

## Bankstown **community radio licence** not to be renewed

ACMA is not renewing the community radio broadcasting licence held by Bankstown City Radio Co-Operative Ltd since 1983.

The decision was made after ACMA considered evidence in support of Bankstown City Radio's licence renewal application, including a large number of submissions from members of the public supporting particular programs. However, ACMA

has had very significant concerns about the licensee's capacity to represent the interests of the Bankstown-Auburn community. Most of the licensee's members are from communities outside of the licence area and a significant proportion of its programs are directed at communities that are largely resident outside the licence area. ACMA concluded that the licensee does not

adequately meet the needs of the Bankstown-Auburn area, which is the purpose of the licence.

There are eight services in Sydney already licensed to provide a wide-coverage service to communities with particular interests, for example, services broadcasting to youth, religious and ethnic communities. In addition, there are 16 narrow-coverage community broadcasting

services that provide services to the general community in Bankstown, Blacktown, Burwood, Campbelltown, Chatswood, Hornsby, Liverpool, Manly, Narwee, Parramatta, Penrith, Ryde, Sutherland, Sydney City, Waverley and Windsor.

To continue support for community broadcasting in the Bankstown-Auburn area, ACMA will make the 100.9 MHz spectrum available for temporary community broadcasting and has invited the licensee to apply for a temporary community broadcasting licence to start from the day after the licence expires. The licensee may have to share the frequency with other temporary broadcasters.

ACMA is responsible for promoting the availability of a diverse range of radio services throughout Australia, as well as ensuring broadcasters meet all their statutory obligations. A decision to not renew is never taken lightly and while disappointing for the licensee and its listeners, is arrived at after considerable deliberation and after taking into account ACMA's objectives.

### COMMUNITY BROADCASTING LICENCE RENEWALS

Community broadcasting licences are issued for five years. ACMA writes to a community broadcasting licensee 58 weeks before the expiry of its licence requesting that it submit an application to renew its licence no later than 52 weeks before the expiry date.

The procedures for renewing a community broadcasting licence are set out in the *Broadcasting Services Act 1992*, which gives ACMA discretion to review a community broadcasting licence at the time it is due for renewal. ACMA may have regard to the same matters that it considers when allocating new community broadcasting licences. These are:

- 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.

ACMA has discretion over whether to conduct a renewal inquiry, its form and what it would consider. A renewal inquiry may be conducted if there is evidence to suggest that ACMA would not allocate the licence to the licensee under an allocation process. ACMA may also refuse to renew a community broadcasting licence if it considers it would not allocate a licence to the licensee.

## Additional conditions for **Coraki community broadcasting** licence

ACMA has renewed the licence of New South Wales community broadcasting service 2RBR Coraki, while proposing to impose additional licence conditions. The conditions are to ensure that the licensee, Community Radio Coraki Association Inc., provides a high quality service to the Coraki community and meets its regulatory obligations.

In the course of renewing the 2RBR licence, ACMA questioned the licensee about the extent to which the service meets the programming needs of the community within the

Coraki licence area and its capacity to provide the service in accordance with its licence conditions.

ACMA is concerned that the majority of the station's members and sponsors are located outside the planned licence area for the service and the licensee has established a second studio in Casino, also outside the licence area.

2RBR has undertaken to take positive action to address ACMA's concerns, and ACMA has taken this into account in deciding to renew the licence.

ACMA is charged with promoting the availability of a diverse range of radio services throughout Australia, as well as ensuring broadcasters meet all their statutory obligations. The proposal to impose licence conditions successfully balances these objectives and represents an acceptable outcome to the renewal process.

ACMA will also closely monitor 2RBR's programs to ensure that it complies with the requirement to present factual material accurately. Concerns about the station's

programming arise from ACMA's finding in September 2006 that 2RBR had failed to presenting factual material accurately and therefore did not comply with the code of practice, which may result in ACMA taking enforcement action against the licensee.

ACMA will consider any submission from the licensee about its proposal to impose the licence conditions before making a final decision.