

EXPLANATORY STATEMENT

Issued by the authority of the Australian Communications and Media Authority

Telecommunications Act 1997

Telecommunications Numbering Plan Variation 2007 (No.5)

STATUTORY BASIS

Subsection 455(1) of the *Telecommunications Act 1997* (the Act) provides that the Australian Communications and Media Authority (ACMA) must, by written instrument, make a plan for the numbering of carriage services in Australia and the use of numbers in connection with the supply of such services. This is the *Telecommunications Numbering Plan 1997* (the Plan).

Purpose of variation

The purpose of this variation is to:

1. Specify additional geographic numbers likely to be required in 38 different areas around Australia within the next 10 years; and
2. limit the allocation of numbers from the new prefixes until numbers associated with an existing prefix are utilised.

BACKGROUND

Access to numbers is a prerequisite for access to telecommunications networks and services. There must therefore be an adequate supply of numbers available for allocation in a way that enables telecommunications companies to compete on equal terms and to ensure telephone users have access to the services they require.

Local services are an area in which competition and provision of new service types has generated substantial demand for numbers. Local services are delivered on geographic numbers, identified by a two-digit area code followed by an eight-digit telephone number (for example, (03) 9963 6800). These numbers are used to provide telephone users with an individually identifiable local telephone service. Geographic numbers are the most commonly allocated numbers, with examples of services provided on these numbers including fixed-line telecommunications, access to the internet and voicemail.

Since mid-2004 the use of Voice over Internet Protocol (VoIP) technology to provide local services has significantly impacted on geographic numbers. This technology has enabled a large number of new carriage service providers (CSPs) to enter the marketplace and consequently generated an increased demand for numbers. As a result there have been five variations to the Plan since mid-2004 specifying 31 new prefixes. The variations were initiated each time an area was identified as likely to run out of prefixes in approximately 12 months time.

Numbers in an area are currently supplemented on an 'as needs basis' but this method is time consuming and does not provide information about ACMA's short to medium term plans for supplementing other geographic numbers. The current system is also inefficient as it will potentially give rise to two or three variations to the Plan per annum for the next ten years.

The new approach specifies all the new prefixes likely to be required in a single variation to the Plan. Based on current predictions, an additional 34 new prefixes will need to be specified for use during the next ten years. To improve the efficiency with which these new prefixes are managed,

the variation will also include a trigger that will only make the new prefixes available when there are no existing numbers available to meet an applicant's request. For example, an applicant's request for a contiguous 1,000 number block will only be met from a new prefix when contiguous 1,000 number blocks are no longer available in an existing prefix.

The 38 areas predicted to run out during the next ten years, and the existing and proposed prefixes, are as follow:

AREA	EXISTING PREFIX	NEW PREFIX
<i>(02) Central East Region</i>		
Gosford	(02) 43	(02) 33
Bowral, Crookwell, Goulburn, Marulan	(02) 48	(02) 38
Newcastle	(02) 40, 49	(02) 41
Albury, Corryong	(02) 60	(02) 50
Canberra	(02) 61, 62	(02) 51, 52
Liverpool, West sector	(02) 81, 87, 97	(02) 77
South/South East sector	(02) 83, 93	(02) 73
Avalon Beach, Dural, Terry Hills, Sydney North sector	(02) 84, 89, 94, 99	(02) 74
Engadine, Sutherland, Sydney South West sector	(02) 85, 95	(02) 75
Blacktown, Parramatta, Sydney North West sector	(02) 86, 88, 98	(02) 78
<i>(03) South East Region</i>		
Deniliquin, Numurkah, Shepparton	(03) 58	(03) 48
Mornington, Warragul	(03) 59	(03) 49
Burnie, Devonport, King Island, Queenstown, Smithton	(03) 64	(03) 65
Melbourne	(03) 90, 92, 99	(03) 70
Clayton, Melbourne South East sector	(03) 85, 95	(03) 75
Sunbury, Werribee	(03) 80, 87, 97	(03) 77
Kalkallo, Whittlesea	(03) 81, 87, 97	(03) 71
Croydon	(03) 82, 87, 97	(03) 72
Ringwood, Melbourne East sector	(03) 88, 98	(03) 78
Dandenong	(03) 87, 89, 97	(03) 79
<i>(07) North East Region</i>		
Brisbane City Centre sector	(07) 30, 322, 332, 382, 323, 333, 383	(07) 22
Brisbane South East sector	(07) 30, 34, 324, 334, 384	(07) 24
Brisbane	(07) 31, 321, 331, 381	(07) 21
Charleville, Dalby, Dirranbandi, Goondiwindi, Inglewood, Longreach, Miles, Roma, Stanthorpe, Toowoomba, Warwick	(07) 45, 46	(07) 76
Cleveland, Beenleigh, Ipswich, Samford, Redcliffe	(07) 30, 34, 328, 338, 388, 320, 330, 380	(07) 28
Caboolture, Esk, Gatton, Gympie, Nambour	(07) 53, 54	(07) 52
Beaudesert	(07) 55, 56	(07) 57

(08) Central and West Region		
Christmas Island, Cocos (Keeling) Island, Derby, Great Sandy, Port Headland	(08) 91	(08) 51
Perth North/North West sector	(08) 620, 624, 630, 634, 640, 644, 920, 924, 934, 944, 930, 940	(08) 520, 530, 540
Wanneroo	(08) 620, 630, 640, 920, 930, 940	(08) 520, 530, 540
Perth City & South West sector, Fremantle	(08) 621, 622, 623, 631, 632, 633, 641, 642, 643, 921, 922, 923, 931, 932, 933, 941, 942, 943	(08) 521, 522, 523, 611, 612, 613, 531, 532, 533, 541, 542, 543.
Perth North East sector	(08) 627, 637, 647, 927, 937, 947	(08) 527, 537, 547
Herne Hill, Kalamunda, Armadale, Spearwood, Rottne Island	(08) 619, 629, 639, 649, 659, 929, 939, 949	(08) 529, 539, 549
Pinjarra	(08) 95, 97	(08) 67
Bridgetown, Bunbury, Busselton	(08) 97	(08) 67
Bordertown, Mount Gambier, Naracoorte	(08) 87	(08) 77
Gawler	(08) 75, 85, 88	(08) 78
Balaklava, Burra, Clare, Kadina, Maitland, Port Lincoln, Yorketown	(08) 88	(08) 78

PUBLIC CONSULTATION

Section 460 of the Act specifies that public consultation must be undertaken where a variation to the Plan will affect a number issued to a customer or if it is otherwise considered in the public interest to consult. Consequently, the draft proposal was advertised for public comment and comment was also sought from the Numbering Advisory Committee (NAC) ¹.

ACMA received three submissions from interested members of the public. All three submissions focussed on the need to increase geographical significance in numbering allocations.

Two of the three submissions expressed overall support for the proposed variation, with some suggested minor alterations to prefix allocations in certain areas. These comments were taken into account by ACMA and the variation modified as a result. The third submission did not address the proposed variation and instead proposed replacing the existing approach to managing numbers (as administered by the Plan) with a model first proposed to AUSTEL in 1997. This approach would be unsuitable on the basis that it is inflexible and does not reflect the growing number of consumers solely relying on non-location specific telephone services such as mobile phones and VoIP.

Section 17 of the *Legislative Instruments Act 2003* states that a rule-maker must ensure that any person likely to be affected by the variation – where that variation is likely to have a direct, or substantially indirect, effect on business, or restrict competition – must be provided with adequate opportunity to comment. The broader public consultation conducted under section 460 of the Act and the targeted consultation with NAC members is believed to meet this requirement.

As required by section 461 of the Act, ACMA also consulted with the Australian Competition and Consumer Commission (ACCC) before varying the Plan. The ACCC indicated that it has no comments on the proposed variation.

¹ NAC membership is drawn from the telecommunications industry, business and consumer groups, customer equipment suppliers and government agencies.

A Regulation Impact Statement (RIS) was not prepared for this variation as the variation has only a low or no impact on businesses and consumers.

DETAILS OF VARIATION

Section 1 provides that the variation may be cited as the *Telecommunications Numbering Plan Variation 2007 (No. 5)*.

Section 2 provides that the Variation takes effect on the date after it is registered.

Section 3 specifies that the *Telecommunications Numbering Plan 1997* is amended as set out in the first schedule.

Schedule 1 Variations

Item 1 sets out a change to section 6.25 of the Plan. The change inserts a further subsection 6.25(3) after the existing subsection 6.25(2). The new subsection places an obligation on ACMA to limit the allocation of numbers from new prefixes listed in Schedules 2 or 3 of the Plan until numbers already contained in Schedules 2 or 3 are utilised. The only exception to this obligation is the circumstance where there are not enough existing numbers available to meet an applicant's request, in which case ACMA is permitted to make new prefixes listed in Schedules 2 or 3 available to that applicant.

Item 2 sets out a change to Schedule 2 of the Plan. The change inserts the new prefixes (02) 33 and (02) 38 before the existing prefix (02) 40. Blocks of numbers commencing with (02) 33 and (02) 38 will be available, pursuant to the new subsection 6.25(3), for allocation to carriage service providers for the continued growth of telephone services in areas currently using the prefixes (02) 43 and (02) 48 respectively.

Item 3 sets out a change to Schedule 2 of the Plan. The change inserts the new prefix (02) 41 after the existing prefix (02) 40. Blocks of numbers commencing with (02) 41 will be available, pursuant to the new subsection 6.25(3), for allocation to carriage service providers for the continued growth of telephone services in areas currently using the prefixes (02) 40 and (02) 49.

Item 4 sets out a change to Schedule 2 of the Plan. The change inserts the new prefixes (02) 50, (02) 51 and (02) 52 after the existing prefix (02) 49. Blocks of numbers commencing with (02) 50, (02) 51 and (02) 52 will be available, pursuant to the new subsection 6.25(3), for allocation to carriage service providers for the continued growth of telephone services in areas currently using the prefixes (02) 60, (02) 61 and (02) 62 respectively.

Item 5 sets out a change to Schedule 2 of the Plan. The change inserts the new prefix (02) 7 after the existing prefix (02) 69. Blocks of numbers commencing with (02) 7 will be available, pursuant to the new subsection 6.25(3), for allocation to carriage service providers for the continued growth of telephone services in areas currently using the prefixes (02) 8 and (02) 9.

Item 6 sets out a change to Schedule 2 of the Plan. The change inserts the new prefixes (03) 48 and (03) 49 after the existing prefix (03) 47. Blocks of numbers commencing with (03) 48 and (03) 49 will be available, pursuant to the new subsection 6.25(3), for allocation to carriage service providers for the continued growth of telephone services in areas currently using the prefixes (03) 58 and (03) 59 respectively.

Item 7 sets out a change to Schedule 2 of the Plan. The change inserts the new prefix (03) 65 after the existing prefix (03) 64. Blocks of numbers commencing with (03) 65 will be available, pursuant to the new subsection 6.25(3), for allocation to carriage service providers for the continued growth of telephone services in areas currently using the prefix (03) 64.

Item 8 sets out a change to Schedule 2 of the Plan. The change inserts the new prefix (07) 2 before the existing prefix (07) 3. Blocks of numbers commencing with (07) 2 will be available, pursuant to the new subsection 6.25(3), for allocation to carriage service providers for the continued growth of telephone services in areas currently using the prefix (07) 3.

Item 9 sets out a change to Schedule 2 of the Plan. The change inserts the new prefix (07) 52 after the existing prefix (07) 49. Blocks of numbers commencing with (07) 52 will be available, pursuant to the new subsection 6.25(3), for allocation to carriage service providers for the continued growth of telephone services in areas currently using the prefixes (07) 53 and (07) 54.

Item 10 sets out a change to Schedule 2 of the Plan. The change inserts the new prefix (07) 57 after the existing prefix (07) 56. Blocks of numbers commencing with (07) 57 will be available, pursuant to the new subsection 6.25(3), for allocation to carriage service providers for the continued growth of telephone services in areas currently using the prefixes (07) 55 and (07) 56.

The change also inserts the new prefix (07) 76 after the new prefix (07) 57. Blocks of numbers commencing with (07) 76 will be available, pursuant to the new subsection 6.25(3), for allocation to carriage service providers for the continued growth of telephone services in the areas currently using the prefixes (07) 45 and (07) 46.

Item 11 sets out a change to Schedule 2 of the Plan. The change inserts the new prefix (08) 51 before the existing prefix (08) 60. Blocks of numbers commencing with (08) 51 will be available, pursuant to the new subsection 6.25(3), for allocation to carriage service providers for the continued growth of telephone services in areas currently using the prefix (08) 91.

The change also inserts the new prefixes (08) 52, (08) 53 and (08) 54 after the new prefix (08) 51. Blocks of numbers commencing with (08) 52, (08) 53 and (08) 54 will be available, pursuant to the new subsection 6.25(3), for allocation to carriage service providers for the continued growth of telephone services in areas currently using the prefixes (08) 61 – 65 and (08) 92 – 94.

Item 12 sets out a change to Schedule 2 of the Plan. The change inserts the new prefix (08) 67 after the existing prefix (08) 66. Blocks of numbers commencing with (08) 67 will be available, pursuant to the new subsection 6.25(3), for allocation to carriage service providers for the continued growth of telephone services in areas currently using the prefix (08) 97.

Item 13 sets out a change to Schedule 2 of the Plan. The change inserts the new prefix (08) 77 after the existing prefix (08) 76. Blocks of numbers commencing with (08) 77 will be available, pursuant to the new subsection 6.25(3), for allocation to carriage service providers for the continued growth of telephone services in areas currently using the prefix (08) 87.

The change also inserts the new prefix (08) 78 after the new prefix (08) 77. Blocks of numbers commencing with (08) 78 will be available, pursuant to the new subsection 6.25(3), for allocation to carriage service providers for the continued growth of telephone services in areas currently using the prefix (08) 88.

Item 14 sets out a change to Schedule 3, Part 1, of the Plan that adds the following prefixes:

- (02) 74 to the numbers in the North sector of Sydney currently using the prefixes (02) 99, (02) 94, (02) 89 and (02) 84;
- (02) 78 to the numbers in the North West sector of Sydney currently using the prefixes (02) 98, (02) 88 and (02) 86;
- (02) 77 to the numbers in the West sector of Sydney currently using the prefixes (02) 97, (02) 87 and (02) 81;
- (02) 75 to the numbers in the South West sector of Sydney currently using the prefixes (02) 95 and (02) 85; and
- (02) 73 to the numbers in the South/South East sector of Sydney currently using the prefixes (02) 93 and (02) 83.

The new prefixes will be available for allocation, pursuant to the new subsection 6.25(3), to carriage service providers as numbers of local geographic significance for the continued growth of each sector.

Item 15 sets out a change to Schedule 3, Part 1, of the Plan that adds the following prefixes:

- (02) 74 to the numbers in the Avalon Beach and Dural charging zones currently using the prefixes (02) 99, (02) 94, (02) 89 and (02) 84;
- (02) 78 to the numbers in the Blacktown charging zone currently using the prefixes (02) 98, (02) 88 and (02) 86;
- (02) 77 to the numbers in the Liverpool charging zone currently using the prefixes (02) 97, (02) 87 and (02) 81; and
- (02) 75 to the numbers in the Engadine charging zone currently using the prefixes (02) 95 and (02) 85.

The new prefixes will be available for allocation, pursuant to the new subsection 6.25(3), to carriage service providers as numbers of local geographic significance for the continued growth of each charging zone.

Item 16 sets out a change to Schedule 3, Part 1, of the Plan that adds the following prefixes:

- (03) 78 to the numbers in the East sector of Melbourne currently using the prefixes (03) 98 and (03) 88; and
- (03) 75 to the numbers in the South East sector of Melbourne currently using the prefixes (03) 95 and (03) 85.

The new prefixes will be available for allocation, pursuant to the new subsection 6.25(3), to carriage service providers as numbers of local geographic significance for the continued growth of each sector.

Item 17 sets out a change to Schedule 3, Part 1, of the Plan that adds the following prefixes:

- (03) 77 to numbers in the Werribee and Sunbury charging zones currently using the prefixes (03) 80, (03) 87 and (03) 97;
- (03) 71 to the numbers in the Kalkallo and Whittlesea charging zones currently using the prefixes (03) 81, (03) 87 and (03) 97;
- (03) 72 to the numbers in the Croydon charging zone currently using the prefixes (03) 82, (03) 87, and (03) 97; and
- (03) 79 to the numbers in the Dandenong charging zone currently using the prefixes (03) 89, (03) 87 and (03) 97.

The new prefixes will be available for allocation, pursuant to the new subsection 6.25(3), to carriage service providers as numbers of local geographic significance for the continued growth of each charging zone.

Item 18 sets out a change to Schedule 3, Part 1, of the Plan that adds the prefix (07) 24 to the numbers in the South East sector of Brisbane currently using the prefixes (07) 30, (07) 34, (07) 324, (07) 334 and (07) 384.

The new prefix will be available for allocation, pursuant to the new subsection 6.25(3), to carriage service providers as numbers of local geographic significance for the continued growth of this sector.

Item 19 sets out a change to Schedule 3, Part 1, of the Plan that adds the following prefixes:

- (07) 22 to the numbers in the Brisbane City Centre sector currently using the prefixes (07) 30, (07) 322, (07) 332, (07) 382, (07) 323, (07) 333 and (07) 383; and
- (07) 28 to the numbers in the Cleveland, Beenleigh, Ipswich, Samford and Redcliffe charging zones currently using the prefixes (07) 30, (07) 34, (07) 328, (07) 338, (07) 388, (07) 320, (07) 330 and (07) 380.

The new prefixes will be available for allocation, pursuant to the new subsection 6.25(3), to carriage service providers as numbers of local geographic significance for the continued growth of each sector/charging zone.

Item 20 sets out a change to Schedule 3, Part 1, of the Plan that adds the prefixes (08) 520, (08) 530 and (08) 540 to the numbers in the North/North West sector of Perth currently using the prefixes (08) 924, (08) 934, (08) 944, (08) 920, (08) 930, (08) 940, (08) 624, (08) 634, (08) 644, (08) 620, (08) 630 and (08) 640.

The new prefixes will be available for allocation, pursuant to the new subsection 6.25(3), to carriage service providers as numbers of local geographic significance for the continued growth of this sector.

Item 21 sets out a change to Schedule 3, Part 1, of the Plan that adds the prefixes (08) 611 – 613, (08) 521 – 523, (08) 531 – 533 and (08) 541 - 543 to the numbers in the City and South West sector of Perth currently using the prefixes (08) 921, (08) 931, (08) 941, (08) 922, (08) 932, (08) 942, (08) 923, (08) 933, (08) 943, (08) 621, (08) 631, (08) 641, (08) 622, (08) 632, (08) 642, (08) 623, (08) 633 and (08) 643.

The new prefixes will be available for allocation, pursuant to the new subsection 6.25(3), to carriage service providers as numbers of local geographic significance for the continued growth of this sector.

Item 22 sets out a change to Schedule 3, Part 1, of the Plan that adds the following prefixes:

- (08) 527, (08) 537 and (08) 547 to the numbers in North East sector of Perth currently using the prefixes (08) 927, (08) 937, (08) 947, (08) 627, (08) 637 and (08) 647;
- (08) 520, (08) 530 and (08) 540 to the numbers in the Wanneroo charging zone currently using the prefixes (08) 920, (08) 930, (08) 940, (08) 620, (08) 630 and (08) 640; and
- (08) 529, (08) 539, (08) 549 to the numbers in the Herne Hill, Kalamunda, Armadale, Spearwood and Rottnest Island charging zones currently using the prefixes (08) 619, (08) 659, (08) 929, (08) 939, (08) 949, (08) 629, (08) 639, and (08) 649.

The new prefixes will be available for allocation, pursuant to the new subsection 6.25(3), to carriage service providers as numbers of local geographic significance for the continued growth of each sector/charging zone

Item 23 sets out a change to Schedule 3, Part 2, of the Plan that adds the prefix (03) 70 to the numbers in the Melbourne charging district currently using the prefixes (03) 92, (03) 99 and (03) 90.

The change also adds the prefix (07) 21 to the numbers in the Brisbane charging district currently using the prefixes (07) 31, (07) 321, (07) 331 and (07) 381.

The new prefixes will be available for allocation, pursuant to the new subsection 6.25(3), to carriage service providers as numbers of broad geographic significance for the continued growth of these charging districts.