Every Queensland community deserves to be a liveable one

Regional Mobile Infrastructure Inquiry

Submission to Australian Competition and Consumer Commission

September 2022

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About the Local Government Association of Queensland (LGAQ)

The Local Government Association of Queensland (LGAQ) is the peak body for local government in Queensland. It is a not-for-profit association established solely to serve councils and their needs. The LGAQ has been advising, supporting, and representing local councils since 1896, enabling them to improve their operations and strengthen relationships with their communities. The LGAQ does this by connecting councils to people and places; supporting their drive to innovate and improve service delivery through smart services and sustainable solutions; and providing them with the means to achieve community, professional and political excellence.

Partners in Government Agreement

In August 2019, the LGAQ on behalf of all 77 Queensland Local Governments signed a three-year partners-in-government-agreement[1] with the State of Queensland.

The Agreement details the key principles underlying the relationship between the state and local governments and establishes the foundation for effective negotiation and engagement between both levels of government.

The agreement acknowledges that local government is the closest level of government to the community, affecting the lives of everyday Queenslanders and acknowledging Local Government as a genuine partner in the Australian government system.

The intent of the agreement was to continue the tradition of working in genuine partnership to improve the quality of life for all Queenslanders to enjoy. By identifying the roles and responsibilities of each party, it provides a solid foundation for effective negotiation and engagement between both levels of government.

The LGAQ is committed to working with the Queensland Government and will continue to be a passionate advocate for councils, to serve our joint jurisdiction for the people of Queensland.

Rural and Remote Councils Compact

The Rural and Remote Councils Compact[2] signed on 25 June 2021, compliments the existing Partnership in Government agreement in place between the LGAQ and the Queensland Government to provide a platform to ensure issues of priority for these communities are properly considered by the Government when developing policies, programs, and legislation.

The Rural and Remote Councils Compact, pledges to amplify the voice of and improve outcomes for the state's 45 rural and remote councils and their local communities by enhancing engagement between both levels of government. It's key strategic priorities are roads; housing and financial sustainability.

[1] https://www.dlgrma.qld.gov.au/__data/assets/pdf_file/0016/45115/partners-in-government-agreement-2019.pdf
[2] https://knowledgebaseassets.blob.core.windows.net/images/9c61cdc2-3cfa-eb11-94ef-002248181740/Rural%20and%20Remote%20Councils%20Compact%20-%20signed%20copy.pdf

Submission to Regional Mobile Infrastructure Inquiry

Executive Summary

The LGAQ welcomes the opportunity to provide feedback to the Australian Competition and Consumer Commission on the feasibility of temporary mobile roaming services to be provided during natural disasters and other such emergencies.

Member councils have long been in favour of mobile roaming generally.

In the event of an emergency, it would help community members access support and coordinate responses, as well as offer redundancies to any at risk network.
Roaming would also offer increased connectivity to emergency support workers.

Indigenous communities are especially vulnerable, as infrastructure in these communities is often at risk, and connections to networks are above ground microwave connections and easily taken out of commission.

Councils believe that the issues can be solved by better use of infrastructure and more resilient designs for mobile towers, as well as increased co-location on towers.

Increased connectivity through mobile roaming in emergency is strongly supported by the LGAQ and its members.

Recommendations

The ACCC notes the detailed comments from the LGAQ in relation to the questions outlined in the Consultation paper that relate to Local Government, and the areas of disaster response and recovery.

The LGAQ is supportive of a trial for mobile roaming to be utilised in the event of an emergency, particularly in regional areas.

If a trial on mobile roaming in emergencies was considered – the LGAQ would be able to provide communities to act as testing grounds for such a trial and facilitate discussions with local councils.

Introduction

The LGAQ has worked with both the State and Federal Government to advocate for improved data and telecommunications infrastructure in rural and remote areas of Queensland. This has become increasingly vital as an enabler of economic development, the delivery of health services, and a way to contact, coordinate, and deliver emergency services.

When access to data and mobile services is regularly affected by weather, or the lack of adequate infrastructure, people in regional areas are forced to accept reduced digital connectivity, on top of a sense of further isolation and disconnection from services and family.

The importance of digital connectivity cannot be overstated. The UN General Assembly 2016 passed a non-binding resolution that "declared internet access a human right"[3]. It is with this in mind that the LGAQ calls on all levels of government to work together to ensure that digital connectivity is treated as a priority in the development of regional and remote areas in Australia.

Mobile roaming (where a mobile phone being used outside the range of its native network will connect to another available cell network) and colocation on towers (where two or more Mobile Network Operators (MNO) will have their equipment on the same tower) are supported by the councils in Queensland, and actively sought after as a solution to communications issues.

The LGAQ Advocacy Action Plan 2022 details key areas where action can be taken by both the State and Federal government to strengthen local government and develop more resilient communities. These advocacy points are primarily drawn from Annual Conference resolutions proposed by, voted on, and endorsed by Queensland's 77 councils. A full list of relevant Advocacy points is provided at the end of this submission.

Response to key questions: Communications Infrastructure, Emergencies, and Roaming

On 23 October 2017, the ACCC released a final report for the mobile roaming declaration inquiry. The ACCC decided not to declare a mobile roaming service as it is not satisfied that declaration would promote the long-term interests of end-users.
As the ACCC report stated: *"We found that declaration is more likely to distort the competitive dynamics in the mobiles market by reducing mobile networks operators' incentives to improve network coverage or differentiate their products"*[4].

This competitive market has not developed in the intervening years since the ruling.
As such people in remote and regional areas have limited options for their mobile service

[3] https://www.article19.org/data/files/Internet_Statement_Adopted.pdf
[4] https://www.accc.gov.au/regulated-infrastructure/communications/transmission-services-and-facility-access-regulation/facilities-access-code-review-2019#:~:text=The%20Facilities%20Access%20Code%20Review,published%20on%2025%20June%202020.

provider and as a result there is no market competition, and no commercial pressure to provide better services, coverage, or increased customer care in regional areas.

The LGAQ acknowledges that domestic roaming generally is outside the remit of the current inquiry.

In times of emergencies or natural disaster such as floods or bushfires, people may be cut off from mobile services that align with their specific carrier and unable to establish communication with family and other supports.

If roaming were made available in the event of an emergency as proposed, people in high risk situations, or on the threshold of needing to be evacuated could contact emergency service providers other than triple-zero, and community members who are not at direct risk could help to coordinate rescue, access support, and be in contact with family members.

In areas where there are towers from two or more MNOs in the area, mobile roaming would equate to redundancies being in place for signals to get through to an exchange when a tower is damaged beyond being able to be part of the network. This increase to the resilience of the communications network would also serve to increase the safety of community members and evacuation coordination.

The benefits would seem to speak for themselves, as any level of communication in an emergency or life-threatening situation is of value. Responses to emergency services are also frequently staffed by volunteers from all around the state, with a significant number from metropolitan areas where there are multiple MNOs in the market.

In a situation like this a quantum of these volunteers would also be out of regular contact with each other, their emergency coordinators, and their families. Data services to phones would also by and large be limited to public wi-fi solutions. Mobile roaming in these scenarios would also ameliorate these issues.

If the capacity of the local network was an issue, roaming coverage can be reduced to text only or limited to the ability to make and receive voice calls in the event capacity needing to be managed in an emergency.

The value of mobile roaming in emergencies cannot be bartered away with discussions on emergency SMS systems or having public Wi-Fi available at emergency services coordination points or elsewhere. These concepts (if available in an emergency) will value add to emergency management and recovery – but would in no way supplement the value of having open access for all mobile phone users in emergency situations.

How are consumers impacted by a lack of mobile coverage? What are the impacts for indigenous people in regional and remote areas?

The more remote a destination the more costly infrastructure will be. These costs are generated by the import of raw materials, as well as the availability of qualified contractors to aid in the construction. These regional and remote communities represent a very small market, so typically the return of investment is either very low, or over a very long term, or

most likely both. As a result, regional communities are reliant on government funding for any communication or digital infrastructure investment or co-investment.

A look at the Australian Digital Inclusion Index[5] provides insight into the effects of these factors as well as the affordability of services and equipment. Indigenous Australians living in regional areas have a relatively low level of digital inclusion, with a 2020 ADII score of 55.1 (7.9 points below the national score), and The Digital Ability score recorded by Indigenous Australians in 2019 is 42.8. This is 9.2 points lower than the national average (52.0).

A lack of reliable communications infrastructure effects a community's safety, isolation, access to emergency services, economic growth and engagement, access to education, access to government services, and political engagement.

> "The current state issues are further compounded during disaster events, where telecommunications infrastructure is often offline for significant periods, making access to information and other emergency notifications a major risk to life and property. For Palm Island, this most critical issue has a material impact outside of disaster events, compounding the perception of isolation and providing limited opportunities for digital innovation and the associated economic benefits."
> **Palm Island Submission to the 2021 Regional Telecommunication Review**

Communities such as Lockhart River in Far North Queensland continue to be repeatedly cut off from phone services and internet access due to power outages outside of the community at Telstra mobile towers.. These outages are happening frequently throughout the year and lasting for upwards of a week at a time. The cut-off often coincides with heavy rain and harsh weather conditions when emergency services are needed.
The prolonged outages mean that without digital connectivity, the local economy simply ceases to function. These isolated communities cannot use ATMs, shops, petrol bowsers or access government services until the repairs take place.

Telstra spokespeople had indicated that the fault happened when "the site lost power due to a lack of solar energy from the heavy cloud cover in the region." However, given that this is an area that receives on average 2045 mm of rain a year –it is an issue that will not be resolved without an overhaul of infrastructure, rather than deploying a repair team from Cairns.

In what areas could mobile coverage be improved?

Mobile coverage can be improved through better coordination in the design and placement of towers, as well as increased pressure on MNO to co-locate services on towers funded by the MBSP.

In the event of emergency, coverage would be improved with more resilient designs, and better redundancies to systems (i.e. communities that are connected through a singular microwave connection), rather than the availability of stop-gap measures, as reported below:

> "New towers may not solve the issue. The resilience of and access to the existing towers is the underlying issue in many cases. Most do not have a fixed generator and even if they do, they do not robust process / local contacts for refuelling, maintenance, etc.

[5] https://www.digitalinclusionindex.org.au/

> Telstra likes to promote the COWs, MEOW's (Cell on Wheels, Mobile Exchange on Wheels) etc as their back up / resilience for their network. These are fantastic bits of kit but this will be woefully inadequate in a wide area impact like flooding / cyclones where there will lots of communications failures and not enough 'back up' equipment to fix the holes in the network."
> **Tablelands Regional Council**

The Royal Commission into National Natural Disaster Arrangements Report [6] tabled in October 2020 echoed these concerns as well and recommended (recommendation 6.4)*"…that states and territories should update and implement plans to achieve interoperable communication for emergency services."* As well as stating *"…(for) national resource sharing to occur efficiently and effectively, the people, equipment and systems used across the country need to be interoperable."*

The need for infrastructure to be accessible and resilient can be highlighted by an example from North Queensland, where a community engaged their own solution to keep services operating:

> "In 2011, STC Yasi impacted the region. In Ravenshoe an ex. Telstra engineer deployed a generator to Telstra Hill and managed to keep communications operational in the local area. Telstra did not appreciate this and were not happy that their site had been 'broken into'. A discussion was held with Telstra about identifying and training local engineers that could be deployed instead of relying on resources to be deployed from Cairns as they will not get up the range roads post-cyclone. We also talked about having plug and play components so that almost anyone (with limited to no training) could install back up power to maintain communications. Telstra were not open to exploring this as a solution any further. The Local Disaster Management Group believes this is a great solution – having local people in local communities who can ensure local infrastructure remain operational."
> **Tablelands Regional Council**

What are the benefits to emergency service personnel and organisations from the provision of temporary mobile roaming during emergencies?

As indicated above – the increase in connectivity for SES and other emergency services who may not be with one specific carrier, as well as the increase in access that having a more expansive system of redundancies that includes all local towers working to send messages cannot be over emphasised. Roaming would serve to "fill in" the gaps in connectivity that may be caused by towers of any carrier being destroyed or de-powered in the event of a flood, fire or system outage

Are there any likely impacts on quality of service if mobile roaming during emergency situations was enabled? What level of service should be enabled – voice, sms, data?

Any level of increased connectivity in the event of an emergency is a desirable outcome. If MNO posit that only the barest minimum of service could be accommodated (for example SMS) – that level of connectivity will still be potentially the difference between life and death,

[6] https://naturaldisaster.royalcommission.gov.au/system/files/2020-11/Royal%20Commission%20into%20National%20Natural%20Disaster%20Arrangements%20-%20Report%20%20%5Baccessible%5D.pdf

or someone that finds themselves not in danger, but unable to leave an area in an emergency situation would be able to make contact with family to assure them that they are safe.

What alternative solutions (other than temporary mobile roaming) could be considered to improve network resilience during or after a natural disaster or other emergency?

The best way to improve resilience is to improve preparedness, especially through more robust infrastructure that is purpose built for the environment.

In 2021, TC Niran resulted in coastal communities in the Carin region losing communications. Communications were lost so quickly when the cyclone appeared it had yet to be given an official name. Battery backups that Telstra had claimed would last 24 hours lasted less than 4 hours. This was a relatively minor emergency – however it demonstrated the emergency systems were inadequate – and that any temporary solutions (COW, MEOW) would not be able to be mobilized in any sort of time frame to be of use.

There are many programs and infrastructure improvements that will aid emergency services and assist with disseminating information to people in emergencies. These concepts (Emergency broadcast SMS, free Wi-Fi for community evacuation shelters / coordination centres) are not a substitute for the utility of mobile roaming – they are tools that should be added to the quantum of available resources for communities in a crisis.

Conclusion

Overall, the LGAQ is supportive of any trial of technology that would make communities safer in the event of an emergency.

Councils are very specifically interested in mobile roaming in regional areas as a solution to issues which exist regarding lack of market competition, and overall connectivity.

If a trial on mobile roaming in emergencies was considered – the LGAQ would be able to provide communities to act as testing grounds for such a trial.

Above free market forces and beyond competitive dynamics, the safety of people in crisis should be the only meter we use to determine the worthiness of a trial such as this, that could ultimately be the difference between life of death.

Contact Details

Please do not hesitate to contact Simon Booth, Lead – Infrastructure, Policy and Regional Communities via emailsimon_booth@lgaq.asn.au or phone 1300 542 700 should you wish to discuss any aspect of this submission.

Appendix

LGAQ Policy Statement

The LGAQ Policy Statement[7] is a definitive statement of the collective voice of local government in Queensland. The relevant policy positions of local government in the context of telecommunications and digital connectivity are as follows:

6. Planning and Development

6.1 Strategic Land Use Planning

6.1.7 Telecommunications

6.1.7.1 Local government acknowledges the fundamental role played by 'telecommunications' infrastructure as an enabler of economic development and in the provision of health and education services in rural and remote areas of Queensland.

6.1.7.2 Local government supports efficient planning assessment and installation of telecommunications infrastructure and is the appropriate sphere of government to determine the level of assessment to be applied to telecommunications facilities.

6.1.7.3 Local government supports co-location of telecommunications infrastructure and information sharing amongst the development industry, telecommunications providers and local government in order to minimise disruption to local communities and to maximise efficiencies.

8 Infrastructure, Economics and Regional Development

8.4 Communication

8.4.1 Service Access

8.4.1.1 Advances in technology should be applied to give remote areas access to telephone, television and internet services consistent with those available in urban areas.

8.4.1.2 Local government across Queensland experiences significant inequities in mobile phone coverage between rural and urban communities. Local government will engage the State and Federal governments to address this inequity.

8.4.1.3 Local government supports the concept of a system of uniform telephone charges throughout Australia to reduce the disparity of remote locations.

8.8 Economic Development

8.8.7 Local government supports the rollout of digital infrastructure, including the National Broadband Network and the provision of equitable access to high-speed broadband internet. This includes support from Federal and State

[7] https://www.lgaq.asn.au/downloads/file/183/2019-lgaq-policy-statement

governments in developing the digital economy and online service delivery for local government.

8.9 Regional Development

8.9.5 Digital infrastructure and technology are recognised as enablers to help overcome the barriers of remoteness, infrastructure shortfalls, attract regional investment and facilitate regional prosperity.

LGAQ Advocacy Action Plan/ Annual Conference Resolutions

The LGAQ is committed to member driven advocacy and working with members to build stronger local government and more resilient local communities.

The Local Government Association of Queensland's Advocacy Action Plan (AAP)[8] is a roadmap designed to highlight the top policy positions and funding priorities councils believe are critical to ensuring Queensland flourishes and our communities thrive.

Relevant Advocacy Action items mentioned in this submission are:

Federal Government:

AAP 15 Legislate to require telecommunications providers to allow competitors access to their infrastructure in regional areas to enable greater mobile roaming.

AAP 16 Fully implement recommendations of the Rural Telecommunications Independent Review Committee Report benefitting rural and First Nations councils.

AAP 23 Direct the Australian Communications and Media Authority (ACMA) and telecommunications providers to commit to a customer service guarantee for mobile (calls and data) network services.

State Government:

AAP 24 - Fast track reliable digital connectivity throughout regional Queensland and ensure non-commercially viable black spots are addressed as a fundamental rights issue.

AAP 125 - Allocate $1 million to develop a digital training and upskilling program for older workers and provide $500,000 per year for three years to roll out training across all local governments.

Both Levels of Government:

AAP 103 Provide funding to ensure remote and discrete First Nations communities have the digital connectivity necessary to provide the same level of services available to other communities across Australia.

[8] https://www.lgaq.asn.au/downloads/file/383/advocacy-action-plan-2021