Explanatory Paper
Draft Variation to Frequency Allotment Plan.

OCTOBER 2012
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Submissions

The Australian Communications and Media Authority (the ACMA) is seeking public comment on a proposed:

- Draft Variation to Licence Area Plan – Colac Radio – No.1 of 2012
- Draft Variation to Licence Area Plan – Mount Isa Radio – No.1 of 2012
- Draft Variation to Licence Area Plan – Nhulunbuy Radio – No.1 of 2012
- Draft Variation to Licence Area Plan – Wangaratta Radio – No.1 of 2012

and Draft Variation to Frequency Allotment Plan.

Submissions can be made as follows:

Email: rps@acma.gov.au

Mail:
Draft Variation to Colac, Mt Isa, Nhulunbuy and Wangaratta Radio
LAPs – No.1 of 2012
RPS/TPEB/DTD
ACMA
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BELCONNEN ACT 2616

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The closing date for submissions is 5pm, 30 November 2012.

All submissions received will be made available on the ACMA website at www.acma.gov.au.

Under subsection 27(2) of the Broadcasting Services Act 1992 (the BSA), the ACMA is required to make all submissions available for public inspection. Any submission marked ‘In confidence’, ‘Confidential’ or similar, will not be considered by the ACMA in finalising the LAP variation.
Explanatory Paper


The broadcast planning functions of the ACMA are set out in Part 3 of the Broadcasting Services Act 1992 (BSA). In performing its planning functions, the BSA requires the ACMA to promote the objects of the BSA, including the economic and efficient use of radiofrequency spectrum, and to have regard to the planning criteria set out in section 23.

Licence area plans (LAPs) are made under subsection 26(1) of the BSA. LAPs determine the number and characteristics, including technical specifications, of broadcasting services in particular areas of Australia with the use of the broadcasting services bands.

The ACMA may vary LAPs under subsection 26(2) of the BSA.

The object of greatest relevance to the ACMA’s powers in relation to section 26 of the BSA is that at paragraph (a) of subsection 3(1), that being:

> to promote the availability to audiences throughout Australia of a diverse range of radio and television services offering entertainment, education and information.

Section 27 of the BSA provides that the ACMA must make provision for wide public consultation when considering whether to make or vary a LAP.

The ACMA refers to the General Approach to Analog Planning when it considers the planning of broadcasting services. This document sets out the legislative framework and planning criteria, as well as the general approach to the planning of broadcasting services. It also contains a record of advice and assumptions about matters relevant to the ACMA’s functions and powers under Part 3 (see subsection 27(2) of the BSA).

The ACMA generally considers variations in response to submissions made to it or, upon becoming aware of technical issues that need addressing.

The ACMA has received three submissions in relation to radio broadcasting services in the LAPs for Colac Radio (Colac LAP), Nhulunbuy Radio (Nhulunbuy LAP) and Wangaratta Radio (Wangaratta LAP). These submissions have requested the ACMA consider:

> varying the Colac LAP to change the transmission site and frequency (99.1 MHz to 88.7 MHz) of the existing in-fill transmitter at Apollo Bay and the transmission site of the existing in-fill transmitter at Lorne of the community radio broadcasting service 3OCR;

> varying the Mount Isa LAP to make a frequency available for a new Australian Broadcasting Corporation (ABC) Parliamentary News Network/News Radio (PNN) national broadcasting service at Mount Isa;

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1 Section 3 of the BSA.

2 This document can be obtained from the ACMA’s web site at: www.acma.gov.au/WEB/STANDARD/pc=PC_90248
> varying the Nhulunbuy LAP to increase the maximum power level (from 100 Watts (W) to 500 W) of the 8EAR community radio service at Nhulunbuy;

> varying the Wangaratta LAP to make an FM frequency available for an in-fill transmitter at Bright for the Mount Beauty community radio broadcasting service 3VKV.

The ACMA is also proposing to vary the Mount Isa LAP to make a frequency available for a new Australian Broadcasting Corporation (ABC) Parliamentary News Network/News Radio (PNN) national broadcasting service at Mount Isa. In addition, the ACMA has also become aware that the Schedules and Attachments in the LAP for Mount Isa Radio (Mount Isa LAP) requires minor amendment and updating to reflect the actual operating conditions of broadcasting services in that area.

After considering these requests and the other issues known to it, and in the context of the information contained in the ACMA’s ‘General Approach to Analog Planning’ and the factors listed in section 23 of the BSA, the ACMA has reached the following preliminary views, namely that it should:

> **In the Colac LAP:**

  > change the technical specifications of the Apollo Bay in-fill transmitter of the Colac community radio broadcasting service 3OCR so that it operates from a new transmission site at Crows Nest Lookout, Apollo Bay and on a new FM frequency of 88.7 MHz (Preliminary View 1);

  > change the technical specifications of the Lorne in-fill transmitter of the Colac community radio broadcasting service 3OCR so that it operates from a new transmission site at Holiday Road, Lorne (Preliminary View 1);

  > update the description of the Colac RA1 licence area so that it is defined in terms used in the 2006 census and is consistent with the ACMA’s most recent determination of population of a licence area under section 30 of the BSA (Preliminary View 2); and

  > make minor amendments to correct previous drafting errors and update technical specifications (Preliminary View 3).

> **In the Mount Isa LAP:**

  > make available FM frequency 104.9 MHz, with a maximum effective radiated power (ERP) of 1 kilowatt (kW) and an omnidirectional (OD) radiation pattern at transmission site DCA Hill, Mount Isa for a new Australian Broadcasting Corporation (ABC) Parliamentary News Network/News Radio (PNN) service at Mount Isa (Preliminary View 4);

  > update the description of Mount Isa RA1 and Mount Isa RA2 licence areas so that they are defined in terms used in the 2006 census and are consistent with the ACMA’s most recent determination of population of a licence area under section 30 of the BSA (Preliminary View 5); and

  > make minor amendments to correct previous drafting errors and update technical specifications (Preliminary View 6).

> **In the Nhulunbuy LAP:**

  > change the technical specifications of the Nhulunbuy community radio broadcasting service 8EAR at Nhulunbuy to increase the maximum power level to 500 W and allow a minor change of site and polarisation (preliminary View 7);
> update the description of Nhulunbuy RA1 and Yirrkala RA1 licence areas so that they are defined in terms used in the 2006 census and are consistent with the ACMA’s most recent determination of population of a licence area under section 30 of the BSA (Preliminary View 8); and
>
> make minor amendments to correct previous drafting errors and update technical specifications (Preliminary View 9).

> In the Wangaratta LAP:

> make available FM frequency 92.9 MHz, with a maximum power of 50 W, for an in-fill transmitter for the 3VKV Mount Beauty community radio broadcasting service at Bright (Preliminary View 10); and

> consequentially vary the Frequency Allotment Plan (FAP) entries under R11 – Albury, Shepparton and Wangaratta to reflect the addition of the 3VKV in-fill transmitter at Bright and the addition of the FM service at Mount Isa for the proposed national ABC PNN service (Preliminary Views 11).

Further discussion of these matters is set out below.
Preliminary Views – Colac LAP

Preliminary View 1 – Community Radio

The ACMA proposes to vary the technical specifications of the existing community radio broadcasting service 3OCR at Apollo Bay and Lorne. It is proposed that this service now operates on:

- a frequency of 88.7 MHz from Broadcast / Comms Mast Council Site Crows Nest Lookout Tuxion Rd 4km NNW of APOLLO BAY with a maximum ERP of 100 W, an omni-directional radiation pattern, mixed polarisation and a maximum antenna height of 30 metres; and
- a frequency of 88.7 MHz from Broadcast Mast Lorne Country Club Site Holiday Rd LORNE with a maximum ERP of 100 W, an omni-directional radiation pattern, mixed polarisation and a maximum antenna height of 30 metres.

The Colac LAP, determined on 22 June 2000, currently provides for one national and two commercial radio broadcasting services as well as one community radio broadcasting service (3OCR). 3OCR is planned to provide coverage to Colac on FM frequency 98.3 MHz with additional in-fill transmitters at Apollo Bay and Lorne on FM frequencies 99.1 MHz and 88.7 MHz, respectively.

OCR FM Inc (OCR) is the licensee of the 3OCR service.

On 27 October 2009, OCR submitted a proposal that it be allowed to change the frequency, power level and transmission site of its in-fill transmitter at Apollo Bay to alleviate interference to its off-air feed input signal. This interference was a result of terrain obstructions between Colac and Apollo Bay. The interference was further exacerbated when 3OCR Colac was required to change from 104.7 MHz to 98.3 MHz in 2008 to accommodate a new ABC NewsRadio service for Colac. OCR proposed that it be allowed to use 88.7 MHz in Apollo Bay and Lorne.

To confirm the suitability of this arrangement, the ACMA requested OCR conduct test transmissions to establish whether its in-fill transmitters could operate on the same frequency without causing mutual interference. This was necessary because of the close physical proximity of the two transmitters.

On 1 December 2009, OCR commenced test transmissions at Apollo Bay on 88.7 MHz with a maximum ERP of 100 W and an omni-directional radiation pattern for an initial period of three months. After the tests were concluded, OCR provided the tests results to the ACMA, which indicated that this arrangement at Apollo Bay and Lorne is feasible and that there was no observed mutual interference.

On 9 April 2010, the ACMA agreed that the frequency 88.7 MHz would be made available temporarily for the provision of the 3OCR service at Apollo Bay until the Colac LAP could be varied, and subsequently issued a transmitter licence. This approach was adopted to allow coverage of Apollo Bay as planned to occur, to continue.

Subsequently, OCR has installed an internet-based programme feed, avoiding the need for off-air programme input from the Colac main station and greatly enhancing its programme input reliability. However the station has reconfirmed its desire to proceed with the frequency change in the LAP to avoid further listener confusion in the Lorne and Apollo Bay area.
The 3OCR Lorne service is presently planned to operate from a nominal location at Mt Cowley with a maximum ERP of 100 W and a directional radiation pattern.

OCR Lorne has advised that the Mt Cowley is no longer available for the Lorne service and the site previously used, Broadcast Mast Lorne Country Club Site has been identified as a site for the purposes of the LAP.

The ACMA therefore proposes that the Colac LAP be varied to make available the FM frequency 88.7 MHz as described above for the 3OCR service at Apollo Bay and Lorne.
**Preliminary View 2 – Licence Areas**

The ACMA proposes that the existing commercial and community radio broadcasting licence areas in the Colac LAP are redefined using 2006 census data but otherwise remain unchanged.

The licence area for commercial and community radio broadcasting services in the Colac LAP – Colac RA1 - is currently described using boundaries from the 2001 census.

The Australian Bureau of Statistics (ABS) has made available to the ACMA the most recently published census (2006), as prepared by the Australian Statistician.

Therefore, the ACMA proposes that this licence area be redefined using 2006 census data, but otherwise remain unchanged.

This licence area, updated to 2006 census data, is illustrated in the document “Licence Area Maps” that accompanies this explanatory paper.

**Preliminary View 3 – Minor Amendments**

The ACMA proposes to update Schedules and Attachments in the Colac LAP.

The ACMA proposes to make several minor amendments to a number of the Attachments that contain the characteristics, including technical specifications, of the broadcasting services specified in the Colac LAP.

The proposed amendments delete and insert information, included for reference only, that does not form part of the Colac LAP and which may be obsolete or create confusion.

The ACMA does not intend these minor amendments to significantly alter any existing rights or obligations.

The proposed changes to the Attachments include:

1. in each of Attachments 1.2, 1.3, 1.4, and 1.5 removing the heading “Licence Area Plan : Colac – June 2000” and substituting the heading “Licence Area Plan : Colac Radio”;
2. in Attachment 1.2, 1.3, 1.4, 1.5, 1.6 and 1.9 updating nominal location of the transmitter specified to provide a more accurate description of the transmitter site. This information is updated for ease of reference only and does not signify a change in broadcast site; and
3. in each of Attachments 1.2, 1.3, 1.4, 1.5, 1.6, and 1.9 under Transmitter site : Site Tolerance : omit “Refer to Technical Planning Guidelines” and substitute “Refer toBroadcasting Services (Technical Planning) Guidelines 2007”. This information has been updated to ensure the Guidelines are referred to by their legislative title.
Preliminary View 4 – National Radio

The ACMA proposes to make channel capacity available for a new national radio broadcasting service to be provided by the ABC at Mount Isa. The service to be provided is the PNN radio service. It is proposed that this service operate on:

- a frequency of 104.9 MHz from Broadcast Tower, Broadcast Australia Site, DCA Hill, 2.5km SE of MOUNT ISA with a maximum ERP of 1kW, an omni-directional radiation pattern and mixed polarisation.

In accordance with a government commitment, the ACMA has undertaken spectrum planning and consultation activities to facilitate the roll-out of the ABC’s PNN radio broadcasting service to areas in Australia with a population of 10,000 or more, where the ACMA is able to confirm availability of spectrum.

The ABC has asked that the ACMA should, when planning for PNN radio services, identify FM frequencies that will provide the same level of coverage as existing ABC radio services in an area, or a high power frequency where there are no existing ABC radio services.

In performing its planning functions under Part 3 of the BSA, the ACMA is required to have regard to, amongst other things, existing services and the demand for new broadcasting services within a licence area (paragraph 23(c)), and to technical restraints relating to the delivery and reception of broadcasting services in Mount Isa (paragraph 23(e)).

The ACMA considers that the provision of a new national service contributes to meeting the demand for new services, and there are no technical restraints concerning its delivery.

Following a broadcast engineering assessment the ACMA found that frequency 104.9 MHz, operating at a maximum ERP of 1 kW with an omni-directional radiation pattern from a transmitter site at DCA Hill would meet the requirements of a national PNN service for Mount Isa. These technical specifications would also meet the requirements of the ABC as the proposed power level matched those of other co-located national radio broadcasting services serving the Mount Isa region. Subsequently a licence was issued to the ABC on 4 January 2008.

4PNN Mount Isa News Radio service commenced operation on 7 July 2008.

The ACMA is of the preliminary view that making channel capacity available in the Mount Isa LAP for a new national radio broadcasting service is likely to further promote the objects of the BSA, in particular the availability of a diverse range of radio services (paragraph 3(1)(a) of the BSA).
Preliminary View 5 – Licence Areas

The ACMA proposes that the existing commercial and community radio broadcasting licence areas in the Mount Isa LAP be redefined using 2006 census data but otherwise remain unchanged.

The licence areas for commercial and community radio broadcasting services in the Mount Isa LAP – Mount Isa RA1 and Mount Isa RA2 – are described using boundaries from the 1991 census.

The Australian Bureau of Statistics (ABS) has made available to the ACMA the most recently published census (2006), as prepared by the Australian Statistician.

Therefore, the ACMA proposes that these licence areas be redefined using 2006 census data, but otherwise remain unchanged.

These licence areas, updated to 2006 census data, are illustrated in the document “Licence Area Maps” that accompanies this explanatory paper.

Preliminary View 6 – Minor Amendments

The ACMA proposes to update Schedules and Attachments in the Mount Isa LAP.

The ACMA proposes to make amendments to Schedules One and Two and to each of the Attachments that contain the characteristics, including technical specifications, of the broadcasting services specified in the Mount Isa LAP.

The proposed amendments delete and insert information, included for reference only, that does not form part of the Mount Isa LAP and which may be obsolete or create confusion.

The ACMA does not intend these minor amendments to significantly alter any existing rights or obligations. It proposes to replace the Schedules and Attachments in the entire, without changing the substantive parts, to facilitate these minor amendments.

The proposed changes to Schedules One and Two include the removal of the heading “Licence Area Plan – Mount Isa – (Radio) – September 1996” and the substitution of the heading “Licence Area Plan: Mount Isa Radio”.

The nominal location of the transmitter site specified in each of Attachments 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.8, 1.9, 1.10, 1.11, 1.12, 2.2 and 2.3 will be updated to provide a more accurate description of the transmitter site. This information is updated for ease of reference only and does not signify an actual change in planned transmitter site.

The Australian Map Grid reference specified in each of Attachments 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.8, 1.9, 1.10, 1.11, 1.12, 2.2 and 2.3 will be updated to reflect the actual planned locations of the transmitters for these services based on the information held by the ACMA. The change in co-ordinates does not change the planned performance of any of the services.

The proposed changes to Attachments 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.8, 1.9, 1.10, 1.11, 1.12, 2.2 and 2.3 include updating the transmitter site nominal location site tolerance to refer to the Broadcasting Services (Technical Planning) Guidelines 2007. This information has been updated to accurately refer to the name of the legislative instrument. The proposed change to Attachment 1.9 also includes a change from vertical to mixed polarisation.
The antenna height in each of Attachments 1.2, 1.3, 1.4, 1.5, 1.12, 2.2 and 2.3 has been updated to reflect the planned and/or actual operating conditions for these services on the advice of the licensee. The very minor change in antenna height does not change the planned performance of any of the services.

The special conditions at Attachments 1.7 and 1.8 relating to compliance with Day/Night switching implementation guidelines are proposed to be varied to change the reference to the ABA to a reference to the ACMA. This change does not affect the operation of the special condition.

The special conditions at Attachments 1.7 and 1.8 relating to use of increased power during the day-time are proposed to be given effect by separate radiation pattern specifications for both day and night. This change does not affect the planned operation of the service.

It is proposed that a Special Condition be added to each of Attachments 1.11 and 1.12. The Special Conditions describe the defined coverage area of the narrowcasting transmission in kilometres from a point with specified AMG coordinates. This point is the same as the transmitter site nominal location. The special condition clarifies the rights and obligations of the licence holder and does not change the provision of the service.
Preliminary Views – Nhulunbuy LAP

Preliminary View 7 – Community Radio

The ACMA proposes to vary the technical specifications of the existing community radio broadcasting service 8EAR at Nhulunbuy. It is proposed that this service now operates on:

- a frequency of 106.9 MHz from Nabalco Radio Hut Mt Saunders NHULUNBUY with a maximum ERP of 500 W, an omni-directional radiation pattern and mixed polarisation.

The Nhulunbuy LAP, determined on 27 August 1996, currently provides for two community radio broadcasting services (8EAR and 8ACR) and one open narrowcasting radio service. 8EAR is planned to provide coverage to Nhulunbuy on FM frequency 106.9 MHz and 8ACR to Yirrkala on 105.3 MHz.

8-EAR Community Radio Inc (Gove FM) is the licensee of the 8EAR service.

On 27 October 2009, Gove FM submitted a proposal that it be allowed to increase its maximum power level from 100 W to 500 W, change its transmission site and operate with mixed polarisation to improve coverage within its licence area.

An engineering assessment undertaken by the ACMA has verified that the existing signal levels of the 8EAR service at Nhulunbuy do not allow for adequate coverage throughout the licence area. Increasing the maximum power level to 500 W and operating with mixed polarisation would allow for increase in coverage of the Nhulunbuy area.

Assessment of 8EAR’s site change found that it is minor in nature and would not affect the provision of the 8EAR service as planned.

The ACMA therefore proposes that the Nhulunbuy LAP be varied to increase the maximum power level, operate with mixed antenna polarisation and change the transmission site of the 8EAR service as described above.

Preliminary View 8 – Licence Areas

The ACMA proposes that the existing community radio broadcasting licence areas in the Nhulunbuy LAP be redefined using 2006 census data but otherwise remain unchanged.

The licence areas for commercial and community radio broadcasting services in the Nhulunbuy LAP – Nhulunbuy RA1 and Yirrkala RA1 – are described using boundaries from the 1991 census.

The Australian Bureau of Statistics (ABS) has made available to the ACMA the most recently published census (2006), as prepared by the Australian Statistician.

Therefore, the ACMA proposes that these licence areas be redefined using 2006 census data, but otherwise remain unchanged.

These licence areas, updated to 2006 census data, are illustrated in the document “Licence Area Maps” that accompanies this explanatory paper.
The ACMA proposes to make minor amendments to the Nhulunbuy LAP to update information.

The ACMA proposes to make minor amendments to the Nhulunbuy LAP to update the title page, determination, schedules and to update attachments 1.3 and 2.2, including their technical specifications. Attachment 1.3 and 2.2 describes the open narrowcasting radio service and community radio broadcasting service that are available at Nhulunbuy and Yirrkala, respectively.

The ACMA does not intend these minor amendments to significantly alter any existing rights or obligations. It proposes to amend the heading of the title page, amend the heading of the determination, substitute the paragraphs of the determination and replace the Schedules and Attachments in their entirety, without significantly changing the substantive parts, to facilitate these minor amendments.

**Title Page**
The proposed change to title page amends the heading to remove the words “Community and Open Narrowcasting Radio” and “August 1996” so that it reads “Licence Area Plan – Nhulunbuy Radio” and is consistent with other recently varied radio LAPs.

**Determination**
The proposed changes to the Determination includes amending the heading “Licence Area Plan – Nhulunbuy” to include the word “Radio” so that it reads “Licence Area Plan – Nhulunbuy Radio”, omitting the sub-heading “Determination” and substituting the paragraphs of the determination.

The substituted paragraphs update the language of the paragraphs so that they are consistent with other recently varied radio LAPs.

A new paragraph (paragraph (4)) has been inserted into the LAP to ensure that it refers to schedules and attachments that have been amended from time to time by the ACMA consistent with other recently varied radio LAPs.

**Schedule One**
The proposed changes to the Schedule One includes amending the sub-heading “Licence Area Plan – Nhulunbuy” so that it now reads “Licence Area Plan – Nhulunbuy Radio” and inserts a new sub-heading “Licence Area : NHULUNBUY RA1” under the sub-heading. This new sub-heading names the licence area that the broadcasting services described in the Schedule are available in.

**Schedule Two**
The proposed changes to the Schedule Two includes amending the sub-heading “Licence Area Plan – Yirrkala” so that it now reads “Licence Area Plan – Nhulunbuy Radio” and inserts a new sub-heading “Licence Area : YIRRKALA RA1” under the sub-heading. This new sub-heading names the licence area that the broadcasting service described in the Schedule is available in.

**Attachment 1.3**
The proposed changes to the technical specifications of the open narrowcasting radio service described at Attachment 1.3 include amending the heading and updating the transmitter site:- nominal location, site tolerance and polarisation.
The change to the heading updates it so that it now reads “Licence Area Plan: Nhulunbuy Radio” and is consistent with other recently varied radio LAPs.

The change to the transmitter site:- nominal location includes updating the description of the nominal location so that it more accurately describes the planned site of transmission. This information is updated to for ease of reference, to ensure consistency with the ACMA’s site records, and does not signify an actual change in planned site.

The change to the transmitter site:- site tolerance updates the description so that it refers to Broadcasting Services (Technical Planning) Guidelines 2007. This information has been updated to ensure it accurately refers to the correct title of the legislative instrument.

In addition it is proposed that a Special Condition be added to Attachment 1.3. This Special Condition describes that the coverage area of this transmission is a circle of radius 20 kilometres centred on a point with the following Australian Map Grid co-ordinates: Zone 53, Easting 693400 and Northing 8652300. This point is the same as the transmitter site nominal location.

This special condition is included to clarify the rights of the licence holder, to ensure the description of the service is consistent with the other recently varied radio LAPs and does not change the provisioning of the service.

**Attachment 2.2**

The proposed changes to the technical specifications of the community radio broadcasting service described at Attachment 2.2 include amending the heading and updating the transmitter site:- nominal location, Australian map grid reference, site tolerance and emission: - polarisation and maximum antenna height.

The change to the heading updates it so that it now reads “Licence Area Plan: Nhulunbuy Radio” and is consistent with other recently varied radio LAPs.

The changes to the transmitter site:- nominal location and Australian map grid reference include updating the descriptions so that they more accurately describe the site of transmission. This information is updated to for ease of reference, to ensure consistency with the ACMA’s site records, and does not signify a change in the planned performance of the service.

The change to the transmitter site:- site tolerance updates the description so that it refers to Broadcasting Services (Technical Planning) Guidelines 2007. This information has been updated to ensure accuracy only.

The changes to the transmitter site:- maximum antenna height and polarisation increase the height from 15 to 20 meters and change the polarisation from vertical to mixed to provide maximum flexibility in the operation of the broadcasting service. These changes do not significantly change the planned performance of the service.
The ACMA proposes to make channel capacity available for an additional in-fill transmitter at Bright for the Mount Beauty community radio broadcasting service 3VKV. It is proposed that this transmitter operates on:

- a frequency of 92.9 MHz from a transmitter site nominal location of Broadcast Australia Tower Apex Lookout off Mount Porepunkah Rd 1.5 km NE of BRIGHT with a maximum ERP of 50 W, an omnidirectional radiation pattern and mixed polarisation.

The Wangaratta LAP, determined on 15 September 1997, and varied on 25 November 2009, currently provides for seven national radio broadcasting services, two commercial radio broadcasting services and one open narrowcasting radio services in the Wangaratta RA1 licence area. It also provides for two community radio broadcasting services (3VKV and 3WPR) in the Mount Beauty RA1 and Wangaratta RA2 licence areas, respectively.

The variation of November 2009 extended 3VKV’s licence area\(^3\) to include the communities of Bright, Dederang and Falls Creek and greatly increased 3VKV’s coverage area by increasing its maximum ERP from 20 W to 100 W together with a higher transmitter site to better match that increased licence area. As a part of the variation it was identified that the community of Bright may not receive adequate coverage due to the mountainous terrain between 3VKV’s Mount Beauty transmitter and the community of Bright. But that this could not be confirmed until after 3VKV had commenced operating with its new technical specifications.

Kiewa Valley Community Radio Association Inc (Alpine Radio) is the licensee of the 3VKV service.

On 15 September 2010, Alpine Radio advised it had commenced operation of the 3VKV service with the new technical specifications but that coverage of Bright had remained deficient. It proposed that the ACMA consider an additional in-fill transmitter to rectify the deficient coverage.

Bright has a population of 2,111 persons\(^4\) and is located approximately 20 kilometres west of Mount Beauty and requires suburban grade of service for full broadcast quality. Assessment by the ACMA verified that, due to terrain obstruction signal levels at Bright is below the required grade and increasing the power of the parent transmitter would not improve coverage and would cause in interference to 2BDR Corryong. As a result, we have identified 92.9 MHz at 50 W is available at Bright and is suitable for use as an in-fill transmitter.

Therefore, on 27 October 2010, the ACMA agreed that 92.9 MHz would be made available temporarily for the provision of the 3VKV service at Bright until the Wangaratta LAP could be varied, and subsequently issued a transmitter licence. This approach was adopted to expedite the commencement of the service. The ACMA therefore proposes that the Wangaratta LAP be varied to make available 92.9 MHz as described above for the 3VKV service at Bright.

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\(^3\) Mount Beauty RA1.

\(^4\) According to 2006 census data.
Preliminary View – FAP

Preliminary View 11 – FAP (R11 – Albury, Shepparton and Wangaratta and R1 – Remote Area)

The ACMA proposes that the FAP for the VHF-FM Band entries under R11 – Albury, Shepparton and Wangaratta be varied to reflect the addition of in-fill 3VKV transmitter at Bright and under R1 – Remote Areas be varied to reflect addition of the FM service at Mount Isa.

The FAP and LAP for a particular area together constitute a ‘blueprint’ for the development and planning of broadcasting in that area using the BSB. The FAP sets out the number of channels to be available in particular areas and the LAP describes the number and characteristics of the services to be provided in a particular area, using those channels. The LAP for an area must be consistent with the FAP see subsection 26(1) of the BSA.

As a consequence of the proposal to make available in-fill transmitter for the existing community radio broadcasting service 3VKV (see Preliminary View 9) and the FM frequency at Mount Isa for the proposed ABC PNN service (see Preliminary View 4) the ACMA proposes to vary the FAP for the VHF-FM Band, entries under R11 – Albury, Shepparton and Wangaratta to reflect the addition of that in-fill transmitter and the R1 – Remote Area to reflect the addition of the FM service for the proposed ABC PNN service.

This will ensure that the Wangaratta LAP and the Mount Isa LAP and the FAP remain consistent.