



**Submission re**

**Sunsetting Determinations  
Radiocommunications (HPON) 2014  
Radiocommunications (LPON) 2015**

ANRA welcomes the opportunity to respond to the ACMA request for consultation on two broadcasting instruments that will sunset shortly: Radiocommunications (HPON) Determination 2014 and Radiocommunications (LPON) Determination 2015. Our comments reflect the consensus of our membership. However individual members may make their own submissions.

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 the major Narrowcast radio program providers such as the TAB agencies and organisations, foreign language groups, fringe music services, tourist services and religious services, as well as many other independently owned and operated services.

As always ANRA appreciates the opportunity to make this submission and is aware that ACMA has a good understanding of the ongoing development of the Narrowcast sector when making decisions that may impact its future growth.

Regards,

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## Sunsetting Radiocommunications Licence Conditions – Page 84-85

The timing of this FYSO review presents an ideal opportunity for Narrowcasting to take advantage of the recent positive outcome...the longest Drop Through Determination extension of 13 years...to rectify the thinking that the Narrowcasting is still the “Billboard Radio” of its infancy.

Over the past 30+ years Narrowcast radio has grown and developed to now being recognised as a valued and well-established contributor to the Australian broadcasting landscape. Narrowcast radio compliments Community radio as a voice for diversity in Australian communities, and comfortably operates well alongside digital platforms. And, because of its diverse DNA, Narrowcasting can deliver niche content 24/7 especially in regional areas.

With the LCD sunseting in April 2025 now is the time for discussions to commence with a view to modernising Narrowcasting Regulations to bring them in line with the current status of the Industry.

ANRA makes the following comments based on its objectives of seeking certainty and viability for Narrowcasters, thereby ensuring they can continue to provide diversity for consumers.

ANRA will be responding to different sections of the FYSO in the order of priority for Narrowcasting.

**Table 9: Consultation Plan - Select radiocommunications instruments due to sunset on 1 April 2025 or 1 October 2025**

Consultation Details	Proposed Timeline
Radiocommunications (Allocation of Transmitter Licences – <b>Low Power Open Narrowcasting Licences</b> ) Determination 2015	Q1 2024: consult
Consultation on the sunseting Radiocommunications Licence Conditions (Apparatus Licence) Determination 2015	Q2 2024: consult

Q2 2024...the ACMA plan to consult on the Radiocommunications Licence Conditions (Broadcasting Licence) Determination 2015 which will sunset in 2025. The Broadcasting LCD currently contains the following provisions which ANRA seeks to have reviewed...

### 4.9 *Low power open narrowcasting services — field strength in a residential area*

If the licensee operates a narrowcasting service station to provide a low power open narrowcasting service in a residential area, the field strength must not exceed 48dBuV/m when measured at 10 metres above ground level at any location more than 2 kilometres from the station’s antenna.

### 4.10 *Low power open narrowcasting services — field strength in a non-residential area*

If the licensee operates a narrowcasting service station to provide a low power open narrowcasting service in a non-residential area, the field strength must not exceed 48dBuV/m when measured at 10 metres above ground level at any location more than 10 kilometres from the station’s antenna.

**Comment:**

ANRA is advocating for the Broadcasting LCD to be reviewed to be fit-for-purpose; ie, to define that:

- a. An urban area LPON licence can be operated at 1 Watt and, if the signal exceeding these field strengths beyond the 2km protection zone, the remainder of the 10km service area radius constitutes fortuitous coverage but is not afforded protection.
- b. A non-residential area LPON licence can be operated at 10 Watts and, if the signals exceeding these field strengths beyond the 10km protection zone, the remainder of the 20km service area radius constitutes fortuitous coverage but is not afforded protection.
- c. If either of the signals exceeding these field strengths beyond the designated 2km or 10km service area radius and are causing interference disputes, then the 48dBuV/m measurement would apply.

The current situation is that many regulations are left over from the original “Billboard Radio” days, are outdated, and do not reflect the growth and diversity the Sector has achieved over the past 30+ years.

In meetings with ACA/ABA/ACMA when developing the Narrowcasting regulations we were assured that the 48dBuV/m measurement would only be invoked in instances where there was an interference complaint.

Over the years the 48dBuV/m measurement has been continually used as a method to control the value of narrowcast licences by giving the 48dBuV/m measurement greater status than the 1 Watt or 1.64 EIRP measurement in the licence conditions.

The existing provisions are far too onerous on licensees as it is a measurement that can only be calculated with equipment out of the reach of the average narrowcaster. Also, as previously stated, it is a measurement that cannot be complied with in practice if the measuring mast and antenna has line of sight to the transmitter, and especially when the transmitter is elevated (eg, on a mountain top).

**Table 9: Consultation Plan - Select radiocommunications instruments due to sunset on 1 April 2025 or 1 October 2025**

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ANRA supports the remaking of the Radiocommunications (Allocation of Transmitter Licences – High Power Open Narrowcasting Licences) Determination.

ANRA would advise that there is a strong desire within the industry for the allocation of more HPON licences. As most 87.6MHz, 87.8MHz & 88.0MHz LPON licences have been fully allocated in the majority of cities and towns, we feel that medium powered 50W-500W HPONs would be a positive use of spectrum, particularly given that these HPONs licences require less band width.

## Compliance Activities Undertaken in 2022–23 – Page 75

*(1) To support the ACMA’s work to manage the risk of interference to radiocommunications spectrum, the 2023–24 program includes a focus on tackling the online supply of dodgy devices.*

*We are seeing a rise in complaints about non-compliant radiocommunications devices advertised or bought online. This program is directed at supplier compliance with equipment rules, and educating Australians about the risks of buying these devices online.*

ANRA has previously expressed its concerns in regard to in-car FM transmitters that can easily be purchased online. These devices are often used to connect to phones via bluetooth or USB leads and re-broadcast the signal on 87.5-108 MHz (FM transmitter frequencies) into car radios. Some stores also use these devices to re-broadcast the signal to their instore audio systems.

Most of the time the chosen frequency is 87.5-88.0 MHz as other frequencies have high powered transmissions. These devices range in power from 100 microwatts to 1 watt and easily wipe out LPONs in the Drop Through zone.

These devices should not be allowed to broadcast on these frequencies.

*(2) The ACMA released the results of its audit of Low Power Open Narrowcast (LPON) licence conditions in December 2022. in Victoria to identify compliance with record keeping and licence conditions. The audit aimed to inform our understanding of the LPON market and educate licensees about the regulatory requirements.*

ANRA supported the initial Audit as we had been in discussions for many years with both DITRDC and ACMA in regard to the modernisation of regulations and streamlining of procedures. We were all keen to discuss the processes that are “resource-intensive” for both the ACMA and operators, and involved considerable time and expense to administer.

Also, in a recent meeting with DITRDC, ANRA presented the case for the easing of outdated regulations that are hindering the effective operation of the Narrowcasting sector. After 30+ years, Narrowcasting has matured from “Billboard Radio” to now being a 2600+ Australia-wide and comprehensive licensing sector, enjoying strong documented support from ministers and associated regulatory bodies all endorsing long-term support for the sector.

As commented in this section of the FYSO, even more audits have taken place recently. ANRA is concerned that these audits are based on regulations and procedures that are currently up for discussion, particularly in view of the sunseting of the Radiocommunications Licence Conditions.

ANRA asks whether it would be prudent to wait until the discussions are finalized in 2024 before there is any more focus on compliance action.

Naturally ANRA supports compliance action where an official complaint is lodged due to interference issues.

**Broadcasting Services – DAB – Page 2**

Other Consultations	Proposed Timeline
Consult on digital radio channel plans for the licence areas where the incumbent broadcasters have committed to rollout digital radio	Timing driven by demand from broadcasters

*We are also actively supporting trials of new broadcasting technology. In the past these included trials of DAB+, DRM for AM (DRM30) and DRM for FM (DRM+) technologies for radio. We are currently working with the broadcasting industry on proposals to trial small scale DAB technology.*

On behalf of the Narrowcast sector ANRA would like to be included in any discussions on small-scale DAB.

Our members have expressed a desire to participate as incumbents into digital broadcasting in DAB+, DRM30, DRM+ and any other broadcasting technologies for radio.

**Conclusion**

ANRA's core objective is to continue open and robust discussions with DITRDC & the ACMA and welcomes reforms that enhance the Narrowcast sector and those who operate within it. ANRA has made several suggestions in this regard in previous submissions and would affirm that we are not wedded to any particular suggestion. ANRA expresses the strong view that now is the time to allow the sector to thrive thereby delivering many of the objectives stated by the ACMA in regard to Spectrum Management, ie:

- To facilitate efficient spectrum planning, allocation and licensing arrangements in each band for the use or uses that best promote the long-term public interest derived from the use of that spectrum.
- To ensure that policy options are well-designed, well-targeted and fit-for-purpose.

ANRA looks forward to participating in these discussions on behalf of its members.