Explanatory Paper

Draft Variation to Licence Area Plan for Colac – No. 1 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 – Colac Radio
Australian Communications and Media Authority
PO Box 78
BELCONNEN ACT 2616

By fax: (02) 6253 3277


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 Friday 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 Views

Preliminary View – National and Community Radio – Colac

National

ACMA proposes to make available channel capacity for a national ABC NewsRadio broadcasting service to operate on:

- 104.7 MHz with a maximum effective radiated power of 10 kW (directional) operating from a nominal transmitter site at Warrion Hill to serve Colac.

Community

ACMA proposes to vary the technical specifications of the existing community radio broadcasting service at Colac to operate on:

- 98.3 MHz with a maximum effective radiated power of 500 W (omni-directional) operating from a nominal transmitter site at Warrion Hill to serve Colac; and
- Redefine the Colac RA1 licence area using 2001 census boundaries.

Background

In performing its functions under sections 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 June 2000, Colac licence area plan (LAP) made available two commercial and one community radio broadcasting services.

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 for 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.

Currently, there are no high, medium or low power ABC national radio broadcasting services transmitting from Colac. All the national services received in Colac are transmitted from Ballarat.

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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.
Discussion

Channel Capacity
ACMA has had regard to whether channel capacity exists in the Colac market for the provision of additional high powered national radio broadcasting services. In performing its functions under Part 3 of the Act, ACMA is required to have regard to existing broadcasting services, to demand for new broadcasting services within a licence area, and to technical restraints relating to the delivery and reception of broadcasting services in Colac (s.23 (c) and (e)).

Due to FM spectrum congestion in the Colac area, ACMA was unable to identify any vacant high power spectrum that is suitable for the ABC NewsRadio service. However, the studies performed indicate that an FM frequency 98.3 MHz is available to operate in Colac at low power of 500 W.

As a result of these findings, ACMA reviewed the number and characteristics, including the technical specifications, of broadcasting services already determined in the Colac LAP.

While the technical specifications determined in the LAP provide for a community radio broadcasting service, currently provided by 3OCR, to operate on 104.7 MHz with a maximum ERP of 10 kW with a directional radiation pattern, the service is only licensed to operate with a maximum ERP of 200 W, omni-directional.

Therefore, in considering the objects of the Act, including the economic and efficient use of the spectrum, ACMA proposes to make 104.7 MHz available for a national radio broadcasting service and 98.3 MHz available for the 3OCR community radio broadcasting service. This proposal will both facilitate the continued service of 3OCR with a similar level of coverage and make a high power frequency available, which is suitable for the national ABC NewsRadio service in Colac.

Licence Areas
The licence area for the community radio broadcasting service, which is identical for the commercial radio broadcasting services in Colac, is currently described against the 1996 Census count.

ACMA proposes to take this opportunity to redefine the Colac community and commercial radio licence areas using 2001 Census boundaries, but otherwise the licence areas will remain unchanged.

Conclusion
ACMA believes that making spectrum available at 104.7 MHz for a national radio broadcasting service and at 98.3 MHz for the 3OCR community radio broadcasting service is an economic and efficient use of the radiofrequency spectrum, as it maximises the number of channels available within the Colac licence area.

The proposed change of frequency by 3OCR will enable ACMA to make a high power national radio broadcasting service available in Colac, where FM spectrum availability is limited and is likely to promote the availability to audiences throughout Colac of a diverse range of broadcasting services.