



### Variations to program standards

On 26 April 2001, the ABA approved minor variations to the Children's Television Standards and the Broadcasting Services (Commercial Radio Current Affairs Disclosure) Standard 2000.

The ABA varied the notification and displacement provisions of the Children's Television Standard (CTS) 3. The standard now includes:

1. 14 days rather than one month period for notification to vary a program schedule;
2. 72 rather than 48 hour period to notify ABA of failure to broadcast in accordance with a program schedule; and
3. 'unforeseen occurrence, cancellation or early completion' of an event of national importance or major sporting event as reasons for licensees failing to broadcast in accordance with their program schedules.

The ABA also varied the Broadcasting Services (Commercial Radio Current Affairs Disclosure) Standard 2000 to correct four minor errors.

Public comment was sought on the proposed variations to the standards. Four submissions were received which supported changes to CTS 3. There were no submissions in relation to the other variation.

The Children's Television Standards and

Broadcasting Services (Commercial Radio Current Affairs Disclosure) Standard 2000 are on the ABA website at [www.aba.gov.au](http://www.aba.gov.au).

### Court orders in the Melbourne licence area plan judgment

Two high power open narrowcasters challenged decisions made by the ABA in the determination of the radio licence area plan for Melbourne, released in June 2000. (For more background, go to *ABA Update* no.96 March 2001, pp.6-7 and *ABA Update* no. 92 October 2000 p.6.)

In its decision, the Federal Court declared that the Melbourne licence area plan was invalid in so far as it provided that:

- (a) a commercial radio broadcasting service is to be available on frequency 1116 kHz; and
- (b) a community broadcasting service is to be available on frequency 1503 kHz.

The Court ordered that the operation of this declaration be stayed for 48 hours and that the applicants [Nezville and Stamoulis] pay four fifths of the respondent's (ABA) costs.

The effect of the declaration and orders is that the only part of the licence area plan which was adversely affected by the judgment were the two frequencies mentioned. The remainder of the licence area plan remains intact and valid. The

### Temporary community broadcasting licences

Allocated in March 2001

Area served	Licensee	Frequency (MHz)	Period	Date allocated
<b>New South Wales</b>				
Blacktown	Blacktown City Community Radio SWR-FM Association Inc.	99.9	1-4-2001 to 23-6-2001	28-3-2001
Hornsby	Hellenic Australian Radio Inc. (Hornsby)	100.1	1-4-2001 to 28-4-2001	27-3-2001
Penrith	Nepean Riverlands Community Radio Association Inc.	100.7	1-4-2001 to 31-5-2001	27-3-2001
Penrith	Way Out West Fine Music Inc.	100.7	1-4-2001 to 31-5-2001	27-3-2001
<b>Victoria</b>				
Melbourne	Student Youth Network Inc.	94.9	10-3-2001 to 8-4-2001	9-3-2001
Melbourne	Central Melbourne F.M. Inc.	90.7	12-3-2001 to 8-4-2001	8-3-2001
Melbourne	Kiss FM Inc.	89.9	2-4-2001 to 6-5-2001	28-3-2001
Melbourne	New-Gen Radio Inc.	90.7	9-4-2001 to 22-5-2001	28-3-2001
<b>Queensland</b>				
Boonah	Scenic Rim Broadcasting Association Inc.	100.1	17-3-2001 to 16-3-2002	15-3-2001
Brisbane	Greater Brisbane Radio Broadcasters Inc.	97.3	3-4-2001 to 30-4-2001	28-3-2001
Charleville	Bidjara Media & Broadcasting Company Ltd	105.7	7-3-2001 to 6-3-2002	6-3-2001
Gayndah	Central Burnett Community Radio Association Inc.	91.5	7-4-2001 to 6-4-2002	28-3-2001
<b>South Australia</b>				
Adelaide	Fresh Broadcasters Inc.	92.7	31-3-2001 to 31-5-2001	30-3-2001
Adelaide	Radio Televisione Italiana (SA) Inc.	92.7	1-3-2001 to 31-5-2001	30-3-2001





# News Update

ABA had 48 hours grace (by virtue of the stay) in which to make a determination under section 34 of the Broadcasting Services Act to make available the frequency at 1116kHz for some temporary purpose. The ABA subsequently made the frequency available, on a temporary basis, to 3AK pending finalisation of the licence area plan variation.

The ABA is drafting a variation to the Melbourne licence area plan in relation to the two frequencies, which will be circulated for wide public consultation before finalisation.

## 3UGE licence area to include Yea and Marysville

The ABA has decided to vary the licence area plan for radio in the Shepparton area by extending the licence area of the Alexandra/Eildon community radio service 3UGE to include Yea and Marysville. The towns of Alexandra/Eildon, Marysville and Yea form part of a small rural region with close community-of-interest ties, and are part of the larger Shire of Murrindindi. 3UGE is already licensed to serve half of the town of Marysville.

The ABA has received a number of submissions from local community groups, including the Marysville SES, supporting 3UGE's intention to provide a community radio service to the towns of Marysville and Yea.

The ABA is aware of interest from Triangle Community Broadcasters in providing an independent community radio service to Marysville. However, since 3UGE is already licensed to serve half the town, the ABA considers the Marysville community, which has a

population of around 750, is too small to support a separate community radio service.

Triangle Community Broadcasters currently operate a low power open narrowcast service in Marysville and can still continue to do so.

## Background

3UGE first requested to extend its licence area at the time of radio licence area planning in Shepparton (September 1997). The group was operating under a temporary community broadcasting licence at the time and was advised the extension would be considered as part of Melbourne licence area planning, due to a possible difficulty in finding suitable spectrum.

In December 1999, the ABA released the draft Melbourne, Geelong and Colac radio licence area plan and a draft variation to the Shepparton radio licence area plan. The draft licence area plan variation for Shepparton proposed that the licence area of the existing FM community radio service 3UGE, which serves Alexandra/Eildon on 106.9 MHz, be extended into the towns of Yea and Marysville.

The ABA proposed in the draft licence area plan variation that these services would provide additional town only coverage to Yea and Marysville in order to improve the reception. As a result, this service would be accessible to a greater number of people in the Yea and Marysville areas. Additional channel capacity was to be made available for two additional transmitters, one in Yea (89.1 MHz) and the other in Marysville (98.5 MHz) to provide improved coverage for 3UGE to these towns.

The smallest existing community radio licence area in Australia is that of 7RGY Geeveston, approximately 1872 people.

## C and P programs

*Programs granted C and P classification between 21 March and 23 April 2001. Producers interested in submitting programs for classification should contact the ABA's Children's Television section on (02) 9334 7700.*

Program title	Origin	Class.	New/renewal	Decision dated	Applicant
FAIRY TALE POLICE DEPARTMENT (Series 1)	Australia	PRC	new	30-3-01	Yoram Gross EM.TV
KANGAROO CREEK GANG	Australia	PRC	new	11-4-01	Southern Star Entertainment Pty Ltd
WILD KAT (Series 2)	Australia	PRC	new	7-4-01	Barron Entertainment Limited

PRC - Provisional C      Class. - Classification