulatory and contractual requirements.
- While some stakeholders have raised concerns that payments remain fixed while the number of active rural and remote services has declined, Telstra still has to maintain networks over large areas to service remaining USO customers.

*Performance and reliability of existing voice services*

- Telstra provides quarterly public reports on delivery of USO voice services in regional and remote areas, and some additional monthly reporting to the department and the Australian Communications and Media Authority (ACMA).
- This reporting broadly shows service availability is high. While we do hear occasional reports of poor consumer experience, particularly lengthy fault repairs, such cases are in the minority, and are followed up with Telstra.

*Payphones*

- Most consumers prefer to use fixed and mobile phones, but payphones may still play a role for vulnerable members of the community or in areas with no or limited mobile coverage. They are highly used in some remote First Nations communities.
- In August 2021, Telstra made national calls from payphones free of charge to consumers, leading to some increased use. Telstra has publicly indicated around 2 million payphone calls are made monthly (i.e. 24 million calls annually).
- In August 2022, Telstra enabled free Wi-Fi from existing equipment installed at around 3,000 payphones (there are currently around 14,200 payphones nationally). Telstra has completed installing, at its own initiative and cost, battery backup and Wi-Fi at 1,000 payphones in areas it has identified as disaster prone.
- Through recent universal services consultation, stakeholders generally supported payphones being retained, although some recommended they be reviewed to ensure they continue to best meet community needs and preferences.
- The 2024 Regional Telecommunications Review recommended payphones be retained and the government consider tendering for a provider once the current contract with Telstra expires in 2032.

**Contact:** Nicolle Power**Cleared by:** Sam Grunhard, A/g Deputy Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 23/9/2025

Page 4 of 7

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Nicolle Power

SB25-000322

## Financial Information

USO contract with Telstra for USO standard telephone services and payphones

Annual contract payments are due 6 months after the end of the relevant financial year, so the next USO contractual payments to Telstra will be made in December 2025. Payments are made from the Public Interest Telecommunications Services Special Account, with levy funding and an annual government appropriation of \$100m contributing to these costs.

<b>Program/Project Start Date:</b>	1 July 2012				
<b>Program/Project End Date:</b>	30 June 2032				
	2023-24 \$m	2024-25 \$m	2025-26 \$m	2026-27 \$m	<b>TOTAL \$m</b>
Appropriation Budget	270	270	270	270	<b>1080</b>
Total Committed Funds	270	270	270	270	<b>1080</b>
Actual Expenditure YTD at 31 July 2025	270	0	0	0	<b>0</b>

*Note: Committed funds relate to funds committed under a Funding Agreement, Contract or Program of Works where the project, Profile and Conditions have been agreed to, or a formal offer has been made pending agreement, by the recipient.*

Voice trials

<b>Program/Project Start Date:</b>	21 August 2024				
<b>Program/Project End Date:</b>	31 August 2025				
	2023-24 \$m	2024-25 \$m	2025-26 \$m	2026-27 \$m	<b>TOTAL \$m</b>
Appropriation Budget	0	4.985	0.814	0	<b>5.8</b>
Total Committed Funds	0	4.615	0.769^	0	<b>5.384</b>
Actual Expenditure YTD at 31 July 2025	0	4.615	0	0	<b>4.615</b>

Funding for trials was initially drawn from the Public Interest Telecommunications Services Special Account (\$2.4m) and remaining funding from the Better Connectivity Program (up to \$3.452m). Trials were initially to run until end of June 2025, but a movement of funds to FY2025-26 allowed the department to negotiate a short extension with the provider due to some site installations taking longer than anticipated.

^Final expenditure in 2025-26 may be further reduced subject to settling contingency funds.

## Attachments

- A: 2024 Regional Telecommunications Review USO Recommendations

Contact: Nicolle Power

Cleared by: Sam Grunhard, A/g Deputy Secretary

Phone: s22(1)(a)(ii)

Version Number: 02

Date: 23/9/2025

Page 5 of 7

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Nicolle Power

SB25-000322

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Page 6 of 7

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Nicolle Power

SB25-000322

## Attachment A

## 2024 Regional Telecommunications Review USO Recommendations

**3. Expedite universal service modernisation**

The Committee recommends the Australian Government expedite modernising the USO and the Statutory Infrastructure Provider (SIP) regime by merging them into a unified service obligation. NBN Co, as the provider of last resort, and other SIP operators would be required to provide voice-capable broadband services with minimum speeds and standards for all premises.

The Committee also notes that continued public ownership of NBN Co will be crucial to ensure that service standards are met under a modernised USO in regional, rural and remote Australia.

The contractual Copper Continuity Obligation (CCO) should be phased out where and when proven and effective voice-capable broadband services are available.

The Committee further recommends:

- NBN Co be tasked and funded to implement, in consultation with industry stakeholders, a plan to manage the needs of different cohorts of regional, rural and remote users
- the modernised USO be technology-neutral
- the modernised USO be flexible, ensuring that minimum speeds, quality and other standards are readily adaptable so they remain relevant to changing needs
- premises without terrestrial mobile coverage have access to an affordable secondary redundant broadband service including optional battery backup, with government contributions as necessary
- when a modernised USO is introduced, the Customer Service Guarantee (CSG) is updated and strengthened to provide appropriate protections for regional, rural, and remote consumers
- public phones (payphones) be embedded as a free service for domestic calls. Once current contractual obligations expire, the Australian Government should consider tendering for a provider to operate public phone services.

**11. Transition Oversight**

- The Committee recommends comprehensive independent monitoring and public reporting during large-scale telecommunications transitions, such as mobile technology switch offs and the migrations required for modernising the USO. The ACMA could be well-placed to perform this role.

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Version Number: 02

Date: 23/9/2025

Page 7 of 7

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Shanyn Sparreboom / Nicolle Power

SB25-000323

**SUBJECT: National Audit of Mobile Coverage****Key Deliverables**

- The first year of the Main Audit is nearly complete, with over 140,000km of roads tested and all static sites tested.
- Data is being used by Australian Government agencies and industry to help inform future investment decisions and by consumers to better understand coverage in their local area.

**Talking Points**

- The Australian Government allocated \$20 million (GST exclusive) in the 2022-23 Budget for an independent audit of mobile coverage, in line with its election commitment. The National Audit of Mobile Coverage (the Audit) is being delivered by Accenture through a \$16.625 million (GST exclusive) contract that runs to 30 June 2027.
- The Audit commenced on 15 May 2024 with a pilot, field testing 3 roads and 2-3 locations in each state and territory.
- The Audit scaled up in December 2024, with drive and static testing at an expanded set of roads and locations nationwide. The Audit is about to enter the second year of a 3-year testing schedule.
- In addition to drive and static testing data, crowd-sourced data is being collected from about 160,000 daily users nationwide.
- Results so far show that generally there is handheld device coverage where operators claim it, but the quality of the coverage is variable. In some cases, the coverage may not support quality voice and messaging services that consumers expect.

**Key Issues***Audit delivery*

- The Audit is being delivered following a modular approach:
  - Module A - pilot audit - across all states and mainland territories, including 24 locations and 24 roads.
  - Module B - main audit - across all states and mainland territories, including up to 77 locations and around 180,000 km of roads, with each road and location audited annually over 3 years.
  - Module C - complementary crowd-sourced and historical datasets that will cover all of Australia.

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Page 1 of 4

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Shanyn Sparreboom / Nicolle Power

SB25-000323

- Routes and locations planned for testing, and Audit results are published on the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts' website.
- At 31 July 2025, over 120,000 km of roads had been tested. The first year of drive-testing is on schedule for completion in September 2025, with the exception of some peri-urban areas to be completed by Australia Post in the first quarter of 2026. The first year of static testing of 77 towns was completed in August 2025, and the second year of testing commenced.

*Audit Findings*

- The Audit is providing useful insights into the extent and quality of mobile coverage. On average, mobile network operators (MNOs) are claiming coverage on about 70% of the road segments audited nationwide. Where they claim coverage, the Audit has also found coverage. In fewer than 1% of cases Accenture registered no coverage where an MNO claims they have coverage. This is occasionally due to network faults, but may also be due to limitations of predictive coverage mapping.
- Where MNOs claim coverage, on average about 80 % of roads audited nationwide have been found to have consistent and reliable voice, message and data services ("Acceptable" coverage). About 7% of areas audited indicate a below average user experience with frequent service interruptions ("Modest" coverage), and about 13% show a high likelihood of service interruptions ("Limited" coverage).
- Audit results are being used to provide more granular information to the public about likely mobile coverage experience, and to engage with MNOs to understand local issues such as impacts of network development and outages.
- Audit data is being shared with state and territory governments and regulators to inform policy development, program design and future investment in mobile coverage, and is also contributing to public debate about mobile coverage mapping approaches.

*Australia Post's role*

- Accenture has engaged Australia Post as a sub-contractor. Under this agreement, static testing is being implemented at over 60 rural and regional post offices. Drive testing is being delivered by a combination of Accenture vehicles and Australia Post fleet vans.
- In locations where testing cannot be implemented at a post office, devices are being set up at sites such as fire stations, police stations and other government buildings.

**Contact:** Nicolle Power**Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 13/9/2025

Page 2 of 4

OFFICIAL

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Shanyn Sparreboom / Nicolle Power

SB25-000323

*External Advice*

- Nova Systems provided technical advice in the planning and pilot stages of the Audit. As of 31 July 2025, the department has spent a total of \$253,176 (GST inclusive) on technical advice provided by Nova Systems.
- Staff in the Australian Consumer and Competition Commission (ACCC) provided advice on the publicly available metrics for coverage and user experience data.

**Background**

- There have been long-standing concerns about the accuracy of carriers' predictive mobile coverage maps relative to actual service availability on the ground.
- The 2021 Regional Telecommunications Review found that network coverage information provided by mobile network operators relates poorly to consumers' 'real world' experience of mobile coverage.
- The former Minister for Communications, the Hon Michelle Rowland MP, publicly announced that Accenture was the successful tenderer on 8 May 2024. The contract was signed on 2 May 2024 and is registered on Austender.
- In February 2025, the Rural and Regional Affairs and Transport References Committee report on the 'Shutdown of the 3G Mobile Network' made a recommendation for the scope of the National Audit of Mobile Coverage to be increased to include further crowd-sourced data (including on private land such as farming and grazing properties).
- In May 2025, TPG alleged Telstra was being misleading in its external antenna network coverage claims and referred to Audit data in its complaint. Coverage of the story by ABC 7:30 referred to Audit data and claimed that it demonstrated Telstra was claiming coverage in some areas where the data showed it had none.

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Page 3 of 4

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Shanyn Sparreboom / Nicolle Power

SB25-000323

**Financial Information as at 31 July 2025**

- \$10.25 million (GST exclusive) had been expended on services delivered under the contract at 31 July 2025.

<b>Project Start Date:</b>	<b>2 May 2024</b>					
<b>Project End Date:</b>	<b>30 June 2027</b>					
	2023-24 \$m	2024-25 \$m	2025-26 \$m	2026-27 \$m	2027-28 \$m	<b>TOTAL \$m</b>
Appropriation Budget	2.730	10.895	3.180	3.195	0	<b>20.000</b>
Less:						
Actual Expenditure YTD at 31 July 2025	2.730	7.520	0	0		<b>10.250</b>
Total Committed Funds at 31 July 2025	2.730	7.520	3.180	3.195		<b>16.625</b>
Total Uncommitted Funds (balance)	0	3.375	0	0		<b>3.375</b>

*Note: Committed funds relate to funds committed under a Funding Agreement, Contract or Program of Works where the Project, Profile and Conditions have been agreed to, or a formal offer has been made pending agreement, by the recipient.*

**Supporting Information***Questions on Notice (QoNs)*

- SQ23-004743
- SQ22-000561
- SQ22-000560

*Relevant Media Reporting*

- “Major audit of Australia’s mobile black spots to start this month, with help of posties”, Annalise Bolt, 9 News, 3 October 2024, [9news.com.au/national/major-audit-of-australias-mobile-black-spots-to-start-this-month-with-the-help-of-posties](https://9news.com.au/national/major-audit-of-australias-mobile-black-spots-to-start-this-month-with-the-help-of-posties)
- “Accusations that Telstra has exaggerated the reach of its mobile network”, Alysia Thomas-Sam, ABC News, 8 July 2025, <https://www.abc.net.au/news/2025-07-08/accusations-that-telstra-has-exaggerated-the-reach/105509532>

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Page 4 of 4

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Nicolle Power

SB25-000326

**SUBJECT: Universal Outdoor Mobile Obligation****Key Deliverables**

- The Universal Outdoor Mobile Obligation (UOMO) will require Australian mobile operators (Optus, Telstra, TPG) to provide equitable access to outdoor baseline mobile coverage across Australia.

**Talking Points**

- The Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts has been consulting Mobile Network Operators (MNOs) and other stakeholders to inform the design of the Uomo.
- MNOs are expected to meet the obligation using a mix of their existing terrestrial mobile coverage and Direct to Device (D2D) technology.
- The Uomo will improve connectivity in areas currently outside terrestrial mobile coverage and improve access to Triple Zero.
- The proposed framework legislation sets parameters for the Uomo, while also providing flexibility to adjust the obligation to market developments.
- Establishing a legislative framework now allows industry and government to ensure rollout of the technology is equitably available and will send a signal to potential D2D providers that Australia is interested in seeing this market developing.
- The department published an exposure draft of the legislation on 18 September 2025. Consultation closes on 19 October 2025.
- The Minister for Communications and Minister for Sport, the Hon Anika Wells MP, has publicly indicated the Australian Government wants to introduce the legislation as soon as possible.
- Telstra has already launched a limited D2D service for SMS, using Starlink.
- The market is continuing to develop with other D2D competitors emerging, including AST SpaceMobile and Lynk Global.

**Key Issues**

- The government expects Optus, Telstra and TPG to use their existing mobile networks to meet the Uomo. Where they don't currently have coverage, they are expected to leverage D2D services.

**Contact:** Nicolle Power**Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 23/09/2025

Page 1 of 4

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Nicolle Power

SB25-000326

- Mobile operators and D2D Low Earth Orbiting Satellite (LEOSats) providers are undertaking their own commercial arrangements, which have distinct timeframes. The proposed legislation therefore provides some flexibility to deal with this.
- D2D is initially expected to provide baseline connectivity like text messaging, then voice calls directly to most modern mobile phones outside of the coverage area currently provided by land-based cellular towers.
- Industry is already moving to implement agreements to launch access to D2D mobile services supplied over LEOSats and the department is mindful of the need to allow those commercial processes to continue.

*Framework legislation*

- The UOMO is being added to the existing Universal Service Obligation (USO).
- It will require Optus, Telstra and TPG to provide reasonable access to baseline outdoor mobile coverage across Australia, on an equitable basis.
- The basic services mobile operators will be required to provide will be mobile SMS and voice and the draft legislation provides the Minister for Communications with power to extend it to other services as they become available.
- Draft legislation sets a default commencement date of 1 December 2028; however, the minister may bring forward this requirement to 2027 if market conditions permit.
  - Commencement timing reflects the fact that the obligation is subject to market developments, and provides for a flexible approach.
  - Telstra is already providing D2D SMS services in Australia.
- The Bill creates a power for the minister to specify circumstances in which it would not be expected that coverage would be reasonably available. This is in line with current arrangements for universal service provision.
- The draft legislation includes a power to set performance standards, rules and benchmarks similar to arrangements that exist under the USO and Statutory Infrastructure Provider regimes, to enable any emerging consumer issues to be addressed.
- The key elements of the legislation are at **Attachment A** and public explanatory information is at **Attachment B**. The Minister's media release announcing exposure draft consultation is at **Attachment C**.

*Funding*

- Prior to UOMO, all MNOs indicated they had plans to introduce D2D services on a commercial basis.

Contact: Nicolle Power

Cleared by: Shanyyn Sparreboom, A/g First Assistant Secretary

Phone: s22(1)(a)(ii)

Version Number: 02

Date: 23/09/2025

Page 2 of 4

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Nicolle Power

SB25-000326

- The government is consulting MNOs to determine whether there are any incentives required, or barriers that need to be removed, to facilitate the UOMO.

*Competition*

- Starlink is at the forefront of the LEOSat market at this time, however the market is developing quickly and we expect it will continue to do so.
- The announcement of the UOMO signalled to LEOSat providers internationally that Australia wants them to deliver D2D services in Australia.
- The department is monitoring developments in the market closely. There are other D2D competitors emerging, including AST SpaceMobile and Lynk Global.
- More market entrants will help to improve competition, which will ultimately mean more choice for consumers.

*Spectrum*

- As D2D capability develops, there are a range of technical spectrum matters that mobile network operators will need to work through, including interference management with other spectrum users. The Australian Communications and Media Authority (ACMA) has day-to-day responsibility for spectrum management in Australia, and is working with industry to manage and help resolve these issues.
- On 21 October 2024, the ACMA released its guidance on the operations of International Mobile Telecommunications satellite D2D services. This guidance states that the current spectrum licensing framework allows for the operation of D2D services within the Australian mainland and Tasmania.

*Relevant Media Reporting*

- “Universal mobile coverage obligation must deliver for rural Australia”, National Farmers Federation, 19 September 2025.  
<https://nff.org.au/media-release/universal-mobile-obligation-must-deliver-for-rural-australia/>
- “New mobile coverage laws look to the stars”, The Mandarin, 18 September 2025.  
<https://www.themandarin.com.au/299626-new-mobile-coverage-laws-look-to-the-stars/>
- “Calls to make 'timely' Telstra service upgrades mandatory after two-week mobile disruption”, ABC News, 30 June 2025.  
<https://www.abc.net.au/news/2025-06-30/calls-for-more-universal-service-obligations-on-telstra/105458264>

Contact: Nicolle Power

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Phone: s22(1)(a)(ii)

Version Number: 02

Date: 23/09/2025

Page 3 of 4

OFFICIAL

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Nicolle Power

SB25-000326

- “Telstra launches Australia's first direct-to-satellite text messaging service”, ABC, 3 June 2025.  
<https://www.abc.net.au/news/2025-06-03/telstra-launches-australia-first-satellite-text-message-service/105299478>
- “Telstra launches satellite messaging service”, Brisbane Times, 11 June 2025  
<https://www.brisbanetimes.com.au/technology/telstra-launches-satellite-messaging-20250603-p5m4ev.html>

**Attachments**

- A: Summary of Key Elements of the Telecommunications Legislation Amendment (Universal Outdoor Mobile Obligation) Bill 2025
- B: Telecommunications Legislation Amendment (Universal Outdoor Mobile Obligation) Bill 2025: Explanatory information
- C: “Albanese Government takes next steps on regional telecommunications reform”, Minister Wells’ Media release, 18 September 2025

**Contact:** Nicolle Power**Cleared by:** Shanyyn Sparreboom, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 23/09/2025

Page 4 of 4

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Attachment A**Summary of Key Elements of the Telecommunications Legislation Amendment (Universal Outdoor Mobile Obligation) Bill 2025**

Element of the Bill	Summary	Additional comment
s47C		
<b>Objective</b>	Mobile coverage is reasonably available outdoors to all people in Australia on an equitable basis.	<p>The reference to reasonable is intended to deal with instances such as:</p> <ul style="list-style-type: none"> <li>-technical limitations to supply of service (e.g. a person is in a heavily forested area, the network is being repaired),</li> <li>-where a customer does not have a compatible device</li> <li>-force majeure events that make it physically not possible to provide the service.</li> </ul>
<b>Applicable Services</b>	Default services subject to the UOMO - initially voice and SMS.	There is flexibility to extend to include basic data services in the future, subject to market developments.
<b>Flexibility</b>	<p>The Minister can:</p> <ul style="list-style-type: none"> <li>• set separate obligations for voice and SMS;</li> <li>• determine specific areas where specific arrangements will apply (e.g. with a new provider); and</li> <li>• set single or multiple UOMO providers as necessary.</li> </ul>	Provides a flexible approach to managing the obligations in response to market developments.

Attachment A

Element of the Bill	Summary	Additional comment
<b>UOMO providers</b>	The default primary UOMO providers will be Telstra, Optus and TPG.	The Minister has powers to create new primary UOMO providers or remove existing providers as the market evolves.
<b>Geographic scope</b>	Australia wide including. external territories  Excludes the Western Australian Radio Quiet Zone, consistent with existing requirements for terrestrial mobile.	The Minister has power to: <ul style="list-style-type: none"> <li>• set additional geographic areas to be excluded</li> <li>• set UOMO obligations relating to different mobile services on a geographic basis.</li> </ul> Work is underway with the ACMA on spectrum arrangements for external territories and management of potential interference between D2D services and the WA Radio Quiet Zone.
<b>Timing</b>	The Government announced that it anticipates the UOMO would take effect late in December 2027, subject to market developments. The Department will provide advice to the Minister on this during 2027. The Bill provides a fallback date, at which the obligations would automatically commence, of 1 December 2028.	The approach provides flexibility to bring forward, or delay, obligations as the market develops.
<b>Definition of mobile coverage</b>	Obligation will guarantee outdoor coverage only.	While D2D services may work in a vehicle or a building, this is not guaranteed, and in all circumstances there must be a clear line of sight to the sky.

Attachment A

Element of the Bill	Summary	Additional comment
s47C		



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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Nicolle Power

SB25-000328

**SUBJECT: Regional Broadband Scheme****Key Deliverables**

- The Regional Broadband Scheme (RBS) was established to provide transparent and sustainable funding for NBN Co's loss-making fixed wireless and satellite broadband services.

**Talking Points**

- The RBS commenced on 1 January 2021, with the first 'eligible financial year' running from 1 January to 30 June 2021.
- As the NBN comprises around 95% of the fixed-line broadband market, NBN Co currently pays the majority of the RBS levy.
- Total RBS funding collected for 2023-24 was \$837.7 million. Funding received from providers other than NBN Co and for administrative costs was \$25.2 million.
- A legislative review of the RBS commenced in 2024. Given related work to consider the future delivery of universal services, the Australian Government decided that public consultation for the RBS review would also be incorporated into broader consideration of the effectiveness of funding mechanisms for universal telecommunications services. That work remains ongoing.
- As required under existing legislative arrangements, the Australian Competition and Consumer Commission (ACCC) separately provided advice on the RBS charge amounts to the Minister for Communications on the RBS on 25 May 2025. This advice is still under consideration.

**Key Issues**

- The RBS established transparent and sustainable funding arrangements for NBN Co's fixed wireless and satellite networks. In 2023-24, the charge was set at \$8.26 for each active line per month.
- Carriers with less than 2,000 chargeable premises are exempt from the levy.
- The RBS included concessions from the charge in the first 5 eligible years of the RBS (2020-21 to 2024-25) to assist smaller carriers. These included an exemption for the first 25,000 residential and small business chargeable premises on each carrier's network, or the first 55,000 'recently connected greenfield premises' on their network. These fell away from 1 July 2025 in line with legislative provisions.

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Nicolle Power

SB25-000328

- The Australian Communications and Media Authority (ACMA) is responsible for overseeing compliance with the RBS.

*The role of the ACCC*

- Under legislation, the Australia Competition and Consumer Commission (ACCC) has an ongoing role to provide advice to the Minister for Communications every 5 years regarding the appropriate base and administrative cost component of the levy. This advice is intended to ensure that charges levied are sufficient to meet the reasonable net losses associated with NBN Co's fixed wireless and satellite networks and the administrative costs of the RBS.
- The ACCC consulted publicly on its approach to this work mid-November to mid-December 2024.
- Advice was provided to the Hon Anika Wells MP, Minister for Communications and Minister for Sport, on 26 May 2025 and remains under consideration. Under legislation, there is no requirement for the minister to accept the ACCC's advice or a timeframe required for a decision.
- Some commentators have argued that reducing the RBS charge will reduce NBN prices. However, NBN Co's prices have been fixed under the varied Special Access Undertaking accepted by the ACCC in October 2023 until the early 2030s. Any further questions about the ACCC's advice should be directed to the ACCC.

**Background**

- The RBS charges carriers a monthly amount on every fixed-line providing an active high speed superfast broadband service (25/5 Mbps) over a local access line (a chargeable premises). There is a 'base component' to cover NBN Co's net losses of building and operating the NBN fixed wireless and satellite networks, and a small 'administrative cost component' to cover regulator costs. The charge amounts are CPI indexed.
- Carriers must keep a record of chargeable premises during a financial year with funds collected and disbursed to eligible funding recipients the following financial year. Carriers report on chargeable premises for the previous financial year to the ACMA by 31 October and the ACMA assesses liability by 31 December.
- Carriers then pay charges by the following 28 February and funds are placed in the RBS Special Account.
- Under arrangements to date whereby there is a single eligible funding recipient, NBN Co, a Charge Offset Certificate has been issued to NBN Co each year. This means that NBN Co does not need to physically provide its contribution, only to have it returned to

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Nicolle Power

SB25-000328

it as the only eligible funding recipient. Funds received from other providers are provided to NBN Co through a contract with the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts. The cash payment, consisting of funds collected from non-NBN carriers, is made by the end of the financial year.

- There are a number of transparency measures under the RBS, including for the ACMA to publish the total amount of charge paid by carriers and the total amounts specified in charge offset certificates.
- NBN Co must also publish a Transparency Report on its website containing financial information about the fixed wireless and satellite networks, funds received through the RBS and services supported by the RBS. NBN Co published the most recent Transparency Report (for the reporting year ending 30 June 2024) on its website on 28 October 2024. The report for the year ending 30 June 2025, is expected to be released before the end of October.

**Financial Information**Regional Broadband Scheme Portfolio Budget Statements

- The department is required to make estimates of RBS funds to be received from carriers, which will be paid to eligible funding recipients. These estimates are based on carrier reports of chargeable premises to the ACMA. The forward estimates for the RBS are reflected in the 2025-26 Portfolio Budget Statements (PBS) that was published in May 2025 on the department's website.

**Table 2.5.2: Program components of Outcome 5**

Administered expenses: Regional Broadband Scheme

2024-25 Estimated actual \$'000	2025-26 Budget \$'000	2026-27 Forward estimates \$'000	2027-2028 Forward estimate \$'000	2028-29 Forward estimate \$'000
872,314	929,735	968,018	1,009,636	1,054,769

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Nicolle Power

SB25-000328

*Relevant Media Reporting*

- “Faster internet speeds, more competition: NBN defends \$640m fibre upgrade”, The Australian, 31 July 2025 (**Attachment A**)
- “ACCC flags deregulation of NBN business, LEOsat as minister weighs exemption for final fibre build”, CommsDay, 25 August 2025 (**Attachment B**)
  - CommsDay notes that should a future deregulation of some NBN services include LEOsat services, then this would call into question the legitimacy of the RBS.

**Attachments**

- A: Media Article - Faster internet speeds, more competition: NBN defends \$640m fibre upgrade
- B: Media Article - ACCC flags deregulation of NBN business, LEOsat as minister weighs exemption for final fibre build

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Andrew Irwin

SB25-000330

**SUBJECT: 3G Switch Off****Key Deliverables**

- The Australian Government closely monitored the 3G switch off, including setting up a Working Group with the mobile operators, and engaged with relevant peak bodies and state and territory governments about preparedness.
- The government worked to ensure the transition was undertaken in a safe way, including by directing the Australian Communications and Media Authority (ACMA) to make new regulations requiring mobile operators to block handsets that would have been unable to call Triple Zero post-switch off.
- The government continues to carefully monitor post-switch off coverage concerns.

**Talking Points**

- The 3G switch off is complete, with Telstra and Optus commencing the closure of their 3G networks from 28 October 2024 and completing the closure in November 2024. TPG Telecom ceased operating its 3G network on 30 January 2024.
- The decision to switch off the 3G mobile networks was a business decision made by the mobile network operators (MNOs) in relation to the infrastructure they owned and operated. The 3G networks used spectrum that is being redeployed for 4G and 5G.
- Government engagement with industry prior to the switch off saw:
  - the creation of industry device checking tools, including the SMS checker
  - recorded voice announcements on affected handsets
  - scaled up communications efforts, including a 6-week public relations campaign
  - voluntary delays from industry, and
  - industry collaboration on device identification, greatly reducing initial estimates of affected devices.
- The former Minister for Communications, the Hon Michelle Rowland MP, also directed the ACMA to amend the law such that services cannot be provided to mobile phones that cannot call Triple Zero.
- Daily meetings with MNOs were held from 28 October 2024 to 18 December 2024 to ensure the government was made aware of any post-closure issues.
- The government remains concerned about reports that some Australians, particularly in regional and rural parts of Australia, are experiencing poorer mobile service post-switch off.

**Contact:** Andrew Irwin**Cleared by:** Shynyn Sparreboom, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 25/9/2025

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Andrew Irwin

SB25-000330

- On 4 February 2025, the former minister asked Telstra and Optus to report on 3G related coverage concerns on a weekly basis. The reports consistently indicated that very few customer complaints related to the 3G switch offs. Reporting from Telstra ceased on 27 June 2025.
- Nonetheless, the government considers it important that each customer's complaint is looked into and that they are supported by their provider.
- The government continues to refer 3G switch off-related coverage complaints to the carriers for resolution on a case-by-case basis.
- On 17 December 2024, the former minister convened a roundtable with the telecommunications industry, regulators and consumer advocates to reflect on the 3G switch off, consider lessons learned and how this knowledge could be taken forward in preparation for future technology transitions.
- Discussions at the roundtable focused on public engagement and other measures to support consumers, as well as ongoing work to protect public safety post-switch off.
- This ongoing work includes implementing requirements to cease providing services to impacted devices, developing an industry-wide device testing regime, and ensuring that regulations and device standards prevent the importation and sale of incompatible devices, including ahead of future network transitions.
- Looking ahead, the government is reflecting on the lessons from the 3G switch off, and is considering what more could be done to ensure an orderly process for future network transitions.

**Key Issues**Post-switch off coverage

- Prior to switching off their 3G networks, Telstra and Optus committed to ensuring that 3G-only areas within their published coverage zone would have equivalent 4G coverage.
- Telstra and Optus have since advised that their respective 4G coverage is greater than their previous 3G coverage.
  - In February 2025, Telstra advised that its 4G network exceeds its 3G coverage by 350,000 square kilometres, and since the switch off, 5G is now available at an additional 631 sites.
  - Optus' 4G coverage had already exceeded that of its 3G network.

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Andrew Irwin

SB25-000330

- The government remains concerned about reports that some Australians, particularly in regional and rural parts of Australia are experiencing poorer mobile service post-switch off.
- The government has made clear to service providers its expectation that the 3G switch off delivers on the benefits they have claimed end users would experience.
- We know that the experience of mobile coverage can be influenced by a number of factors, like terrain, distance, congestion, physical obstacles, and interference from other equipment. These may degrade the quality of signal being received from the nearest mobile base station. The type of device and its settings can also affect reception. Unexpected outages also occur.
- A recurring cause of coverage concerns is that some customers previously received 3G coverage outside of their provider's published coverage zone. Customers in those locations are encouraged to speak to their telco about whether a technical solution might help, like a repeater or even an alternative satellite service.
- On 4 February 2024, the government asked Telstra and Optus to report on 3G related coverage concerns on a weekly basis. Overall, the weekly coverage concern reporting, along with other advice from the industry and the TIO, has indicated that very few coverage complaints relate to the 3G switch off.
- The number of complaints is very low when considered in context – there are limitations in the data we have, but we estimate the number of complaints has been in the order of a few thousand in total. According to the ACCC there are around 30 million mobile services nationally.
- Nonetheless, the government considers it important that each customer's complaint is looked into and that they are supported by their provider.
- The Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts routinely refers coverage complaints purportedly relating to the 3G switch off to the carriers for their advice and resolution.
- If customers are concerned about their mobile service after the 3G network switch off, they are encouraged to contact their service provider directly.
- If a customer is dissatisfied with the response to their complaint, they can approach the TIO.

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Date: 25/9/2025

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Andrew Irwin

SB25-000330

Device blocking

- The government's top priority in the lead up to the 3G switch off was to protect public safety by ensuring that all mobile phones connected to mobile networks are able to call Triple Zero.
- It has long been the case that any mobile phone connected to a network should be able to call Triple Zero, even if a SIM is not connected, including in standby mode. That approach has served Australia well.
  - The ACMA is responsible for the *Telecommunications (Emergency Call Service) Determination 2019*, which requires carriers and carriage service providers to maintain the proper and effective functioning of their networks and facilities in support of consumer access to the Triple Zero service.
  - On 21 August 2024, the former minister directed the ACMA to amend the Emergency Call Service (ECS) Determination, such that carriage service providers must not supply carriage services to mobile phones that cannot call the emergency call service (Triple Zero).
- On 27 September 2024, the former minister asked the ACMA to expedite the aspects of the direction that would see mobile handsets blocked that cannot call Triple Zero on the providers' own network by 28 October 2024.
- The amendment to the ECS Determination was finalised and signed on 23 October 2024 and commenced on 28 October 2024 (the announced date for Telstra and Optus' 3G switch off) with device blocking commencing around this time.
- While there was a relatively short window for service providers to inform impacted customers of device blocking, the telcos had contacted customers with impacted devices about the 3G closure on multiple occasions ahead of 28 October 2024.
- Specific questions on the ECS Determination should be directed to the ACMA.

Is the government going to help Australians affected by the 3G switch off purchase new connectivity equipment?

- To prepare for the 3G switch off, some Australians have had to upgrade to compatible devices, and meet the cost of doing so. This is consistent with mobile network transitions in the past.
- The MNOs have various offers for low-cost handsets and have provided free handsets to some customers who were experiencing financial hardship or were in other vulnerable circumstances.

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Andrew Irwin

SB25-000330

- Primary producers who are looking to improve connectivity across their farms and businesses can consider applying for Round 3 of the On Farm Connectivity Program, which is expected to open in the second half of 2025.
- The program offers rebates to eligible primary producers for eligible connectivity equipment, including boosters, purchased from eligible suppliers.
- The program is amongst the range of programs that are funded through the Better Connectivity Plan for Regional and Rural Australia, which included \$656 million to improve mobile and broadband connectivity and resilience in rural and regional Australia, and provided \$480 million for the NBN Fixed Wireless and Satellite Upgrade Program, which was completed in late 2024.

3G switch off lessons learned

- The government is considering lessons learned from the 3G switch off, and is keen to see more orderly major network and technology transitions in future.
- On 17 December 2024, the former minister convened a roundtable with the telecommunications industry, regulators and consumer advocates to reflect on Australia's 3G switch off.
- Participants discussed lessons learned from the 3G switch off, and how this knowledge could be taken forward as Australia prepares for future technology transitions.
- The published communique arising from the roundtable reflected an intention by the government and industry to work in partnership to embed learnings in future transitions, and deliver better outcomes for Australians.
- The government has considered the recommendations of the 2024 Regional Telecommunications Review Report, including its recommendation that the ACMA undertake comprehensive independent monitoring of large-scale telecommunications transitions. The government response was tabled on 18 September 2025.
- The response states that the government is considering lessons learned from the 3G switch off and is committed to considering how to improve the oversight of major technology and network transitions in the future (such as the transition of customers from Sky Muster to Amazon Project Kuiper NBN services), to ensure they are conducted in an orderly and safe manner.

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Andrew Irwin

SB25-000332

**SUBJECT: Expiring Spectrum Licences****Key Deliverables**

- The Australian Communications and Media Authority (ACMA) is the primary decision-maker responsible for considering whether renewing expiring spectrum licences is in the long-term public interest. Renewal applications for some licences open in June 2026.

**Talking Points**

- The majority of spectrum licences are due to expire between 2028-2032. These licences are essential to delivering Australian communication services, including mobile and fixed wireless services by telcos (Telstra, Optus and TPG Telecom) and NBN Co.
- With the majority of spectrum licences expiring in close succession, ACMA is managing a multi-year process to consider and manage arrangement for these expiring spectrum licences (referred to collectively as 'ESLs').
  - Applications for renewal for the first tranche of ESLs open from June 2026.
  - There is no presumption of renewal, and ACMA's ESLs process has been designed to assess current allocations against the long-term public interest.
- ACMA publicly consulted on, and is applying, a policy and decision-making framework to guide its views and decisions on ESLs. This framework includes public interest criteria that are informed by Australian Government communications policy objectives set out in a ministerial policy statement issued in April 2024.
- Specific questions about ACMA's process and views in relation to spectrum licence renewal are best directed to ACMA.

**Key Issues**Legislative framework

- Under the *Radiocommunications Act 1992* (Radcomms Act), licensees may apply to ACMA for their spectrum licences to be renewed. On receipt of a renewal application, the Act provides 3 options:
  - Renewal – the licence is renewed.
  - Renewal with changed core conditions (partial renewal) – the licence is renewed but spectrum access conditions in the new licence are changed. For example, the parts of the spectrum or geographic areas in the new licence may be smaller than the expiring licence.

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Page 1 of 7

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Andrew Irwin

SB25-000332

- Refusal – the licence is not renewed and allowed to expire. This would result in new spectrum licences for the relevant spectrum or re-planning for a different use.
- Licensees may apply for renewal 2 years before expiry and ACMA, as the primary decision-maker, has 6 months to respond to an application for renewal.
- The Minister for Communications has the ability to provide strategic guidance to ACMA in the exercise of its functions and powers.

ACMA's consultation process

- Following ACMA's recent consultation on its preliminary views on the renewal of ESLs, there has been prominent media discussion about claims that reallocating the spectrum via auction (instead of renewing licences) would deliver more revenue and better outcomes for consumers.
- Under the legislation, spectrum licensees have the right to apply for renewal, and ACMA must consider whether renewal is in the long-term public interest.
- ACMA is managing a multi-year consultation process to consider whether renewing ESLs is in the long-term public interest, or whether non-renewal and reallocation of the spectrum via an alternative method available to it would provide better outcomes for the Australian public.
- ACMA's decision-making framework is informed by the government's policy objectives, including as outlined by the former minister in a 2024 ministerial policy statement. These include:
  - supporting service continuity for end users, particularly where no alternative service is available;
  - facilitating opportunities for new entrants and use cases, including for low earth orbit satellites;
  - connectivity and investment in regional and remote areas to deliver improved services to end users;
  - promote competition; and
  - capacity for sustained investment and innovation.
- ACMA's approach to consider ESLs was designed to fully test the market for alternative users and use cases, and did not presume renewal.
- Based on ACMA's preliminary views, it has not found evidence of an alternative use case that would better support the public interest than the current use of the spectrum, nor has it found credible evidence of a prospective new mobile market entrant to deliver those services.

**Contact:** Andrew Irwin**Cleared by:** Shanyn Sparreboom, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 23/09/2025

Page 2 of 7

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Andrew Irwin

SB25-000332

- The current use cases for the spectrum also align with international uses of the spectrum.
- The Australian Competition and Consumer Commission's (ACCC's) public submission to ACMA's Stage 3 consultation states that given ACMA has received no interest from a prospective new entrant during its consultation process, renewing ESLs will likely promote competition in the mobile services market.
- The Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts is closely monitoring views raised by stakeholders and is engaging with ACMA to understand how it plans to address these concerns in its ESLs process.
- Questions regarding the detail of the process should be directed to the ACMA.

International approaches

- ACMA considered a range of international approaches and examples to inform its approach.
- Australia's approach to renewal is consistent with other comparable countries, including Canada, NZ, the US, and the UK that favour either indefinite licence terms or a strong presumption of renewal.

ACMA's preliminary views on renewal

- In April 2025, ACMA released its Stage 3 consultation papers which outlined its preliminary views on licence renewal, pricing and duration.
- *Mobile and broadband* – ACMA is currently inclined to renew ESLs held by telcos and NBN Co that are used to deploy mobile and broadband services.
  - ACMA sought further information to determine whether Telstra's planned use of its 2.3 GHz spectrum for private broadband networks promotes competition.
- *Rail safety communications and television outside broadcast (TOB)* – ACMA is currently inclined not to renew ESLs held by state and territory governments for rail safety and control communications (rail communications), or broadcasters for TOB.
  - ACMA proposes to continue providing access to spectrum to these licensees via an alternative licensing framework (apparatus licencing) to better manage expected changes in the delivery of services in these sectors in the coming decade.
- ACMA also proposes to align the expiry dates for all renewed spectrum licences to 2044, to align with other spectrum licences not part of the ESLs process.
  - ACMA considers that common expiry dates will support licences being more easily traded via the secondary market, and future strategic decision-making on spectrum management (by ACMA) and needs (by licence holders).

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Page 3 of 7

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Andrew Irwin

SB25-000332

Projected revenue based on ACMA's preliminary views

- ACMA's preliminary views suggests telcos and NBN Co combined would pay approximately \$5.0-6.2 billion dollars in total to renew their ESLs.
  - This figure does not include revenue from proposed apparatus licences for rail safety and communications and TOB, which are to be considered separately.
- Revenue maximisation is not an object of the Radcomms Act, and it is not the basis for spectrum management decisions.
- Efficient allocation of spectrum is considered more likely when licence holders are required to pay a price reflecting a fair value of the spectrum, by creating an appropriate price signal to incentivise its efficient use.
- The department recognises stakeholders have conflicting views on the appropriate value for the spectrum. ACMA's consultation on its preliminary views on price ranges for each band and its benchmarking valuation methodology is designed to test its approach. Stakeholder views will inform its preferred views on pricing, which it plans to issue by the end of the year.
- ACMA's pricing methodology uses analysis of historic auction data and other calculations to arrive at price ranges that reflect a forward-looking market valuation. ACMA's approach takes into account various external factors that impact spectrum value, such as increased spectrum supply (due to evolutions in technology), mobile service revenue and population forecast data.
- Questions on details of ACMA's pricing methodology are best directed to ACMA.

Ministerial powers

- The minister retains the ability to provide strategic guidance to ACMA in the exercise of its functions and powers.
- The minister retains a range of powers that could be used to influence ACMA's process. These include:
  - The power to issue a ministerial policy statement under section 28B of the Radcomms Act.
  - A general directions power under section 14 of the *Australian Communications and Media Authority Act 2005* (ACMA Act).
  - The power to direct ACMA in relation to matters dealt with in determinations for fixing spectrum access charges or the timing of payments under subsection 294(2) of the Radcomms Act
- Any future decisions regarding actions to influence ACMA's process are a matter for the minister.

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Page 4 of 7

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Andrew Irwin

SB25-000332

**Background**ACMA's ESLs process

- ACMA is nearing the final stage of its 4-stage consultation process for evaluating ESLs.
- Stage 3 concluded on 23 July, following 2 earlier stages with comprehensive consultation and examination of:
  - ACMA's proposed approach and issues to consider in its ESL process, including its guiding public interest criteria and approaches to examining use under spectrum licences (Stage 1), and
  - information gathering on current and future use of the spectrum (from incumbent licensees), and views on alternative uses (including from prospective licensees), testing whether there are new users and other potential licensing conditions, and resilience and temporary disaster responses (Stage 2).

ACMA's policy and decision-making framework

- This framework is based on 5 public interest criteria that it developed through public consultation, and the ministerial policy statement issued by the former Minister for Communications, the Hon Michelle Rowland MP, in April 2024, which together guide ACMA's consideration of the long-term public interest.
- ACMA publicly consulted on its public interest criteria in Stage 1 (2023).

<i>Public interest criteria (which ACMA publicly consulted on)</i>	<i>Ministerial Policy Statement (MPS) – April 2024</i>
<ul style="list-style-type: none"> <li>• facilitates efficiency</li> <li>• promotes investment and innovation</li> <li>• enhances competition</li> <li>• balances public benefits and impacts</li> <li>• supports relevant policy objectives and priorities (this includes the former Minister's MPS and other government priorities and policies, such as UOMO)</li> </ul>	<ul style="list-style-type: none"> <li>• supporting service continuity for end users, particularly where no alternative service is available</li> <li>• facilitating opportunities for new entrants and use cases, including for Low Earth Orbit satellites (LEOsats)</li> <li>• connectivity in regional and remote areas to deliver improved services</li> <li>• promote competition</li> <li>• capacity for sustained investment and innovation</li> </ul>

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Page 5 of 7

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Andrew Irwin

SB25-000332

ACMA preliminary views on expiring bands

Band	Primary Use-Cases	Favoured Option
700 MHz	Wide-area wireless broadband (WA WBB – initial LEOsat D2D candidate band)	Renewal
850 MHz	WA WBB (initial LEOsat D2D candidate band)	Renewal
1800 MHz	WA WBB	Renewal
1800 MHz	Rail communications	Non-renewal and transition to apparatus licensing
2 GHz	WA WBB	Renewal
2.3 GHz	WA WBB and fixed wireless access (FWA)	Renewal for licences used for WA WBB and FWA Further information was sought regarding Telstra's proposed use-case, particularly concerning any effects on enhancing competition
2.5 GHz	WA WBB (initial LEOsat D2D candidate band)	Renewal
2.5 GHz mid-band gap	TOB	Non-renewal and transition to apparatus licensing
3.4 GHz	WA WBB and FWA	Renewal Further information was sought about options to facilitate defragmentation

History of licence renewal in Australia

- ACMA's proposed renewal of spectrum licences is consistent with historical approaches to spectrum licence expiry in Australia.
- Current expiring licences used for mobile networks were previously renewed between 2013 and 2017 following a determination by the former Minister for Communications that renewal of licences used to support mobile networks would be in the public interest.
- Prior to 2020, the legislative framework in Australia provided that expiring licences should be auctioned unless renewal was found to be in the long-term public interest. The *Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020* introduced the right for spectrum licensees to apply for renewal, for consideration by ACMA.

**Contact:** Andrew Irwin**Cleared by:** Shanyyn Sparreboom, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 23/09/2025

Page 6 of 7

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Lisa La Rance / Andrew Irwin

SB25-000332

- The 2020 reforms were informed by the 2015 Spectrum Review, and aimed to improve transparency, and clarify the object of the Act and the roles of the minister and ACMA.
  - The reforms identified a clear role for the minister in setting strategic policy and priorities, including the power to issue ministerial policy statements to guide ACMA in the performance of its spectrum management functions.
  - The reforms also empowered ACMA to play a greater role in day-to-day spectrum management and operational decisions that are more properly the responsibility of the regulator.
- ACMA may renew a spectrum licence if it is satisfied it is in the public interest to do so.
  - There is no presumption of renewal under the Radcomms Act.

**Supporting Information***Relevant Media Reporting*

- “Telcos may save up to \$3.2B if not forced to bid for spectrum at auction”, Ziffer, Daniel, ABC News, 7 July 2025  
<https://www.abc.net.au/news/2025-07-02/govt-agency-proposes-gifting-optus-telstra-spectrum/105398196>
- “Why Mobile Spectrum auctions no longer add up” Lynch, Grahame, Communications Day, 4 July 2025 (**Attachment A**)
- “How one decision could see us shortchanged on billions: Bennet, Carol, The Canberra Times, 7 July 2025 (**Attachment B**)
- “Telcos, government clash over mobile spectrum pricing” Wiggins, Jenny, Australian Financial Review, 6 July 2025 (**Attachment C**)

**Attachments:**

- A: “Why Mobile Spectrum auctions no longer add up”
- B: “How one decision could see us shortchanged on billions”
- C: “Telcos, government clash over mobile spectrum pricing”

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Page 7 of 7

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Karly Pidgeon

SB25-000334

## SUBJECT: Better Connectivity Plan for Regional and Rural Australia – Overview and Status of Implementation

### Key Deliverables

- The Australian Government committed \$656 million to improve mobile and broadband connectivity and resilience in rural and regional Australia under the Better Connectivity Plan for Regional and Rural Australia (BCP).
- The government has announced or awarded almost \$533 million across 16 separate initiatives, funding a pipeline of over 500 projects to deliver new and enhanced connectivity across regional and rural Australia.
- The remainder of the initiatives continue to be progressed and will be delivered in coming years.

### Talking Points

- The government is investing \$1.1 billion in the BCP from 2022-23 to 2029-30 to ensure regional, rural and remote communities can benefit from advances in connectivity comprising:
  - \$656 million to improve mobile and broadband connectivity and resilience in rural, regional and peri-urban Australia
  - \$480 million for the NBN Fixed Wireless and Satellite Upgrade Program.
- Digital connectivity underpins economic growth, social engagement and enhanced health and educational outcomes. It does this by connecting communities, empowering businesses, and driving innovation.
- Access to reliable and resilient communications is increasingly being seen as an essential service required to ensure the safety of Australians, particularly in times of disaster and emergency.
- The BCP has also responded to emerging needs and government priorities by funding new initiatives to include the First Nations Digital Inclusion Package, support for broadcast and news initiatives, extending the School Student Broadband Initiative, progressing the Universal Service Obligation technical trials, extending the STAND Sky Muster WiFi services and, most recently, to support delivery of the government's mobile capacity and resilience commitments in West Coast Tasmania and Perth Hills.

### Key Issues

- **Attachment A** provides the current implementation status of initiatives under the BCP. **Attachment B** provides further information on the program components of the BCP as at 31 July 2025.

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Phone: s22(1)(a)(ii)

Version Number: 02

Date: 25/09/2025

Page 1 of 4

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Karly Pidgeon

SB25-000334

- The table below provides a summary, as at 31 July 2025, of the program funding within the BCP.

Program	Announced or awarded \$'000	Allocation \$'000
Broadcasting Resilience Program	20,000	20,000
Digital Inclusion - Extensions of the School Student Broadband Initiative (SSBI)	9,200	9,200
First Nations Digital Inclusion Package (including \$9m from NIAA)	68,000	68,000
Mobile Black Spot Program (MBSP) - Round 7	49,968	49,968
Mobile Black Spot Program (MBSP) - Round 8	55,000	55,032
Mobile Black Spot Program (MBSP) - West Coast Tasmania Mobile Capacity Uplift Round	9,800	9,800 <sup>1</sup>
Mobile Network Hardening Program (MNHP) - Round 2	14,222	14,222
^Mobile Network Hardening Program (MNHP) - Round 3	9,796 <sup>+</sup>	18,808 <sup>2</sup>
Mobile Network Hardening Program (MNHP) - Perth Hills Round	1,200 <sup>+</sup>	1,200 <sup>2</sup>
National Audit of Mobile Coverage	16,625 <sup>+</sup>	20,000
^News Media Relief Program	12,224 <sup>+</sup>	15,000 <sup>3</sup>
On Farm Connectivity Program (OFCP) – Round 1 (incl Regional Tech Hub costs)	14,034	14,030
On Farm Connectivity Program (OFCP) – Round 2 (incl Regional Tech Hub costs)	16,852 <sup>+</sup>	18,177
On Farm Connectivity Program (OFCP) – Round 3	20,000	20,000
Regional Connectivity Program (RCP) – Round 3	104,760	104,772
Regional Connectivity Program (RCP) – Round 4	-	7,327 <sup>1</sup>
Regional Roads Australia Mobile Program (RRAMP)	-	92,644
Regional Tech Hub	6,000	6,000
Support for the Australian Associated Press	18,000	18,000
^Telecommunications Disaster Resilience and Innovation (TDRI) Program	17,412	24,879
Universal Service Obligation (USO) Technical Trials	3,452	3,452
<b>SUB TOTAL (Administered funding within the department)</b>	<b>466,545</b>	<b>590,511</b>
RRAMP Pilot Programs – Funding transferred to Treasury from BCP MYEFO 2023-24	50,000	50,000
WA Telecommunications Resilience – Funding transferred to Treasury from BCP	2,000	2,000
STAND – Sky Muster Wi-Fi Extension – Announced 24 March 2025	14,000	14,000
SSBI: departmental reclassification	-	852
OFCP Round 2: departmental reclassification	-	1,543
OFCP Round 3: departmental reclassification	-	6,700
<b>GRAND TOTAL</b>	<b>532,545*</b>	<b>665,606<sup>#</sup></b>

\*with departmental funding of \$9.092 million from the original BCP administered funding, this is \$541,637 million

<sup>#</sup> Includes the announced \$656 million plus \$9 million transferred from the NIAA and minor adjustments

<sup>^</sup> 'Announced or awarded' figure differs from 'Allocation' due to transfers of funding to other programs or unspent funds

<sup>+</sup> Updated for funds awarded/paid or new initiative since last Senate Estimates

<sup>1</sup> \$9.8 million has been reallocated from RCP Round 4 to MBSP West Coast Tasmania

<sup>2</sup> \$1.2 million has been reallocated from MNHP Round 3 to MNHP Perth Hills Round

<sup>3</sup> \$2 million will be transferred out of BCP to the Local & Independent News Association (LINA) program in 2025-26 PAES

Contact: Karly Pidgeon

Cleared by: Sam Grunhard, A/g Deputy Secretary

Phone: s22(1)(a)(ii)

Version Number: 02

Date: 25/09/2025

Page 2 of 4

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Karly Pidgeon

SB25-000334

*Recent updates to funding*

- During the recent Federal Election period, the government announced 2 new commitments with funding to be allocated from the BCP:
  - West Coast Tasmania Capacity Uplift Commitment - \$9.8 million announced on 7 April 2025 to boost mobile coverage and tower capacity in the local government areas of West Coast, Waratah Wynyard and Circular Head (see SB25-000336).
  - Perth Hills Resilience Commitment - \$1.2 million announced on 19 April 2025 to increase battery backup power reserves to at least 20 hours and deliver Automatic Transfer Units to up to 23 mobile towers in the Perth Hills region (see SB25-000339).
- At MYEFO 2024-25, \$2 million was transferred to the Treasury to improve telecommunications resilience in regional Western Australia (reflected in the February 2025 PAES). Funding was provided to the Western Australian Government under a schedule to the Federation Funding Agreement – Infrastructure.
- At MYEFO 2024-25, \$14 million was approved to fund the Sky Muster Wi-Fi Extension to extend critical community Wi-Fi services at evacuation centres and fire service depots across Australia (reallocation from the BCP to the separate STAND appropriation was reflected in the February 2025 PAES). The Hon Michelle Rowland MP, former Minister for Communications, announced this initiative on 24 March 2025.

*Delays to delivery*

- The government is committed to delivering projects as quickly as possible, and the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts has been almost continuously at market with regional connectivity programs.
- However, external factors impact delivery:
  - Data from recent rounds for the Mobile Black Spot and Regional Connectivity programs suggests it will take closer to 5 years from the awarding of funding to when a round is substantively complete, where 90% of projects are actively providing connectivity to communities.
  - Industry is already heavily committed and there are often local planning approval delays and competing priorities of industry.

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Page 3 of 4

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Karly Pidgeon

SB25-000334

**Financial Information as at 31 July 2025**

- Non-Budget information as at 31 July 2025
- Budget information as at 25 March 2025

Program Start Date:	2022-23								
Program End Date:	2029-30								
	2022-23 \$m	2023-24 \$m	2024-25 \$m	2025-26 \$m	2026-27 \$m	2027-28 \$m	2028-29 \$m	2029-30* \$m	TOTAL \$m
Appropriation Budget (as at 25 March 2025)	6.0	66.1	210.1	111.3	81.1	46.3	52.7	16.9	590.5
Less:									
Actual Expenditure YTD at 31 July 2025	6.0	66.1	106.4	0.0 <sup>1</sup>					178.5
Total Committed Funds at 31 July 2025	0.0	0.0	60.1	109.7	65.6	16.5	13.8	11.0	276.7
Total Uncommitted Funds (balance)	0	0	43.6	1.6	15.5	29.8	38.9	5.9	135.3

*Note: Committed funds relate to funds committed under a Funding Agreement, Contract or Program of Works where the Project, Profile and Conditions have been agreed to, or a formal offer has been made pending agreement, by the recipient. Committed funds also include where some form of commitment has been made, but no financial agreement has been entered into by both parties. For the purposes of this brief, this includes programs where the design has progressed significantly (e.g. announced publicly, guidelines released, assessment underway, request for tender released).*

<sup>1</sup> Number is \$17,526; rounds to 0.0 in this table.

*\*In MYEFO 2024-25, Round 8 of the Mobile Black Spot Program and the Regional Roads Australia Mobile Program were extended to 2029-30 to provide a realistic rollout schedule, and policy authority for the BCP was extended.*

**Attachments**

- A: Better Connectivity Plan - Program Status
- B: Better Connectivity Plan - Program Components

**Contact:** Karly Pidgeon**Cleared by:** Sam Grunhard, A/g Deputy Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 25/09/2025

Page 4 of 4

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## Better Connectivity Plan for Regional and Rural Australia – Program Status

Program	Status	Reference
<b>Broadcasting Resilience Program</b>	Completed. All 131 projects delivered and program completed. All \$20 million administered payments made by 30 June 2025.	N/A
<b>Digital Inclusion - Extensions of the School Student Broadband Initiative (SSBI)</b>	Extension announced by the Minister on 28 January 2025. Contract variation executed between the Business Grants Hub and NBN Co on 21 March 2025. \$4.9m in additional grant funding to NBN Co processed. 30k program cap reached and connection period ended 30 June 2025.	N/A
<b>First Nations Digital Inclusion Package</b>	<p><i>NBN Community Wi-Fi Program</i> All 23 communities now have their services activated.</p> <p><i>Contestable Wi-Fi Program</i> Grant Opportunity closed for applications 22 May 2025. Applications are currently undergoing assessment.</p> <p><i>Network of Digital Mentors Program</i> Grant Agreements are currently under negotiation.</p> <p><i>First Nations Digital Support Hub Program</i> Grant Agreements are currently under negotiation.</p> <p><i>First Nations Data Collection Program</i> RMIT have been awarded funding to deliver the program and to improve data collection in First Nations communities, with work ongoing.</p>	N/A
<b>Mobile Black Spot Program (MBSP) - Round 7</b>	In progress. Grant Agreements executed for 60 of 62 sites and in deployment phase. Grant Agreement for the final sites (services agreement only) under negotiation.	SB25-000336
<b>Mobile Black Spot Program (MBSP) - Round 8</b>	Under assessment. Round 8 closed for applications on 30 April 2025. The department is assessing applications received.	SB25-000336
<b>Mobile Black Spot Program (MBSP) - West Coast Tasmania Mobile Capacity Uplift Round</b>	In design. The department is developing the design parameters of the Round and intends to undertake targeted consultation with stakeholders shortly.	SB25-000336
<b>Mobile Network Hardening Program (MNHP) - Round 2</b>	In progress. Contracted. All Grant Agreements have been executed, with projects now in the early deployment and delivery phase.	SB25-000339
<b>Mobile Network Hardening Program (MNHP) - Round 3</b>	Awarded. Contracting. The Funding Agreement with Telstra has been signed, with the remaining 3 agreements expected to be finalised before the end of the year.	SB25-000339
<b>Mobile Network Hardening Program (MNHP) - Perth Hills Round</b>	In design. \$1.2 million commitment in April 2025 to improve resilience in the Perth Hills region. The department is developing the design parameters of the Round and intends to undertake targeted consultation with stakeholders shortly.	SB25-000339
<b>National Audit of Mobile Coverage</b>	<p>In progress. Contracted. Audit results are published regularly on the public visualisation tool.</p> <p>The first year of Audit Roads drive-testing is on schedule for completion in September 2025, with the exception of some peri-urban areas being covered by Australia Post to be completed in the first quarter of 2026. The second year of testing has commenced for Audit Towns (static testing).</p>	N/A
<b>News Media Relief Program</b>	\$12 million in funding was awarded under the News Media Relief Program.	SB25-000289
<b>On Farm Connectivity Program (OFCP) - Round 1</b>	Completed.	SB25-000343
<b>On Farm Connectivity Program (OFCP) - Round 2</b>	Delivery complete. Final rebate amount under Round 2 is \$16,678,969. Program closure activities in train, including BGH evaluation report and final data set analysis by dept.	SB25-000343
<b>On Farm Connectivity Program (OFCP) - Round 3</b>	In design. Consultation with external stakeholders in government and industry was undertaken to inform prospective Program design for Round 3. Public consultation was open from 17 July until 26 August 2025. The department is reviewing the submissions.	SB25-000343
<b>Regional Connectivity Program (RCP) - Round 3</b>	In progress. Contracted. NBN extension of time (30 June 2027) has been executed. Funds will likely to need to be reprofiled to re-align with expected delivery forecasts.	N/A
<b>Regional Roads Australia Mobile Program (RRAMP)</b>	Pilot programs – In progress. All jurisdictions, except Queensland, have signed the schedule to the FFA-I for the Pilot Programs and first milestone payments have been made. Jurisdictions are in different stages of approaching the market. Discussions with Queensland about its Pilot Program continue.	SB25-000341

Program	Status	Reference
	National RRAMP – In design. Public consultation on the design features of the National RRAMP has been undertaken, including public submissions, meetings with industry stakeholders and a roundtable with States and Territories. Submissions are being considered by the department and have been published on the website.	
Regional Tech Hub	In progress. Contracted .	N/A
Support for the Australian Associated Press	Completed.	SB25-000289
Telecommunications Disaster Resilience and Innovation (TDRI) Program	In progress. Of the 25 Grant Agreements – 16 have been executed and 9 are under negotiation.	N/A
Universal Service Obligation (USO) Technical Trials	In progress. Contracted. Scyne has met the site installation milestone and is providing monthly data and reports. The program has published a dashboard with high level trial results and will continue to periodically update this.	N/A



## Better Connectivity Plan as announced October 2022 - \$656 million

\$6 million	\$20 million	\$30 million	\$100 million	\$200 million	\$300 million
<ul style="list-style-type: none"> <li>• Regional Tech Hub</li> </ul>	<ul style="list-style-type: none"> <li>• National Audit of Mobile Coverage</li> </ul>	<ul style="list-style-type: none"> <li>• On Farm Connectivity Program</li> </ul>	<ul style="list-style-type: none"> <li>• Broadcasting Resilience Program</li> <li>• Mobile Network Hardening Program Round 2 and 3</li> <li>• Telecommunications Disaster Resilience Innovation Program</li> </ul>	<ul style="list-style-type: none"> <li>• Regional Connectivity Program</li> </ul>	<ul style="list-style-type: none"> <li>• To boost multicarrier mobile coverage on regional roads and in underserved regional and remote communities (via Mobile Black Spot Program Round, and newly created Regional Roads Australia Mobile Program)</li> </ul>

## 2023–24 new initiatives added to BCP

- Support for the Australian Associated Press
- Extension of the School Student Broadband Initiative (SSBI)
- \$50 million transferred to Treasury for the Regional Roads Australia Mobile Program (RRAMP) - Pilot Programs and \$0.46 million reclassified to departmental funding for SSBI
- National RRAMP legislative authority (March 2024)

## 2024–25 new initiatives added to the BCP

- First Nations Digital Inclusion package (includes additional \$9m from NIAA)
- Universal Service Obligation Technical Trials
- News Media Relief Program
- \$2 million transferred to Treasury for WA Resilience upgrades, \$14 million reallocation to STAND for Sky Muster Wi-Fi extension, and \$1.94 million reclassified to departmental

## 2025–26 new rounds in the BCP

- \$1.2 million for Perth Hills Round of Mobile Network Hardening Program
- \$9.8 million for the West Coast Tasmania Mobile Capacity Uplift Round of the Mobile Black Spot Program

Current allocations in the Better Connectivity Plan administered appropriation as at 31 July 2025

\* the below allocations do not include the transfers outside of BCP, departmental reclassifications or decisions taken since the March Budget (which will be reflected at PAES)

<b>\$105 million</b> Mobile Black Spot Program Rounds 7 & 8 <ul style="list-style-type: none"> <li>• Invests in telecommunications infrastructure to improve mobile coverage and competition across Australia with rounds 7 and 8 being program components within the BCP.</li> </ul>	<b>\$92.6 million</b> Regional Roads Australia Mobile Program <ul style="list-style-type: none"> <li>• Will provide grant funding to increase multi-carrier coverage on highways and major roads, and in adjacent communities, in regional and remote Australia (Funding for a National Program).</li> </ul>	<b>\$20 million</b> National Audit of Mobile Coverage <ul style="list-style-type: none"> <li>• Aims to better identify mobile coverage black spots across Australia to help target future investment, and to provide an independent resource that better reflects on ground experiences of mobile coverage.</li> </ul>	<b>\$52.2 million</b> On Farm Connectivity Program <ul style="list-style-type: none"> <li>• Assists primary producers to take advantage of digital agribusiness solutions to boost productivity, improve safety and drive more sustainable farming practices.</li> </ul>	<b>\$112.1 million</b> Regional Connectivity Program Round 3 and future initiatives <ul style="list-style-type: none"> <li>• Funds the delivery of 'place-based' telecommunications infrastructure projects to improve digital connectivity across regional, rural and remote Australia.</li> </ul>	<b>\$6 million</b> Regional Tech Hub <ul style="list-style-type: none"> <li>• An independent service to help regional, rural and remote Australians get connected, stay connected, and make the most of new technologies.</li> </ul>	<b>\$20 million</b> Broadcasting Resilience Program <ul style="list-style-type: none"> <li>• Provides \$20 million over 3 years to BAI Communications to improve resilience of 98 ABC AM and FM radio sites.</li> </ul>	<b>\$1.2 million</b> Perth Hills - Mobile Network Hardening Program <ul style="list-style-type: none"> <li>• Provides grant funding to provide at least 20 hours of battery back-up power and install Automatic Transfer Units at up to 23 mobile telecommunications towers in the Perth Hills regions (WA).</li> </ul>
<b>\$33 million</b> Mobile Network Hardening Program <ul style="list-style-type: none"> <li>• Funds upgrades to improve the resilience of Australia's mobile network telecommunications infrastructure in regional Australia, with rounds 2 and 3 being program components within BCP.</li> </ul>	<b>\$24.9 million</b> Telecommunications Disaster Resilience Innovation Program <ul style="list-style-type: none"> <li>• Promotes development of new technologies to provide solutions for telecommunications disaster resilience in regional, remote and First Nations communities.</li> </ul>	<b>\$18 million</b> Support for the Australian Associated Press <ul style="list-style-type: none"> <li>• Funding supports the financial sustainability of the Australian Associated Press as Australia's only independent national newswire.</li> </ul>	<b>\$9.2 million</b> Extension of the School Student Broadband Initiative <ul style="list-style-type: none"> <li>• The SSBI was extended to provide free home broadband to school kids without internet at home to 30 June 2028 to further support educational outcomes and households struggling with cost of living pressures.</li> </ul>	<b>\$68 million</b> First Nations Digital Inclusion Package <ul style="list-style-type: none"> <li>• Initiative includes \$59m from BCP and \$9m from the National Indigenous Australians Agency (NIAA).</li> </ul>	<b>\$3.5 million</b> Universal Service Obligation Technical Trials <ul style="list-style-type: none"> <li>• Will progress trials to test potential alternative technologies to replace existing legacy voice services. BCP providing additional funding to extend trial.</li> </ul>	<b>\$15 million</b> News Media Relief Program <ul style="list-style-type: none"> <li>• This measure provides relief for Australian news media with a focus on regional, local, CALD and First Nations news providers.</li> </ul>	<b>\$9.8 million</b> West Coast Tasmania Mobile Capacity Uplift Round <ul style="list-style-type: none"> <li>• Part of the Mobile Black Spot Program, this uplift will focus on improving mobile coverage and competition across West Coast Tasmania local government areas of Circular Head, Waratah-Wynyard and West Coast.</li> </ul>



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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Karly Pidgeon

SB25-000336

**SUBJECT: Mobile Black Spot Program****Key Deliverables**

- The Mobile Black Spot Program (MBSP) invests in telecommunications infrastructure to improve mobile coverage and competition across Australia.
- MBSP Rounds 1 to 7 will deliver up to 1,400 new mobile base stations across Australia. As at 31 July 2025, 1,181 base stations have been completed and are operational.
- Round 8 is under assessment with outcomes expected to be announced in late 2025.

**Talking Points**

- The MBSP has been running since 2014, with Rounds 6 and 7 run since May 2022, and Round 8 closing for applications on 30 April 2025.
- The program's performance target in 2024-25 was met with a total of 5,271 km<sup>2</sup> new handheld mobile coverage delivered from 45 base stations. This was 1% above target.
- Stage 2 of the Improving Mobile Coverage Round (IMCR) closed for applications at 2 NSW Target Locations on 25 September 2024. Assessments have been completed, with 1 decision pending and outcomes yet to be announced.
- Rounds 7-8 are funded under the Better Connectivity Plan for Regional and Rural Australia (BCP).

Rounds 1-7 status:

- 1397 base stations contracted under Rounds 1-7 (three under contract negotiation).
  - 74 of these base stations cannot proceed (are frustrated and removed), with 1323 base stations remaining.
- As at 31 July 2025, 1181 (89%) base stations are complete. Of the remaining 142 base stations to be completed:
  - 42 in Rounds 1-5A are scheduled to be complete by 01 February 2026.
  - 40 in Round 6 are scheduled to be complete by 31 December 2026.
  - 60 in Round 7 are scheduled to be complete by 30 June 2027.

West Coast Tasmania Mobile Capacity Uplift Round – next round

- \$9.8 million (GST exclusive) has been committed to boost mobile coverage and tower capacity in the Local Government Areas of West Coast, Waratah Wynyard and Circular Head on the West Coast of Tasmania.

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Page 1 of 8

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Karly Pidgeon

SB25-000336

**Key Issues**

- Over \$1 billion (\$960 million GST exclusive) has been committed under the MBSP for new mobile infrastructure, including contributions from the Australian Government (\$359 million), state and local governments, industry and third parties.

West Coast Tasmania Mobile Capacity Uplift Round

- The government announced on 7 April 2025, during the election campaign.
- While the commitment was announced during the election campaign, the funding decision was taken prior to the caretaker period and is reflected in the Pre-Election Economic and Fiscal Outlook (PEFO).
- The Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts is currently designing the program and anticipates it will undertake targeted consultation on the design with key stakeholders in the near future.

Round 8

- Round 8 projects will deliver new resilient mobile coverage in regional and remote areas that are prone to natural disasters, including bushfires, cyclones and floods.
- Applications were open to eligible industry members during 17 December 2024 to 30 April 2025.
- Applications were received from 5 applicants for around 115 proposed solutions.
- The assessment process is underway with outcomes expected to be announced in late 2025.

Improving Mobile Coverage Round (IMCR) Round 6:

- The government allocated \$40 million (GST exclusive) to improve mobile coverage and quality of service at 54 Target Locations identified as election commitments during the 2022 Federal election campaign.
- Stage 1 awarded \$40.9 million (\$37.2 million GST exclusive) for 41 new base stations to improve mobile coverage at 42 locations (outcomes announced October 2023).
- Stage 2 (2 locations) applications closed 25 September 2024, assessments by the department are complete.
- Outcomes have not been announced for proposed solutions at the 2 target locations Mangrove Mountain (NSW) and Majors Creek (NSW) under Stage 2 of the IMCR.
- The Australian National Audit Office (ANAO) audited the IMCR and tabled its report in Parliament on 22 May 2024. The department is implementing its response to the recommendations.

**Contact:** Karly Pidgeon**Cleared by:** Kate McMullan, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 24/09/2025

Page 2 of 8

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Karly Pidgeon

SB25-000336

Independent Evaluation of the MBSP

- Grosvenor Performance Group Pty Ltd (Grosvenor) completed its evaluation of the effectiveness of the MBSP in delivering its policy intent and objectives.
- The report was published on the news and publications section of the department's website on 18 September 2025.
- The evaluation addressed Recommendation 3 of the Auditor-General Report No.28 2023-24 Award of Funding under the Mobile Black Spot Program, published 22 May 2024, which recommended that the department commence an evaluation of the MBSP within 12 months.
- The Evaluation Report includes 26 findings and 5 key recommendations.
- It found that the program has been successful in delivering increased mobile coverage and meeting its intended outcomes.
- It recommended areas for consideration including around long rollout timelines, achieving competition outcomes and redesigning future rounds of the program.

Evaluation contract - Grosvenor

- The evaluation took place from 17 May 2024 to 20 November 2024 inclusive with 5 community visits held from 3 to 20 November 2024.
- The initial contract value was \$202,429.70 (GST incl) as published on Austender (CN4063357), excluding travel costs for in person community consultations.
- 2 variations to the contract were approved i) an extension of time to complete the evaluation and ii) an increase to the contract value by \$12,503.40 (GST Inc) due to implications of additional elements impacting the delivery of the full scope of work.
- Final contract value paid by the Commonwealth was \$237,601.18 (GST inclusive), including travel costs.

**Contact:** Karly Pidgeon**Cleared by:** Kate McMullan, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 24/09/2025

Page 3 of 8

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Karly Pidgeon

SB25-000336

Mobile Black Spot Program (Actual expenditure as at 31 July 2025)									
Program start	2015-16			Program end		2026-27			
Total appropriation	• \$416 million GST excl • \$311m (MBSP Rds 1-6)* • \$50.0m^ (BCP Rd 7) • \$55m^ (BCP Rd 8)			Expenditure to date		• \$226,280,789 spent • \$189,719,211 remaining			
Administration arrangements	Targeted competitive grants program. The department assesses applications and negotiates funding agreements. The Minister for Communications decides projects to be funded.								
Program Description	The MBSP aims to extend and improve mobile phone coverage and competition across Australia.								
Status (as at 31 July)	Total Program Numbers	Round 1	Round 2	Round 3 (PLR)	Round 4	Round 5	Round 5A	Round 6 (IMCR)	Round 7
Proposals approved for funding	1,400	499	266	102	180	182	68	41	62
Contract Negotiations	3	0	0	0	0	0	0	1	2
Contracted - In Progress	142	0	1	0	2	15	24	40	60
Completed <sup>1</sup>	1,181	489	260	87	171	137	37	0	0
Frustrated and replaced/removed <sup>2</sup>	68/74 (142)	18/10 (28)	14/5 (19)	1/15 (16)	12/7 (19)	21/30 (51)	2/7 (9)	N/A	N/A
<sup>1</sup> Completed projects - excludes base stations that have been frustrated and removed									
<sup>2</sup> Frustrated base stations with replacements / frustrated base stations that have been removed (i.e. no replacement). Frustrated and replaced base stations at 31 July 202568, however, 410 of these replaced base stations have been frustrated and removed.									
* \$380m appropriated for Rounds 1-6, less re-allocations over time to the Peri-Urban Mobile Program, Mobile Network Hardening Program, Wi-Fi on trains and Tasmanian mobile network upgrades projects.									
^ Component within BCP Appropriation budget									
Progress since last Senate Estimates (data previously reported as at 31 December 2024)									
17 <sup>+</sup> projects have been completed (from 1 January 2025 to 31 July 2025).									
<sup>+</sup> Completed projects since last estimate only include projects notified to and confirmed by the department within the above specific period and can include projects pre 1 January 2025 as the department was notified within the above period.									
Program/status sensitivities									
74 base stations have been removed from the program with no replacement base station.									
(6 base stations removed from 1 January 2025 to 31 July 2025)									

Contact: Karly Pidgeon

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Phone: s22(1)(a)(ii)

Version Number: 01

Date: 24/09/2025

Page 4 of 8

OFFICIAL

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Karly Pidgeon

SB25-000336

**Background**Budget Papers 2024-25 (Budget Paper No. 1)

- Text on page 220 reads: *Communication expenses are estimated to decrease from 2024–25 to 2027–28, primarily reflecting the funding profile for the BCP, and the conclusion of the MBSP.* This text may be misleading.
- Rounds 1-5A and the IMCR (Round 6) are funded in an MBSP-specific appropriation line in Outcome 5. This appropriation line is currently forecast to end in 2026-27.
- MBSP Round 7 and funding for a Round 8 is available in the BCP.
  - See the department's funding at Budget Related Paper No. 112
  - Pages 70-71 and note (a) under Table 2.5.2 Program components of Outcome 5.

Round 7

- \$55 million (\$50 million GST exclusive) awarded for 62 new mobile base stations.
  - \$41.3 million (\$37.6 million GST exclusive) for 43 new base stations across Australia; and
  - \$13.6 million (\$12.3 million GST exclusive) for 19 new base stations targeting improved coverage for First Nations communities.
- Run as part of the \$160 million (GST exclusive) combined "Regional Connectivity Program Round 3 (including Mobile Black Spot Opportunities)". Funded under the BCP – refer to SB25-000334.
- 60 projects contracted and in early phases of deployment, 2 under contract negotiation.
- The rollout schedule will be published on the industry grantees' websites once the contracts have been executed.

Round 1-7 – Status

- As at 31 July 2025, 1181 sites (89%) for Rounds 1-7 are complete.
- The remaining base stations for Rounds 1-5A to be complete by 1 February 2026.
- As at 31 July 2025, Round 1 and Round 3 (Priority Locations Round) are operational.
  - Round 1 saw 489 sites become operational. The remaining 10 sites could not be built and were removed from the MBSP; and
  - Round 3 saw 87 sites become operational. The remaining 15 sites that could not be built were removed from the MBSP.
- The department will perform reconciliation and true-up processes prior to closing the both rounds.

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Page 5 of 8

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

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SB25-000336

*Reasons for delays*

- Delays to project delivery are due to various factors, such as:
  - Applicant proposals are based on desktop planning only, as they can't be in the applicant's commercial forward work plan;
  - acquiring landowner agreement at a viable location;
  - obtaining local government planning approvals; and
  - availability and access to supporting infrastructure including power and backhaul.
- Note: Simple base station deployment typically takes 24 – 36 months to complete, with the median program delivery closer to 3 years. Complex sites can take 5+ years to deliver.

*Base station frustrations*

- Base stations may be frustrated, i.e. cannot be built, for reasons including being unable to get access to land, planning approvals, or unforeseen technical issues.
- For Rounds 1-5A, where a base station was frustrated, the Commonwealth may agree to a replacement base station if a suitable location can be found. From March 2025, replacement base stations will no longer be approved by the Commonwealth for existing and future rounds of the MBSP.
- As at 31 July 2025, 132 base stations cannot be built (i.e. frustrated), and 68 replacement base stations agreed. However, 10 of these replacement base stations were frustrated and removed. These are listed on the department's website.

MBSP Grant Agreement financial arrangements

- Program expenditure is performance-based and comprises:
  - A one-off Mobilisation Payment paid to each grantee under each round;
  - Milestone payments (including Asset Completion payments for individual sites); and
  - A final payment of up to 10% of the total grant amount across each round of the program, payable to the funding recipients following completion of their last base station funded under each round.
- The government's total funding contribution by round is capped. Any overspends at the end of each round are the responsibility of the respective funding recipient. Funding underspends will either be retained within the program for further investment or returned to the Budget following end-of-program reconciliation and true-up processes.

**Contact:** Karly Pidgeon**Cleared by:** Kate McMullan, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 24/09/2025

Page 6 of 8

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Karly Pidgeon

SB25-000336

**Program Financial Information as at 31 July 2025**

MBSP Rounds 1-6 (funded from the MBSP appropriation line)

<b>Program/Project Start</b>	<b>2015-16</b>						
<b>Program/Project End Date:</b>	<b>2026-27</b>						
	2021- 22	2022- 23	2023- 24	2024- 25	2025- 26	2026- 27	<b>TOTAL \$m</b>
Appropriation Budget <sup>1</sup>	15.7	14.2	8.6	54.7	26.5	15.6	<b>135.3</b>
Less:							
Actual Expenditure YTD at 31 July 2025	15.7	14.2	8.6	7.0			<b>45.5</b>
Total Committed Funds at 31 July 2025 <sup>2</sup>			0	52.2	25.7	15.5	<b>93.4</b>
Total Uncommitted Funds (balance) <sup>3</sup>			0	2.5	0.8	0.1	<b>3.4</b>

<sup>1</sup> As at Portfolio Additional Estimates Statements 2024-25.<sup>2</sup> Committed Funds relate to funds committed under a Funding Agreement, Contract or Program of Works where the Project, Profile and Conditions have been agreed to, or a formal offer has been made pending agreement by the recipient.<sup>3</sup> As at 31 December 2024, from the \$40m IMCR allocated funding, \$2.8m is allocated to IMCR Stage 2, and \$0.6m is allocated to IMCR Stage 1.<sup>4</sup> As at 30 June 2025, the profile will be updated in 2024-25 to exclude a \$1.596 million under reporting error in the Mobile Black Spot Program (MBSP) from 2020-21.**Contact:** Karly Pidgeon**Cleared by:** Kate McMullan, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 24/09/2025

Page 7 of 8

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Karly Pidgeon

SB25-000336

## MBSP Rounds 7 and 8 (funded from the Better Connectivity Plan)

<b>Program/Project Start Date:</b>	<b>2022-23</b>								
<b>Program/Project End Date:</b>	<b>2026-27</b>								
	2022-23 \$m	2023-24 \$m	2024-25 \$m	2025-26 \$m	2026-27 \$m	2027-28 \$m	2028-29 \$m	2029-30 \$m	<b>TOTAL \$m</b>
Appropriation Budget <sup>1, 2</sup> – Better Connectivity Plan	0.0	3.1	6.5	19.7	34.4	16.5	13.8	11.0	<b>105.0</b>
Less:									
Actual Expenditure YTD at 31 July 2025 <sup>4</sup>	0	3.1	0						<b>3.1</b>
Total Committed Funds at 31 July 2025 <sup>3</sup>		0	6.5	11.5	28.9	0	0	0	<b>46.9</b>
Total Uncommitted Funds (balance) <sup>4</sup>		0	0	8.2	5.5	16.5	13.8	11.0	<b>55.0</b>

<sup>1</sup> As at Portfolio Additional Estimates Statements 2024-25.<sup>2</sup> See SB25-000334 on the BCP.<sup>3</sup> Committed Funds relate to funds committed under a Funding Agreement, Contract or Program of Works where the Project, Profile and Conditions have been agreed to, or a formal offer has been made pending agreement by the recipient.

Round 7 is considered committed as the minister has made a decision to award funding and recipients have accepted these offers, pending contracting.

<sup>4</sup> MBSP Round 8 is uncommitted as the round is still open for applications.

## Supporting Information

## Questions on Notice (QoNs)

- SQ25-000318 – Mobile Black Spot Program – List of Projects

## Freedom of Information (FOI) Requests

- FOI 25 – 355 – Briefing to the Minister for Communications on Extension of Time requests for Mobile Black Spot Program and its related programs

Contact: Karly Pidgeon

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Phone: s22(1)(a)(ii)

Version Number: 01

Date: 24/09/2025

Page 8 of 8

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Karly Pidgeon

SB25-000339

**SUBJECT: Mobile Network Hardening Program (MNHP)****Key Deliverables**

- The Australian Government committed to running Rounds 2 and 3 of the Mobile Network Hardening Program (MNHP).
- The former Minister for Communications, the Hon Michelle Rowland MP, announced \$14.2 million (GST exclusive unless otherwise marked) for 386 projects under Round 2 in May 2024, and on 17 April 2025 that \$9.8 million has been awarded for 303 projects under Round 3.
- In April 2025, the government committed \$1.2 million to boost resilience for up to 23 mobile towers across the Perth Hills region.

**Talking points**

- The MNHP provides grant funding for upgrades to Australia's mobile network telecommunications infrastructure in regional and peri-urban Australia to improve resilience to, and recovery from, natural disasters.
- *The Better Connectivity Plan for Regional and Rural Australia* (the BCP) provided funding for an additional 2 rounds of the Program (see SB25-000334 on the BCP).
- The \$1.2 million Perth Hills commitment will be delivered as a round of MNHP, using uncommitted funding from the BCP. Design work is underway, with the round expected to open to applications later this year.
- Round 3 was undersubscribed, with \$9.8 million of the \$20 million funding awarded to 4 recipients for 303 projects. The list of projects funded from Round 3 was published on the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts' website on 18 September 2025. The department has executed 1 funding agreement and is progressing negotiations on the remaining 3, with delivery of the round due to be completed by June 2027.
- Funding agreements for Round 2 have been executed with the 4 grant recipients. Project delivery is underway and due to be completed by June 2026.
- 998 projects were contracted under Round 1, at a cost of up to \$22.8 million. As at 31 July 2025:
  - Over 98% of projects (958) are complete and the remaining 12 projects are underway, and
  - 30 projects could not be completed and have been removed from the program.

**Contact:** Karly Pidgeon**Cleared by:** Kate McMullan, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 23/09/2025

Page 1 of 6

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Karly Pidgeon

SB25-000339

**Key Issues**

- The MNHP is funding improvements to mobile network infrastructure in regional, remote and peri-urban Australia to:
  - prevent outages during a natural disaster
  - strengthen resilience to support longer operation during a natural disaster, and
  - support the rapid restoration of services following an outage.

**Perth Hills Round**

- On 19 April 2025, the government announced \$1.2 million to increase battery backup power reserves to at least 20 hours, and deliver Automatic Transfer Units (ATUs) at up to 23 mobile towers across the Perth Hills region (**Attachment A**).
  - The announcement identified this region as including the Kalamunda, Mundaring, and Serpentine-Jarrahdale Local Government Areas.
  - An ATU is designed to minimise service disruption and expedite recovery from power outages by automatically shifting to a generator when connected, lessening reliance on technicians to facilitate that process. While an ATU is a Telstra proprietary technology, the department will consider similar technologies in the design process.
- The department is developing the design of the round and expects to undertake targeted consultation with key community and industry stakeholders shortly.
- Consistent with *Labor's Costed Plan to Build Australia's Future* (28 April 2025), funding for the commitment will be 'offset from uncommitted funding' in the BCP.

**Round 3**

- On 5 March 2025, the former minister agreed the department's funding recommendations on projects to be funded, without change. The former minister also:
  - On 17 April (**Attachment B**) and 23 April 2025 (**Attachment C**), announced that \$9.8 million had been approved 'prior to the federal election period' to co-fund 303 projects, and identified 2 projects in the NT as well as stated project numbers for NSW (94), Queensland (68), Victoria (64), WA (32), Tasmania (22) and SA (21). The first announcement stated projects included the installation of portable and permanent generators, battery backup systems with 12 to 20 hours of capacity, reinforced towers, and 115 ATUs.
  - On 17 April 2025, wrote to all affected Members of Parliament with the number of projects in their electorate receiving funding and stating that the project list was on the department's website.
- The list of projects was published on 18 September 2025 (it could not be published during the caretaker period).

**Contact:** Karly Pidgeon**Cleared by:** Kate McMullan, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 23/09/2025

Page 2 of 6

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Karly Pidgeon

SB25-000339

- Outcomes from Round 3:
  - 4 eligible applicants were funded.
  - Project types: \$6 million for 184 battery upgrades (115 including Automatic Transmission Units), \$1.3 million for 74 backhaul or transmission upgrades, \$1.3 million to physically harden 23 sites, and \$1.2 million for 22 permanent or portable generators.
  - Locations funded: \$ 7.5 million was provided for 245 projects in regional Australia, \$2.2 million for 58 projects in peri-urban Australia.
  - Total cost of funded projects is \$19.6 million, with \$9.8 million in additional investment leveraged.

Mobile Network Hardening Program (Actual expenditure at 31 July 2025)				
Program start	2020-21	Program end	2026-27	
Total appropriation (GST excl)	\$21.4 million (STAND)* \$34.2 million (BCP)^	Expenditure to date (GST excl)	\$17.4 million Round 3 contract negotiations in progress.	
Administration arrangements	Targeted competitive grants program. The department assesses applications and negotiates funding agreements. The minister makes decisions on projects to be funded.			
Program Description	Funds upgrades to mobile network telecommunications infrastructure in regional, remote and peri-urban Australia to improve resilience against, and recovery from, natural disasters.			
Status (at 31 December 2024)	Total Program Numbers	Round 1 – Stages 1 and 2	Round 2	Round 3
Applications approved for funding	1,687	998	386	303
Contracted - In Progress	12	12	386	0
Completed <sup>1</sup>	958	958	0	0
Removed <sup>2</sup>	30	30	0	0
1 - Completed projects – excludes frustrated and removed projects 2 – Projects removed from the program * MNHP Rd 1 funded via the Strengthen Telecommunications Against Natural Disasters (STAND) initiative ^ Component within the BCP Appropriation budget				
Progress since last Senate Estimates:				
<ul style="list-style-type: none"> <li>• 14 projects have been completed (from 31 December 2024 to 31 July 2025).</li> <li>• Executed all Funding Agreements for Round 2.</li> </ul>				

Contact: Karly Pidgeon

Cleared by: Kate McMullan, A/g First Assistant Secretary

Phone: s22(1)(a)(ii)

Version Number: 02

Date: 23/09/2025

Page 3 of 6

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Karly Pidgeon

SB25-000339

- Decision taken on the awarding of funding to Round 3 projects.

**Program/status sensitivities:**

- As at 31 July 2025, 30 sites have been removed from the program.
- Negotiation of Funding Agreements for Round 3 is underway.

**Background**Round 3 – Focus on Natural Disaster areas

- Up to \$20 million was available for Resilience Upgrades in areas impacted by, or at risk of, Natural Disaster, with co-funding of 50% in two \$10 million streams – a Regional and Remote Australia stream, and a Peri-Urban Fringe stream.
- The round was expanded to include a Peri-Urban Fringe stream, enabling projects to be proposed in the peri-urban fringe of 19 capital and major regional cities, using the same eligible locations from Round 2 of the Peri-Urban Mobile Program.
- Round 3 was open for applications from 25 October to 20 December 2024. A Project Noticeboard was open between 4 October and 13 December 2024 to allow local councils and state, territory and federal parliamentarians to identify potential projects or locations. The telco industry was encouraged to consider submissions to the Project Noticeboard when preparing their applications.
- The \$20 million funding comprised \$15 million allocated within the BCP for Round 3 and:
  - \$0.8 million uncommitted from Round 2, plus
  - a reallocation of \$4.2 million in uncommitted funds from the Telecommunications Resilience Disaster Innovation Program.
- The department consulted on the design parameters for Round 3 with state and territory governments, the National Emergency Management Agency, representatives of the telco industry, the Regional Telecommunications Independent Review Committee, the Better Internet for Rural, Regional and Remote Australia group, and the Australian Communications Consumer Action Network during September and October 2024.

Round 2 - Focus on Remote, Very Remote and First Nations areas

- Round 2 was open for applications from 7 September to 17 November 2023, with up to \$15 million available.
  - The round provided 50% in co-funding for projects in regional areas, and up to 75% co-funding in remote, very remote and First Nations communities.
  - The former minister agreed the department's funding recommendations on projects to be funded, without change.
  - \$14.2 million was awarded to eligible and meritorious projects

**Contact:** Karly Pidgeon**Cleared by:** Kate McMullan, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 23/09/2025

Page 4 of 6

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Karly Pidgeon

SB25-000339

- The round leveraged an additional \$7.8 million in co-funding from the applicants and state and territory governments.
- Outcomes awarded under Round 2 included:
  - Project types - \$9.2 million (149 projects) to upgrade battery power to at least 12 hours; \$3.3 million (219) to upgrade transmission resiliency across clusters of connected base stations (mitigating the potential for single points of network failure); \$0.4 million (14) for generators; and the remaining \$1.3 million (4) for a solar upgrade, a backhaul project and disaster recovery skids.
  - Locations funded - \$10 million for 155 projects in remote and very remote Australia and \$4.3 million for 231 projects in regional Australia (doesn't sum due to rounding). Of these, \$1.4 million is funding projects located at 15 sites in First Nations communities.

Round 1

- Round 1 was funded under the Strengthen Telecommunications Against Natural Disasters (STAND) initiative and delivered in 2 stages from late 2020. Outcomes were announced in December 2020 (Stage 1) and March 2022 (Stage 2).
- Round 1 (Stage 1) projects are complete. The department will perform reconciliation and true-up processes prior to closing the round. Round 1 (Stage 2) Optus projects are complete, Telstra has 1 remaining, and TPG's are in progress (below).

*Delay executing TPG's Round 1, Stage 2 funding agreement*

- Execution of the Funding Agreement with TPG for its 11 x Round 1 Stage 2 solutions was impacted by the Australian Competition and Consumer Commission's decision not to agree the proposed Telstra / TPG MOCN agreement.
- Following further discussions, TPG confirmed its commitment to deliver the Round 1 Stage 2 solutions, noting that 1 has been completed by TPG as part of urgent network upgrade activities (Blue Mountains region – Katoomba).
- The department executed the funding agreement with TPG on 29 November 2024. Given the delays, these TPG projects are due to be completed by 30 June 2026.

**Financial Information as at 31 July 2025**

<b>Program/Project Start Date:</b>	Round 1, Stage 1 – 2020-21 Round 1, Stage 2 – 2022-23					
<b>Program/Project End Date:</b>	Round 1, Stage 1 – 2023-24 Round 1, Stage 2 – 2024-25					
	2022-23 \$m	2023-24 \$m	2024-25 \$m	2025-26 \$m	2026-27 \$m	<b>TOTAL \$m</b>

**Contact:** Karly Pidgeon**Cleared by:** Kate McMullan, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 23/09/2025

Page 5 of 6

OFFICIAL

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Karly Pidgeon

SB25-000339

Appropriation Budget <sup>1</sup>	5.2	0	4.6	0.2	0	<b>10</b>
Less:						
Actual Expenditure YTD at 31 July 2025	5.2	0	0.6			<b>5.8</b>
Total Committed Funds at 31 July 2025 <sup>2</sup>	0	0	3.9	0.2	0	<b>4.1</b>
Total Uncommitted Funds (balance)	0	0	0.1	0.0	0	<b>0.1</b>

<sup>1</sup> As at 2025-26 Budget, STAND appropriation

<sup>2</sup> Committed funds includes those committed under a Funding Agreement, Contract or Program of Works where the Project, Profile and Conditions have been agreed to, or a formal offer has been made pending agreement. Mobile Network Hardening Program Rounds 2 and 3 (funded from the Better Connectivity Plan)

<b>Program/Project Start Date:</b>	2024-25			
<b>Program/Project End Date:</b>	2026-27			
	2024-25 \$m	2025-26 \$m	2026-27 \$m	<b>TOTAL \$m</b>
Appropriation Budget <sup>1</sup>	12.7	9.5	12.0	<b>34.2</b>
Less:				
Actual Expenditure YTD at 31 July 2025	8.5			<b>8.5</b>
Total Committed Funds at 31 July 2025 <sup>2</sup>	0	5.9	9.6	<b>15.5</b>
Total Uncommitted Funds (balance)	4.2	3.6	2.4	<b>10.2</b>

<sup>1</sup> As at 2025-26 Budget.

<sup>2</sup> Committed funds includes those committed under a Funding Agreement, Contract or Program of Works where the Project, Profile and Conditions have been agreed to, or a formal offer has been made pending agreement. This line includes funds awarded under Rounds 2 and 3 of MNHP.

## Attachments

- A: 19 April 2025 - Perth Hills Announcement
- B: 17 April 2025 - Round 3 Communications Day announcement
- C: 23 April 2025 - Round 3 Northern Territory announcements

Contact: Karly Pidgeon

Cleared by: Kate McMullan, A/g First Assistant Secretary

Phone: s22(1)(a)(ii)

Version Number: 02

Date: 23/09/2025

Page 6 of 6

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## Attachment A

19 April 2025

**The Hon Michelle Rowland MP**

Minister for Communications

**The Hon Stephen Dawson MLC**

Western Australia Minister for Regional Development

**Trish Cook**

Labor Candidate for Bullwinkel

### **MEDIA RELEASE**

#### **Albanese Government to boost resilience of mobile towers across Western Australia and in the Perth Hills**

Communities across Western Australia will be safer, better connected and informed during emergencies thanks to a new \$5.2 million plan from the Albanese and Cook Labor Governments.

The Commonwealth and WA Governments are contributing \$2 million each to deliver 120 Automatic Transfer Units (ATUs) and 76 generators, including in the Wheatbelt and Western Goldfields. This will be delivered in partnership with Telstra. This investment was provisioned for in the MYEFO 2024-25 budget.

A re-elected Albanese Government will also invest \$1.2 million to increase battery backup power and deliver ATUs for up to 23 mobile towers across the Perth Hills region, including the Kalamunda, Mundaring, and Serpentine-Jarrahdale Local Government Areas.

This election commitment will boost existing battery back-up from around 3 hours to at least 20 hours and has been developed in response to ongoing power reliability issues in the Perth Hills.

- ATUs are attached to mobile towers and mean that power is automatically shifted to a back-up generator if the existing battery and generator system fail. This is particularly important in emergency situations and in remote and regional Australia.
- In its first term, the Albanese Government committed more than \$340 million to improve mobile coverage and network resilience across Australia, including delivery of:
  - 120 network resilience upgrades in WA through the Mobile Network Hardening Program; and
  - 22 infrastructure resilience upgrades in WA for emergency broadcasting radio transmission sites including a portable broadcast asset which can be deployed locally in emergencies.

A re-elected Albanese Government will also legislate a Universal Outdoor Mobile Obligation (UOMO), adding up to 2 million square kilometres of new coverage across WA.



**Attachment A**

UOMO, which uses new low orbit satellite technology, will improve mobile connectivity and Triple Zero during disasters that impact the availability of power to land-based mobile networks.

Peter Dutton is the biggest risk to this progress. The Federal Opposition rushed to oppose Uomo despite broad stakeholder support, including from WA Nationals MP, Colin de Grussa, who said LEOSats will *“do more for solving blackspot issues in terms of voice and text than any other measures.”* ...*“Newer generations of those satellites now offering direct-to-handset voice and text capabilities will mean coverage is vastly improved very rapidly.”*

The contrast at the next election is clear.

An Albanese Labor Government investing in mobile connectivity and making our networks more resilient, or Peter Dutton and the Liberals who would risk this progress and want to take Australia backwards.

**Quotes attributable to the Minister for Communications, the Hon Michelle Rowland MP:**

*“The safety of Australians is the number one priority of the Albanese Government – particularly during natural disasters which are becoming more frequent and severe.*

*“While no network is ever 100 per cent disaster-proof, Labor will continue to invest and improve communications network resilience across Western Australia and the Perth Hills.”*

**Quotes attributable to Federal Member for Burt, the Hon Matt Keogh MP:**

*“For almost a decade the Liberals and Nationals failed to support our outer suburbs and left people with dodgy mobile coverage.*

*“The Albanese Labor Government is righting that wrong, with this funding to support connectivity across the Perth Hills and across Western Australia.*

**Quotes attributable to Trish Cook, Labor Candidate for Bullwinkel:**

*“As a nurse, and Mundaring Shire Deputy President and Perth Hills resident for nearly two decades I've seen the devastation bushfires cause in our communities.*

*“I'm proud to be part of an Albanese Labor Team that will invest and improve communications network resilience in the Perth Hills and across Western Australia.*

**Quotes attributable to Western Australia Minister for Regional Development, Stephen Dawson MLC:**

*“With forecasts for the disaster season growing ever more severe out west, we're making sure our communities have more reliable, resilient communications in place.*

*“This is why the Cook Government is providing \$2 million through our pilot Telecommunications Resilience Program.*

*“This significant joint investment will keep our local communities safer, better connected and informed if a disaster strikes and throughout the recovery period.*

*“Only Labor is committed to improving Western Australia's disaster preparedness, response and resilience capability.”*

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Karly Pidgeon

SB25-000341

**SUBJECT: Regional Roads Australia Mobile Program****Key Deliverables**

- The Australian Government is committed to improving mobile coverage on roads and has established the Regional Roads Australia Mobile Program (RRAMP).
- \$50 million is being provided to state and territory governments to deliver RRAMP Pilot Programs.
- Roundtable discussions were held with the telco industry and state and territory governments during June 2025 about the National RRAMP Consultation Paper. The National RRAMP is expected to open to applications in 2026.

**Talking Points**

- The RRAMP will provide grant funding to increase multi-carrier mobile coverage on highways and major roads, and in adjacent communities, in regional and remote Australia.
- The RRAMP has 2 components – Pilot Programs being delivered by state and territory governments, and the proposed National RRAMP grant program to be delivered by the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts.
- The RRAMP Pilot Programs will test new thinking or innovative solutions to improve coverage on regional and remote highways and major roads. The Pilot Programs also give jurisdictions the flexibility to address local needs and priorities.
  - Multi-carrier coverage will be prioritised, rather than mandated, to support novel approaches.
- Funding for the Pilot Programs is being delivered to each jurisdiction through a schedule to the *Federation Funding Agreement – Infrastructure*.
  - The Pilot Program for Queensland is still being finalised.
  - The Schedule has been signed with all other participating jurisdictions.
  - Funding was not provided to the ACT as it is classified as a Major Urban Area (Australian Bureau of Statistics).
- Submissions to a Consultation Paper on proposed design features for the National RRAMP closed on 30 June 2025. The department is considering the submissions and have published the non-confidential submissions on its 'Have your say' page on 18 September 2025.

**Contact:** Karly Pidgeon**Cleared by:** Kate McMullan, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 23/09/2025

Page 1 of 5

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Karly Pidgeon

SB25-000341

- The RRAMP is funded from the government's \$1.1 billion *Better Connectivity Plan for Regional and Rural Australia*.

**Key Issues***Pilot Programs*

- The former Minister for Communications, the Hon Michelle Rowland MP, agreed the Pilot Programs and funding to each jurisdiction. States and territories are contributing a mix of in-kind and financial contributions. Media announcements about the Pilot Programs have been made for 3 of the jurisdictions (see Background).
- \$50 million has been transferred to the Treasury for payments to states and territories under the Federation Funding Agreements (FFA) Framework. Payments will be made to jurisdictions according to milestones in a Schedule to the FFA-Infrastructure.
  - The Schedule was signed by the former minister and counter-signed by the relevant state or territory minister.
  - Treasury has published the signed Schedule on the Federal Financial Relations website.
- Budget Paper 3, Part 2 Payments for specific purposes (page 79) (**Attachment A**) identifies the Commonwealth Pilot Program funding allocations as:
  - \$10 million to New South Wales
  - \$8 million to Victoria
  - \$8 million to Western Australia
  - \$5 million to South Australia
  - \$5 million to Tasmania
  - \$6 million to Northern Territory
  - While Queensland's allocation is not specified (as the Schedule has not been signed), the balance is \$8 million
- The department is engaging with officials in the Queensland Government on arrangements for a Pilot Program.
- Pilot Programs will be conducted by jurisdictions consistent with 3 principles, which are intended to deliver nationally consistent objectives and outcomes, and emphasise the need for value-for-money and long-term sustainability (**Attachment B**).

*National RRAMP*

- The National RRAMP will provide grant funding for the construction of new, or upgrades to existing, mobile telecommunications infrastructure to deliver multi-carrier mobile coverage on regional and remote highways and major roads. Infrastructure is to be located at points along regional highways and major roads where drivers would logically

**Contact:** Karly Pidgeon**Cleared by:** Kate McMullan, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 23/09/2025

Page 2 of 5

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Karly Pidgeon

SB25-000341

be expected to stop, including rest areas and truck stops, campgrounds, service centres, EV charging stations and tourist sites.

- On 7 March 2025, the department released a Consultation Paper on the proposed design features of the National RRAMP (**Attachment C**). Roundtable discussion were held with Mobile Network Operators, Mobile Network Infrastructure Providers and jurisdictions. In response to requests from stakeholders, submissions were accepted until 30 June 2025.
  - 19 written submissions were received, with 8 published on 18 September 2025 (11 requested their submission not be published).

**Background**

- Objectives of both the Pilot Programs and the National RRAMP are to strengthen economic growth, improve social connectivity, support regional development and improve the safety of drivers.
- Funding is not being provided to the ACT as it is a Major Urban Area [population of more than 100,000. ABS Australian Statistical Geography Standard].

*Pilot Programs - Announcements*

- Western Australia - The former minister and the Hon Don Punch MP, former WA Minister for Regional Development each announced \$8 million in funding for the WA Pilot Program on Tuesday, 3 September 2024.
  - The WA Pilot Program will improve coverage on 2 key regional road transport corridors - the Albany Highway (between Bedfordale and Albany Airport) and the Great Eastern Highway (between Bullabulling and Meckering).
- Victoria - The former minister announced \$8 million in Commonwealth funding for the Victorian Pilot Program on Wednesday, 6 November 2024. The Victorian Government is funding the design and delivery of the program.
  - The Victoria Pilot Program covers parts of the Great Alpine Road, Great Ocean Road and Monaro Highway, with a focus on boosting resilience and connectivity during emergencies and natural disasters.
- New South Wales - The former minister announced \$48 million in funding for the NSW Pilot Program on Friday, 15 November 2024. The government is contributing \$10 million and the NSW Government is contributing \$38 million (\$9 million to the Department of Primary Industries and Regional Development and \$1 million to the NSW Telco Authority).
  - The NSW Pilot Program will improve coverage across regional and remote NSW, targeting remote roadside rest areas, significant transport corridors, key tourist

**Contact:** Karly Pidgeon**Cleared by:** Kate McMullan, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 23/09/2025

Page 3 of 5

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Karly Pidgeon

SB25-000341

routes and roads linking First Nations Communities to closest towns to access essential services.

- Details of remaining Pilot Programs have not been announced by ministers, however are published on the FFR website, with the exception of the Pilot Program for Queensland which is still being finalised.
- Timeline:
  - 22 August 2023 - The RRAMP Pilot Programs were discussed at the first meeting of the Regional Connectivity Ministers Roundtable.
  - October-November 2023 - The proposed principles were discussed with state and territory officials.
  - November 2023 - \$50 million transferred to the Treasury.
  - 4 January 2024 - The Minister for Communications wrote to State and Territory Ministers inviting a proposal for a Pilot Program.
  - Late February to June 2024 - State and territory governments provided proposals for Pilot Programs. The department analysed the proposals and provided advice to the Minister for Communications.
  - 12 August 2024 - The Minister for Communications agreed funding for the Pilot Programs and wrote to State and Territory Ministers advising of the outcome.
  - 3 September 2024 - Western Australia Pilot Program announced.
  - 6 November 2024 - Victoria Pilot Program announced.
  - 14 November 2024 - New South Wales Pilot Program announced.
  - 7 March 2025 – The Minister for Communications signed the schedule to the FFA-Infrastructure for all jurisdictions except WA and Queensland, and sent the schedule to relevant State and Territory Ministers for countersignature.
  - 5 April 2025 – The Minister for Communications signed the schedule for WA.

Contact: Karly Pidgeon

Cleared by: Kate McMullan, A/g First Assistant Secretary

Phone: s22(1)(a)(ii)

Version Number: 02

Date: 23/09/2025

Page 4 of 5

OFFICIAL

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Karly Pidgeon

SB25-000341

**Financial Information as at 31 July 2025**

- Non-Budget information as at 31 July 2025.
- Budget information as at 25 March 2025.

Program/Project Start Date:	2024-25							
Program/Project End Date:	2029-30							
	2023 -24 \$m	2024 -25 \$m	2025 -26 \$m	2026- 27 \$m	2027- 28 \$m	2028- 29 \$m	2029 -30 \$m*	TOTAL \$m
Appropriation Budget (Treasury) <sup>1</sup>	0	22.4	25.1	1.4	1.1	0	0	50.0
Appropriation Budget (Infrastructure: Better Connectivity Plan, National RRAMP) <sup>1, 2</sup>	0	2.8	3.0	12.0	30.0	38.9	6.0	92.6 <sup>3</sup>
Less:								
Actual Expenditure YTD at 31 July 2025	0							
Total Committed Funds at 31 July 2025	0	0	0	0	0	0	0	0
Total Uncommitted Funds (balance) (Infrastructure: Better Connectivity Plan, National RRAMP)	0	2.8	3.0	12.0	30.0	38.9	6.0	92.6 <sup>3</sup>

<sup>1</sup> As at 2025-26 Budget. Movement of funds for the Treasury appropriation reflected in the 2025-26 Budget to reflect the development of milestones for FFA Schedules with states and territories for RRAMP pilot programs.

<sup>2</sup> See SB25-000334 on the BCP.

<sup>3</sup> Variance in funding due to rounding.

Note: Committed funds relate to funds committed under a Funding Agreement, Contract or Program of Works where the Project, Profile and Conditions have been agreed to, or a formal offer has been made pending agreement, by the recipient.

\*In MYEFO 2024-25, Round 8 of the Mobile Black Spot Program and the Regional Roads Australia Mobile Program were extended to 2029-30 to provide a realistic rollout schedule of 5 years, and policy authority for the BCP was extended.

**Attachments**

- A: Budget Paper No. 3 - Pilot Program funding allocations
- B: Principles Guiding the Development of Pilot Programs
- C: National RRAMP Consultation Paper

Contact: Karly Pidgeon

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Phone: s22(1)(a)(ii)

Version Number: 02

Date: 23/09/2025

Page 5 of 5

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## Attachment A

## Budget 2025-26 – Budget Paper No. 3, Part 2 Payments for specific purposes

**Regional Roads Australia Mobile Program – Pilot Program<sup>(a)</sup>**

\$million	NSW	VIC	QLD	WA	SA	TAS	ACT	NT	Total
2024-25	2.5	3.0	~	4.0	2.5	2.5	~	4.0	22.5
2025-26	7.1	4.6	~	3.6	2.3	2.3	~	1.7	25.1
2026-27	0.5	0.1	~	-	0.3	0.3	~	-	1.4
2027-28	-	0.3	~	0.4	-	-	~	0.3	1.1
2028-29	-	-	-	-	-	-	-	-	-
<b>Total</b>	<b>10.0</b>	<b>8.0</b>	<b>~</b>	<b>8.0</b>	<b>5.0</b>	<b>5.0</b>	<b>~</b>	<b>6.0</b>	<b>50.0</b>

a) Totals include funding yet to be allocated.

The Australian Government is providing funding for a pilot program to help expand mobile coverage on regional highways and major roads.

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SB25-000341 - Attachment B

## Principles Guiding the Development of Pilot Programs

### Objectives and Outcomes

The Pilot Programs are expected to deliver improved mobile coverage on identified major highways and roads and to adjacent local communities across rural, regional and remote Australia, strengthening economic growth, improving social connectivity, supporting regional development and improving safety of drivers.

Outcomes of the Pilot Programs are to:

- test new thinking and innovative solutions to deliver mobile coverage on regional highways and roads, including technologies, energy sources, backhaul options, delivery and partnership models and active sharing integration costs;
- demonstrate proof-of-concept of a multi-carrier approach on regional highways and roads;
- progress the integration of multi-carrier solutions into telecommunications company's normal business model; and
- improved communication and connectivity in regions.

### Principle 1

Funding must be provided to a

- Mobile Network Operator,
- Mobile Network Infrastructure Provider, and/or
- Network Management Providers that are contracted by a Mobile Network Operator to assist with the management and maintenance of its network

to deliver improved mobile coverage on defined highways and major roads located in Inner Regional Australia, Outer Regional Australia, Remote Australia or Very Remote Australia.

### Principle 2

Pilot programs must strongly encourage or incentivise multi-carrier outcomes, with a preference for at least 2 Mobile Network Operators, other commercial or not-for-profit organisations utilising funded infrastructure.

### Principle 3

The Pilot Program must deliver value-for-money, with funded infrastructure (such as base stations) and services expected to operate for at least 10 years.

Projects must not otherwise have been funded, or plan to be funded, by the telecommunications company, demonstrated by not being in the forward work program of the Mobile Network Operator or a public commitment to provide mobile services in the location.

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Karly Pidgeon

SB25-000343

**SUBJECT: On Farm Connectivity Program****Key Deliverables**

- The Australian Government committed up to \$53 million to 3 rounds of the On Farm Connectivity Program (the Program), to extend digital connectivity enabling primary producers across the agriculture, fisheries and forestry industries, to access connected machinery and sensor technology through rebates for eligible equipment.
- Under Rounds 1 and 2, the government committed up to \$33 million over 2 years from 2023–24 to 2024–25 with over \$30 million of rebates provided.
- Public consultation was undertaken from 17 July 2025 to 26 August 2025 to inform the design of the \$20 million Round 3, to ensure it best addresses connectivity gaps.

**Talking Points**

- On 14 January 2025, the Hon Michelle Rowland MP, former Minister for Communications, announced a third round of the program, committing a further \$20 million.
- 231 responses were received to the Round 3 public consultation from a broad cross-section of Primary Producers, suppliers of equipment and industry bodies.
- Round 3 is expected to open for applications later in 2025, with funding delivered in 2025-26.
- The Program is funded under the government's Better Connectivity Plan for Regional and Rural Australia.

**Key Issues**Round 2 – strong demand

- Round 2 opened on 8 November 2024, but closed after 5 business days. Strong demand saw more applications received in 5 days than in almost 7 months under Round 1.
- This heightened demand appears to have resulted from increased awareness of and interest in the program after Round 1. Following feedback from Round 1, design changes for Round 2 lowered the minimum rebate value (expanding the equipment eligible) and increased the number of Primary Producers eligible to participate. There was also an increase in Approved Suppliers, from 77 in Round 1 to 364 in Round 2, with the following breakdown of rebates received:

**Contact:** Karly Pidgeon**Cleared by:** Kate McMullan, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 23/09/2025

Page 1 of 7

OFFICIAL

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Karly Pidgeon

SB25-000343

- Of the 77 Approved Suppliers in Round 1, 29 did not receive a rebate. 48 Approved Suppliers in Round 1 received at least 1 rebate payment, representing 62% of Approved Suppliers for the Round.
- Of the 364 Approved Suppliers in Round 2, 242 did not receive a rebate. 122 Approved Suppliers in Round 2 received at least 1 rebate payment, representing 34% of Approved Suppliers for the Round.

Round 3

- Round 3 is currently under design. Lessons from the previous rounds, and feedback from consultation with stakeholders, will inform the final design of Round 3.
- During the recent public consultation, 204 survey responses were received and 27 *Have Your Say* submissions provided feedback on the discussion paper that outlined the proposed changes to the Program. The key design changes the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts consulted on included:
  - Removing the approved list of suppliers
  - Primary producers submitting the application in place of the Approved Supplier
  - Reducing the scope of eligible equipment to focus solely on Connectivity
  - Introduction on price cap based off average market pricing
  - Capping installation and delivery costs.
- The department is reviewing the responses and submissions, and considering the feedback in the development of the final program design and grant opportunity guidelines.

On Farm Connectivity Program (Actual expenditure as at 31 July 2025)			
<b>Program start</b>	27 October 2023	<b>Program end</b>	30 June 2026
<b>Total appropriation</b>	\$52,207,452 (GST ex)	<b>Expenditure to date (as at 31 July 2025)</b>	Round 1: \$13,834,452 Round 2: \$16,678,969
<b>Administration arrangements</b>	The On Farm Connectivity Program is a demand driven grant (rebate) program administered by the Business Grants Hub (BGH) on behalf of the department.		
<b>Program Description</b>	The Program is providing up to \$53 million over 3 years: <ul style="list-style-type: none"> <li>• Up to \$33 million was allocated for Rounds 1 and 2.</li> <li>• Up to \$20 million for Round 3, announced on 14 January 2025.</li> </ul>		

Contact: Karly Pidgeon

Cleared by: Kate McMullan, A/g First Assistant Secretary

Phone: s22(1)(a)(ii)

Version Number: 02

Date: 23/09/2025

Page 2 of 7

OFFICIAL

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OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Karly Pidgeon

SB25-000343

Delivery Status (as at 31 July 2025)	Total Program Numbers	Round 1	Round 2
Applications made (# and \$)	4,154 \$39.9m	1,923 \$16.4m	2,231 \$23.6m
Removed/Withdrawn <sup>a</sup> /Ineligible applications/rebates	970 \$9.4m	268 \$2.5m	702 \$6.9m
Rebates paid (# and \$)	3,184 \$30.5m	1,655 \$13.8m	1,529 \$16.7m
<b>Progress since last Senate Estimates (data previously reported as at 31 December 2024)</b>			
<ul style="list-style-type: none"> <li>Round 2 closed for rebate claims on 31 May 2025, with all rebate claims approved for payment by 30 June 2025.</li> </ul>			
<b>Program/status sensitivities:</b>			
Currently there is no open round of the On Farm Connectivity Program.			

<sup>a</sup> All approved applications unclaimed against by the end of the claim period were withdrawn.

## Background

### Program Design Rounds 1 and 2

- The Program is a demand driven grant program providing rebates of up to 50% for Primary Producers towards the cost (including installation and training) of eligible connectivity solutions. This can include equipment such as antennas, boosters, repeaters, portable hotspots, Wi-Fi extenders and routers.
- As a 2-stage program, an Approved Supplier had to apply and receive confirmation the proposed transaction met eligibility criteria before the sale could take place ('pre-approval').
- Once pre-approved, the Approved Supplier was required to complete the sale, including any associated installation and submit their claim for rebate within 120 days.
- The rebate amount was reflected at the point of sale in reduced equipment prices, with a Primary Producer required to pay only the outstanding balance. Following the sale, the Approved Supplier claimed the rebate under the program.
- The Regional Tech Hub provided independent advice to Primary Producers in relation to connectivity and Approved Supplier options that met their individual needs.

**Contact:** Karly Pidgeon

**Cleared by:** Kate McMullan, A/g First Assistant Secretary

**Phone:** s22(1)(a)(ii)

**Version Number:** 02

**Date:** 23/09/2025

Page 3 of 7

OFFICIAL

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Transport, Regional Development, Communications, Sport and the Arts

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Karly Pidgeon

SB25-000343

*Program Round Timings and Summaries*Round 1

- Round 1 was opened for applications on 27 October 2023 and closed on 17 May 2024, once approved applications reached the \$15 million funding allocation.
- At the conclusion of the Round when all eligible claims for rebate had been finalised, a \$1.2 million underspend remained. This is attributed to the 2-stage program design and consumer behaviour, with some approved applications not progressing to an eligible claim for rebate. These included but are not limited to:
  - Sales not completed after the application had been approved, resulting in incomplete claims.
  - Ineligibility of claims for rebate submitted after the deadline of 31 May 2024.
  - Approved applications that were not finalised for other reasons.

Round 2*Design Changes to Round 2*

- Stakeholder feedback and lessons from Round 1 supported a number of design changes to Round 2.
- The key changes included expanded eligibility requirements, increasing the number of Primary Producers eligible to participate and including a wider range of products by decreasing the minimum rebate value. Changes include:
  - A reduction of the minimum rebate amount to \$1,000.
  - Increasing the timeline between pre-approval and rebate submission to 120 days.
  - Increasing income eligibility for Primary Producers from \$2 million to a \$4 million annual revenue cap.

*Timeline of Round 2*

- 6 August 2024: the former minister announced an additional \$3 million in funding for Round 2, bringing the total allocation to \$18 million.
- 23 August 2024: Applications for an Expression of Interest (EOI) opened for businesses interested in participating in the program as an Approved Supplier.
- 29 September 2024: the EOI closed, with 414 applications received.
- 28 October 2024: all businesses that applied through the EOI process were advised of the outcome, with 364 confirmed as Approved Suppliers.
- 8 November 2024: the Round was opened to applications.

**Contact:** Karly Pidgeon**Cleared by:** Kate McMullan, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 23/09/2025

Page 4 of 7

OFFICIAL

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OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Karly Pidgeon

SB25-000343

- 14 November 2024: the application portal managed by the Business Grant Hub (BGH) was closed for applications as the funding allocated had been exceeded. Over 2,000 applications, with rebate value over \$23 million had been received prior to this closure.
- 31 May 2025: the Round closed for rebate claims and \$16.7 million of rebate payments were made (with \$1.3 million unspent for similar reasons to Round 1).

*If asked: Why was Round 2 closed after only 5 business days, when Round 1 was open for 7 months?*

- The changes to eligibility for Round 2 expanded the equipment eligible by lowering minimum rebate values, and increased number of Primary Producers eligible to participate. This included:
  - Increasing the upper limit revenue cap from \$2 million to \$4 million;
  - Lowering the minimum rebate amount from \$3,000 to \$1,000.
- In addition, there was an increase in awareness and interest in Round 2, as evidenced by the increase in Approved Suppliers from 77 under Round 1 to 364 under Round 2.

*If asked: Why was there an underspend of \$1.3 million in Round 2, if the Round was oversubscribed to the value of over \$23 million against funding available of \$18 million?*

- Due to the 2-stage program design, some approved applications did not progress to an eligible claim for rebate by 31 May 2025 resulting in the underspend. This could be because of reasons such as but not limited to:
  - The sale not proceeding
  - The claim being assessed as ineligible for a range of reasons.

*If asked: Given an additional \$20 million for a third round has been announced, what is the department going to do to ensure the funds aren't committed in a week again?*

- The strong demand in earlier rounds highlights the value of the Program to Primary Producers.
- The department is considering design options to ensure it continues to deliver for Primary Producers.
- The department is considering the feedback received during public consultation, and lessons learned from the previous rounds in the design of Round 3 to ensure opportunities are maximised.

*If asked: What were the most common connectivity solutions Round 2 rebates contribute?*

- The top 10 rebates claims by connectivity solutions under Round 2 were:

Contact: Karly Pidgeon

Cleared by: Kate McMullan, A/g First Assistant Secretary

Phone: s22(1)(a)(ii)

Version Number: 02

Date: 23/09/2025

Page 5 of 7

OFFICIAL

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OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Karly Pidgeon

SB25-000343

Connectivity solution reference	Subcategory reference	Number
Farm management	Livestock monitoring systems	822
Farm management	Liquid level monitors	630
Environmental monitoring	Weather monitors	474
Connectivity equipment	Gateway and routers	397
Farm management	Cameras	336
Connectivity equipment	Antennas	335
Low Power Wide Area Networks (LPWAN)	Cat-M1	244
Environmental monitoring	Soil moisture probes	240
Connectivity equipment	Boosters and repeaters	214
Environmental monitoring	Water flow and pressure monitors	194

## Financial Information as at 31 July 2025

- Non-Budget information as at 31 July 2025
- Budget information as at March 2025 Budget.

Program/Project Start Date:	July 2023					
Program/Project End Date:	June 2026					
	2023-24 \$m	2024-25 \$m	2025-26 \$m	2026-27 \$m	2027-28 \$m	TOTAL \$m
Appropriation Budget	14.0	18.2	20.0	0.0	0.0	52.2
Less:						
Actual Expenditure YTD at 31 July 2025	14.0*	16.8*				
Total Committed Funds at 31 July 2025	0.0	0.0	0.0	0.0	0.0	0.0
Total Uncommitted Funds (balance)	0.0	1.3	20.0	0.0	0.0	1.3

Note: Committed funds relate to funds committed under a Funding Agreement, Contract or Program of Works where the Project, Profile and Conditions have been agreed to, or a formal offer has been made pending agreement, by the recipient.

\* Includes administered rebate claims and fees for the Regional Tech Hub support

Contact: Karly Pidgeon

Cleared by: Kate McMullan, A/g First Assistant Secretary

Phone: s22(1)(a)(ii)

Version Number: 02

Date: 23/09/2025

Page 6 of 7

OFFICIAL

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Karly Pidgeon

SB25-000343

**Supporting Information***Questions on Notice (QoNs)*

- SQ25-000056 (Closed) - Funding for Round 3 - On Farm Connectivity Program
- SQ25-000053 (Closed) - Case studies - On Farm Connectivity Program
- PQ24-000094 (Closed) - HQLW 766 - On Farm Connectivity Program - Round 2

*Freedom of Information (FOI) Requests*

- FOI 26 – 056 (received 16 August 2025)

**Contact:** Karly Pidgeon**Cleared by:** Kate McMullan, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 23/09/2025

Page 7 of 7

OFFICIAL

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Karly Pidgeon

SB25-000345

**SUBJECT: Regional Telecommunications Review****Key Deliverables**

- The Australian Government responded to the 2024 Regional Telecommunications Review Report on 18 September 2025.

**Talking Points**

- A Regional Telecommunications Review is undertaken every 3 years (as required by legislation).
- The Report of the 2024 Review was delivered to the Hon Michelle Rowland MP, former Minister for Communications, in December 2024.
- On 18 September 2025, the Government Response was tabled in the Senate (out of session) and announced with the government's release of the draft legislation on the Universal Outdoor Mobile Obligation (UOMO).
- The Government Response welcomed the Review, articulated progress has already been made and noted that the Committee's findings are informing policies and programs to improve connectivity in rural, remote and regional areas.
- The tabling of the Government Response was delayed due to the Federal Election and caretaker period earlier this year.

**Key Issues**

- The Government Response at **Attachment A** was announced by the Hon Anika Wells MP, Minister for Communications and Minister for Sport, on Thursday 18 September 2025. A copy of the media release is at **Attachment B**.
- The Response outlined:
  - Progress has already been made including:
    - Progressing reforms to legislate a Uomo that will expand basic voice and text outdoor mobile coverage across the continent (SB25-000326).
    - Strengthening connectivity for regional communities through the Government's Better Connectivity Plan for Regional and Rural Australia (see SB25-000334).
    - Upgrading over 660,000 regional Fibre to the Node (FTTN) premises to full fibre, positioning them to benefit from NBN Co's Accelerate Great program (access to speeds around ten times faster than the current average available in regional Australia).
    - Improving consumer protections, including by directing the Australian Communications and Media Authority (ACMA) to make new rules on financial

**Contact:** Karly Pidgeon**Cleared by:** Kate McMullan, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 24/09/2025

Page 1 of 5

OFFICIAL

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OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Karly Pidgeon

SB25-000345

- hardship support; domestic and family violence; and to improve customer communications in relation to outages and complaints handling.
- Strengthening ACMA's compliance and enforcement powers through the *Telecommunications Amendment (Enhancing Consumer Safeguards) Bill 2025*, which is currently before Parliament.
  - Developing national principles for prioritising and accelerating planning and approvals for larger communications infrastructure, and amendments under the Powers and Immunities Framework to improve the deployment and resilience of telecommunications services.
- Government will continue to invest including through:
- Existing programs to improve digital inclusion for First Nations Australians and improve terrestrial mobile coverage and capacity.
  - Upgrading the NBN, with up to \$3 billion in equity funding to upgrade remaining FTTN premises by 2030, including over 330,000 premises in regional Australia, enabling households to access up to gigabit speeds.
  - Leveraging new satellite technology through a partnership with Amazon's Project Kuiper to bring high speed broadband to approximately 307,000 premises in some of the most remote places in Australia.
  - Extending and expanding community Wi-Fi services to 500 more locations through the Strengthening Telecommunications Against Natural Disasters (STAND) program.
- Ongoing work on policies and programs including considering:
- Whether the current legislative arrangements for the Regional Telecommunications Review remain fit for purpose.
  - Broader universal service reform and potential approaches to improve delivery and funding of baseline fixed services provided to homes and businesses.
  - Lessons learned from the 3G switch off and how to improve the oversight of major technology and network transitions in the future.
  - Ways to enhance the Regional Tech Hub's effectiveness and reach in the future.
  - Expert advice from the First Nations Digital Inclusion Advisory Group, including recommendations in the First Nations Digital Inclusion Roadmap.
  - Continuing to work with local, state and territory government and industry to address delays in connecting telco infrastructure to the electricity grid.
  - Program evaluations to inform the modernisation of future programs and ensure public investment remains well targeted and delivered effectively.
- Expectations of industry to:
- Roll out technology to enable the UOMO to commence as soon as possible through a combination of existing mobile networks and Direct to Device (D2D) mobile technology.

Contact: Karly Pidgeon

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Phone: s22(1)(a)(ii)

Version Number: 01

Date: 24/09/2025

Page 2 of 5

OFFICIAL

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Karly Pidgeon

SB25-000345

- Improve the accuracy and consistency of public-facing mobile coverage maps.
- Cooperate and innovate to make regional connectivity as affordable and flexible as possible.
- Progress temporary disaster roaming, particularly in the context of the UOMO.
- Continue to work in partnership with governments, regulators and consumer advocates to protect the public interest, particularly safety, and to ensure positive outcomes.

**Background**

- The Report of the 2024 Review sets out 14 recommendations (at **Attachment C**) aimed at improving connectivity for regional, rural and remote communities.
  - The recommendations focus on connectivity literacy, affordability, resilience, mobile coverage and capacity, universal service modernisation, First Nations digital inclusion and Direct to Device capability.
- The Government Response was structured around 5 themes:
  - Uplifting broadband and mobile connectivity across Australia through a strategic approach to regulation and targeted government investment.
  - Ensuring essential telecommunication services are accessible, affordable, and consumers are protected against unfair practices.
  - Continuing to promote digital inclusion and connectivity literacy in regional, rural, and remote Australia, which will contribute to closing the digital divide and contribute to economic growth.
  - Focusing on uplifting capacity and resilience of telecommunications networks to deliver reliable and robust mobile and broadband services, including during emergencies.
  - Continuing to ensure telecommunications services are meeting the needs of those living and working in regional, rural, and remote Australia.

2024 Regional Telecommunications Independent Review Committee (RTIRC)

- The Review was established and conducted in accordance with Part 9B of the *Telecommunications (Consumer Protections and Service Standards) Act 1999* (the Act).
- Key dates for the Review were:
  - Commencement of the Review: 25 January 2024
  - Consultations: 12 April 2024 to 1 October 2024
  - Delivery of 2024 RTIRC report to Government: 13 December 2024
  - Response provided to Minister Wells for consideration: 28 August 2025
  - Response approved for Tabling by Minister Wells: 17 September 2025
  - Response tabled in the Senate: 18 September 2025

**Contact:** Karly Pidgeon**Cleared by:** Kate McMullan, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 24/09/2025

Page 3 of 5

OFFICIAL

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Karly Pidgeon

SB25-000345

- The Act sets out a number of requirements to be considered by the minister in the appointment of members to the Committee, including skills and expertise.
  - At least 1 member must be nominated by an organisation that represents the interests of people, or bodies, in regional, rural or remote areas.
- The 5 members appointed to the Committee were: Ms Alannah MacTiernan (Chair), Ms Kristy Sparrow (organisation nominee), Ms Fiona Nash, Dr Jessa Rogers and Mr Ian Kelly.
- In undertaking its Review, the Committee was required to assess whether people in regional, rural and remote Australia have equitable access to telecommunications services as compared to services available within urban areas.
  - The Terms of Reference for the 2024 Review were issued by the former Minister for Communications are at **Attachment D**.
- Members were remunerated according to a determination by the Remuneration Tribunal.
  - Members received a daily sitting fee for attending formal meetings, working on Committee business and for travel time. Maximum fee is \$1,070 for the Chair per day; \$856 for members per day.
  - Members were reimbursed for all meals and any incidentals (for example taxis).
- All flights and accommodation are paid by the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts in accordance with the Remuneration Tribunal determination.
- The department supported the Committee with secretariat services up until 30 June 2025.

**Financial Information**

- As at the 31 July 2025, \$898,864.00 (GST inclusive) in funding had been spent on undertaking the Review. This comprised:
  - \$649,301.00 on Committee member expenses including sitting fees, travel, and reimbursements.
  - \$249,563.00 on other expenses, including secretariat travel, consultation expenses (venue hire, catering, promotion) and report design and printing.
- The Review was funded from departmental resources.
- For comparison, the 2021 Review spent \$405,883.05. This included member sitting fees, and other expenses (travel, accommodation and communications). This lower expense reflected that, due to the COVID-19 pandemic, all consultations for the 2021 Review were conducted virtually.

**Contact:** Karly Pidgeon**Cleared by:** Kate McMullan, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 24/09/2025

Page 4 of 5

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Karly Pidgeon

SB25-000345

**Supporting Information***Questions on Notice (QoNs)*

- SQ24-001272 (**Attachment E**)

*Freedom of Information (FOI) Requests*

- FOI 25-185 Documents regarding the 2024 Regional Telecommunications Review, and subsequent communications and documents between 1 March 2024 and 12 November 2024. (**Attachment F**)

**Attachments**

- A: Australian Government Response to the 2024 Regional Telecommunications Review
- B: Media Release by the Hon Anika Wells MP, Minister for Communications 18/09/2025
- C: 2024 Regional Telecommunications Review recommendations
- D: Terms of Reference for the 2024 Regional Telecommunications Review
- E: Response to Question on Notice SQ24-001272
- F: Response letter of 16 December 2024 to FOI 25-185

**Contact:** Karly Pidgeon**Cleared by:** Kate McMullan, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 24/09/2025

Page 5 of 5

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Transport, Regional Development, Communications, Sport and the Arts



**Environment and Communications****QUESTION ON NOTICE****Supplementary Budget Estimates 2024 - 2025****Infrastructure, Transport, Regional Development, Communications and the Arts****Committee Question Number: 19****Departmental Question Number: SQ24-001272****Division/Agency Name:** DIV - Communications Services and Consumer**Hansard Reference:** Spoken, Page No. 43 (05 November 2024)**Topic:** Information relating to staff working on Regional Telecommunications review**Senator Ross Cadell asked:**

Senator CADELL: The questions are: Has the department written a letter to the Hon. Alannah MacTiernan or others? Have any staff sought counselling or support for their treatment at the hands of a board member who was assigned to this? Have any staff received support and, if so, what does that support look like? Is that okay?

Mr Chisholm: We'll take that on notice.

**Answer:**

The Department of Infrastructure, Transport, Regional Development, Communications and the Arts is committed to creating and maintaining a workplace where everyone feels safe. The department actively supports staff to ensure their safety in the workplace. Any situation concerning workplace-conflict issues can be distressing and at all times the priority is the wellbeing of departmental employees.

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**Australian Government**

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**Department of Infrastructure,  
Transport, Regional Development,  
Communications and the Arts**

Our reference: FOI 25-185

s22(1)(a)(ii)

By email: s22(1)(a)(ii)

Dear s22(1)(a)(ii)

## Decision on your Freedom of Information Request

On 14 November 2024, you submitted a request to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the Department), seeking access to documents under the *Freedom of Information Act 1982* (FOI Act).

### 1 Your request

You requested access to:

Documents regarding the 2024 Regional Telecommunications Review, and subsequent communications and documents between 1 March 2024 and 12 November 2024.

Documents relevant to this request include but are not limited to file notes, emails, messages on mobile devices and messaging applications, and all related documentations relating to, that refer to, or contain, references to the conduct or behaviour of the Hon Alannah MacTiernan:

- a) any communications between the Minister for Communications (the Minister) and the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (department);
- b) any communications between the Minister's office and the department;
- c) any communications between the Hon Alannah MacTiernan and the Minister's office;
- d) any communications between the Hon Alannah MacTiernan and the department;
- e) any internal communications within the Minister's Office;
- f) any internal communications within the department; and
- g) any external communications.

### 2 Authority to make decision

I am authorised by the Secretary to make decisions in relation to Freedom of Information requests under section 23(1) of the FOI Act.

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### 3 Decision

I have identified 20 documents that I consider contain information that is relevant to your request. These documents were in the possession of the Department when your request was received.

I have decided to refuse access to all documents.

A schedule setting out the documents relevant to your request, with my decision in relation to these documents, is at **ATTACHMENT A**.

### 4 Finding of facts and reasons for decision

My findings of fact and reasons for deciding that exemptions apply to the documents relevant to your request are set out below.

#### 4.1 Section 47E - Documents affecting certain operations of agencies

Section 47E(c) of the FOI Act provides that a document is conditionally exempt if its disclosure would, or could reasonably be expected to have a substantial adverse effect on the management or assessment of personnel by the Commonwealth or by an agency.

Paragraph 6.103 of the FOI Guidelines states that for this conditional exemption to apply, the documents must relate to either:

- the management of personnel – including the broader human resources policies and activities, recruitment, promotion, compensation, discipline, harassment and occupational health and safety, or
- the assessment of personnel – including the broader performance management policies and activities concerning competency, in-house training requirements, appraisals and underperformance, counselling, feedback, assessment for bonus or eligibility for progression.

Paragraph 6.105 of the FOI Guidelines states that the predicted effect must arise from the disclosure of the document being assessed. The decision maker may also need to consider the context of the document and the integrity of a system that may require those documents, such as witness statements required to investigate a workplace complaint, or referee reports to assess job applicants.

The Department also has statutory obligations under the *Work Health and Safety Act 2011* (WHS Act), including a primary duty of care, so far as is reasonably practicable, to ensure that persons are not put at risk from work carried out as part of the conduct of the Department. It is the aim of the Department's Work Health and Safety framework to protect workers and other persons against harm to their health, safety and welfare through elimination or minimisation of risks arising from work, and release of such information could cause harm to their physical and mental wellbeing.

I am satisfied that disclosure of the information contained in the documents relevant to your request may substantially and adversely affect the Department's ability to meet its statutory obligations under the WHS Act. There is therefore a protective element to my decision to ensure that departmental staff are not subjected to inappropriate risks or harm.

Paragraph 6.106 of the FOI Guidelines note that the AAT has accepted that candour is essential when an agency seeks to investigate staff complaints, especially those of bullying. In such cases staff may be reluctant to provide information and cooperate with investigators if they were aware that the subject matter of those discussions would be disclosed through the FOI process.

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The documents relevant to this request relate to handling of staff complaints. I am satisfied that disclosure of this information would, or could reasonably be expected to, result in a loss of trust in the Department's management of these types of investigations and an unwillingness by its staff to provide information to and cooperate with such investigations in the future. This would create an environment where such investigations are not able to be carried out with the candour necessary to ensure a fair investigation for all concerned, and this would result in a substantial adverse effect on the Department's ability to manage its staff.

I am satisfied that the documents relevant to this request would, or could reasonably be expected to have, a substantial adverse effect on the management or assessment of personnel by the Department.

For the reasons outlined above, I decided that the documents relevant to this request are conditionally exempt from disclosure under section 47E(c) of the FOI Act.

Where information is found to be conditionally exempt, I must give access to that information unless access at this time would, on balance, be contrary to the public interest. I have addressed the public interest considerations below.

## 4.2 Section 47F – Documents affecting personal privacy

Section 47F of the FOI Act provides that a document is conditionally exempt if its disclosure would involve the unreasonable disclosure of personal information about any person (including a deceased person).

### Personal Information

Personal information has the same meaning as in the Privacy Act. Specifically, section 6 of the Privacy Act provides that *personal information* means information or an opinion about an identified individual, or an individual who is reasonably identifiable whether the information or opinion is true or not; and whether the information or opinion is recorded in a material form or not.

Paragraph 6.126 of the FOI Guidelines states that for particular information to be personal information, an individual must be identified or reasonably identifiable.

Paragraph 6.125 of the FOI Guidelines states that personal information can include a person's name, address, telephone number, date of birth, medical records, bank account details, taxation information and signature.

An individual is a natural person rather than a corporation, trust, body politic or incorporated association.

I am satisfied that the documents relevant to your request include personal information about a number of individuals.

### Unreasonable Disclosure of Personal Information

Section 47F(2) of the FOI Act provides that, in determining whether the disclosure would involve the unreasonable disclosure of personal information, I must have regard to the following matters:

- (a) the extent to which the information is well known
- (b) whether the person to whom the information relates is known to be (or to have been) associated with the matters dealt with in the document
- (c) the availability of the information from publicly accessible sources
- (d) any other matters that the agency or Minister considers relevant.

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Paragraph 6.133 of the FOI Guidelines states that:

The personal privacy conditional exemption is designed to prevent the unreasonable invasion of third parties' privacy. The test of 'unreasonableness' implies a need to balance the public interest in disclosure of government-held information and the private interest in the privacy of individuals. The test does not, however, amount to the public interest test of s 11A(5), which follows later in the decision making process. It is possible that the decision maker may need to consider one or more factors twice, once to determine if a projected effect is unreasonable and again when assessing the public interest balance.

I note that the AAT, in *Re Chandra and Minister for Immigration and Ethnic Affairs [1984]* AATA 437 at paragraph 259, stated that:

... whether a disclosure is 'unreasonable' requires ... a consideration of all the circumstances, including the nature of the information that would be disclosed, the circumstances in which the information was obtained, the likelihood of the information being information that the person concerned would not wish to have disclosed without consent, and whether the information has any current relevance ... it is also necessary in my view to take into consideration the public interest recognised by the Act in the disclosure of information ... and to weigh that interest in the balance against the public interest in protecting the personal privacy of a third party ...

Paragraphs 6.137-6.139 of the FOI Guidelines state:

- 6.137 Key factors for determining whether disclosure is unreasonable include:
- the author of the document is identifiable
  - the documents contain third party personal information
  - release of the documents would cause stress on the third party
  - no public purpose would be achieved through release
- 6.138 As discussed in the IC review decision of '*FG*' and *National Archives of Australia [2015]* AICmr 26, other factors considered to be relevant include:
- the nature, age and current relevance of the information
  - any detriment that disclosure may cause to the person to whom the information relates
  - any opposition to disclosure expressed or likely to be held by that person
  - the circumstances of an agency's collection and use of the information
  - the fact that the FOI Act does not control or restrict any subsequent use or dissemination of information released under the FOI Act
  - any submission an FOI applicant chooses to make in support of their application as to their reasons for seeking access and their intended or likely use or dissemination of the information, and
  - whether disclosure of the information might advance the public interest in government transparency and integrity
- 6.139 The leading IC review decision on s 47F is 'BA' and Merit Protection Commissioner in which the Information Commissioner explained that the object of the FOI Act to promote transparency in government processes and activities needs to be balanced with the purpose of s 47F to protect personal privacy.

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Relevantly, paragraph 6.148 of the FOI Guidelines states the Information Commissioner's view that where a public servant's personal information is included in a document because of their usual duties or responsibilities, it will not be unreasonable to disclose it unless special circumstances exist.

However, this position has been rejected by Deputy President Forgie<sup>1</sup> in the Administrative Appeals Tribunal (AAT), who accepted that the words of section 47F should be the starting point of any consideration of the application of this conditional exemption. Deputy President Forgie noted:

The whole of the FOI Act is a finely tuned balance between two interests. In one side of the balance is the facilitation and promotion of access to a national resource that is information held by Government, which enables increased public participation in Government processes and increased scrutiny, discussion, comment, and review of the Government's activities. In the other is the protection of the national interest, the essential operation of government and the privacy of those who deal with government. It is most important, therefore, that its provisions be read very carefully and that presumptions should not be introduced that are not expressed, or necessarily implicit, in the words Parliament has chosen to achieve the balance that it wants. Those words should be the starting point of any consideration rather than any presumption that agencies and ministers should start from the position that the inclusion of the full names of staff in documents increases transparency and increases the objects of the FOI Act.

Most recently, on 5 February 2024, the views of Deputy President Forgie were also adopted by Senior Member C. J. Furnell in the AAT, stating, at paragraph 46 that:

While a person's right of access to a document is not affected by the person's reasons for seeking access, disclosure may be unreasonable if it has *"...no demonstrable relevance to the affairs of government and was likely to do no more than excite or satisfy the curiosity of people about the person whose personal affairs were disclosed."*<sup>2</sup>

I note that section 93A of the FOI Act states that I must have regard to any guidelines issued by the Information Commissioner, and as such, they do not bind a decision maker. I am therefore swayed by the decisions referred to above made in the AAT in this particular instance.

Additionally, the information within these documents goes beyond identifying public servants in the conduct of their usual duties or responsibilities.

I am satisfied that the disclosure of personal information contained within the documents would, in the circumstances, constitute an unreasonable disclosure of personal information for the following reasons:

- the conditionally exempt personal information is not well known
- the person to whom the personal information relates is not known to be (or to have been) associated with the matters dealt with in the document
- the conditionally exempt personal information is not available from publicly accessible sources
- the individuals whose personal information is contained in the documents are identifiable
  - even where the information could be de-identified, for example by removal of names and contact details, it would still be possible for the relevant parties to be identified by people with knowledge of the events described
- release of this information would cause stress to the individuals concerned
- the information is current and has not lost its sensitivity through the passage of time

<sup>1</sup> Chief Executive Officer, Services Australia and Justin Warren [2020] AATA 4557 (Warren), [paragraph 83]

<sup>2</sup> Re Vangel Colakovski v Australian Telecommunications Corporation [1991] FCA 152; 100 ALR 111 13 Aar 261 29 FCR 429/23 ALD 1 (17 April 1991) [paragraph 4]

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- the individuals would not expect the information to be placed in the public domain, and detriment may be caused to the individuals to whom the information relates, and
- the FOI Act does not control or restrict any subsequent use or dissemination of information released under the FOI Act

For the reasons outlined above, I decided that the documents relevant to your request are conditionally exempt from disclosure under section 47F of the FOI Act.

Where information is found to be conditionally exempt, I must give access to that information unless access at this time would, on balance, be contrary to the public interest. I have addressed the public interest considerations below.

### 4.3 Public interest considerations

Pursuant to section 11A(5) of the FOI Act, I must give access to conditionally exempt information unless access to that information at that time would, on balance, be contrary to the public interest. I have therefore considered whether disclosure of the conditionally exempt information would be contrary to the public interest.

I note that paragraph 6.224 of the FOI Guidelines states that the public interest test is considered to be:

- something that is of serious concern or benefit to the public, not merely of individual interest
- not something of interest to the public, but in the interest of the public
- not a static concept, where it lies in a particular matter will often depend on a balancing of interests
- necessarily broad and non-specific and
- relates to matters of common concern or relevance to all members of the public, or a substantial section of the public.

### Factors favouring disclosure

Having regard to section 11B of the FOI Act, which provides the factors favouring access to conditionally exempt information in the public interest, I consider that disclosure of the conditionally exempt information at this time:

- 1) would provide access to documents held by an agency of the Commonwealth, which would promote the objects of the FOI Act by providing the Australian community with access to information held by the Australian Government
  - I note that paragraph 6.230 of the FOI Guidelines suggests it would be a rare case in which disclosure would not promote the objects of the FOI Act, including by increasing scrutiny, discussion, comment and review of the government's activities.
- 2) would, to a limited degree and with respect to limited parts of the documents, inform debate on a matter of public importance
- 3) would, to a limited degree and with respect to limited parts of the documents promote effective oversight of public expenditure
- 4) would not allow you access to your own personal information.
  - I note you are not seeking access to your own personal information and this factor is mute in my considerations.

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## Factors weighing against disclosure

I consider that the following factors weigh against disclosure of the conditionally exempt information at this time, on the basis that disclosure:

- 1) could reasonably be expected to prejudice the fair treatment of individuals, noting that the information is about unsubstantiated allegations of misconduct or improper conduct
- 2) could reasonably be expected to prejudice the management function of the Department
- 3) would prejudice the Department's ability to meet its statutory obligations and responsibilities in relation to the work health and safety of its employees and would, or could reasonably be expected to, result in a loss of trust in the Department's management of these types of investigations and an unwillingness by its staff to provide information to and cooperate with such investigations in the future
  - I consider there is a strong public interest in maintaining an environment where staff have confidence in the Department's ability to manage and investigate complaints without fear of the disclosure of the information that they have provided as part of that complaint process becoming publicly available through an FOI request
  - The disclosure of this type of information on one instance would result in a significant loss of confidence in the Department's ability to manage its staff in future similar situations.
  - The Department is committed to complying with its obligations under the WHS Act, which includes a primary duty of care, so far as is reasonably practicable, to ensure that persons are not put at risk from work carried out as part of the conduct of the Department. I consider it is firmly in the public interest that we meet our statutory obligations under the WHS Act.
- 4) could reasonably be expected to prejudice the protection of a number of individuals' right to personal privacy
  - Although the personal information within the documents is the personal information of public servants, it relates to information about them beyond the ordinary conduct of their duties
  - The personal information of staff managed by the Department included in the document is as a result of their employment circumstance and disclosure would be likely to adversely impact the management function of the Department
  - The Department is committed to complying with its obligations under the *Privacy Act 1988*, which sets out standards and obligations that regulate how we must handle and manage personal information. I consider it is firmly in the public interest that we uphold the rights of individuals to their own privacy and meet our statutory obligations under the Privacy Act

In making my decision, I have not taken into account any of the irrelevant factors set out in section 11B(4) of the FOI Act.

## Conclusion – disclosure is not in the public interest

For the reasons set out above, after weighing all public interest factors for and against disclosure, I decided that, on balance, disclosure of the conditionally exempt information would be contrary to the public interest. I am satisfied that the benefit to the public resulting from disclosure of the conditionally exempt information is outweighed by the benefit to the public of withholding that information.

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## 5 Material taken into consideration

In making my decision, I had regard to the following:

- the terms of your request
- the content of the documents captured by your request
- the provisions of the FOI Act
- the guidelines issued by the Australian Information Commissioner under section 93A of the FOI Act (the FOI Guidelines)
- advice from departmental officers with responsibility for the subject matter contained in the documents captured by your request.

## 6 Legislative provisions

The FOI Act, including the provisions referred to in my decision, are available on the Federal Register of Legislation website: [www.legislation.gov.au/Series/C2004A02562](http://www.legislation.gov.au/Series/C2004A02562).

## 7 Your review rights

If you are dissatisfied with my decision, you may apply for a review of it.

### 7.1 Internal review

You can request an internal review within 30 days of receiving this decision. An internal review will be conducted by a different departmental officer from the original decision-maker.

No particular form is required to apply for review although it will assist the Department if you are able to set out the grounds on which you believe that the original decision should be changed.

Applications for internal review can be sent to [FOI@infrastructure.gov.au](mailto:FOI@infrastructure.gov.au).

If you choose to seek an internal review, you will also have a right to apply for Information Commissioner review (IC review) of the internal review decision once it has been provided to you if you remain dissatisfied with the decision.

### 7.2 Information Commissioner review or complaint

An application for IC review must be made in writing to the Office of the Australian Information Commissioner (OAIC) within 60 days of the decision.

If you are not satisfied with the way we have handled your FOI request, you can lodge a complaint with the OAIC. However, the OAIC suggests that complaints are made to the agency in the first instance.

More information about the Information Commissioner reviews and complaints is available on the OAIC website here: [www.oaic.gov.au/freedom-of-information/foi-review-process](http://www.oaic.gov.au/freedom-of-information/foi-review-process).

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## 8 Publication of material released under the FOI Act

Where I have decided to release documents to you, we may also publish the released material on our Disclosure Log. We will not publish personal or business affairs information where it would be unreasonable to do so.

For your reference our Disclosure Log can be found here: [www.infrastructure.gov.au/about-us/freedom-information/freedom-information-disclosure-log](http://www.infrastructure.gov.au/about-us/freedom-information/freedom-information-disclosure-log).

### Further information

If you require further information regarding this decision, please contact the Department's FOI Section at [FOI@infrastructure.gov.au](mailto:FOI@infrastructure.gov.au).

Yours sincerely

[Jason Lange](#)

Jason Lange  
Assistant Secretary  
Regional Connectivity Branch  
Communications Services and Consumer Division

Date: 16 December 2024

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ATTACHMENT A.

## SCHEDULE OF DOCUMENTS FOI 25-185

Doc No.	Date of document	Description of document	Num of Pages	Decision on access	Provision of FOI Act
1.	04/03/2024	Email chain	2	Access refused in full	s47E(c) s47F
2.	25/05/2024	Email chain	3	Access refused in full	s47E(c) s47F
3.	05/06/2024	Instant messaging chat log	1	Access refused in full	s47E(c) s47F
4.	05/06/2024	Email chain	1	Access refused in full	s47E(c) s47F
5.	06/06/2024	Instant messaging chat log	1	Access refused in full	s47E(c) s47F
6.	06/06/2024	Email chain	3	Access refused in full	s47E(c) s47F
7.	07/06/2024	Instant messaging chat log	1	Access refused in full	s47E(c) s47F
8.	26/06/2024	Instant messaging chat log	1	Access refused in full	s47E(c) s47F
9.	26/08/2024	Instant messaging chat log	1	Access refused in full	s47E(c) s47F
10.	26/08/2024	Email chain	4	Access refused in full	s47E(c) s47F
11.	31/08/2024	Incoming Assistant Secretary Briefing	1	Access refused in full	s47E(c) s47F
12.	02/09/2024	Email chain with attachment	4	Access refused in full	s47E(c) s47F
13.	11/09/2024	Instant messaging chat log	1	Access refused in full	s47E(c) s47F
14.	17/09/2024	Email chain	1	Access refused in full	s47E(c) s47F
15.	18/09/2024	Email chain	2	Access refused in full	s47E(c) s47F
16.	30/09/2024	Email chain	4	Access refused in full	s47E(c) s47F
17.	01/11/2024	Instant messaging chat log	1	Access refused in full	s47E(c) s47F
18.	01/11/2024	Instant messaging chat log	1	Access refused in full	s47E(c) s47F
19.	05/11/2024	Instant messaging chat log	1	Access refused in full	s47E(c) s47F
20.	05/11/2024	Email chain	1	Access refused in full	s47E(c) s47F

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Ben Phelps

SB25-000347

**SUBJECT: Postal Services including post office closures****Key Deliverables**

- The Australian Government has successfully overseen changes to Australia Post's Performance Standards Regulations (April 2024) and continues to monitor Australia Post's performance.
- The government has not changed the minimum number of post offices that Australia Post must maintain nationally and in regional areas, or the services available at Australia Post retail outlets.
- The government asked the banking sector to increase its commitment to and investment in regional banking. On 11 February 2025, Australia Post announced new in-principle Bank@Post agreements with CBA, NAB and Westpac, and with ANZ also agreeing to join Bank@Post.

**Talking Points**Temporary suspension of parcel service to the United States and Puerto Rico

- On 26 August 2025, Australia Post temporarily suspended most parcel deliveries to the United States and Puerto Rico in response to new United States' customs rules imposing duties on parcels valued over US\$100.
- This change to the custom rules has impacted almost all global postal operators, including the UK and New Zealand.
- Australia Post resumed postal services to the United States and its Overseas Territories from 22 September 2025 starting with business customers, with all retail postal services to resume on or before 7 October 2025.
- Australia Post integrated software from a third-party, Zonos, to comply with new US customs requirements and collect customs duties within Australia at the point of sale. Most countries are adopting the same solution with 1 of 12 authorised software solutions, including Zonos. Further questions should be directed to Australia Post.
- Letter services have continued uninterrupted.

Postal services

- Changes to Australia Post's Performance Standards Regulations from 13 April 2024 allowed a shift from daily to every second day letter delivery, resulting in \$56 million in cost savings by 28 August 2024.

**Contact:** Ben Phelps**Cleared by:** Kate McMullan, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 03**Date:** 24/09/2025

Page 1 of 8

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Ben Phelps

SB25-000347

- As at 30 June 2025, Australia Post maintained 4,118 post offices nationally, with 2,523 outside major cities, meeting legislative obligations in 2024-25 (at least 4,000 retail outlets, including 2,500 in non-metropolitan areas) (see **Attachment A**).
- While outlet closures or relocations are operational decisions for Australia Post, the government expects Australia Post to consider community needs, with a minimum 60-day notification period to consumers.
- The Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts continues to monitor Australia Post's delivery of postal services and financial performance.
- Questions on Australia Post's operational or commercial matters are best directed to Australia Post.

**Key Issues**Temporary suspension of parcel service to the US

- Australia Post's decision to temporarily suspend most parcel deliveries responded to new United States customs rules effective from 29 August 2025, which imposed duties on parcels valued over US\$100. Without this suspension, customers faced uncertainty regarding customs duties and parcel processing.
- This suspension followed the US Executive Order on 30 July 2025, which removed duty exemptions for parcels under US\$800, effective from 29 August 2025. Other countries who had to announce similar suspensions include the United Kingdom, New Zealand, Germany and Singapore.
- The department collaborated with the Department of Foreign Affairs and Trade and Australia Post to determine when services would likely resume.
- Australia Post has been working urgently, like other global postal operators, to implement a solution for pre-paying customs duties to avoid significant delays and backlogs.
- Australia Post is partnering with Zonos, a US Customs and Border Protection third-party provider, to enable customers to pre-pay duties, allowing services to resume. Any further questions should be directed to Australia Post.

Letter pricing

- Australia Post increased the Basic Postage Rate (BPR) from \$1.50 to \$1.70 on 17 July 2025.

**Contact:** Ben Phelps**Cleared by:** Kate McMullan, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 03**Date:** 24/09/2025

Page 2 of 8

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Ben Phelps

SB25-000347

- The Australian Competition and Consumer Commission (ACCC) did not object, following public consultation and a preliminary view published on 10 April 2025.
- The previous increase was on 3 April 2024, from \$1.20 to \$1.50. Concession and seasonal greeting stamp prices remain unchanged at 60 cents and 65 cents, respectively.
- Australia Post has indicated possible stamp price increases of 15 cents in mid-2026 and mid-2027 to offset forecast losses in its letters business.
  - These will be subject to separate processes and ministerial review under the *Australian Postal Corporation Act 1989*, which will consider Australia Post's obligations, Consumer Price Index changes and ACCC findings.
- In March 2024, the ACCC recommended Australia Post review its cost allocation methodology before future price notifications. Australia Post is working with the ACCC to address these recommendations.

*If asked about the expiring declaration*

- The current price notification declaration for Australia Post letter services that has been in place since 2015 ends on 30 September 2025.
- The department is working with Treasury on arrangements, as all such instruments sunset after 10 years.

Bank@Post

- Australia Post provides basic banking services for over 80 banks and financial institutions through approximately 3,400 post offices, including over 1,800 in regional Australia. These services include cash and cheque deposits, cash withdrawals, and balance enquiries.
- The government supports the Bank@Post service, recognising it may be the only physical financial service in some regions. As a Government Business Enterprise, Australia Post is expected to operate on a commercial basis, with arrangements reflecting the costs of providing these services.
- The government asked the banking sector to increase its commitment to and investment in regional banking. On 11 February 2025, Australia Post announced new in-principle Bank@Post agreements with CBA, NAB and Westpac, and with ANZ also agreeing to join Bank@Post.
- As these are commercial arrangements, we cannot comment on the nature of the agreements or negotiations. The government is not a party to the contracts.

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Page 3 of 8

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Ben Phelps

SB25-000347

Postal reforms

- Letter volumes in Australia have declined by 71.7% since peaking in 2007-08, with 1.3 billion in 2023-24, down from 4.6 billion in 2007-08. This decline is expected to continue as digital technologies reduce visits to post offices.
- Conversely, domestic parcel volumes have increased significantly, with 4 in 5 Australian households buying something online in 2023, resulting in 9.5 million households receiving a parcel in 2023.
- On 6 December 2023, the government announced reforms to modernise letter delivery services. Changes to the Performance Standards Regulations in 2024 include:
  - Reduced delivery frequency of ordinary letters to every second business day for 98% of locations.
  - Extending the time to deliver letters by 1 business day to accommodate the changes to delivery frequency (see **Attachment B**).
  - Deregulating priority mail, allowing Australia Post to set commercial terms and conditions with users.
  - Updating the geographic classification for retail outlets.
- The new Regulations adopted the modern Australian Statistical Geography Standard developed by the Australian Bureau of Statistics to replace an outdated standard based on 1991 Census data. The Regulations no longer refer to 'metropolitan' and 'rural and remote' areas, and instead reference 'in major cities' and 'not in major cities'. These changes reclassified some post offices.
- Importantly, the changes do not reduce the number of post offices Australia Post is required to maintain nationally and outside major cities, nor do they change the way post offices operate.

Post office network and outlet closures

- Australia Post's retail network plays a vital role in enabling access to postal and other services, particularly in regional, rural and remote Australia.
- Post office closures may occur due to lease expiry, licensee returns or reduced demand.
- The government expects Australia Post to maintain essential postal services, particularly in communities where the post office is the only provider of face-to-face postal and financial services.
- Australia Post's compliance with these standards is published in its Annual Report.

**Contact:** Ben Phelps**Cleared by:** Kate McMullan, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 03**Date:** 24/09/2025

Page 4 of 8

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Ben Phelps

SB25-000347

*Street posting box removals*

- Australia Post is required to maintain at least 10,000 posting boxes nationally, a requirement that remains unchanged. As of 30 June 2024, Australia Post maintained 14,004 street posting boxes, exceeding legislated obligations.
- Further questions on post boxes are best directed to Australia Post.

Access to last mile

- The department is aware some parcel industry members want government intervention in Australia Post's last mile access arrangements.
  - These arrangements are a commercial decision for Australia Post, and its network is accessible to other courier and logistics companies on a commercial basis.
- There are no legislative impediments or government policies preventing Australia Post from making such arrangements if they are commercially beneficial.
- 2 petitions (EN6326 and PN0615) were presented in the House of Representatives in July and August 2024, requesting the removal of restrictions on Licensed Post Offices (LPOs) to allow additional services, including parcel delivery for other operators.
  - The former Minister for Communications, the Hon Michelle Rowland MP, responded to the petitions on 4 November 2024 (**Attachment C**).
  - Parcel industry members have raised these issues with Treasury's Competition Review Taskforce and the Australian Government Competitive Neutrality Complaints Office (AGCNCO).
  - The department is aware the ACCC is also looking into related competition issues.
- Industry claims that allowing third parties to access Australia Post's retail network at the last mile will promote competition, lower parcel costs, especially in regional areas, and provide additional benefits for Australia Post licensees and other stakeholders.
  - The department is working with stakeholders to understand these issues.
  - Access arrangements remain a commercial decision for Australia Post, while competition policy matters are for the Treasurer and Treasury.

Competitive neutrality complaint

- The department acknowledges the Productivity Commission's report on the Australian Government Competitive Neutrality Complaints Office (AGCNCO) investigation into Australia Post. The report found no net competitive advantage due to government ownership.
  - Questions about the report should be directed to Australia Post and the Productivity Commission.

**Contact:** Ben Phelps**Cleared by:** Kate McMullan, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 03**Date:** 24/09/2025

Page 5 of 8

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Ben Phelps

SB25-000347

- In February 2022, the Conference of Asia Pacific Express Carriers (CAPEC) (DHL, FedEx, and UPS) lodged a complaint with the AGCNCO, alleging Australia Post held an unfair competitive advantage due to regulatory settings.
- On 30 October 2024, the AGCNCO released its report, which made 7 recommendations:
  - Exclusion of short-term line of credit facilities from debt neutrality considerations.
  - Australia Post making annual debt neutrality adjustment payments into the Official Public Account.
  - A public inquiry into CAPEC's complaint regarding customs and border regulation of parcel traffic.
  - Direct funding from the Budget for Australia Post's community service obligations.
  - Amendments to the information gathering powers under the *Productivity Commission Act 1988* for more proportionate penalties.
  - A Treasury stocktake of Australian Government GBEs and other significant government business activities, to determine their competitive neutrality status.
  - Include competitive neutrality information in Australia Post's annual report.
- On 24 July 2025, the AGCNCO released an addendum to the report. CAPEC had submitted that the report contained an error in how rates of return are calculated.
- The AGCNCO assessed CAPEC's further submissions and agreed that further consideration of Australia Post's rate of return is warranted. Following this, the AGCNCO continues to view that Australia Post is meeting the requirement to earn a commercial rate of return.

**Background**

- In 2023-24, Australia Post reported a full financial year loss before tax of \$88.5 million, the second year in a row it reported a loss. The loss is largely attributable to the ongoing decline of letter volumes, but is lower than the preceding year's \$200.3 million deficit due to strong parcel revenue, and flat operating costs, as well as changes to delivery speed.
  - Australia Post has reported 3 annual losses since becoming self-funded in 1989 (2015, 2023 and 2024).
  - Domestic parcel volumes were up 2.6% in 2024-25, contributing to parcels revenue growth of 4.3% year-on-year (YoY), last mile delivery is becoming increasingly competitive.
  - Letter volumes continue to decline, dropping a further 5.4% to 1.66 billion in 2024-25.

**Contact:** Ben Phelps**Cleared by:** Kate McMullan, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 03**Date:** 24/09/2025

Page 6 of 8

OFFICIAL

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Ben Phelps

SB25-000347

- On 29 August 2025, Australia Post released its full yearly performance results for 2024-25 (**Attachment D**):
  - group revenue of \$9.45 billion, up 3.6% YoY;
  - profit before tax of \$18.8 million, improved from a loss of \$88.5 million in 2023-24.
  - around 40% was trading revenue of \$7.4 million from 'property and other asset disposals', with a profit of \$41.3 million from property sales in 2024-25\*;
  - parcel and other services revenue of \$7.64 billion, up 2.9% YoY;
  - losses in the letter services of \$230.4 million, improved from losses of \$361.8 million in 2023-24;
  - the estimated cost of Community Service Obligations is \$391.0 million;
  - delivered a record Peak in 2024, with 102.8 million parcels to customers, an increase of over 3.0% YoY.

\*Trading revenue and property sales profit is not public

**Full Financial Information as at 30 June 2024**

Table A - Australia Post Financial Information as at 30 June 2024

	2019-20	2020-21	2021-22	2022-23	2023-24
Revenue (\$m)	7,499.2	8,273.7	8,973.9	8,965.2	9,129.1
Expenditure (\$m)	7,447.5	8,174.4	8,918.7	9,167.4	9,217.7
Capital expenditure (\$m)	316.1	450.0	427.2	343.1	306.1
Profit/(loss) before tax (\$m)	53.6	100.7	55.3	(200.3)	(88.5)
Profit/(loss) after tax (\$m)	42.9	69.6	49.5	(134.6)	(68.1)
Total assets (\$m)	6,785.3	7,064.9	6,293.4	6,353.5	6,121.8
Dividends declared (\$m)	27.9	44.3	32.1	-	-
Dividends paid (\$m)	21.0	46.2	36.3	21.8	-
Estimated cost of CSOs (\$m)	393.3	348.3	348.5	442.2	447.0
Direct staff (excl. casuals and ext. contractors)	34,998	34,734	36,374	35,496	34,683

Source: Australia Post 2020 - 2024 Annual Reports

Table B - Australia Post Prescribed Performance Standard table for 2023-24\*

Prescribed Performance Standard	Standard	Performance 12 April 2024 (superseded PPS)	Performance 30 June 2024 (current PPS)
On-time letters delivery (%)	94.0%	97.5%	99.5%
Letters Delivery frequency (%)			

Contact: Ben Phelps

Cleared by: Kate McMullan, A/g First Assistant Secretary

Phone: s22(1)(a)(ii)

Version Number: 03

Date: 24/09/2025

Page 7 of 8

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Ben Phelps

SB25-000347

Prescribed Performance Standard	Standard	Performance 12 April 2024 (superseded PPS)	Performance 30 June 2024 (current PPS)
– to delivery points every business day	98.0%	94.71%	N/A
– to delivery points every second business day	98.0%	N/A	98.82%
– to delivery points at least 2 days per week	99.7%	99.99%	99.99%
Delivery timetables	Maintain	Maintained	Maintained
Street posting boxes	10,000	14,428	14,004
Retail outlets			
– in total	4,000	4,241	4,198
– in rural and remote areas	2,500	2,491	NA
– in metropolitan areas, residences to be located within 2.5 kms of an outlet (%)	90.0%	93.7%	N/A
– in non-metropolitan (i.e. rural and remote) areas, residences to be located within 7.5 kms of an outlet (%)	85.0%	89.0%	N/A
– not in major cities (must also be at least 50% of all outlets)	2,500	N/A	2,553
– in major cities, residences to be located within 2.5 kms of an outlet	90.0%	N/A	92.0%
– not in major cities, residences to be located within 7.5 kms of an outlet	85%	N/A	89.5%

Source: Australia Post Annual Report 2024

\*The Prescribed Performance Standards changed on 13 April 2024. This table summarises Australia Post's performance under the current and superseded standards (for the period they each applied during FY24).

## Attachments

- A: Australia Post 2025 Statement of Corporate Intent (2025-26 – 2028-29)
- B: New Delivery Timetable for Ordinary Letters
- C: Petition Letter to House of Representatives Standing Committee on Petitions (EN6326 and PN0615)
- D: Media Release: Australia Post Full Year Performance Results – 29 August 2025

Contact: Ben Phelps

Cleared by: Kate McMullan, A/g First Assistant Secretary

Phone: s22(1)(a)(ii)

Version Number: 03

Date: 24/09/2025

Page 8 of 8

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## New Delivery Timetable for Ordinary Letters – effective 15 April 2024

Item	If the mail lodgement point is...	and the delivery address is...	then the delivery time for an ordinary letter is...
<b>Part 1—Delivery within a State</b>			
1	in the capital city of a State	within that capital city	4 business days after day of posting
2	in another city, or a town, in a State	within: (a) that city or town; or (b) an adjacent city or town in that State	4 business days after day of posting
3	in the capital city of a State	in a place within that State other than that capital city	5 business days after day of posting
4	in another city, or a town, in a State	in a place within that State other than: (a) that city or town; or (b) an adjacent city or town in that State	5 business days after day of posting
5	in a place in a State other than a place mentioned in column 1 of item 1 or 2 of this table	within that State	5 business days after day of posting
<b>Part 2—Delivery between States</b>			
6	in the capital city of a State	within the capital city of another State	6 business days after day of posting
7	outside the capital city of a State	within the capital city of another State	7 business days after day of posting
8	in the capital city of a State	outside the capital city of another State	7 business days after day of posting
9	outside the capital city of a State	outside the capital city of another State	8 business days after day of posting



## The Hon Michelle Rowland MP

---

Minister for Communications  
Federal Member for Greenway

MS24-001543

Ms Susan Templeman MP  
Chair  
Standing Committee on Petitions  
Parliament House  
CANBERRA ACT 2600

Dear Chair

Thank you for your letter of 19 August 2024 regarding petitions EN6326 and PN0615, requesting that restrictions be removed to allow the Licensees of Independent Local Post Offices to provide additional services and choice to better serve local communities and remain sustainable.

Firstly, I would like to acknowledge the dedication and continued service of the more than 3,400 Australia Post Licensees, particularly in supporting Australia Post to deliver recent letter delivery reforms.

The Australian Government appreciates licensees are the lifeblood of communities and play a crucial role in ensuring ongoing access to postal and other essential services across Australia. The Government remains committed to helping Australia Post adapt to the digitisation of the economy so that it remains a cherished national institution, providing essential services to Australian communities.

This is particularly critical in regional, rural and remote areas of Australia, where Australia Post is a key provider of a wide range of services that support the economic and social wellbeing of communities.

### *Postal services modernisation*

The Government remains focused on priority reforms to realise a more efficient letter service. On 15 April 2024, new Performance Standards for Australia Post took operational effect to enable letter delivery to change from every business day to every second business day for 90 per cent of delivery points across Australia.

Significant financial and productivity benefits from these reforms are already being realised, including \$56 million in cost savings through rollout of a new delivery model, to be reinvested in electric postie bikes and the expansion of regional parcel facilities.

---

The Hon Michelle Rowland MP  
PO Box 6022, Parliament House Canberra  
Suite 101C, 130 Main Street, Blacktown NSW 2148 | (02) 9671 4780



Additionally, the Government has set clear service expectations in a revised Statement of Expectations for Australia Post in implementing these reforms, including that it:

- maintains investment in its delivery and retail networks to meet end user needs including in regional, rural and remote Australia.
- continues to offer services where they are commercially viable, with regard to the needs of communities and Australia Post's financial sustainability; and
- increases accessibility of out-of-home parcel delivery options through other means such as parcel lockers and other self-service options.

#### *Australia Post's parcel services*

Australia Post is estimated to deliver more than 70 per cent of business to consumer parcels through its national delivery and Post Office network. Australia Post already supports end-to-end access arrangements on a commercial basis with over 80 parcel industry intermediaries and competitors - consistent with that of global postal providers in similar jurisdictions.

Australia Post has advised it is open to considering additional parcel delivery service arrangements provided they are commercially sound, and benefits can be shared by all parties. There are no legislative impediments or Government policies preventing Australia Post striking such arrangements.

#### *Licensed Post Offices*


Despite challenging headwinds in the retail industry, Australia Post continues to support over 3,500 Licensed Post Offices (LPOs) and Community Postal Agencies through strong parcel growth, and other service offerings like Bank@Post. In 2023-24, commissions associated with articles delivered to customers through LPOs grew 14.1 per cent, and LPO commission payments grew by \$16.3 million year-on-year, or 2.9 per cent.

Additionally, Australia Post's *Licensed Post Office Agreement* allows licensees to sell a range of additional non-Australia Post products. These arrangements underpin the success of the LPO network and contribute to Australia Post's ongoing viability and sustainability.

The Government will continue to work with Australia Post, licensees and communities so that services meet the needs of modern Australia, consistent with existing regulatory requirements.

Thank you for bringing this matter to the Australian Government's attention.

Yours sincerely



Michelle Rowland MP

4 / 11 / 2024

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Ben Phelps

SB25-000348

**SUBJECT: Australia Post Appointments and Remuneration****Key Deliverables**

- Appointments to the Australia Post Board are made by the Governor-General on nomination of the Minister for Communications.
- Ms Robyn Clubb AM was appointed as an acting part-time director for 3 months from 15 September 2025 to 14 December 2025, after her first term expired.
- Remuneration is expected to be appropriately governed and consistent with relevant industry benchmarks and Australian Government guidance.
- The Statement of Expectations (SoE) (see 'Background' section below) outlines the government's expectations regarding remuneration.

**Talking Points**

- Directors are part-time appointments and vacancies do not need to be advertised, consistent with the government's merit and transparency policy.
- Under the *Australia Postal Corporation Act 1989* (the APC Act), appointments are made by the Governor-General on nomination of the minister.
- The Act requires the minister to consult with the Australia Post Chair prior to nominating a person for appointment as a director.
- The term of Ms Siobhan McKenna, Chair of Australia Post, ends on 14 December 2025. Decisions on appointments are a matter for government.

**Remuneration and Incentives**

- Australia Post's remuneration and payment of incentives are the responsibility of the Australia Post Board and captured in Australia Post's Annual Report.
- The government does not set remuneration or incentives for Government Business Enterprises (GBEs), including Australia Post's executives or other employees.
- Instead, the Remuneration Tribunal determines the salary range for roles of Chief Executive Officers (CEOs) and other leaders of GBEs, including Australia Post. The salary range is based on the role itself, not individuals appointed to those roles.
- The Board of a GBE, including Australia Post, decides on a salary for a role within a range of 10% below to 5% above the salary determined by the Remuneration Tribunal.
  - The remuneration of all non-executive directors is currently set at \$109,760 per annum with Tier 1 travel allowance, as specified in the most recent Remuneration Tribunal Determination.

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Page 1 of 5

OFFICIAL

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Ben Phelps

SB25-000348

- The remuneration for the CEO and Managing Director is set by the Board in line with the Remuneration Tribunal Determination.
- Australia Post's at-risk remuneration arrangements, also known as bonuses, are set by the Board as the accountable authority.
- The government expects the Board to exercise restraint in the use of performance bonus payments, and apply the principles in the Australian Public Service Commission's Performance Bonus Guidance.

Australia Post CEO and Managing Director (MD) position

- The position of Australia Post CEO and MD is listed as a Principal Executive Office (PEO) under the *Remuneration Tribunal Act 1973*. This provides consistency between Australia Post and other GBEs.
- The CEO and MD's contract of employment, including remuneration and incentives, are set by the Australia Post Board, within the salary range determined by the Remuneration Tribunal.
  - *If asked:* Questions about the salaries of the CEO and MD should be addressed to Australia Post.
  - *If asked:* Questions about the Remuneration Tribunal process for the Australia Post CEO and MD should be addressed to the Remuneration Tribunal.
  - *If asked:* Questions comparing the remuneration of other GBEs should be addressed to the respective GBE.

**Key Issues**

- A Question on Notice (SQ24-001497) from November 2024 regarding the appointment of Ms Anastacia Palaszczuk was answered – at **Attachment A**.

Australia Post CEO and MD contract details

- *If asked:* Questions about the contract terms for Australia Post's CEO should be directed to Australia Post.
- The details of the contract and remuneration for Mr Paul Graham are not generally provided to the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts. The MD's salary is published each year in Australia Post's Annual Report.

Performance-based incentives

- Australia Post (as the Australian Postal Corporation) was established under the APC Act and is a GBE.

**Contact:** Ben Phelps**Cleared by:** Kate McMullan, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 22/09/2025

Page 2 of 5

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Ben Phelps

SB25-000348

- Australia Post made provisions of up to \$18.0 million for at-risk variable remuneration (remuneration awarded subject to the achievements set out per the enterprise performance metrics), as disclosed in the 2023-24 Annual Report. Australia Post has reduced at-risk variable remuneration by limiting the eligibility to participate in its Variable Remuneration Plan in recent years – see table below.

Historical at-risk variable remuneration (\$m)				
2019-20	2020-21	2021-22	2022-23	2023-24
92.4	79.0	70.6	34.2	18.0

- See **Attachment A** for remuneration details in the 2023-24 Annual Report. (The 2024-25 Annual Report has not yet been released.)

Legislative process regarding Australia Post appointments

- The APC Act sets out the requirements for nominating and appointing Directors to the Board.
  - The Act requires the minister to consult with the Australia Post Chair prior to nominating a person for appointment as a Director.
  - In nominating candidates for appointment, the minister must consider the directors' *collective expertise*, an appropriate balance of expertise and, in particular, include a person who has an appropriate understanding of the interests of employees (section 73 of the APC Act).

Annastacia Palaszczuk's appointment

- The Department of Finance and the department, as Shareholder Departments, support consideration of potential candidates for the Board.
  - In relation to Ms Palaszczuk's appointment, the Department of Finance engaged Future Leadership to provide executive search services at a cost of \$20,000 in March 2024. The department paid half these costs.
  - The executive search firm undertook an independent search of potential candidates, including assessing, screening and carrying out due diligence checks.
  - Future Leadership identified and assessed a number of suitable candidates, including Ms Palaszczuk.
- Shareholder Ministers identified the need to bolster the skill set of the Board with a member who has extensive experience in the operation of government at the highest level (see media release **Attachment B** and November 2024 QoN **Attachment A**).
  - Ms Palaszczuk was the Premier of Queensland from 2015 to 2023 and held various Ministerial roles in the Queensland Government including Minister for Trade and Minister for Transport.

Contact: Ben Phelps

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Phone: s22(1)(a)(ii)

Version Number: 02

Date: 22/09/2025

Page 3 of 5

OFFICIAL

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Ben Phelps

SB25-000348

- Ms Palaszcuk brings extensive knowledge of government, working constructively with states, territories and local councils, service delivery to regional and rural communities, and experience in transformation and logistics as Queensland Premier during the COVID pandemic.
- Ms Palaszcuk's experience is highly applicable in guiding Australia Post's critical work with government on modernisation reforms over the coming years.
- The appointment was considered by the government in accordance with the Cabinet Handbook, and made by the Governor-General in accordance with the APC Act and the Federal Executive Council Handbook.

Remuneration

- For the CEO and Managing Director, the Remuneration Tribunal sets the Total Remuneration Reference Rate (TRRR).
  - Mr Paul Graham received a total remuneration of \$2.69 million, including \$0.97 million at-risk variable remuneration in 2023-24, as disclosed in the Annual Report 2024.

**Background**Extract from Statement of Expectations relating to remuneration

*Subject to the roles and responsibilities noted above (in the SoE), the government expects Australia Post's Board to also be responsible for:*

- *Setting a transparent remuneration structure that:*
  - *ensures executive remuneration is appropriately aligned to key performance indicators, with fit for purpose targets that incentivise high performance beyond business as usual outcomes but are restrained and justifiable to the Parliament and the Australian public;*
  - *is not inconsistent with relevant industry benchmarks; and*
  - *is consistent with the relevant principles of the Performance Bonus Guidance issued by the Australian Public Service Commission.*
- The current Board comprises:

Name	Term
Ms Siobhan McKenna, Chair	15/12/2022 – 14/12/2025
Mr John Mann, Deputy Chair	26/10/2023 – 25/10/2026
Ms Robyn Clubb, Director	15/09/2022 – 14/09/2025 15/09/2025 – 14/12/2025
Dr Jodie Auster, Director	27/06/2023 – 26/06/2026
Ms Debra Hazelton, Director	26/10/2023 – 25/10/2026
Ms Anastacia Palaszcuk, Director	15/08/2024 – 14/08/2027

**Contact:** Ben Phelps**Cleared by:** Kate McMullan, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 22/09/2025

Page 4 of 5

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Ben Phelps

SB25-000348

Dr Richard Dammary, Director	30/09/2021 – 29/09/2024
	30/09/2024 – 29/09/2027
Mr Paul Graham, Group CEO and Managing Director	24/09/2021 – no end date

**Supporting Information***Questions on Notice (QoNs)*

- Question on Notice (SQ24-001497) from November 2024 regarding the appointment of Anastacia Palaszczuk

**Attachments**

- A: QoN (SQ24-001497) – Appointment of Anastacia Palaszczuk
- B: Media release – Appointment of Anastacia Palaszczuk

**Contact:** Ben Phelps**Cleared by:** Kate McMullan, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 22/09/2025

Page 5 of 5

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## Environment and Communications

### QUESTION ON NOTICE

#### Supplementary Budget Estimates 2024 - 2025

#### Infrastructure, Transport, Regional Development, Communications and the Arts

Committee Question Number: 165

Departmental Question Number: SQ24-001497

Division/Agency Name: DIV - Communications Services and Consumer

Hansard Reference: Written (15 November 2024)

Topic: Appointment of Annastacia Palaszczuk

Senator Ross Cadell asked:

1. Was the position advertised?
2. How many applications were received?
3. Was Ms Palaszczuk a recommendation of Australia Post? Who recommended her?
4. How much is she being paid for her work on the Australia Post board? Is that the standard rate?
5. Did the Minister for Communications provide any input during the appointment process?
6. Who paid for Ms Palaszczuk's flights and hotels through the interview/appointment process?

Answer:

1. Directors appointed to the Australia Post Board are part-time appointments and vacancies do not need to be advertised, consistent with the Australian Government's merit and transparency policy.

In relation to this appointment, Shareholder Departments developed a Board Information Pack setting out competencies and experience for the Australia Post Board to identify qualified candidates. An executive search firm was engaged to undertake an assessment of potential candidates against a common set of criteria (per the Board Information Pack).

2. Not applicable.
3. A range of sources were used to identify potential candidates for the Australia Post Board. Candidates, including Annastacia Palaszczuk, were considered as part of the process outlined above. Annastacia Palaszczuk was recommended for consideration by the office of the Minister for Communications.

Under the *Australia Postal Corporation Act 1989* (the Act), appointments are made by the Governor-General on nomination of the Minister for Communications. The Act requires the minister to consult with the Australia Post Chair prior to nominating a person for appointment as a director.



4. The remuneration of all part-time, non-executive directors of the Australia Post Board is currently set at \$107,180 per annum with Tier 1 travel allowance, as specified in the most recent Remuneration Tribunal Determination.
5. The Minister for Communications agreed for the engagement of an executive search firm to support the process and, consistent with her role under the Act, nominated Annastacia Palaszczuk to the Australia Post Board for Government consideration.
6. Not applicable.

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Kate McMullan

SB25-000351

**SUBJECT: Telecommunications Consumer Safeguards****Key Deliverables**

- The *Telecommunications Amendment (Enhancing Consumer Safeguards) Bill 2025* was re-introduced into Parliament on 28 August 2025 and is being considered by the House of Representatives.

**Talking Points**

- The Australian Government is strengthening telecommunications consumer protections.
- The government has also established new rules to ensure telcos protect and support customers experiencing financial hardship or domestic, family and sexual violence.
- The Australian Communications and Media Authority (ACMA) is considering whether to register a revised Telecommunications Consumer Protections (TCP) Code submitted by the Australian Telecommunications Alliance.
- Legal proceedings between the Australian Competition and Consumer Commission (ACCC) and Optus regarding allegations of unconscionable conduct highlight the need for robust consumer safeguards.

**Key Issues**Telecommunications Consumer Protections (TCP) Code

- The TCP Code is an industry-led code developed by the Australian Telecommunications Alliance (ATA – formerly Communications Alliance).
- ATA submitted a final revised TCP Code to the ACMA on 19 May 2025. The ACMA is considering whether to register (accept) the Code.
- The ACCC, the Telecommunications Industry Ombudsman (TIO), and consumer advocates have argued that industry's proposed code is inadequate, and that the ACMA or government should step in and impose stronger rules.
- The TCP Code review has been protracted (commencing in early 2023) and there is a strong desire from stakeholders for a resolution and upgraded protections.

ACCC action against Optus – unconscionable conduct (Australian Consumer Law):

- On 31 October 2024, the ACCC announced proceedings in the Federal Court alleging that Optus engaged in unconscionable conduct in contravention of the Australian Consumer Law when selling telecommunications goods and services to consumers.

Contact: s22(1)(a)(ii)

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Phone: s22(1)(a)(ii)

Version Number: 01

Date: 18/09/2025

Page 1 of 4

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Kate McMullan

SB25-000351

- Optus is alleged to have acted unconscionably in its dealings with about 429 consumers by engaging in inappropriate sales conduct and/or pursuing consumers for debts, including when it knew contracts were created fraudulently.
- Optus released a statement apologising for the misconduct, and outlined initiatives including a customer advocacy program and a dedicated specialist care team.
- On 18 June 2025, Optus and the ACCC announced an agreement to ask the Federal Court to impose a \$100 million penalty on Optus for unconscionable conduct. The ACCC has also accepted a court-enforceable undertaking from Optus outlining how it will compensate impacted consumers and improve its internal systems.
- This matter remains before the Federal Court.
- Separately, in May 2021, the Federal Court applied a \$50 million penalty to Telstra for unconscionable sales practices when selling mobile contracts to more than 100 Indigenous consumers.

**Background**Telecommunications Amendment (Enhancing Consumer Safeguards) Bill 2025

- The Bill was previously introduced to the 47th Parliament in February 2025, but lapsed when Parliament was prorogued.
- Following this, the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts undertook further consultation with industry, consumer groups, regulators and the TIO to prepare the Bill for re-introduction and some minor technical amendments were made. Stakeholders support the objectives of the Bill and new technical refinements.
- The Bill is expected to be supported by the Opposition and cross-bench.

Telecommunications Consumer Protections (TCP) Code Review

- The TCP Code is written by industry and covers consumer protections on key issues including sales and customer service, billing, credit and debt management.
- The TCP Code is reviewed every 5 years. The current review commenced in early 2023 and is led by the Australian Telecommunications Alliance, formerly Comms Alliance.
- The Telecommunications Act requires the ACMA to decide whether to register the Code within 90 days (from the date it was submitted on 19 May 2025). However, the 90 days restarts if the ACMA requests further information from industry.
- Further information was requested in July and received by the ACMA on 4 August 2025. Unless further information is sought, which would restart the clock, ACMA should make

**Contact:** s22(1)(a)(ii) **Cleared by:** s22(1)(a)(ii) A/g Assistant Secretary

**Phone:** s22(1)(a)(ii) **Version Number:** 01 **Date:** 18/09/2025

Page 2 of 4

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Kate McMullan

SB25-000351

a decision on whether to register by early November.

Financial Hardship Standard

- On 31 August 2023, the former Minister for Communications, the Hon Michelle Rowland MP, directed the ACMA to make an Industry Standard to ensure appropriate support and assistance is provided to consumers experiencing financial hardship.
- The Standard commenced on 29 March 2024. It requires telcos to take all reasonable steps to proactively identify customers who may be experiencing financial hardship, ensure they provide appropriate support, and prioritise keeping customers connected.
- On 24 July 2024, the ACMA announced it issued formal warnings to 10 telcos who did not publish all required information to be compliant with the rules. On 23 July 2025, the ACMA announced it issued formal warnings to 4 telcos who failed to provide relevant consumers with required information about hardship assistance.
- On 7 August 2025, the Telecommunications Industry Ombudsman (TIO) released a report, *Keeping Connected: Experiences of telco consumers in financial hardship*, based on an internal review of 900 complaints about financial hardship received between 1 April 2024 and 30 March 2025. This period covers the first full year since the Financial Hardship Standard commenced.
- The TIO report found there are some instances of good industry practice but there is more to be done to improve industry practice, including compliance with the Standard. The report found telcos are not consistently supporting customers in financial hardship and, in some cases, are unintentionally causing or making financial stress worse.

Domestic, Family and Sexual Violence (DFSV) Standard

- On 3 December 2024, the former Minister for Communications directed the ACMA to make an Industry Standard to ensure appropriate support and assistance is provided to consumers affected by domestic, family and sexual violence.
- The Standard was determined on 11 June 2025 and seeks to ensure that victim-survivors are kept safe, receive better support from their telco provider, and that barriers to seeking help are removed. This includes:
  - being assisted by staff who are trained to provide trauma-informed support
  - having greater agency in managing their accounts and services, including options for additional security settings on their accounts and communication preferences
  - never being asked to engage the alleged perpetrator to resolve their telco issues
- The first set of rules under the Standard commenced on 1 July 2025. These include:
  - requirements for telcos to reconnect affected customers
  - prohibitions on requiring affected customers to interact with an alleged perpetrator

Contact: s22(1)(a)(ii)

Cleared by: s22(1)(a)(ii)

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Phone: s22(1)(a)(ii)

Version Number: 01

Date: 18/09/2025

Page 3 of 4

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Kate McMullan

SB25-000351

- 
- requirement to publish information on available support for affected persons
  - requirements to train all personnel and customer facing personnel
  - The remaining requirements come into effect on 1 January 2026 for large telcos (with 30,000 or more services in operation) and 1 April 2026 for other telcos. These include:
    - Requirements relating to monitoring and review of policy and procedures.
    - Additional requirements relating to the availability of DFSV support information.
    - Additional requirements relating to providing support to affected persons.

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**Contact:** s22(1)(a)(ii) **Cleared by:** s22(1)(a)(ii) A/g Assistant Secretary

**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 18/09/2025

Page 4 of 4

OFFICIAL

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Kath Silleri

SB25-000353

**SUBJECT: Telecommunications Outages and Triple Zero****Key Deliverables**

- The Australian Government has fully implemented 12 of the 18 recommendations in the Optus Outage Review, with the remaining 6 underway (**Attachment A**).
- Work is underway to improve industry accountability and end-to-end oversight of the emergency calling ecosystem.

**Talking Points**

- The government is committed to ensuring Triple Zero is readily available for all people in Australia, and that consumers and businesses have certainty of access to telecommunications.

**Key Issues***Optus Outage –September 2025*

- On Thursday, 18 September 2025, an Optus network upgrade triggered an outage preventing Triple Zero calls from being carried to the Emergency Call Person.
- The Triple Zero outage affected calls in Western Australia, Northern Territory, South Australia and parts of New South Wales which border South Australia.
- The outage lasted between 10 and 14 hours, with more than 600 calls to Triple Zero failing and 4 deaths recorded during the incident.
- The outage did not trigger any internal alarms in Optus's network. Optus received advice from its customers and the Telecommunications Industry Ombudsman (TIO) in the morning of 18 September which suggested calls to Triple Zero were not working.
- These calls were not escalated within Optus. Advice from the South Australian police on the failure of Triple Zero calls ultimately led to Optus fixing the issue in the afternoon of 18 September.
- Optus notified the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts of an issue affecting Triple Zero services at 2:45pm on 18 September, and at 2:52pm Optus advised the department that the matter had been resolved and that up to 10 calls to Triple Zero may have been impacted. Unfortunately these notifications were sent to an incorrect email address.
- The department was not made aware of the full impact of the outage until approximately 3:30pm on Friday 19 September, through notification from the Australian Communications and Media Authority (ACMA).

**Contact:** Kathleen Silleri**Cleared by:** Kate McMullan, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 1/10/2025

Page 1 of 4

OFFICIAL

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Kath Silleri

SB25-000353

- The ACMA will investigate any contraventions of the *Telecommunications (Emergency Call Service) Determination 2019* and other relevant standards or legislation.
- Optus has also committed to an internal review and investigation into the outage and has noted its full commitment to any investigations led by government.

*Bean Review into Optus Outage of November 2023*

- The Optus Outage Review recommendations implemented to date include:
  - Establishing a Triple Zero Custodian, with oversight of the functioning and performance of the broader Triple Zero system. This Custodian function will be established within the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts.
  - Amendments to the Emergency Call Service regulations to strengthen obligations on telcos for outage reporting, tower wilting (mobile towers resetting during an outage to stop mobile phones connecting to them, to allow them to call Triple Zero on other networks) and real-time information sharing.
  - New rules for telcos to communicate specific information about outages to customers.
  - Updates to the Complaints Handling Standard to ensure the effects of outages are appropriately accounted for.
  - Updated Telecommunications Industry Ombudsman (TIO) guidance to enable a standardised approach to mass complaints resolution.
  - Updated guidance to help the community prepare for and recover from outages.
- The government is continuing to work with industry to:
  - Commence mandatory end-to-end testing of the Triple Zero ecosystem.
  - Review the Triple Zero contract with Telstra.
  - The development of Mutual Assistance arrangements between carriers.
  - Consider the feasibility of Temporary Outage Roaming, which has since been partly overtaken by work on the Universal Outdoor Mobile Obligation.
- The final recommendation to be implemented will include a review of all legislation and regulation relating to Triple Zero.
- Separately, the department has also approached the market for a provider to support a pilot for SMS access to Emergency Services via relay.
- A Request for Tender was provided to a shortlist of potential providers on 30 July and closed for responses on 10 September 2025. An evaluation process is underway.

Contact: Kathleen Silleri

Cleared by: Kate McMullan, A/g First Assistant Secretary

Phone: s22(1)(a)(ii)

Version Number: 02

Date: 1/10/2025

Page 2 of 4

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Kath Silleri

SB25-000353

*Triple Zero Custodian*

- The government is establishing the Triple Zero Custodian (Custodian) function within the department. The Custodian function will be supported by legislative powers provided through a Bill yet to be introduced to parliament.
- The government is expediting the introduction of the Bill in light of the 18 September 2025 Optus Triple Zero outage.
- The Custodian function will give the department the power to require information on matters which relate to the ECS, and require stakeholders to take certain actions, during outages and outside of outages, to ensure the government has the ability to maintain the efficient and effective oversight of the Triple Zero service.
- To date the department has been undertaking preparatory work to establish the Custodian function within the department. This has involved consultation with a broad range of stakeholders and requests for information to shape the work program of the Custodian.
- Approximately eight departmental staff have been engaged with this work.

**Background**

- On 8 November 2023 Optus experienced a whole-of-network outage causing significant disruption to millions of Australians, leaving many without the ability to call Triple Zero.
- The government appointed Mr Richard Bean to undertake an independent review of the outage. The government accepted all 18 recommendations in the final report.
- The establishment of the Triple Zero Custodian within the department has involved greater engagement with stakeholders to identify opportunities to improve processes, information sharing, and collaboration to ensure the emergency call service meets the needs of the community.

*TPG August 2024 Outage*

- On 30 June 2025, the Australian Communications and Media Authority (ACMA) issued a formal warning to TPG Telecom for failure to notify Telstra in a timely manner that an outage had affected emergency calls from its network.
- ACMA found the TPG network was between 12:40am and 2:00am on 15 August 2024.
- The investigation found TPG did not notify Telstra until 9:07am.
- The majority of Triple Zero calls made during the outage were able to camp-on to other networks.
- Questions about the outage and warning are best directed to ACMA.

**Contact:** Kathleen Silleri**Cleared by:** Kate McMullan, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 1/10/2025

Page 3 of 4

OFFICIAL

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Kath Silleri

SB25-000353

*SMS Relay Pilot*

- The SMS to Triple Zero pilot will use a relay model, similar to the National Relay Service (NRS), allowing for an intermediary to relay between SMS and a voice call to Triple Zero, bridging the gap between when LEOSat SMS and LEOSat voice become available.
- The introduction of a 'native' or direct SMS to 000 solution would require significant investment and technological uplift from Emergency Call Service Stakeholders, along with legislative amendment.

**Attachments**

- A: Summary of Status of Optus Outage Review Recommendations Implementation

**Contact:** Kathleen Silleri**Cleared by:** Kate McMullan, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 1/10/2025

Page 4 of 4

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**Summary of Status of Optus Outage Review Recommendations**

Rec	Summary	Status	
1	Articulating Obligations and Mandatory Wilting	Complete	✓
2	Triple Zero Custodian	Complete	✓
3	Mandatory Testing Code	With ACMA to register	⌘
4	Customer Device Information Code	To be addressed by REC 3 code, and further work being commissioned by department on device testing	⌘
5	Real Time Information Sharing	Complete	✓
6	Outage Reporting	Complete	✓
7	Combined Protocol Documents	Complete	✓
8	ECP Contract Review	Under negotiation	⌘
9	Protocol for Major Service Disruption Improvement	Complete	✓
10	Customer Communications Standard	Complete	✓
11	Education Initiative	Complete	✓
12	Complaints Handling Standard	Complete	✓
13	Standardised Resolutions Approach	Complete	✓
14	Temporary Outage Roaming	Ongoing	⌘
15	Mutual Assistance Memorandum of Understanding	Ongoing	⌘
16	Remote Access Code	Complete	✓
17	Government Service Continuity	Complete	✓
18	Joint Regulatory and Legislative Review	Ongoing	⌘

## Fully Implemented Recommendations

### Recommendation 1 – Mandatory Wilting (ECS Determination)

Articulating obligations in the Emergency Call Service Determination 2019 requiring “wilting” of towers to allow devices to connect to another network during outages.

#### Status

- Fully implemented on 30 April 2025 through amendments to the ECS Determination.

### Recommendation 2 – Triple Zero Custodian

Establishment of a Triple Zero Custodian with oversight of and overarching responsibility for the efficient functioning of the Triple Zero ecosystem, including monitoring the end-to-end performance of the ecosystem.

Noting the number of different ways this could be achieved, the former Minister for Communications agreed to this recommendation subject to further investigation and consultation. The department considered this recommendation to be acquitted at the end of this investigation process, noting that the actual establishment of a Custodian would take further time on top of this.

#### Status

- The Minister requested the TIO chair a Steering Committee to identify models.
- The TIO finalised a report outlining the committee’s recommendations.
- A final report was provided to the Minister on 28 November 2024.
- The Minister considered the report and chose to establish the Triple Zero Custodian within the Department.
- Legislation is now being developed to provide the Custodian with formal powers.

### Recommendation 5, 6, 7 – Real Time Information Sharing, Outage Reporting, Combined Protocol Documents (ECS Determination)

#### Status

- Fully implemented on 30 April 2025 through amendments to the ECS Determination.
- Combined Protocol Document developed to provide industry with step-by-step guidance during outages.

### Recommendation 9 – Protocol for Major Service Disruption

Initially recommended improvements to government coordination during outages. Considered addressed via ECS Determination changes.

#### Status

- Fully implemented on 30 April 2025 through amendments to the ECS Determination.
- Custodian expected to further refine notification and coordination roles.

### Recommendation 10 – Customer Communications Standard

Require carriers to communicate specific information to customers during/about outages.

#### Status

- Fully implemented on 31 December 2024.
- The ACMA determined an industry standard to implement this recommendation.

### Recommendation 11 – Public Education Initiative

Development of educational initiatives designed to assist the public, businesses and other organisations to prepare for and recover from outages.

#### Status

- Fully implemented on 8 November 2024.
- The Department has published this material on its website.

### Recommendation 12 – Complaints Handling Standard

Amendments to account for outage impacts and better meet community expectations.

#### Status

- Fully implemented on 30 April 2025.

### Recommendation 13 – Standardised Resolutions Approach

Allows the TIO to manage outage complaints without large volumes of individual submissions.

#### Status

- Fully implemented on 30 April 2025.

### Recommendation 16 – Remote Access Guideline

Guideline for network operators to remotely access and activate management tools during outages.

#### Status

- Fully implemented on 30 April 2025.

### Recommendation 17 – Government Service Continuity

Government agencies to review their arrangements for maintaining operations during outages including telecommunications redundancy for critical services.

#### Status

- Fully implemented on 15 November 2024.
- The Digital Transformation Agency updated guidance to Commonwealth entities about telecommunications redundancy arrangements.

- The Department wrote to State and Territory Governments about this update.

## Remaining Recommendations

### Recommendation 3 – Mandatory Testing Code

Six-monthly end-to-end Triple Zero ecosystem tests.

#### Status

- The University of Technology Sydney has been procured to facilitate testing with Telstra, Optus and TPG.
- Testing commences from November 2025.

### Recommendation 4 – Customer Device Information Code

Developed alongside Recommendation 3, requiring disclosure to customers of potential device limitations in accessing Triple Zero.

#### Status

- The Department is working with the mobile network operators and the University of Technology Sydney to consider how this recommendation can best be implemented in response to the upcoming testing.

### Recommendation 8 – ECS Contract Review

Review of Telstra's Emergency Call Service contract to strengthen governance and separate the ECP role from broader business functions.

#### Status

- The Department and Telstra are reviewing the contract and is expected to finalise changes in the near future.

### Recommendation 14 – Temporary Outage Roaming

Explores roaming outside of natural disaster events.

#### Status

- Industry is developing TDR capability and drafting an MoU to support its development.
- Broader roaming work now partly overtaken by the Universal Outdoor Mobile Obligation.
- This recommendation has no set deadline.

### Recommendation 15 – Mutual Assistance Memorandum of Understanding

Encourages industry to develop arrangements to assist each other in managing outages.

#### Status

- The Department is reviewing international approaches for mutual assistance arrangements to inform how such arrangements could be implemented in Australia.
- Industry engagement is continuing, no MoU finalised yet.
- This recommendation has no set deadline.

### **Recommendation 18 – Joint Regulatory and Legislative Review**

Review of all legislation and regulation relating to Triple Zero.

#### **Status**

- To commence after other recommendations are fully implemented.



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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Kath Silleri

SB25-000355

**SUBJECT: Network Resilience including National Messaging System****Key Deliverables**

- The current Strengthening Telecommunications Against Natural Disasters (STAND) program is building on the community connectivity achieved through the provision of satellite services at locations such as evacuation centres and emergency coordination points around the country.
  - In March 2025, the Australian Government announced an additional \$14 million to extend these critical services.
- The government committed to implementing all 18 recommendations from the Bean Review into the Optus Outage. Particular recommendations to improve telecommunications resilience propose:
  - Mutual assistance arrangements during outages be developed between service providers, and
  - Work with industry on exploring the implementation of temporary disaster roaming during natural disasters.
- The National Messaging System (NMS) was announced as part of the 2022-23 Federal Budget (under the former government) and received additional funding in the 2023-24 Federal Budget.
  - The NMS is on track to be operational by 1 July 2026.

**Talking Points**

- Resilient communication and broadcasting networks are vital for keeping Australians safe, connected and informed before, during, and while recovering from natural disasters and emergencies.
- The government is investing to improve the resilience of telecommunications networks and protect the safety of Australians. This includes having already committed more than \$340 million to improve the coverage and resilience of communications networks around Australia.
- While the government and emergency service organisations have a responsibility to ensure public safety, so does the telecommunications sector, which provides the communications infrastructure and networks we rely on.

Contact: s22(1)(a)(ii)

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Version Number: 02

Date: 25/09/2025

Page 1 of 5

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Kath Silleri

SB25-000355

**Key Issues***Resilience Initiatives*

- The government understands how vital telecommunications services are for keeping communities safe, connected and informed during natural disasters and emergencies.
- Communities expect to have connectivity in emergencies to keep safe, connected with others, and informed.
- Unfortunately, no communications network is 100% resilient.
  - Networks can be subject to outages resulting from physical damage to network infrastructure, or the loss of mains power.
  - The loss of mains power accounts for 80-90% of outages.
- The government has invested \$142.6 million targeted at programs to improve communications resilience, including:
  - \$55 million for Mobile Black Spot Program Round 8 ((MBSP) SB25-000336 refers)
  - \$34.2 million for Rounds 2 and 3 of the Mobile Network Hardening Program (MNHP) (SB25-000339 refers)
  - \$20 million for the Broadcasting Resilience Program (BRP) complete in April 2025 (SB25-000124 refers)
  - \$17.4 million for the Telecommunications Disaster Resilience Innovation Program (TDRI)
  - \$9.01 million for the expansion and extension of satellite Wi-Fi services provided under the Strengthening Telecommunications Against Natural Disasters Program (STAND)
  - \$2 million for the WA Government's Telecommunications Resilience Program Pilot.
- These programs are making a tangible difference towards improving network resilience in outages caused by natural disasters.
  - For example, Tropical Cyclone Alfred caused communications outages for over 500,000 people in South East Queensland and Northern New South Wales.
  - The hardening of sites and use of back-up power sources, including battery and generators provided under the MNHP and STAND programs, helped keep these communities connected for longer, until the mains power supply was restored.

*STAND Program Extension and Expansion*

- The government has awarded \$9.01 million in funding to NBN Co to extend the initial STAND Sky Muster satellite services period to 31 December 2027 and expand the Community WiFi footprint by up to 500 additional sites.
- The investment represents the first phase of the program, for which \$14 million in funding was allocated overall as part of the 2024-25 MYEFO.

**Contact:** s22(1)(a)(ii)**Cleared by:** Kate McMullan, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 25/09/2025

Page 2 of 5

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Kath Silleri

SB25-000355

*Key Optus Outage Review recommendations supporting resilience (see SB25-000353)*

- The Optus Outage Review included recommendations for supporting telecommunications resilience.
  - The government is continuing to work with industry to develop mutual assistance arrangements.
  - Industry continues to work on the implementation of temporary disaster roaming during natural disasters, including development of draft activation protocols with the view to moving towards field trials shortly. Although this work continues to progress, it has been partly overtaken by work on the Universal Outdoor Mobile Obligation. (see SB25-000353 for further detail on the Optus Outage Review)

*National Messaging System*

- The government is also investing in the National Messaging System (NMS), a national platform using cell broadcast technology to send emergency messages to the community.
- Cell broadcast technology allows messages to be sent without creating, or being affected by, network congestion – unlike SMS-based warning systems.
- Message delivery will be geographically targeted so the warning can be set to reach: the whole country; a particular city or regional community; or everyone in and around a particular location, like a particular football stadium or shopping centre.
- NMS was announced as part of the 2022-23 Federal Budget (under the former government) and received additional funding in the 2023-24 Federal Budget.
  - Due to protracted contractual negotiations and complexity of the project, contracts for the NMS build were signed in February and March 2025.
  - The overall value of these contracts is \$67.64 million.
- The NMS is on track to be operational by 1 July 2026.
- The NMS build is being managed jointly by the Department and the National Emergency Management Agency (NEMA).
- Once built, NEMA will be responsible for operating the NMS.

*Universal Outdoor Mobile Obligation*

- The Universal Outdoor Mobile Obligation (UOMO) will further improve public safety for people in Australia.
- The government will introduce legislation as soon as possible to ensure that basic outdoor mobile coverage – voice and SMS – is reasonably available throughout Australia from the 3 major mobile network operators.

**Contact:** s22(1)(a)(ii)**Cleared by:** Kate McMullan, A/g First Assistant Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 02**Date:** 25/09/2025

Page 3 of 5

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OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Kath Silleri

SB25-000355

- Subject to market developments, the obligation is expected to commence from late 2027.
  - Direct to Device (D2D) services provided by low earth orbit satellite services (LEOsats) are expected to provide an additional layer of coverage across almost all of the country.
  - As the D2D technology improves, people will be able to send messages and make voice calls, including to Triple Zero, as long as they are outdoors and can see the sky.

*Higher Risk Weather Season preparation*

- The Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts typically engages with NEMA and telecommunications carriers ahead of the higher risk weather season.
  - Higher risk weather season is generally considered to be between October to April, when we are at greater risk of bushfires, heatwaves, flooding and tropical cyclones.
- Telecommunications carriers typically prepare ahead of higher risk weather seasons to ensure telecommunications networks are prepared for natural disasters.
  - In the past, this has included pre-positioning deployable generators and deployable communications technologies to at-risk locations.
- Telecommunications carriers are encouraged to remain in communication with emergency state coordination teams and power suppliers during natural disasters.

*Collaboration across the telco and energy sectors*

- Challenges posed by cross-sectoral dependencies in the telco and energy sectors have been highlighted during recent natural disasters, which led the topic to be raised at the Energy & Climate Ministerial Council (ECMC) in August 2025. The Minister for Communications participated in this meeting, along with representatives from the mobile telecommunications sector.
- The communique (available at <https://www.energy.gov.au/energy-and-climate-change-ministerial-council/meetings-and-communiques>) from the ECMC meeting held in August noted:

*“Ministers tasked energy officials with working with their telecommunications counterparts to share lessons learned and identify best practice approaches to building resilience and cross sector coordination of restoration efforts. This work will consider critical communications sites for prioritised restoration and explore options for extended-duration telco backup.”*

Contact: s22(1)(a)(ii)

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Version Number: 02

Date: 25/09/2025

Page 4 of 5

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Sam Grunhard / Kath Silleri

SB25-000355

- The department is working with the Department of Climate Change, Energy, Environment and Water (DCCEEW) to facilitate an Electricity-Communications Resilience Forum in October 2025 to explore and address resilience challenges.

Contact: s22(1)(a)(ii)

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Version Number: 02

Date: 25/09/2025

Page 5 of 5

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Alison Todd / Marie Gunnell

SB25-000357

**SUBJECT: Revive: National Cultural Policy Implementation****Talking Points**

- We are now two and a half years into the delivery of the ambitious 5-year National Cultural Policy, *Revive*: a place for every story, a story for every place.
- *Revive* is due to end in 2027 and we are committed to commencing consultation in 2026, to inform a new National Cultural Policy.
- *Revive* is a whole of Australian Government policy, with tangible outcomes in the creative and cultural sector and beyond: in health, education, for social cohesion, community resilience, tourism and regional development.
- Significant progress has been made under *Revive*. As at 25 August 2025, 70 of the 85 actions have been delivered. In addition, a number of major sub-components of actions have been delivered and supplementary measures announced.
- The policy is structured around 5 interconnected pillars and delivery is progressing against each of these pillars.
  - First Nations First: (11 actions delivered) Recognising and respecting the crucial place of First Nations stories at the centre of Australia's arts and culture.
  - A Place for Every Story: (15 actions delivered) Reflecting the breadth of our stories and the contribution of all Australians as the creators of culture.
  - Centrality of the Artist: (18 actions delivered) Supporting the artist as worker and celebrating artists as creators.
  - Strong Cultural Infrastructure: (9 actions delivered, 2 additional budget items) Providing support across the spectrum of institutions which sustain our arts, culture and heritage.
  - Engaging the Audience: (17 actions delivered) Making sure our stories connect with people at home and abroad.
- All information about the delivered actions in *Revive* is published on the Office for the Arts' website.

**Key Issues**

- The National Cultural Policy, *Revive*, was launched on 30 January 2023 and is due to end in 2027.
- The public response to *Revive* continues to be very positive.

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Page 1 of 3

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Alison Todd / Marie Gunnell

SB25-000357

Monitoring and Evaluation of *Revive*

- A whole-of-government National Cultural Policy Steering Committee has strategic oversight of, and is responsible for, monitoring of the outcomes of the actions in *Revive*.
- All *Revive* actions are monitored on a monthly basis.
- Actions are marked as 'delivered' when they are both complete (or are business as usual for an ongoing body of work) and published on the Office for the Arts' website.
- An evaluation framework for *Revive* was developed and endorsed by the National Cultural Policy Steering Committee. Evaluation of many *Revive* actions are underway.
- Evaluations will inform policy directions for a new National Cultural Policy in 2027.
- On 13 December 2024, the first *Revive* Implementation Report was provided for information to all ministers with actions under *Revive* (it will not be released publicly).
- These implementation reports will be provided to relevant ministers annually until 2026, with the next implementation report due in late 2025.

Senate Inquiry into the National Cultural Policy

- On 8 February 2023, the Senate referred the National Cultural Policy for inquiry.
- The Senate Standing Committee on Environment and Communications tabled an Interim Report on the National Cultural Policy on 9 May 2024.
- This Interim Report sought the government's consideration of immediate action to support the arts and entertainment industries while they recover from the impacts of the pandemic. It comprised 3 recommendations relating to:
  - a) funding support to the festivals sector
  - b) facilitating insurance support for the festivals sector
  - c) prioritising legislative reform for local content requirements for streaming services.
- A final report was not delivered during the 47<sup>th</sup> Parliament.
- On 31 July 2025, the Senate agreed that the Inquiry into the National Cultural Policy be re-adopted in the 48th Parliament. Until 3 October 2025, the committee is seeking further submissions with particular interest in:
  - a) potential tax reform and ways to boost the productivity of Australia's arts and creative sectors
  - b) any opportunities, risks and challenges for Australia's arts and creative sectors associated with emerging technologies such as artificial intelligence.

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Page 2 of 3

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Alison Todd / Marie Gunnell

SB25-000357

Development of a new National Cultural Policy

- A public consultation in the first half of 2026 will inform a new National Cultural Policy.
- Consultation will likely draw out current and emerging challenges facing the sector, including the impact of AI technology, ongoing issues in the live performance industry and changing audience consumption patterns.

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Page 3 of 3

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Alison Todd / Marie Gunnell

SB25-000358

**SUBJECT: Budget Outcomes and Election Commitments****Talking Points**

- The Australian Government announced \$19.6 million in the 2025-26 Budget to provide additional support to the arts and cultural sector, including:
  - \$11.0 million from 2025-26 to extend the First Nations Language Policy Partnership program for a further 3 years, to recognise the critical importance of partnership in delivering outcomes under Closing the Gap.
  - \$8.6 million in 2025-26 to extend the *Revive* Live program for an additional year, to support majority-Australian owned live music venues and festivals showcasing Australian bands and artists and to improve accessibility and inclusion at live music performances.
- This new funding builds on the staged approach provided by *Revive* - Australia's national cultural policy, ensuring investment in the sector is carefully considered and provides the support Australian artists need to thrive and grow.
  - The government's total investment through the Arts Portfolio for the arts and cultural sector in 2025-26 is \$1,105.5 million (2024-25 was \$1,177.2 million).

**Key Issues**

- March 2025-26 Budget new funding measures for the Arts are provided below (all figures are GST exclusive).

**Background***2025-26 Arts Portfolio funding*

- As at Budget, the total funding for the Arts portfolio is \$1,105.5 million for 2025-26.
- The total funding is comprised of:
  - \$804.9 million of direct appropriation funding to 11 arts agencies; and
  - \$300.5 million of administered program funding to the Office for the Arts, within the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts.
- Funds held in the Contingency Reserve are not included in the Arts portfolio total funding amount. In the 2025-26 Budget, funding of \$0.592 million for 2025-26 for National Film and Sound Archive – Nitrate Storage was released from the Contingency Reserve.

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Page 1 of 4

OFFICIAL

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Alison Todd / Marie Gunnell

SB25-000358

**Financial Information as at 31 July 2025***Budget 2025-26 measures*1. Closing the Gap – further investments (pages 28-29, Budget Paper No. 2 and page 31, ITRDCA PBS)*First Nations Languages Policy Partnership*

- \$11.0 million over 3 years from 2025-26 to support an extension of the First Nations Language Policy Partnership program to 30 June 2028.
- The measure is provided to fund:
  - \$8.7 million to fund grants to First Languages Australia; and
  - \$2.3 million in departmental resources to support program delivery.

<b>Closing the Gap – further investments</b>	2025-26 \$m	2026-27 \$m	2027-28 \$m	2028-29 \$m	<b>TOTAL \$m</b>
Administered (DITRDCA)	2.8	2.9	3.0	0.0	<b>8.7</b>
Departmental (DITRDCA)	0.8	0.8	0.8	0.0	<b>2.3</b>
<b>Total</b>	<b>3.6</b>	<b>3.7</b>	<b>3.7</b>	<b>0.0</b>	<b>11.0</b>

Note: there may be minor discrepancies in totals due to rounding.

2. Revive – National Cultural Policy (page 68, Budget Paper No. 2 and page 31, ITRDCA PBS)  
*Ongoing Critical Support for Live Music Venues and Festivals*

- \$8.6 million in 2025-26 to extend the *Revive* Live program for an additional year, to support majority-Australian owned live music venues and festivals showcasing Australian bands and artists and to improve accessibility and inclusion at live music performances:
  - \$7.7 million for grants to established live music venues and music festivals to present Australian bands and artists, with \$1.2 million dedicated to projects focused on improving accessibility for people with disability.
  - \$0.9 million in departmental resources to support program delivery.

<b>Revive – National Cultural Policy</b>	2025-26 \$m	2026-27 \$m	2027-28 \$m	2028-29 \$m	<b>TOTAL \$m</b>
Administered (DITRDCA)	7.7	0.0	0.0	0.0	<b>7.7</b>
Departmental (DITRDCA)	0.9	0.0	0.0	0.0	<b>0.9</b>
<b>Total</b>	<b>8.6</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>8.6</b>

Note: there may be minor discrepancies in totals due to rounding.

**Contact:** Marie Gunnell**Cleared by:** Phil Smith, A/g Deputy Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 1**Date:** 19/09/2025

Page 2 of 4

OFFICIAL

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Alison Todd / Marie Gunnell

SB25-000358

2025 Election Commitments

The government announced the following commitments for the Arts sector during the 2025 election:

1. Extending Revive Live

- \$16.4 million over 2 years from 2025-26 to extend its *Revive Live* program to support Australia's live music venues and festivals.
- This is in addition to the \$8.6 million provided in the 2025-26 Budget, bringing the total government investment in the program to \$25 million over two years to 2026-27.
- Funding profile would be \$3.9 million in 2025-26, and \$12.5 million in 2026-27.

2. Supporting Australian National Academy of Music's South Melbourne Town Hall Redevelopment

- \$12.5 million over 3 years from 2025-26 to the Australian National Academy of Music (ANAM) to refurbish the South Melbourne Town Hall.
- Funding profile would be \$4.5 million in 2025-26 and \$4 million in each of 2026-27 and 2027-28.
- This additional funding brings the government's total investment in the redevelopment to \$25 million.

3. Hellenic Museum's exhibition, *Rituals: Gifts for the Gods*

- \$0.4 million in 2025-26 through a one-off grant to help support the Hellenic Museum Melbourne to host its exhibition, *Rituals: Gifts for the Gods (Rituals)*.
- Funding will support both the remaining costs associated with hosting the exhibition and additional activities associated with public programming support the exhibition.
- s47C [REDACTED]

4. The Fox: National Gallery of Victoria (NGV) Contemporary

- The government committed to providing \$35.0 million to support the delivery of The Fox: NGV Contemporary.

- s47C [REDACTED]

5. Consultation on a new National Cultural Policy

- Australia's National Cultural Policy, *Revive*, is due to end in 2027.
- In 2026, the government will commence engaging with stakeholders for a new National Cultural Policy.

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Page 3 of 4

OFFICIAL

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Alison Todd / Marie Gunnell

SB25-000358

## Supporting Information

## Relevant Media Reporting

- “Revive Live to amp up Australian music”, Minister Burke Media Release, 27 August 2025 - <https://minister.infrastructure.gov.au/burke/media-release/revive-live-amp-australian-music>
- “\$12.5 million for the Australian National Academy of Music’s home”, Minister Burke Media Release, 17 April 2025 - <https://www.tonyburke.com.au/media-releases/2025/125-million-for-the-australian-national-academy-of-musics-home>
- “Hellenic Museum Melbourne secures \$400,000 for major cultural showcase”, Senator Jana Stewart Media Release, 29 April 2025 - <https://janastewart.com.au/media-and-news/media-releases/hellenic-museum-melbourne-secures-400-000-for-major-cultural-showcase/>
- “Labor will help transform the Melbourne Arts Precinct”, Minister Burke Media Release, 1 May 2025 - <https://www.tonyburke.com.au/media-releases/2025/labor-will-help-transform-the-melbourne-arts-precinct>

Contact: Marie Gunnell

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Phone: s22(1)(a)(ii)

Version Number: 1

Date: 19/09/2025

Page 4 of 4

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Phil Smith / s22(1)(a)(ii)

SB25-000359

**SUBJECT: Australian Content Standards - Performance****Talking Points**

- Commercial free-to-air television broadcasters are required to comply with Australian content programming obligations under the *Broadcasting Services Act 1992*, including:
  - Australian programming transmission quota obligations; and
  - Genre-specific Australian programming obligations set out in the *Broadcasting Services (Australian Content and Children's Television) Standards 2020*.
- Subscription television broadcasting licensees are required to comply with the new eligible drama expenditure obligations set out in the *Broadcasting Services Act 1992*. In general terms, the obligations require at least 10% of program expenditure in relation to a 'subscription TV drama service' to be on new eligible drama programs.
- The Australian Communications and Media Authority (ACMA) administers the Australian content obligations that apply to commercial and subscription television broadcasters.

*Australian programming transmission quota obligations - Broadcasting Services Act 1992*

- All 13 metropolitan commercial television broadcasters complied with the transmission quota obligations in the 2024 calendar year; and
- All 62 regional and/or remote commercial television broadcasters complied with the transmission quota obligations (through actual or deemed compliance).

*Australian programming obligations under the Broadcasting Services (Australian Content and Children's Television) Standards 2020 (the Standards)*

- Under the Standards, licensees can flexibly provide any mix of first-release Australian commissioned drama, documentary and children's programs and first-release acquired Australian films to acquit the 250 points obligation.
  - All metropolitan commercial television broadcasting licensees reported complying with the standards during the 2024 calendar year.
  - All regional and/or remote commercial television broadcasting licensees also complied with the standards.
- Metropolitan network reporting shows a decrease in children's programming overall (down 52.5 hours from 100 to 47.5 hours) for the 2024 calendar year. There was no change in children's drama programming. Overall, there continues to be a decrease in this genre since 2019.

Contact: s22(1)(a)(ii)

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Phone: s22(1)(a)(ii)

Version Number: 01

Date: 10/09/2025

Page 1 of 7

OFFICIAL

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Phil Smith / s22(1)(a)(ii)

SB25-000359

*New eligible drama expenditure requirements*

- Compliance results for the 2023-24 financial year showed all providers met the minimum requirements of the new eligible drama expenditure scheme.

**Key Issues**2024 compliance with the Standards (genre-specific obligations)

- The Standards require commercial television broadcasters to broadcast enough relevant *first-release* Australian programming (between 6am and midnight) each calendar year to accrue 250 points. Points can be accrued by the broadcast of commissioned Australian drama (including children's drama); Australian children's programs (non-drama); Australian documentary programs; and acquired Australian films. The Standards do not require the broadcast of minimum amounts of programming in each specific genre.
- Points are allocated to an hour of content based on the content's genre (and, in the case of drama and films, its hourly production budget or licence fee). Broadcasters are not permitted to claim more than 50 points of commissioned first release Australian documentary programs per calendar year. The genre point allocation set out in the Standards is included at **Attachment A**.
- Licensees may 'carry over' up to 50 points achieved in excess of the annual points quota from 1 calendar year to the next calendar year.

*Metropolitan commercial television broadcaster compliance*

- Compliance reporting for the 2024 calendar year, published by the ACMA, indicates that all metropolitan commercial television broadcasting licensees reported complying with the annual points quota under the Standards during the 2024 calendar year.
  - Seven Network metropolitan licensees accrued, in total, 266.5 points (216.5 points plus an average of 50 points carried forward from 2023).
  - Nine Network metropolitan licensees accrued, in total, 274.76 points (243.98 points plus an average of 30.78 points carried forward from 2023).
  - Ten Network metropolitan licensees accrued, in total, 445.5 points (395.50 points plus an average of 50 points carried forward from 2023).

*Children's content compliance – metropolitan networks*

- Only 2 children's programs were reported in the compliance information from metropolitan networks: 1 Australian children's (non-drama) program and 1 Australian children's drama program.
  - This is a decrease from 2023 when 4 children's programs were reported in the compliance information from metropolitan networks: 3 Australian children's non-drama programs and 1 Australian children's drama program.

**Contact:** s22(1)(a)(ii)**Cleared by:** Phil Smith, A/g Deputy Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 10/09/2025

Page 2 of 7

OFFICIAL



OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Phil Smith / s22(1)(a)(ii)

SB25-000359

- In 2024, licensees broadcast a total of 47.5 hours of commissioned first-release Australian children's content, down from 100 hours in 2023.
- While there was a decrease in the hours of first-release children's non-drama content there was no change in the hours of first-release children's drama content (10 hours in 2022, 2023 and 2024). In particular:
  - Nine Network reported broadcasting 37.5 hours of Australian children's non-drama in relevant cities.
  - Ten Network reported broadcasting 10 hours of Australian children's drama in relevant cities.
  - Seven Network reported broadcasting 0 hours of Australian children's content in relevant cities.

*Children's content expenditure*

- For the 2022-23 financial year, voluntary program expenditure reporting by commercial television networks reveals a corresponding pattern:
  - Expenditure on Australian children's drama in 2023-24 increased to \$1,750,000 from zero in 2022-23.
  - Expenditure on Australian children's other content in 2023-24 increased to \$1,343,822 from \$743,820.
- See **Attachment B** for full expenditure data for 2018-19 to 2023-24.

*Regional and/or remote commercial television broadcaster compliance*

- All regional and/or remote commercial television broadcasting licensees reported complying with the Standards during the 2024 calendar year. Specifically:
  - 40 licensees broadcasting in excess of the quota, claiming between 274.31 and 387.5 points of first release Australian content and claiming between 9.75 and 50 points carried forward from 2023.
  - 21 licensees broadcasting 216.50 points of first release Australian content (less than the quota) and claiming carry forward points to meet their points quota for 2024.
- In relation to deeming:
  - licensees with deemed compliance for points in 2023 carried forward 0 points towards their compliance in 2024, and
  - no licensees relied on deemed compliance provisions to meet the 250 points requirement in the ACCTS in 2024.

Contact: s22(1)(a)(ii)

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Phone: s22(1)(a)(ii)

Version Number: 01

Date: 10/09/2025

Page 3 of 7

OFFICIAL

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Phil Smith / s22(1)(a)(ii)

SB25-000359

New Eligible Drama Expenditure obligations

- The new eligible drama expenditure obligations that apply to subscription television broadcasting licensees require at least 10% of program expenditure in relation to a 'subscription TV drama service' to be on new eligible drama programs.
- If the 10% expenditure requirement is not met for a particular financial year, the shortfall is required to be made up in the next financial year. Similarly, if spending exceeds 10% for a particular financial year, the excess expenditure may be carried forward to the next financial year.
- In 2023–24, subscription television broadcasting licensees and channel providers met the previous financial year's expenditure shortfall. Licensees and channel providers also met all of the current financial year's expenditure requirements under the scheme.
- Subscription television broadcasting licensees and channel providers spent a total of \$32.54 million on new Australian drama programs in the 2023–24 financial year, up from \$18.42 million in 2022–23.

Financial year	Total spending on new Australian drama	Target of new drama spending	Eligible expenditure nominated towards target	Total shortfall to be made up next financial year	Were all minimum spending requirements met
2017-18	\$56.72 M	\$31.71 M	\$30.22 M	\$1.49 M	Yes
2018-19	\$24.67 M	\$26.36 M	\$26.29 M	\$0.07 M	Yes
2019-20	\$13.74 M	\$13.56 M	\$13.54 M	\$0.04 M	Yes
2020-21	\$8.75 M	\$11.65 M	\$11.63 M	\$0.03 M	No
2021-22	\$18.73 M	\$29.08 M	\$20.48 M	\$8.60 M	Yes
2022-23	\$18.42 M	\$27.79 M	\$10.80 M	\$17.00 M	Yes
2023-24	\$32.54 M	\$10.63 M	\$10.63 M	\$0.00 M	Yes

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Phone: s22(1)(a)(ii)

Version Number: 01

Date: 10/09/2025

Page 4 of 7

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Phil Smith / s22(1)(a)(ii)

SB25-000359

**Background**2024 compliance – Transmission quota

- Commercial television broadcasters are subject to overall transmission quota obligations, as set out in the *Broadcasting Services Act 1992*, that require:
  - Australian programming to make up 55% of the total hours of all programming broadcast between 6am and midnight on primary channels each year; and
  - Not less than 1,460 hours of Australian programs to be broadcast on multi-channels between 6am and midnight each year.
- According to the ACMA, in terms of the 55% primary channel requirement:
  - the Seven Network provided an average of 76.71% Australian programming, a slight increase from 76.42% Australian programming in 2023;
  - the Nine Network provided an average of 81.45% Australian programming, an increase from 78.35% Australian programming in 2023; and
  - Network Ten provided an average of 63.93% Australian programming, a decrease from 69.61% Australian programming in 2023.
- All 3 metropolitan networks also reported meeting the non-primary (multi-channel) quota obligation in 2024:
  - the Seven Network averaged 5,079.00 hours;
  - the Nine Network averaged 3,402.60 hours; and
  - Network Ten averaged 2,235.44 hours.
- Information published by the ACMA also indicates that all regional and/or remote commercial television broadcasting licensees met or exceeded the transmission quota obligations in 2024.
- According to the ACMA:
  - In terms of the 55% primary channel requirement, regional and/or remote licensees broadcast between 63.79% to 81.79% Australian content.
  - In terms of the multi-channel transmission quota:
    - All regional licensees reported broadcasting more than the 1,460 hours quota for non-primary channels. The level of Australian content ranged from 1,851.18 hours to 5,340.43 hours for 61 regional and remote licensees.

**Attachments**

- A: Genre point allocation for the *Broadcasting Services (Australian Content and Children's Television) Standards 2020*.
- B: Commercial TV program expenditure: by program genre.

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Page 5 of 7

OFFICIAL

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Phil Smith / s22(1)(a)(ii)

SB25-000359

## Attachment A

**Genre Point Allocation set out in the Standards**

To satisfy the first-release Australian program quota set out in the Standards, commercial television networks must broadcast sufficient relevant content to accrue at least 250 points each calendar year. Points can only be claimed for relevant programs that are broadcast between 6am and midnight.

**Production budgets and licence fees from 2024**

Genre	Points per hour broadcast
Commissioned first release Australian documentary program (capped at a maximum 50 points per calendar year)	1
Commissioned first release Australian children's program (non-drama)	1.5
Commissioned first release Australian drama program (less than or equal to \$525,000 production budget per hour)	1.5
Commissioned first release Australian drama program (more than \$525,000 up to \$815,000 production budget per hour)	4
Commissioned first release Australian drama program (more than \$815,000 up to \$1,164,000 production budget per hour)	5
Commissioned first release Australian drama program (more than \$1,164,000 up to \$1,630,000 production budget per hour)	6
Commissioned first release Australian drama program (more than \$1,630,000 production budget per hour)	7
Acquired first release Australian film (licence fee per film less than \$59,000)	1
Acquired first release Australian film (licence fee per film equal to or more than \$59,000)	2

Under the Standards, up to 50 points that are accrued in excess of the required 250 points for a calendar year may be carried over to the next year. The Standards also specifies a formula for calculating increases for the production budget and licence fee figures from 1 January of each year.

<https://www.acma.gov.au/publications/2022-03/report/production-budget-and-licence-fees-2025>

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Phone: s22(1)(a)(ii)

Version Number: 01

Date: 10/09/2025

Page 6 of 7

OFFICIAL

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OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Phil Smith / s22(1)(a)(ii)

SB25-000359

## Attachment B

Commercial TV program expenditure: by program genre (Published May 2025 Source: <https://www.acma.gov.au/commercial-tv-program-expenditure>)

Program expenditure by year (capital city and regional)	Spending on commercial TV programs (figures have been rounded to the nearest whole dollar)				
Program genre*	2019–20	2020–21	2021-22	2022-23	2023-24
Australian adult drama	\$79,084,379	\$69,735,138	\$65,005,945	\$49,437,081	\$48,517,191
Australian children's drama	\$5,288,035	\$1,989,138	\$2,027,426	\$0	\$1,750,000
Australian children's other	\$5,288,361	\$1,639,859	\$883,445	\$743,820	\$1,343,822
Australian documentaries	\$7,060,018	\$8,368,787	\$14,885,686	\$14,787,831	\$20,853,780
Australian light entertainment — other	\$529,882,666	\$499,159,902	\$546,457,474	\$556,556,128	\$571,847,734
Australian light entertainment — variety	\$546,166	\$740,769	\$3,102,219	\$1,152,818	\$5,172,770
Australian news and current affairs	\$342,412,660	\$315,448,008	\$360,833,626	\$412,692,900	\$372,431,577
Australian other programming	\$4,852,420	\$4,375,478	\$2,918,670	\$110,095	\$186,791
Australian sport	\$504,828,397	\$623,071,290	\$544,996,545	\$635,094,957	\$567,428,055
<b>AUSTRALIAN TOTAL</b>	<b>\$1,479,243,102</b>	<b>\$1,524,528,369</b>	<b>\$1,541,111,036</b>	<b>\$1,670,575,630</b>	<b>\$1,589,531,720</b>
Overseas drama	\$234,562,893	\$202,967,4430	\$228,410,992	\$211,107,090	\$190,769,567
Overseas other	\$51,204,079	\$57,045,314	\$168,270,563	\$24,462,247	\$26,520,264
<b>OVERSEAS TOTAL</b>	<b>\$285,766,972</b>	<b>\$260,012,757</b>	<b>\$396,681,555</b>	<b>\$235,569,337</b>	<b>\$217,289,831</b>
<b>TOTAL</b>	<b>\$1,765,010,074</b>	<b>\$1,784,541,126</b>	<b>\$1,937,792,591</b>	<b>\$1,906,144,967</b>	<b>\$1,806,821,551</b>

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Cleared by: Phil Smith, A/g Deputy Secretary

Phone: s22(1)(a)(ii)

Version Number: 01

Date: 10/09/2025

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Phil Smith / s22(1)(a)(ii)

SB25-000360

**SUBJECT: Australian Content on Streaming Services****Talking Points**

- Through our National Cultural Policy *Revive*, the Australian Government committed to introducing Australian screen content requirements on subscription video on demand (streaming) platforms to ensure continued access to local stories and content. The government recommitted to this policy during the 2025 election campaign.
- Streaming services are one of the most popular ways Australians consume screen content. However, unlike free-to-air commercial television and subscription television broadcasting services, these streaming services are not subject to Australian content requirements.
- The government is undertaking a genuine consultation process and is taking the time to consider views to support ongoing investment in, and production of, Australian stories. Consultation is taking longer than we would like, but the government is taking the time to get the new requirement right.
- The requirements will be implemented as one of the government's media reform priorities, and are the joint responsibility of the Minister for Communications and the Minister for the Arts (see SB25-000293 for details on Media Reform).

**Key Issues**

- The government committed to introduce Australian content requirements on streaming platforms in the National Cultural Policy, *Revive*, by 1 July 2024. This commitment was reiterated during the 2025 election campaign.

Stakeholder consultation

- Extensive formal stakeholder consultation was undertaken between 2022 and 2024. There is still no consensus among key stakeholders.
- Any reporting about the specific parameters of the requirement the government will adopt is incorrect. The government is committed to a genuine consultation process and is taking the time we need to ensure we get this right.
- Some commentary has focussed on a 20% revenue-based model for the streaming requirement. This is not government policy.

Australia's trade obligations

- The government is aware of recent statements by the United States Government concerning the possible introduction of an Australian content requirement. Australia is aware of its trade obligations.

**Contact:** s22(1)(a)(ii)**Cleared by:** Phil Smith, A/g Deputy Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 03**Date:** 23/09/2025

Page 1 of 6

OFFICIAL

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Phil Smith / s22(1)(a)(ii)

SB25-000360

- The proposed local content requirement was identified by the US Government in March 2025 in its National Trade Estimate Report on Foreign Trade Barriers. The report states that the United States will 'continue to monitor this issue to ensure Australia's compliance with its free trade agreement obligations.'
- Any questions about the implications of models for the Australia-United States Free Trade Agreement should be directed to the Department of Foreign Affairs and Trade at their request. They are the agency with oversight of all Free Trade Agreements.

**Background**

- Major structural changes in audience viewing habits mean that contemporary Australian audiences are increasingly engaging with content across multiple platforms, including subscription video-on-demand (streaming) services. The Australian Communication and Media Authority's (ACMA) *Trends and Developments in viewing and listening 2023-24* report stated that streaming services are the most popular way for Australians to consume online screen content, and were used by 69% of Australians in 2024.

Voluntary reporting by streaming services

- 5 large streaming services voluntarily report to the ACMA on the availability of and investment in Australian programming on or by their respective services.
- Amazon Prime Video, Disney+, Netflix and Stan have voluntarily reported to ACMA each financial year since 2019-20. As a newer entrant to the market, Paramount+ joined the voluntary reporting for the 2021-22 financial year.
- The information collected from streaming services relates to expenditure on commissioned and acquired Australian and Australian-related programs/titles. The ACMA also receives information about the total hours of Australian content on Australian services and rest-of-the-world services.
- The ACMA and the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts have each agreed strict confidentiality and disclosure terms with the 5 services on the disaggregated data because it is commercially sensitive. The aggregated data is publicly available on the ACMA's website.

Stakeholder Consultation

- Following targeted consultation with key stakeholders on Australian content requirements for streaming services in the first half of 2023, the government refined its view on high-level models. On 6 November 2023, the government released 2 refined models for further targeted consultation – an expenditure-based model and a revenue-based model.

**Contact:** s22(1)(a)(ii)**Cleared by:** Phil Smith, A/g Deputy Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 03**Date:** 23/09/2025

Page 2 of 6

OFFICIAL



OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Phil Smith / s22(1)(a)(ii)

SB25-000360

- The government has continued to undertake extensive consultation in 2024 and 2025 with streaming services, the domestic screen sector and the United States Administration. Consultation has also taken the form of engaging with stakeholders through roundtable discussions and direct, stakeholder-specific meetings.

## Supporting Information

*Questions on Notice (QoNs)*

- SQ22-000748 - Number of times department has met with the streamers
- SQ22-000749 - Number of times Communications Minister has met with streamers
- SQ22-000751 - Minister responsible for introducing streaming legislation
- SQ23-003409 - Streaming Video on Demand (SVOD) services
- SQ23-003547 - Responsibility for regulation of streaming services
- SQ23-003871 - Proposed model of streaming requirement
- SQ23-003872 - Streaming requirement interactions with stakeholders
- SQ23-003873 - Number of times met with free-to-air providers
- SQ23-003874 - Advice from streaming services regarding 20 per cent quota
- SQ23-003875 - Imposition of quota on streaming services
- SQ23-003876 - Minister Rowland failed to reply to QoNs by the due dates
- SQ23-004835 - Discussion between the PM and US on streaming services consultation
- SQ24-000460 - Number of meetings with US streaming companies
- SQ24-000669 - Financial analysis of expenditure and revenue models
- SQ24-000670 - List of data used for content quota models
- SQ25-000051 - List of meetings with DFAT since the US election
- SQ25-000118 - Challenges experienced by Independent screen producers
- SQ25-000119 - Current trends in commissioning by major streaming platforms

*Freedom of Information (FOI) Requests*

- FOI 24 – 203 - List of Ministerial Submissions sent to the Minister for Communications – Input was provided to FOI lead area.
- FOI 24 – 204 - Senate Estimates Key Brief pack for the October 2023 hearings – No redaction request for content related input.
- FOI 24 – 381 (Combined with FOI 24 – 382) - Documents relating to communications regarding streaming services targeted consultation paper—refined models – Partial access granted for 1 document, access refused in full for 1 document.
- FOI 24 – 481 - A list of Ministerial Submissions provided to the Minister from the Arts – Input was provided to FOI lead area.
- FOI 25 – 077 - A list of all Ministerial Submissions sent to Minister for Communications – Input was provided to FOI area lead.

Contact: s22(1)(a)(ii)

Cleared by: Phil Smith, A/g Deputy Secretary

Phone: s22(1)(a)(ii)

Version Number: 03

Date: 23/09/2025

Page 3 of 6

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Phil Smith / s22(1)(a)(ii)

SB25-000360

- FOI 25 – 105 - Correspondence relating to streaming services – Partial access granted to 8 documents refused access to 2 documents in full.
- FOI 25 – 122 - Meeting briefs relating to streaming services, Australian content quotas or associated models in relation to Australian content – Access in full to 1 document, partial access to 13 documents.
- FOI 25 – 190 - Correspondence between the Department and streaming companies – Partial access granted to 9 documents, refused access to 4 documents.
- FOI 26 – 024 (ongoing) – Documents that mention streaming and AUSFTA.
- FOI 26 - 048 (ongoing) - Complaints received by the agency concerning 'Screenrights.'

**Attachments**

- A: Screen Content Investment Data – 2023-24

Contact: s22(1)(a)(ii)

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Phone: s22(1)(a)(ii)

Version Number: 03

Date: 23/09/2025

Page 4 of 6

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Phil Smith / s22(1)(a)(ii)

SB25-000360

Attachment A

## Screen Content Investment Data - 2023-24

*Highlights from the ACMA reporting data*

- According to ACMA, streaming platforms spent \$341.5 million on Australian content (using the ACCTS definition of Australian content). This was an increase of \$17.4 million compared to 2022–23 but on fewer titles (55 titles in 2023-24 compared to 67 in 2022-23).
- According to ACMA, subscription television licensees spent a total of \$32.54 million on new Australian content in 2023-24 financial year. This fulfilled their obligation under the New Eligible Drama Expenditure (NEDE) Scheme.
  - Note an aggregated total program expenditure of \$106.3 million was spent on drama channels in 2023–24, down from \$277.9 million in 2022–23.
  - This resulted in an aggregated NEDE target of \$10.63 million for 2023–24, down from \$27.79 million in 2022–23.

Streaming services expenditure on Australian programs by genre

Financial year Genre	2019-20 \$	2020-21 \$	2021-22 \$	2022-23 \$	2023-24 \$
Adult drama	\$73,737,426	\$94,786,604	\$212,534,305	\$195,344,464	\$201,602,170
Children's drama	\$33,109,299	\$22,471,101	\$7,215,129	\$12,138,529	\$3,291,998
Children's non-drama	\$7,361,419	\$466,237	\$122,706	\$91,393	\$50,377
Documentary	\$18,022,366	\$17,192,845	\$38,522,951	\$25,444,342	\$11,901,521
Light entertainment	\$21,160,011	\$11,805,346	\$21,453,395	\$20,146,507	\$21,343,068
Sport			\$55,253,871	\$70,984,563	103,333,920
Sport and other		\$32,143,049			
<b>Total</b>	<b>\$153,390,521</b>	<b>\$178,865,182</b>	<b>\$335,102,356</b>	<b>\$324,149,798</b>	<b>\$341,523,054</b>

Source: Australian Communications and Media Authority, <https://www.acma.gov.au/spending-subscription-video-demand-providers>

Contact: s22(1)(a)(ii)

Cleared by: Phil Smith, A/g Deputy Secretary

Phone: s22(1)(a)(ii)

Version Number: 03

Date: 23/09/2025

Page 5 of 6

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Phil Smith / s22(1)(a)(ii)

SB25-000360

Australian programs made available on services in Australia by genre

Australian children's programs and hours of programming on streaming services										
	Number of programs					Hours				
Financial year	2019-20 titles	2020-21 titles	2021-22 titles	2022-23 titles	2023-24 titles	2019-20 hours	2020-21 hours	2021-22 hours	2022-23 hours	2023-24 hours
Children's drama	44	56	58	63	56	293	339	354	399	309
Children's non-drama	30	44	34	46	51	77	118	54	84	112
<b>Total</b>	<b>74</b>	<b>100</b>	<b>92</b>	<b>109</b>	<b>107</b>	<b>370</b>	<b>457</b>	<b>408</b>	<b>483</b>	<b>421</b>

Source: Australian Communications and Media Authority, <https://www.acma.gov.au/spending-subscription-video-demand-providers>

Commissioning and acquisition activity from streaming services from 2019-20 to 2023-24

Financial Year	Type of Program	Expenditure	Number of programs
2023-24	Commissioned/ co-commissioned	\$225,192,838	<b>55</b>
	Acquired (first release and not first release)	\$116,330,217	<b>1472</b>
2022-23	Commissioned/ co-commissioned	\$219,179,791	<b>67</b>
	Acquired (first release and not first release)	\$104,970,006	<b>1516</b>
2021-22	Commissioned/ co-commissioned	\$253,730,420	<b>55</b>
	Acquired (first release and not first release)	\$81,371,937	<b>663</b>
2020-21	Commissioned/ co-commissioned	\$125,359,020	<b>27</b>
	Acquired (first release and not first release)	\$53,506,162	<b>1738</b>
2019-20	Commissioned/ co-commissioned	\$129,729,693	<b>30</b>
	Acquired (first release and not first release)	\$23,660,828	<b>299</b>

Source: Australian Communications and Media Authority, <https://www.acma.gov.au/spending-subscription-video-demand-providers>

Contact: s22(1)(a)(ii)

Cleared by: Phil Smith, A/g Deputy Secretary

Phone: s22(1)(a)(ii)

Version Number: 03

Date: 23/09/2025

Page 6 of 6

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OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Alison Todd / s22(1)(a)(ii)

SB25-000361

**SUBJECT: Australian Music Industry - Sustainability of Live Music Venues and Festivals****Talking Points**

- The live music industry continues to face challenges including changing audience behaviour, the rising costs of presenting and touring live music, and the loss of technical, production and allied skilled workers.
- In addition to the significant investment the Australian Government has made through Music Australia, it has committed a total of \$25 million to expand and extend the *Revive Live* program over the next 2 years to 2026-27.
- \$11.6 million in grant funding from *Revive Live* will support established live music venues and music festivals showcasing Australian bands and artists this financial year.
- This funding will assist live music businesses to continue to operate, limiting venue closures and event cancellations, and stimulating long-term sustainability.
- It will also focus on activities that improve accessibility and provide participation opportunities for audiences, and career pathways for musicians and music workers, with disability.
- *Revive Live* has already provided \$7.8 million in grant funding to support 112 live music businesses, including 63 festivals and 49 live music venues.
- To meet eligibility requirements under *Revive Live*, applications can only be accepted by majority-Australian owned organisations.

**Key Issues**

- While economic pressures are causing venue closures and festival cancellations, they are also coupled with a dynamic shift in consumer behaviours resulting from the cost-of-living crisis, higher cost ticketing, and an increase in cancelled events, creating an unstable operating environment.
- Music Australia is continuing to invest in the music industry and undertake work to further inform the Australian Government's considerations on how to best address the ongoing pressures on the live music sector.
- On 7 March 2025, the (former) House of Representatives Standing Committee on Communications and the Arts released the report *Am I Ever Gonna See You Live Again?* following the inquiry into the challenges and opportunities within the Australian live music industry. The report includes 20 recommendations covering issues across the live music industry.

**Contact:** s22(1)(a)(ii)**Cleared by:** Phil Smith, A/g Deputy Secretary**Phone:** s22(1)(a)(ii)**Version Number:** 01**Date:** 18/09/2025

Page 1 of 5

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Alison Todd / s22(1)(a)(ii)

SB25-000361

- The government is currently considering the recommendations of the committee and is finalising consultations with relevant agencies to inform the response.
- In addition to funding for *Revive Live* and Music Australia, the Australian and Tasmanian Governments have partnered to fund a feasibility study, with matched funding commitments of \$75,000, that will investigate designated precincts for live music in Hobart and Launceston and explore ways to reduce red tape, allowing live music to thrive.
- The study will gather information on how to support special entertainment precincts and provide feedback to government on how to implement reform.
- Additionally, the growth of digital streaming platforms is seeing algorithms favour large overseas acts that are dominating the platforms. With a contribution of \$200,000 by the government, Music Australia will be launching an Australian Music Audience Strategy project in time for AusMusic month in November 2025, to reignite a healthy and sustainable Australian music sector and increase engagement in Australian contemporary music.

**Background**Revive Live

- The 2025-26 Budget allocated \$8.6 million for the *Revive Live* program to support established live music venues and music festivals showcasing Australian bands and artists to ensure the long-term sustainability of the live music sector. This included \$0.9m to administer the program.
- During the 2025 election the government committed an additional \$16.4 million to extend the *Revive Live* program bringing the total investment to \$25 million over 2 years from 2025-26.

House of Representatives Standing Committee

- On 25 March 2024, the (former) House of Representatives Standing Committee on Communications and the Arts announced an inquiry into the challenges and opportunities within the Australian live music industry.
- Over the course of the Inquiry the Committee received 129 submissions and several supplementary submissions, and held 18 public hearings from June to November 2024.
- The government is currently considering the recommendations.

Contact: s22(1)(a)(ii)

Cleared by: Phil Smith, A/g Deputy Secretary

Phone: s22(1)(a)(ii)

Version Number: 01

Date: 18/09/2025

Page 2 of 5

OFFICIAL

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OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Alison Todd / s22(1)(a)(ii)

SB25-000361

Unfair Trading Practices

- On 16 October 2024, the government announced its intention to introduce legislation banning a range of unfair trading practices, including dynamic pricing, to ease the cost of living and protect consumers.
- On 15 November 2024, the Treasury published a consultation paper seeking feedback on the proposal to prohibit unfair trading practices. Submissions closed on 13 December 2024. Outcomes of the consultation are yet to be published.

Music Australia

- Under the National Cultural Policy, *Revive*, the government established Music Australia within Creative Australia, with \$69.4 million in funding over 4 years to support the Australian music industry to grow, including through strategic initiatives and industry partnerships, research, skills development and export promotion.
- *Revive*, included a specific action for Creative Australia to conduct research on the Australian music festival sector, including the social, cultural and economic impacts and challenges that festival organisers currently face.
- Between April and June 2025 Music Australia released 2 research projects that will help inform its future investment decisions and government policy:
  - *The Bass Line: Charting the economic contribution of Australia's music industry*, and
  - *Listening In: A series of three reports exploring live music attendance, discovery and consumption by Australian audiences*.
- The research projects released provide an analysis of the direct economic contribution of Australia's music industry, and insights into Australians' live music attendance patterns providing a better understanding of the consumption and listening habits that form the basis of music festival attendance and participation in the live music industry.
- Upcoming research conducted by Creative Australia will include a study of climate resilience and Australian music festivals.

Contact: s22(1)(a)(ii)

Cleared by: Phil Smith, A/g Deputy Secretary

Phone: s22(1)(a)(ii)

Version Number: 01

Date: 18/09/2025

Page 3 of 5

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Alison Todd / s22(1)(a)(ii)

SB25-000361

**Financial Information as at 31 July 2025**

Revive Live program:

<b>Program/Project Start Date:</b>	<b>July 2025</b>					
<b>Program/Project End Date:</b>	<b>June 2027</b>					
	2024-25 \$m	2025-26 \$m	2026-27 \$m	2027-28 \$m	2028-29 \$m	<b>TOTAL \$m</b>
Appropriation Budget (inc departmental and administered funding).	8.6 (7.7 in grants, 0.9 delivery)	12.5 (11.6 available in grants, 0.9 delivery)	12.5	0	0	<b>33.6</b>
Less:						
Actual Expenditure YTD at 31 July 2025						
Total Committed Funds at 31 July 2025	7.7*	0	0	0	0	<b>7.7</b>
Total Uncommitted Funds (balance)	0	11.6	12.5	0	0	<b>24.1</b>

\*In accordance with BCORs \$66,194 was reallocated to the Revive Live program on 24 February 2025 increasing the total funding to \$8.66 million

Note: Committed funds relate to funds committed under a Funding Agreement, Contract or Program of Works where the Project, Profile and Conditions have been agreed to, or a formal offer has been made pending agreement, by the recipient.

**Supporting Information***Recent Ministerial Comments*

- “Venues and festivals are under huge pressure. The Government established *Revive Live* because we want music lovers to be able to enjoy festivals and local gigs and we want artists to be able to make a career out of their music.” Minister Burke on announcing the opening of the *Revive Live* round 2, 27 August 2025.

Contact: s22(1)(a)(ii)

Cleared by: Phil Smith, A/g Deputy Secretary

Phone: s22(1)(a)(ii)

Version Number: 01

Date: 18/09/2025

Page 4 of 5

OFFICIAL

OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Alison Todd / s22(1)(a)(ii)

SB25-000361

*Relevant Media Reporting*

- “Listening out for live music in Hobart” Joint media release with the Hon Tony Burke MP and Tasmanian Minister for the Arts and Heritage, the Hon Madeleine Ogilvie MP, 6 June 2025, <https://minister.infrastructure.gov.au/burke/media-release/listening-out-live-music-hobart>
- “Revive Live to amp up Australian music” the Hon Tony Burke MP media release, 27 August 2025, <https://minister.infrastructure.gov.au/burke/media-release/revive-live-amp-australian-music>

**Attachments**

- A: House of Representatives Standing Committee on Communication and the Arts’ report *Am I Ever Gonna See You Live Again?*

Contact: s22(1)(a)(ii)

Cleared by: Phil Smith, A/g Deputy Secretary

Phone: s22(1)(a)(ii)

Version Number: 01

Date: 18/09/2025

Page 5 of 5

OFFICIAL

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## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Alison Todd / s22(1)(a)(ii)

SB25-000362

**SUBJECT: Impact of Artificial Intelligence on the Arts and Cultural Sector****Talking Points**

- Our National Cultural Policy, *Revive*, commits to maintaining a strong copyright framework, to ensure the reasonable and equitable use of copyright material, and to supporting artists as both workers and creators.
- The arts and cultural sector want greater transparency and accountability of Artificial Intelligence (AI) to safeguard their intellectual property and jobs, and ensure fair compensation and recognition for their creative efforts.
- Portfolio responsibility for regulation of AI sits with the Department of Industry, Science and Resources, while the Attorney-General's department is determining whether copyright law is effective in mitigating the impacts of AI.
- The Office for the Arts is working closely with these departments to ensure the needs and concerns of the sector are adequately represented in Australia's response.

**Key Issues**

- AI presents both benefits and harms for the arts and cultural sector.
- While some artists and creators are early adopters of AI in their practice and/or businesses, AI is also having detrimental impacts, particularly in terms of the misuse of intellectual property (for example musicians, First Nations People and authors) and the impacts on job security (for example voice over actors and musicians).
- The tech sector has called for Australia's copyright law to be amended to include a fair use and data mining exception. This was also recently presented as an option in the Productivity Commission's interim report, *Harnessing data and digital technology*.
- The Hon Tony Burke MP, Minister for the Arts, has publicly stated that he has no intention of supporting a weakening of our copyright legislation.

**Background**

Productivity Commission's interim report, *Harnessing data and digital technology*

- On 5 August 2025, the Productivity Commission released its interim report, *Harnessing data and digital technology*. This report proposes including a fair dealing exception that covers text and data mining in Australia's copyright law.
- Following calls for a data mining exception from the tech sector, a large number of representatives of Australia's creative industries, copyright holders, content licensing

Contact: s22(1)(a)(ii)

Cleared by: Phil Smith, A/g Deputy Secretary

Phone: s22(1)(a)(ii)

Version Number: 01

Date: 10/09/2025

Page 1 of 3

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OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Alison Todd / s22(1)(a)(ii)

SB25-000362

bodies and media organisations have expressed a high level of concern at this suggestion.

Safe and Responsible AI: Proposals paper for introducing mandatory guardrails

- The *Safe and responsible AI in Australia – Proposals paper for introducing mandatory guardrails for AI in high risk settings* was released by the Department of Industry, Science and Resources on 5 September 2024.
- The Australian Government is still considering whether to implement mandatory guardrails.

Senate Select Committee on Adopting AI

- On 26 November 2024 the Select Committee released its final report, based on 245 written submissions and 6 public hearings.
- The report acknowledges the creative sector is already dealing with significant disruption arising from the use of AI. The issue of the use of copyrighted materials to train AI systems was highlighted as particularly concerning, noting that copyright is a fundamental source of income that sustains artists and the creative industries more generally.
- The Department of Industry, Science and Resources is leading the government's response to this report.

Concerns expressed by the Australian Association of Voice Actors

- Misuse of AI is resulting in the creation of deep fakes, mimicking voice and appearance that are not subject to copyright provisions.
- Voice actors, actors and musicians are particularly concerned about the rise of 'Recognisable Synthetic Performers' which have the same appearance, voice, and likeness as human performers.
- The Australian Association of Voice Actors has been vocal in its advocacy for voice actors in the face of AI. To reduce unethical exploitation of Australian creators, they have called on the government to establish regulatory change to introduce mandatory labelling and watermarking of AI-generated audio, visual and written content.

First Nations Indigenous Cultural and Intellectual Property: New Standalone Legislation

- There is an increased risk of harms by AI on Australia's First Nations artists and cultural practitioners.
- There are also concerns about the production and perpetuation of inauthentic and fake First Nations art, design, stories and culture.

Contact: s22(1)(a)(ii)

Cleared by: Phil Smith, A/g Deputy Secretary

Phone: s22(1)(a)(ii)

Version Number: 01

Date: 10/09/2025

Page 2 of 3

OFFICIAL

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OFFICIAL

## 2025-2026 Supplementary Budget Estimates

## Environment and Communications

Lead/Support contact: Alison Todd / s22(1)(a)(ii)

SB25-000362

- The government is developing new legislation to alleviate concerns and the impact on First Nations artists and communities. This was announced on 30 January 2023 as part of *Revive*.
- The commitment provided \$13.4 million over 4 years to support the development of the new legislation, including for grants and training.

Addressing the use of AI-generated images of Indigenous people and artworks

- AI-generated 'stock images' that claim to depict Indigenous people and artworks are concerning. Such use of AI poses negative cultural and economic threats to Aboriginal and Torres Strait Islander creators, knowledge holders, and communities.
- The Office for the Arts is working closely with a number of other government agencies to determine the best way forward to address these concerns.

**Supporting Information***Recent Ministerial Comments*

- On Thursday 7 August 2025, the Minister for the Arts addressed the Book Up Conference where he related the unauthorised use of copyright material to train AI systems as theft, emphasised the need for labelling of AI products, expressed concern at the challenges of voiceover actors and stated that "we have no plans... to be weakening those copyright laws based on this draft report that's floating around".

*Relevant Media Reporting*

There has been extensive media reporting about the impacts of AI on the creative sector. A small sample of some recent articles are as follows:

- "APRA AMCOS rejects 'disappointing' AI loophole in Productivity Commission report", Lars Brandle, *The Music Network*, 06/08/25 <https://themusicnetwork.com/apra-amcos-disappointing-productivity-commission-report/>
- "'No plans'... but no guarantees either", Noah Yim, *The Australian*, 07/08/25 <https://www.theaustralian.com.au/nation/politics/productivity-commission-has-swallowed-ai-marketing-hype/news-story/7bf713a6e85ca4d6870aea1d3753a2ab>
- "Plan to force big tech to reveal AI data", Ronald Mizen, *Australian Financial Review*, 14/08/25 [readnow.isentia.com/articlepresenter.aspx?&guid=4d144584-7e8e-4e47-bbf6-0a145d0cdc97&ArticleId=1115918650&serid=198691&output=pdf](https://readnow.isentia.com/articlepresenter.aspx?&guid=4d144584-7e8e-4e47-bbf6-0a145d0cdc97&ArticleId=1115918650&serid=198691&output=pdf)
- "Lunchbreak deal to find ways to pay artists for work hoovered up by AI", Paul Sakkal, *The Age*, 21/08/25 <https://www.theage.com.au/politics/federal/the-secret-power-lunch-that-could-save-musicians-and-authors-from-ai-doom-20250821-p5mosp.html>

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Page 3 of 3

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