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Speech to CommsDay Regional and Remote Forum

11:50-12:15, Wednesday 26 February 2025

Good morning everyone, it's great to be here with you and a big thanks to Grahame and the team for providing us with the opportunity to speak.

I'll be joined on stage shortly by my colleague Mike Johns, convenor of the Satellite Services Working Group and an expert on the technical and spectrum-related issues in the Satellite industry.

Today I will look at regional and remote policy issues through the lens of Comms Alliance's three strategic priorities:

1. Strong consumer protections
2. Secure and resilient critical infrastructure
3. A sustainable investment environment

So let's start with strong consumer protections.

Today, we have two foundational consumer protections that guarantee voice and broadband services: the Universal

Service Obligation for voice delivered by Telstra, and the Statutory Infrastructure Provider obligations for voice and broadband, delivered by NBN Co as the default SIP.

The exception to the SIP obligation for voice is NBN satellite.

The announcement just last week that NBN has now completed its \$750 million Fixed Wireless upgrade is the latest reminder that USO voice is a consumer protection that comes at a consistently high cost – yet serves a shrinking base of users.

These upgrades saw 120,000 premises previously served by the NBN satellites moved onto Wireless.

This means the number of premises without access to a guaranteed voice service via the SIP is now less than 2.5% of premises¹ - ergo, Telstra's fixed-line USO is now only required by less than 2.5% of premises.

And it's only used by a sub-set of that – yet its cost remains fixed at a level set in 2012.

¹ Network Premises Report, December 2024

Yesterday's announcement of a proposed "Universal Outdoor Mobile Obligation" will make it increasingly hard to justify that the fixed-voice USO is required.

With this in mind, we agree in principle with recommendation 3 of the Regional Telecommunications Review, which seeks to expedite reform of the USO and Regional Broadband Scheme and merge them into a unified obligation.

Following this, recommendation 4 calls for a review of consumer protections and service standards. It also supports the ongoing review of the Telecommunications Consumer Protections Code.

The revised TCP Code, which is currently out for public consultation, includes new requirements on telcos to ensure consumers – particularly in regional and remote areas – are informed of available mobile coverage, and have options for redress if they're unable to access to the coverage they expected.

The Code includes a new requirement on telcos to proactively prompt consumers to check coverage maps in advertising

offers², in addition to the existing requirement that coverage claims are fair and accurate³ and freely available to consumers⁴.

As part of the Code's stronger requirements for responsible sales practices, there is also a new provision for when mobile network coverage does not meet a customer's requirements, a telco must allow the customer to exit their service contract with no early exit fees⁵.

This is just one element of a major uplift in obligations on telcos when it comes to responsible sales and advertising.

So that's pillar 1: strong consumer protections.

Let me now move on to pillar 2: Secure and resilient critical infrastructure.

And if there's one thing we should be focussing our energy on, pardon the pun, it's energy resilience.

² TCP Code December 2024 draft, Section 5.2.3.i

³ TCP Code December 2024 draft, Section 5.2.3.k

⁴ TCP Code December 2024 draft, Section 5.3.5.k

⁵ TCP Code December 2024 draft, Section 6.1.13

ACMA's post-mortem on the 2019 bushfires⁶ found that 88% of network outages were due to power failures.

Of the 11% of outages classified as "other", a proportion of these were also power-related, such as generators that couldn't be refuelled in time.

Just 1% of outages were due to damage to telco infrastructure.

Just two months ago Comms Alliance convened the 'Telco and Energy Resilience Dialogue' with attendees from across the telco and energy sectors, the ACMA, the Departments Communications, Energy, Home Affairs, and the National Emergency Management Agency.

One of the action items was the need to develop a policy which prioritises telcos for restoration and connection during power outages.

We support elements of recommendation 13 of the Regional Telecoms Review, which calls for energy providers to give restoration priority to telco infrastructure, and for energy

⁶ <https://www.acma.gov.au/publications/2020-04/report/impacts-2019-20-bushfires-telecommunications-network>

providers to also prioritise energy connections for new installations.

And that last point – prioritising connections for new telecoms infrastructure – provides the perfect segue into my third pillar: the need for a sustainable investment environment.

If we want to realise the ambition of making Australia the world's most connected continent, then we must be able to build digital infrastructure.

This is a much bigger problem than dealing with NIMBYs, or “Not in my back yard”.

It's a bigger problem than CAVEs, or “Citizens Against Virtually Everything.”

Now, it's BANANAs, or “Build Almost Nothing Anywhere Near Anything”.

Regrettably, the worst BANANAs tend to be State and local Governments.

Regional Australia is crying out for better connectivity, but telcos are hamstrung by layer upon layer of planning requirements which actively disincentivise investment.

Slow planning approvals were largely to blame for delays to 176 sites under the Mobile Black Spot Program.

One site funded has been in planning since 2015⁷!

Seven more sites have been caught up in approvals since 2019.

Getting power connected to new mobile towers can take more than two and a half years⁸.

And don't even get me started on the planning challenges you'll face if you want to roll out new long-haul fibre.

State Governments should be rolling out the red carpet for major fibre backbones, like InfraCo's national fibre upgrade, Vocus' Project Horizon, or HyperOne's proposed national backbone.

⁷ CommsDay 1 August 2024, "FOI reveals 176 mobile blackspot builds delayed last year, largely by slow planning processes"

⁸ CommsDay 13 June 2024, WA planning rules effectively prohibit mobile infrastructure in some locations: MCF

What do we see instead?

Deployments facing significant delays and cost increases due to unpredictable roadblocks in planning processes.

There is a clear and present danger that regional Australia will miss out on new high-capacity fibre because investors will instead choose to use submarine cables, avoiding the cost and complexity of arduous planning processes on land.

With this in mind, Comms Alliance recently made a submission to the Productivity Commission's 'Harnessing Data and Digital Technology' inquiry.

We called for an inquiry into barriers to digital infrastructure deployment, with the objective of identifying reforms to harmonise Commonwealth, State, and local laws to reduce roadblocks to deployment.

Telcos should have clear, legislated land access rights to build the infrastructure Australia needs.

But the 'Carrier Powers and Immunities' framework has consistently seen its powers diminished under the weight of

State-based land access rules, environmental approvals, and heritage laws – which are duplicative and inconsistent.

On top of this, the legitimate legal rights of Traditional Owners over land access have been complicated by unclear State legislation, which often results in open-ended consultation processes with no established timeframes to conclude agreements.

Governments cannot claim that digital infrastructure is ‘critical’, while making it so difficult to deploy and maintain.

Telecoms networks are only ever treated as ‘critical’ when they stop working – but never when they need to be built.

What do we want to get out of this?

A reform roadmap to address the myriad inconsistent planning requirements for digital infrastructure deployments, including Commonwealth and State environmental approvals, heritage approvals, applications for power, native title issues, and any other required approval process which prevents the timely deployment of critical telecommunications infrastructure.

Recommendation 12 of the Regional Telecoms Review is a solid start: the Government should expedite planning approvals for large telco infrastructure projects, such as mobile towers in regional and remote Australia, and in instances where Government funding has contributed to projects.

It's a start, but we should push for even more.

Beyond just deployment issues, establishing a sustainable investment environment in regional Australia will also require ongoing Government involvement.

We support recommendations 7 and 8 of the Regional Telecoms Review, which call for a regional telecoms strategy and for the modernisation of Government funding programs.

Programs like the Mobile Black Spot Program have delivered improved mobile coverage, but they're also subject to the law of diminishing returns.

Each round has seen less co-investment from operators, and a greater public subsidy required for new towers.

The Government's announcement of Direct-to-handset UOMO poses questions about the future of this program.

Regional funding programs have historically sought to address areas of market failure.

In the case of a UOMO, the market hasn't even been given a chance to try, let alone fail.

We should be wary of the potential unintended consequences of intervening when the market had already shown a clear appetite to provide these services on a commercial basis.

Policy settings should seek to promote investment in regional Australia. We should carefully consider whether or not a legislated obligation to deliver coverage via LEOs could reduce investment appetite for new mobile towers, given co-investment programs like the MBSP are already running out of steam.

Regional funding programs need to be modernised.

So I'll conclude my remarks with a brief re-cap of my key points today:

First, strong consumer safeguards are critical to any new universal service arrangements, and they must take into account recent advances in NBN's regional networks which can enable the transition from historic arrangements to new and better ones.

Second, resilient telecoms networks are ultimately dependent on energy networks – and we must prioritise energy connections for telcos to improve resilience.

And finally, if we wish to make Australia the world's most connected continent, we must establish a sustainable investment environment in regional Australia.

This should include removing roadblocks to infrastructure deployments, and the modernisation of Government funding programs to improve connectivity in regional areas.

Thank you – and I will now pass the mic to my friend and colleague Mike Johns to get into the technical nuts and bolts the Satellite Services Working Group.