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DEPARTMENT OF  
**JUSTICE**  
VICTORIA

12 October 2001

Mr. Paul Belin  
Assistant Commissioner  
Productivity Commission  
Locked Bag 2  
Collins St. East  
Melbourne Victoria 3003.



Dear Mr. Belin

**Re: Submission to the Review of Radiocommunications Acts and of the  
Market Based Reforms and Activities Undertaken by the Australian  
Communications Authority**

The Bureau of Emergency Services Telecommunications (BEST), a Business Unit of the Victorian Department of Justice, acts as a central coordinating body for multi-agency public safety communications projects in Victoria. This submission is presented in the interests of Victorian Emergency Service Organisations (ESO's) requiring uninhibited access to harmonized, mobile radio communications spectrum to support their operational communications.

### **Background**

As consumer technologies evolve to more modern platforms, so do the expectations of the community as to the capabilities of ESO's in their timely delivery of emergency services. To maintain the confidence of the community, ESO's must employ new facilities and work practices.

Many communications technologies used in public safety were first implemented over twenty years ago. By today's standards, these technologies are functionally outdated or are becoming obsolete in the presence of emerging digital technologies.

Current Australian spectrum management practices however, are limiting the ability of ESO's to take up these new technologies.

### **Discussion**

The challenges facing Government in securing radio spectrum for public safety communications include the following issues:

**1. Spectrum availability that enables market competition and supports freedom of choice for further procurements throughout the lifetime of the technology**

The Australian mobile radio communications market is mostly represented by non-indigenous multi-national companies. These companies offer technology products which were originally designed for the enormous public safety communications markets of Europe and North America.

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The Australian market however does not have the order of magnitude either in volume or turnover which can justify 'customised' developments by multiple vendors to meet our local conditions. It is often the case that these vendors commit their entire R&D capacity (totalling many hundreds of man-years) towards the requirements of one single major customer in another region of the world.

It is to Australia's disadvantage that it cannot influence these major product developments. However it can also be argued that we should take advantage of the economies of scale that are provided through these investments that are made in other parts of the world.

It is essential that the management of Australian Radio Spectrum be cognisant of the fact that Government and Emergency Services, whilst major users of radio spectrum, are heavily reliant upon the availability of communications technologies that are developed for use in other regions of the world. This recognition should be evidenced by the earliest, pro-active facilitation of access to spectrum that supports these technologies.

## **2. Security of tenure with current spectrum licensing arrangements**

The advent of Spectrum Auctioning has brought about an emphasis on 'commercialising' spectrum as a tradeable commodity where it is deemed that commercial demand is likely to exist. This places greater pressure on Government and ESO's to maintain their spectrum interests under threat of potential forced spectrum re-assignment without recourse to appeal or compensation. It is essential that, as Primary users of spectrum, Emergency Services are protected from commercial pressures or demand for spectrum that they currently hold. This equally applies to radio spectrum which is identified to support the emerging technologies for potential use by ESO's as discussed in Point 1.

## **3. Supporting Emergency Services' need for spectrum**

The enforcement of law and protection of life and property is critically dependent upon the availability of technologies supporting operational communications. Recognizing that ESO's must procure from globally driven technology markets, and that security of tenure must be guaranteed, it is essential that providing access to this spectrum is conducted in the most expedient manner possible.

It is highly desirable that this expediency be in the form of a 'priority' status for spectrum assignment, particularly where re-assignment of spectrum to Emergency Services from existing licensees. This is particularly important if such action is required to gain access to spectrum supporting emerging technologies in Point 1.

## **4. Enabling Government to realise best value for money and world's best practice in public safety communications**

Major capital procurements of mobile communications technologies for Emergency Services have typically occurred every 7-10 years per Agency, and have on many occasions been relatively uncoordinated from a whole of Government multi-Agency approach. As Governments move towards shared, multi-Agency networks, the initial procurement becomes much larger, together with the possibility of future, coordinated technology-refresh procurements according to business need or operational demand.

It is essential that a competitive market is encouraged by the removal of barriers to the introduction of new and emerging technologies. These technologies would be those considered to be conforming to an 'Open Standard' which by definition enables any manufacturer to develop and offer products which are compliant to that standard.

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Today, there is arguably only one barrier which is inhibiting market competition and ultimately, access to open standard based technology in mobile radio communications. That barrier is Australia's failure to recognise and prepare for the technology developments that have occurred in other Regions of the world by not ensuring the local availability of 'harmonised' spectrum.

**Summary**

Legislative reform is required for the pro-active management of this issue, particularly where the potential impact of failure to do so is upon our ability to maintain effective emergency service delivery.

Yours sincerely



David Underhill

**Director, Communications Projects.**