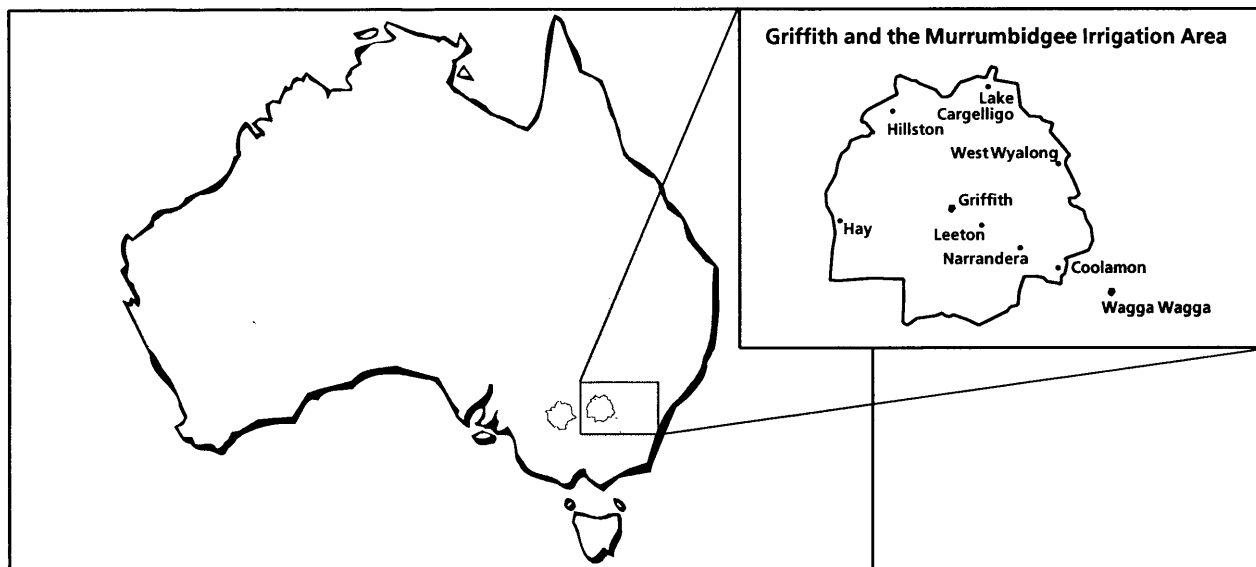


# ABA PROPOSES NEW COMMERCIAL TELEVISION AND RADIO LICENCES



**THE ABA HAS PROPOSED NEW COMMERCIAL TELEVISION LICENCES BE MADE AVAILABLE IN THE GRIFFITH AND MURRUMBIDGEE IRRIGATION AREA (MIA) REGION OF NSW AND IN THE MILDURA/SUNRAYSIA AREA.**

**THE CASE FOR FURTHER ADDITIONAL COMMERCIAL TELEVISION SERVICES IN THE AREAS WILL BE REVIEWED IN FIVE YEARS' TIME.**

**THE ABA ALSO PROPOSES TO MAKE A NUMBER OF NEW FM CHANNELS AVAILABLE FOR RADIO SERVICES IN THE MILDURA/SUNRAYSIA AREA. THE ABA'S PRELIMINARY VIEWS ARE CONTAINED IN ITS PUBLIC PLANNING PROPOSALS FOR GRIFFITH AND THE MIA AREA, RELEASED ON 14 OCTOBER AND FOR THE MILDURA/SUNRAYSIA AREA, RELEASED ON 21 OCTOBER. THE PROPOSALS, WHICH INCLUDE DRAFT LICENCE AREA PLANS, ARE THE SECOND AND THIRD TO BE RELEASED IN THE ABA'S NATIONAL BROADCAST PLANNING PROCESS.**

## **GRIFFITH AND THE MIA**

The ABA proposes to make television channels available for a new commercial service and a high power service in Griffith and the MIA. SBS television is currently re-transmitted in Griffith. The facility was established by the local community and operates on low power.

### **MAIN ISSUES**

The main planning issues disclosed by the ABA's public planning process are whether additional commercial television licences should be made available in Griffith and the MIA, and if so, how many.

The licensee of the existing commercial television service, MTN, has expressed

interest in providing a second service using VHF spectrum. This would require the ABA to show an additional service as available for allocation and MTN to make a request under s.73 of the Act.

Under this section, if an existing commercial television licensee is the sole service provider of its type (a 'solus operator'), it may apply for permission to provide a second service for a limited period. The ABA may give its permission if it is satisfied that another person would be unlikely to be interested in, and in a position to, operate another commercial television broadcasting service in that market.

It appears that the licensee of MTN may not be eligible to apply to under s.73, because the overlap between the licence areas of Griffith/MIA and Approved Market C (Southern NSW/ACT) exceeds 30 per cent. This means that the licensee of

MTN is technically not a solus television operator.

Three other submitters also expressed interest in providing additional commercial television broadcasting services.

The ABA is proposing to make a single additional commercial television service available in the area. The ABA's planning proposals canvass the issue of whether a VHF channel could be made available for this service and concludes that there are no suitable VHF channels left that could be used in the area. Accordingly, a UHF channel is proposed. The two channels that the Minister has notified the ABA to reserve will also be UHF.

### **OTHER ISSUES**

The ABA proposes to redefine the existing Griffith/MIA licence area using 1991

Census Collection Districts, but otherwise leave it unchanged.

The licence area for the proposed new commercial television service will be identical to that for the existing commercial television service.

Copies of the draft licence area plan for Griffith and the MIA are available from the ABA on Freecall (008) 810 241. Written submissions are invited. The closing date is 11 November 1994. Submissions should be addressed to the Planning Officer for Griffith and the MIA, Australian Broadcasting Authority, PO Box 34, Belconnen, ACT 2616, quoting file ref. 94/5695. ☐

## MILDURA/SUNRAYSLIA

**The ABA has proposed a new commercial television licence be made available in the Mildura/Sunraysia area.**

The ABA proposes to review the case for a further additional commercial television service in five years' time.

The ABA also proposes to make a number of new FM channels available for radio services. Two have been set aside for new commercial services and one for a new low-power community radio service based at Dareton.

One FM channel has been set aside for a national (ABC or SBS) service in accordance with the Minister's request. A further two FM channels will be made available

for translators (re-transmission facilities) in Robinvale—one for existing community radio service 3HOT and the other for the proposed community radio service.

Any new commercial television service will be allocated a UHF television channel (see below). It is also proposed to make a UHF television channel available for a high-powered SBS service. SBS television is currently re-transmitted in Mildura. The facility was established by the local community and operates on low-power.

### MAIN ISSUES

The main planning issues disclosed by the ABA's planning process are that there are vacant radio and television channels sufficient to meet all immedi-

### THE PLANNING PROCESS

The aim of the ABA's planning process is to identify any vacant radio and television channels, plan the availability of any new radio or television services and improve reception of existing services. It is important to note that the ABA cannot fund, or compel others to fund, additional broadcasting services or improved reception of existing broadcasting services in an area. It can only determine the number and characteristics of channels that are to be available. The release of the public planning proposals follows extensive public consultation including public meetings in Mildura and Griffith in November last year. Calls for written comment resulted in many submissions, which the ABA has taken into account in preparing the proposals. The release of draft licence area plans begins stage three of the planning process. The first stage was completed in September 1993 with the release of the ABA's priorities for planning services

across Australia. Stage two is also complete with the publication of the frequency allotment plan in August 1994, setting out the number of radio and television channels in particular areas of Australia. With priorities set and the frequency allotment plan in place, the ABA can now complete this third and final stage of the planning process, over the next two years. Over the coming months public planning proposals containing draft licence area plans will be circulated for public comment then released in final form. Public consultation for the first round of planning in remote Australia and other high priority areas has been completed.

The ABA expects to release the following radio and television draft licence area plans by year's end: Darwin and the Top End, Kalgoorlie, south east South Australia (television only), Spencer Gulf (television only), Broken Hill, Mt Isa, Central and South West Western Australia, and remote Australia. The ABA has already released

a draft licence area plan for the Riverland (radio and television).

### LICENCE AREA PLAN

Once a licence area plan is completed for an area, there must be some method of providing the available channels for broadcasting use.

Allocation of any additional community broadcasting licence shown in a licence area plan will be by a merit-based selection process following a public call for applications from interested groups. The ABA will weigh the relative merits of the applications against the criteria set out in the *Broadcasting Services Act 1992*, in particular the extent to which each proposed service would meet existing and future community needs.

Where a licence area plan shows additional commercial broadcasting licences available, the ABA will normally employ a price-based allocation process to allocate these licences. Applications for such licences will be publicly invited. The ABA is currently developing the price-based

system to be employed.

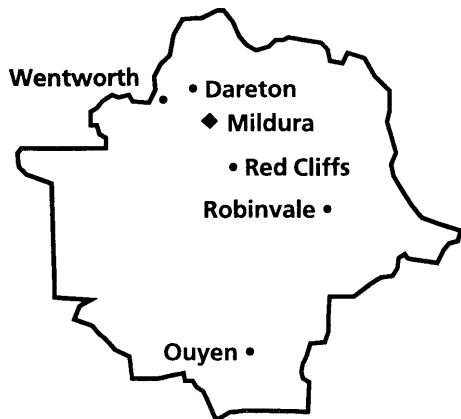
Channels not immediately required for mainstream (commercial, community or national) broadcasting services may be allocated temporarily for alternative uses, including open or subscription narrowcasting and the temporary transmission or re-transmission of programs.

Licence area plans for Griffith and the MIA will contain details of all national, commercial and community television broadcasting services that are to be available using the broadcasting services bands of the radiofrequency spectrum. These are the parts of the spectrum used by VHF and UHF television services.

The ABA may make any vacant channels available for commercial, community or national broadcasting.

Commercial television broadcasting services shown as available in a licence area plan will generally be offered for sale via a price-based allocation process to be determined under the Act.

### Mildura/Sunraysia Region of Victoria and New South Wales



ately foreseeable demand in the Mildura/Sunraysia area.

The licensee of the existing commercial television services, STV, has expressed interest in providing a second service. This would require the ABA to show an additional service as available for allocation and STV to make a request under s.73.

There were also six expressions of interest from other submitters in providing additional commercial television broadcasting services and strong support from the public for additional services.

The ABA believes the objects of the Act would be best served by making a single additional commercial service available in the area. These objects talk of the promotion of the availability of a diverse range of radio and television services offering entertainment, education and information (s.3 (a)) and the encouragement of providers of commercial and community broadcasting services to be responsive to the need for a fair and accurate coverage of matters of public interest and for an appropriate coverage of matters of local significance (s.3 (g)).

The case for a further additional commercial television service will be reviewed five years from the date of the determination of the Mildura/Sunraysia television licence area plan.

The existing high power television services in the Mildura/Sunraysia region use channels on the VHF band (which covers channels 0 to 11). ABC is on channel 6 and STV is on channel 8. Any new services will be allocated channels in the UHF band (channels 28 to 69). Viewers may need to purchase a UHF antenna to

receive these services.

A number of additional FM radio channels will be made available in the Mildura/Sunraysia region. One 100 kW channel will be reserved for a national (ABC or SBS) radio service in accordance with the Minister's request. Two 20 kW channels will be made available for commercial radio services in Mildura/Sunraysia. One of the additional 20 kW channels would be available to the licensee of the existing commercial radio service, 3MA, to commence a second service if it exercises its prerogative under s.39 of the Act.

In response to strong demand for an Aboriginal radio service, the ABA proposes to make available one limited coverage 1 kW FM channel based at Dareton for a community radio service in the Mildura district. The ABA will advise the Minister about the demand for Aboriginal radio to ascertain whether he wishes to give any directions under s.84 concerning priority for this particular community interest.

In addition the ABA has made two 60 W channels available for re-transmission of the existing (3HOT) and proposed community radio services to Robinvale.

#### **OTHER ISSUES**

The ABA will reserve channels for existing national television services. It also proposes to reserve channels for SBS and national/community television services in Mildura/Sunraysia, pursuant to the Minister's notice of reservation.

The ABA proposes to redefine the existing Mildura/Sunraysia commercial

radio licence area using 1991 Census Data, but otherwise leave it unchanged. The licence area of the two new commercial FM radio services will be identical to the current licence area of commercial radio service 3MA.

The licence area for the proposed new commercial television service will be identical to that for the existing commercial television service.

The licence area of the existing community radio station 3HOT will be amended to include the townships of Wentworth and Robinvale. The licence area for the proposed new 1 kW FM community radio service will be the same as 3HOT's new area.

The ABA will not extend the licence area of 3HOT to include the town of Ouyen but further consider the question of services for Ouyen at the time it considers planning for Central Victoria and Central Murray (planning Region 16) of which Ouyen is a part.

The ABA will consider the provision of low power (10W) channels at Ouyen for the purposes of rebroadcast of community and or other services to the township, at the time it considers the planning for Central Victoria and Central Murray (R16).

The ABA proposes to consider, after determination of the Mildura/Sunraysia radio licence area plan, dropping through one low power (200W) AM channel (at 1359 kHz) in the vicinity of Mildura for a period of five years, to providers of open narrowcasting radio services.

The coverage area for the low power AM open narrowcasting channel will be limited to Wentworth in the west, Red Cliffs in the south, Dareton in the north and Mildura and Monak in the east.

The ABA will consider whether to make available one further community radio licence to service the Mildura/Sunraysia region not earlier than two years after the determination of the radio licence area plan for the region.

Copies of the proposals for Mildura/Sunraysia are available from the ABA on Freecall (008) 810 241. Written submissions are invited. The closing date is 30 November 1994. Submissions should be addressed to the Planning Officer for Mildura/Sunraysia, Australian Broadcasting Authority, PO Box 34, Belconnen, ACT 2616, quoting file reference 94/6546. ☐