Explanatory Paper

Draft Variation to Licence Area Plan for Bendigo – No.2 of 2008
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Call for Submissions

Submissions on the matters raised in this Explanatory Paper may be made to the Australian Communications and Media Authority (ACMA) as follows:

By email: aas@acma.gov.au

By mail: Draft LAP Variation – Bendigo Radio
Australian Communications and Media Authority
PO Box 78
BELCONNEN ACT 2617

By fax: (02) 6253 3277

Please quote file reference 2007/1602 in your reply.

Any enquiries concerning matters raised in this document should be directed to Mr Christopher Roberts on (02) 6256 2856.

The closing date for submissions is 5.00pm, 19 September 2008.

All submissions received will be made available for public inspection on the ACMA website.¹ (www.acma.gov.au)

¹ Note that any submission marked “In Confidence”, “Confidential” or similar, cannot be considered by the ACMA in finalising the LAP variation.
Preliminary View – National Radio – Bendigo

ACMA proposes to make channel capacity available for a national service in Bendigo to operate on 89.5 MHz from Southern Cross Site, MOUNT ALEXANDER, with a maximum effective radiated power of 10 kW (omni-directional).

This channel is currently available in the Bendigo licence area plan for a community radio broadcasting service and is currently being used by temporary community broadcasting licensees.

Background

In performing its function under section 26 of the Broadcasting Services Act 1992 (the Act), ACMA is required to promote the objects of the Act, including the economic and efficient use of the spectrum.

ACMA promotes the object at section 3 (1) (a) of the Act by making available a mix of different types of broadcasting services in an area. The August 1997 Bendigo licence area plan (LAP) made available three national radio broadcasting, two commercial radio broadcasting, three community radio broadcasting and one open narrowcasting service in Bendigo.

In 2004, the former Government made a commitment to fund the extension of ABC NewsRadio to all transmission areas around Australia with populations of 10,000 and above, subject to the availability of spectrum in those areas.

On 5 November 2004, Senator the Hon Helen Coonan, the then Minister Communications, Information Technology and the Arts, advised the Australian Broadcasting Authority (ABA) of her intention to reserve channel capacity under section 31 of the Act.

In May 2008, the new Government announced it will continue the extension of ABC NewsRadio services to the remaining towns with a population over 10,000.

Discussion

Channel Capacity

ACMA proposes to make channel capacity available for a national ABC NewsRadio broadcasting service at Bendigo as part of the Government’s staged rollout to extend ABC NewsRadio broadcasting services across Australia.

The frequency 89.5 MHz in Bendigo was planned for a community radio broadcasting service in the Bendigo LAP in August 1997. The licence for that service was allocated to community radio broadcaster Goldfields Community Radio Co-operative (3CCC). On 12 November 2006, the licence expired after the licensee failed to lodge a valid renewal application with ACMA.

Since the expiry of the licence, ACMA has made the 89.5 MHz frequency in Bendigo available for temporary community broadcasting licences (TCBLs) while pending consideration of its long-term future use. 3CCC and Central Victorian Community

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2 To promote the availability to audiences throughout Australia of a diverse range of radio and television services offering entertainment, education and information.
Broadcasters Inc (Phoenix FM) each have a TCBL to share broadcasting time on this frequency until 12 August 2008.

ACMA has assessed the availability of spectrum in the Bendigo area.

ACMA found that FM spectrum is congested and was unable to identify a channel suitable for a high power ABC NewsRadio broadcasting service that has not been made available for community, commercial or other national broadcasting services in the LAP.

ACMA has identified the frequency 101.5 MHz as a channel suitable for a low powered ABC NewsRadio. This channel is currently used for temporary community broadcasting.

The ABC indicated a preference to provide a high powered service which would provide greater coverage and better reception across the Bendigo area than the use of 101.5 MHz. The frequency 89.5 MHz can be used at a higher power than it has been used for community broadcasting services. It is currently being used for temporary community broadcasting services.

Therefore, in considering the objects of the Act and the matters mentioned in section 23, including the economic and efficient use of the spectrum, ACMA proposes to make 89.5 MHz available for a national radio broadcasting service and 101.5 MHz available for a community radio broadcasting service. ACMA proposes that the technical specifications for the national broadcasting service will be the same as those currently in the LAP for the community radio broadcasting service referred to above.

**Conclusion**

ACMA’s preliminary view is that making spectrum available at 89.5 MHz for a national radio broadcasting service and at 101.5 MHz for a community radio broadcasting service is an economic and efficient use of the radiofrequency spectrum, as it maximises the number of channels available within the Bendigo licence area.

The proposed change of frequency of the community radio broadcasting service would enable ACMA to make a high power national radio broadcasting service available in Bendigo, where FM spectrum availability is limited and is likely to promote the availability to audiences throughout Bendigo of a diverse range of broadcasting services.
Preliminary View – Community Radio – Bendigo

ACMA proposes to make channel capacity available for a community radio broadcasting service at Bendigo to operate on 101.5 MHz from Broadcast Tower MOUNT ALEXANDER with a maximum effective radiated power of 1kW (omni-directional).

ACMA proposes that the community radio licence area (Bendigo RA4) be defined using 2001 Census boundaries.

Currently there are two community radio broadcasting services with long-term community radio broadcasting licences in Bendigo:

- Vision Australia Foundation broadcasting on 88.7 MHz from Mt Alexander; and
- Radio KLFM Inc broadcasting on 96.5 MHz in the Bendigo city with a translator service broadcasting in Castlemaine on 106.3 MHz.

ACMA has allocated temporary community broadcasting licences (TCBL) to three aspirant long-term community broadcasting services in the Bendigo licence area:

- Goldfields Community Radio Inc;
- Central Victorian Gospel Radio Inc; and
- Central Victorian Community Broadcasters Inc.

These three aspirants are providing temporary community broadcasting services into Bendigo on 101.5 MHz or 89.5 MHz.

ACMA proposed the frequency 89.5 MHz be made available for a national ABC NewsRadio broadcasting service in Bendigo (see previous Preliminary View).

From the evidence before it, ACMA is of the view that there is continuing demand for community radio broadcasting services in Bendigo area.

ACMA is proposing that the frequency 101.5 MHz be made available for a community radio broadcasting service in Bendigo, with a maximum effective radiated power of 1kW to cover the Bendigo RA4 licence area.