16 July 2009

Revised Draft Variation 1 of 2009 to LAP for Bendigo Radio
Broadcast Planning Section
Australian Communications and Media Authority
PO Box 78
BELCONNEN ACT 2617

File Reference 2007/1602
Attention Christopher Roberts
Email lais@acma.gov.au

Dear Mr Roberts

BENDIGO RADIO PLANNING

I write on behalf of the Community Broadcasting Association of Australia (CBAA) in regard to the revised draft variation to the licence area plan for Bendigo radio.

The CBAA has written extensively on this matter, most specifically on 18th September 2008.

We appreciate that ACMA has undertaken supplementary planning effort and released this recent revision to the draft variation, in light of the expressed and significant community feedback that showed strong demand for community broadcasting services in Bendigo.

We certainly strongly support the (re-)introduction on a permanently licensed basis of at least one further channel suitable for high power community broadcasting purposes in the Bendigo area.

We believe this high power channel should be the one that has historically been used by community broadcasting, that is 89.5 MHz.

ACMA has said that it ‘had to choose between planning two high-power FM radio frequencies for aspirant community broadcasters or making one of those frequencies available to permit the introduction of the ABC’s NewsRadio service’.

As it turns out, the two high power frequencies on offer are not truly equal. The second ‘high power’ frequency is not the original 10 kW ERP but is proposed at 1kW ERP, and is also encumbered with a special condition limiting its protection from interference to field strengths of 66dBuV/m and above.

… /2
### Frequency Pol'n Antenna Ht AGL Power ERP HR Pattern Special Conditions Licence Area

<table>
<thead>
<tr>
<th>Was</th>
<th>Frequency</th>
<th>Pol'n</th>
<th>Antenna Ht AGL</th>
<th>Power ERP</th>
<th>HR Pattern</th>
<th>Special Conditions</th>
<th>Licence Area</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>89.5 MHz</td>
<td>Mixed</td>
<td>50 m</td>
<td>10kW</td>
<td>Omni</td>
<td>Nil</td>
<td>Bendigo RA2</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Now</th>
<th>Frequency</th>
<th>Pol'n</th>
<th>Antenna Ht AGL</th>
<th>Power ERP</th>
<th>HR Pattern</th>
<th>Special Conditions</th>
<th>Licence Area</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>101.5 MHz</td>
<td>Mixed</td>
<td>90 m</td>
<td>1kW</td>
<td>Omni</td>
<td>Interference limited service, protected above 66 dBuV/m only</td>
<td>Bendigo RA4</td>
</tr>
</tbody>
</table>

**Key changes**

- Change in frequency from 89.5 MHz to 101.5 MHz
- Reduction in ERP from 10kW ERP down to 1kW ERP
- Interference limited service
- Creation of a new Bendigo Licence Area RA4, the service was previously licensed against the larger Bendigo RA2

Ignoring the slight benefit of an increase in maximum antenna height, the reduction in maximum permissible power from 10kW to 1kW would mean a general loss of field strength of 10dB and therefore a general loss of coverage over the Licence Area. This is significant.

Moreover, the special condition to define the service as interference limited results in 12dB less protection from interference than would otherwise typically apply. Only field strength levels of 66dBuV/m and above will be protected. The usual situation is that under the ACMA Technical Planning Guidelines a radio broadcast service would be protected for all field strengths within its Licence Area that are above 54 dBuV/m.

In other areas interference protection to the level of 66dBuV/m has been used a method of last resort – notably to enable additional low coverage ‘suburban’ channels in congested metropolitan areas where there are already over-arching metropolitan-wide services available.

In arguing to retain a technical specification on par with other services operating in the area, the incoming community broadcaster must meet the requirement to operate at the nominated maximum ERP. In this case that means an ERP of 10kW.
The historic specification of the 89.5MHz channel has been for an ERP of 10kW ERP for community broadcasting. The revised plan has this channel at the same 10kW ERP but assigned for ABC News Radio.

Granting of a permanent licence will no doubt give rise to an undertaking by the successful licensee that the channel be used at its full power. In fact, in the normal course of events the ACMA Technical Planning Guidelines require it to be operated in that manner (within 5dB).

Any suggestion that making spectrum available at 89.5MHz for a national radio broadcasting service is a more efficient use of that channel is specious. It incorrectly and inappropriately presupposes that an incoming community broadcaster will not comply or desire to comply with a basic tenet of the technical operating specification attached to its licence.

Change of Licence Area

The creation of a new Bendigo RA4 Licence Area would appear to be necessary only if a lower ‘high’ power is accepted. A smaller Licence Area than that which historically applied would only be necessary as a recognition that the downgraded high power service will not provide adequate coverage of the original Bendigo RA2 Licence Area.

The community station has an obligation to serve the community that is properly considered to be the area of Bendigo’s cultural, social and economic dominance. This community is obviously judged to equate to the area that is Bendigo RA1 for other broadcast sectors serving Bendigo and, historically, RA2 was the Licence Area for general community station, 3CCC.

Old ABA Licence Area Plans show that the population of Bendigo RA1 was 177,063 persons versus Bendigo RA2 showing 133,435 persons. The population of the new RA4 Licence Area is unknown.

It is extremely unlikely that other incumbent broadcasters would accept such a reduction in the Licence Area and neither is it appropriate that the community broadcaster should be required to accept that the Bendigo community of interest is defined in a significantly different way for community broadcasting listeners as compared to listeners of other broadcast sectors.

If it is forced to accept such a reduction there is a long term effect on the stations ability to reach its legitimate audience as compared to what would be possible with the use of 89.5 MHz.
Two new low power channels

The CBAA appreciates that ACMA has undertaken additional work in light of the strong demand for community broadcasting services in Bendigo.

<table>
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<tr>
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<th>Antenna Ht AGL</th>
<th>Power ERP</th>
<th>HR Pattern</th>
<th>Special Conditions</th>
<th>Licence Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>New 105.1 MHz</td>
<td>Mixed</td>
<td>40 m</td>
<td>150 W</td>
<td>Omni</td>
<td>Interference limited service, protected above 74 dBuV/m only</td>
<td>Bendigo (city) RA5</td>
</tr>
<tr>
<td>New 106.7 MHz</td>
<td>Mixed</td>
<td>40 m</td>
<td>150 W</td>
<td>Omni</td>
<td>Interference limited service, protected above 74 dBuV/m only</td>
<td>Bendigo (city) RA5</td>
</tr>
</tbody>
</table>

These two low power channels provide for Bendigo city coverage only. They should not be considered a substitute for channels designed to service the full area of Bendigo’s social and cultural dominance.

Moreover, the special condition to define each of these services as interference limited results in 20dB less protection from interference than would otherwise typically apply. Only field strength levels of 74dBuv/m and above will be protected.

The CBAA is concerned that these low power channels may not be suitable in the long term.

Thank you for the opportunity to provide these comments. I trust they are of assistance to ACMA in making its final decisions on this matter.

Yours sincerely

Michele Bawden
General Manager