

Submission by Free TV Australia

**Government's response to the
Independent Review into the Security
of Critical Infrastructure Act 2018
(SOCI Act)**

March 2026 Consultation papers

Department of Home Affairs



- 1. EXECUTIVE SUMMARY 3**
- 1.1 Broadcasting infrastructure and social cohesion 3**
- 1.2 The economics of regional and remote broadcasting are under acute pressure. 3**
- 1.3 The SOCI Act's protections do not extend to State and Territory planning processes — a critical gap. 3**
- 1.4 Free TV's submission supports a SOCI Act reform process that: 4**
- 2. INTRODUCTION 4**
- 2.1 About Free TV 4**
- 3. DISCUSSION 5**
- 3.1 Television makes a critical contribution to social cohesion 5**
- 3.2 The cost of broadcasting infrastructure in regional areas is becoming unsustainable 7**
- 3.3 A social cohesion approach to national resilience would require fresh approaches to critical broadcasting infrastructure 9**
- 3.4 The current disconnection between the SOCI Act scheme and land and environmental planning law 9**

1. EXECUTIVE SUMMARY

- Free TV Australia appreciates the opportunity to provide comments on the Government's response to the Independent Review into the *Security of Critical Infrastructure Act 2018* (SOCI Act).

1.1 Broadcasting infrastructure and social cohesion

- The Independent Review highlights the UK's treatment of **social cohesion** as equally critical to national security as physical infrastructure. This framing is directly applicable to Australian free-to-air (FTA) broadcasting.
- FTA television is a cornerstone of social cohesion: it is the **most-used source of news** for Australian adults, and uniquely trusted, universally accessible, and free at the point of use - qualities that online substitutes cannot replicate.
- The populations most dependent on FTA broadcasting — older, lower-income, regionally located, and less digitally included Australians — are among those vulnerable to disruptions in social cohesion, including caused by misinformation distributed online. Digital inclusion policy must recognise broadcast TV, not just broadband and mobile telephone coverage, as an essential component of connectivity.

1.2 The economics of regional and remote broadcasting are under acute pressure.

- Commercial TV transmission infrastructure is entirely advertiser-funded, yet regional and remote markets generate per capita advertising revenue only **57% of metropolitan levels**, while requiring dramatically more transmission sites per capita (on average 33× more for the ten smallest commercial broadcasting markets).
- Closures such as the Network Ten's Mildura affiliate are early signs of a broader commercial sustainability crisis for regional commercial TV.
- A SOCI Act framework focused solely on risk management obligations for infrastructure owners is **inadequate** to address this structural challenge. Government support for transmission in marginal areas — analogous to existing mobile coverage subsidies — warrants serious consideration.

1.3 The SOCI Act's protections do not extend to State and Territory planning processes – a critical gap.

- Critical infrastructure assets identified under the SOCI Act attract significant regulatory obligations but confer **no corresponding rights** in State or local planning decisions. Likewise, Commonwealth broadcasting and radiocommunications licences provide no safeguard against planning decisions that could render them worthless.
- The proposed rezoning of land adjacent to TXA Australia's Artarmon broadcasting tower — a site serving millions of Australians — illustrates this problem.
- Free TV calls on the Government to ensure that critical infrastructure status is a mandatory consideration in State and local planning processes affecting broadcasting assets, without necessarily preventing land use changes.

1.4 Free TV's submission supports a SOCI Act reform process that:

- Adopts a social cohesion lens alongside technical resilience in defining and protecting critical broadcasting infrastructure;
- Addresses the structural sustainability of regional and remote commercial TV transmission as a national resilience concern; and
- Closes the planning law gap between Commonwealth critical infrastructure protections and State/Territory land use decision-making.

2. INTRODUCTION

Free TV Australia appreciates the opportunity to provide these comments on Dr Slay's review of the operation of the SOCI Act, of relevance to critical infrastructure relied on and operated by or on behalf of our members, who are television broadcasters.

2.1 About Free TV

Free TV Australia is the peak industry body for Australia's commercial television broadcasters. We advance the interests of our members in national policy debates, position the industry for the future in technology and innovation and highlight the important contribution commercial FTA television makes to Australia's culture and economy. We proudly represent all of Australia's commercial free-to-air television broadcasters in metropolitan, regional and remote licence areas.



Free TV brings Australians together, supporting Australian culture and democracy. The commercial television industry creates these benefits by delivering content across a wide range of genres, including news and current affairs, sport, entertainment, lifestyle and Australian drama. At no cost to the public, our members provide a wide array of channels across a range of genres, as well as rich online and mobile offerings.

Commercial television networks:

- Reach 19.3 million Australians every week, including 11.4 million who watch trusted news every week, and 9.5 million who watch live and free sport each week
- Provide 25,285 hours of Australian content a year
- Spend more than \$1.625 billion on Australian content every year, dedicating over 88% of their content expenditure to local programming
- Spend more than \$400 million a year on trusted news, including on 390 local news bulletins every week across the country (plus updates and community service announcements)

A report released in September 2022 by Deloitte Access Economics, *Everybody Gets It: Revaluing the economic and social benefits of commercial television in Australia*, highlighted that in 2021, the commercial TV industry supported over 16,000 full-time equivalent jobs and contributed a total of \$2.5

billion into the local economy. Further, advertising on commercial TV contributed \$161 billion in brand value. Commercial television reaches an audience of 16 million Australians in an average week, with viewers watching around 3 hours per day.

The commercial television industry creates these benefits by delivering content across a wide range of genres, including news and current affairs, sport, entertainment, lifestyle and Australian drama. At no cost to the public, our members provide a wide array of channels across a range of genres, as well as rich online and mobile offerings.

A strong commercial broadcasting industry delivers important public policy outcomes for all Australians and is key to a healthy local production ecosystem. This in turn sustains Australian storytelling and local voices and is critical to maintaining and developing our national identity.

3. DISCUSSION

3.1 Television makes a critical contribution to social cohesion

Dr Slay's Independent Review notes the UK's treatment of 'social cohesion' as having the same relevance to national security as physical infrastructure itself. Her treatment of the UK approach, at page 29 of the Report, is worth quoting in full:

UK's social cohesion approach to critical infrastructure: The UK has evolved beyond purely technical infrastructure protection to explicitly recognise social cohesion as equally critical to national security as physical infrastructure itself. Social cohesion is now identified as a 'centre of gravity'; that, if disrupted, significantly weakens national resilience. The key elements of their framework include:

- **interconnected vulnerability** recognising that infrastructure failures disproportionately affect marginalised communities, and that disruption to critical infrastructure can cascade into erosion of social cohesion (e.g. energy grid failures affecting population centres)
- **hybrid threat recognition** and being aware that adversaries deliberately target social cohesion through disinformation, cyber-attacks, as well as sabotage of physical infrastructure. Protecting infrastructure without protecting social cohesion leaves exploitable vulnerabilities
- **whole-of-society resilience** means that infrastructure must be 'socially responsive', not just technically robust, with explicit focus on supporting vulnerable populations during crises and addressing inequitable impacts such as energy poverty and infrastructure inequality in low-income areas.

A major UK initiative was the Building Resilient Communities Report (2024) which identifies social cohesion as the foundation of resilience, calling for it to be prioritised as national policy and embedded in infrastructure planning. While conceptually sophisticated, this social cohesion perspective exists primarily at strategic/policy level rather than embedded in specific cyber security and CNI protection legislation, which remain technically focused. However, this holistic approach places the UK ahead of other nations (Australia, EU, Singapore, Canada) whose frameworks focus on technical and physical resilience without explicit social cohesion integration.

The UK is also seeing public discussion of whether it is practical or desirable for the broadcast TV platform to be switched off in the coming decade, with the TV audience potentially migrated to the Internet. The ensuing public debate has focussed greater attention on the shortcomings of online television as a substitute for broadcast television, either now or in the foreseeable future. These include:

- Issues around reliability and redundancy of communications
- Issues around affordability of broadband connectivity
- Intractable digital and connectivity literacy issues affecting certain demographics.

Drawing on extensive community research, a 2025 UK report¹ from the Digital Poverty Alliance found as follows:

- **Terrestrial TV is uniquely positioned to provide universally accessible, reliable, and trustworthy content:** Reaching over 98% of households in the UK, our research shows that over half (61%) of individuals in the UK find terrestrial TV easier to navigate than streaming services, underscoring its role as an accessible and reliable source of information for all. It has earned public trust for its regulation and commitment to delivering accurate, impartial content, with 96% of those who access its news trusting the information it provides.
- **The digital divide, exacerbated by digital poverty, makes terrestrial TV a critical safety net for millions of UK households:** 70% of the British public feel reassured knowing that terrestrial TV is available as a fallback option, especially in times of crisis or when they cannot rely on more complex digital solutions. This is crucially echoed by 57% of people who indicate they don't currently watch terrestrial TV, highlighting its universal appeal and role as a safety net, offering peace of mind across diverse groups.
- **Terrestrial TV fosters and builds community bonds through a simple, universal method in a way that cannot be replicated by online platforms:** 84% say that terrestrial TV is important for bringing the UK together; terrestrial TV fosters community cohesion by offering a universally accessible service that connects people, particularly through national events (e.g., the Royal Wedding, major sporting events) and local news.
- **Without intervention, the loss of terrestrial TV would lead to increased social isolation, loneliness, and a diminished sense of belonging:** Our research shows that 75% of individuals agree that terrestrial TV helps reduce loneliness and isolation, particularly for vulnerable groups. Notably, 87% of individuals aged 65+ value terrestrial TV for its role in keeping them connected, showcasing its importance for older generations and those at risk of social exclusion.
- **Cost-effective television is vital for communities – which terrestrial TV provides:** At the point of consumption, terrestrial TV is free to watch – something that is critical for inclusion. 70% of respondents state that having access to affordable television is either extremely or very important to their day-to-day lives, and of those who use terrestrial TV, 57% highlight that terrestrial TV has the advantage of being cost-effective over other forms of watching TV.

The UK's social cohesion approach to critical infrastructure invites us to consider the vital wider roles free-to-air national and commercial broadcasters in this country continue to play as trusted sources of news and other information, curated by and accountable to Australian decision-makers.

Free, universally available and locally accountable news and current affairs programs that audiences can trust are more important than ever. As governments around the world grapple to counter mis- and disinformation, address the risks of deep fakes, and deal with how to increase news and media literacy, they must also look at ways to ensure accountable news services remain sustainable and easy for audiences to discover. Australia's television broadcasters remain a trusted source of news and information. Unlike social media, Australia's national and commercial broadcasters are consistently

¹ Safeguarding Britain's Social Resilience: The Critical Role of Terrestrial Television, Digital Poverty Alliance, 2025, at page 12. Document found [here](#).

ranked at the top of trusted sources of information and are accountable to Australians and to Australian authorities.

With respect to commercial broadcasters alone, a February 2024 report from the Australian Communications and Media Authority (ACMA), [Communications and Media in Australia: How we access news](#) highlighted the enduring importance of news from commercial free-to-air television networks. The research found that free-to-air television remains the most common main source of news, used by a quarter of Australian adults (26%—stable compared to 2022), followed by online news websites or apps (23%).

Further recent research on news consumption patterns is found in the 2023 [Television and Media survey summary report](#) from the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (DITRDCA), released in April 2024. Among other things, the report’s detailed examination of news consumption patterns showed:

- Commercial free-to-air is commonly used to access State or Territory news and Australian national news
- Australian national news is the news content type that is most consumed
- The factors most commonly indicated as important when choosing news were that it was from a trusted source, recent, and professionally produced, while news shared widely online was seen as of low importance
- Commercial free-to air is the most commonly reported source of news (58%).

In Australia, policy discussion around ‘digital inclusion’ has for too long focused exclusively on improving access to Internet-delivered services. For the foreseeable future, ubiquitous access to free-to-air broadcast TV will also remain essential, especially for those who are:

- economically disadvantaged
- older
- living with a disability; or
- living in a regional or remote area.

Social cohesion is foundational to national resilience. Free-to-air broadcasting — radio as well as TV — is a cornerstone of social cohesion, especially in crises. The populations most dependent on free-to-air broadcasting are precisely those most vulnerable — older, lower-income, less digitally included Australians, for whom access to television narrows rather than widens information inequality and mitigates risks stemming from the so-called ‘digital divide’.

3.2 The cost of broadcasting infrastructure in regional areas is becoming unsustainable

Australia’s digital TV transmission network was designed to offer free and ubiquitous access via terrestrial or satellite transmissions to the program offerings of two national and three commercial TV networks, for the cost of a TV set and an external antenna or satellite dish. There is no other connectivity cost, other than electricity.

Since the completion of TV digitisation, changing TV viewing habits have reduced the revenue *per capita* from digital terrestrial TV. Consumption of streamed Subscription Video On Demand (SVOD) and Advertising-supported Video on Demand (AVOD) services has grown at the expense of TV’s overall audience and advertising revenue. TV viewing via network BVOD Apps has also grown at the expense of viewing via digital television broadcasting. While data from OzTAM shows the decline in TV’s aggregate

audience has halted, the two trends in combination are continuing to reduce the revenue per capita available for commercial TV transmission, which is entirely advertiser-funded, while the economics of TV transmission mean commercial broadcasters bear significant fixed costs.

Although the viability of terrestrial transmission is not under threat in high population density areas, the *per capita* costs of transmission are much greater for regional broadcasters and most onerous for remote broadcasters, requiring many towers to service small populations. (The following illustration, compiled by Free TV based on ACMA data, excludes the smallest (satellite-fed) terrestrial TV markets, but includes the 92 ‘blackspot’ sites operated by Regional Broadcasting Australia Holdings (RBA-H), a consortium of regional commercial TV broadcasters.)

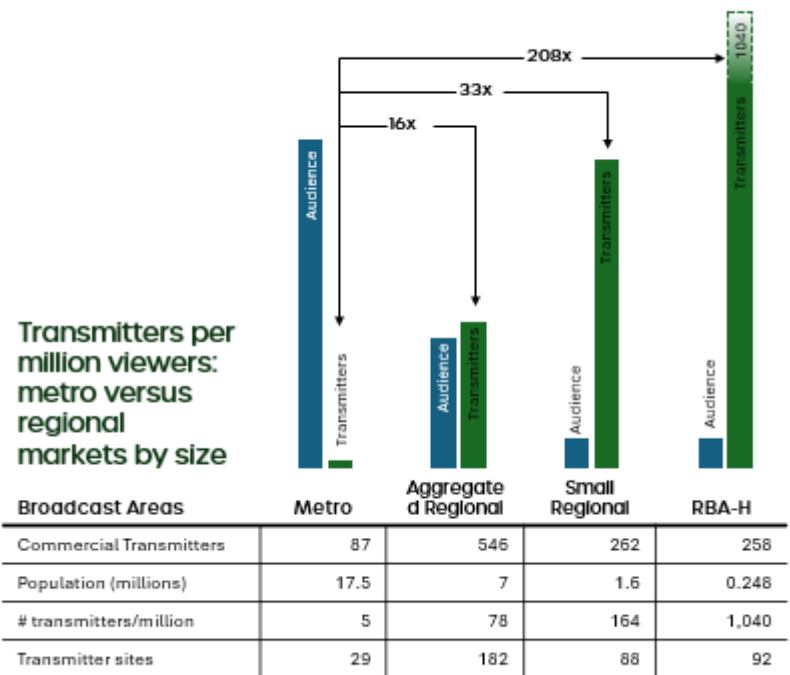


Figure comparing the ratio of transmitter sites to population served for metropolitan, large regional and smaller regional TV markets

Compounding the problem, *per capita* advertising revenue in regional areas is only 57% of the figure for metropolitan markets². The 2024 decision by Seven West Media and WIN Television to close the Network Ten regional affiliate station in Mildura was a sign of the mounting pressure on commercial TV transmissions that are at the margins of commercial sustainability. The closure has seen Network Ten services, including 10, 10 Peach and 10 Bold, lost to Mildura residents without sufficiently fast broadband plans and devices able to run 10 Streaming.

As the *per capita* advertising revenue they generate continues to decline, the commercial TV transmission sites most at risk include:

² Source: KPMG data for 2024.

- the 28 terrestrial re-transmission sites operated by the two Remote Central and Eastern Australian ('RC&EA') commercial licences, Imparja Television and Seven.
- the 49 terrestrial re-transmission sites provided in Regional and Remote Western Australia, where the local commercial broadcasters are Seven West Media and WIN Television
- Potentially, some of the 92 infill transmitters around the country provided by RBA-H, with financial contributions from ABC and SBS. RBAH infill sites serve communities with a total population of around 200,000 people.
- Network Ten affiliates in other small (one and two controller) commercial TV licence areas.

3.3 A social cohesion approach to national resilience would require fresh approaches to critical broadcasting infrastructure

To safeguard ongoing access to ubiquitous TV broadcasting, an approach focused exclusively on better risk management by the largest owners of broadcasting infrastructure is clearly inadequate.

What is required is a roadmap for a sustainable and competitive commercial TV industry into the next decade and beyond, with careful thought given to sustainability and the need for other forms of assistance as audience eyeballs and advertising revenue continue to shift online. In principle, assistance with the costs of transmission in marginal areas is no different from the assistance already provided to expand mobile telecommunications coverage into sites that wouldn't otherwise be commercially sustainable.

Government has recognized the need for a broader conversation around longer-term TV reforms, with then Communications Minister Rowland stating in 2024 that the acceleration of declining revenues, and the pressure the sector is facing, made considerations around the future of television broadcasting pressing³. She foreshadowed the Albanese Government would work closely with industry on a plan to secure the future of free-to-air television, to position it to continue to inform, educate and entertain Australians. As of today, the sector is still awaiting the foreshadowed discussion paper. The process, which Free TV supports, is also expected to examine options for the more efficient use of spectrum and infrastructure for television, which enables potential reallocation of spectrum to other uses.

The status of broadcasting transmitters as critical infrastructure, and their contribution to digital inclusion, suggests the narrow objectives of the SOCI Act, and the wider objective of fostering national resilience by strengthening social cohesion, should be central concerns of the review. Rather than expanding SOCI-style regulation, a holistic policy view is needed of how best to sustain critical communications infrastructure in regional areas.

3.4 The current disconnection between the SOCI Act scheme and land and environmental planning law

³ From a speech by Minister for Communications, Michelle Rowland, to the ACMA's October 2024 RadComms conference, found [here](#).

In the attached February 2026 submission to the Department of Home Affairs, Free TV put the case that the SOCI Act identifies assets ‘essential to national security’ but critical infrastructure status is not a mandated consideration in State/local planning decisions. Similarly, broadcasting/radiocommunications licences from the Federal regulator, the Australian Communications and Media Authority, provide no protection against State planning decisions that could render them worthless.

The submission used the example of recent moves by the NSW Government to rezone land adjacent to TXA Australia’s Artarmon broadcasting tower to illustrate a particularly troubling scenario: Commonwealth critical infrastructure protections impose significant regulatory obligations on private operators, yet confer no corresponding rights or protections within State planning processes. Similarly, possession of broadcasting service or radiocommunications transmitter licences from the Federal regulator provides no safeguard against State or local planning decisions that could render those licences worthless.

For the reasons outlined in Free TV’s previous submission, the Government should consider mechanisms to harmonise Commonwealth critical infrastructure protections with State/local planning processes—not to prevent land use changes, but to ensure critical infrastructure status becomes a mandatory consideration in planning decisions that would otherwise impose unreasonable expense on critical infrastructure providers and put at risk the availability of TV and radio services to audiences.