

# Proposal to vary the Deniliquin licence area plan

## Consultation paper

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# Executive summary

The ACMA is seeking comments on proposed changes to the [Licence Area Plan – Deniliquin Radio](#) (Deniliquin LAP).

We are proposing to vary the Deniliquin LAP to:

- Make spectrum available for a new FM commercial transmitter at Deniliquin for the 2QN commercial radio broadcasting service to operate on 106.1 MHz in the Deniliquin RA1 licence area. We also want to remove the technical specification for a high-power open narrowcasting (HPON) service transmitter planned to operate on 106.1 MHz in the Deniliquin RA1 licence area (**Proposal 1**).
- Update technical specifications for 2 commercial services to reflect operating conditions, raise the height of the 2QN and 2MOR transmitters at Cobram from 30 m to 35 m, and make other minor changes (**Proposal 2**).

We consider that these proposals, if implemented, are an economic and efficient use of spectrum and promote the objects in section 3 of the *Broadcasting Services Act 1992* (BSA). In particular, the proposals support the need to provide regulatory environment that will facilitate the development of a broadcasting industry in Australia that is efficient, competitive and responsive to audience needs (paragraph 3(1)(b)).

In making these proposals, we have also considered the planning criteria in section 23 of the BSA, including:

- relevant demographics and social and economic characteristics (paragraphs 23(a) and (b))
- the number of existing broadcasting services and the demand for new services (paragraph 23(c))
- technical restraints relating to the delivery or reception of broadcasting services (paragraph 23(e)).

# Issues for comment

We welcome comments from interested stakeholders on the issues raised in this paper, or on any other issues relevant to this proposed licence area plan (LAP) variation.

Details on making a submission can be found at the [invitation to comment](#) section at the end of this paper.

# Introduction

## Planning broadcasting services

Our broadcasting planning functions are set out in Part 3 of BSA. We promote the objects of the BSA (section 3), including the economic and efficient use of radiofrequency spectrum, and consider the planning criteria set out in section 23 of the BSA. When planning analog broadcasting services, we refer to [ACMA's approach to broadcast planning and varying LAPs](#). The paper provides an overview of the regulatory framework, policy objectives and planning process for analog broadcasting services.

Under section 26 of the BSA, the ACMA must, by legislative instrument, prepare LAPs that determine the number and characteristics, including technical specifications, of broadcasting services that are to be available in areas of Australia. The BSA also provides the ACMA with a discretionary power to vary LAPs.

In deciding whether to vary any LAP, we consider all submissions received.

## AM–FM conversions

Our published guidance entitled [Principles for planning AM to FM conversions in regional licence areas](#) (AM–FM conversion principles) informs the way we resolve complex issues regarding AM–FM conversions and infill transmitters for commercial radio broadcasting services.

We will continue to consider and progress current proposals for conversions in non-competitive markets, while we open the program for conversions in competitive areas so that more listeners can benefit. We expect to finalise the requests in non-competitive markets that are currently underway and where appropriate spectrum has already been identified.

More information about the [AM–FM conversion principles](#) can be found on our website.

## Overview of the Deniliquin LAP

The Deniliquin LAP currently determines the licence areas of Deniliquin RA1 and Deniliquin RA2.

The radio services planned in the Deniliquin LAP are:

- 2 medium-power national radio broadcasting services to serve the Deniliquin area and one medium-power national radio broadcasting service to serve the Jerilderie area
- 2 commercial radio broadcasting services to serve the Deniliquin RA1 licence area
- 1 medium-power (1kW) open narrowcasting radio service to serve the Deniliquin area, and one low-power (10W) open narrowcasting radio service to serve each of the Berrigan, Finley, Jerilderie, Tocumwal and Wakool areas
- one community radio service to serve the Deniliquin RA2 licence area.

A map of the Deniliquin RA1 licence area is at [Appendix A](#) to this consultation paper. The issues discussed in this consultation paper relate to the Deniliquin RA1 licence area only.

# Proposal 1: Commercial radio – Deniliquin RA1

## Summary

We propose to:

- Make spectrum available for an FM transmitter for the 2QN commercial radio broadcasting service in the Deniliquin area. We propose that this FM transmitter for the 2QN service will operate on 106.1 MHz, with an effective radiated power (ERP) of 1 kilowatt (kW), with mixed polarisation, an omnidirectional (OD) antenna pattern and an antenna height of 65 m at Broadcast Site, Lot 991 Cobb Hwy, Deniliquin. These are similar technical specifications to those currently applying to an HPON service at Deniliquin (planned in Attachment 1.8 of the Deniliquin LAP at a different location). The transmitter planned for the HPON service is currently being used to provide the 2QN service.
- Remove the technical specification for the HPON transmitter (Attachment 1.8) from the Deniliquin LAP.

We consider that these proposals, if implemented, constitute an economic and efficient use of the spectrum, and promote the objects in section 3 of the BSA. In particular, the proposals support the need to provide a regulatory environment that is efficient, competitive and responsive to audience needs (paragraph 3(1)(b)), as well as take into account the planning criteria in section 23 of the BSA, especially the:

- relevant demographics and social and economic characteristics (paragraphs 23(a) and (b))
- number of existing broadcasting services and the demand for new services (paragraph 23(c))
- technical restraints relating to the delivery or reception of broadcasting services (paragraph 23(e)).

## Background

The Deniliquin RA1 licence area is primarily within New South Wales, with portions in northern Victoria. It has a population of 58,676,<sup>1</sup> and includes Deniliquin, Cobram, Echuca and Moama (see [Appendix A](#)). The town of Deniliquin has a population of 6,431.<sup>2</sup> It is approximately 725 km southwest of Sydney and 285 km north of Melbourne. The area has prominent rice, wool and timber industries.

The Deniliquin RA1 licence area is also partly overlapped by, or adjacent to, other radio broadcasting licence areas, with Bendigo RA1 being on the southwestern edge, Griffith RA1 on the northeast, Shepparton RA1 on the southeast and Swan Hill RA1 located directly west. The Remote Commercial Radio Service Central Zone RA1 overlaps with some northern and central parts of the Deniliquin RA1 licence area.

Rich Rivers Radio Pty Ltd, part of the ACE Radio network, is the licensee of the 2QN<sup>3</sup> and 2MOR<sup>4</sup> commercial radio broadcasting services.

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<sup>1</sup> [Section 30](#) of the BSA provides for the ACMA, having regard to the most recently published Census count prepared by the Australian Statistician, to determine the population of a licence area.

<sup>2</sup> Australian Bureau of Statistics, [2021 Census QuickStats](#). For this statistical dataset, Deniliquin is classified as an urban centre and locality. All other population data in this paper, unless stated otherwise in a footnote, will also originate from this source.

<sup>3</sup> 2QN is the callsign and its on-air ID. Its broadcasting service licence (BSL) is 10407.

<sup>4</sup> 2MOR is the callsign and its BSL is 10408. Its on-air ID is Classic Rock.



## Discussion of proposal

In March 2020, ACE Radio proposed using an additional FM transmitter to improve the coverage of its 2QN service in Deniliquin.

ACE Radio requested that it be allowed to use the transmitter for its Deniliquin 106.1 MHz service, planned as an HPON service in the Deniliquin LAP, to transmit the 2QN service to the Deniliquin area. ACE radio claimed that this would address coverage deficiencies with the 2QN AM service in the Deniliquin town centre and enhance the listener's experience. ACE Radio advised that it intended to maintain the current AM coverage of the 2QN service in the town of Deniliquin and in other parts of the licence area.

In support of this proposal, ACE Radio noted that the HPON programming it had been providing<sup>5</sup> was also being provided as a streaming service and was therefore available to a wider audience than through its HPON licence. ACE Radio also contended that, as this was already a planned service that had been operating, the proposal would require no additional technical planning. ACE claimed it would have no interference or coverage issues impacting other broadcasting services, and it would address the issue of the lack of suitable unused FM frequencies in the Deniliquin area. ACE Radio also cited the importance of critical information being provided to listeners at the time of the then COVID-19 pandemic, especially for a service that straddled the NSW and Victorian border.

In April 2020, we temporarily agreed not to take any enforcement action in relation to the use of the ACE Radio's HPON transmitter to provide the 2QN service on 106.1 MHz to cover the town of Deniliquin. Our basis for this decision was to provide improved audio quality to listeners during the COVID-19 pandemic in the town.

In September 2022, we expanded the AM–FM conversion program to include competitive regional radio licence areas. Deniliquin falls within the expanded conversion program, being listed as a solus licence area with a commercial AM service with greater than 30% population overlap, in Table 2 of the AM–FM conversion principles.

In the AM–FM conversion principles, we stated that we are prepared to consider requests for town-based dual coverage upgrades on a case-by-case basis where there is a demonstrated benefit to listeners, or another good reason. A town-based dual coverage upgrade allows for a low-power FM transmitter to cover a main population centre in a licence area, while keeping the AM transmitters on to serve the wider licence area.

We state in the AM–FM conversion principles that we generally do not propose to plan for FM transmitters to provide FM services only to more populous areas within a licence area, such as major towns, while other parts of the licence area receive AM, in circumstances where FM spectrum is readily available across the licence area. If AM coverage within the licence area can be closely matched in FM, we would generally not agree to long-term simulcasts, unless there was a demonstrated benefit to listeners or another good reason.

We state that an example of where we may permit long-term simulcasts is in licence areas where higher-density population centres are surrounded by large areas of low density and highly dispersed populations. In such circumstances, we may consider applications for dual coverage on a case-by-case basis.

We consider that the Deniliquin proposal for dual coverage upgrade matches the circumstance raised in the AM–FM conversion principles above – namely, where a higher-

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<sup>5</sup> The HPON service known as KIXX Country music.

density population centre, Deniliquin, is surrounded by large areas of low-density and highly dispersed populations.<sup>6</sup>

An advantage of allowing town-based dual coverage upgrades in these circumstances is to improve reception quality for listeners in the more populous parts of a licence area, while listeners in the remaining parts of the licence area do not lose AM coverage of the service.

We propose to allow the dual coverage in AM and FM of the 2QN service in the town of Deniliquin, consistent with AM-FM conversion principles.<sup>7</sup> We propose to vary the Deniliquin LAP to add an FM transmitter for the 2QN service using the same technical specifications for the currently licensed HPON service on 106.1 MHz, with a maximum ERP of 1 kW and an omni directional antenna mask. The proposed technical specifications will include a change in site from BAI site North of Deniliquin (LAP planned site) to Lot 991, Cobb Hwy, Deniliquin, reflecting the current operating conditions of the transmitter. The availability of 2QN in FM in Deniliquin will continue to provide a better quality of service in terms of improved fidelity and interference immunity (electrical noise) to the more densely populated area within the licence area. The technical specifications of the proposed FM transmitter are at [Appendix C](#).

ACE Radio has advised us that it intends to retain the AM transmission to the Deniliquin RA1 licence area in conjunction with the town-based FM upgrade. Under our conversion principles, where there will be coverage loss resulting from a conversion, we expect licensees to commit to maintaining AM transmissions by making a deed poll to this effect in favour of the ACMA.<sup>8</sup> Because this is a town-based dual coverage upgrade rather than a full AM-FM conversion, we do not propose to seek a deed from ACE Radio in this instance.

Audiences of the KIXX Country music service, transmitted on 106.1 MHz before 2020, may be able to receive this service via streaming. It will be a matter for ACE Radio how long it continues to provide that service via streaming.

Given 2QN has been operating under the technical specifications for the planned HPON service for some time, we are not aware of and do not expect any interference issues within the previously planned coverage. FM coverage of the 2QN service in Deniliquin is expected to be identical to the current licensed HPON coverage. There is no expectation that there will be excessive overspill from the 2QN FM proposed technical specifications.

The proposal will change the location of the proposed 2QN FM transmitter compared to the LAP planned HPON by approximately 20 km. While the planned coverage would change because of this move, the actual coverage will not, as the proposed 2QN site is the same as the currently licensed and operating HPON site.

Because we propose that the 2QN service be transmitted on 106.1 MHz, we also propose that the existing technical specifications that had been planned for the Deniliquin HPON service using the 106.01 MHz frequency should be removed from the Deniliquin LAP. The current licensee of this HPON service, ACE Radio, supports its removal.

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<sup>6</sup> The population of Deniliquin RA1 is 58,676 as determined by the ACMA under section 30 of the BSA, based on 2021 Census. Populations of the major UCLs of Deniliquin, Echuca, Moama and Cobram in 2021 Census are 7,432, 15,056, 7,213 and 6,148 respectively. These 4 major centres represent just over 61% of the Deniliquin RA1 population, leaving 39% of the population in dispersed low-density rural areas.

<sup>7</sup> See planning principles. Principles 1 and 2 at pages 6-8.

<sup>8</sup> The minimum time that AM is to be maintained will be assessed on a case-by-case basis, but is expected to be a number of years.

**Advisory note**

We are proposing to include an advisory note on the technical specification for the 2QN FM transmitter at Deniliquin (see [Appendix C](#)), indicating that the transmission is protected to a minimum median field strength of 66 dB $\mu$ V/m.

**Preliminary view**

We consider that this proposal is an economic and efficient use of spectrum that promotes the objects of the BSA, particularly paragraph 3(1)(b), so 2QN can continue providing appropriate coverage of matters of local significance. We consider that the proposals are consistent with the AM–FM conversion principles.

In making this proposal, we have taken the planning criteria into account, particularly the number of existing broadcasting services and technical restraints relating to the delivery or reception of broadcasting services in the Deniliquin RA1 licence area (paragraphs 23(c) and (e)).

The proposed technical specifications are at [Appendix C](#).

# Proposal 2: Minor amendments

In addition to the changes above, we also propose to make minor amendments to the text, schedules and attachments of the Deniliquin LAP to:

- Change the Cobram transmitter site nominal locations in Attachments 1.4A and 1.6 to better reflect the name of the location.
- Change the Cobram nominal coordinates in Attachments 1.4A and 1.6 to address a minor discrepancy in the current location of 2 transmitters used to provide commercial radio broadcasting services. This will not result in any variation in predicted coverage and is intended to reflect actual operating conditions of the service.
- Change the maximum antenna height for the Cobram transmitters from 30 m to 35 m in Attachments 1.4A and 1.6 to reflect installed infrastructure. There is no expectation of an increase in interference or overspill beyond what was calculated by the ACMA to occur with the antenna at 30 m.
- Remove the radiocommunications transmitter planned for the 2MOR commercial radio broadcasting service at Echuca/Moama on 92.5 MHz from the LAP (which is described in Attachment 1.4B in the LAP). This has now ceased following commencement of the transmitter planned in Attachment 1.6A (for the 2MOR service at Echuca/Moama on 103.9 MHz). We also want to make a consequential change to Attachment 1.6A.
- Remove from every attachment the reference to the *Broadcasting Services (Technical Planning) Guidelines 2017* and put the reference in a substantive clause at the start of the LAP. These changes are not intended to affect the operation of the LAP.
- Make minor formatting and grammatical changes to the Deniliquin LAP and its various attachments.

# Invitation to comment

## Making a submission

We invite comments on the issues set out in this consultation paper.

- [Online submissions](#) can be made by uploading a document. Submissions in PDF, Microsoft Word or Rich Text Format are preferred.
- Submissions by post can be sent to:

The Manager  
Broadcasting Carriage Policy Section  
Australian Communications and Media Authority  
PO Box 78  
Belconnen ACT 2616

The closing date for submissions is **COB, 24 January 2025**.

Consultation enquiries can be emailed to [BCP@acma.gov.au](mailto:BCP@acma.gov.au).

## Publication of submissions

We publish submissions on our website, including personal information (such as names and contact details), except for information that you have claimed (and we have accepted) is confidential.

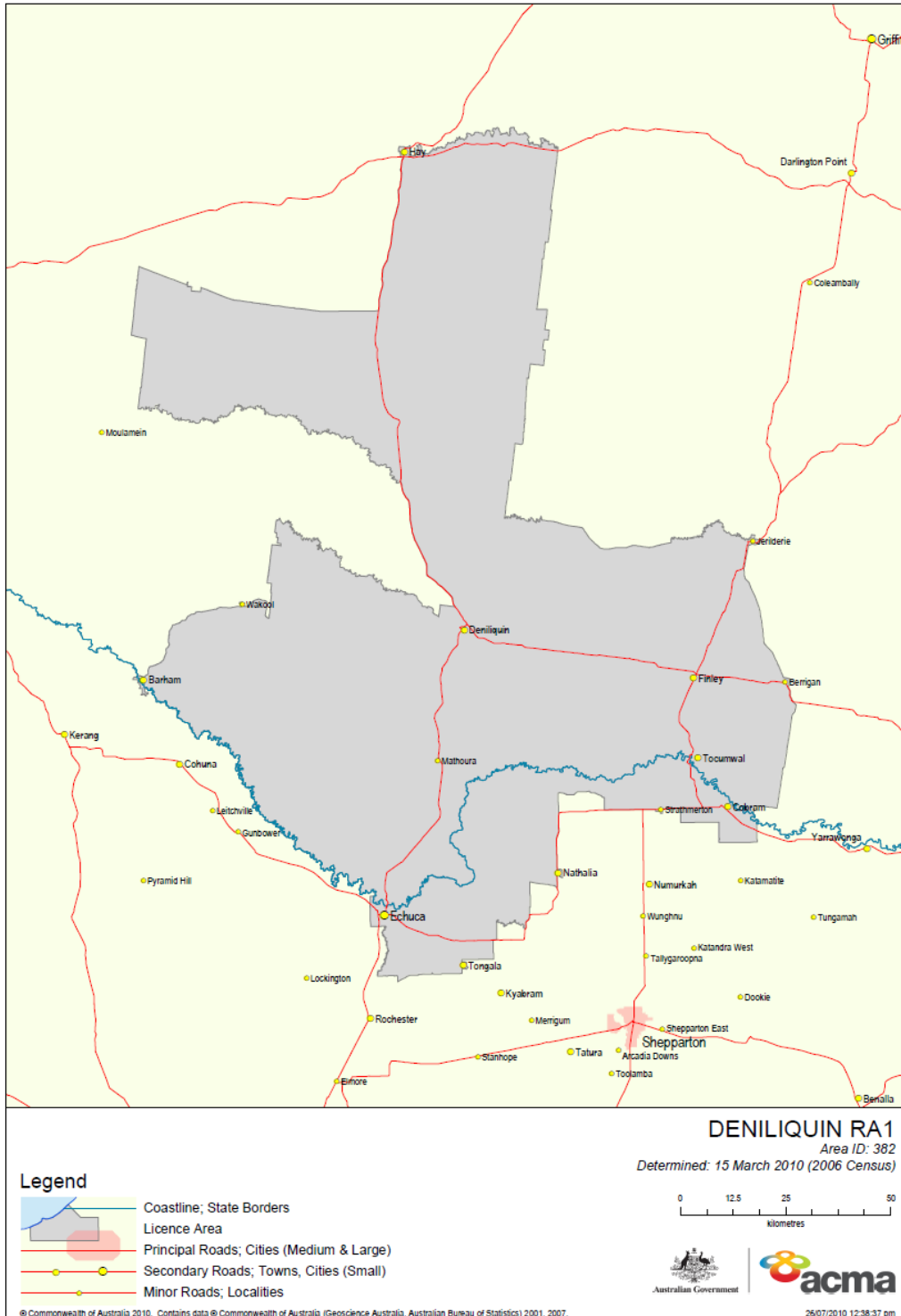
Confidential information will not be published or otherwise released unless required or authorised by law.

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Information on the Privacy Act 1988, how to access or correct personal information, how to make a privacy complaint and how we will deal with any complaints, is available in our [privacy policy](#).

# Appendix A: Map of Deniliquin RA1 licence area



# Appendix B: Proposed FM transmitters in Cobram

## B1: Proposed specification for 2QN FM transmitter

### LICENCE AREA PLAN : Deniliquin Radio

Category : Commercial  
General Area Served : Cobram (VIC)  
Service Licence Number : SL10407

### TECHNICAL SPECIFICATION - FM Radio

Specification Number : TS12000648

#### *Transmitter Site :-*

Nominal location : Rich Rivers Radio Site 104A Racecourse Rd  
COBRAM

Nominal Co-ordinates (GDA94) : Latitude -35.904089 Longitude 145.636848

#### *Emission :-*

Frequency Band & Mode : VHF-FM  
Carrier Frequency : 93.3 MHz  
Polarisation : Mixed  
Maximum antenna height : 35 m

#### *Output Radiation Pattern :-*

Bearing or Sector (Clockwise direction)	Maximum ERP
At all angles of azimuth	100 W

#### *Advisory Note :-*

This service has been planned on an interference limited basis. Field strengths below the planned minimum median field strength level are likely to suffer interference from other broadcasting services.

Any transmission in accordance with this specification is planned on the basis that it will be protected to a minimum median field strength level of 66 dB $\mu$ V/m against interference from other broadcasting services.

## **B2: Proposed specification for 2MOR FM transmitter**

### **LICENCE AREA PLAN : Deniliquin Radio**

Category : Commercial  
General Area Served : Cobram (VIC)  
Service Licence Number : SL10408

### **TECHNICAL SPECIFICATION - FM Radio**

Specification Number : TS10008009

#### ***Transmitter Site :-***

Nominal location : Rich Rivers Radio Site 104A Racecourse Rd  
COBRAM

Nominal Co-ordinates (GDA94) : Latitude -35.904089 Longitude 145.636848

#### ***Emission :-***

Frequency Band & Mode : VHF-FM  
Carrier Frequency : 88.5 MHz  
Polarisation : Mixed  
Maximum antenna height : 35 m

#### ***Output Radiation Pattern :-***

<b>Bearing or Sector (Clockwise direction)</b>	<b>Maximum ERP</b>
At all angles of azimuth	100 W

#### ***Advisory Note :-***

This service has been planned on an interference limited basis. Field strengths below the planned minimum median field strength level are likely to suffer interference from other broadcasting services.

Any transmission in accordance with this specification is planned on the basis that it will be protected to a minimum median field strength level of 66 dB $\mu$ V/m against interference from other broadcasting services.



# Appendix C: Proposed technical specifications for 2QN FM transmitter in Deniliquin

## LICENCE AREA PLAN : Deniliquin Radio

Category : Commercial  
General Area Served : Deniliquin (NSW)  
Service Licence Number : SL10407

## TECHNICAL SPECIFICATION - FM Radio

Specification Number : TS12000589

### *Transmitter Site :-*

Nominal location : Broadcast Site Lot 991 Cobb Hwy  
DENILIQUN

Nominal Co-ordinates (GDA94) : Latitude Longitude  
-35.668086 144.909752

### *Emission :-*

Frequency Band & Mode : VHF-FM  
Carrier Frequency : 106.1 MHz  
Polarisation : Mixed  
Maximum antenna height : 65 m

### *Output Radiation Pattern :-*

Bearing or Sector (Clockwise direction)	Maximum ERP
At all angles of azimuth	1 kW

### *Advisory Note :-*

Any transmission in accordance with this specification is planned on the basis that it will be protected to a minimum median field strength level of 66 dB $\mu$ V/m against interference from other broadcasting services.