



Television Licence Area Plan (Broken Hill) 2011¹

Broadcasting Services Act 1992

The AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY makes this Plan under subsection 26(1B) of the *Broadcasting Services Act 1992*.

Dated 15 December 2011

Chris Chapman
[signed]
Member

Richard Bean
[signed]
Member/~~General Manager~~

Australian Communications and Media Authority

1 Name of Plan

This Plan is the *Television Licence Area Plan (Broken Hill) 2011*.

2 Commencement

This Plan comes into force on 2 April 2012.

3 Definitions

In this Plan:

ACMA means the Australian Communications and Media Authority.

Act means the *Broadcasting Services Act 1992*.

Broken Hill TV1 licence area means the area described in Attachment 1.

commercial television broadcasting licensee means the licensee of a commercial television broadcasting licence.

ERP means effective radiated power.

national television broadcasting service has the same meaning as in clause 2 of Schedule 4 to the Act.

television broadcasting service has the same meaning as in section 26 of the Act.

transmitter licence has the same meaning as in section 5 of the *Radiocommunications Act 1992*.

Note Terms and expressions used in this Plan have the meaning given by section 6 of the Act. For example:

- commercial television broadcasting licence.
- national broadcaster.

4 Specification of channels to be available in particular areas within the Broken Hill TV1 licence area

(1) Subject to subsection (2), each channel specified in column 1 of an item in a table in a Schedule to this Plan is available, in the area in column 7, to provide television broadcasting services.

(2) If a date is specified in column 3 of an item in a table in a Schedule to this Plan, the channel specified in column 1 of the item is not available in the area in column 7 to provide television broadcasting services after that date.

Note 1 A channel may be specified to be available only for a limited period in order to allow a broadcaster to swap channels on which it transmits services.

Note 2 Although a channel is specified to be available for all parts of a licence area, a particular broadcaster may only be authorised to use that channel in one part of a licence area.

Example Channel 28 may be specified to be available for all parts of a licence area. Channel 28 may be allotted to Broadcaster A and Broadcaster B. The ACMA may issue a transmitter licence for the use of channel 28 to Broadcaster A in one part of the licence area (**Part A**), and issue a transmitter licence for the use of a different channel to the same broadcaster in another part of the licence area (**Part B**). The ACMA may issue a transmitter licence for the use of channel 28 to Broadcaster B in Part B. Broadcaster A will not be entitled to transmit on channel 28 in Part B, as the broadcaster will not have a transmitter licence authorising such a transmission.

5 Allotment of channels to commercial television broadcasting licensees – Schedule 1

Allotment of channels to commercial television broadcasting licensees

- (1) Each channel specified in column 1 of an item in a table in Schedule 1 is allotted to the commercial television broadcasting licensee of the licence specified for the table for use in the area in column 7, from the date (if any) specified in column 2 until the date (if any) specified in column 3.
- (2) If no date is specified in column 2 for an item in a table in Schedule 1, the ACMA may allot the channel specified in column 1 of the item to the commercial television broadcasting licensee of the licence specified for the table.
- (3) If no licensee is specified for a table in Schedule 1, the ACMA may allot the channel specified in column 1 of an item in the table to the commercial television broadcasting licensee of a commercial television broadcasting licence for the licence area specified for the table, for use in the area in column 7.

Note If the ACMA has not allotted a channel specified in the table, the ACMA may make the channel available for use in an area by a commercial television broadcasting licensee, a national broadcaster or any other person by making a determination under section 34 of the Act and issuing a licence under section 100 of the *Radiocommunications Act 1992*.

Determination of technical specifications of transmission of commercial television broadcasting services

- (4) A channel specified in column 1 of an item in a table in Schedule 1 must only be used for transmission of commercial television broadcasting services in accordance with the following specifications:
 - (a) subject to subsection (5), the transmission must not have an ERP greater than that specified in column 4;
 - (b) the transmission must have the polarisation specified in column 5;
 - (c) the transmission must comply with any additional specification specified in column 6.

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- (5) A transmission may have an ERP greater than that specified in column 4, if:
- (a) the ACMA issues a transmitter licence that authorises the use of the channel specified in item 1 of the item; and
 - (b) a condition of that transmitter licence relates to the maximum ERP of the transmission made by that transmitter; and
 - (c) either:
 - (i) the condition complies with any applicable requirements in the *Broadcasting Services (Technical Planning) Guidelines 2007*; or
 - (ii) if there are no applicable requirements – the condition does not allow the transmitter to be used to provide a transmission greater than 5 dB more than the ERP specified in column 4.

Note Under the *Radiocommunications Act 1992*, the ACMA may also impose a transmitter licence condition specifying an output radiated pattern for the use of a transmitter. The condition may set a limit for the ERP in a particular direction that is less than the maximum ERP specified in column 4 of an item that applies to the channel used by that transmitter.

Determination of technical limitations and conditions on use of channel

- (6) A channel specified in column 1 of an item in a table in Schedule 1 must only be used for transmission of commercial television broadcasting services in accordance with a technical limitation (if any) specified for the table that is applicable to that channel.
- (7) The ACMA may determine additional technical limitations on the use of the channel.

Note Even if no applicable technical limitation is specified for the table, the ACMA may still determine additional technical limitations on the use of a channel by making a determination under this subsection.

- (8) A channel specified in column 1 of an item in a table in Schedule 1 must only be used for transmission of commercial television broadcasting services if an event or circumstance (if any) specified for the table that is applicable to that channel occurs.
- (9) The ACMA may determine additional events or circumstances which must occur before the channel may be used.

Note Even if no applicable event or circumstance is specified for the table, the ACMA may still determine additional events or circumstances that must be met before the channel may be used by making a determination under this subsection.

6 Allotment of channels to national broadcasters – Schedule 2

Allotment of channels to national broadcasters

- (1) Each channel specified in column 1 of an item in a table in Schedule 2 is allotted to the national broadcaster specified for the table for use in the area in column 7, from the date (if any) specified in column 2 until the date (if any) specified in column 3.
- (2) If no date is specified in column 2 for an item in a table in Schedule 2, the ACMA may allot the channel specified in column 1 of the item to the national broadcaster specified for the table.
- (3) If no national broadcaster is specified for a table in Schedule 2, the ACMA may allot the channel specified in column 1 of an item in the table to a national broadcaster for use in the area in column 7.

Note If the ACMA has not allotted a channel specified in the table, the ACMA may make the channel available for use in an area by a commercial television broadcasting licensee, a national broadcaster or any other person by making a determination under section 34 of the Act and issuing a licence under section 100 of the *Radiocommunications Act 1992*.

Determination of technical specifications of transmission of national television broadcasting services

- (4) A channel specified in column 1 of an item in a table in Schedule 2 must only be used for transmission of national television broadcasting services in accordance with the following specifications:
 - (a) subject to subsection (5), the transmission must not have an ERP greater than that specified in column 4;
 - (b) the transmission must have the polarisation specified in column 5;
 - (c) the transmission must comply with any additional specification specified in column 6.

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- (5) A transmission may have an ERP greater than that specified in column 4, if:
- (a) the ACMA issues a transmitter licence that authorises the use of the channel specified in item 1 of the item; and
 - (b) a condition of that transmitter licence relates to the maximum ERP of the transmission made by that transmitter; and
 - (c) either:
 - (i) the condition complies with any applicable requirements in the *Broadcasting Services (Technical Planning) Guidelines 2007*; or
 - (ii) if there are no applicable requirements – the condition does not allow the transmitter to be used to provide a transmission greater than 5 dB more than the ERP specified in column 4.

Note Under the *Radiocommunications Act 1992*, the ACMA may also impose a transmitter licence condition specifying an output radiated pattern for the use of a transmitter. The condition may set a limit for the ERP in a particular direction that is less than the maximum ERP specified in column 4 of an item that applies to the channel used by that transmitter.

Determination of technical limitations and conditions on use of channel

- (6) A channel specified in column 1 of an item in a table in Schedule 2 must only be used for transmission of national television broadcasting services in accordance with a technical limitation (if any) specified for the table that is applicable to that channel.
- (7) The ACMA may determine additional technical limitations on the use of the channel.

Note Even if no applicable technical limitation is specified for the table, the ACMA may still determine additional technical limitations on the use of a channel by making a determination under this subsection.

- (8) A channel specified in column 1 of an item in a table in Schedule 2 must only be used for transmission of national television broadcasting services if an event or circumstance (if any) specified for the table that is applicable to that channel occurs.
- (9) The ACMA may determine additional events or circumstances which must occur before the channel may be used.

Note Even if no applicable event or circumstance is specified for the table, the ACMA may still determine additional events or circumstances that must be met before the channel may be used by making a determination under this subsection.

7 Allotment of channels to providers of other television broadcasting services – Schedule 3

Allotment of channels to providers of other television broadcasting services

- (1) Each channel specified in column 1 of an item in a table in Schedule 3 is allotted to the person specified for the table for use in the area in column 7, from the date (if any) specified in column 2 until the date (if any) specified in column 3.
- (2) If no date is specified in column 2 for an item in a table in Schedule 3, the ACMA may allot the channel specified in column 1 of the item to the person specified for the table.
- (3) If no person is specified for the table, the ACMA may allot a channel specified in column 1 of the table to any person for use in the area in column 7.

Note If the ACMA has not allotted a channel specified in the table, the ACMA may make the channel available for use in an area by a commercial television broadcasting licensee, a national broadcaster or any other person by making a determination under section 34 of the Act and issuing a licence under section 100 of the *Radiocommunications Act 1992*.

Determination of technical specifications of transmission of television broadcasting services

- (4) A channel specified in column 1 of an item in a table in Schedule 3 must only be used for transmission of television broadcasting services in accordance with the following specifications:
 - (a) subject to subsection (5), the transmission must not have an ERP greater than that specified in column 4;
 - (b) the transmission must have the polarisation specified in column 5;
 - (c) the transmission must comply with any additional specification specified in column 6.

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- (5) A transmission may have an ERP greater than that specified in column 4, if:
- (a) the ACMA issues a transmitter licence that authorises the use of the channel specified in item 1 of the item; and
 - (b) a condition of that transmitter licence relates to the maximum ERP of the transmission made by that transmitter; and
 - (c) either:
 - (i) the condition complies with any applicable requirements in the *Broadcasting Services (Technical Planning) Guidelines 2007*; or
 - (ii) if there are no applicable requirements – the condition does not allow the transmitter to be used to provide a transmission greater than 5 dB more than the ERP specified in column 4.

Note Under the *Radiocommunications Act 1992*, the ACMA may also impose a transmitter licence condition specifying an output radiated pattern for the use of a transmitter. The condition may set a limit for the ERP in a particular direction that is less than the maximum ERP specified in column 4 of an item that applies to the channel used by that transmitter.

Determination of technical limitations and conditions on use of channel

- (6) A channel specified in column 1 of an item in a table in Schedule 3 must only be used for transmission of television broadcasting services in accordance with a technical limitation (if any) specified for the table that is applicable to that channel.
- (7) The ACMA may determine additional technical limitations on the use of the channel.

Note Even if no applicable technical limitation is specified for the table, the ACMA may still determine additional technical limitations on the use of a channel by making a determination under this subsection.

- (8) A channel specified in column 1 of an item in a table in Schedule 3 must only be used for transmission of television broadcasting services if an event or circumstance (if any) specified for the table that is applicable to that channel occurs.
- (9) The ACMA may determine additional events or circumstances which must occur before the channel may be used.

Note Even if no applicable event or circumstance is specified for the table, the ACMA may still determine additional events or circumstances that must be met before the channel may be used by making a determination under this subsection.

Schedule 1 – Allotment of channels to commercial television broadcasting licensees

(sections 4 and 5)

1 Table 1.1 – Allotment of channels to licensee of BSL10241

(1) The commercial television broadcasting licence for this table is the licence with the number BSL10241.

Note This licence operates in the Broken Hill TV1 licence area, and uses the callsign BKN.

(2) No technical limitations are specified for this table.

(3) No events or circumstances are specified for this table.

Item	Column 1 Channel	Column 2 Date of allotment	Column 3 Date allotment ends	Column 4 Maximum ERP	Column 5 Polarisation	Column 6 Additional specifications	Column 7* General area served	Column 8* Transmitter specification number
1	8	2 Apr 2012		4 kW	Vertical	None	Broken Hill	1134143
1A	9	2 Apr 2012	14 Dec 2012	4 kW	Vertical	None	Broken Hill	10011015

Note 1 If no date is included in column 3 of an item, the allotment is continuing.

Note 2 Column 7 describes the area in which a channel is allotted for use in general terms. The actual parameters of use of a channel will be determined by the conditions of the transmitter licence issued under the *Radiocommunications Act 1992*.

Note 3 Column 8 is included for information only. “Transmitter specification number” refers to the identification number used by the ACMA for identifying particular transmitters.

Note 4 In some circumstances, a person may be permitted to transmit on a channel at an ERP higher than that determined in column 4. See subsection 5(5).

Note 5 The one channel may be allotted to two or more different broadcasters, for use in different parts of the one licence area; the ACMA may issue a transmitter licence to one broadcaster authorising the use of the channel in one part of the licence area, and issue transmitter licences to other broadcasters authorising the use of the channel in different parts of the licence area.

Example The ACMA may issue a transmitter licence for the use of channel 8 to a broadcaster in the one part of the licence area (***Part A***), and issue a transmitter licence for the use of channel 8 to another broadcaster in a different part of the licence area (***Part B***). Because of this, the first broadcaster can only use channel 8 in Part A of the licence area, and the second broadcaster can only use channel 8 in Part B of the licence area.

2 Table 1.2 – Allotment of channels to licensee of BSL1150797

(1) The commercial television broadcasting licence for this table is the licence with the number BSL1150797.

Note This licence operates in the Broken Hill TV1 licence area, and uses the callsign SCN.

(2) No technical limitations are specified for this table.

(3) No events or circumstances are specified for this table.

Item	Column 1 Channel	Column 2 Date of allotment	Column 3 Date allotment ends	Column 4 Maximum ERP	Column 5 Polarisation	Column 6 Additional specifications	Column 7 General area served	Column 8* Transmitter specification number
1	6	2 Apr 2012		4 kW	Vertical	None	Broken Hill	1134142

Note 1 If no date is included in column 3 of an item, the allotment is continuing.

Note 2 Column 7 describes the area in which a channel is allotted for use in general terms. The actual parameters of use of a channel will be determined by the conditions of the transmitter licence issued under the *Radiocommunications Act 1992*.

Note 3 Column 8 is included for information only. “Transmitter specification number” refers to the identification number used by the ACMA for identifying particular transmitters.

Note 4 In some circumstances, a person may be permitted to transmit on a channel at an ERP higher than that determined in column 4. See subsection 5(5).

Note 5 The one channel may be allotted to two or more different broadcasters, for use in different parts of the one licence area; the ACMA may issue a transmitter licence to one broadcaster authorising the use of the channel in one part of the licence area, and issue transmitter licences to other broadcasters authorising the use of the channel in different parts of the licence area.

Example The ACMA may issue a transmitter licence for the use of channel 8 to a broadcaster in the one part of the licence area (**Part A**), and issue a transmitter licence for the use of channel 8 to another broadcaster in a different part of the licence area (**Part B**). Because of this, the first broadcaster can only use channel 8 in Part A of the licence area, and the second broadcaster can only use channel 8 in Part B of the licence area.

3 Table 1.3 – Allotment of channels to licensee of BSL1130143

(1) The commercial television broadcasting licence for this table is the licence with the number BSL1130143.

Note This licence operates in the Broken Hill TV1 licence area, and uses the callsign BDN.

(2) No technical limitations are specified for this table.

(3) No events or circumstances are specified for this table.

Item	Column 1 Channel	Column 2 Date of allotment	Column 3 Date allotment ends	Column 4 Maximum ERP	Column 5 Polarisation	Column 6 Additional specifications	Column 7 General area served	Column 8* Transmitter specification number
1	7	2 Apr 2012		4 kW	Vertical	None	Broken Hill	1133752

Note 1 If no date is included in column 3 of an item, the allotment is continuing.

Note 2 Column 7 describes the area in which a channel is allotted for use in general terms. The actual parameters of use of a channel will be determined by the conditions of the transmitter licence issued under the *Radiocommunications Act 1992*.

Note 3 Column 8 is included for information only. “Transmitter specification number” refers to the identification number used by the ACMA for identifying particular transmitters.

Note 4 In some circumstances, a person may be permitted to transmit on a channel at an ERP higher than that determined in column 4. See subsection 5(5).

Note 5 The one channel may be allotted to two or more different broadcasters, for use in different parts of the one licence area; the ACMA may issue a transmitter licence to one broadcaster authorising the use of the channel in one part of the licence area, and issue transmitter licences to other broadcasters authorising the use of the channel in different parts of the licence area.

Example The ACMA may issue a transmitter licence for the use of channel 8 to a broadcaster in the one part of the licence area (**Part A**), and issue a transmitter licence for the use of channel 8 to another broadcaster in a different part of the licence area (**Part B**). Because of this, the first broadcaster can only use channel 8 in Part A of the licence area, and the second broadcaster can only use channel 8 in Part B of the licence area.

Schedule 2 – Allotment of channels to national broadcasters

(sections 4 and 6)

1 Table 2.1 – Allotment of channels to Australian Broadcasting Corporation

(1) The national broadcaster for this table is the Australian Broadcasting Corporation.

Note This broadcaster provides a service in the Broken Hill TV1 licence area.

(2) No technical limitations are specified for this table.

(3) No events or circumstances are specified for this table.

Item	Column 1 Channel	Column 2 Date of allotment	Column 3 Date allotment ends	Column 4 Maximum ERP	Column 5 Polarisation	Column 6 Additional specifications	Column 7 General area served	Column 8* Transmitter specification number
1	10	2 Apr 2012		4 kW	Vertical	None	Broken Hill	10011009

Note 1 If no date is included in column 3 of an item, the allotment is continuing.

Note 2 Column 7 describes the area in which a channel is allotted for use in general terms. The actual parameters of use of a channel will be determined by the conditions of the transmitter licence issued under the *Radiocommunications Act 1992*.

Note 3 Column 8 is included for information only. “Transmitter specification number” refers to the identification number used by the ACMA for identifying particular transmitters.

Note 4 In some circumstances, a person may be permitted to transmit on a channel at an ERP higher than that determined in column 4. See subsection 6(5).

Note 5 The one channel may be allotted to two or more different broadcasters, for use in different parts of the one licence area; the ACMA may issue a transmitter licence to one broadcaster authorising the use of the channel in one part of the licence area, and issue transmitter licences to other broadcasters authorising the use of the channel in different parts of the licence area.

Example The ACMA may issue a transmitter licence for the use of channel 8 to a broadcaster in the one part of the licence area (**Part A**), and issue a transmitter licence for the use of channel 8 to another broadcaster in a different part of the licence area (**Part B**). Because of this, the first broadcaster can only use channel 8 in Part A of the licence area, and the second broadcaster can only use channel 8 in Part B of the licence area.

2 Table 2.2 – Allotment of channels to Special Broadcasting Service Corporation

(1) The national broadcaster for this table is the Special Broadcasting Service Corporation.

Note This broadcaster provides a service in the Broken Hill TV1 licence area.

(2) No technical limitations are specified for this table.

(3) No events or circumstances are specified for this table.

Item	Column 1 Channel	Column 2 Date of allotment	Column 3 Date allotment ends	Column 4 Maximum ERP	Column 5 Polarisation	Column 6 Additional specifications	Column 7 General area served	Column 8* Transmitter specification number
1	12	2 Apr 2012		4 kW	Vertical	None	Broken Hill	10011069

Note 1 If no date is included in column 3 of an item, the allotment is continuing.

Note 2 Column 7 describes the area in which a channel is allotted for use in general terms. The actual parameters of use of a channel will be determined by the conditions of the transmitter licence issued under the *Radiocommunications Act 1992*.

Note 3 Column 8 is included for information only. “Transmitter specification number” refers to the identification number used by the ACMA for identifying particular transmitters.

Note 4 In some circumstances, a person may be permitted to transmit on a channel at an ERP higher than that determined in column 4. See subsection 6(5).

Note 5 The one channel may be allotted to two or more different broadcasters, for use in different parts of the one licence area; the ACMA may issue a transmitter licence to one broadcaster authorising the use of the channel in one part of the licence area, and issue transmitter licences to other broadcasters authorising the use of the channel in different parts of the licence area.

Example The ACMA may issue a transmitter licence for the use of channel 8 to a broadcaster in the one part of the licence area (**Part A**), and issue a transmitter licence for the use of channel 8 to another broadcaster in a different part of the licence area (**Part B**). Because of this, the first broadcaster can only use channel 8 in Part A of the licence area, and the second broadcaster can only use channel 8 in Part B of the licence area.

Schedule 3 – Allotment of channels to other providers of television broadcasting services

(sections 4 and 7)

1 Table 3.1 – Allotment of channels to other providers of television broadcasting services

(1) No person is specified for this table.

Note This table specifies channels available in the Broken Hill TV1 licence area.

(2) No technical limitations are specified for this table.

(3) No events or circumstances are specified for this table.

Item	Column 1 Channel	Column 2 Date of allotment	Column 3 Date allotment ends	Column 4 Maximum ERP	Column 5 Polarisation	Column 6 Additional specifications	Column 7 General area served	Column 8* Transmitter specification number
1	11	2 Apr 2012		4 kW	Vertical	None	Broken Hill	1134487

Note 1 If no date is included in column 3 of an item, the allotment is continuing.

Note 2 Column 7 describes the area in which a channel is allotted for use in general terms. The actual parameters of use of a channel will be determined by the conditions of the transmitter licence issued under the *Radiocommunications Act 1992*.

Note 3 Column 8 is included for information only. “Transmitter specification number” refers to the identification number used by the ACMA for identifying particular transmitters.

Note 4 In some circumstances, a person may be permitted to transmit on a channel at an ERP higher than that determined in column 4. See subsection 7(5).

Note 5 The one channel may be allotted to two or more different broadcasters, for use in different parts of the one licence area; the ACMA may issue a transmitter licence to one broadcaster authorising the use of the channel in one part of the licence area, and issue transmitter licences to other broadcasters authorising the use of the channel in different parts of the licence area.

Example The ACMA may issue a transmitter licence for the use of channel 8 to a broadcaster in the one part of the licence area (**Part A**), and issue a transmitter licence for the use of channel 8 to another broadcaster in a different part of the licence area (**Part B**). Because of this, the first broadcaster can only use channel 8 in Part A of the licence area, and the second broadcaster can only use channel 8 in Part B of the licence area.

Attachment 1 – Broken Hill TV1 licence area

(section 3)

1 Use of census data terms

In this Attachment:

C means the City district statistical unit.

CD means the collection district statistical unit.

statistical units means the Australian Standard Geographical Classification areas used by the Australian Bureau of Statistics at the census of 6 August 1996.

Note Information about the Australian Standard Geographical Classification is available from the Australian Bureau of Statistics website, at <http://abs.gov.au>.

2 Broken Hill TV1 licence area

The Broken Hill TV1 licence area comprises the following statistical units:

Area Description
Broken Hill (C)
NSW CD 020204
NSW CD 020206
NSW CD 020207
NSW CD 020208

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.