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## Exploring future use of the 1.9 GHz band - consultation 40/2021

I am writing in response to ACMA's call for feedback on the submissions to ACMA's 'Replanning of the 1880–1920 MHz band Options paper – November, 2022'.

By way of background, Office of the National Rail Safety Regulator (ONRSR) has responsibility for regulatory oversight of rail safety in every Australian state and territory, to promote and improve national rail safety and ensure the safety of the community.

ONRSR independently administers the Rail Safety National Law (RSNL) and performs the functions and responsibilities, and exercises the powers conferred upon it by that law on behalf of all state, territory and federal Ministers for Transport and Infrastructure.

The options being considered by ACMA for the potential use of the 1880-1920MHz spectrum have implications for the safe operation of railways in Australia. In particular, the integrity of communications associated with the safe separation and control of trains, and the separation of trains from workers carrying out maintenance on the rail network.

In this regard, ONRSR supports the Australasian Railway Association's (ARA) submission, especially in relation to the concerns it raises with ACMA's proposed Option 4. That is, that Railway Mobile Radio (RMR) be introduced and shared with short range wireless broadband (SR WBB) which has the potential for external interference.

Under section 46 of the RSNL, duty holders are required:-

- > to eliminate risks to safety so far as is reasonably practicable; and
- > if it is not reasonably practicable to eliminate risks to safety, to minimise those risks so far as is reasonably practicable (SFAIRP)

ONRSR shares the ARA's concern about the potential for interference from SR WBB services with rail communications needed to deliver safe operations. It is unclear how Rail Transport Operators will be able to eliminate the safety risks or reduce them SFAIRP, noting that sharing spectrum with SR WBB services / devices would introduce risks where it is unclear how they would be reasonably or practically managed.

This susceptibility to interference potentially introduces a risk to the delivery of safe train operations required under Rail Safety National Law.

As indicated in ARA's submission, the risks associated with sharing spectrum can be eliminated by adopting ACMA's proposed option 3 which reserves 1900 - 1910 MHz band for rail in metropolitan areas.

ONRSR is supportive of ACMA's proposed Option 3, which is to introduce railway mobile radio (RMR) services in to this spectrum band. This aligns well with spectrum arrangements in Europe.

Yours Sincerely

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Peter Doggett  
**A/Chief Executive**