

New community radio licence for Moss Vale

ACMA has allocated a new community radio licence to MVH FM Incorporated (MVH) to serve the Moss Vale area of New South Wales. The licence commenced on 16 June 2006 and the service will broadcast on 92.5 MHz on the FM band.

MVH has been broadcasting on this frequency under a temporary community broadcasting licence that expired on 15 June 2006 and has

operated a service under a temporary community broadcasting licence in Moss Vale since June 2004.

MVH was the only applicant for this licence and its application was assessed with particular regard to whether the proposed youth format service would meet the existing and perceived future needs of the youth community in the Moss Vale area. MVH currently operates 24 hours a

day, seven days a week. The proposed service will provide programs that will cover a wide range of local issues that will appeal to the youth community in Moss Vale.

The Moss Vale area is currently served by one national radio service (2RN); two commercial radio services (2ST and 2WSK); and two open narrowcast services. Moss Vale is also served by two national television

services (ABC and SBS) and three commercial television services (Prime Television, Southern Cross Ten and WIN Television).

Applications for the Moss Vale community broadcasting licence (SL1150174) were invited on 4 May 2005 and closed on 1 June 2005.

No permanent community radio licence for the Upper Murray

ACMA has decided not to allocate a permanent community broadcasting licence at this time for the Upper Murray licence area.

When applications were invited for two Upper Murray licences in May 2005, the High Country Christian Broadcasters Association Inc. (HCCBA) was the only applicant and proposed to provide a service targeting the Christian community. HCCBA has operated a service under a temporary community broadcasting licence in the Upper Murray licence area since February 1994.

However, the applicant provided insufficient evidence that the proposed service would meet the existing and perceived future needs of the community. While many communities already benefit from community broadcasting serving a Christian community of interest, ACMA found that in this case the applicant had not provided sufficient evidence to support its claims that the licence area needs the particular service that is proposed.

There is also insufficient evidence that the applicant has the management capacity to provide the proposed service. In

particular, ACMA had strong concerns about the openness of the applicant's management and committee structure to the Christian community of the Upper Murray, noting the method of appointment of new members to the committee of management and its small size, and the absence of any subcommittees.

The frequency set aside for the licence (94.9 MHz) was occupied by the applicant on a temporary community broadcasting licence until the licence expired on 6 June 2006. After that date, it is available for a temporary community broadcasting service to provide aspirant broadcasters with an opportunity to provide a community service. HCCBA or any other aspirant group may apply for this temporary community broadcasting licence. ACMA will review the situation within 12 months, with a view to readvertising the availability of the permanent licence.

The Upper Murray area is currently served by four national radio services (3JJJ, 3ABCFM, 3ABCRN, and 3MRR); two commercial radio services (2AAY and 2BDR);

and one community broadcasting service (a general service allocated on 7 March 2006 to Upper Murray Community Radio Inc.). The Upper Murray is also served by

two national television services (ABC and SBS) and three commercial television services (Prime TV, Southern Cross Ten Victoria, and WIN TV).

COMMUNITY BROADCASTING LICENCES

Part 6 of the *Broadcasting Services Act 1992* provides for the allocation of community broadcasting licences. Applicants are required to compete for licences on a merits basis. Under section 85 of the Act, ACMA is not required to allocate a community broadcasting licence to any applicant. The process includes opportunity for public comment and in allocating the licences ACMA must have regard to:

- the extent to which the proposed service would meet the existing and perceived future needs of the community within the licence area of the proposed service;
- the nature and diversity of the interests of that community;
- the nature and diversity of other broadcasting services (including national broadcasting services) available within that licence area;
- the capacity of the applicant to provide the proposed service;
- the undesirability of one person being in a position to exercise control of more than one community broadcasting licence that is a broadcasting services bands licence in the same licence area; and
- the undesirability of the Commonwealth, a State or Territory or a political party being in a position to exercise control of a community broadcasting licence.

Where an applicant proposes to serve a particular community interest it should demonstrate that the greater part of that community interest will be served.

To date, 361 community radio broadcasting licences have been allocated, 34 of which are to licensees who seek to serve a Christian community of interest.