**Commonwealth of Australia**

*Broadcasting Services Act 1992*

**Broadcasting Services (Exempt Digital Transmission Areas) Determination (No. 3) 2013**

I, ANTHONY NORMAN ALBANESE, Minister for Broadband, Communications and the Digital Economy, make this Determination under subclause 21A(2) of Schedule 4 to the *Broadcasting Services Act 1992*.

Dated 23 July 2013

ANTHONY ALBANESE

Minister for Broadband, Communications and the Digital Economy

1. Name of instrument
	1. This Determination is the Broadcasting Services (Exempt Digital Transmission Areas) Determination (No. 3) 2013.
2. Commencement
	1. This Determination commences on the day after it is registered on the Federal Register of Legislative Instruments.
3. Definitions
	1. In this Determination:

***ABC*** means the Australian Broadcasting Corporation;

***ACMA*** means the Australian Communications and Media Authority;

***Act*** means the *Broadcasting Services Act 1992*;

***Adelaide River Transmission Site*** means the location at 13 degrees, 14 minutes and 45 seconds south latitude and 131 degrees, 06 minutes and 28 seconds east longitude, which is known as the Broadcast / Comms Tower Broadcast Australia Site 208 Dorat Rd 1km SSE of Adelaide River, with the Site Identification Number 1736, as identified in the Register of Radiocommunications Licences;

***Araluen Transmission Site*** means the location at 35 degrees, 40 minutes and 00 seconds south latitude and 149 degrees, 46 minutes and 24 seconds east longitude, which is known as the Broadcast Site Shellharbour Hill 4km SW of ARALUEN, with the Site Identification Number 150950, as identified in the Register of Radiocommunications Licences;

***Boulia Transmission Site*** means the location at 22 degrees, 54 minutes and 30 seconds south latitude and 139 degrees, 54 minutes and 34 seconds east longitude, which is known as the Broadcast Site Burke Street opp. School BOULIA, with the Site Identification Number 151624, as identified in the Register of Radiocommunications Licences;

***Coen Transmission Site*** means the location at 13 degrees, 56 minutes and 21 seconds south latitude and 143 degrees, 12 minutes and 05 seconds east longitude, which is known as the Telstra Radio Terminal COEN, with the Site Identification Number 21515, as identified in the Register of Radiocommunications Licences;

***Collarenebri Transmission Site*** means the location at 29 degrees, 34 minutes and 18 seconds south latitude and 148 degrees, 32 minutes and 34 seconds east longitude, which is known as the Broadcast Site COLLARENEBRI, with the Site Identification Number 11085, as identified in the Register of Radiocommunications Licences;

***Corfield Transmission Site*** means the location at 21 degrees, 51 minutes and 10 seconds south latitude and 143 degrees, 15 minutes and 38 seconds east longitude, which is known as the Broadcast Site 7km NE of Railway Siding OLIO, with the Site Identification Number 18330, as identified in the Register of Radiocommunications Licences;

***Croydon Transmission Site*** means the location at 18 degrees, 12 minutes and 07 seconds south latitude and 142 degrees, 15 minutes and 00 seconds east longitude, which is known as the Broadcast Site adj School cnr Brown and William Street CROYDON, with the Site Identification Number 40880, as identified in the Register of Radiocommunications Licences;

***Darwin TV1 licence area*** means the area determined by the ACMA in *Licence Area Plan – Darwin Television – June 2012* (as varied from time to time);

***Emmaville Transmission Site*** means the location at 29 degrees, 27 minutes and 27 seconds south latitude and 151 degrees, 36 minutes and 15 seconds east longitude, which is known as the Broadcast Site the Gap Range 1.5km S of EMMAVILLE, with the Site Identification Number 151357, as identified in the Register of Radiocommunications Licences;

***Gisborne Transmission Site*** means the location at 37 degrees, 31 minutes and 08 seconds south latitude and 144 degrees, 34 minutes and 58 seconds east longitude, which is known as the Broadcast Site Woodland Drive MT GISBORNE, with the Site Identification Number 40697, as identified in the Register of Radiocommunications Licences;

***Greenvale Transmission Site*** means the location at 19 degrees, 00 minutes and 11 seconds south latitude and 144 degrees, 58 minutes and 54 seconds east longitude, which is known as the Broadcast Site 2km SE of GREENVALE, with the Site Identification Number 19702, as identified in the Register of Radiocommunications Licences;

***Isisford Transmission Site*** means the location at 24 degrees, 14 minutes and 59 seconds south latitude and 144 degrees, 26 minutes and 17 seconds east longitude, which is known as the Broadcast Site 1km N of ISISFORD, with the Site Identification Number 151558, as identified in the Register of Radiocommunications Licences;

***Lakeland Transmission Site*** means the location at 15 degrees, 54 minutes and 08 seconds south latitude and 144 degrees, 50 minutes and 45 seconds east longitude, which is known as the Telstra Radio Terminal LAKELAND, with the Site Identification Number 21542, as identified in the Register of Radiocommunications Licences;

***Laura Transmission Site*** means the location at 15 degrees, 33 minutes and 38 seconds south latitude and 144 degrees, 26 minutes and 38 seconds east longitude, which is kown as the Telstra Radio Terminal LAURA, with the Site Identification Number 21455, as identified in the Register of Radiocommunications Licences;

***Marree Transmission Site*** means the location at 29 degrees, 39 minutes and 14 seconds south latitude and 138 degrees, 03 minutes and 30 seconds east longitude, which is known as the Broadcast Site Callanda Station 2km SW of MARREE, with the Site Identification Number 25815, as identified in the Register of Radiocommunications Licences;

***Melbourne TV1 licence area*** means the area determined by the ACMA in *Licence Area Plan - Melbourne Analog Television - November 2002* (as varied from time to time);

***Mungindi Transmission Site*** means the location at 28 degrees, 59 minutes and 41 seconds south latitude and 149 degrees, 00 minutes and 54 seconds east longitude, which is known as the Broadcast Site 3km SE of MUNGINDI, with the Site Identification Number 151367, as identified in the Register of Radiocommunications Licences;

***Newcastle Waters Transmission Site*** means the location at 17 degrees, 25 minutes and 35 seconds south latitude and 133 degrees, 26 minutes and 48 seconds east longitude, which is known as the Broadcast Site NEWCASTLE WATERS, with the Site Identification Number 151758, as identified in the Register of Radiocommunications Licences;

***Northern New South Wales TV1 licence area*** means the area determined by the ACMA in the *Licence Area Plan – Northern NSW Analog Television – August 2003* (as varied from time to time);

***Omeo Transmission Site*** means the location at 37 degrees, 08 minutes and 35 seconds south latitude and 147 degrees, 33 minutes and 06 seconds east longitude, which is known as the Broadcast Site Mt Livingstone 6km SW of OMEO, with the Site Identification Number 40783, as identified in the Register of Radiocommunications Licences;

***Pentland Transmission Site*** means the location at 20 degrees, 29 minutes and 13 seconds south latitude and 145 degrees, 24 minutes and 26 seconds east longitude, which is known as the Telstra Radio Terminal Twilight Hill PENTLAND, with the Site Identification Number 19673, as identified in the Register of Radiocommunications Licences;

***Regional Victoria TV1 licence area*** has the same meaning as in the *Television Licence Area Plan (Regional Victoria) 2012* (as varied from time to time);

***Register of Radiocommunications Licences*** refers to the register established and maintained by the ACMA in accordance with section 143 of the *Radiocommunications Act 1992* and the *Radiocommunications (Register of Radiocommunications Licences) Determination 1997;*

***Remote Central and Eastern Australia TV1 licence area*** means the area determined by the ACMA in *Licence Area Plan –Remote Central & Eastern Australia Television – December 1996* (as varied from time to time);

***Remote Central and Eastern Australia TV2 licence area*** means the area determined by the ACMA in *Licence Area Plan –Remote Central & Eastern Australia Television – December 1996* (as varied from time to time);

***SBS*** means theSpecial Broadcasting Service;

***Southern New South Wales TV1 licence area*** means the area determined by the ACMA in *Television Licence Area Plan (Southern New South Wales) 2012* (as varied from time to time);

***Swifts Creek Transmission Site*** means the location at 37 degrees, 16 minutes and 45 seconds south latitude and 147 degrees, 42 minutes and 50 seconds east longitude, which is known as the Broadcast Site Flagstaff Hill 2km S of SWIFTS CREEK, with the Site Identification Number 40784, as identified in the Register of Radiocommunications Licences; and

***Western Victoria TV1 Licence Area*** has the same meaning as in the *Television Licence Area Plan (Regional Victoria) 2012* (as varied from time to time).

* 1. Unless the contrary intention appears, a word or phrase in this Determination has the same meaning as it has in the Act.
1. Determination
	1. For the purposes of subclause 21A(2) of Schedule 4 to the Act, each area specified in column 2 of the following table is an exempt digital transmission area in relation to the national broadcaster(s) specified in column 3:

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| **Column 1***Item* | **Column 2***Exempt Digital Transmission Area*  | **Column 3***National Broadcaster*  |
|  | The area within a 15km radius of the Gisborne Transmission Site that is within a coverage area corresponding to the Melbourne TV1, Regional Victoria TV1 and/or Western Victoria TV1 licence areas.  | SBS |
|  | The area within a 15km radius of the Adelaide River Transmission Site that is within a coverage area corresponding to the Remote Central and Eastern Australia TV1,Remote Central and Eastern Australia TV2 and/or Darwin TV1 licence areas | ABC |
|  | The area within a 10km radius of the Araluen Transmission Site that is within a coverage area corresponding to the Remote Central and Eastern Australia TV1, Remote Central and Eastern Australia TV2 and/or Southern New South Wales TV1 licence areas | ABC |
|  | The area within a 20km radius of the Boulia Transmission Site that is within the coverage areas corresponding to the Remote Central and Eastern Australia TV1 and Remote Central and Eastern Australia TV2 licence areas | ABC |
|  | The area within a 5km radius of the Coen Transmission Site that is within the coverage area corresponding to the Remote Central and Eastern Australia TV1 and Remote Central and Eastern Australia TV2 licence areas | ABC |
|  | The area within a 20km radius of the Collarenebri Transmission Site that is within a coverage area corresponding to the Remote Central and Eastern Australia TV1, Remote Central and Eastern Australia TV2 and/or Northern New South Wales TV1 licence areas | ABC |
|  | The area within a 25km radius of the Corfield Transmission Site that is within the coverage areas corresponding to the Remote Central and Eastern Australia TV1 and Remote Central and Eastern Australia TV2 licence areas | ABC |
|  | The area within a 15km radius of the Croydon Transmission Site that is within the coverage areas corresponding to the Remote Central and Eastern Australia TV1 and Remote Central and Eastern Australia TV2 licence areas | ABC |
|  | The area within a 10km radius of the Emmaville Transmission Site that is within a coverage area corresponding to the Remote Central and Eastern Australia TV1, Remote Central and Eastern Australia TV2 and/or Northern New South Wales TV1 licence areas | ABC and SBS |
|  | The area within a 10km radius of the Greenvale Transmission Site that is within the coverage areas corresponding to the Remote Central and Eastern Australia TV1 and Remote Central and Eastern Australia TV2 licence areas | ABC |
|  | The area within a 15km radius of the Isisford Transmission Site that is within the coverage areas corresponding to the Remote Central and Eastern Australia TV1 and Remote Central and Eastern Australia TV2 licence areas | ABC |
|  | The area within a 10km radius of the Lakeland Transmission Site that is within the coverage areas corresponding to the Remote Central and Eastern Australia TV1 and Remote Central and Eastern Australia TV2 licence areas | ABC |
|  | The area within a 10km radius of the Laura Transmission Site that is within the coverage areas corresponding to the Remote Central and Eastern Australia TV1 and Remote Central and Eastern Australia TV2 licence areas | ABC |
|  | The area within a 10km radius of the Marree Transmission Site that is within the coverage areas corresponding to the Remote Central and Eastern Australia TV1 and Remote Central and Eastern Australia TV2 licence areas | ABC |
|  | The area within a 15km radius of the Mungindi Transmission Site that is within a coverage area corresponding to the Remote Central and Eastern Australia TV1, Remote Central and Eastern Australia TV2 and/or Northern New South Wales TV1 licence areas | ABC |
|  | The area within a 25km radius of the Newcastle Waters Transmission Site that is within the coverage areas corresponding to the Remote Central and Eastern Australia TV1 and Remote Central and Eastern Australia TV2 licence areas | ABC |
|  | The area within a 10km radius of the Omeo Transmission Site that is within the coverage areas corresponding to the Remote Central and Eastern Australia TV1 and Remote Central and Eastern Australia TV2 licence areas | ABC |
|  | The area within a 25km radius of the Pentland Transmission Site that is within the coverage areas corresponding to the Remote Central and Eastern Australia TV1 and Remote Central and Eastern Australia TV2 licence areas | ABC |
|  | The area within a 10km radius of the Swifts Creek Transmission Site that is within the coverage areas corresponding to the Remote Central and Eastern Australia TV1 and Remote Central and Eastern Australia TV2 licence areas | ABC |