

# SUPER RADIO NETWORK

Broadcasting Live to approx. 90% of New South Wales and Southern Queensland

22<sup>nd</sup> March, 2010

Regional Radio Content Review  
 Radio Broadcasting Section  
 Department of Broadband, Communications and the Digital Economy  
 GPO Box 2154  
 Canberra ACT 2601

Dear Sir,

**Re: Review of Local Content Requirements for Regional Commercial Radio**

The Supernetwork welcomes the opportunity to contribute, to the review of the local content requirements for regional commercial radio.

The Supernetwork operates 35 regional commercial radio licences across regional New South Wales and South East Queensland. Of the 35 regional licences, 4 fall under the existing legislative provisions relating to "trigger events" and local presence.

It is important to make very clear that, like our industry body (Commercial Radio Australia), the Supernetwork does not seek to reduce the 3 hour local content requirement for our regional commercial radio stations (i.e. 15 hours per week).

However, it is opportune to stress that there are a number of aspects of the current legislative provisions in relation to trigger events and the local presence licence condition that potentially threaten the viability of not only the Supernetwork, but of the regional commercial radio industry in general.

Through the imposition of inflexible and unworkable operating conditions and significant additional compliance costs and obligations, the Supernetwork and the regional commercial radio industry in general is severely disadvantaged when compared to the operating environment other industries face. Specifically, the Supernetwork takes this opportunity to implore the Government to consider the following options:

- |                                                                                 |                                                                                |                                                                                                                 |                                              |                                                                                  |                                                                                 |                                                                                        |                                                                                 |                                                                                                        |                                                                                   |                                                        |
|---------------------------------------------------------------------------------|--------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|----------------------------------------------|----------------------------------------------------------------------------------|---------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|--------------------------------------------------------|
| SYDNEY<br><input type="checkbox"/> 2SM                                          | GOLD COAST<br><input type="checkbox"/> 104.1 FM                                | KYOGLE<br><input type="checkbox"/> 104.5 FM                                                                     | DALBY<br><input type="checkbox"/> 95.9 FM    | WELLINGTON<br><input type="checkbox"/> 96.1 FM                                   | MUDGEE<br><input type="checkbox"/> 2MG AM<br><input type="checkbox"/> REAL FM   | WALCHA<br><input type="checkbox"/> 89.3 FM                                             | FORSTER<br><input type="checkbox"/> 100.3 FM<br><input type="checkbox"/> MAX FM | MOREE<br><input type="checkbox"/> 2VM AM<br><input type="checkbox"/> NOW FM                            | WALGETT<br><input type="checkbox"/> 105.1 FM<br><input type="checkbox"/> 106.7 FM | WARRIALDA<br><input type="checkbox"/> 102.9 FM         |
| NEWCASTLE<br><input type="checkbox"/> 2HD AM<br><input type="checkbox"/> NEW FM | BRUNSWICK HDS<br>MULLUMBIMBY<br><input type="checkbox"/> 103.5 FM              | TOOWOOMBA<br><input type="checkbox"/> 4AK 1242 AM<br><input type="checkbox"/> 4WK 1359 AM                       | GYMPIE<br><input type="checkbox"/> 4GY AM    | COBAR<br><input type="checkbox"/> 97.2 AM<br><input type="checkbox"/> 103.7 FM   | KANDOS<br><input type="checkbox"/> 97.9 FM                                      | GUNNEDAH<br><input type="checkbox"/> 2MO AM<br><input type="checkbox"/> GGG FM         | GRAFTON<br><input type="checkbox"/> 2GF AM<br><input type="checkbox"/> 104.7 FM | GOONDIWINDI<br><input type="checkbox"/> 88.7 FM<br><input type="checkbox"/> 89.5 FM                    | MUNGINDI<br><input type="checkbox"/> 2VM FM<br><input type="checkbox"/> NOW FM    | ORANGE<br><input type="checkbox"/> RADIO 1089 AM       |
| PORT STEPHENS<br><input type="checkbox"/> 97.5 FM                               | LISMORE<br><input type="checkbox"/> 2LM AM<br><input type="checkbox"/> 2ZZZ FM | STANTHORPE<br><input type="checkbox"/> 91.5 FM<br><input type="checkbox"/> 99.5 FM                              | NOOSA<br><input type="checkbox"/> 107.1 FM   | PARKES<br><input type="checkbox"/> 2PK AM<br><input type="checkbox"/> ROK FM     | TAMWORTH<br><input type="checkbox"/> 2TY AM<br><input type="checkbox"/> 92.9 FM | TAREE<br><input type="checkbox"/> 2RE AM<br><input type="checkbox"/> MAX FM            | MACLEAN<br><input type="checkbox"/> 103.9 FM                                    | LIGHTNING RIDGE<br><input type="checkbox"/> 82.9 FM<br><input type="checkbox"/> 97.3 FM                | INVERELL<br><input type="checkbox"/> 2NZ AM<br><input type="checkbox"/> 95.1 FM   | COFFS HARBOUR<br><input type="checkbox"/> RADIO 639 AM |
| TWEED HEADS<br>MURWILLUMBAH<br><input type="checkbox"/> RADIO 97 AM             | WARWICK<br><input type="checkbox"/> 4WK 963 AM                                 | DUBBO<br><input type="checkbox"/> 2DU AM<br><input type="checkbox"/> 200 FM<br><input type="checkbox"/> 91.1 FM | CONDOLIN<br><input type="checkbox"/> 90.5 FM | ARMIDALE<br><input type="checkbox"/> 2AD AM<br><input type="checkbox"/> 100.3 FM | GLOUCESTER<br><input type="checkbox"/> 2RE 100.1 FM                             | COLLARENEBRI<br><input type="checkbox"/> 101.9 FM<br><input type="checkbox"/> 103.5 FM | GLEN INNES<br><input type="checkbox"/> GEM FM                                   | PORT MACQUARIE<br>KEMPSEY<br><input type="checkbox"/> RADIO 531 AM<br><input type="checkbox"/> 93.5 FM |                                                                                   |                                                        |

*Definition of "trigger event".*

Like the general industry position, the Supernetwork believes that the definition of a *trigger event* is too broad and unintentionally catches a wide range of non-cross-media events.

The Supernetwork believes that the definition should be refined so that a number of current *trigger event* instances such as family share transfers, and, corporate restructures that do not impact on the ownership of the stations, are no longer classed as *trigger events*.

*Any 5 days of a week to count towards material of local significance*

With the above factors in mind the Supernetwork urges the Government to allow licensees to count material broadcast on any 5 days of the week towards their section 43C licence condition obligations. Quite often material of local significance is broadcast to the community on weekends and should, as a consequence count towards local content quotas.

*46 weeks in lieu of 52 weeks*

Further, it is the view of the Supernetwork that section 43C be amended so that the requirement to broadcast "material of local significance" applies only to 46 weeks of the year (and not 52). A 6 week non-compliance period for local content would provide fairly for staff holidays. As stations in regional areas operate on much fewer staff than metropolitan stations, it is often difficult to engage qualified staff for short periods over traditional holiday periods. The concession is therefore sought to assist in the management of basic staffing and logistic requirements.

*Relaxation of the local presence licence condition*

With respect to the "trigger event" issue the SuperNetwork believes that the local presence licence condition is unfair, inequitable and devalues regional radio stations. The freezing of staff numbers, with no end date, as well as to maintain in perpetuity the same number of production facilities is an unfair imposition on any business, let alone a regional radio station, that is "in effect" required to stand in time and not improve through the use of improved technology or facilities.

The Supernetwork strongly supports the industry-wide preference for the repeal of section 43B and Division 5C of Part V.

If repeal is not possible, the Supernetwork is of the view that the Government consider the insertion of a "sunset clause", so that the maximum duration of the local presence licence condition and the additional content and reporting requirement is a maximum of 12 months. This is a view that is also being proposed strongly by the wider industry.

Finally I wish to again emphasise that the Supernetwork fully supports the detailed submission to be presented by Commercial Radio Australia in relation to this matter.

Yours Sincerely,



BILL CARALIS  
MANAGING DIRECTOR