



COMMUNITY
BROADCASTING
ASSOCIATION OF
AUSTRALIA

ACMA Five year spectrum outlook 2021–26 Work program consultation draft

CBAA comments

APRIL 2021

1. Introduction

- 1.1 The Community Broadcasting Association of Australia (CBAA) welcomes the opportunity to provide comments on the consultation draft of the ACMA Five-Year Spectrum Outlook 2021-16, with a specific focus on the work program for the up-coming year 2021-22.
- 1.2 The Community Broadcasting Association of Australia is the peak body for community broadcasting licensees in Australia.
- 1.3 At the time of writing, nationally, 354 (and a further 94 temporary) not-for-profit community radio licensees provide services with significant public benefit, including a diverse mix of social and cultural interests, specialist talks and music, and high levels of local content and presentation.
- 1.4 Community interests addressed include Indigenous services, radio reading services for the print disability community, youth, seniors, LGBTQIA+, religious and faith-based services, ethnic language and multicultural radio, specialist music, educational and general geographic services.
- 1.5 In metropolitan areas there are a greater number of specific community interest services. In regional and rural communities, community radio stations more frequently provide diverse programming covering broad community interests under a general geographic licence, with a high number of Indigenous services in remote locations.
- 1.6 Community analogue radio stations operate overwhelmingly in the VHF band and in the majority of towns and cities across Australia, with approximately 75% located in regional and remote areas, and 25% across metropolitan locations.
- 1.7 Community digital radio services operate under long-term licensing arrangements in Sydney, Melbourne, Brisbane, Adelaide, Perth, with services now also operating in Canberra, Hobart and Darwin. A total of 50 licensees are currently providing over 55 free-to-air community digital radio services to listeners.
- 1.8 Community digital radio services for the Gold Coast area are under implementation, with further regional areas and development now a priority to be addressed.
- 1.9 Community television services operate in Melbourne and Adelaide, with access to broadcast band spectrum for delivery of free-to-air digital television services being subject to renewal under repeated consecutive short-term arrangements.
- 1.10 Guiding principles underpin community broadcasting Codes of Practice and the contribution of community services to media diversity and social inclusion.
- 1.11 Community broadcasting licences are issued pursuant to and in promotion of the objects of the Broadcasting Services Act 1992 (BSA).

2. Scope of comments

- 2.1 The CBAA comments are purposefully brief, and focussed primarily on optimising established planning frameworks and broadcasting, and specifically in regard to the immediate-term planning priorities for spectrum planning and licensing.
- 2.2 The CBAA appreciates that the ACMA has limited resources, and the Five-Year Spectrum Outlook (FYSO), updated on a yearly basis, provides a framework to plan resource commitments and requirements, not only in regard to telecommunications and general radiocommunications use cases, but also in regard to free-to-air radio and television broadcast spectrum and service planning.
- 2.3 The draft proposed optimisation activities for 2020-21 are listed on Pages 44-45 of the ACMA Consultation Paper, with further elaboration in regard to broadcasting, radio and television, on Pages 46-47.

3. Broadcasting - radio planning priorities

Remote area planning

- 3.1 The CBAA notes that the ACMA draft FYSO proposes to consult on proposals for variations to the Remote Central and Eastern Radio LAP in Q4 2021, and on the Remote Western Australia Radio LAP in Q1 2022. The CBAA supports that priority.

Radio LAP variation for AM to FM conversion to prompt DRCP

- 3.2 The CBAA notes that as from Q3 2021 the ACMA draft FYSO proposes to develop and consult on proposals for variations in a number of radio licence areas in New South Wales and Victoria to facilitate AM to FM conversions, and that this may include Moree, Gunnedah, Tamworth, Lismore, Mudgee, Young, Parkes and Wangaratta.
- 3.3 The ACMA notes that proceeding with developing and consulting on each variation depends upon the relevant (existing and primarily commercial radio AM) licensees making timely and strategic business decisions on available implementation options.
- 3.4 In the interests of efficient and enhanced broadcast spectrum and service planning outcomes, the CBAA requests that:
- in every case where the ACMA proceeds to develop and consult on a Radio LAP variation, and, in particular where that is to effect AM to FM conversion, that the ACMA also consult and publish the relevant Digital Radio Channel Plan (DRCP), and declare a Foundation Licence.
- 3.5 The CBAA notes that the ACMA already has the basis for each relevant DRCP in final draft as the digital radio allotment plan, part of the output and work of the industry-based Digital Radio Planning Committee, chaired by the ACMA.

Add specific DRCP consultation locations during 2021-22

- 3.6 The ACMA draft FYSO proposes to consult on the DRCP for licence areas where the incumbent broadcasters have committed to rollout digital radio in 2021 or 2022, with timing driven by demand from broadcasters.
- 3.7 The CBAA has arrangements to facilitate and support implementation and operation of services provided by free-to-air community digital radio licensees.
- 3.8 There is demand for digital radio services in a number of priority locations to be initiated by the community sector, with implementation and operation being supported and facilitated by the CBAA.
- 3.9 To address this demand, and avoid further implementation delays, the CBAA requests the ACMA add the following as specific priorities for action during 2021-22:
- Wollongong, DRCP consultation Q3-Q4 2021
 - Gosford, DRCP consultation Q3-Q4 2021
 - Katoomba, DRCP consultation Q3-Q4 2021, and, given overlap, potentially Lithgow
 - Campbelltown, DRCP Q3-Q4 2021
 - Newcastle, DRCP consultation, Q3-Q4 2021
 - Northern Tasmania: Launceston DRCP consultation in Q1-Q2 2022, with, potentially, Scottsdale, Devonport and Burnie considered alongside.
 - Cairns, DRCP consultation Q1-Q2 2022
 - Geelong, DRCP consultation Q1-Q2 2022
- 3.10 The CBAA again notes that the ACMA has the basis for each relevant DRCP in final draft as the digital radio allotment plan, part of the output and work of the industry-based Digital Radio Planning Committee, chaired by the ACMA.
- 3.11 Alongside finalisation of the DRCP, the CBAA expects the ACMA would declare a Foundation Licence for each area and invite applications in order that the eligible community broadcasters may initiate digital radio services.
- 3.12 While not necessary to progress DRCP consultation and finalisation, the CBAA requests the ACMA consider deeming issues in regard to community radio in these licence areas.

Brisbane, Gold Coast and neighbouring areas

- 3.13 The ACMA draft FYSO proposes to further consult on whether variations to the DRCP for Brisbane are appropriate to improve digital coverage, and cites recent developments towards digital radio implementation on the Gold Coast.
- 3.14 The CBAA would support variations to the DRCP for Brisbane that improve digital coverage, and suggests that licence areas neighbouring both Brisbane and the Gold Coast be prioritised for DRCP consultation.
- 3.15 As outlined in previous comments to the ACMA^{1 2} the CBAA position is that—due to overlap, service outcome and spectrum efficiency considerations—planning to enable digital radio in neighbouring licence areas is best considered at the same time as planning for Brisbane and the Gold Coast.
- 3.16 To address this, the CBAA suggests that the ACMA have the following as specific priorities for action during 2021-22:
- Brisbane and Gold Coast, DRCP changes Q1 2022 to improve Brisbane coverage
 - Nambour, DRCP consultation Q1 2022
 - Murwillumbah and Lismore, DRCP consultation Q1 2022

Adelaide and Perth / Mandurah

- 3.17 The ACMA draft FYSO proposes to consult on the potential for re-planning analogue radio services in Perth, following clearance of VHF Band II television in Bunbury.
- 3.18 As a general comment, there are constraints on the number of community digital radio services able to be delivered within the limited amount of capacity reserved or available.
- 3.19 This is especially acute in Adelaide and Perth where there is only the one Foundation Category 1 digital radio multiplex in operation.
- 3.20 There is inefficient use of spectrum in Mandurah, south of Perth, where, without deeming, no community radio services are eligible to take up digital radio multiplex capacity.
- 3.21 There is strong demand in Adelaide for further community digital radio services, and a better mix of service outcomes is possible in Perth / Mandurah.
- 3.22 The CBAA has identified options and is finalising arrangements to support the implementation and operation of an additional digital radio multiplex in each location.
- 3.23 Therefore, the CBAA requests that the ACMA add the following as specific priorities for action during 2021-22:
- Adelaide, re-assess spectrum options to add digital radio multiplex as from Q3 2021, leading to a revised DRCP and consultation Q1 2022
 - Perth / Mandurah, re-assess spectrum options to add digital radio multiplex and/or improve spectrum efficiency and service outcomes as from Q3 2021, leading to a revised DRCP and consultation Q1 2022

Supporting technology trials

- 3.24 The ACMA Draft FYSO cites a current radio broadcasting planning priority to support trials of new broadcasting technology.
- 3.25 There are currently regional trials relating to Digital Radio Mondiale (DRM) technology, noting DRM has an uncertain and long implementation time-frame in terms of consumer receiver availability, particularly in vehicles.
- 3.26 The CBAA has identified options, assembled the resources, and is finalising arrangements to support the implementation of trials of DAB+ technology on a small-scale basis, and in the immediate term.
- 3.27 The trials involve use of spectrum allocations overlaid upon on the current digital radio allocations, based on low-power re-use.
- 3.28 The CBAA seeks ACMA support for small-scale DAB+ digital radio trials, based in Sydney, and with commencement during 2021-22.

¹ October 2020 CBAA comments in regard to the September 2020 ACMA Consultation to vary the DRCP covering Brisbane and add the Gold Coast.

² August 2020 CBAA comments in regard to the ACMA Consultation on Expansion of digital radio to regional Australia, Proposed principles for licence area deeming.

4. Broadcasting - television planning priorities

- 4.1 The ACMA draft FYSO notes that the government released a Media Reform Green Paper, with submissions to that consultation paper due in May 2021.
- 4.2 Following this consultation the ACMA draft FYSO has noted it may need to undertake detailed planning studies to support any potential restack of the (television broadcast band) spectrum identified in the Green Paper.
- 4.3 The CBAA supports an open and careful assessment of the current demand for spectrum being used by free-to-air television services, and potential timelines for change in that demand to evolve in regard to Next-Generation Television and/or potential legislative, licensing or regulatory changes.
- 4.4 This assessment is highly relevant to the specific situation and outcomes related to current community television services, and also as they relate to community broadcasting services more broadly.
- 4.5 The Green Paper sets out indicative timeframes for developing new channel arrangements and planning for a spectrum restack.
- 4.6 Of immediate relevance, the CBAA encourages the ACMA to do all things necessary to facilitate the spectrum or capacity necessary to ensure there can be continued availability of at least the existing community digital television services on a free-to-air basis.
- 4.7 While timeframes may extend as a result of consultation outcomes, stakeholder concerns, and legislative and planning, the Green Paper indicates a restack being two years after election by all television broadcasters to transition to new licensing, with that election currently being uncertain.
- 4.8 In the interim, spectrum used for community television in Adelaide and Melbourne is not identified or able to be used for any alternative purposes in the immediate term.

5. Broadcasting - future delivery

- 5.1 The CBAA is keen to engage further with the ACMA on all options in regard to the future delivery of radio and television.
- 5.2 The CBAA reiterates that free-to-air broadcasting has core characteristics that set it apart from other delivery options, and/or that would require legislative and regulatory intervention for other delivery options to emulate.
- 5.3 The free-to-air broadcast model:
 - does not require the user to pay - including for data;
 - is highly spectrum efficient, scales to many simultaneous users; and
 - enables the public to receive services on commonly available equipment, with no plan and no sign-in required.
- 5.4 As digitisation of media continues, these core characteristics are critical, especially where other delivery methods require one-to-one connectivity with its attendant costs, and increased risks around:
 - listener (or viewer) security and privacy;
 - provision of listener (or viewer) data for third-party or gatekeeper use; and
 - listener (or viewer) commodification and/or targeted marketing.

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