SUBMISSION BY COMMERCIAL RADIO AUSTRALIA

ACMA DRAFT VARIATION TO LICENCE AREA PLAN - SYDNEY RADIO – NO 1 OF 2013

April 2013
Commercial Radio Australia (CRA) welcomes the opportunity to comment on the ACMA’s draft variation to the Sydney radio Licence Area Plan (LAP), as detailed in the ACMA’s Draft Explanatory Paper.

CRA’s particular concerns relate to the changes proposed to Penrith’s high power open narrowcasting (HPON) service, with the on-air ID ‘Cool Country 2KA’

CRA is the peak national industry body for Australian commercial radio stations. CRA has 260 members and represents approximately 99% of the commercial radio broadcasting industry in Australia.

1. Introduction

The draft variation to the Sydney Licence Area Plan (LAP) proposes a change in frequency from 1476 kHz to 1386 kHz and radiation pattern for the High Power Open Narrowcast (HPON) service at Penrith. The same LAP Variation proposes changes for the commercial radio service 2MAC and a planned community service (currently planned for 1386 kHz).

This submission deals only with the proposed licence area plan variations for the High Power Open Narrowcast service at Penrith (known as 2KA) and the consequential change in frequency for the planned community radio service.

2. Summary

The proposed variation to the Sydney radio LAP proposes changes to the frequency, radiation pattern and radiated power for the HPON service operating on 1476 kHz at Penrith (Luddenham).

All three technical changes together constitute a significant change to the currently approved technical specifications for this HPON service for Penrith, such that if they are approved, the ACMA should consider withdrawing the licence and re-offering it for auction as the value of the licence will have been considerably enhanced by making these changes to its technical specifications.

Alternatively, if the ACMA proposes the alternative of a frequency change only, this would achieve a significant improvement to the coverage of the HPON service at Penrith from the existing transmission site, with minimum impact on overspill beyond the licence area, and would be acceptable to commercial radio broadcasters.

The consequential change of frequency for the planned, and unused, community radio service, from 1386 kHz to 783 kHz from a transmission site at Homebush Bay, is acceptable to commercial radio broadcasters.

3. The High Power Open Narrowcasting Service (HPON) at Penrith

The draft variation to the Sydney LAP states,

“the ACMA proposes to vary the technical specifications of the Penrith open narrowcasting radio service on AM frequency 1476 kHz by changing its frequency and output radiation pattern. It is proposed that this service operate on:

1386 kHz from Broadcast Site Lot 12 cnr Elizabeth Drive and Luddenham Rd, Luddenham, with a maximum CMF of 300 volts.”

Therefore, two parameters appear to be changing, the frequency and the radiation pattern. But, the radiated power is also proposed to change, from the existing maximum cymomotive force (CMF) of 230 volts, to 300 volts; this is described in the text of the Explanatory paper.

NOTE: all efforts to find a record of the current Technical Specification, TS 10013427, as listed in the Variation to Licence Area Plan - Sydney Radio No.1 of 2006, have failed to find that technical
specification; this includes efforts through liaison with ACMA staff (it appears the 2006 document has been archived).

While it would be ideal to have that current specification, a fair assessment of the impact of the proposed changes can still be made from the available information.

The proposed changes:

**Frequency:** The change in frequency from 1476 kHz to 1386 kHz is a logical proposal as it removes the night time interference from the service which occurs due to the co-channel operation of 4ZR in Roma (Queensland). This factor alone should improve the coverage by the HPON service markedly.

The consequential change for the planned, but unused, community radio service from 1386 kHz to 783 kHz from a transmission site at Homebush Bay, makes better use of the latter frequency which, due to better propagation characteristics at the lower AM frequency, can provide better wide area coverage for an appropriate service (and inappropriate coverage for a local HPON service such as that in Penrith) than can be achieved with 1386 kHz or 1476 kHz.

NOTE: there is an error on page 7 of the draft variation to the LAP, the planned community radio frequency, currently unused, is shown as 786 kHz, it should be 783 kHz.

**Radiation Pattern:** The proposed radiation pattern for the HPON appears to be a reasonable compromise for the licence area to be covered, noting the location of the transmission site on the extreme southern boundary of the licence area (already approved by the ACMA in 2006).

There will be some unavoidable overspill into the areas to the north and east of the licence area, notably towards Horsley Park, Marsden Park and possibly towards Mount Druitt. Without access to the current Technical Specifications for the HPON service and its radiation pattern a comparison cannot be made.

**Transmitted power:** The increase in CMF from 230 volts to 300 volts will increase the field strength by around 2.4 dB from the current field strength. This, and the improved interference-free reception due to the frequency change, should overcome the reception issues for the licensee within its licence area. However these two changes (increased power and the frequency change) will result in some increase in coverage due to unavoidable overspill in marginal areas on the eastern side and to the north of the licence area.

**Significant Change to a LAP?**

A question arises as to what constitutes “a significant change to the technical specifications in a LAP?”

The ACMA states in its third paragraph on page 3 of the LAP variation, that,

“The ACMA’s general policy is that HPON services, which are purchased at public auction, should not be substantively changed to improve their value without withdrawing the licence and offering it again at public auction, thereby allowing other parties to bid for the new service”, and goes on to say, “However, as with any administrative policy providing general guidance on an issue, the ACMA must consider whether exceptional circumstances exist that might warrant a departure from this policy.”

The ACMA proposed variation to the licence area plan for Sydney proposes changes to:

- The frequency;
- The radiated power; and
- the radiation pattern for the HPON service at Penrith (Luddenham).

Noting that the ACMA’s proposal to change the frequency of the HPON service to alleviate the night time interference occurring on 1476 kHz from 4ZR Roma, it could be considered that the frequency change alone, is sufficient to improve the coverage of the HPON service without any further changes to its licensed technical specification, i.e. the approved radiation pattern or radiated power.
The change of frequency, together with the change of radiation pattern and radiated power, constitute significant changes to the currently approved technical specifications for this HPON service. Therefore, if all three proposed changes are to proceed, it is appropriate to consider withdrawing the licence and re-offering it for auction because the changes, taken together, constitute a significant change to the licensed technical specifications in the current licence area plan for Sydney radio, thereby improving the market value of the HPON service for Penrith.

There do not appear to exist any exceptional circumstances that might warrant a departure from the ACMA’s stated policy that HPON services, which are purchased at public auction, and have been substantively changed to improve their value, should have their licence withdrawn to be offered again at public auction thereby allowing other parties to bid for the new service.

We would support the change in frequency, if that is the only change proposed for this HPON service.

Accordingly, as the proposed changes currently stand, we object to the proposals and propose the alternative of a frequency change only. The frequency change would achieve a significant improvement to the coverage of the HPON service at Penrith from the existing transmission site, with minimum impact on overspill beyond the licence area.

CRA would welcome the opportunity to discuss these points with the ACMA. The ACMA should contact Joan Warner on 9281 6577 if it wishes to do so.