



Submission re

**Proposal to Remake the
Apparatus and Broadcasting
Licence Condition Determinations**

**“The open narrowcast sector was designed and introduced to
provide cultural enrichment for the Australian society.”**

BSA - 1992

About ANRA

ANRA, the Australian Narrowcast Radio Association, is the peak industry body representing Low Power Open Narrowcast (LPON) Radio services and the High Power Open Narrowcast (HPON) Radio services located across all States and Territories of Australia. Our membership includes Narrowcast radio program providers such as niche music services, foreign language groups, racing radio, tourist services, indigenous and religious services, as well as many other diverse, independently-owned and -operated services.

As such, these narrowcast radio services add valuable diversity to the broadcast landscape by providing content not necessarily available on other radio formats and many of which have an emphasis on local content.

In correspondence received by ANRA and other narrowcast operators, Minister Michelle Rowland has affirmed the contribution made by the narrowcast sector to media diversity within Australia:

The Australian Government values the contribution organisations such as yours make to the Australian community and media diversity, and welcomes your policy ideas.

Executive Summary

ANRA welcomes the opportunity to respond to the recent proposal to remake the apparatus and broadcasting licence condition determinations (LCDs). Our comments reflect the consensus of our membership, however individual members may make their own submissions.

Both Minister Michelle Rowland and the ACMA have publicly recognised the value of media diversity and the important role in which the Open Narrowcasting Services play in providing it. In the Industry Forums considering *the Future Delivery of Radio Services in Australia*, the ACMA supported modernisation in the broadcast sector.

As part of supporting this modernisation, ANRA implores the ACMA to urgently take action to review unduly restrictive conditions imposed on the Narrowcasting sector as part of the re-making of the Broadcasting LCD. The requested changes will support the continued operation, stability and future growth of the Narrowcast sector.

Firstly, the Open Narrowcast sector needs the ACMA to review the meaning and intent of sections 18 and 19 of the draft Broadcasting LCD 2025 such that the field strength limit of 48 dB μ V/m (referred to as ***“the field strength condition”*** in this document) is only considered as a threshold to which the ACMA will have regard in the resolution of interference, where the parties causing and receiving the interference cannot agree on a resolution. As per sections 4.9 and 4.10 of the current Broadcasting LCD 2015 and as per sections 18 and 19 of the draft Broadcasting LCD 2025, the field strength condition is a mandated limit which cannot be exceeded *anywhere* (at *any* distance and at *any* bearing) beyond the nominal coverage area. In this current state, the field strength condition is unduly restrictive and does not allow all Low Power Open Narrowcast (LPON) operators to provide adequate coverage—including to listeners indoors and in cars—within their nominal coverage areas, while also being fully compliant with the field strength condition. Full compliance with the field strength condition results in low signal levels throughout (at least parts of) the nominal coverage area, which in turn does not maximise the public benefit derived from the collective LPON sector as a whole.

We also seek that the management of use-it-or-lose-it (UIOLI) requirements be complaints-focussed, and for the ACMA to encourage UIOLI complaints to be directed to the licensee in the first instance, with a view to collaborative solutions being negotiated.

Scope for Change

For many decades, ANRA has been requesting a modernisation of conditions, regulations or guidelines for Narrowcasting and was recently advised by the Department of Infrastructure, Transport, Regional Development, Communication and the Arts (DITRDCA) that there may be some "scope for change".

ANRA appreciates that there are time constraints and that some improvement is needed from Narrowcast operators with respect to compliance. However, we hope that the ACMA, DITRDCA and the Minister's Office take into account the information presented in our submission as part of the review of the instruments sunseting in April 2025.

This presents a rare opportunity to modernise the Narrowcast sector given that, in October 2025, Narrowcasting enters into its next decade of the drop-through determination.

Current Situation

Open Narrowcasting has continually developed over 30 years to now include approximately 300+ operators with an unmatched diversity not only in content but also in the range of operators providing these services.

In the case of LPON, this sector has given rise to over 190 local operators holding ten licences or less (including over 130 Narrowcasters that hold a single licence) the opportunity to participate in the broadcasting sector.

However, it should be noted that without the support of the largest ten operators, ANRA would not have the resources to maintain a peak industry body to administer:

- responses and representations (such as these) to industry regulators;
- Codes of Practice to set and maintain industry standards;
- impartial access to broadcast information for members and non-members;
- website with information available to the industry and the public; and
- liaison between the industry and the Minister/Minister's Office, the Department, and the ACMA.

The Narrowcast sector is a self-sustaining sector that provides an ongoing revenue stream to the government without the requirement of significant public investment.

ANRA's Executive comprises a group of diverse representatives from within the sector who provide their services on a voluntary basis because of their commitment and belief in the unique value that narrowcasting provides to the listening public.

ANRA is very concerned that the ACMA's "buyer beware" approach and recent interpretation of LPON conditions and guidelines could have the potential to threaten the very viability of the sector by rendering the services unlistenable and deter more local operators from participating in the sector.

Audits

Following modernisation discussions with DITRDC in 2022, the ACMA embarked on annual field and desktop audits of LPON services.

The audit highlighted that narrowcast operators had issues to be addressed and many have commenced working with ACMA compliance. Even so, ANRA feels that some aspects of the current LPON guidelines and conditions need to be applied in a more balanced manner, which will (a) deliver a better listening experience for the public; (b) better entice a diverse range of quality services; and (c) maximise the public interest derived from the use of the spectrum as per the Object of the *Radiocommunications Act 1992* (“the Act”).

Modernisation: Two Key Reforms

ANRA is keen to see reform in two key areas of the guidelines which we believe can be achieved **without the need of a change in Ministerial Direction**.

Summary of the two key issues of concern:

1. **Topic 1—Field strength condition:** ANRA requests the following:
 - That sections 18 and 19 of the draft Broadcasting LCD 2025 be revised such that the field strength limit of 48 dB μ V/m—currently in sections 4.9 and 4.10 of the existing Broadcasting LCD 2015, and referred to as “*the field strength condition*” herein—, is only considered as a threshold to which the ACMA will have regard in the resolution of interference where the parties causing and receiving the interference cannot agree on a resolution.
 - Recognition that it is the transmitter power limit of 1 Watt / 10 Watts that underpin the LPON Model and, along with the separation distance requirements serve as the primary method of interference management; *not* the field strength condition.
2. **Topic 2—UIOLI:** ANRA suggests that Section 14 of the draft Broadcasting LCD 2025 (use-it-or-lose-it / UIOLI) is maintained, but:
 - recommends that the startup period is extended from 6-months to 18-months
 - recommends that the management of these conditions be complaints focused

With respect to the relaxation of the field strength condition, there are two main benefits, both of which seek to maximise the public benefit derived from the use of the spectrum as per the Object of the Act:

- A. **Adequate signal within the nominal coverage area:** Ensuring that sufficiently strong signal is provided to listeners inside homes and cars within the nominal coverage area increases the public benefit of LPON services, however it often necessitates exceedance of the strength limit of 48 dB μ V/m at the nominal coverage area boundary (i.e. at 2/10 km). Technical arguments to support this claim are below.
- B. **Fortuitous coverage** (which is tied to Topic #3): There is no good reason to deny fortuitous coverage to listeners outside the nominal coverage area of an LPON service provided that there is no interference to adjacent services. In commercial broadcasting, “overspill” is a problem because it means that there is a potential for market share to be taken from the legitimate commercial broadcaster in the adjacent area. Market share does not apply to narrowcasting. Furthermore, broadcasting Licence Areas immediately abut each other, whereas the nominal coverage areas of LPON services are separated by “dead zones” considerably larger than the coverage area radii. There is therefore no reason to try to eliminate overspill.

We are confident the suggested reforms would result in good outcomes for all stakeholders, while maintaining the ACMA’s ability to address problems within a reduced workload. It would maximise the benefit derived from the use of the spectrum via the provision of better services for the public/listeners, along with a significant reduction in the non-compliance figures. When a sector which has been working well and serving its purpose for decades (in

this case the LPON service) is considered to be non-compliant at levels as high as 70% of services, part of the problem may lie with the current parameters outlined in the field strength conditions.

Topic 1—Field Strength Condition

At many recent meetings with ANRA, the ACMA expressed the view that the field strength condition—as currently stated in sections 4.9 and 4.10 of the existing Broadcasting LCD 2015—underpins the interference management function of the LPON model; a view which we do not agree with.

However, in past discussions between, on one hand, the then Australian Communications Authority (the ACA), the then Australian Broadcasting Authority (the ABA) and the ACMA shortly after its creation, and on the other hand, ASTRA and later ANRA, we were assured that the field strength condition was generally only going to be considered a compliance requirement when dealing with reports of interference. *(See below recent extract from ACMA response to ANRA’s submission on FYSO 2023–28)*

Extract: FYSO 2023–28 — ACMA response to ANRA’s proposed rewording of the field strength condition...

We note that current LPON compliance audit activities have focused on the operating power of transmitters, not field strength measurements. In managing compliance matters, we have generally only considered the field strength compliance requirements in reports of interference.

This ACMA extract supports ANRA’s request that the field strength condition *only be used when there are reports of interference*.

However, the ACMA’s field strength measurements carried out in later audits did indeed take the 48 dB μ V/m at 2 kilometres (or 10 kilometres for non-residential areas) from the station’s antenna as a hard limit which cannot be exceeded, and that exceedance of this limit is an instance of non-compliance with the licence conditions. Worse still, these cases were labelled as “overpowered” transmitters and conflated with those that are actually running at power levels exceeded the 1W/10W limits.

The main problem with the field strength condition is that, theoretically, a 1-Watt transmitter cannot comply with the 48 dB μ V/m field strength limit at 2 kilometres from the station’s antenna under line-of-sight (LOS) conditions. Similarly, a 10-Watt transmitter cannot comply with the field strength limit at 10 km from the station’s antenna under LOS conditions. This is demonstrated in the equations below. The only way that the field strength limit can be satisfied in practice is if there is terrain obstruction or building clutter over the propagation path.

Furthermore, there is a remarkable disconnect between the field strength condition and the ACMA’s stated objective of the LPON planning model—to provide reasonable stereophonic sound quality up to 2 km from a station’s antenna, since 48 dB μ V is less than the *Minimum Field Strength required for Adequate Reception of FM Transmissions in the Presence of Noise* in Suburban & Urban areas (or even for stereo in rural areas). Adequate signal strength to support reception by listeners inside their homes, travelling in a car, and in built-up areas where there is building clutter and man-made noise, need to be taken into account.

Supporting theoretical calculations

The limit of 48 dB μ V/m (referred to as “the limit” for simplicity) does not equate to 1 Watt at 2 km.

The derivation of field strength at a particular distance from the transmitter is as follows:

$$\begin{aligned} E \text{ [dB}\mu\text{V/m]} &= \text{EIRP [dBm]} - 20 \cdot \log_{10}(d \text{ [m]}) + 104.8 \\ &= 10 \cdot \log_{10}(1.66) + 30 - 20 \cdot \log_{10}(2000) + 104.8 \end{aligned}$$

E (residential) = 71 dB μ V/m

This means that a 1.66 Watt EIRP emission, with line-of-sight (LOS) to a point 2 km away, would fall to a field strength of 71 dB μ V/m, which is **23 dB above the ACMA’s limit**. This means that, wherever a point 2 km from an LPON transmitter has LOS to that transmitter, the transmitter would automatically be in breach of the current section 4.9 of the *Radiocommunications Licence Conditions (Broadcasting Licence) Determination 2015* (“the Broadcasting LCD 2015”).

Due to the significant margin by which this level exceeds the limit (23 dB), the transmitter would also be in breach even for many locations that are *non*-LOS (NLOS) from transmitter.

For the current section 4.10 of the Broadcasting LCD, which allows a larger distance of 10 km beyond which the field strength must fall below the limit, but is intended for a transmitter with a higher power level:

$$\begin{aligned} E \text{ [dB}\mu\text{V/m]} &= \text{EIRP [dBm]} - 20 \cdot \log_{10}(d \text{ [m]}) + 104.8 \\ &= 10 \cdot \log_{10}(16.7) + 30 - 20 \cdot \log_{10}(10000) + 104.8 \end{aligned}$$

E (non-residential) = 67 dB μ V/m

... the calculated field strength exceeds the limit by 19 dB.

Therefore, it is almost certain that a large proportion of LPON services cannot comply with the limits of sections 4.9 and 4.10 (whichever is applicable to the transmitter’s location) since compliance would necessitate either terrain obstruction or building clutter along the path between the transmitter and a point 2/10 km away, *for every azimuth/bearing around the transmitter*, and that the associated diffraction losses and/or clutter losses are at least as large as the exceedance margins calculated above (23 dB and 19 dB, whichever is applicable to the transmitter’s location).

The following extract from the ACMA’s audit reveals exactly that:

“The average measured field strength for transmitters was found to be significantly more than the permitted level of 48 decibels microvolt per metre squared (dB μ V/m²)⁵. The ACMA is concerned that only 30% of licences measured during field audits were operating at a compliant field strength, with a number of licensees operating at 20 times [i.e. 13 dB higher than] the permitted level.”

⁵ *The average found was 51.33 dB μ V/m². [i.e. 3.33dB higher than the permitted level, on average]*

In other words, in situations where there is LOS to a point 2km / 10km from the station’s antenna, the 1W / 10W transmitter power output would need to be reduced to 1/200th (-23 dB) or 1/80th (-19 dB), respectively..In light of the theory outlined above, we disagree with such exceedance of the limit resulting in the transmitter being labelled an

“overpowered transmitter”; if the transmitter complies with the EIRP of 1.66 Watts is being satisfied (or 16.6 Watts in non-residential areas), then the transmitter is not overpowered¹.

We believe, given the above, it is established that (according to the theory), it is highly improbable for all LPON licensees to comply with the 48 dBμV/m limit.

Tension between field strength condition and planning model

The ACMA’s audit report acknowledges that *“the planning model anticipated...for LPON stations to have reasonable stereophonic sound quality up to 2 km from a station’s antenna”*. In the ABA’s planning documents², the minimum field strength for this is 48 dBμV/m.

Table 3B.2
Minimum Field Strength for Adequate Reception of
FM Transmissions in the Presence of Noise
(50% of receiving locations, 50% of the time)

Environment	Mono	Stereo
Rural	48 dBμV/m (0.25 mV/m)	54 dBμV/m (0.5 mV/m)
Suburban	60 dBμV/m (1.00 mV/m)	66 dBμV/m (2.0 mV/m)
Urban	70 dBμV/m (3.00 mV/m)	74 dBμV/m (5.0 mV/m)

As per the planning document, in Urban areas, stereo sound requires a signal with a field strength (at 10 metres) of 74 dBμV/m...and all the way up to 2 km from the transmitter (as per the planning objective noted above). How is the signal supposed to be both (a) at least 74 dBμV/m within 2 km, and (b) no more than 48 dBμV/m beyond 2 km?

The limits in the Broadcasting LCD of a 2 km / 10 km boundary creates a hard discontinuity between *“An operator can have a decent coverage up to 2km / 10km distance”* but *“the operator of the service must not exceed this level beyond this distance”*. Such discontinuities do not exist in the real world and RF propagation does not play by such rules. The limit in question cannot go hand-in-hand with the planning model objective of reasonable coverage up to 2 km; they are contradictory. If the ACMA wishes to continue supporting LPON services that can reasonably be expected to provide coverage up to 2km, then the hard limit must be reviewed.

Furthermore, the 48 dBμV/m value is for *mono* sound; for *stereo* it is 6 dB higher (at 54 dBμV/m)! So, from the outset, the LPON licensee is being short-changed on the expectation to be able to provide stereo sound within 2 km.

¹ The additional factor of 1.66 is due to the antenna gain of 2.2 dBi (the gain of a standard, omnidirectional dipole antenna).

² Australian Broadcasting Authority, April 2004, *Technical Planning Parameters and Methods for Terrestrial Broadcasting*, available here: <https://www.acma.gov.au/sites/default/files/2019-11/Technical%20Planning%20Parameters%20and%20Methods%20for%20Terrestrial%20Broadcasting.pdf>

The following is an extract from the ACMA's *Review of the operation of low-power open narrowcasting (LPON) services Feb 2013*:

Service coordination relies on licensees meeting the field strength limit, which may be exceeded even when the service is operated at the maximum transmitter power of 1 watt.

Compliance with the field strength limit is a common source of non-compliance and establishing compliance with the field strength license condition is also resource-intensive.

*Often this will mean that **LPON operators will be required to reduce transmitter output power well below the 1 watt** permitted maximum in order to comply with the field strength license condition.*

Here, the ACMA acknowledges that the transmitter power may have to be reduced below the 1-Watt limit (in residential areas) to satisfy the field strength condition—this is a case of the “tail wagging the dog”.

Examination of potential solutions

Above, it is established that (according to the theory), it is highly impractical for LPON licensees to comply with the limit. It follows that either:

1. the level of the limit is far too low (stringent); or
2. the imposition of a hard limit on field strength beyond a certain distance is not fit-for-purpose.

With respect to point #1 above, we could consider increasing the value of the field strength limit to some level above 48 dB μ V/m, but below the theoretical levels derived above (i.e. 71/67 dB μ V/m). This would likely improve the situation to some degree and reduce the level of non-compliance across the sector. However, for any paths between the transmitter and a point 2 km / 10 km away for which there is LOS, the transmitter would still be non-compliant. This may even apply in scenarios where deeming the transmitter as non-compliant makes no sense whatsoever. For example, if a low-sited transmitter were in a valley, and more than 2/10 km away (and within a particular range of azimuth angles) and there is a terrain feature (e.g., mountain range) from which there is LOS to the low-sited transmitter, *the transmitter would be non-compliant*. In this case, basing non-compliance on the elevated part of the mountain range facing the transmitter is especially nonsensical, because the mountain range would actually provide considerable protection to any other services on the other side.

If, on the other hand, we were to lift the field strength limit to the levels derived above (ie, 71 and 67 dB μ V/m for the residential and non-residential cases, respectively) it would obviate the need for the field strength limits in the first place, since it would be physically impossible to exceed this limit provided that the service was operating at 1 Watt or 10 Watts.

As such, simply addressing the point above by increasing the limit does not address the issues with the field strength conditions.

As such, we move to point #2 above, and recognise that the field strength condition is not fit-for-purpose, and the solution is **to review the meaning and intent of these provisions themselves.**

We recommend that, instead of being a hard limit, the 48 dBµV/m limit at 2 km / 10 km be revised to be stated as:

- (a) a planning target as part of an LPON model which will minimise the risk of interference between adjacent services (particularly co-channel, adjacent-area services), and
- (b) a threshold to which the ACMA will have regard to in determining which service would be the 'at fault' offending service in the case that interference occurs between two services and cannot be resolved between the respective licensees.

Note: point (b) is similar to the intent of the *Radiocommunications Advisory Guidelines* made under section 262 of the *Radiocommunications Act 1992* ("the Act").

Even if the 48 dBµV/m limit at 2 km / 10 km could reasonably be implemented by LPON licensees, the current nature of the hard limit also unnecessarily restricts services where the adjacent area is served by the same licensee. Noting that the LPON planning models have "dead zones" of 6km and 10km in residential and non-residential areas (respectively), we cannot see why the dead zones could not be allowed to benefit from fortuitous coverage, if co-channel interference were not being caused in practice.

We believe that the legislated imposition of these dead zones between two services, without any regard to the terrain in between those services, or potential for agreements between the relevant licensees (including if the licensee is the same entity), is not in the public interest.

Further supporting arguments

Extract: ACMA Compliance Priorities 2023–24-Low Power Open Narrowcasting (LPON) Audit-Oct 24 - "overpowered transmitters (between 3dB and 10dB) (19% Non-Compliant)"

This is an **example of where approximately 20% of the of non-compliance instances reported in the audits could be removed.**

The majority of LPON operators do not own, nor can they afford to purchase, the equipment necessary to do accurate field strength measurements.

Extract: ACMA Review of the operation of low-power open narrowcasting (LPON) services Feb 2013...

The ACMA's experience has been that many operators are providing services on small budgets with limited access to technical knowledge and resources.

What public benefit have we achieved with a service that cannot be received inside a house, on a clock radio, or for only 1-2 minutes in a car?

Will the LPON sector be continually forced to operate with the conditions originally set out in 1992 for billboard radio?

Topic 2—UIOLI

UIOLI (Use it or lose it)

6-Month Establishment Timeframe

As discussed in meetings with the DITRDC and with the ACMA, the 6-month commencement period referenced in the Section 14 of the Determination has become an unrealistic timeframe. ANRA members consistently report that the arbitrary six-month timeframe is very difficult (or impossible) to achieve due to a myriad of operational and external factors that vary from location to location. This ‘one size fits all’ timeframe is good in theory but falls down when it comes to real world operations.

If a licence variation is required...

- The current wait time for ACMA to process relocation/variation applications is approx 6-9 months.
- Using an Accredited Person for relocations is beyond the budget of many smaller operators... costing upwards of \$300 and, in some cases, up to \$1000 per application.

If the installation involves a tower, communications, or council site...

- Time to draw up plans and DAs for Council/etc approval for both the site and, in some cases, the studio. (In some instances 18 months or more).
- Time to obtain EMC reports and approval.
- Time to secure structural and mounting diagrams and to seek approvals.

Time to organise riggers, electricians and, in some cases, back-up power equipment, etc.

ANRA acknowledges that the ACMA is generally very reasonable in allowing extensions when supporting circumstances have been provided, however **ANRA recommends extending the required commencement period from 6-months to 18-months to provide a more realistic reference point.**

ANRA wishes to reinforce that it supports the UIOLI condition being maintained but with a renewed focus on being complaints driven.

Extract: ACMA Applicant information package October 2022...

“The ACMA will generally only investigate whether an LPON service is operating in response to a formal complaint by a member of the public using the form entitled LPON provision of service complaint form (R014).”

...

In considering whether a licensee has failed to continue to provide a service, the ACMA must have regard to “the number of other apparatus licences for LPONs held by the licensee and the level of services provided under those licences”.

ANRA requests, in order to reduce unnecessary time and resources for both LPON operators and the ACMA (and as it is with other broadcast sectors) that:

- a) A complainant should be required, in the first instance, to contact the licensee/operator in an effort to resolve the issue (eg, consider purchase, lease, borrow, partner or other options).
- b) If this approach is not successful or satisfactory, then the option is available for a formal complaint to be lodged with the ACMA.
- c) The complaint form RO14 should include details that will demonstrate a genuine desire and ability for the complainant to operate the narrowcast licence.
- d) If a solution is reached with the existing licence owner, then the complainant shall have the right to withdraw the UIOLI complaint by notifying ACMA in writing. Upon receiving such notification, the ACMA should immediately cease the UIOLI investigation and notify the licensee that the complaint has been withdrawn.

Extract: ACMA Review of the operation of low-power open narrowcasting (LPON) services...

The complaints the ACMA receives about compliance issues are often made by competitors. Consumer complaints about LPON services are minimal.

ANRA is firmly of the view that, with the development of so many different digital platforms that are now available to broadcast services, the desire to invest time and money into terrestrial FM broadcasting has reduced, especially with the increased cost of operations and the competition of online platforms for the advertising dollar.

ANRA is keen to have more operators involved in the sector but that the implementation of the current UIOLI model needs to keep pace with the maturity and growth of Open Narrowcasting in Australia.

- The current lack of a dispute resolution process can stifle natural business practises of buying, selling, swapping, leasing, partnering, etc.
- A UIOLI complaint is labour-intensive to administer, confirmed by both the ACMA and Narrowcasters.
- This incurs unnecessary operating costs especially at a time when the sector is in need of support, not undue regulation.
- The current implementation of the UIOLI model can provide an imbalance towards people with frivolous or vexatious motives.

Note: ACMA released a public consultation paper in February 2013, "Review of the Operation of Low Power Open Narrowcasting (LPON) Services" which canvassed possible amendments to the LPON regime...

The ACMA has recommended to the Minister for Communications, Malcolm Turnbull, that he revokes the Ministerial Directions that require the ACMA to use a price-based method to allocate LPONs, and to impose use it or lose it and reasonable regularity conditions on LPON licensees. If the Minister agrees with this recommendation and revokes the relevant Directions, the ACMA will have to amend related legislation before

over the counter allocation can be implemented and use it or lose it and reasonable regularity conditions be removed.

ANRA recognises that regulatory sentiments on this issue have changed since 2013. As previously stated, **ANRA supports the regulation of UIOLI (use-it-or-lose-it) being maintained but with a renewed focus on being complaints driven.**

Determination Correction

Given the ACMA's assertion that no major changes were being proposed in the Determination, it would appear an error in Section 19 has made it through to the Draft.

Page 12 - DRAFT Radiocommunications Licence Conditions (Broadcasting Licence) Determination 2025...

19. Condition – additional operating requirements for narrowcasting service station used to provide low power open narrowcasting service in a non-residential area.

(1) A person must not operate a narrowcasting service station in a non-residential area to provide a low power open narrowcasting service otherwise than in accordance with subsection (2).

(2) The person must not operate the station:

- (a) with a maximum effective radiated power greater than 10 watts; and*
- (b) such that the station's field strength is greater than 48dBmV/m when measured at 10 metres above ground level at any location more than ~~2 kilometres~~ 10 Kilometres from the station's antenna.*

Comment: ANRA requests a correction from the incorrect "2 kilometres" back to the current "10 kilometres from the station's antenna" be implemented prior to the instrument being approved.

We believe that this is a case of a simple typographical error on the ACMA's part. However, if this is a planned change to the 10 Watt licence condition determination by the ACMA, **ANRA is opposed to such a change.**

CONCLUSION

ANRA welcomes the ACMA's proposal to remake the Broadcasting Licence Condition Determinations (LCDs). We have highlighted two key reforms ANRA would encourage the ACMA to consider in remaking this determination:

1. Revising the Field Strength Condition
2. Practical Adjustments to the Startup Conditions (UIOLI)

We believe these reforms support a balanced approach towards compliance issues.

We have also highlighted a correction that would appear to be a typographical error in the draft Determination.

ANRA remains committed to collaborating with the ACMA to enable the narrowcast sector to continue to contribute substantially towards the stability, innovation, and diversity the government is seeking to provide the Australian community.

Yours sincerely,

Australian Narrowcast Radio Association (ANRA)