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Speech to TelSoc Webinar

"The telecoms industry agenda for the 48th Parliament"

12:30pm, Wednesday 30 April 2025

Good afternoon everyone, it's great to be here speaking at my first TelSoc event since being appointed as CEO of Communications Alliance just over six months ago now.

A big thanks to Michelle Lim and TelSoc for providing me with the opportunity to speak.

Three days from now, we will all be queuing up at polling booths to elect our local MPs for the next term of Parliament.

And so, with this in mind, the title of my presentation today is: *"The telecoms industry agenda for the 48th Parliament".*

I will split my speech into three sections:

First, I want to look back at the 47th Parliament, and provide an overview of what we, as an industry, have seen over the past three years.

Second, I will turn to the industry's agenda for the next three years as the 48th Parliament commences.

And finally, I want to look beyond the next term of Parliament to where our industry will be ten years from now – and what we need to do in the next Parliament to set us in the right direction.

So let's begin with a review of the last term of Parliament.

It has not been an easy three years.

Just four months after the 2022 election, a large Australian telco suffered a major data breach.

While data breaches across the entire economy are now something of a regular occurrence, at the time it was a major news story, and as you would expect, it resulted in a hive of activity among Government and regulators.

Numerous reviews and inquiries were undertaken by numerous agencies, and Government responded with a range

of new regulatory requirements designed to protect consumers[1].

One year later, there was a major mobile network outage.

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Around six months later, there was a Triple Zero outage[2].

By the point I'm sure you can guess exactly what happened next.

Throughout the same period we also experienced a number of natural disasters, most recently Cyclone Alfred.

In each of these events, inevitably, power outages led to communications outages, further adding to public pressure for greater regulatory intervention on the telco industry.

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[1] https://ministers.treasury.gov.au/ministers/jim-chalmers-2022/media-releases/changes-protect-consumers-following-optus-data-breach
[2] https://www.telstra.com.au/exchange/000-outage-report

But the new regulatory responses in this past term of Parliament were not limited to data breaches or outages.

In the same term, we had the introduction of new regulations for consumers facing Financial Hardship, and Domestic, Family, and Sexual Violence.

We've also seen the passage of the Scams Prevention Framework legislation, which will not only increase the regulatory and compliance requirements on telcos for combatting scams, but will also make them liable for compensating victims of scams.

And the new scams regulations did not end there.

The Scams Prevention Framework was complemented by the SMS Sender ID register, which will require telcos to implement new technologies and processes to ensure that only legitimate senders can include their name on text headers.

And industry is already working with the regulator on the next stage of anti-scams regulations, which again go above and beyond the Scams Prevention Framework.

And most recently, we had the introduction of the Enhancing Consumer Safeguards legislation, which will give the ACMA stronger powers to act against telcos for non-compliance with industry Codes, and the ability to impose far higher fines than it has previously had.

So to summarise, in this term of Parliament, we have seen new regulatory or legislative interventions including:

1. The Financial Hardship Standard

2. Updated Customer Complaints Handling Standard

3. Updated Emergency Call Service Determination

4. Communications for Outages Standard

5. Domestic, Family and Sexual Violence Standard

6. New online safety Codes

7. New Security of Critical Infrastructure rules

8. The Cyber Security Act

9. Scams Prevention Framework Act

10. SMS Sender ID Act

11. And the Enhancing Consumer Safeguards Bill.

Now, it is fair to say that each of these individual interventions was a case of cause and effect.

Cyber incidents and data breaches caused new laws and regulations around privacy, device security, and network resilience.

Network outages caused new regulations regarding communications during outages, network and device testing, and the emergency call service.

And an increase in scams caused new laws and regulations to prevent scam traffic and compensate consumers.

On an individual basis, any of these interventions may seem a justifiable impost on industry in response to a specific event, or as a necessary new consumer safeguard.

But in aggregate, the result has been the most substantial increase in regulation on the telco industry in a single term of Parliament in recent memory – possibly ever.

I don't think anyone in the telecoms industry will look back at the past three years with a great deal of fondness.

Now following that glass-half empty assessment of the 47th Parliament, I'd like to turn to the second part of my

presentation today – the industry's agenda for the 48th Parliament.

If the past three years has seen our industry constantly on the back foot, constantly responding to events, and constantly trying to keep up with the latest regulatory interventions – what would we seek if we were on the front foot?

I'd like to lay out a five-point plan to get the industry focussed where we should be: on delivering better services for customers.

First, we need to rebuild trust.

We are caught in a paradox: Australians value telecoms services more than ever, and customer complaints are the lowest they have been in two decades – yet at the same time, two of the five most distrusted brands in Australia are telcos.

As part of our effort to rebuild trust, Comms Alliance supports the Enhancing Consumer Safeguards Bill that will enable ACMA to take swift enforcement action for breaches of industry Codes.

Under the existing legislation, ACMA must first direct a telco to comply with an industry code, or issue a formal warning, before it is able to take enforcement action.

The legislation would enable ACMA to proceed to immediate enforcement action for contraventions of industry codes, while still allowing ACMA to issue formal warnings when deemed appropriate.

Additionally, we support reforms that would require all Carriage Service Providers to be registered with ACMA.

This would further enhance the regulator's ability to monitor and enforce compliance with industry Codes and Standards.

In concert with these stronger ACMA powers, Comms Alliance is working towards having an updated *Telecommunications Consumer Protection Code* registered in the near future.

This updated TCP Code will provide the strongest consumer protections ever put forward by industry, and would be further enhanced by the proposed legislative changes.

So that's point 1: Rebuilding trust with consumers.

Point 2 on the industry agenda for the 48th Parliament: We have to get rid of the BANANAs.

Yes, BANANAs.

You've heard of NIMBYs, or "Not in my back yard".

You may have even heard of CAVEs, or "Citizens Against Virtually Everything."

But our biggest obstacle as an industry is BANANAs, or "Build Almost Nothing Anywhere Near Anything".

What we need is an inquiry into barriers to digital infrastructure deployments.

Digital infrastructure is the foundation of the modern economy and a key driver of productivity – but roadblocks to digital infrastructure deployments threaten to undermine potential productivity gains.

Comms Alliance is calling for the establishment of an inquiry into barriers to deployment, with the objective of identifying reforms to Commonwealth, State and Territory, and local laws to reduce roadblocks to the construction of telecoms networks.

The current Government has the stated objective of making Australia 'the most connected continent on earth' – yet telcos are consistently hamstrung by prohibitive and duplicative regulations that actively disincentivise infrastructure investment.

One mobile network site funded under the Mobile Black Spot Program has been stuck in planning since 2015.

Seven sites have been in planning since 2019.

And the application process to connect power to some sites has taken more than two and a half years.

Similarly, major long-haul fibre deployments by operators such as Telstra InfraCo, Vocus, and HyperOne have faced significant delays and cost increases due to unexpected roadblocks in planning processes.

These have often been exacerbated by unclear or duplicative responsibilities between various State Government Departments and agencies.

The Carrier Powers and Immunities framework established under Schedule 3 of the Telecommunications Act has

consistently seen its legal powers diminished under the primacy of State-based land access rules, environmental approvals, and heritage laws that are often duplicative and inconsistent.

Additionally, Traditional Owners groups have legitimate legal rights regarding how land is accessed and utilised, however the legislation determining processes for engaging with these groups is inconsistent and results in open-ended consultation processes without established timeframes to conclude agreements.

Telcos are viewed as 'critical infrastructure' yet deploying and upgrading this infrastructure is increasingly difficult.

Telcos are burdened with many of the same regulatory obligations as other 'essential services' – but are not afforded any of the benefits.

This process should include a review of the existing Powers and Immunities framework, with a broad scope to investigate how this framework interacts with State, Territory, and local Government laws.

This should result in a reform roadmap to address the myriad inconsistent planning requirements for digital infrastructure deployments, including environmental approvals, heritage approvals, power connections, land access approvals, Traditional Owner engagement requirements, and any other required approval processes which prevent the timely deployment of telecommunications infrastructure.

Ultimately, these processes should result in a submission to National Cabinet where agreement is sought to harmonise laws across Australia that enable the more efficient rollout of telecommunications infrastructure.

So that's point two: get rid of the BANANAs, and remove roadblocks to network deployment.

The third item on the industry's agenda for the 48th Parliament is regulatory reform.

I opened my remarks today with an overview of the long list of new regulations our industry has faced over the past three years.

Earlier this month, the New Zealand Government launched a regulatory review in the telco sector, with the Minister for Regulation saying "regulation isn't neutral—it's a tax on growth."

Telcos in Australia are subject to more than 500 pieces of legislation and regulation.

That list has grown substantially just in the last term of Parliament.

New Zealand Communications Minister Paul Goldsmith said that the right regulatory settings should "support competition, foster innovation and help stimulate economic growth," and added that telecoms networks "improve productivity and are essential to growing our economy and easing the cost of living."

Comms Alliance calls for a regulatory review in Australia.

A good start would be the establishment of a Regulatory Initiatives Grid.

A Regulatory Initiatives Grid is designed to coordinate and publish the pipeline of all processes planned by regulators over the coming two years.

This would enable industry to more efficiently plan for initiatives that are likely have a significant operational impact on their business.

It will also enable regulators to better coordinate on planned regulatory initiatives, reduce overlap, and avoid inundating stakeholders with simultaneous activities through more transparent planning.

Participants should include the ACMA, ACCC, the eSafety Commissioner, the Departments of Communications and Home Affairs, and the Privacy Commissioner as a start.

A Regulatory Initiatives Grid would not only enable better transparency of upcoming activities, but could also allow for the early identification of duplication and overlap.

There is clear precedent for this: in May last year, the Treasurer announced the establishment of a financial sector regulatory initiatives grid.

This would be based on the UK Financial Services Regulatory Initiatives Forum, which includes nine regulators and publishes an updated grid every six months with a 24-month outlook.

The Federal opposition has called for this to be extended to the energy and telecommunications sectors, and this is something we strongly support.

Whether or not the Government elected on May 3 decides to pursue regulatory reform, Comms Alliance will lead our own reform process of outdated industry Codes.

We oversee around 130 Codes, standards, and technical guidelines today – yet many of these refer to anachronistic concepts like Mobile Premium Services and copper-network technologies which are no longer relevant or required.

This industry-led process will be promoted to Government stakeholders with the aim of prompting further reform.

So that's item 3 on the agenda: regulatory reform.

The fourth item on the industry agenda for the 48th Parliament is the development of a Spectrum and Mobile Coverage Policy.

Around 80% of spectrum licences currently used by Mobile Network Operators are due for renewal between 2028-2032, meaning that planning for these renewals will need to be conducted during the next term of Parliament.

While we have already seen early policy direction from the Government, more work is required to ensure mobile network operators are adequately prepared for what will be the most significant period of spectrum renewals in Australia's history.

But spectrum cannot be considered in isolation, as though it were simply an asset to be auctioned to the highest bidder without broader consequences.

Economic considerations need to be considered in the context of the social value delivered by investment in mobile coverage – a burden which is almost entirely borne by the private sector.

In May last year, the Minister for Communications issued a ministerial policy statement for expiring spectrum licences, and the ACMA continues to implement the Government's approach.

While this statement sets out high-level policy priorities that ACMA must have regard to, it does not go into the detail of broader economic and social policy questions that should shape policy thinking on the renewal process.

Spectrum charges are a binary equation: every dollar spent on spectrum is a dollar not spent on coverage and capacity.

The more operators spend on spectrum, the less they have available to invest in radio access equipment, fibre backhaul, core network upgrades, cyber and physical security, and network resilience – including redundant power systems.

Changes in the mobile market in recent years add further pressure for new thinking about spectrum policy.

Optus and TPG's new MOCN agreement will result in spectrum and infrastructure sharing and an increase in both coverage and competition in regional and remote areas.

The arrival of LEO satellite direct-to-handset technologies further adds to this.

Additionally, all three Mobile Network Operators have reduced or sold their stakes in tower infrastructure to specialist companies like Amplitel, Indara, and Waveconn, which now compete with other tower operators like BAI Communications and NBN Co – again changing the investment landscape.

A Spectrum and Mobile Coverage Policy Review should consider new approaches to spectrum renewal that are designed to incentivise investment in coverage, capacity, infrastructure, and services.

The fifth and final item on the industry's agenda for the 48th Parliament is reform of regional telecommunications policy.

Industry is united in the view that existing programs are anachronistic and ripe for reform.

Throughout the last term of Parliament, the Government conducted reviews of the Universal Service Obligation (USO) and Regional Broadband Scheme (RBS), alongside the

statutory Regional Telecommunications Review which reported in late 2024.

The overarching ambition of Comms Alliance's engagement in the reform process will be to ensure that any new or reformed regional programs meet some fundamental principles:

1. They do not impose any additional cost or taxation burdens on the industry, and ideally seek to broaden the base of industry levies onto adjacent sectors that benefit from universal service availability;

2. They reduce (or, at least, do not increase), the overall regulatory burden on industry;

3. They are competitively-neutral to the greatest extent possible;

4. And that they promote (and do undermine) competition and investment in regional markets.

So those are our five agenda items for the 48th Parliament:

- Rebuilt trust with consumers,

- Remove roadblocks to infrastructure deployments,

- Regulatory reform,

- A spectrum and mobile coverage policy review,

- And regional telecommunications reform.

And so for the third and final part of my remarks today, I will very briefly look beyond the horizon of the 48th Parliament to our industry's ambitions for the following term of Parliament, and the one after that.

In the long term, and starting now, Australia needs a telecoms sector that consistently maintains the trust of customers.

No more telcos in the top five most distrusted brands.

Ideally, a few telcos in the most trusted brands instead. That's a good ambition to start with.

The reforms I've proposed for the next term of Parliament will hopefully set us in the right direction to achieve that.

But if this industry is going to deliver for consumers, it needs to be freed up to deliver new networks, technology, and products.

In the long term, and starting now, Australia needs policy settings that enable the telecoms sector to invest with confidence.

Incentivising investment and fostering competition should be the foundation stone of Australia's telecoms policy environment.

Ultimately, strong competition is strongest form of consumer protection.

Key to incentivising investment is a recognition that telecoms infrastructure investments are long-term decisions.

Fibre in the ground – or in the ocean, for that matter – is designed to last for decades.

It's the same for mobile towers, and satellite ground stations.

While elected officials have long argued over the policy direction of Australia's energy networks, not nearly enough attention has been paid to the future of our digital networks.

We will not undo years of mounting roadblocks to infrastructure deployments in a single term of Parliament, as much as I wish we could.

It is a long-term objective to remove existing roadblocks, but also to resist new ones which will inevitably pop up.

A sector that is able to confidently invest also needs a long-term focus on sensible regulatory reform.

Companies that are focussed on implementing mounting regulatory requirements have fewer resources available to invest in new networks, technology, and products.

A sector burdened with more than 500 laws and regulations is unlikely to be as innovative as one operating in a light-touch regulatory environment.

Again, this is not just about removing existing outdated regulations, but also resisting new regulations that would increase the burden on industry.

Our long-term goal should be a policy environment which recognises that competition and investment ultimately deliver the best outcomes for consumers.

So the briefly recap my key points today.

First, over the past term of Parliament we've seen a substantial increase in regulation in our sector, in response to specific events like outages and breaches, and customer trust has been eroded as a result.

Second, the industry needs to get back on the front foot for the next term of Parliament, where we seek to rebuilt trust, remove roadblocks to deployments, pursue regulatory reform, promote a spectrum and mobile coverage policy review, and undertake regional telecommunications reform.

And third, beyond the horizon of the 48th Parliament, we need to reestablish a policy environment that sets investment and competition as the foundation stone for our industry's future.

Thank you.