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26th April 2021

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Reference – Draft Five Year Spectrum Outlook – 2021-26

On behalf of the many thousands of licensees and users of LAND Mobile Radio spectrum, as well as on behalf of the members of the Australian Radio Communications Industry Association (ARCIA), we are pleased to respond to the draft Five Year Spectrum Outlook (FYSO). ARCIA has always been actively involved in the discussions regarding not only the LMR spectrum but also other areas as well, and so we are pleased to present our comments on the latest version opened for consultation.

After several years of pushing for the ACMA to make spectrum available for mobile broadband to be used for Private LTE services, the recognition this latest version of FYSO of the potential market demand for such systems is a welcome outcome. Over recent years there have been multiple private LTE systems installed, however, the implementation of this market segment has been severely restricted by availability of spectrum. It is pleasing to see that in the FYSO planning there is finally recognition of the need for mobile wireless spectrum to be made available for apparatus licensing format, the most common type of spectrum allocation model for private LTE services.

There are many industry segments where the unique communications requirements have suited Land Mobile Radio (LMR) technology in the past, and often will be the same market sectors that will have the immediate need for private wireless broadband systems, these will in many cases be existing clients of our members. Notwithstanding these segments as being the immediate market potential, we also know that there will be many new user segments who will benefit from having their own wireless broadband systems to provide increased safety and productivity for their operations. In many cases, the underlying advantages to be gained in resiliency and system latency will be important but there are also significant benefits in the operational costs when the system owner has total control of all facets of the system operation. These will open new markets as the technology matures.

As indicated below in response to the items for discussion, our Association has concerns with the forward planning for the implementation of the changes under the new Act. The spectrum review and modernisation of the Act was initiated to make it easier to access spectrum and simpler to do business with the Government, yet we are concerned that the present actions of the ACMA to simply make the old format be made to fit the new requirements with the minimum of effort will defeat the original intent. It is disappointing to see that in the FYSO description of the works planned there are only four short paragraphs and no real indication of when or how (or even if) the changes will be implemented and how much effort will be made to make the systems easier to both access and understand.



Given the original aims of the modernisation were to provide significant improvements in the outcomes, it would seem that we might simply see a quick 'patch up and polish' to make things seem all new and shiny without real consideration of overcoming the existing shortfalls. Our Association and many other organisations spent significant amounts of time during the spectrum review process to help to develop the best outcomes from the legislation, unfortunately the result was simply a 'Modernisation' of the old Act rather than a new one, however, we understand the reasons for that. We now believe that there needs to be significant work done over the coming years to bring the new systems to fruition and as such we believe there must be a bigger commitment in the FYSO to show how much work will be done and when.

When we consider that the aim of the spectrum review and modernisation of the Act was to simplify the information and processes to make it easier for users to access both information and increase utilisation of the spectrum, we believe that there needs to be a simplification of the language involved. Noel Higgins, an ARCIA committee member with industry technical expertise, has submitted a separate response to the FYSO document from his Analyse Solve and Test Pty Ltd company, and we endorse the following quote from his submission under the Analyse Solve and Test Pty Ltd banner. *"Due to the complicated and legal nature of the existing ACMA regulation involving many cross references to other documents, some of which are now out of date out and/or incorrect, there exists great potential for non-compliance through confusion. This is especially the case for people from non-English speaking backgrounds."* We agree with Noel's assertion and although his reference is to the LIPD standard, we are concerned the same format might flow through to other equipment rules documents as well.

If we look at another area of confusion, perhaps it is time to simplify the language used in the underlying technical language of the ACMA standards, regulations and potentially equipment rules, the use of Isotropic Radiated Power measurements. We understand that the theoretical Isotropic antenna configuration has been used for many years, however, as there are NO isotropic antennas and most equipment manufacturers provide specifications based on measured power levels or radiation based with reference to a unity gain antenna (such as a dipole), it would make the equipment rules easier to understand by non-technical personnel (such as those who will often be importing equipment) if they have an easily recognised power level to comply with. If the ACMA are going to continue to use this terminology there should be easily understood reference tables included in the equipment rules to explain the differences so that non-technical readers can understand the requirements. There are many terms that are no longer utilised in the modern world, time to change and simplify the language for equipment rules.

ARCIA has always been happy to be involved in discussions on spectrum issues, one of the aims of our Association is to work with the regulator to help ensure that the spectrum remains 'fit for purpose', we take this concept seriously. As such, we are pleased to be able to have the opportunity to respond to relevant discussion paper and take part in regular meetings with ACMA management and staff, we will continue to be available to discuss any issues that arise out of this response or any areas where we may be able to provide relevant and meaningful input.

Yours sincerely,
Australian Radio Communications Industry Association (ARCIA)

Ian Miller – Executive Officer



Draft FYSO – 2021-26 – Issues for comment

Part 1

1. Do you have any feedback on the ACMA’s approach to the five-year spectrum outlook?

ARCIA is comfortable with the present format being used for the FYSO, our only suggestion is that the outcomes from the previous years FYSO would be of value if included in the new draft version. To some extent we are being asked to comment on the new work plans without knowing what the results of the previous work plans are, and by the time the final version of the FYSO is released it is too late for any comment on what may have happened during the past year.

2. Are there other technology developments or sources of spectrum demand that the ACMA should be aware of in considering spectrum management over the next 5 years?

Technology is developing at extremely quick rates and although we are not aware of any that have not been included in the FYSO, there are going to continue to be developments and especially in the realms of spectrum sharing for mobile broadband and fixed wireless applications, these may provide new and different demands on regulators in the future

Part 2

3. Do you have any feedback on the ACMA’s plans for monitoring, initial investigation, preliminary replanning or implementation of bands?

We have no specific comments at this stage

4. Do you have any comments about the ACMA’s approach to forward allocations?

We have no specific comments at this stage

5. Do you have any other comments on Part 2?

Our primary concern relates to the planning for Radiocommunications Legislative reform, perhaps one of the major work requirements for the coming FYSO period. It seems to be almost added as an afterthought into the FYSO, but an indication of the proposed activities planned that only includes four short paragraphs does not indicate whether sufficient attention will be placed on this requirement. We have already noticed that in a separate discussion paper regarding Class Licensing there are issues that are either not addressed or have been given limited attention.

The major concern that we see is that under the new Act much of the work previously carried out by Standards Australia is going to be replaced by the new ‘Equipment rules’, we support this process fully. Our concern is regarding the preparation of the new rules and how they are going to be given publicity and the relevant notifications. With regard to the Class Licence issues, part of the information simply refers the reader back to a copy of the legislation, a seemingly correct way to handle enquiries, however, to expect importers of equipment (or even local manufacturers) to be able to interpret and understand a highly legal document that as multiple ‘reference to’ inclusions are not the best way to handle genuine enquiries. There must be a better method of providing information that is easily accessed and can be understood by all through them being in plain English.



We are concerned that if the ACMA scrimps on the efforts involved in both developing the new rules and in providing the information to the public then it will create many ongoing issues. The original intent of the review of the Act was to make it easier to do business in Australia and to deal with the Government and the associated regulations, if the example from the Class Licence proposals is to become the norm then the original aim of the spectrum review will be completely lost. The concerns our members held at the outset of the spectrum review regarding the lack of resources to complete the job properly, and to correct the existing anomalies from the original Act are going to come to fruition.

In our considered opinion there needs to be much more effort and resources allocated to the review of the Act and in the preparation of the information that will now be changing under the new Act. This must be a significant part of the ACMA work plan for the coming year, failure to recognise this will simply end up with the problems from the old Act being given some window dressing but not solved. They will continue to then create ongoing issues for many years to come, an opportunity lost.

Overall: FYSO format

6. How do you use the FYSO (for example, read once a year or regularly refer to)?

Generally, we would refer to it several times a year for general reference.

7. Do you find the 6-month and annual progress reports useful?

As indicated above, we feel the new draft of FYSO should include the update on progress to date.