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Broadcasting Carriage Policy Section
Australian Communications and Media Authority
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Proposal to vary the Brisbane licence area plan - Caboolture RA1

Thank you for the opportunity to contribute to the planning process. We refer to the ACMA February 2022 discussion paper. In 2020/2021 the ACMA advanced proposals to extend the licence area of two broadcasters operating in the Brisbane region;

- 4OUR Caboolture RA1 ("Moreton Bay's Own FM 101.5")
- 4BRZ & 4RBL ("Logan's Breeze 92.1" & "Logan's Rebel 90.5") operated by Rebel Media [RM]

The ACMA rejected the stronger RM proposal and is currently only proposing to finalise the 4OUR proposal.

We appreciate that each proposal needs to be assessed by the regulator on its individual merit and we have no issue with 4OUR making its request. We are however increasingly concerned by the inconsistency of how the ACMA progresses and decides different proposals, and question whether they are all being equally weighted against the objects of the act [BSA 1992] and the Technical Planning Guidelines [TPG].

We respectfully contend that the ACMA should urgently conduct a high level review of both proposals to reevaluate which should proceed to finalisation.

Community Of Interest, Local Demand & Local Content That Supports An Extension

RM operates two FM services (Logan's Breeze 92.1 & Logan's Rebel 90.5) with localised programming heavily branded & tailored for Logan 24/7, where the majority of its licence area population served by the transmitters lies. It's licensed largest population centre is Jimboomba located in southern Logan City, while fortuitous (car/rural grade) coverage extends across most of the balance of Logan City.

RM seeks to extend its licence area to include the balance of Logan City (Logan LGA) not already within its Logan licence area, and improve its signal level in the extended area.

It's only 29 km by road from Jimboomba to Logan Central.

Significantly - eight state and federal MP's representing the Logan City & Scenic Rim community (along with local councils, councillors, chambers, regional development authorities etc) each provided bipartisan support letters to the ACMA consultation process requesting the RM services be extended Logan city wide, highlighting;

- the relevance, common community of interest, and importance of the existing RM Logan services being made available equally to all residents across the breadth of Logan City.
- Brisbane wide commercial stations serve a much larger market of 2.2m+ people, so can't localise services specifically to meet Logan's localism needs.
- RM are considered the de facto 'local' dedicated commercial radio stations for Logan City given the strength and frequency of our localism that no Brisbane wide commercial broadcaster provides.

- RM are the only receivable community, ABC or commercial AM/FM stations broadcasting regular Logan targeted local news bulletins, covering important news matters of local significance.

It's a market demanding and screaming out for the RM local/regional commercial radio content backed with solid indoor FM reception across Logan City, not just in part of it.

In contrast, the 4OUR Caboolture proposal seeks to extend its licence area out beyond the boundaries of Moreton Bay LGA, and well into the neighbouring Sunshine Coast LGA, to include the Sunshine Coast major urban population centres of Caloundra, Caloundra West, Kings Beach, Golden Beach and Pelican Waters.

There is no evidence on the ACMA public record, or referred to in the ACMA 2020 & 2022 discussion papers of any wide community support or demand for this proposal in the Caloundra region. Neither paper details any demographic or community ties between the two distinct regions.

As someone who has lived in SEQ most of my life, I can tell you that Caloundra strongly identifies with the greater Sunshine Coast region, not Caboolture. It is not likely that 4OUR Caboolture that consistently programs, targets and brands (on air and online) as "Moreton Bays Own FM 101.5" is going to strongly appeal to Caloundra locals on the neighbouring Sunshine Coast. Additionally, Caloundra and the Southern Sunshine Coast is already well served by two regional community radio stations; Sunshine FM 104.9 & Salt 106.5, and both these stations already carry local content that specifically targets the central/southern Sunshine Coast region that Caloundra is an integral central part of.

The studios of both these Sunshine Coast stations (along with the urban centre of Maroochydore - the commercial centre of the Sunshine Coast) are under 20 km by road from Caloundra.

It's ~50 km by road from Caloundra to Caboolture and to the 4OUR studios.

With the absence of solid supporting evidence in the discussion paper, there isn't a lot to recommend the 4OUR proposal, and neither the ACMA or licensee (on public record) have made a credible case outlining community of interest, demand, benefit, localism & relevant additional diversity Caloundra and the southern Sunshine Coast would gain by the area being added into the Caboolture RA1 licence area.

Coverage, Overspill, Spectrum Efficiency And Compliance With The TPG's

The 2020 FM specification for 4OUR features a 3 kW directional radiation pattern that modelling demonstrates is excessive to service its 2020 market, with substantial southern sector overspill into the Brisbane RA1 market. Rural grade overspill extends right down into parts of the South East Brisbane coastal residential suburbs. Over a million people would be within the station's rural grade contour - many multiples higher than the 2020 Caboolture RA1 licence area population base.

There is substantial highly competitive suburban grade (or near suburban grade) overspill to over half a million people that largely encompasses the urban Redcliffe and Boondall areas, and overspills to the vast majority of people within the adjacent Redcliffe RA1 community radio market.

Oddly, there is no mention of this extensive southern sector overspill in either ACMA decision paper. The proposal to allow 4OUR to officially move to 3 kW OD will slightly further increase the southern sector overspill.

The 2020 4OUR specification restricts northern sector ERP towards Sunshine Coast LGA to 100 W maximum, protecting Caloundra from high grade overspill. The ACMA proposal to sanction operation at 3 kW OD adds a further 100,000+ people to the station's coverage, and extends competitive suburban grade coverage to Caloundra and parts of the Sunshine Coast coastal strip up to Alexandra Headland.

The 2020 discussion paper states that the licensee has been operating the service at 3 kW OD, in breach of its technical operating conditions, broadcasting 30 times its authorised power towards

Caloundra. The paper implies that the main reason behind the licence area extension and pattern change is to legitimise this ongoing breach by formally extending the licence area to broadly match the resulting increased suburban grade overspill into major Sunshine Coast urban centres.

This is a poor reason for the ACMA to substantially extend a station's licence area, and it rewards excessive non-compliance. The fact no one has complained about the breach overspill should not be a factor in whether the station's market should be extended. Reduction in interference to council radiocommunication services is also a stated reason, though it lacks detail, and should not be a driver for a substantial licence area extension. A move to an OD pattern increases ERP across multiple sectors, typically increasing scope for interference, not reducing it.

We are concerned the ACMA is proposing to rubber stamp such a large breach, rather than either requiring the station to operate within specification, or by pursuing an alternative appropriate specification to service the pre-existing licence area.

RM could largely meet our proposed extension objective to provide suburban grade coverage Logan City wide by operating our Logan 90.5/92.1 transmitters at 30x their authorised power. If RM was sold and new owners ran 30x licensed northern sector power, it seems unlikely the ACMA would treat it like the 4OUR 30x power breach, and simply rubber stamp breach operating conditions. So why do that for 4OUR?

Conclusion

It appears the ACMA is advancing finalising an extension proposal for 4OUR that delivers questionable public benefits, driven largely by the station operating in significant breach of its licensed operating conditions. While on the other side of outer Brisbane, the ACMA simultaneously blocked a compelling RM extension proposal delivering outstanding public benefits from a broadcaster playing by the rule book.

That's the opposite outcome one might expect from a strong regulator. We respectfully suggest the ACMA revisit both proposals.

At the very least, if the ACMA still sees fit to finalise its proposal to fully extend 4OUR into Caloundra and the Southern Sunshine Coast, then we contend it clearly warrants the much stronger RM 'balance of Logan' proposal being immediately reassessed by the ACMA as a top priority.

Regards

A handwritten signature in black ink, appearing to read 'Aaron Jowitt', with a stylized flourish at the end.

Aaron Jowitt
Director