

Australasian Railway Association

# Submission

The Australian Communications and  
Media Authority (ACMA)

Expiring spectrum licences, stage  
4 – Proposed application and  
decision-making process

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27 February 2026

ABN: 64 217 302 489



# The ARA

The Australasian Railway Association (ARA) is the peak body for the rail sector in Australia and New Zealand, and advocates for more than 220 member organisations across the industry.

Our membership covers every aspect of the rail industry, including the:

- passenger and freight operators that keep essential rail services moving;
- track owners, managers, and contractors that deliver a safe and efficient rail infrastructure network; and
- suppliers, manufacturers, and consultants that drive innovation, productivity, and efficiency in the rail industry.

Our members are driven to support vibrant, sustainable and connected communities through greater use of rail across Australia and New Zealand. We bring together industry and government to help achieve this ambition.

Our advocacy is informed by an extensive research program to ensure we offer solutions that are grounded in evidence and focused on delivering tangible value in our daily lives.

The rail industry has a crucial role to play in the region's sustainable development and growth and offers meaningful and rewarding careers for tens of thousands of people in the regions.

Our significant program of work is focused on supporting a strong advocacy agenda, and creating opportunities for the rail industry to network, collaborate and share information, and maximise the benefits we have to offer the wider community.

The ARA thanks the Australian Communications and Media Authority for the opportunity to make this submission, which has been developed in consultation with ARA member organisations.

Any questions regarding this submission should be directed to Joanne Wilson-Ridley, Executive Officer – Projects & Membership via [JWilsonridley@ara.net.au](mailto:JWilsonridley@ara.net.au)

## Australia's Rail Industry

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Rail is a significant industry in Australia, creating economic activity through its operations and capital investments. It is an industry with activities across every major metropolitan and regional area and is supported by the full spectrum of skills in the Australian workforce.

In 2024, the rail industry contributed around \$39 billion to the Australian economy and employed more than 196,000 workers (directly and indirectly in full-time equivalent terms, FTE). There is currently \$162 billion of investment in rail civil construction and maintenance projects forecast over the next 10 years.

## Railway response

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The ARA welcomes the opportunity to provide the following information to the ACMA's consultation – *Expiring spectrum licences, stage 4 Proposed application and decision-making process*.

The ARA note the ACMA outlines matters they must have regard to when deciding whether to renew a licence, specifically that *The Radiocommunications Act 1992* (the Act) requires that ACMA must consider any relevant ministerial policy statements when performing its spectrum management functions or exercising its spectrum management powers under the Act (Section 28C).

In this regard, the ARA wishes to highlight recent Ministerial announcements and legislative changes that have occurred in rail and rail safety since the ARA lodged a submission for the ESL Stage 3 Preliminary views on 25 June 2025.

- In August 2025, Australia's Infrastructure and Transport Ministers made a historic decision agreeing to ETCS as the digital signalling pathway across the National Network of Interoperability (NNI). This is a single national approach to digital signalling that will provide the rail industry with much-needed certainty, improve efficiency, lower costs and strengthen safety across the network. In 2026 and beyond, the National Transport Commission (NTC) is leading a group of jurisdictional policy and technical experts to progress a high-level integrated work plan to progress key deliverables supporting the national approach, including working with jurisdictions on a cost-sharing framework to support the deployment of interoperable technology.
- In 2025 Transport and Infrastructure Ministers endorsed a major change to Australia's rail governance framework, setting the foundations for a more consistent, interoperable national network. The new approach shifts standards in rail from network-specific priorities to a coordinated national strategy. The Australian Rail Industry Standards Organisation (ARISO) will lead the development of harmonised industry standards that support national productivity, while the NTC will deliver a small number of critical mandatory standards for ministerial approval. The first two mandatory standards are for digital train control and driver interface and will secure interoperability across the NNI, enabling safer more seamless movement of freight and passengers into the future. These reforms align national approaches to rail technology, infrastructure, skills and training.
- In 2025 there was an amendment to the Rail Safety National Law (RSNL) regulations requiring rail transport operators on the NNI to include an Interoperability Management Plan within their Safety Management System. This requires operators to identify and assess all national interoperability considerations before making network changes, signalling a deliberate shift from network-specific decision-making toward a more integrated national perspective. The amendment took effect on 1 November, with operators required to comply by 28 February 2026.

- The amendment to RSNL marks the first step in governments' commitment to strengthening interoperability across Australia's major rail networks. Further changes to the RSNL will be explored in 2026, to build even stronger interoperability requirements. This will be done through the RSNL Consultation Regulatory Impact Statement (C-RIS) which was released in February 2026 and closes for consultation on 4 May 2026.

The ARA outlined in the ARA submission to Stage 3 Preliminary Views (page 15 – 16), the importance of national alignment to communication systems and spectrum, however with the above Ministerial announcements and legislative changes, for rail operators this becomes the *requirement* of national alignment. The ACMA outlines its process for licencing application stating, “renewal decisions will be made on a licence-by-licence basis, with each application considered on its own merits.” (page 8).

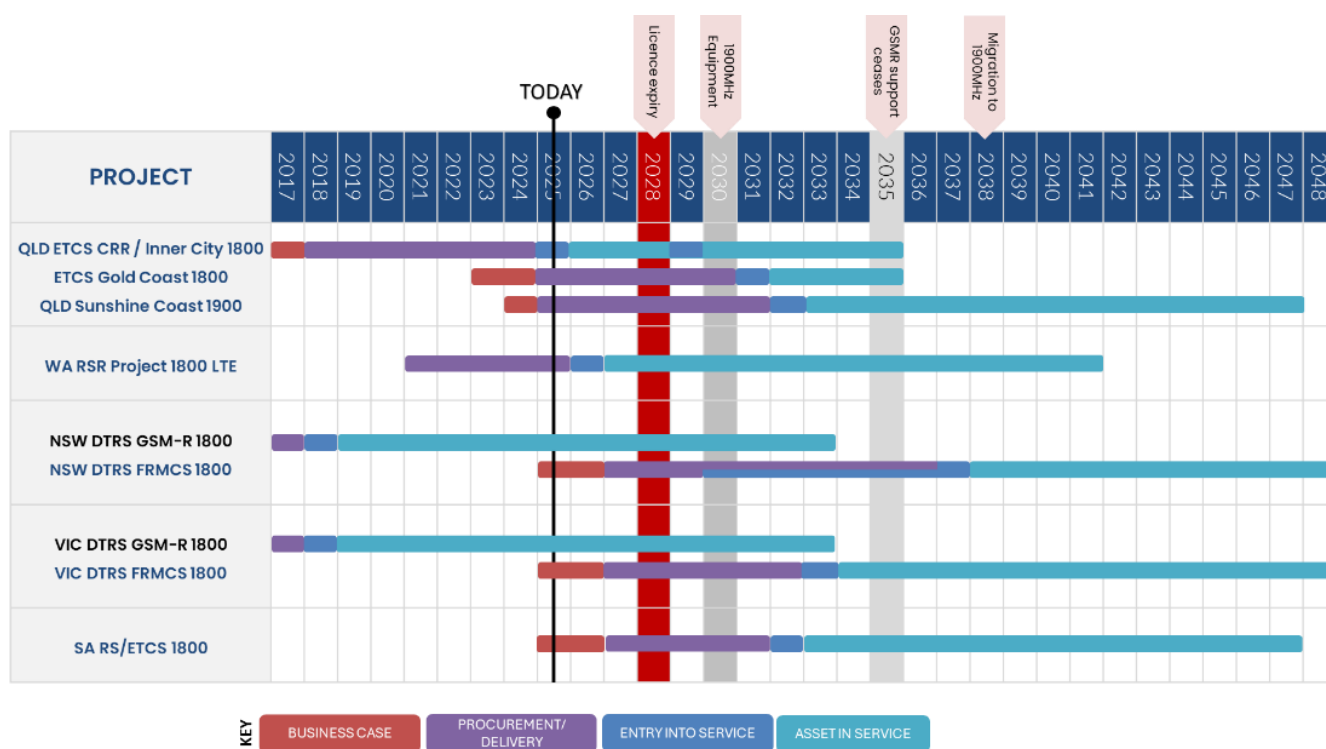
The ARA is seeking clarification on how the ACMA proposes to comply with new national interoperability requirements, noting the current process is for the ACMA to review and approve rail licensee applications on a case-by-case basis.

Uncoordinated transition to digital technologies in rail, specifically digital train control and signalling systems, has been identified as a critical risk that could re-introduce a 'digital break of gauge'. All the ministerial decisions, legislative changes and work-plans for National Rail Action Plan (NRAP) are for supporting national interoperability. The ACMA's approach to renewal decisions has not outlined how it will deal with the national interoperability requirements and support alignment of national approaches to communication systems and spectrum.

In addition, the ACMA outlines renewal decisions will consider the long-term public interest derived from the use of spectrum. The ARA outlined in our Stage 3 Preliminary Views the long-term public interest of rail's use of 1800 spectrum, including supporting current state rail-safety infrastructure investments and \$2.3 billion in public investment committed over the next 5-10 years to projects using the 1800 MHz spectrum in rail.

The ARA submission demonstrated an early forced transition of the rail industry to use 1900 MHz would impose substantial financial burden with early replacement of assets in 5-10 years resulting in stranded equipment value of between \$500 million - \$1 billion. An assumption about an early transition to 1900 MHz band in next 8-10 years also presumes that funding will be secured at either the federal or state level for the necessary works to enact this change, however with no monetised benefit associated with this change there is no guarantee of funding being approved.

Key rail radio system projects across Australian jurisdictions as at June 2025 is outlined in Figure 1.



**Figure 1: Key radio system projects for rail across Australian jurisdictions at June 2025.**

The ARA’s members have indicated they welcome the procedural clarity provided by the proposed application and decision-making framework. However, members noted the process appears primarily designed around commercial network operators, with limited tailoring for rail, a critical infrastructure user. The framework places the onus on licence holders to justify continued access even where spectrum underpins safety-critical public infrastructure.

Some questions raised by members included:

1. How will ACMA assess efficiency for rail systems that prioritise coverage, redundancy and safety over throughput?
2. How will ACMA weigh public interest outcomes against theoretical alternative commercial uses?
3. Is there scope for a streamlined renewal pathway for government-owned, non-competitive spectrum holdings?

Regarding specific questions in the paper the ARA provides the below responses.

**Question 1: Do you foresee any practical reasons that would prevent you from providing information that is accurate as of a date closer to when the application is made? (For example, accurate as of 30 days prior to when the application is made.)**

The ARA notes that members have indicated they can supply current site information without issue, but future sites are a different matter. Some rail operators will not be able to commit to exact future base-station locations by June 2028, as future site selection may not be locked down. Rail operators may deploy new sites or modify existing site configurations in response to operational needs that arise and are not planned well in advance. Such changes are expected to be minimal within the three-year period.

**Question 2: Do you foresee any practical issues that would prevent you from providing the proposed documents about existing and planned sites and coverage in the required format to the ACMA as part of a renewal application? (Coverage information for NBN Co and MNO applicants only)**

The ARA has no comment – this does not apply to transport.

**Question 3: Do you foresee any practical issues that would prevent you from providing the proposed documents about third-party authorisations in the required format to the ACMA as part of a renewal application? (NBN Co and MNO applicants only)**

The ARA has no comment – this does not apply to transport.

**Question 4: Do you foresee any practical issues that would prevent you from paying the spectrum access charge in full within the proposed timeframes?**

The ARA notes, as expressed in previous consultation, advice that public-sector entities providing and supporting safety critical rail communications operate under legislated financial controls and approval processes. As a result, state government entities anticipate potential challenges in paying spectrum access charges in full within the proposed timeframes.

Accordingly, the following alternative arrangements are proposed for the ACMA's consideration:

- An option to pay the associated costs progressively over the licence term.
- An option to defer payment until prior to the expiry of the current licence term (June 2028).