

From: [Hay, Geoff](#)
To: [spectrumreview](#)
Subject: Spectrum Reform to Drive Future Innovation and Productivity - Terms of Reference Issues
Date: Friday, 27 June 2014 3:56:12 PM

Good afternoon

The following comments are made in relation to the terms of reference and associated issues paper for the spectrum reform process.

- The exponential growth in the use of spectrum over the twenty years since the current legislation was enacted and the need for the spectrum management framework to be responsive to social, economic and technological change are acknowledged.
- It is noted that the Minister for Communications announced in February 2014 a first principles assessment of the merits of a dedicated Public Safety Mobile Broadband (PSMB) capability by comparison with using commercial networks. The assessment is to include a cost benefit analysis on the most efficient way to provide a nationally interoperable PSMB capability, with access to dedicated spectrum.
- A significant body of work on the proposed PSMB capability has been undertaken by all jurisdictions through the national PSMB Steering Committee. Jurisdictions have also made submissions to the *Parliamentary Joint Committee on Law Enforcement's 2013 Inquiry into Spectrum for Public Safety Mobile Broadband*, which recommended the allocation of at least 20 MHz of spectrum for the purposes of a PSMB network.
- The proposed terms of reference for the Spectrum Review include a number of issues relevant to PSMB and it is appropriate that these issues be considered in the context of reform of the spectrum management framework. It will, however, be important that this review and the proposed first principles assessment of the PSMB are not undertaken in isolation from each other.
- Spectrum management issues including the proposed PSMB capability and the dedicated nationally harmonised government spectrum in the 400 MHz band are significant issues for State and Territory governments, and the assurance that the review will be conducted in close consultation with stakeholders is welcomed. It is requested that, as part of this consultation, States and Territories be provided an opportunity to comment on the draft review outcomes prior to the finalisation of the report to the Minister.
- In addition, the following amendment to the Context section of the terms of

reference is recommended to recognise the position of Commonwealth, State and Territory government agencies as spectrum users (amendments in bold):

*The **Australian** Government is implementing a deregulation agenda to reduce the cost, and increase the effectiveness, of regulation for **Governments**, industry, not-for-profits and individuals.*

Regards

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