



## **Radiocommunications (Australian Radio Quiet Zone Western Australia) Frequency Band Plan 2023**

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The Australian Communications and Media Authority makes the following frequency band plan under subsection 32(1) of the *Radiocommunications Act 1992*.

Dated: 16 March 2023

Chris Jose

[signed]

Member

Linda Caruso

[signed]

~~Member~~/General Manager

Australian Communications and Media Authority

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## 1 Name

This is the *Radiocommunications (Australian Radio Quiet Zone Western Australia) Frequency Band Plan 2023*.

## 2 Commencement

This instrument commences on 1 April 2023.

Note: This instrument was registered before it commenced. The Federal Register of Legislation may be accessed, free of charge, at [www.legislation.gov.au](http://www.legislation.gov.au).

## 3 Authority

This instrument is made under subsection 32(1) of the Act.

## 4 Purpose of the frequency band plan

- (1) The purpose of this frequency band plan is to establish a radio quiet zone to prevent harmful interference to radio astronomy services.
- (2) In particular, this frequency band plan makes provision for the purposes for which applicable frequency bands may be used in the RQZ.

## 5 Interpretation

- (1) In this instrument, unless the contrary intention appears:

*applicable frequency band* has the meaning given by section 6.

*CSIRO* means the Commonwealth Scientific and Industrial Research Organisation.

*GDA94* means the geodetic datum designated as the “Geocentric Datum of Australia (GDA)”, gazetted in the Commonwealth of Australia *Gazette* No. GN 35, on 6 September 1995, as existing on that date.

Note 1: The Commonwealth of Australia *Gazette* No. GN 35 is available, free of charge, from the Federal Register of Legislation at [www.legislation.gov.au](http://www.legislation.gov.au).

Note 2: More information on GDA94 can be obtained, free of charge, from Geoscience Australia at [www.ga.gov.au](http://www.ga.gov.au) and from the Intergovernmental Committee on Surveying and Mapping at [www.icsm.gov.au](http://www.icsm.gov.au).

*radio astronomy service* has the same meaning as in the spectrum plan.

*RQZ* means that part of the radio quiet zone:

- (a) described in columns 2 to 4 of item 1 in Schedule 1; and
- (b) described in columns 2 to 4 of item 2 in Schedule 1.

Note 1: A number of other expressions used in this instrument are defined in the Act, including the following:

- ACMA;
- apparatus licence;
- class licence;
- frequency band;
- frequency band plan;
- interference;
- operate;
- spectrum plan.

Note 2: A number of other expressions used in this instrument may be defined in a determination made under section 64 of the *Australian Communications and Media Authority Act 2005*. At the time this instrument was made, the following expressions were defined in such a determination:

- Act;
- harmful interference.

- (2) In this instrument, unless otherwise specified, a reference to a frequency band includes all frequencies that are greater than but not including the lower frequency, up to and including the higher frequency.

Note: This subsection means the lower number in the reference to a frequency band is not included in the frequency band.

- (3) In this instrument, geographic coordinates describing a point do so with reference to GDA94.

## **6 Meaning of *applicable frequency band***

A frequency band is an *applicable frequency band* for an area if it is applicable to the area under section 7.

## **7 Applicable frequency band**

- (1) The frequency band applicable to the part of the RQZ described in columns 2 to 4 of item 1 in Schedule 1 is the range set out in column 5 of the item.
- (2) The frequency band applicable to the part of the RQZ described in columns 2 to 4 of item 2 in Schedule 1 is the range set out in column 5 of the item.

## **8 Permitted purposes**

- (1) An applicable frequency band:
- (a) may be used for 1 or more of the following:
    - (i) radio astronomy services; or
    - (ii) any additional services mentioned in section 9; and
  - (b) may be reserved for prevention or control of interference with radio astronomy services.
- (2) For an apparatus licence or a class licence issued under the Act, a service mentioned in subparagraph (1)(a)(ii) that is authorised to operate in the part of the RQZ described in columns 2 to 4 of item 1 in Schedule 1 in an applicable frequency band is taken to be a secondary service in relation to a service mentioned in subparagraph (1)(a)(i).

## **9 Additional services**

- (1) An applicable frequency band may also be used for services provided under an apparatus licence whether issued before or after the commencement of this frequency band plan.
- (2) The use under subsection (1) must not be inconsistent with the spectrum plan or another frequency band plan.

Note: The spectrum plan and frequency band plans are available, free of charge, from the Federal Register of Legislation at [www.legislation.gov.au](http://www.legislation.gov.au).

- (3) If an apparatus licence is issued after the commencement of this frequency band plan, subsection (1) only applies for services under the licence if the applicant for the licence consults with CSIRO about those services before applying for the licence.
- (4) However, the ACMA may, in writing, decide that an applicant need not consult with

**CSIRO.**

Note: See subsection 32(5A) of the Act.

- (5) An applicable frequency band may also be used for services provided under, and in accordance with the conditions of, a class licence whether issued before or after the commencement of this frequency band plan.

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**Schedule 1 Description of radio quiet zone**

(sections 5, 7 and 8)

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>	<b>Column 5</b>
<b>Item</b>	<b>Name or description</b>	<b>Central location or coordinates</b>	<b>Radius</b>	<b>Frequency range</b>
1	RQZ (inner)	latitude 26.704167 South, longitude 116.658889 East (GDA94)	70 km	70 MHz — 25.25 GHz
2	RQZ (outer)	latitude 26.704167 South, longitude 116.658889 East (GDA94)	70 - 150 km	70 MHz — 25.25 GHz