



Thursday, 28 April 2016

Department of Communications and Arts
GPO Box 2154
Canberra ACT 2601

Ref: Radiocommunications Bill 2016 – Legislative Proposals Consultation Paper.

Marine Rescue NSW (MRNSW) is committed to saving lives and safety on the water is our highest priority – for both its volunteers and the boating public. More than 3,100 members in 45 strategically-located Marine Rescue Units provide a number of vital safety services to the NSW boating community. In 2014-15 alone, MRNSW conducted over 310,000 radio calls, logged on and safety monitored over 70,000 recreational vessels and rescued over 3,000 vessels in distress. These critical life saving services were delivered within a contribution of over 620,000 volunteer hours.

MRNSW core services include:

- Continuous 24/7 marine radio monitoring along the NSW coastline,
- Swift, coordinated marine search and rescue response, and,
- Boating safety education and marine licence courses for local boaters.

Marine radio services exist for the safety of boaters in NSW waters. MRNSW as a not-for-profit charitable organisation is the only provider of a Marine Safety Communications Network in NSW. These services not only provide a listening watch of distress and emergency frequencies in the event that a boater encounters trouble on the water, but also provide navigation warnings and weather forecasts to enable the boater to make better informed decisions about whether it is safe to go boating or stay out of the water.

Specifically MRNSW radio operations provide the boating community assistance through:

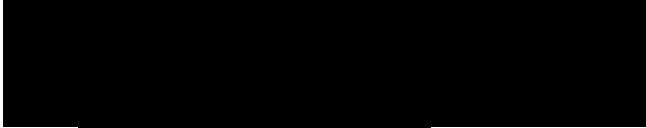
- A marine radio watch by providing a log on/off service to ensure boaters return home safely,
- Assistance to boaters in case of emergencies and breakdowns,
- The provision of weather forecasts and warnings at scheduled times and upon request,
- Radio checks to assist boaters with verifying the strength and clarity of their radio signal, and,
- Emergency response (Search and Rescue) and medical evacuation.

MRNSW own and operate a private land mobile radio network for the sole purpose of the public safety. All services utilise Australian Communications and Media Authority licenced frequencies for fixed and portable repeaters, fixed links and simplex operations. MRNSW also hold limited marine coastal licences that are utilised for above mentioned reasons.

Throughout the past three years MRNSW has shown proactive leadership via the means of undertaking an internal spectrum review as well as promoting the highest organisational spectrum governance practices. During this time MRNSW was able to surrender licences back to the ACMA as well as rationalising limited marine coastal licences.

With these factors in mind, we present our response to the consultation paper. As always, MRNSW welcomes the opportunity to be involved in discussions and debate on spectrum issues as they relate to our organisation.

Yours sincerely,



Dean Storey | Deputy Commissioner
Marine Rescue NSW

Response to DOCA discussion paper on Radiocomms Act (2016)

The following comments relate to the Legislative Proposals Consultation Paper – March 2016

Section 1 – Objects and span

MRNSW supports the proposals outlined and agrees with the intent indicated.

Section 2 – Application

MRNSW supports the proposals outlined and agrees with the intent indicated.

Section 3 – Ministerial direction powers, policy guidance and accountability

MRNSW supports the proposals outlined and agrees with the intent indicated.

Section 4 – Annual spectrum work plan

MRNSW supports the proposals outlined and agrees with the intent indicated.

Section 5 – Radiofrequency planning

MRNSW is a non-government emergency service organisation. MRNSW has liaised with the NSW arm of the National Coordinating Committee for Government Radiocommunications (NCCGR). It was deemed that MRNSW was not a government radio user. Additionally it was deemed unsuitable for MRNSW to utilize the NSW Government Radio Networks (GRN). The latter was mainly due to the fact that established GRN did not have the coverage or operational requirements to suit the unique nature that MRNSW requires for its LMR network.

It is therefore important that provision is made for non-government public safety organisations within the radiofrequency planning framework. Allocation and future planning of spectrum will ensure MRNSW networks can continue to grow to cater for the expansion of services and population shifts.

Section 6 – Licensing of spectrum

MRNSW supports the proposals outlined and agrees with the intent indicated. It should be noted that MRNSW is currently afforded “Fee Exemption” status by the ACMA as a “body, the principal purpose of which is to provide surf life saving and remote area ambulance services”.

MRNSW understands that a fair use policy or similar should apply to allocation of spectrum to fee exempt entities. However, MRNSW is strongly against any changes to the fee exemption status on the ground of the economic barriers it would place on the ability of MRNSW to pay markets costs for spectrum for limited marine coastal licences. Any change from the current fee-exempt situation would critically undermine the ability of MRNSW to maintain or strengthen its safety service provision to the community.

Section 7 – Licence issue

MRNSW supports the proposals outlined and agrees with the intent indicated.

Section 8 – Licensing limits

MRNSW does not feel that we will be impacted by licencing limits and therefore supports the proposals outlined and agrees with the intent indicated.

Section 9 – Licensing – Renewal rights

MRNSW supports this proposal and believes that it can lead to a better understanding of the licensee’s rights. The one area we would like to see changed is recognition of the relevant capital expenditure involved to actually use the spectrum. MRNSW has significant investment in our land mobile network and VHF Marine network and should be accorded similar consideration. Capital expenditure in network infrastructure should be recognized as part of the ‘right of renewal’ process.

Section 10 – Licensing – resumption

As outlined above there are often significant capital expenditures involved in association with licences and so this can create problems if the alternative frequency options are not within the spectral range of the existing equipment.

Section 11 – Spectrum authorisations (class licenses)

MRNSW supports the proposals outlined and agrees with the intent indicated.

Section 12 – Interference management

MRNSW does not support the proposals outlined.

Section 13 – Equipment regulation

MRNSW supports the proposals outlined and agrees with the intent indicated.

Section 14 – Compliance and enforcement

MRNSW supports the proposals outlined and agrees with the intent indicated.

Section 15 – Information provision

MRNSW supports the proposals outlined and agrees with the intent indicated.

Section 16 – User involvement: accreditation, delegation and industry codes

MRNSW supports the proposals outlined and agrees with the intent indicated.

Section 17 – Broadcasting

MRNSW are not in a position to comment in any meaningful manner on this section.

Section 18 – Review of decisions

MRNSW supports the proposals outlined and agrees with the intent indicated.

Section 19 – Transitional arrangements

MRNSW supports the proposals outlined and agrees with the intent indicated.