31st July 2013

Submission re: Draft Variation to LAP Remote and Central Eastern Australia Radio – No.1 of 2013

ACMA File Reference No. 2010/1753

Mudgee Broadcasting Company operates commercial radio services 2MG and 2GEE in the Mudgee licence area. We make the following submission in relation to one of the broadcast sites being proposed under the “Draft Variation to LAP Remote and Central Eastern Australia Radio – No.1 of 2013”.

**Bocoble:**

We request that 4RBL and 4BRZ not be permitted to broadcast from the proposed site at Bocoble because:

- The proposed Broadcast site is located within the licence area Mudgee RA3.
- Even the amended antenna pattern suggested will lead to an unacceptable level of overspill into Mudgee RA1 and Mudgee RA3.

However, should the ACMA determine that the Bocoble site is suitable; we request that further adjustments be made to the antenna pattern before approval to reduce the high level of overspill into Mudgee RA1 and Mudgee RA3, particularly in Rylstone and Kandos.

- Please note: only Mudgee RA1 is referred to in the “Explanatory paper Part B: North East Zone” but Mudgee RA3 is of particular relevance as this is the licence area under which our existing commercial FM service of 2GEE operates.

In support of these requests we ask that the following points be considered.

**Small number of new listeners added to receipt of 4RBL and 4BRZ commercial FM services**

The location circled in Map 2 of the Explanatory paper is not the locality of Bocoble. It appears to be indicating the general area of the locality of Windeyer, probably at least 15km by direct line away from Bocoble.

The ABS Census figure quoted in footnote 3 of the Explanatory Paper is for the “Windeyer State Suburb”, of which Bocoble is only a very small part (less than 10% of the land area).

According to the ABS “Windeyer State Suburb” also includes all of the gazetted localities of Windeyer, Carcalgong and Pyramul as well as part of the gazetted locality of Crudine. So the 441 persons noted as being added to the number able to receive 4RBL/4BRZ services is inflated if the Bocoble district is the intended target. No ABS figures are available for Bocoble.
district alone but given the rural nature of the district and the small proportion it represents of the “Windeyer State Suburb” it is likely that even 100 people would be a generous estimate.

Majority of people have existing commercial radio service/s provided under Mudgee RA3 and/or Mudgee RA1

As correctly stated in the overview the communities of Kandos and Rylstone are contained solely within the Mudgee licence areas (both RA1 & RA3). However, much of the area surrounding these two centres is also contained within RA1 & RA3 and already serviced by 2MG and 2GEE as authorised. This includes a large area to the N/W, West and S/W of the urban centres of Kandos and Rylstone.
Ilford, Pyramul and the Castlereagh Highway as far south as Ilford have both been included in Mudgee RA3 since 2008 and are already serviced by 2GEE.

In summary the areas of Bocoble, Pyramul, Ilford, Castlereagh Highway and a large part of the areas surrounding Kandos and Rylstone are all included within Mudgee RA3, RA1 or both and are already serviced with commercial radio by 2GEE and/or 2MG.

Note: Map 4 in the Explanatory Paper could give an incorrect impression of the portion of the planned broadcast area falling within Mudgee RA1 and Mudgee RA3, please refer to the official maps for these licence area boundaries;


Urban overspill

We acknowledge and thank ACMA for suggesting an amended antenna pattern to reduce overspill into the urban centre of Mudgee. However we believe more changes are needed to reduce level of overspill, including in urban areas.

Due to the immense height of the Bocoble site and the unimpeded line of sight from there to Mudgee, even at low power levels it is likely that the signal would be of a listenable quality in at least the southern part of Mudgee township. The Bocoble site (1037m) has a distinct height advantage over our main broadcast site for 2GEE at Magpie Hill (682m).

Map 4 shows that even with the ACMA’s revised power pattern the overspill in the urban centres of Kandos and Rylstone would be of suburban grade.

Table 1 compares the population coverage of proposed and revised antenna patterns in comparison with Mudgee RA1. However no comparable figures are included for Mudgee RA3, which should be considered as this is the Licence area under which 2GEE currently provides a commercial radio service. This would substantially increase the number of listeners captured by the fortuitous coverage.

Furthermore, we do not believe there is valid justification for excluding Kandos and Rylstone from any such calculations, given that they are fully contained within both Mudgee RA1 & RA3 and much of the adjoining rural areas are also contained in one or both. Although these two towns have their own business centres, Mudgee is the main service centre for this entire region.
Please see our attached map showing the amount of urban and suburban grade overspill when the revised antenna pattern is compared to the boundaries of Mudgee RA3 (Attachment 1 – Comparison to Mudgee RA3).

As shown, when the coverage modelled for the revised antenna pattern suggested by the ACMA indicated in Map 4 is compared to Mudgee RA3 it appears that most of the listeners expected to receive urban and suburban levels of coverage are contained within the boundaries of Mudgee RA3 licence area. This LAP allows for one commercial FM operator, being 2GEE.

Commercial incentive to cater to fortuitous audience in preference to planned audience

As already noted, the majority of the proposed coverage areas referred to in the overview are contained within Mudgee RA1 and/or Mudgee RA3. The potential new planned audience numbers are small. In comparison the population within the reach of urban/suburban fortuitous coverage would be in the thousands and include Kandos and Rylstone, 2 of only 4 centres in the Mudgee licence area with a population of over 500.

Kandos is in itself an urban centre as previously defined for licence planning purposes, with a population over 1,000 (ABS 2011 Census = 1,284).

Nearby Rylstone urban centre has a population of 624, the Rylstone Census Community which also includes surrounding rural areas (much contained within the Mudgee licence area) has a population of 874.

These two centres although having their own distinct local identities, have town boundaries only around 5km apart, linked for decades by a walking/cycle track and with recent intervening ‘lifestyle block’ housing development are effectively one large urban population in terms of population distribution within the wider region.

Kandos and Rylstone also contain numerous small retail & service businesses and entertainment venues. In contrast no business centres are found in the planned service area for the proposed 4RBL/4BRZ services.

All of which would suggest a strong commercial incentive for the planned services to cater to the fortuitous coverage areas in preference to those planned.

Thank you for the opportunity to make this submission.

Regards,

Mal Rock
Station Manager
2MG & 2GEE (“Real FM”)
Mudgee Broadcasting Co Pty Ltd
(Attachment 1 – Comparison to Mudgee RA3)

Red line indicates boundary of Mudgee RA3