

# Different Values for Changing Times? The Melbourne 2001 Community Broadcasting Licence Grants.

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## Abstract

*In November 2001, the Australian Broadcasting Authority concluded its investigation into the allocation of the four community licences available in the Melbourne metropolitan area. This long process, spanning more than eight years resulted in many broken dreams and anger at the way the process was undertaken. This paper looks at who received the licences and why; and what the experience of the licence allocation process in Melbourne tell us about the way the ABA operates. This paper examines these issues along with the broader issue of whether there is a passing of values from the initial implementation of community radio in the mid-seventies. What do the decisions tell us about how values that led to the emergence of community broadcasting have changed? What does the future hold for community broadcasting? How can the sector be 'connecting communities' when many aspirant groups missed out on a licence? This paper will be makes suggestions as to how the system can be improved and what the future holds in this area.*

In November 2001, the Australian Broadcasting Authority (ABA) allocated four community radio licences for the Melbourne area. This completed a long and complicated application process spanning more than seven years. During this time, applicants from a range of communities formed associations and conducted test broadcasts. All were waiting patiently for a decision to come from the ABA. Eventually the investigation concluded and the licences were awarded to Joy-FM, serving the Gay, Lesbian, Bisexual and Transgender communities; SYN-FM, serving the student and youth communities; Triple Seven, serving the Christian community; and SEIMA, serving the local indigenous community. These lucky few commenced broadcasting in 2002. The many broadcasters that missed out were obviously disappointed by the decision handed down by the ABA. An example of this is HITZ-FM which had been one of the first stations to commence campaigning as an aspirant group. Eight years later and their dreams were shattered. Their demise is discussed in this paper. This paper will be examining three areas of the process: the history of the recent Melbourne licence application process; the ABA's conception of community in the licence allocation decisions based on the ABA's report; and comparison of these ideas with those that circulated in the early history of community radio in the ideals that founding members of the sector envisaged when they created this third tier of broadcasting. Finally there is an investigation of alternatives to the current system of community broadcasting and a consideration of the future direction of community broadcasting as it moves into the 21<sup>st</sup> century.

## The 2001 Melbourne Community Radio Licence Grants

The history of the Melbourne licence applications dates back to 1992 which has been generally accepted as the starting point for the Melbourne-wide licence grants. It was the year that popular station HITZ-FM commenced broadcasting. Its first test broadcasts caused quite a stir in the radio industry. Mick Counihan (1996, p.18) describes how:

In the first ratings survey of 1994, HITZ was responsible for an increase in audience for the category 'Other FM'. In conventional radio market research terms, its share increased from 1.8 to 16.1 among 13-17 year olds, and from 3.3 to 12.8 in the 18-24 year-old demographic. Figures such as these are unparalleled in the twenty-year history of community radio in this country.

HITZ FM raised eyebrows, particularly from the commercial radio sector, which was seeing some of its popularity erode. It also proved there was a distinct lack of programming aimed at the youth community. This show of support for the community radio station could be one of the reasons why so many other aspirant stations decided to board the carousel and be involved in the long application process. HITZ-FM conducted 24 test broadcasts between 1992 and 2001. As well as HITZ-FM, the next seven years saw communities of all descriptions enter the aspirant market. Some of these were country music, dance music, catholic, student, comedy, Muslim and the Chinese communities.

The stations conducted test broadcasts which usually ran for ninety days at a time. Year after year, the number of aspirant stations grew, creating a merry-go-round effect each six months. This also meant that the competition for airspace was heightened. The ABA during this time was devising plans for the spectrum and the future opportunities for community broadcasters. In 1992, changes to the *Broadcasting Act* abolished the old system of categorizing licences and placed them under one umbrella. This was part of an ABA policy to open up the licence application process so that any aspirant stations could participate in the licensing process. Initially stations were licensed as narrowcasters. Due to the demand expressed by community groups for broadcast time, the ABA reverted to referring to them as 'aspirants' rather than narrowcasters. Obviously the ABA had not been prepared for the huge demand for the Melbourne and to a lesser extent Sydney licences.

Eventually the ABA made a decision over the issuing of licences in Melbourne. Held over a week in August 2001, the ABA heard submissions and the respective cases for each of the aspirant broadcasters. It took another two months for the ABA to reach a decision. There were four licences on offer, two Melbourne-wide FM licences and one AM licence and also one city-wide FM licence to cover the Melbourne Central Business District. The two Melbourne-wide licences were awarded to Triple Seven (Christian Broadcasters) and SYN-FM (the student/youth aspirant). The Melbourne-Wide AM licence was awarded to SEIMA (Indigenous Broadcasters) and the city-wide licence went to Joy-FM (Gay, Lesbian, Bisexual and Transgender broadcasters). There was much celebrating among the successful licensees.

The ABA's official investigation (2001) tells us the rationale behind the decisions to award the licences to these applicants. Triple 7 received a licence because it 'will meet the broadest range of unmet needs in the Christian community in Melbourne. Given that the community is non-denominational and extends to churchgoers, those interested in spirituality, and welfare organizations and those who use them, the size of Triple Seven's potential audience is significant' (p. 60). The main force behind its selection for a licence was that it was prepared to serve the interests of all Christian denominations. This is done through its program schedule which the ABA determined as offering contemporary Christian music in addition to a range of music styles. It will also provide church services; Christian based discussion as well as programs aimed at the disadvantaged and marginalized (p. 61). The other Melbourne wide FM licence went to SYN-FM. The ABA reported:

From the evidence given in its application at the licence allocation hearing, the ABA has formed the view that SYN-FM will best cater to a range of interests not currently met, or inadequately met, by existing national, commercial and community services, and that it has the mechanisms in place to ensure that the community it proposes to serve will be able to participate in the operations and programming of the service (p.59).

The attraction of the station comes from the fact that it will be involving a 'significant number of people' (p. 59) from its target demographic - youth. SYN-FM provides a range of different programs, ranging from music based to talk-based, focusing on youth issues and educational issues. By creating partnerships with tertiary institutions and secondary schools, SYN-FM hopes to provide programming 'presented by a diverse range of students and youth of significant interest to young people in Melbourne which currently have either no broadcasting outlet, or at best, a limited outlet' (p. 59).

The Melbourne-wide AM licence was awarded to SEIMA, which is an indigenous radio station. The ABA felt that this station deserved a licence for two reasons. The first was that 'there was a need for the Indigenous community to have its own broadcasting service which addresses issues of particular concern to the Indigenous community, and caters to its specific cultural needs' (p. 62). Although not large in number, the Aboriginal and Indigenous community are quite prominent in Melbourne and there is a need for a special broadcasting service. There is also an opportunity for the Indigenous community to participate in the programming of the station. The other major factor in the allocation of the licence to this station is that there was a 'need of the general community to be informed about Indigenous issues and Indigenous culture' (p. 62). This is particularly significant because it acknowledges the need of the community station to serve an audience outside of its community. Another interesting factor to note is that now that SEIMA has been awarded a licence, there are now Indigenous radio stations in every capital city on the eastern seaboard, forming an Indigenous Broadcasting Network in these major centers.

The station that received the Melbourne FM city-wide licence was Joy-FM. Joy received a city-wide licence because the 'ABA recognizes that there is a substantial need for programming that addresses the needs and interests of the GLBT (gay, lesbian, bisexual and transgender)' (p. 63). Although the station applied for a Melbourne-Wide licence, the ABA felt that the other successful applicants had greater and broader needs than Joy-FM. While not going into the reasoning for this finding, the ABA suggests, 'approximately half of JOY's members live within the Melbourne City area' (p. 95).

### **The Demise of HITZ FM**

One of the unluckiest applicants not to be granted a licence was HITZ-FM. Being one of the longest running and most popular aspirant broadcasters, the station was quite confident of receiving a licence. The ABA's reasoning for not providing a licence for HITZ is that they felt that 'SYN-FM is more representative of youth under 18 years of age' (p. 59). They did acknowledge that HITZ-FM had strong claims to a licence but there was also a concern with some of the commercial arrangements that the station held, in particular a CD contract entered into with a record company. The ABA felt that the deal, 'may conflict with HITZ-FM's.... representation of the music interests of their community' (p. 60). This was a

commercial contract entered into by the community radio station with a major record company, who would double as a sponsor of the station. Music from the CD would be played and promoted extensively. The CD would contain the radio station's name and contain popular music broadcast by the station. This raised some important issues in terms of how much commerciality can penetrate the world of community broadcasting. These issues are beyond the scope of this paper but are certainly worthy of further discussion.

### **Changing values of community**

Concepts of community broadcasting came to fruition in the early seventies. Although various incarnations of community broadcasting originated before this, the main implementation occurred during the Whitlam government. The stations at the time were broken down into three main areas. There were special music stations such as fine music stations (MBS), education stations for broadcasters based in educational institutions (5UV) and community licences serving a localized community (2NCR). Community broadcasting was also the catalyst for the creation of the Frequency Modulation (FM) band. The reasons for creating the third sector of broadcasting are many and varied. Phoebe Thornley (2001 p.4) believes that there was a 'hotchpotch of communities of interest' involved in the lobbying process. Ultimately though, 'everyone accepted that an elite group of well educated individuals, representing largely the university and fine music broadcasting interests, was most likely to persuade the government that it should give the introduction of public broadcasting licences and the opening up of the FM band a higher priority than it has previously'. Thornley is of the opinion that there was a sense of high brow cultural elitism involved with the first community radio stations. The Australian Broadcasting Control Board in 1972 acknowledged that there was a deficiency in the radio spectrum and there were 'minority musical, educational and professional groups in the community which cannot be adequately catered for by existing or proposed national or commercial broadcasting services' (p. 4). This highlights the early push for community broadcasting for those groups considered elite in our society.

Thornley's point of view is disputed by Albert Moran. While acknowledging the existence of the fine music stations, Moran also acknowledges the role of other forms of public radio in the inception of public broadcasting. Rather than being solely established for elites, Moran argues that the sector was founded on a number of lobby groups including the alternative political media. Moran states 'The politically progressive or alternative stations had their distant beginnings in the anti-Vietnam and the women's movements of the late 1960s and 1970s. Out of this came an interest in alternative media' (Moran 2000). These included stations such as 3CR and 4ZZZ, who were also prominent in the beginnings of public radio. There was no sense of elitism associated with these stations, which opposes Thornley's argument.

The late Michael Thompson (1999) outlined some of the founding principles of community broadcasting:

- The not for profit status of community radio licence holder
- The fact that a licence cannot be sold or transferred
- The requirement that the licensee must continue to represent the community interest it represented when licenced; and

- The expectation that community radio stations will encourage their communities to participate in station operations, and in the selection and provision of programs.

In speaking about the changes to the *Broadcasting Act* in 1992, Thompson stated that ‘the new act reaffirmed the founding principles of community broadcasting’ (p. 23). These principles have remained in place in community radio and are enshrined in the sector’s code of practice.

While there has not been any change to these principles over the years of community broadcasting it is interesting to note that there appears to have been some differences in interpretation. The definition of community is very broad. It can also be a flexible term. When we compare the recent Melbourne Licence hearings to the hearings of 1978 we can notice a shift in the interpretations of community and the principles of community broadcasting (ABT 1979). In 1978, the Australian Broadcasting Tribunal (ABT)<sup>1</sup> held hearings around the country for new ‘public’ broadcasting licences. The sector was new and the legislation was not quite in place, therefore interpretations of community and the sector are different. It is also interesting to note that the ABT felt it would ‘be inappropriate to design a mold to which all public broadcasting structures should conform’ (p. 14). This indicates the infant and diverse nature of the medium. The three new licensees in Melbourne were from two out of the three categories. There was a student radio station, serving the higher educational sector, a fine music broadcaster, committed to providing ‘high quality stereo broadcasts of classical/serious music’ (p. 131) and a broadcaster focusing on ‘contemporary and progressive music’ (p. 131) including jazz, blues and folk music. In the ensuing years, there were to be broadcasters allocated licences from a range of different communities.

The recent Melbourne licence allocations encompassed a shift in interpretation of the term community. The ABA has taken into account the cultural shifts in Australian society over the past twenty years. In 1978, it would have been unheard of that a station dedicated to the issues of the gay, lesbian, bisexuals and transgender communities would have even been considered for a licence to broadcast. It was rare for the Aboriginal community to have their voice heard and be able to access the airwaves to promote their cause and culture. Since then, the ABA has taken into account the social movements that have occurred over the past twenty years. Certainly a far cry from the ‘elite group’ that ‘virtually excluded groups with other specific “communities of interest” and ordinary people from the decision making process’ (Thornley p. 2). There also appears to be a shift away from music-based community broadcasting with these allocations and a push towards communities that can be clearly identified through statistical census data for example, Christian, Aboriginal etc. rather than groups made up of music enthusiasts and universities. This is also prominent in the decision to award SYN-FM a licence over HITZ-FM. Both were aiming to serve the youth community but HITZ-FM was a music based station whereas SYN-FM promised to provide a substantial amount of talk-based programming discussing relevant issues associated with youth.

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<sup>1</sup> Since 1992 the Australian Broadcasting Authority

### **Alternative futures**

The final report on the Melbourne licence allocation process undertaken by the ABA is extremely thorough in addressing the current legislative framework for community broadcasters. Included in the findings are the current community broadcasting codes of practice. There is also a legal framework enshrined in the Broadcasting Act that the ABA operates under in relation to the licence application process. The codes of practice cover the areas of principles of diversity and independence, guidelines for general and news programming, Australian music content, sponsorship, volunteers, conflict resolution, complaints handling and review. It is described that ‘the purpose of the code is to define the unique philosophy of community broadcasting and to ensure that this perspective is reflected in the day-to-day operations and programming of community broadcasting services’ (ABA 2001, p. 164) Although these have been modified and reviewed periodically, the principles have not changed since the inception of community broadcasting. The legal framework of the Act in which the ABA operated reveals how the decision-making process is undertaken. It involves community broadcasters being not for profit and enabling access to the community it aims to serve. There is also a long application process undertaken by the aspirant station with a lengthy document to be filled out. The decision-making process is made to set criteria including to what extent the group will serve their community of interest and their ability to provide that service. For example, the ABA report states that the licence was allocated to SYN because:

SYN-FM will be best able to cater to a range of interests not currently met, or inadequately met, by existing national, commercial and community services, and that it has the mechanisms in place to ensure that the community that it proposes to serve will be able to participate in the operations and the programming of the service (p. 59).

The ABA conducts research to ascertain the needs of the community and the suitability of applicants. The ABA draws heavily from census data obtained on the licence area. This is to obtain the socio-economic background of the areas under consideration. There is also information obtained by the ABA by its own internal research. The next aspect of the decision making process is a series of criteria in relation to the needs of the community within the licence area. It looked at the areas of ‘...interests that were not currently well served by services in order to make an informed finding about the existing and perceived future needs of the community...’ (p. 17). This was then related to and assessed to each of the applicants.

Another important aspect assessed by the ABA is the capacity of the applicant to perform the service it set out to provide. This is assessed on three levels. The first is a management capacity where the station will have the appropriate organizational structure and be able to manage itself as a viable community radio service. The second is a financial capacity which means that the station will be able to support itself financially and will have budgets set in place to achieve this goal. The ABA examines whether there is a viable back up plan if budgets are not able to be met. The final criteria is the technical capacity of the applicant and whether they will have enough infrastructure to sustain a long-term radio service. The best way to emphasize this is to describe a station that was found not to be suitable to be awarded a licence. One of the more popular stations was KISS-FM, serving the dance community of Victoria. The ABA declared that it:

has reservations about KISS FM's management capacity in view of its previous connection with the commercial narrowcasting service Rhythm FM. The ABA is concerned that KISS FM risked operating as part of a profit-making enterprise during its temporary broadcasts given that the sponsorship and advertising departments of the two services were authorized to represent each other without any distinction between who they were representing at any one time (p. 65).

With the application process now complete and the successful stations preparing to commence full-time broadcasting, are there any alternatives to the current licence system that can be implemented so that more stations have the opportunity to broadcast? One suggestion proposed by the ABA was for stations to share a frequency and broadcast together. The concept being that one station would broadcast for a defined period of time and then switch with another broadcaster, who would broadcast on the same frequency for a defined period of time, and so on. This was criticized roundly as stations were not willing to share frequencies with other stations and wanted full time frequencies for their communities. Another possible alternative for stations is internet broadcasting. This involves the station broadcasting, via a streaming service on the internet around the world. The disadvantage is that there is no clearly defined copyright legislation for broadcasting on the internet and this form of broadcasting would detract from the localized nature of community broadcasting. Narrowcasting is another possible avenue for broadcasters. To some extent, the community radio licence issued to Joy-FM was considered a narrowcast licence because it broadcasts to a small, defined area. There is a lot of ambiguity over the legislating of narrowcast licences and what format they will take. Narrowcasting is particularly useful in regional areas for uses such as tourist radio. However, lately licences have been able to be purchased by commercial interests. Unfortunately the lack of clear direction from the ABA makes this a tricky option for aspiring broadcasters. This could be said for most of the alternatives to the current system. As there is a lack of direction in this area, the viability of these alternatives to the current system are unknown.

It is clear that the ABA reached carefully considered, well researched and reasoned findings when it allocated the recent Melbourne community radio licences. With the long application process and test broadcast phase, the ABA were eventually ready to meet the demand of aspirant groups wishing to acquire a licence by imposing strict criteria. While the ABA have not changed the basic values and principles of community broadcasting from the inception of community broadcasting, additional aspects to the process make the criteria more stringent for broadcasters and subject to the ABA's interpretations of these principles. All of the applicants had legitimate claims to a licence. The ABA had to find those most deserving of a licence. From all of this we can conclude that the ABA's conception of community through this round of licence applications is not one dissimilar to those the founding members of the community medium envisaged, but with a few contemporary additions. The conception of community is one that serves a particular interest or need, that can be accessible by a group of people. By including the medium of radio, the definition of a community broadcaster is one which serves a particular community and is able to sustain a radio service long term, technically, financially and managerially. It must be independent and be able to be programmed and accessed by members of that community. It must be free of any commercial contracts that could influence programming policy and involve an aspect of

the community that is inadequately catered for in the mainstream media with the possibility of promoting their area of interest to the wider community.

We are in an interesting period in the history of community broadcasting in Australia. The radio spectrum is now full in both Sydney and Melbourne, with no more community licences to be issued. Digital broadcasting is now on the agenda and could result in another change in community radio policy and values. With many aspirant stations with shattered dreams and nowhere to go, there must be some form of viable alternative so that new community groups can be involved in broadcasting. Each of the applicants had a viable community to broadcast to and had claims for a licence. Michael Thompson (1999) questioned whether radio will be able to compete in the increasingly commercial market. He said (p. 24):

The question is whether the increasingly competitive and commercially orientated environment in which community radio operates will force stations to abandon the ideals on which the sector was established in order to survive.

Forde, Meadows and Foxwell (2002) say local programming is crucial. They write (p. 63):

In the midst of challenges from technology and big business, community radio's commitment to the local is seen by many as a crucial element which will ensure its survival.

With many other challenges and threats to the survival of existing radio stations, consideration must be given to those groups which don't have access to the airwaves and finding alternatives so they can be 'connecting communities' along with their on-air counterparts.

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