

**Senate Standing Committee on Environment and Communications**

**Answers to Senate Estimates Questions on Notice**

**Budget Estimates May 2017**

**Communications Portfolio**

**The Australian Communications and Media Authority**

**Question No: 160**

**The Australian Communications and Media Authority**

**Hansard Ref: Page 26, 25/05/2017**

**Topic: Lion FM**

**Senator Abetz, Eric asked:**

**Senator ABETZ:** But—sorry to interrupt—Lion FM had ordered equipment to remove the interference, but they had their licence revoked before they could even try to stop the interference. This was an opportunity denied to Lion FM, as I am advised, but afforded to those other four community radio stations.

**Mr Bean:** My understanding is different, and we will perhaps need to take this on notice and investigate it further.

**Senator ABETZ:** If you could—and provide a very detailed answer—I would be much obliged.

**Mr Bean:** My understanding is that Lion was in fact afforded that opportunity. I should also add that no licence and no circumstance of transmission is exactly the same as the other.

Radiofrequency management is an art as well as a science, and it is not always constructive to attempt to compare one circumstance with another. But we will certainly look into the question you have raised.

**Senator ABETZ:** Given what you are saying—and I do not pretend to be a tech head at all in this space or area—if it is a combination of art and science, it is trial and error, and J-AIR is saying they were never given the opportunity of that trial and error that was allowed for these other four radio stations.

**Mr Bean:** I understand.

**Senator ABETZ:** If that can be taken on notice and an extensive answer provided I would be much obliged.

**Ms McNeill:** I wonder if I might just address one of the matters that you raised, which was a reference to the ACMA having revoked the licence held by Lion. That was not the case. Lion had a temporary community broadcasting licence that expired after 12 months. Ordinarily temporary community broadcasting licences are made available so that groups can develop expertise in broadcasting. They are not contemplated to be licences that will go on indefinitely. So that licence expired at the end of 12 months rather than having been revoked.

I am not familiar with the circumstances of each of the other community broadcasters that you identified. But I do know, from the material that I have here, that one of them is a long-term community broadcasting licensee that has held its licence since 2001. It is a broad area licence, so the circumstances are quite different from the circumstances of someone holding a low-powered temporary community licence.

**Senator ABETZ:** All that, hopefully, will be provided in the detailed answer on notice.

**Ms McNeill:** Certainly.

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**Answer:**

Lion FM held a temporary community broadcasting licence (TCBL) for 12 months from 14 June 2010 to 13 June 2011. The TCBL authorised transmission on 96.1 MHz to represent the religious – Jewish community interest in the Melbourne City RA1 licence area. 12-months is the maximum duration for which TCBLs can be issued.

The Lion FM transmissions caused interference to two long-term community radio services:

- 3GGR on 96.3 MHz in the Geelong RA1 licence area
- 3GDR on 95.7 MHz in the Waverley VIC RA1 licence area.

On 12 August 2010, the Australian Communications and Media Authority (ACMA) directed Lion FM to reduce power to address the interference, which it did. The ACMA did not receive further complaints of interference and Lion FM continued to broadcast.

The Lion FM TCBL was not revoked. While the ACMA received an application for a subsequent TCBL from Lion FM on 12 May 2011 (and one from J-Air on 9 May 2011), the ACMA decided not to make available 96.1 MHz for further TCBLs in Melbourne.

The ACMA issued a media release to this effect on 10 June 2011 and both Lion FM and J-Air were advised of this on the same day. The media release states:

In reaching its decision, the ACMA took close account of possible future demand for the spectrum and the competing technical requirements of long-term broadcasting licensees.

‘Melbourne is a spectrum-congested area, with little likelihood of spectrum being made available for any additional long-term community broadcasting services,’ said ACMA Chairman, Chris Chapman.

The ACMA’s refusal to issue a TCBL to J-Air, or indeed to Lion FM, flows from the ACMA’s decision that further TCBLs would be inappropriate in circumstances where it has decided that it was unlikely to plan additional long-term community broadcasting services.

J-Air has not been granted a licence and therefore has not needed to resolve interference issues.