

Ms Nerida O'Loughlin PSM
Chair of the Australian Communications and
Media Authority
PO Box 78
Belconnen ACT 2616

Re: Expiring Rail Spectrum Licences

Our ref: OTS24/02112

Dear Ms O'Loughlin,

We write on behalf of the Infrastructure and Transport Senior Officials Committee (ITSOC), which you may be aware comprises heads of transport and infrastructure agencies across Commonwealth, State and Territory governments.

At its 12 April 2024 meeting, ITSOC unanimously agreed to write to you regarding the importance of ensuring the long-term affordable re-allocation of the 1800 MHz spectrum band to achieve national policy objectives. Securing the 1900 MHz band will also be crucial to support transition to the newer Future Rail Mobile Communication System (FRMCS), in future years.

We are also writing to the Hon Michelle Rowland MP, Australian Minister for Communications, on similar terms.

As you may be aware, in 2013, New South Wales, Victoria, Queensland, South Australia and Western Australia were allocated spectrum in the 1800 MHz band to support rail operations at public interest pricing. These 1800 MHz licences, currently held by Sydney Trains, Victorian Rail Track, Queensland Rail, the Public Transport Authority of Western Australia and the Department of Infrastructure and Transport (South Australia), are due to expire in 2028.

We note that there is a framework in place to administer spectrum for the economic and social benefit of Australians, including that:

- The Australian Minister for Communications may specify policy in relation to ACMA's approach to spectrum renewal, or direct ACMA on certain matters relating to renewal; and
- ACMA is responsible for deciding whether a spectrum licence should be renewed, including whether renewal is in the public interest, as well as the term, conditions and pricing for renewed licences.

Radiofrequency spectrum is essential for the provision of telecommunication systems, which are critical to the safe and efficient operation of the rail network in Australia. The Australian Government, States and Territories recognise the important role of rail to connect people and freight across cities, regions and ports – and have established a shared national commitment to rail investments and interoperability initiatives. This is also reflected in the current rail interoperability priority agreed by National Cabinet.

It is encouraging to note that while the recently issued draft *Radiocommunications (Ministerial Policy Statement – Expiring Spectrum Licences) Instrument 2024* is not intended to apply to the expiring spectrum licences for rail safety and communications services in the 1800 MHz band – the Statement does recognise that use of the 1800 MHz band for rail safety is an important and separate consideration.

Following agreement at a recent meeting and recognising the importance of spectrum for continued passenger and freight rail transport operation across jurisdictions, ITSOC is advocating for the long-term reallocation of the 1800 MHz band, to support the ongoing safe and efficient operation of rail transport systems.

If the existing spectrum allocation is not assured, there would likely be a significant impact on the delivery of rail services and costs to state and territory governments.

Affordable access to the 1800 MHz spectrum will therefore be a key objective for governments and the entire rail sector, as it would be difficult for jurisdictions to compete in an open market to retain the existing 1800 MHz band. Existing rail infrastructure and systems (including on-board train communication devices) are built around the 1800 MHz band – so if affordable spectrum is not re-secured beyond June 2028, there would be an urgent need for governments and industry to invest in costly new equipment and systems.

In addition, New South Wales, Victoria and other jurisdictions have commenced planning to transition to the newer FRMCS, which is being adopted by the majority of train operators globally. Retaining the 1800 MHz band from June 2028, and securing the 1900 MHz band for future use, will be a crucial enabler for the continued operation of rail networks over the coming years, as both bands will be required during an anticipated transition phase toward the full adoption of FRMCS.

Again, it is encouraging to note that ACMA recognises in its recently released draft *Five-Year Spectrum Outlook 2024-29 and 2024-25 Work Program*, that transport services have unique spectrum needs; and that ACMA is planning to create a framework to support rail services in the 1900 MHz frequency band to support transition towards the broad take-up of FRMCS.

Given the above risks and the importance of spectrum to current rail operations and to National Cabinet objectives for rail transport over the coming years, it is timely to emphasise that Transport agencies across all states and territories request your support to:

- Resecure spectrum licences for rail safety and communications at public interest pricing across the 1800 MHz band beyond June 2028; and
- Establish a framework for rail services within the 1900 MHz band in the coming years.

If you require any further information, please feel free to contact Mr Dush Sharma, Director National Policy & Intergovernmental Relations at Transport for NSW (dush.sharma@transport.nsw.gov.au); or Mr Lachlan McDonald, Executive Director of Intergovernmental Relations at the Victorian Department of Transport and Planning (Lachlan.McDonald@transport.vic.gov.au).

Sincerely,



Josh Murray
Secretary
Transport for NSW
04 June 2024



Paul Younis
Secretary
Victorian Department of Transport and Planning
5 June 2024

Cc: *The Hon Catherine King MP, Minister for Infrastructure, Transport, Regional Development and Local Government*
The Hon Michelle Rowland MP, Minister for Communications