

20/11/2020

Graham Webb

President HHCRA inc. Harmony FM

president@harmonyfm.com.au

Ainsleigh Hawke

Regulatory and Compliance Officer

Community Broadcasting & Safeguards Section.

communitybroadcasting@acma.gov.au

Dear Ainsleigh;

Yesterday we received notice from the ACMA, HHCRA was granted a TCBL for a further twelve months until December 2021.

We respectfully advise the following...

In the middle of this year the ACMA informed all entities applying for a further TCBL that ACMA were considering the following information when granting airtime for all TCBL's.

The ACMA's preferred model for TCBL timing options in Windsor RA1 is one which is most responsive to audience needs, reflects cooperation between TCBL holders, and encourages participation in the services.

In determining the timing conditions for temporary licences, the ACMA may also have regard to the following matters:

- fair access to airtime for all temporary licence holders (for example, a balance of peak and non-peak listening periods, including weekends)
- the provision of quality of service through adequate broadcast periods (for example, broadcast periods of no less than four hours duration)
- practical operational matters (for example, convenient changeover times)
- listener needs (for example, continuity of service and access to broadcasts of particular relevance to listeners in the licence area)
- the interests of the community interest represented by a licensee in hearing

broadcasts at particular times (for example, regular Sunday broadcasting may be important for Christian communities while other communities may be interested in one-off sporting events)

- submissions by temporary licence holders on their particular needs (for example, periods when they have access to transmission facilities, or, their desire to provide programming during particular periods to meet local community needs)
- giving temporary licence holders the opportunity to develop their broadcasting skills and programming expertise, as well as to gain an audience base and build community support for their service
- the broadcasting experience of the temporary licence holder, including experience as a long-term and temporary community broadcaster
- the aspirant's history of compliance with codes of practice and licence conditions during previous long-term or temporary community broadcasting licences
- other such matters as are relevant on a case-by-case basis.

In HHCRA's application for another TCBL we requested extra time on air as we have only one day a week and have had only one day a week airtime for the past two years.

We informed the ACMA about Be & Co which Harmony Radio connects with twelve local associations each second Thursday and we requested more airtime as to bring this service to our listeners.

We were given no reason or explanation as to why we were not issued with further airtime.

We due to Procedural Fairness our request for fairer airtime should have been taken into account by the ACMA, and reasons should have been explained to HHCRA as to why this request was rejected.

As listed above ACMA explains, "In determining the timing conditions for temporary licences, the ACMA may also have regard to the following matters":

We would like to address the following points issued by the ACMA.

- fair access to airtime for all temporary licence holders (for example, a balance of peak and non-peak listening periods, including weekends). ***We do not believe we have fair access to airtime.***

Further...

- the aspirant's history of compliance with codes of practice and licence conditions during previous long-term or temporary community broadcasting licences.

HRCA did not have their long-term licence renewed for non-compliance of licence conditions. Why have the ACMA not taken this into account in determining the timing conditions?

We believe at HHCRA when all the above points were considered that HHCRA would pass with flying colours.

We appear to be given the bad end of the stick when airtime has been allocated and we are seeking a review into the timing conditions of the licence.

Respectfully

Graham Webb.