

## ABA Planning Process: Not Quite As Planned?

**Public seminars and workshops on planning held by the Australian Broadcasting Authority in all capital cities in May raised the strong possibility that the implementation of planning processes under the new broadcasting legislation may fall somewhat short of Government policy expectations.**

It is possible, for example, that the approach adopted by the ABA, rather than encouraging diversity of services as the Act intends, could set current services in what one seminar participant called 'slow hardening concrete'.

The new licensing regime of the Broadcasting Services Act is designed to simplify the licensing process as well as to increase diversity of services, in line with expressed community need.

A major change from the earlier system is the shift away from scrutiny of individual applicants at the licensing stage to assessment of community need through public processes during the planning process. Once the planning process has identified community broadcasting priorities and technical planning for services is complete, allocation of licenses is much simpler - in the case of commercial services, simply on a cost based allocation system.

The new system guarantees public participation in developing broadcasting services priorities but avoids the often long and litigated process of licensing on a merit system - a 'beauty contest' - which applied under the previous Act.

At least that's the theory.

### ABA Impeccably Open, But.....

There is no question of the openness of the planning process the ABA has begun. In late 1992, the ABA sought the public's views on what planning priorities for broadcasting should be. The

ABA received over 550 submissions; many of them about community broadcasting, others about the extension of reception, especially for SBS, with a 'very limited response' calling for new services.

Based on public submissions and other factors, including Ministerial service reservations, current or planned services and the Act's planning criteria, the ABA developed two draft documents for public comment: a **Determination of Planning Priorities** and **Frequency Allotment Plans for AM Radio, FM Radio and Television**. Over 4,000 kits, each containing the draft documents and microfiche summaries of all submissions, were distributed to all submitters, all current or aspiring licensees, parliamentarians and local government officials, and public libraries. The ABA held the May public seminars and meetings specifically to allow public discussion and comment on the two documents.

The Planning Priorities document divides Australia into 23 planning

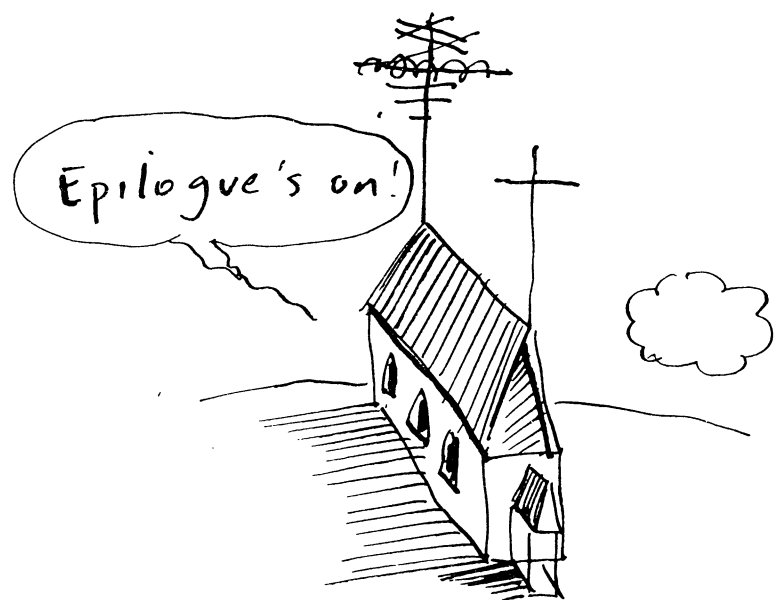
zones for radio and four zones for television, with timetables showing when planning for each zone is to be complete. All radio and television planning is scheduled for completion by the end of 1995.

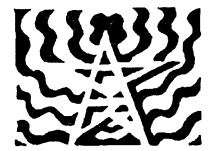
The Frequency Allotment Plans (FAP) for AM and FM Radio and Television include a brief discussion of the development of plans for each type of service and a listing, by licence area, of the total capacity of each area for that service, the existing assignments of services within the area and, where applicable, channels available for allocation.

### Risk of Entrenching Current Services

The ABA said the reason for releasing the draft Priorities Document and the draft Frequency Allotment Plans document together was to provide the tech-

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nical information contained in the FAP as background against which the priorities can be set.

But the danger of releasing the two documents together is that rather than determine service priorities and the plan accordingly, the draft FAP simply reflects what services now exist or are planned, and appears to open up only what is left over.

Certainly, the FAP does not indicate what channels might be available for low power narrowcast services in each area. When it was asked specifically about planning for more narrowcast services, the ABA response at the Sydney seminar was that frequencies not planned or allocated for broadcasting might be available for narrowcasting, or might possibly be passed to the Spectrum Management Agency to be allocated on a price-based system.

The clear message from the seminar was that anyone interested in providing services, including narrowcast services, should immediately say so or risk not being allowed for in future.

Seminar participants also expressed concern about how the ABA will make frequencies available to aspiring service providers. The ABA talked about making 'efficient' rather than 'maximum' use of the spectrum, and releasing spectrum in line with demand rather than flooding the market. To some at the seminar, this sounded more like protecting established broadcasters than releasing spectrum for new services.

## Beauty Contests Might Sneak Back

Questions from the floor raised the possibility of the re-emergence of service allocation by beauty contest.

Perhaps conscious of the current debate on allocation of pay TV licences, the ABA said that, in granting community licences, the initial grant will be a three month licence for test transmission, during which time the ABA can assess the licensee's capability of providing the service.

Further, while the ABA has not yet determined a price-based allocation system for licensing commercial services, it did raise the possibility of setting some initial hurdle which all applicants would have to meet, such as a deposit, and possibly suitability requirements set out in the Act.

The Act does not require prospective licensees to be judged as 'suitable' by the ABA before a licence is allocated, but it does give the ABA the power to make judgements about suitability if it decides to do so. The issue then is what process the ABA will follow to make such judgements, as none is provided for in the Act.

Another unresolved issue is whether - and when - planning priorities and frequency allotment plans will be reviewed. The criteria the ABA must have regard to in planning services include social and economic characteristics of an area, developments in technology and the demand for services - all of which will change over time.

If the ABA views this planning process as simply the first step in an ongoing process to determine and meet changing community needs, the public planning processes could, over time, meet Government objectives for new and diverse services in line with community demand. If not, however, the exercise may set the current broadcasting players in that slow hardening concrete, and with none of the former safeguards to ensure the licensees are suitable and are providing adequate and comprehensive services to the community.

As many at the meeting noted wryly, in either case, the lawyers are likely to do well out of the changes. □

*Holly Raiche*

Copies of the kits can be obtained by ringing 008 81 0241, and submissions will be accepted until 28 May. The ABA, after considering submissions and feedback from the seminars and workshop, will make and publish a determination of planning priorities in late July.

In the second half of the year, its consultations will continue in country areas, remote Australia and the Top End.

## Pioneer Public Station Comes of Age

**Adelaide's 5UV, the first public radio station to broadcast on the AM band, has just turned 21.**

The setting up of 5UV during the Whitlam era was a major landmark in the effort to establish community radio, the third sector of Australian broadcasting. Two decades on, Australia is considered a world leader in community broadcasting.

In 1970, a local businessman donated \$100,000 to set up the station based on the University of Adelaide, and it was given a communications licence, on the same band as taxis and police radio.

Keith Conlon was the first producer/manager when the station officially opened in 1972. The first programs were designed as courses with associated printed material. Listeners enrolled for a fee and received the notes. There was no music because the nature of the licence did not permit it.

In 1975, the University was granted an experimental licence, and music programs began. The licence required time to be given for community access, and community groups, ethnic broadcasters and other educational institutions used the station facilities.

Keith Conlon departed for commercial radio and later the ABC after 12 years. He was succeeded by Jill Lambert and later by the current incumbent, Jeff Langdon.

5UV continues to provide a wide range of programs including fine music, jazz, folk, news, arts, comedy and nostalgia, as well as having a continued strong education emphasis.

The station, which remains dependent on core funding from the University, will hold a two-day fundraising radiothon on 26-27 June, and *CU* urges all Adelaide readers to tune in and contribute. □