

The Parliament of the Commonwealth of Australia

**Inquiry into Possible Uses of
the Sixth High Power Television Channel**

**Report from the House of Representatives
Standing Committee on Transport,
Communications and Infrastructure**

September 1992

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ABBREVIATIONS

| | |
|----------------|--|
| ABA | Australian Broadcasting Authority |
| ABC | Australian Broadcasting Corporation |
| ABT | Australian Broadcasting Tribunal |
| ACE TV | Adelaide Community and Educational Television Inc |
| AEC | Australian Education Council |
| AFC | Australian Film Commission |
| AFI | Australian Film Institute |
| AFTRS | Australian Film Television and Radio School |
| AOTC | Australian and Overseas Telecommunications Corporation |
| ATSIC | Aboriginal and Torres Strait Islander Commission |
| BRACS | Broadcasting for Remote Aboriginal Communities Scheme |
| BTCE | Bureau of Transport and Communications Economics |
| C-SPAN | Cable Satellite Public Affairs Network (USA) |
| CAT TV | Community Access Television (Sydney) |
| CBC | Canadian Broadcasting Corporation |
| CLC | Communications Law Centre |
| CRTC | Canadian Radio-Television and Telecommunications Commission |
| DASET | Department of the Arts, Sport, the Environment, and Territories |
| DBS | direct broadcast by satellite |
| DEET | Department of Employment, Education and Training |
| DOTAC | Department of Transport and Communications |
| FCC | Federal Communications Commission (USA) |
| LINC TV | Local Informative Network Community Television |
| LPTV | low-powered television stations (USA) |
| MDS | multi-point distribution system |
| NIMAA | National Indigenous Media Association of Australia |
| NTU | National Technology University (USA) |
| OLTC | Open Learning Technology Corporation |
| PBAA | Public Broadcasting Association of Australia |
| PBF | Public Broadcasting Foundation |
| PBS | Public Broadcasting Service (USA) |
| PEG | public, educational or government channels (USA) |
| RCTS | Remote Commercial Television Service |
| SBS | Special Broadcasting Service |
| SKA TV | St Kilda Access Television |
| UHF | ultra high frequency |

PREFACE

This inquiry could not have come at a worse time. In the foreseeable future, the impact of rapid technological change will greatly increase the means for delivering broadcasting services. This will remove a basic need for the inquiry - the requirement to adjudicate between competing and conflicting interests, all of which cannot be satisfied adequately by the 6th high power television channel.

The inquiry has provided a forum for expectations. The proponents of community access television have been waiting a long time for access to the spectrum. Educational interests are keen to use the channel to experiment with educational television. However for them, the inquiry was premature and uncertainty was the hallmark of their evidence.

Our priority for the channel is educational television but its proponents are not yet in a position to utilise it fully. The Committee is not able to support *community access television on the 6th high power television channel* because it would need substantial funding from government. This is not a cost effective proposition in the context of rapid technological change.

The Committee has recommended continual test transmissions for community access television using low power transmitters on the channel until the review of the television broadcasting industry due by 1 July 1997. This recommendation achieves the objectives of providing the benefits of community access television; protecting the long term interests of educational television; has no requirement for taxpayer subsidy, and permits effective use of the spectrum.

The recommendation also provides the proponents of community access television with a challenge: to make use of the continuing trial transmissions to gather hard evidence on its ability to identify, measure and satisfy unmet needs in the community.

The only other realistic alternative available to the Committee in this inquiry was to defer a decision on the use of the channel which would result in a waste of spectrum.

I thank my fellow sub-committee Members, Mr Alan Cadman MP and Mr Russ Gorman MP for their keen interest and valuable assistance both during the inquiry and in the preparation of the sub-committee's report to the Committee.

My appreciation goes to all who made submissions to the Committee and responded to the Options/Issues Paper. I particularly thank the Public Broadcasting Association of Australia and the many volunteers in community access television groups who enthusiastically embraced the opportunity to present their case to the Committee. I also thank officers of the Department of Transport and Communications for their assistance.

Completion of the report would not have been possible without the dedication and persistence of Committee staff, Malcolm Aldons, Chris Paterson, Paul Mackey and June Murphy.

PETER MORRIS MHR

Chairman

20 August 1992

**TERMS OF REFERENCE
6TH TV CHANNEL INQUIRY**

To inquire into and report on the possible future use of the sixth high power television channel, for a range of non-commercial television services including community access television, educational television, televising of Parliamentary proceedings and as an additional outlet for independent film producers, to best serve the public interest and particularly:

- a) community needs that are not being met by existing broadcasting services;
- b) the circumstances of the Australian independent film producers;
- c) appropriate means of allocating broadcasting time on this channel and managing access to program distribution and transmission facilities;
- d) priorities for the provision of transmission infrastructure for such services in different places in the event that there is a phased introduction; and
- e) potential sources for non-Government financing of the transmission infrastructure and program production for such services.

OVERVIEW

Introduction

1. This inquiry stems from spectrum scarcity and the considerable costs of high power transmission on the 6th high power television channel. Without either, entry would be easy and many more organisations would be able to broadcast what they want to subject to conforming with prevailing community attitudes laid down in codes of practice under the *Broadcasting Services Act 1992* (the Act).

2. Spectrum scarcity, high costs and the question of subsidies raise several important issues which constitute the broad parameters of the inquiry. These are:

- * the determination of whether the channel should be used for non-commercial or commercial (non-broadcast) services;
- * the assessment of priorities for non-commercial services; and
- * the examination of the case for government subsidies, or, cross-subsidies for the provision of non-commercial services.

3. The terms of reference are wide ranging. They cover the provision on the 6th high power television channel of non-commercial services such as community access television, educational television and the televising of parliamentary proceedings. In examining these uses the Committee is asked to pay attention to a number of factors. They include the unmet needs of the community, the circumstances of the Australian independent film producers and sources of finance other than government subsidy.

4. The structure of the report has followed the terms of reference which are capable of wide interpretation. It could be said that, prompted by the terms of reference, the question the Committee was asked to answer was whether community access television groups should be awarded licences to provide services on the 6th high power television channel provided that they cater for the interests of educational television, televising of Parliament and independent film producers.

Significant outcomes of the analysis of the terms of reference

5. There are two important strands of conclusions that stand out from analysis of the terms of reference. The first deals with educational television and the second with community access television. They can be fitted into the parameters of the inquiry as follows:

Priorities for Non-Commercial Uses

- * educational television is identified as the priority use over community access television because of the fundamental importance of the education system to the Australian economy and Australian society;
- * community access television is not in the best long term interests of educational television because the former would not be able to guarantee the hours or time slots that educational television could need; however,
- * educational television is not in a position to make sufficient use of the channel at present.

Subsidies and Cross-Subsidies

- * looking to the future the Committee believes that the impact of rapid technological change will greatly increase the means for delivering broadcasting services; this will facilitate the entry of new players into the market and hence have the potential to increase diversity of ownership and diversity of news, views and opinions;

- * given this, community access television on the 6th high power television channel supported by the taxpayer is not cost-effective and is not supported by the Committee;
- * there is no justification for cross-subsidies from commercial television or Pay TV to finance community access television; a levy on Pay TV could be inequitable and could affect adversely the viability of Pay TV.

Choosing from options

6. The foregoing analysis reduces greatly the options for using the 6th high power television channel. One option canvassed in the Options/Issues Paper released on 18 June 1992 was to auction or call tenders for the rights to the 6th high power television channel in order to determine whether the channel should be used for commercial or non-commercial services. This is a decision the Minister should make.

7. The Minister can make the decision on the available information. Alternatively, the Minister could call for expressions of interest from potential commercial users other than broadcasters and then make a decision on whether the 6th high power television channel should be used for one of these uses or for non-commercial television.

8. Community access television is not a suitable option for the 6th high power television channel. An educational television authority is the most suitable option but the educational authorities are not ready. Uncertainty was the hallmark of their evidence; uncertainty about when governments would reach agreement; uncertainty about the number of hours needed and uncertainty about the time slots required on the 6th high power television channel.

9. Thus the Committee was faced with two choices. One was to recommend deferral of a decision on the possible non-commercial uses of the 6th high power television channel by asking the Minister to have the ABA reserve the channel for educational television with a review after say three years.

10. This choice would result in wastage of the spectrum. Although scarce, the spectrum is a resource which is not depleted by use. The Committee sought an option which overcame the problems previously mentioned; in other words, an option which, while providing the benefits of community access television, protects the long term interests of educational television, does not require taxpayer subsidy and enables effective use of the spectrum.

11. There is such a choice, which is preferable to leaving the 6th high power television channel idle. This option makes the channel available immediately for community access television using low power transmitters on a continuing trial basis until 1 July 1997.

12. There are several advantages presented by this option. It will enable community access television groups to further develop non-Government sources of finance. A limited period of tenure on the channel should enable them to identify and pursue sources of revenue from areas such as sponsorship, memberships and subscriptions. It would provide opportunities to establish and maintain an audience.

13. *Services using low power transmission can still lead to wider diversity of ownership and programming and may have a greater ability to meet the needs of local communities than services utilising high power transmission. Services aimed at discrete local communities may also be more likely to attract sponsorship from such sources as local government and local businesses.*

14. A further advantage is that with certainty of tenure on the channel community access television groups would have an opportunity to fine tune their services and organisations. *In addition, this option will permit some community access television groups to begin services virtually immediately.*

15. The 6th high power television channel should be included in the review of television services to be conducted by 1 July 1997. Clause 215 of the Act describes the purpose of this review as follows:

215. The Minister must, before 1 July 1997, conduct a review of the television industry to assess:

- (a) the national benefits that would accrue if more than 3 commercial television broadcasting services were permitted in licence areas; and

- (b) the operation of the condition relating to Australian content on satellite subscription television broadcasting licences.

16. The requirements of educational television for use of the 6th high power television channel should also be considered by this review. If it is established that educational television does not require the channel, then its use by community access television should be considered. Given that by 1997, community access television would have been operating on a continuing trial basis for some time, its proponents should be in a position to provide any review with hard evidence on its ability to identify, measure and satisfy unmet needs in the community.

Recommendations

- 17. The Committee therefore recommends that:
 - 1. A decision on permanent use of the 6th high power television channel should not be made prior to the review of the television broadcasting industry to be conducted by the Minister by 1 July 1997 in accordance with Clause 215 of the *Broadcasting Services Act 1992*
 - 2. The Channel should be made available immediately for community access television using low power transmitters on a continuing trial basis until 1 July 1997.

3. The Government should review Schedule 2 Part 5 Clause (3) of the *Broadcasting Services Act 1992* which limits the broadcast of sponsorship announcements by community broadcasting licensees to 4 minutes per hour with a view to extending this limit to 5 minutes per hour in line with the limit on advertising applicable to the Special Broadcasting Service.

The longer term

18. In the long term the continued availability of the 6th high power television channel for community access television will depend on the outcome of the review of the television broadcasting industry required by 1 July 1997 in Clause 215 of the *Broadcasting Services Act 1992*.

19. By this time educational television delivered by satellite or cable may be more cost effective than use of the 6th high power television channel for educational television.

20. However, should the 6th high power television channel be required for educational television then shared use would be possible. Arrangements could be made for low power community access television when the channel was not required for educational television.

21. The rosier picture that can be painted for community access television is a permanent place on the channel utilising low power transmission, co-existing and perhaps complementing community access television delivered by alternative means such as cable.

CHAPTER 1

INTRODUCTION

Terms of reference

1.1 On 29 October 1991, Cabinet decided to refer use of the only remaining wide-coverage television channel to the House of Representatives Standing Committee on Transport, Communications and Infrastructure. This decision was communicated to the Committee by the then Minister for Transport and Communications, the Hon K C Beazley MP, with the following terms of reference:

To inquire into and report on the possible future use of the sixth high power television channel, for a range of non-commercial television services including community access television, educational television, televising of Parliamentary proceedings and as an additional outlet for independent film producers, to best serve the public interest and particularly:

- a) community needs that are not being met by existing broadcasting services;
- b) the circumstances of the Australian independent film producers;
- c) appropriate means of allocating broadcasting time on this channel and managing access to program distribution and transmission facilities;

- d) **priorities for the provision of transmission infrastructure for such services in different places in the event that there is a phased introduction; and**
- e) **potential sources for non-Government financing of the transmission infrastructure and program production for such services.**

Conduct of the inquiry

1.2 The inquiry was advertised in the metropolitan daily newspapers on 7 December 1991. The advertisements asked for submissions to be lodged by Friday 28 February 1992. Following oral representations from organisations which use volunteer labour, the closing date for submissions was extended to 31 May 1992. Of the 58 submissions received by 31 May 1992, only 6 had been lodged by 28 February 1992.

1.3 On 1 April 1992 the Committee appointed a sub-committee comprising the Hon Peter Morris (Chairman), Mr Alan Cadman MP and Mr Russ Gorman MP, to inquire into and report to the Committee on the reference. Between 27 May and 8 July 1992 the sub-committee took evidence from 15 persons/organisations and one individual at 8 public hearings.

1.4 The organisations included 9 community access television groups, a group representing the interests of television for Aborigines (the National Indigenous Media Association of Australia) and 3 government departments.

The Public Broadcasting Association of Australia, the umbrella organisation for community access television, appeared before the sub-committee on two occasions.

1.5 The sub-committee inspected the facilities of Open Channel Co-operative Ltd in Melbourne and held informal discussions with the Film and Television Institute (W.A.) Inc in Perth. Invitations were extended to the sub-committee by community access television groups to inspect their facilities during test transmissions, however the sub-committee was unable to conduct these inspections.

1.6 Regrettably, it was not possible for the sub-committee to accede to all the requests from persons/organisations wanting to appear before the sub-committee. The time constraint of aiming to report to the House of Representatives on 20 August 1992 placed an upper limit on the number of witnesses the sub-committee could see.

1.7 Nevertheless, the Committee is satisfied that its procedures, particularly the release by the sub-committee of an Options/Issues Paper, have resulted in an open inquiry process.

1.8 Details on the conduct of the inquiry, which includes the names of persons/organisations who made submissions, those that appeared before the sub-committee at public hearings and a list of exhibits, appear in the Appendix.

The Options/Issues Paper

1.9 On 18 June 1992 the sub-committee released for comment an Options/Issues Paper. The major purpose of this paper was to provide focus to the inquiry and receive feedback from submitters on the matters discussed. The Paper identified and discussed 11 options for the possible use of the 6th high power television channel. It also discussed what the sub-committee saw as the major issues of the inquiry. Copies of the Paper were sent to all 59 submitters and 12 responses were received, a response rate of about 20 per cent. Responses to the Options/Issues Paper have been treated as submissions to the inquiry. The Paper was incorporated into the Hansard of 8 July 1992.

The *Broadcasting Services Act 1992* its effect on the Committee's report³

1.10 The *Broadcasting Services Act 1992* (the Act) affects the Committee's report in several ways. The Minister can reserve capacity in the broadcasting bands for community broadcasting services. Capacity which is not reserved will be available for allocation by the Australian Broadcasting Authority (ABA). The Act requires the ABA to provide for public involvement in its planning processes of preparing frequency allotment plans and licence area plans.

1.11 Clause 24(1) requires the ABA to determine priorities for the preparation of frequency allotment plans and licence area plans.

³ Information in this section was drawn from the *Broadcasting Services Act 1992* and the Explanatory Memorandum to the Broadcasting Services Bill 1992.

1.12 Clause 25(1) of the Act requires the ABA to prepare a frequency allotment plan which determines the number of channels that are to be available for the provision of national, commercial and community broadcasting services in particular parts of Australia. Clause 25(3) allows the Minister to give the ABA written directions with which the ABA must comply in preparing a frequency allotment plan.

1.13 Clause 26 of the Act enables the ABA to prepare and vary licence area plans which determine the number and characteristics of broadcasting services to be available in licence areas with the use of the broadcasting services bands. The licence area plan includes matters such as: the areas covered by each licence area; the nominal carrier frequencies of the services; nominal transmitter sites for each service; nominal technical conditions for each service including operating power and radiation pattern; and whether any translators are required for any of the services.

1.14 Clause 27 requires the ABA to make provision for wide public consultation in the determination of priorities, the preparation of frequency allotment plans and licence area plans.

1.15 Clause 31 of the Act allows the Minister to reserve capacity in the broadcasting bands for national and community broadcasting services. The emphasis in this reservation power is on capacity, not on parts of the bands. For example, the Minister may notify the ABA that capacity for community access television services be reserved in particular localities.

1.16 Capacity which is not reserved will be available for allocation by the ABA.

1.17 Clause 34(1) allows the ABA to make parts of the broadcasting services bands available for temporary allocation in a licence area for retransmission, class licence services, or for other purposes in order to make efficient use of the bands and ensures that parts of those bands do not remain unnecessarily idle. Where the ABA takes action under this clause, it is required under clause 34(2) to have regard for possible future demand for the use of this part of the band in deciding the period of temporary allocation.

1.18 Part 6 of the Act sets out the procedures to be followed by the ABA when issuing community broadcasting licences. Of particular interest is clause 84 which is reproduced below:

Allocation of community broadcasting licences

84(1) The Minister may give directions to the ABA to give priority to a particular community interest or interests, whether generally or in a particular licence area, in allocating community licences that are broadcasting services bands licences.

(2) In deciding whether to allocate a community broadcasting licence that is a broadcasting services bands licence to an applicant or to one of a group of applicants, the ABA is to have regard to:

- (a) the extent to which the proposed service would meet the existing and perceived future needs of the community within the licence area of the proposed licence; and
- (b) the nature and diversity of the interests of that community; and

- (c) the nature and diversity of other broadcasting services (including national broadcasting services) available within that licence area; and
- (d) the capacity of the applicant to provide the proposed service; and
- (e) the undesirability of one person being in a position to exercise control of more than one community broadcasting licence that is a broadcasting services bands licence in the same licence area; and
- (f) the undesirability of the Commonwealth, a State or a Territory or a political party being in a position to exercise control of a community broadcasting licence.

1.19 Part 5 of Schedule 2 specifies the conditions applicable to services provided under community broadcasting licences.

1.20 Clause 215 of the Act requires that the Minister conduct a review of the television broadcasting industry by 1 July 1997. Clause 28 of the Act prevents the allocation of more than three commercial television licences in any licence area prior to the completion of this review by the Minister. This review must be completed by 1 July 1997 and is to take into account the state of the entire broadcasting industry at that time.

Scope of the inquiry

1.21 The need for this inquiry can be traced to scarcity of the radio frequency spectrum and the avoidance of taxpayer or consumer subsidy in the operation of the 6th high power television channel. If the spectrum was

not a scarce resource, or if other technologies such as cable were available and if the costs associated with television broadcasting were low there would not be a problem. And there would not be a need for any inquiry! Entry would be easy and virtually anyone would be able to broadcast anything subject to the program standards of the Act.

1.22 But these ideal conditions do not exist. The radio frequency spectrum is a scarce resource, with alternative and competing uses. Alternative technologies are being developed and where available may not be suitable for particular uses. For example, satellite delivery is probably a very inappropriate delivery option for community access television.

1.23 Spectrum capacity is scarce and the costs, particularly for high power transmission, are considerable. This in turn raises questions of subsidies or cross-subsidies. Taken together, they go to the heart of the inquiry by raising questions such as:

- . the determination whether a commercial use such as mobile communications or a non-commercial use such as community access television should get access to the 6th high power television channel;
- . the assessment of whether a particular non-commercial use such as educational television should be given first choice of time slots in preference to community access television, or, the other way round; and

. the examination of why there should be any taxpayer subsidy or cross-subsidy for any non-commercial use of the 6th high power television channel.

1.24 These issues are canvassed in the 11 options in the Options/Issues Paper. They are addressed in the last chapter of this report.

Structure of the report

1.25 This report has eight additional chapters. The second chapter contains some historical background on the possible non-commercial uses of the 6th high power television channel. The history of community access television in Australia is the story of the difference between promise and performance. Its proponents have been promised much but given little.

1.26 Chapter three provides the reader with some background information on technology which is necessary to enable the discussion of other matters in the report. The chapter describes and discusses technological matters associated with the 6th high power television channel.

1.27 Chapters four to eight deal with each of the terms of reference. Chapter four identifies unmet needs in the community and focuses on the extent to which these needs can be satisfied by community access television, educational television, Aboriginal and Torres Strait Islander broadcasting and parliamentary broadcasting on the 6th high power television channel. The rationale for the provision of each of these non-commercial services on the channel is discussed and the merits of each is examined.

1.28 The second term of reference is addressed in chapter five which answers the question whether the use of the 6th high power television channel will improve the circumstances of the Australian independent film producers.

1.29 Chapter six deals with the allocation of air-time between competing uses and examines a model for enabling access to transmission and production facilities. Chapter seven discusses which cities should be the first to be provided with transmission facilities for the channel, taking account of whether a phased introduction is possible for particular uses and whether the costs of transmission infrastructure will be met by the Commonwealth.

1.30 The inquiry's final term of reference is addressed in chapter eight which examines potential sources of non-government financing for the channel. This chapter examines the possibilities offered by these sources for financing the transmission infrastructure and program production for the channel.

1.31 Chapter nine contains the conclusions of the Committee on this inquiry. It canvasses various options for the channel and makes recommendations on what the Committee regards as the most appropriate future use.

CHAPTER 2 BACKGROUND

Purpose

2.1 This chapter provides an overview of the history of community access television in Australia. The development of Aboriginal television is described briefly and background is provided on educational television and parliamentary broadcasting in Australia. Some comments are made on the overseas experience of community access television, educational television and parliamentary broadcasting.

History of community access television in Australia⁴

2.2 The history of community access television in Australia has been characterised as 'a history of community action and government inaction.' This observation was made by the peak body of the community broadcasting sector, the Public Broadcasting Association of Australia (PBAA), in its submission to the inquiry (Submission No 25 p.12). It was reinforced by the evidence of some witnesses appearing before the Committee. For example, the Sydney Public Television Group stated in evidence that:

4 Information in this section was drawn from a report by the Communications Law Centre to the Department of Transport and Communications (see reference list) and the submission to the inquiry from the Public Broadcasting Association of Australia (Submission No 25).

We have been put off. In 1980, Tony Staley [then Minister for Post and Telecommunications] was ready to deliver public television licences (Transcript p.300).

2.3 The impetus for the development of community access television in Australia has been twofold. The introduction and growth of public radio provided the basis for the establishment of a third sector of broadcasting while a second factor was the development of video access centres across Australia in the mid-1970s, two notable examples of which are still operating, Open Channel in Melbourne and Metro Television in Sydney.

2.4 In 1976, the report of a major review of broadcasting planning and regulation by the then Department of Post and Telecommunications (*Australian Broadcasting: a report on the Australian broadcasting system and associated matters, 1976*) was released. Commonly known as the Green Report, it foreshadowed the establishment of educational, community and ethnic television within 5 years. Subsequent amendments to the *Broadcasting and Television Act 1942* established two new licence categories for public radio and public television.

2.5 One effect of the Green Report was to promote diversity of ownership as 'a major policy objective in broadcasting' (Communications Law Centre 1989, p.16). The then Minister for Post and Telecommunications, the Hon Tony Staley MP stated this objective clearly in a Ministerial Statement to the House of Representatives on 5 April 1978:

...government involvement in Australian broadcasting must be directed to ensure freedom of expression and enterprise in all forms of communication available to Australian society, particularly radio and television, and that this freedom is best served by diversity of structures and outlets. (Australia, House of Representatives 1978, *Debates*, vol HR108, p.997)

2.6 In 1980 the television sub-committee of the PBAA submitted a proposal to the then Department of Post and Telecommunications and the Ethnic Television Review Panel which sought the establishment of pilot services for community access television in Sydney, Melbourne, Perth and the Northern Rivers region of New South Wales. The cost of the pilot services was estimated at \$3.6 million, which the PBAA expected would be met by government. This proposal was not taken up by the Department.

2.7 In the 1980 election campaign, the then government gave a commitment to introduce community access television licences by the first quarter of 1981. This did not occur.

2.8 Draft guidelines for the introduction of community access television were agreed between the Department of Communications and the PBAA in 1981. In November of that year these guidelines received qualified approval from the Broadcasting Council, but this approval was subsequently withdrawn. The draft guidelines included a range of delivery methods for community access television in addition to stand-alone services for Sydney and Melbourne. These delivery methods included proposals for channel sharing which met with resistance from existing broadcasters.

2.9 Melbourne's Open Channel co-ordinated a series of 'window' broadcasts on the Special Broadcasting Service (SBS) in 1982. These broadcasts drew on programming from the community access television groups then in existence as well as from a range of other sources. One of the participating community access television groups, Adelaide Community and Educational Television Inc (ACE TV), appeared before the Committee and described its experience with the 'windows' series. ACE TV stated that the SBS '...were not able really, to facilitate all of our needs...when we wanted to continue with those [the windows series] they said they would rather not' (Transcript p.159).

2.10 The introduction of satellite delivery of television services in Australia had some influence on the direction of community access television for a time. The use of satellite technology to aid national networking of programs meant a move away from localism which the community access broadcasters saw as a gap which they could fill. The development of Aboriginal and Torres Strait Islander broadcasting also had some influence on community access television, principally through the establishment of the Broadcasting for Remote Aboriginal Communities Scheme (BRACS). The possibilities of local control over satellite delivery of services as well as the capacity to mix programming to best meet the needs of the communities being served are demonstrated by BRACS.

2.11 Government action to equalise television services in regional areas of Australia through the aggregation of markets provided a further impetus for community access television groups. The focus of arguments

from the community access television groups was the loss of localism in programming and a decline in the diversity of ownership due to the extension of the 3 commercial networks into regional Australia.

2.12 However, prior to aggregation, media ownership in some regional areas was anything but diverse. Prior to the introduction of cross-media ownership rules in 1987 there were ten radio service areas where the only commercial radio service and commercial television service were commonly owned. There were an additional nine areas where one of the commercial radio services and the commercial television service were owned in common (Bureau of Transport and Communications Economics, *Economic aspects of broadcasting regulation* 1991, p.79). In some of those cases the common ownership extended to the local newspaper (House of Representatives Select Committee on the Print Media, *News and Fair Facts: the Australian print media industry* 1992, p.298).

2.13 Community access television groups argue that diversity of ownership and programming and an emphasis on localism are major elements of what the community stands to gain from community access television.

2.14 The then Minister for Transport and Communications, Senator the Hon Gareth Evans addressed the annual conference of the PBAA in 1987. While expressing support for the concept of community access television and interest in the proposals, the Minister ruled out any possibility of funding from the Federal Government.

2.15 The first test transmission permit for community access television was issued in 1987 to a student community television group at Royal Melbourne Institute of Technology (RMITV) and other groups soon followed. The groups that conducted test transmissions during the next two years experienced a number of problems, notably the lack of a suitable UHF channel for the broadcasts, and the Federal Government's ban on sponsorship announcements during test broadcasts. The Government subsequently acted to rectify both of these problems. In December 1989 the Hon Ralph Willis MP, the then Minister for Transport and Communications announced that community access television groups would be able to conduct test broadcasts on UHF 31, a move which the groups felt would eliminate the reception problems which plagued earlier broadcasts. The government removed the legislative obstacle to sponsorship announcements during test broadcasts in 1990.

2.16 A three stage approach to the possible introduction of community access television was agreed in 1988 between the Department of Transport and Communications (DOTAC), the PBAA and community access television groups. Stage 1 was to consist of test transmissions while Stage 2 would involve a 'trial' licence period of perhaps 2 years. If Stages 1 and 2 were successful, Stage 3 would see the introduction of community access television. However, community access television has not progressed beyond Stage 1 to date (Communications Law Centre 1989, p.28).

2.17 In 1989, DOTAC commissioned the Communications Law Centre (CLC) to 'evaluate public television test transmissions which took place in 1988 and 1989' (CLC 1989, p.2). The PBAA challenged a number of the findings of the CLC's report and issued a response, *Channels for*

change, in 1990 (PBAA, 1990). This document proposed two models for the introduction of community access television, the sub-metropolitan station and multiple microstations.

2.18 The Department of Transport and Communications issued an assessment in 1991 of the two models proposed by the PBAA. The Department's view was that there were technical impediments to the adoption of either of these models in Sydney and Melbourne (Exhibit 29).

2.19 In 1989, the PBAA adopted a policy that consortia of community interests should be formed for the purposes of owning and operating services on the 6th high power television channel. This consortium model was detailed in their *Channels for change* (PBAA 1990, p.6-7). The Sydney Public Television Group and the Melbourne Community Television Consortium were both formed in 1991 for the purpose of owning and operating a licence for the 6th high power television channel in Sydney and Melbourne respectively.

2.20 The then Minister for Transport and Communications, the Hon K Beazley MP, told the 1991 annual conference of the PBAA that:

I remain keen to develop the concept of public television as a means of adding a whole new dimension to diversity in Australian Media. We would not, however, want public television to diminish the resources available to public radio...I hope to be able to see permanent services established, even on a part-time basis, in the next year or so, though that is something which the Government as a whole will need to decide. (Hon K Beazley MP 1991)

Community access television in other countries

2.21 Community access television is delivered by different means in different countries. The following paragraphs briefly describe the situation in the United States, Canada, and the United Kingdom based mainly on information from DOTAC (Submission No 55 Attachment C).

2.22 The United States has an extensive network of both 'public' and 'public access' television stations. The term 'public broadcasting' in the United States refers to 'broadcast services similar in style to Australia's national broadcasters' (Submission No 55 Attachment C p.1). 'Public access' television is similar to community access television in Australia.

2.23 Much public access television in the United States is delivered by cable. The *Cable Communications Policy Act 1984* (US) provides that a franchising authority (the relevant local government body) may establish requirements for the use of channel capacity by public, educational or government bodies (PEG) as a condition of letting a franchise. The PEG channels are funded from the franchise fee which the cable operator pays to the franchising authority. The cable operator is required to provide the channel, the facility and the equipment. There is a statutory limit on the franchise fee of 5 per cent of the annual gross revenue of the cable operator (Submission No 55 Attachment C p.1).

2.24 The impetus for the development of cable television in the United States was not so much the delivery of extra stations, but rather as a means of overcoming problems experienced with the reception of terrestrially broadcast television. According to our predecessor committee's

report on Pay TV the sole purpose of cable TV in its early days was to bring broadcast channels to places that otherwise could not get them (House of Representatives Standing Committee on Transport, Communications and Infrastructure, *To pay or not to pay?* 1989, p.95).

2.25 Nearly one thousand low-powered television stations (LPTV) also operate in the United States. The LPTV stations were established by the Federal Communications Commission (FCC) in 1980 and were required to 'broadcast within a radius of 8 miles to 70 miles of their transmitters' with the goal of making 'neighbourhood programming available to viewers everywhere' (*Cable Television Business*, 1 November 1990 p.24).

2.26 In Canada, cable operators are required to provide a community access channel as part of their basic service. The programs must be produced by the operators or by members of local communities. Cable operators are required to support community broadcasting with a reasonable proportion of their gross revenue - the Canadian Radio-Television and Telecommunications Commission (CRTC) has suggested about 10 per cent. By 1986, operators were spending in excess of \$C40 million on community services (*To pay or not to pay?* 1989, p.113).

2.27 In 1990, some 300 community access television channels were in operation across Canada (Goldberg,K *The barefoot channel: community television as a tool for social change* 1990, p.3).

2.28 Some community television services are used in Canada to provide local services to indigenous populations. The Canadian Broadcasting Corporation (CBC) operates a large number of centres throughout the country for the production of English and French television.

2.29 The United Kingdom's principal example of an alternative type of television is Channel 4. Established as a wholly owned subsidiary of the Independent Broadcasting Authority in 1981, Channel 4 will become a corporation in its own right from 1 January 1993. Channel 4 is required under the UK's *Broadcasting Act 1990* to operate only as a publisher of the work of independent producers and to broadcast programming of a sort not usually found on commercial television.

Aboriginal and Torres Strait Islander broadcasting

2.30 Aboriginal and Torres Strait Islander broadcasting is delivered in two main ways. The Broadcasting for Remote Aboriginal Communities Scheme (BRACS) began in 1984 and now serves 83 communities. Funded by the Aboriginal and Torres Strait Islander Commission (ATSIC), BRACS provides community members with the ability to receive via satellite ABC and commercial (through the Remote Commercial Television Service, RCTS) television and radio services. In addition, BRACS provides equipment and production facilities to enable some communities to produce and broadcast their own programs to the local area. This latter facility gives the communities a measure of local control over television services (ATSIC Annual Report 1990-91, p.65). Under clause 6 of the *Broadcasting Services (Transitional Provisions and Consequential Amendments) Act 1992*, BRACS

services will be deemed to continue to operate as community services, with licences deemed to have been granted to the Aboriginal organisations representing the relevant communities.

2.31 The second means by which Aboriginal and Torres Strait Islander broadcasting is delivered is through the Remote Commercial Television Service (RCTS). Imparja Television Pty Ltd is an RCTS licensee. Imparja Television is owned and controlled by Aboriginal people and makes programs and advertisements for Aboriginal and Torres Strait Islander people (Submission No 61 Appendix A).

Educational television

2.32 Educational television exists in a number of forms. This inquiry is concerned principally with formal, course-related programming and the potential of the 6th high power television channel to deliver this type of programming. Formal, course-related educational television is, however, only one component of an educational package. Consultants to the Department of Employment, Education and Training (DEET) define this form of educational television as:

...a more dedicated use of a broadcast medium where the television component is part of a course of study which is widely publicised well in advance of the broadcast, where the necessary course materials are provided and where students enrol with a local institution or arrange tutorial support before the commencement of the television delivery. (Open Learning Channel, 1991, p.18)

2.33 Figures from the Australian Education Council show that the ABC currently provides 330 hours of educational programs directed to schools. Remote Commercial Television Service (RCTS) stations are required to provide 560 hours per year of educational broadcasts. Neither the ABC nor the RCTS licensees are able to offer prime time (6.00pm - 9.00pm) for educational programs (Submission No 52 p.8). The Submission from the ABC states that in 1992, the ABC will provide 350 hours of schools programs (Submission No 30 p.2).

2.34 The ABC is currently participating as the host broadcaster in the Open Learning Project, which involves a consortium of 5 universities and funding of \$2 million. At this stage, the project is a series of first year courses, and programs for these courses are broadcast by the ABC between 7.30am and 8.00am Monday to Friday, with a repeat of the week's programs on Saturday morning. In 1992, the ABC will provide 250 hours of Open Learning programs. The ABC considers that there is capacity to provide a further 365 hours by utilising the 6.00am to 7.00am time slot (Submission No 30 p.2).

Educational television in other countries

2.35 The report of the DEET Consultancy (paragraph 2.32) identified a number of countries in which television is used to deliver education and training courses. The situation in the United Kingdom, Canada and the United States is briefly described in the following paragraphs.

2.36 In the United Kingdom, the Open University is a well-known example of the use of broadcast television to deliver higher education courses. The Open University, created in 1969, has since been joined by the Open College and the Open Polytech. The Open University is restricted to available downtime on the BBC but broadcasts about 35 hours per week. It caters for approximately 170,000 students each year and employs 2,800 full-time staff.

2.37 The availability of free channels on local cable services has stimulated the use of television for educational programming in the United States. In addition, universities and colleges form consortia to fund the development of television courses which are then televised nationally on the Public Broadcasting Service (PBS). The PBS has just completed a five year study which found that 'approximately 250,000 students [are] currently enrolled in telecourses in the United States' (Open Learning Channel 1991, p.22).

2.38 Specialist television networks also exist, such as the National Technology University (NTU). The NTU has operated since 1985 and currently provides about 11,000 hours of post-graduate credit courses and 1,700 hours of non-credit courses to 243 sites. The NTU has approximately 1,000 students in its masters degree program, 3,600 graduate course enrolments and 65,000 non-credit enrolments (Open Learning Channel 1991, p.22).

2.39 In Canada, Knowledge Network, part of the Open Learning Agency of British Columbia, operates at the provincial level. Knowledge Network was established in 1980 as a fully funded government agency with

an annual budget of about \$3 million. The Network offers over 60 telecourses per semester in conjunction with over 30 educational institutions to some 22,000 students enrolled in courses. Some 1,200 hours of formal instructional television are broadcast annually to a weekly audience of about 600,000 people (Open Learning Channel 1991, pp.22,72-73).

Parliamentary broadcasting

2.40 The ABC began televising Question Time on a trial basis from the Senate in 1990 and from the House of Representatives in 1991. The ABC broadcasts Question Time live from one House and provides a delayed broadcast of the other on each day that Parliament meets. Major statements such as the Budget Speech and the reply of the Leader of the Opposition have been televised live since 1984. The public hearings of some parliamentary committees have also been televised, recent examples being the House of Representatives Select Committee on the Print Media and the House of Representatives Standing Committee on Finance and Public Administration's inquiry into the banking industry (Submission No 51 p.3-4).

2.41 The Parliament makes available to all television stations the proceedings of each House and some committees, however unlike radio, there is no compulsion on any television broadcaster to transmit proceedings of the Parliament.

2.42 In August 1991, the House of Representatives Select Committee on Televising of the House of Representatives and its Committees reported on the trial of televising of proceedings from the House of Representatives.

'The Committee recommended that, subject to conditions it set out, the live coverage and rebroadcast of proceedings should continue' (Submission No 51 p.5). The Senate has continued to permit the televising of its proceedings since 1990, during which time there have been some refinements of its guidelines.

Parliamentary broadcasting in other countries

2.43 Parliamentary proceedings are televised in a number of other countries. In the United States, the proceedings of both Houses of Congress are available on cable television. The proceedings from the House of Representatives have been available live since 1979 on the Cable Satellite Public Affairs Network (C-SPAN), while the proceedings from the Senate have been available on C-SPAN II since 1985. C-SPAN also televises proceedings from parliaments in other countries (Submission No 15 Attachment D p.2).

2.44 The C-SPAN service also includes a number of current affairs and news services. C-SPAN is a non-profit organisation which provides its service to cable TV operators across the United States in return for a percentage of subscription fees. No subsidies are provided by Congress or any other public body for the provision of the C-SPAN service (Submission No 75 p.1).

2.45 In Canada, proceedings from the House of Commons have been broadcast since 1977. Proceedings are broadcast by the Canadian Broadcasting Corporation (CBC) and are available on cable television. The CBC also broadcasts a complete replay of each day's proceedings on its

national satellite channel (Submission No 15 Attachment D). A Broadcasting Branch exists within the House of Commons, which in 1989 had 44 full time employees, 10 part time employees, and a budget of \$C1,643,000 (House of Representatives Select Committee on Televising, Submission No 22 Attachment 1 p.11).

2.46 Proceedings from the House of Lords in the United Kingdom have been available on Westminster Cable Television and Channel 4 since 1985. The proceedings of the House of Commons and parliamentary committees have been televised on a trial basis since 1989. During this trial period, costs were shared roughly equally between the broadcasters and public funds.

2.47 The House of Commons Select Committee on Broadcasting has recommended that similar arrangements be adopted on a permanent basis. The broadcasters would finance the equipment and running costs, the Parliamentary Works Office would fund capital works within the parliamentary estate and the House of Commons Commission would fund the Select Committee and any staff associated with the management of the televising operation within the House itself. The Department of Transport and Communications understands that complementary arrangements would exist for the House of Lords (Submission No 75 p.1).

CHAPTER 3

TECHNOLOGY

Purpose

3.1 The major purpose of this chapter is to provide background information on technology which is necessary to discuss other matters in the report. This chapter describes and discusses the technology associated with the 6th high power television channel, in particular the differences between high power and low power transmission of services.

3.2 The inquiry has come at a time when there is rapid technological change in the development of alternative systems to use of the radio frequency spectrum for transmission of television programs. These include cable and satellite delivery and they, along with digital compression technology, are also discussed in this chapter.

3.3 Finally, some indications are given of costs and some conclusions are drawn on the availability and suitability of the different delivery systems for the possible non-commercial uses of the 6th high power television channel contained in the terms of reference.

What is the 6th high power television channel?

3.4 The 6th high power television channel is a part of DOTAC's national television channel allotment plan. This plan seeks to allocate spectrum in order to provide a similar level of television services to most

people in Australia. Planning by DOTAC following the equalisation of television services (see paragraph 2.11) led to its conclusion that 6 television services could be provided nationally through the area served by terrestrial television (Submission No 15 p.4, Transcript p.7). The 6th high power television channel is the last free-to-air channel available in most capital cities in Australia. The department believes that a seventh channel is possible in both Darwin and Hobart under the present planning scheme (Submission No 15 p.4).

3.5 Five television channels, the ABC, SBS, and three commercial services are already available in capital cities and a number of regional areas of Australia and can be received by most people with a single UHF antenna. The department's planning system provides for the 6th high power television channel to be received alongside the existing services with households utilising their existing UHF aeriels.

3.6 The central coast of NSW and the Gold Coast region down to Murwillumbah (NSW) would not receive a 6th high power television channel due to the congestion of translators providing existing television services (Submission No 15 p.4).

3.7 The decision to reserve spectrum for a 6th high power television channel began with the Green Report on broadcasting (see paragraphs 2.4, 2.5). The department's submission quotes the Green Report as saying:

that sufficient channels be reserved in the UHF band so that, in addition to its use in overcoming television reception problems, this band will accommodate new television services providing for wider diversification of programming (Submission No 15 p.4-5).

High power and low power

3.8 The department's planning for the 6th high power television channel provides for it to utilise high power transmission similar to the existing five channels. A high power service provides for wide-coverage through utilising a high power transmitter in conjunction with translators sited to cover areas of poor reception. In Sydney around 6 translators and in Melbourne around 7 translators are required to relay the signal from each high power transmitter (Transcript p.7).

3.9 The 6th high power television channel will not have the same frequency everywhere in Australia. In the capital cities, the high power transmitter would be UHF channel 31 and low power translators operating at different frequencies would relay the signal to other parts of the cities. In the area between Newcastle and Wollongong in NSW, 39 channels are used in order to provide the 5 current television services to the bulk of the population in this region. In regional Australia, different frequencies would be used for the channel in different areas (Transcript p.8).

3.10 The essential difference between high power and low power transmission is in the geographical area which the station covers (Transcript p.8). A high power service might cover a whole capital city, while a low power service will cover a far smaller area, depending on the power of the transmitter. For example, DOTAC figures indicate that a high power service radiating 300 kilowatts (20 kilowatt transmitter) would cover an area of 50-60 kilometres, whereas a low power service radiating 3 kilowatts (200 watt transmitter) would cover an area of only 6-10 kilometres (Transcript p.8-9,

Submission No 62 p.6). The Special Broadcasting Service (SBS), broadcasts on UHF Channel 28 from Gore Hill in Sydney radiating nearly 300 kilowatts using a transmitter of around 20 kilowatts (Submission No 62 p.1).

3.11 Anything less than a high power service on the 6th high power television channel has been rejected in the past by DOTAC as not possible in capital cities such as Sydney and Melbourne, due to the shortage of available frequencies in those cities and problems of interference (Submission No 62 p.2). Several submissions to the inquiry, including those from the Community Television Group - Brisbane and Mr Andy Nehl have stated that low power transmission is possible in the capital cities (Submissions No 17 p.5, No 20 p.48).

3.12 The view of DOTAC on the necessity of high power transmission of services on the 6th high power television channel is predicated on the policy position of near-universal service (Submissions No 15 p.4, No 68 p.2). Once this assumption is removed, a new look at the channel is possible. Replanning of the channel would be a task for the ABA which would undertake the redevelopment of its frequency allotment plans and licence area plans, both of which are public processes (Submission No 68 p.2).

Alternative delivery systems

Cable

3.13 Cable distribution of television services utilises coaxial cable and/or optical fibre to reach households in a manner similar to the provision of telephone services. Coaxial cable can provide up to 40 channels and optical fibre can provide more than forty. In addition to these modes of delivery, 'Telecom Australia is seriously entertaining a means of distributing video over the existing telephone network between telephone exchanges and households' (Submission No 63 p.2).

3.14 There are many advantages of cable delivery for community access television, educational television and parliamentary television. Principally, the availability of 40 or more channels reduces the problem of spectrum scarcity. The channel capacity offered by cable provides scope for greater program diversity and localism than would be possible on one UHF channel. From the perspective of educational television, optical fibre cable offers the capacity for interactivity. The Department of Employment, Education and Training regarded optical fibre as 'probably the most desirable for education because of its interactivity component' (Submission No 54 p.31).

3.15 The Australian and Overseas Telecommunications Corporation (AOTC) stated in their submission to the inquiry that all metropolitan telephone exchanges operated by Telecom Australia are now interconnected with optical fibre. Telecom aims to lay optical fibre by 1994-95 to within 700 metres of 60 per cent of the households served by these exchanges. In

July 1992, Telecom achieved this goal for 20 per cent of households served by these exchanges. AOTC expects 'fibre to the home' to become an economic proposition 'around perhaps, the late 1990's' (Submission No 63 p.1).

Satellite

3.16 Satellite delivery of services can be either direct broadcast by satellite (DBS) to households with appropriate reception equipment or by utilising satellite transmission to nationally network programs which can then be transmitted via UHF or cable or MDS (see next section) to households from the earth station of, for example, a television station.

3.17 Use of DBS requires a household to install a receiving dish and a converter. If the signal is encoded (as is likely for Pay TV), a decoder will be required. The size of receiving dish required will vary depending on the location of the household in relation to the satellite footprint. A former member of the Australian Broadcasting Tribunal and engineer, Mr J Wilkinson, told the Committee that it is possible that a future Pay TV operator may utilise MDS to distribute the satellite signal in the capital cities because it is a cheaper option than total satellite delivery (Transcript p.498).

3.18 Until now, DBS had been expected to reach marginally less (94 per cent) of the Australian population than is reached by UHF (96 per cent). However, in their submission to the inquiry, OPTUS Communications stated that they have developed a means of delivering satellite Pay TV 'direct-to-home anywhere in Australia' (Submission No 59 p.1).

3.19 Direct broadcast by satellite is probably an inappropriate delivery option for community access television primarily because of the lack of opportunities for localism, but cost (\$6.8 million for transponder hire) (Transcript p.5) is also a factor. However, if satellite transmission is combined with another means of transmission to households, such as UHF, cable or MDS, local input is possible.

MDS

3.20 Multi-point distribution system (MDS) is a radio frequency transmission system which operates using microwave frequencies. It is used in Australia to distribute video and information services. It is a point to multi-point delivery system which involves line of sight transmission of signals from a transmitter to households, with reception by special aerials. The department advised our predecessor Committee during its 1989 inquiry into Pay TV that, based on the existing frequency allocation plan, MDS can provide 3 channels in capital cities and up to 10 channels in areas where there is no current MDS use (*To pay or not to pay?*, pp.xii,32).

Digital compression

3.21 The use of digital technology for television purposes has a number of applications. Digital recording of conventional television images in the studio is well established and digital transmission of television over optical fibre cable between studios is also now in common use (Submission No 55 Attachment D p.1).

3.22 Digital compression technology for television involves the use of high speed computers to process a signal of moving images at such a speed that the only information transmitted is the changes from frame-to-frame rather than the complete picture. The amount of information to be transmitted is reduced which accordingly reduces the channel capacity required for transmission (Submission No 55 Attachment D p.1).

3.23 According to DOTAC, currently available digital compression technology will allow for four channels instead of one to be delivered over a single conventional satellite transponder (Submission No 55 Attachment D p.2). OPTUS Communications added that higher compression yielding up to 10 channels per transponder but with poorer picture quality (equivalent to VCR quality) should also be possible (Submission No 59 p.2). OPTUS Communications stated that this latter development may be appropriate for applications such as distance education, particularly if there is a consequent price advantage (Submission No 59 p.2).

3.24 OPTUS Communications regards it as likely that equipment for digital compression of satellite channels will be available for use in Australia by mid-1994 (Submission No 59 p.2).

3.25 The department pointed out that the technology enabling digital compression of satellite channels is not adaptable to terrestrial broadcasting (Submission No 55 Attachment D p.3). Unlike terrestrial broadcasting, *satellite systems are not severely affected by reflections from obstructions such as buildings and hills thus the complexity of coding required to provide compressed services for satellite is much lower than for terrestrial broadcasting* (Submission No 55 Attachment D p.2).

3.26 The impetus for digital compression of terrestrial broadcasting is twofold. It offers the potential to deliver services less affected by transmission impairments than present systems and also has the potential to deliver higher definition pictures more suitable for larger television screens (Submission No 55 Attachment D p.2).

3.27 The department regards digital compression technology as having the potential to permit an 80-90 per cent increase in the number of services within the present television bands (Submission No 55 Attachment D p.2). However, DOTAC considers it unlikely that digital compression of terrestrial broadcasting will have any impact on channel capacity until after the year 2000 and there is little prospect of services using this technology being established in Australia before 1996-98. New equipment, not yet available, will be required by the consumer wishing to view any new terrestrial services that utilise digital compression technology (Submission No 55 Attachment D p.2-3, Transcript p.22).

Costs of infrastructure for the 6th high power television channel

3.28 A number of costs are associated with infrastructure for the 6th high power television channel and these will vary depending on whether high power or low power transmission is to be used. The 6th high power television channel is a terrestrially radiated UHF channel. The costs of transmission infrastructure for a high power service will vary between the capital cities and regional areas. The department estimates that the total establishment costs of providing transmission facilities for all capital cities would be approximately \$23 million (Submission No 15 p.6).

3.29 These costs, together with the costs of other items such as switching equipment are explored in more detail in chapter 8, which deals with potential sources of funding for the channel.

Conclusions

3.30 The inquiry has come at a time when there is rapid technological change in the development of alternative systems to use the radio frequency spectrum for transmission of television programs. These include cable and satellite delivery and developments in digital compression technology. These developments in technology are significant because they provide alternative means of delivering services and make broadcasting less dependent on what is currently a scarce resource (the radio frequency spectrum). In its examination of the possible non-commercial uses for the 6th high power television channel, the Committee is keen not to pre-empt any opportunities offered by technological developments during the next five years and consequently has adopted a forward-looking perspective for this inquiry.

Findings

3.31 The Committee finds that:

1. **developments in digital compression technology for satellite delivery of television services should, within the next 3 years, make available at least 4 times existing channel capacity, increasing the efficient utilisation of spectrum while reducing the cost of a satellite channel;**

2. the suitability of alternative means of direct delivery of television services (optical fibre, coaxial and copper) for the transmission of non-commercial services as specified in the terms of reference needs to be balanced against their expected time of availability; and

3. there are no technical obstacles to the 6th TV Channel being utilised to broadcast non-commercial television services via high power transmission once decisions are made on the funding and installation of transmission infrastructure. Low power transmission presents some technical and planning obstacles but it is possible for it to be used to transmit non-commercial television services.

CHAPTER 4

UNMET NEEDS

Introduction

4.1 This chapter deals with the first term of reference which reads as follows:

To inquire into and report on the possible future use of the sixth high power television channel, for a range of non-commercial television services including community access television, educational television, televising of Parliamentary proceedings and as an additional outlet for independent film producers, to best serve the public interest, and particularly:

(a) community needs that are not being met by existing broadcasting services.

4.2 This chapter addresses unmet needs in the community and focuses on the extent to which these needs can be satisfied by community access television, educational television, Aboriginal and Torres Strait Islander broadcasting and parliamentary broadcasting on the 6th high power television channel. The rationale for the provision of each of these non-commercial services on the channel is discussed and the merits of each is examined.

4.3 At the outset it would be useful to describe 'a community need that is not being met by existing broadcasting services'. An unmet need is one which could be satisfied if there is sufficient channel capacity. In other words, people may claim that there is an unmet need for a particular type of programming - for example, minority sports. If channel capacity becomes available, that sport or someone acting on its behalf, should be able to supply sufficient programming; otherwise there would be no unmet need. A related issue is whether an unmet need is one that can be satisfied without subsidy or cross-subsidy.

4.4 It is obvious that all unmet needs cannot be met or met adequately on the 6th high power television channel. Therefore chapter four also examines which unmet need should have priority use on the channel.

4.5 This examination is of crucial importance because its findings are linked with term of reference (c) - allocation of time - and term of reference (d) - priorities for transmission infrastructure.

The case for community access television on the 6th high power television channel

4.6 Community access television aims to join public radio as a permanent part of the community broadcasting sector, which has been referred to as the third tier of broadcasting, after the commercial broadcasters and the national broadcasters. The Explanatory Memorandum to the Broadcasting Services Bill 1992 says that 'this third dimension of the broadcasting industry adds to diversity of ownership and programming by reflecting a different range of views, priorities and institutional pressures.'

4.7 It also outlines the role of community broadcasters in the overall context of broadcasting in Australia as follows:

Community broadcasters have different goals from commercial and national broadcasters. Community broadcasters differ from other broadcasters in that they have a local focus and role in attracting local community participation in broadcasting. This community participation is a crucial element which must be satisfied in order to qualify for the grant of a community licence.

4.8 The case for community access television is based primarily on increased diversity of ownership and diversity of programming. As argued by the PBAA, community access television groups and others, diversity of programming means programs that are substantially different from those on commercial and national television and is programming which therefore caters more to minority interests. Submitters also referred to the special relationship between program suppliers and the audience.

4.9 The CLC's report to DOTAC put the case for community access television (public television) in the following way:

The case for public television, therefore, rests primarily on its capacity to be "different", that is, to provide programming that is different, and to relate to the audience, or more precisely, the community, that it serves in a different way. The most important distinction between public television as it has most usually been defined in Australia and other kinds of television services is the relationship of the community to the service (CLC 1989, p.29).

4.10 This difference in programming is intended to fill a gap left by commercial and national broadcasters. Sydney's Community Access Television (CAT TV) said that 'mainstream' TV does not serve the interests of many groups of people in our society. It listed 18 of these groups including Aboriginal people, people of different nationalities and religious groups, lesbians and gay men, women, people with disabilities, pensioners, students, youth, trade unions, unemployed people, local councils and 'the myriad of community organisations that want a say in what's happening in our world' (Submission No 36 p.6).

4.11 Two types of reasons were advanced to explain why existing commercial and national broadcasters do not and cannot produce programs for these interests. The first type was the need for these broadcasters to cater to the national market.

4.12 The PBAA said that 'the inability of existing mainstream television to offer more specialised programming is due to the inherent structural limitations in addressing national, rather than local, audiences' (Submission No 25 p.15). Mr Andy Nehl believed that the lack of diversity of programming on existing services is due to the 'ratings chase and the economic pressures of national audiences' (Submission No 20 p.2).

4.13 Community access television groups such as CAT TV and Metro TV supported this point of view. Metro TV's view was that existing television services deal primarily with national markets and 'consequently the programs delivered to those audiences can never properly cater to the local and particular needs of smaller communities' (Submission No 27 p.6).

4.14 However, the report of the CLC made the point that community access television using high power transmission can also increase the diversity of programming available for mass audiences by broadcasting programs not generally found on existing television services but which may be of interest to a number of audiences. This programming could include education, information, experimental programs, specialist programs and independently produced programs (CLC 1989, p.34).

4.15 The CLC said in its report on the test broadcasts of community access television that the categories of programs (i.e. news, arts, sport etc) offered were broadly comparable to programming available on existing services. However, 'what was substantially different was the **proportion** of overall public television programming which fell into these categories by comparison with mainstream services' (CLC 1989, p.99).

4.16 For example, the CLC found that the community access (public) television groups broadcast an average of more than 40 per cent of their transmissions in the category of Education, Arts and Information programs, compared to less than one per cent for commercial stations and 5.7 per cent for the ABC. In addition, the CLC noted that the programming broadcast in this category 'included a range of programming which is not seen at all on commercial television and minimally on the ABC' (CLC 1989, p.101).

4.17 The second type of reason advanced for community access television amounted to a criticism of existing broadcasters, particularly commercial broadcasters, referred to as 'mainstream television'. There were

several references in the evidence to 'disenfranchised viewers', the need to 'redress the balance' and to views on mainstream news and information programs.

4.18 The CLC report said that a 'fundamental plank of public television policy has been the concept of providing people with access to the medium of television'. According to the report this meant 'giving community interests which are largely **disenfranchised** by traditional television the opportunity to have their views heard...' (CLC 1989, p.74, emphasis added, see also Transcript pp.137,291, Submission No 25 p.18).

4.19 'Redressing the balance' was another criticism of the existing broadcasters. CAT TV believed that the major focus of community access television is in 'redressing the imbalance that exists in the media already - there are a lot of groups, issues and ideas that are not represented in any of the existing media' (Transcript p.262).

4.20 The CLC report, quoting from a submission by Metro TV to the Australian Film Commission, says that 'Australian television has tended to present an artificial one-dimensional view of our community...Community-based public television services will provide the means to redress this balance' (Metro TV, *Submission to the Australian Film Commission* 1988, p.3 in CLC 1989, p.81).

4.21 A related view from the University of Queensland's Department of Journalism is the 'failure' of mainstream television to meet specific community needs. Mainstream news and information programs were said to be 'symbiotically linked to the structures of power' (Submission No 9 p.2).

4.22 The mechanism for achieving this diversity of programming is a community owned and controlled station. This, according to the PBAA, the community access television groups, the CLC report and others is the distinguishing feature of community access television: the audience is also the program-maker or potential program-maker. The PBAA and community access television groups believe that the community is alienated from the existing television services as it does not have a role in any of the decision-making processes, particularly those concerning programming.

4.23 The CLC report said that a fundamental difference between community access (public) television and the existing broadcasters is in the relationship each has between their audience and their programs. The existing broadcasters don't usually involve their audiences in programming matters and 'tend to view program issues and audience issues as two points on a continuum'. In contrast, community access (public) television involves the audience, as noted above, as 'program makers or potential program makers' (CLC 1989, p.59).

4.24 The PBAA and community access television groups argue that diversity of programming will be a result of greater access to television by the community. This access can be provided through community owned and operated television outlets. The PBAA said that:

The aim of Public Broadcasting is to empower the community by providing access to the electronic media...By lowering the economic and technical thresholds of access to the medium, Public Broadcasting allows the community to become the producer as well as be the audience (Submission No 25 pp.13-14).

4.25 This belief in the need for the community to have access to television in order to present their own view of themselves has come through strongly in evidence and submissions. Community Access Television (Sydney) believe that everyone in the community belongs to one minority group or another and that 'people should have the opportunity to present whatever picture of themselves that they see fit - whether it be fictitious or an objective truth' (Transcript p.265).

4.26 The Australian Broadcasting Corporation (ABC) said that there seems to be a gap in the Australian broadcasting industry 'in the area of local, community access television and in local educational services'. However, it believes that local issues are 'adequately covered by ABC, commercial and community access or public radio'. The ABC also said that new delivery options and emerging technologies should be taken into account when unmet community needs and possible services to satisfy those needs are assessed (Submission No 30 pp.2-3).

4.27 Other submitters did not go all the way with the PBAA. The Federation of Australian Commercial Television Stations (FACTS) believes that the different focus of the commercial and national broadcasters 'ensures a broad spread of programming'. It also said that 'existing television services provide a greater range of diverse, high-quality services than viewers in most other countries enjoy' (Submission No 50 p.2).

4.28 A similar view is to be found in a report from the Bureau of Transport and Communications Economics (BTCE) which examined the diversity of programming on Australian broadcasting services as part of its report on the economic impact of broadcasting regulation. The BTCE found

that while the three commercial television networks had similar program schedules 'it is clearly evident that the presence of the ABC provides an important additional element of diversity to viewers' (BTCE, 1991 p.116).

4.29 Given the history of community access television, the opportunities presented by the test transmissions and the claims of promoting diversity of programming by catering to a significant number of minority interests, the Committee was interested in testing community acceptance of community access television. It therefore sought information on what surveys had been conducted.

4.30 Several attempts have been made by community access television groups to gather data on the potential audience for community access television. Each of these surveys has indicated some support for community access television. A market research survey commissioned by LINC TV in 1991 concluded that 'a large proportion of the local community will facilitate and support a local community access television service, in the Lismore area'. However, this same survey cautioned that 'from the relevant feedback obtained through research there appears a lack of knowledge of what community access television is' (Submission No 44 pp.13-14).

4.31 A recent survey (June 1992) commissioned from Social Change Media by the PBAA and Metro TV found that 'there is strong support for community television'. This telephone survey of 1,000 Sydney residents generated 357 responses. The survey also found that one third of respondents 'indicated an interest in becoming involved in community television' (Submission No 77 p.3). Access Television conducted a telephone

survey of 200 people prior to its recent test broadcast in Canberra during July 1992. Preliminary results indicated that 'a majority of viewers want the sixth channel allocated to the public' (Submission No 78 p.1).

4.32 The PBAA said the 'highly successful public radio sector in Australia is substantive evidence of a widespread need for community media.' It added that public radio has been successful in attracting 'approximately two million listeners each week' and that 'public broadcasting in Australia to date, [is] a phenomena built on thousands of volunteer hours (25,000 per week)' (Submission No 25 pp.15-16).

4.33 The PBAA have taken exception to interest by the Committee in the likely level of viewer support for community access television. It complained that applicants for commercial television licences do not have to demonstrate audience demand and the potential Pay TV operators do not have to demonstrate audience demand. The PBAA questioned, 'why then should such importance be placed on the impossible task of justifying demand for Community Television services that do not currently exist' (Submission No 67 p.18).

4.34 Commercial television licensees and the future Pay TV operators do not seek subsidies from government in order to conduct their operations so do not need to justify to anyone except their financial supporters what level of audience support they expect to attract with their services. As the PBAA and community access television groups are seeking support from the Government for at least the costs of transmission infrastructure (see

chapter 8) it is not unreasonable for the Committee to require some indication of whether the community is actually interested in the service the groups wish to provide.

**The case for Aboriginal and Torres Strait Islander broadcasting
on the 6th high power television channel**

4.35 The PBAA and other community access television groups such as CAT TV have identified an unmet need in the community for Aboriginal participation in television (Submissions No 25 p.18-19, No 36 p.6-7). The PBAA quoted from a recent DOTAC and ATSIC discussion paper which states that '...if available, public TV may in the future be the most cost effective means of meeting the social and cultural goals of ATSI audiences' (ATSIC and DOTAC, *Discussion Paper on Aboriginal and Torres Strait Islander Broadcasting* 1991, p.6).

4.36 It has also been proposed that the 6th high power television channel should be owned and controlled by Aboriginal interests. The case for Aboriginal and Torres Strait Islander broadcasting on the 6th high power television channel has been presented by the National Indigenous Media Association of Australia (NIMAA) and one of its member groups, Perleeka Television. Perleeka Television is interested in operating a metropolitan service in Sydney (Exhibit No 19 p.3). NIMAA recommended that the 6th Channel should be an 'Indigenous station' (Submission No 61 p.1).

4.37 The National Indigenous Media Association of Australia identified the lack of involvement of Aboriginal people in the commercial television industry and television's lack of support for Aboriginal film-makers

as areas of unmet need. It believes that both national and commercial television services display a 'lack of interest in portraying Aboriginal people in a positive manner' and are unwilling to 'develop a better understanding of Aboriginal issues' (Submission No 61 p.4).

The case for educational television on the 6th high power television channel

Introduction

4.38 The case for educational television on the 6th high power television channel has been presented primarily by the Commonwealth Department of Employment Education and Training (DEET) and the Australian Education Council Working Party on a National Education Communications Framework (AEC). The AEC Working Party consists of representatives from schools and TAFE in all States, higher education, and DEET. It was established in April 1991 'to develop a national framework for the use of communications technologies to deliver education and training' (Submission No 52 p.1). DEET's interest in educational television 'has been influenced by education policies stimulating increased participation at all levels of the education and training system' (Submission No 54 p.10).

4.39 The AEC has recently agreed to establish the Open Learning Technology Corporation (OLTC). The OLTC is to provide the AEC with 'advice regarding a model for the long term operation and management of a national education and training television broadcast service' and is to also provide an estimate of the level of on-going funding which would be required for such a service. The OLTC will also provide a brokerage role with the existing television broadcasters (Submission No 71 p.1). The

Department of Employment, Education and Training sees this brokerage role of the OLTC as twofold. Firstly, it could 'facilitate TV delivery of educational material with licence holders of the Sixth Channel' and secondly, it could 'coordinate demand of educational providers for different types of national and regional TV broadcast across the range of TV broadcast outlets' (Submission No 54 p.23).

4.40 Educational television⁵ is in an early stage of development. It would be true to say, however, that the approach of DEET was one of cautious optimism about the potential of educational television.

4.41 The department introduced a note of caution when it referred to differences of opinion about the 'educational efficacy of broadcast television'. With higher education there is also a difference of views as to the effectiveness of television based teaching and learning. According to DEET some 'would argue that quality of learning depends very heavily on student-teacher and student-student interaction supported by feedback' (Transcript p.356).

4.42 Thus the need to convince educationalists and some State governments, the large costs of educational programming and plain common sense has convinced DEET and others to emphasise the experimental nature of educational television. The department said that responses of educational sectors to the use of a range of alternative delivery mechanisms 'suggest that

5 Although the term 'broadcast educational television' may be more appropriate, the Committee will treat educational television as having the same meaning.

many educators are of the opinion that the Sixth Channel should be used for experimental TV in order to test the value of a range of typical educational programs...' (Submission No 54 p.28).

4.43 Examination of the case for educational television on the 6th high power television channel will be assisted by dividing the analysis into three parts although one should recognise that there are links and interconnections between them. These parts are:

- * examination of the case for educational television per se;
- * shortcomings of existing broadcast television; and
- * the advantages of the 6th TV channel for educational television.

The case for educational television per se

4.44 The case for educational television, or more accurately, the case for experimenting with and evaluating educational television, is based in part on growth of demand and budgetary constraints. According to DEET, the demand for access to education and training is growing enormously in every educational sector - schools, TAFE, training, higher education, and adult literacy (Transcript p.367).

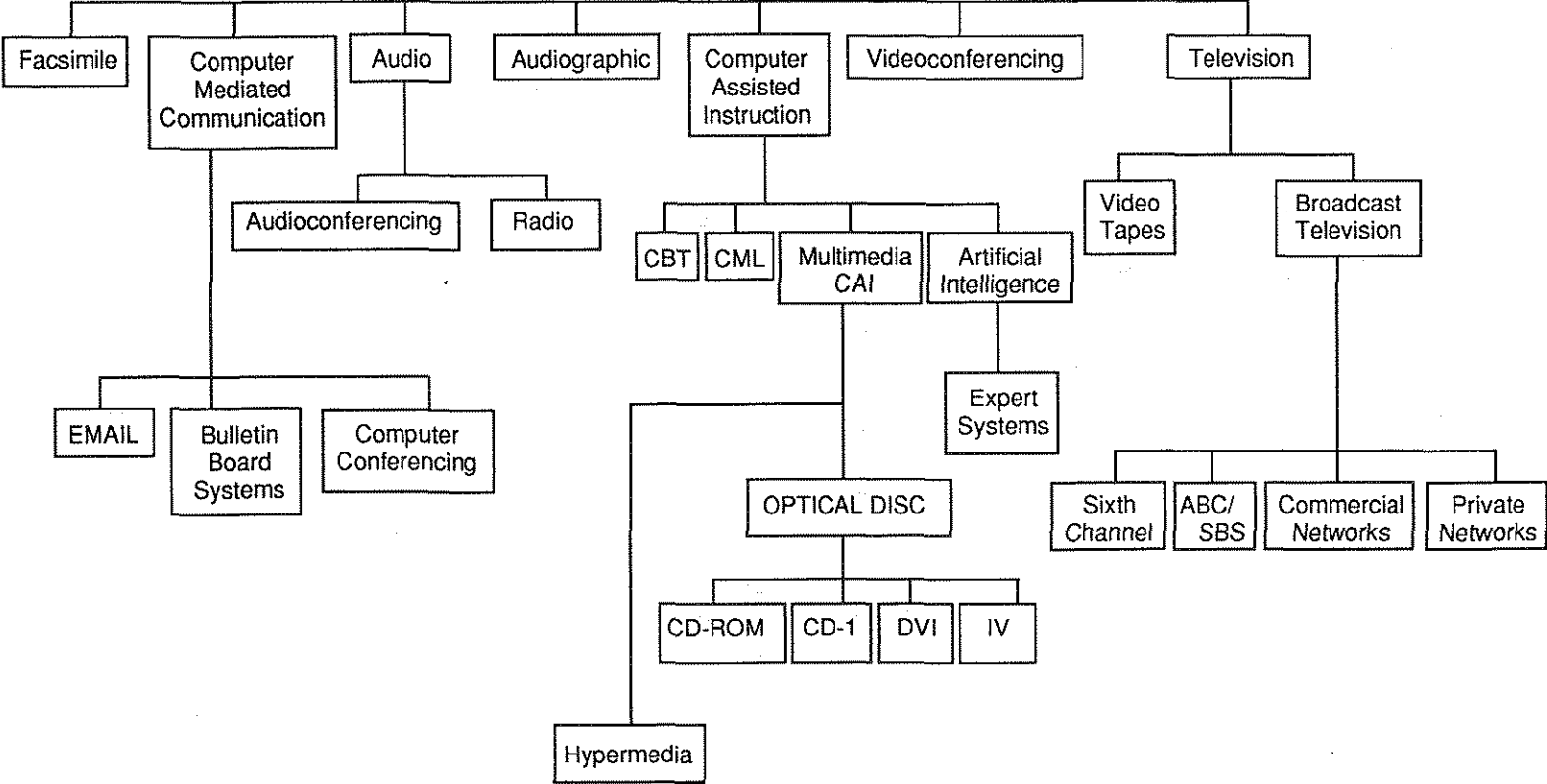
4.45 Post-secondary education is seen by both DEET and the AEC as including sectors which could benefit from an expansion of education television. The AEC detailed the current unmet demand for university places as between 34,000 and 49,000 and for places at TAFE as over 100,000. The AEC believed that 'there is clear evidence from overseas that many of these students could be served by an expansion of open learning education and training delivery which has television as a component' (Submission No 52 p.11). The department argued that television broadcasting offered some opportunities but 'only constitutes a small part of the alternative delivery strategy in TAFE' (Submission No 54 p.17).

4.46 The department went on to say that with budget constraints, governments in Australia are simply not able to provide 'the traditional response, which is putting up a building and putting teachers and so on in place' (Transcript p.367). This underlines the need to experiment with and evaluate delivery options such as educational television.

4.47 The AEC presented a diagram (see next page) which placed the use of television broadcasts in the context of delivery options for open learning (Adapted from Tkal, L, *Technology Survey report*, Open Training and Education Network 1992, in Submission No 52 p.4).

4.48 The AEC considered the delivery of education through the use of television broadcasts to be one of the delivery options for open learning, and noted that 'most open learning courses utilise a mix of technologies, selecting the most appropriate and cost effective technologies for particular course components' (Submission No 52 p.4).

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4.49 The department believed that an expansion of educational television can meet some of the increased community demand for education, but emphasised that it cannot be the total answer. It saw educational television as part of a package which includes appropriate course material, the provision of access for students to tutorial support and information sources including libraries, as well as teacher training (Submission No 54 pp.4,13).

4.50 All levels of education are seen by DEET as having the potential to benefit from an expansion of educational television. A recent ABC survey of primary and secondary schools found a high usage of television with 91 per cent of primary teachers and 89 per cent of secondary teachers reporting that they used broadcast television for schools at least once each week. The department believed that television 'can be seen to improve the quality of existing curriculum' for Kindergarten to Year 12. The attraction of the 6th high power television channel for schools is seen to be in extending the scope of educational television and allowing the trial of a variety of television formats (Submission No 54 pp.14-15).

4.51 Adult education is another sector which DEET and the AEC believed can benefit from the use of educational television. The department referred to adult education as 'the emerging fourth sector of educational delivery'. As most adult education is undertaken on a part-time basis and in evening classes, DEET believed 'it would appear to be a sector that can be well served by TV delivery' (Submission No 54 p.22). The AEC argued that the 6th high power television channel could play an important role in this

sector by providing an additional means of supplying education to people over a wide geographic area and 'could make a significant contribution to improving the equity of access to adult education' (Submission No 52 p.12).

4.52 The Open Learning Project, outlined briefly in chapter 2, has been developed by a consortium of five universities in association with the ABC and will run during 1992 and 1993 with a budget of \$2 million. At this stage, the Project is a series of first year courses and the ABC broadcasts programs for these courses each weekday morning, with repeats on Saturday morning. The department said that people can participate in the project in three ways: by watching the programs; by watching the programs and obtaining the supporting material; and by undertaking formal assessment (Submission No 54 p.19).

4.53 There are no entry requirements for the courses and learning materials and assessment are available on a cost recovery basis. About 4,000 people have registered for the courses, which is four times more than expected. Two-thirds of these are of mature age and one-third are in the younger age group (Transcript pp.362-3). Ratings figures from the ABC suggest that approximately 200,000 people are tuning into the programs (Submission No 54 p.19).

Shortcomings of using existing broadcast television

4.54 Use of available downtime on the national broadcasters, the ABC and SBS, is a possible means of delivering educational television. The use of this downtime for educational programming has been canvassed by the Committee during its public hearings.

4.55 The department raised the issues of cost and program quality both in evidence and in their submission, stating that the ABC required minimum quality standards which DEET felt were not always appropriate for educational television (Submission No 54 p.26 Transcript p.360,367). The AEC believe that the main reason that the education sector is not using the downtime of the ABC and SBS is that 'the production values insisted upon by broadcasters exceeds the level at which the production of programs for broadcast is cost-effective' (Submission No 71 p.2).

4.56 The Western Australian Government believes that 'expensive production values are often inappropriate for programmes of limited shelf-life or aimed at specialised audiences'. It also said that 'a major impediment to the development of educational television in Australia will be the imposition of unrealistic and unnecessarily expensive production values by existing broadcasters such as the ABC' (Submission No 34 p.6).

4.57 The Committee believes there is potential for considerably greater use of the ABC and SBS transmission facilities during downtime for educational purposes. Production standards for this purpose should relate to educational needs rather than the higher cost conventional television programming.

4.58 The ABC has advised the Committee that its Board will consider 'a more flexible policy that would open the way for Commonwealth-accredited educational organisations to transmit education programs on ABC-TV during downtime' (Submission No 82 p.1).

4.59 A pertinent issue concerning the use of SBS downtime was raised by DEET. The limitations of SBS's coverage, particularly in regional areas, was seen as a drawback for educational television using SBS downtime (Transcript p.367). SBS is in the process of developing plans for the transmission of programs during the 7.00am to 4.00pm period. They will not give consideration to the issue of charging for access by other parties to downtime until their plans for daytime transmission are clarified (Submission No 60 p.1-2). This process is expected to be completed by the end of 1992 (Submission No 79 p.1).

4.60 Another alleged shortcoming is the costs of downtime. The ABC has estimated the costs of using its downtime would be \$20,000 per hour. The department believes that there may need to be some negotiation with the ABC on this issue but believes that the use of downtime 'would be a much more expensive option' (Submission No 54 p.29).

4.61 A further shortcoming with existing services which DEET identified was the unavailability of prime time viewing hours for the delivery of educational programming (Transcript p.367).

Advantages of the 6th high power television channel

4.62 The major attraction of the 6th high power television channel for educational television was summarised by DEET as the capacity it offered for flexibility and experimentation. Flexibility in the application of lower production values; experimentation with various forms of interactivity; experimentation with new forms of educational television; and the flexibility to experiment with different timeslots, including prime-time hours of viewing

(Transcript pp.370-1, Submission No 54 p.5). The AEC agreed with the above and added that public exposure of educational programming on the 6th high power television channel should promote open learning and improve its status as an educational option (Submission No 52 p.5).

4.63 The AEC regarded the 6th high power television channel as offering the opportunity to supplement and expand the curriculum offerings for school students. It suggested one means may be to depart from the traditional style and role of schools programming, and cited the example of a Canadian program which utilises a talk-back format, allowing students to question studio experts on homework topics (Submission No 52 p.13). The department said that the 6th high power television channel could allow the trialling of a variety of formats of television programs as well being used to extend the scope of educational television for schools (Submission No 54 p.15).

4.64 Both DEET and the AEC believed educational television and the 6th high power television channel offer some potential for more specialised types of education such as professional development for teachers, industry training, and literacy and numeracy courses. The AEC argued that inservice courses for teachers could be broadcast on the 6th high power television channel and that these courses 'could play a significant role in developing and maintaining teachers' skills (Submission No 52 p.13). The department added that the national broadcast of inservice courses would improve access to training in remote locations (Submission No 54 p.21). The department also said that professional development of teachers of literacy and numeracy, particularly those working outside schools and TAFE, could be enhanced by educational television (Submission No 54 p.22).

4.65 The department said that the existing television services are unable to make available the prime -time hours of 6.00pm to 10.00pm 'when most part time study is undertaken'. It is uncertain of the need for broadcasting of educational programming during prime time hours as research findings on its significance are inconclusive, but believes that the 6th high power television channel would offer the opportunity for experimentation with prime time viewing hours (Submission No 54 p.5,26).

4.66 A recent survey of industry training councils, conducted by consultants to DEET, found that the majority of respondents would take advantage of any new broadcasting opportunities for the delivery of their own industry courses and training of their own staff (Submission No 54 p.18). The department quotes its consultants as suggesting that the use of open learning approaches supported by the delivery of programming by television for core modules 'could free up pressure on institutional facilities' as well as supplementing the practical components of new training programs (Submission No 54 p.18).

The case for parliamentary broadcasting on the 6th high power television channel

4.67 As noted in chapter 2, the ABC currently televises Question Time live from one House and provides a delayed telecast of the other House on each day that the Commonwealth Parliament meets. In addition, major statements such as the Budget Speech and the reply of the Leader of the Opposition are also televised live. The public hearings of some

parliamentary committees are also televised (Submission No 51 pp.3-4). The ABC also broadcasts a program which provides an overview of the week's events in Parliament.

4.68 The Parliament's Sound and Vision Office provides a continuous broadcast quality feed of proceedings within Parliament House. This feed is provided through dedicated lines to the media bureaux in Parliament House. Television stations currently have the following access to the proceedings of the Commonwealth Parliament:

Subject to guidelines set by each House, television stations and networks have access to the proceedings of each House for use in news and current affairs programs. A television station or network may choose to televise proceedings live or include excerpts in other programs (Submission No 51 p.2).

4.69 The identification of unmet needs in the community which could be satisfied by the broadcasting of parliamentary proceedings on the 6th high power television channel has not been directly addressed in submissions or evidence.

4.70 The Presiding Officers of the Commonwealth Parliament have identified in their submission the limitations of the existing television coverage of parliamentary proceedings. Although television stations and networks have virtually free access to the entire proceedings of both Houses of Parliament, television coverage tends to concentrate on material that is seen as newsworthy or sensational. As many important debates and other proceedings receive little coverage on television, the Presiding Officers are concerned that a misleading impression is conveyed of what is done in the

Commonwealth Parliament. In addition, the Presiding Officers note that audiences have been limited for the ABC's coverage of Question Time. Some breaches of the Parliament's guidelines on televising have occurred and 'the live television arrangements have caused some disquiet on occasions' (Submission No 51 pp.4-5).

4.71 The Presiding Officers believed that the 6th high power television channel could also have some limitations for the coverage of parliamentary proceedings. They stated that 'until decisions have been made about the nature of a public television service it is not possible to be precise as to how parliamentary material could be used'. Other considerations included the extent of audience reach, the times available for the broadcast of proceedings, and whether a phased introduction of services is likely (Submission No 51 p.12).

4.72 As a result of the above considerations, the Presiding Officers emphasised that any coverage of parliamentary proceedings on the 6th high power television channel 'should be seen as complementary to the existing coverage of proceedings' (Submission No 51 p.12).

Conclusions

4.73 Term of reference (a) requires the Committee to examine whether there are community needs that are not being met by existing broadcasters with particular reference to community access television, educational television and the televising of parliamentary proceedings.

4.74 Such an examination is assisted by a yardstick to measure or assess unmet community needs. These have been defined as programs which would be screened if there was channel capacity but without subsidy or cross-subsidy.

4.75 This yardstick or definition applies to community access television. The CLC linked the necessity of attracting an audience with the satisfaction of unmet needs, stating in their 1989 report to DOTAC:

The audience is the ultimate judge of any broadcasting service...While they [public television aspirants] do not aim for mass audiences, they must clearly attract a sufficient accumulation of committed viewers to justify their claim that they are meeting under-served needs and interests in the community (CLC 1989, p.95).

4.76 The Committee accepts that community access television will increase diversity of ownership and diversity of programming. But it does not necessarily accept the arguments against 'mainstream television'. Some of them, such as 'disenfranchised viewers' and 'redressing the balance' are assertions not supported by research or argument.

4.77 Similar arguments have been advanced against the print media. The House of Representatives Select Committee on the Print Media reported that a majority of its members 'considered that there was insufficient evidence to conclude that the current high level of concentration in the Australian print media has resulted in biased reporting, news suppression or lack of diversity' (*News and Fair Facts: The Australian Print Media Industry* 1992, p.xxii).

4.78 Another assertion in the case for community access television is the view that it represents the community at large. The Melbourne Community Television Consortium said, 'it is like democracy: you can offer it, but you cannot force people to take it' (Transcript p.215). However, the Committee notes that community owned and operated stations would represent certain sectional interests and it would be drawing a long bow indeed to suggest that community access television represents the community as a whole.

4.79 The type of educational television examined in this chapter is still at a developmental stage. Its potential to offer alternative strategies to deal with the growth in demand for access to education at a time when budgetary constraints are affecting all educational sectors is yet to be tested.

4.80 There is limited access for educational programming on existing television services. Considerations of cost, high program quality and the unavailability of prime time viewing hours on existing services restrict the ability of educational interests to explore fully the potential of educational television.

4.81 The key advantages of the 6th high power television channel for educational television are the capacity it offers for flexibility and experimentation. The ability to experiment with new forms of educational television, including interactivity, as well as the flexibility provided by lower production values and access to different time slots make the channel an attractive proposition for educational television.

4.82 A further advantage is the economies of scale to be gained from the national coverage of educational television. According to DEET, 'broadcast TV is cost effective as an educational medium because whilst the set-up costs are high it can reach a large audience and the unit costs are therefore low' (Submission No 54 p.7). Professor Julie James Bailey believes that the economies of scale required by distance education at the tertiary level, together with the cost effectiveness of television programs 'means that educational television is likely to be national' (Submission No 18 p.2).

4.83 Educational interests are uncertain when they will be in a position to utilise fully the 6th high power television channel. They are uncertain when governments will reach agreement. They are uncertain about how much air-time they will require and uncertain about what time slots this programming will occupy.

4.84 The Committee has taken little evidence on the case for parliamentary broadcasting on the channel. It is understandable that the Parliament would be cautious in its approach when issues such as ownership, access to time slots, and audience reach for the channel are yet to be determined. Also, there would be little purpose in the duplication of a service currently provided by the ABC at no cost to the Parliament. If parliamentary broadcasting is considered for the channel, a direct feed only should be provided with no charges for air-time levied on the Parliament. Any editing of proceedings should be performed by the Parliament with the costs met by the Executive.

4.85 The identification of the many unmet needs in the community is in itself an insufficient reason to require that they all be met by broadcasting services. An examination of the many unmet needs and their subdivisions identified in this chapter makes it clear that no one channel could possibly satisfy all unmet needs. Therefore, the Committee is required to identify a priority use to enable the most important need to be met by the 6th high power television channel.

4.86 Identification of the priority use for the channel should be decided between community access television and educational television as a strong case has not been made for parliamentary broadcasting on the channel. The Committee does not support Aboriginal and Torres Strait Islander broadcasting as the priority use for the channel. It believes that Aboriginals and Torres Strait Islanders should continue to play an important role in community access television as it offers much scope for their involvement both as participants and suppliers of programming.

4.87 The Committee has identified educational television as the priority use for the 6th high power television channel. Educational television is preferred because of the fundamental importance of the educational system to the Australian economy and Australian society as a whole. The Committee believes that these benefits outweigh the benefits of diversity of ownership and programming offered by community access television.

4.88 However, educational interests are not yet in a position to make optimum use of the channel. The AEC believes that a decision on licensing for the 6th high power television channel should be deferred. It supports a deferral for two years so that the outcomes of negotiations being conducted

in TAFE and higher education can be taken into account in any decision on licensing of the channel. These negotiations may impact on the demand of the educational sector for educational television. In addition, the Open Learning Technology Corporation is to conduct research 'which may make use of uncommitted capacity on existing broadcasters under more flexible programming policies' (Submission No 71 p.1).

4.89 The Department of Employment, Education and Training acknowledged in evidence that 'it would take a minimum of two years to get the agreement of all governments in this country to cooperate in a national educational delivery organisation' (Transcript p.369). In addition, it is uncertain about the hours required for educational programming and is also uncertain about the timeslots which would be required for this programming (Submission No 54 pp.5,7).

4.90 This being the case, the Committee sought to identify a system which would protect the long term interests of educational television.

Findings

4.91 The Committee finds that:

4. an examination of unmet community needs requires a yardstick to measure or assess unmet community needs;
5. these unmet needs are described as programs which would be screened if there was sufficient channel capacity;

6. this yardstick applies to community access television which must attract an audience if it is to justify a claim that it can satisfy unmet community needs;
7. community access television will increase diversity of ownership and diversity of programming but the Committee does not accept the claims alleging shortcomings in existing television services;
8. community access television can offer the community the opportunity to participate in the operation of its services but it cannot claim to represent the community as a whole;
9. there is limited access for educational programming on existing television services;
10. the key advantages of the 6th high power television channel for educational television are the capacity it offers for flexibility and experimentation;
11. economies of scale can be gained from national coverage by educational television;
12. educational interests are uncertain about their utilisation of the 6th high power television channel and are not yet in a position to make optimum use of the channel;

13. education is identified as the priority use for the 6th high power television channel, because of the value of the education system to the economy and Australian society as a whole;
14. this outweighs any benefits of diversity of ownership and programming offered by community access television; and
15. the Committee needs to identify a system which protects the long term interests of educational television.

CHAPTER 5
CIRCUMSTANCES OF THE AUSTRALIAN
INDEPENDENT FILM PRODUCERS

Background

5.1 This chapter addresses the inquiry's second term of reference, which reads as follows:

To inquire into and report on the possible future use of the sixth high power television channel, for a range of non-commercial television services including community access television, educational television, televising of Parliamentary proceedings and as an additional outlet for independent film producers, to best serve the public interest, and particularly:

(b) the circumstances of the Australian independent film producers.

5.2 This term of reference requires the Committee to answer the question whether the use of the 6th high power television channel will improve the circumstances of the Australian independent film producers. This in turn requires the Committee to find out who they are, what they produce and how and to what extent a new channel will benefit them.

5.3 The Committee found there was sparse information with which to examine this term of reference. It was disappointed not to receive more information from the independent film producers themselves and as a result, had to rely on evidence from others, particularly the AFC and DASET. The Sixth Channel Producers Forum was formed on 2 June 1992 at a meeting at the AFI. A late submission was received from the Forum during the final stages of report preparation.

Who are the Australian independent film producers?

5.4 Both the Australian Film Commission (AFC) and the Department of Arts, Sport, the Environment and Territories (DASET) provided similar definitions of an independent film producer. The latter said that the Australian film production industry falls into two major groupings. The first is the television networks - the three commercial and the two national television broadcasters (Transcript p.317).

5.5 The second group is the independent film producers who are independent of the networks and also not aligned to any cinema distributor. The independent group includes major production companies such as Grundy's, Southern Star, Crawford's and the Beyond International Group, as well as a number of smaller companies.

5.6 These smaller companies are referred to as 'suitcase producers' by the Australian Film Commission. They include people of prominence and/or with long track records in the industry (Transcript p.317 and

Submission No 58 p.13). It is this group, together with students of film-making, which could be expected to gain most from use of the 6th high power television channel.

5.7 The AFC added an extra dimension to its definition. It said that 'independent' can also be used to describe production which was not mainstream. Quoting from a 1987 publication, the AFC said that 'independent':

can be defined in terms of its difference, its opposition to the values and aims of the mainstream. Like the mainstream, it is not united in terms of style or content, but it is more diverse (Submission No 58 pp 13-14).

What do they produce?

5.8 The submission from DASET states that Australian television is now the principle marketplace for the independent film product (Submission No 24 p.3). It is not this Committee's brief to look at all or any of the aspects of the Australian film industry. That has been covered by the House of Representatives Standing Committee on the Environment, Recreation and the Arts in its report on the Moving Pictures inquiry presented to the House of Representatives on 25 June 1992.

5.9 The 'suitcase producers' and students of film-making are probably the main areas of the Committee's interest. The DASET submission said that low budget film-making occurs in the film schools or as a result of projects funded by the AFC. The Department also said that this is a critical area of film, cultural and industry development and that 'it is this

sector of production that would be expected to participate most fully in any television service with a community or educational orientation' (Submission No 24 p.3).

5.10 In evidence, DASET expanded on these statements. It said that there is a lot of film-making that occurs without government support or that is incidental to government support. It referred to short films, and films made on very low budgets, as the type of films discussed to in submissions to the inquiry. These films do not get significant or broad release and it is *these films that the 6th high power television channel could provide an outlet for exposure*. Unfortunately DASET added that it is on this type of product that the department has least information because it is made without government support (Transcript p.333).

The benefits of the 6th high power television channel to the Australian independent film producers

5.11 In answering the question of whether or how the 6th high power television channel will improve the circumstances of the independent film producers it is necessary to find out why people make films. The sub-committee asked DASET to define a successful film and was given three criteria for measuring success - success in financial terms, success at international festivals and success because of favourable responses by prominent critics, assessment of peers and so forth (Transcript pp.322-324). It is likely that people make films for many different reasons including, but not restricted to, those noted above.

5.12 Three main benefits of the 6th high power television channel to independent film producers can be identified. These are general benefits, benefits for students and training.

General benefits

5.13 The AFC believed that small-scale, non-mainstream works which currently have difficulty securing exhibition, could be provided with a useful new outlet by the 6th high power television channel (Submission No 58 p.14).

5.14 Open Channel regarded it as likely that the producers of the unfunded or under-funded film product will look to the 6th high power television channel as a possible outlet for their work, rather than those producers working within the well-funded part of the industry (Submission No 39 p.10).

5.15 In evidence to the sub-committee, DASET stated that it believed that the 6th high power television channel could provide an impetus for the production of new work because it will be a different kind of forum, one which will encourage innovation (Transcript pp.333-334).

5.16 The Department believed that the 6th high power television channel could offer the opportunity to generate some funds which could flow back to the producers through, for example, sponsorship (Transcript p.343). This is an important issue for the producers themselves. The Film

and Television Institute (W.A.) said that a 'fair and reasonable price' should be paid to independent film and video producers for the broadcast of their work (Submission No 31 p.2).

5.17 The Department believed that the channel would provide an opportunity for experimental and innovative film-making to be pursued with the potential of reaching an audience. This could encourage further innovation and also provide exposure for the film-makers through the exhibition of their product. This exposure could offer the opportunity for the independent producers to improve their credentials and, if they wished, move into more mainstream production (Transcript pp.343-344).

Benefits for students

5.18 Although students producing films often experience difficulties in gaining exhibition and distribution for their work, it does receive some, if limited, distribution. The department provided details in their evidence of the existing distribution arrangements for these films. Australian Film Institute Distribution, run by the Australian Film Institute, (AFI) distributes all of the films produced by The Australian Film, Television and Radio School (AFTRS) and Swinburne as well as a large amount of the product of the Australian Film Commission. These films move in the community through non-theatrical distribution (Transcript p.350). Australian Film Institute Distribution is part-funded by the AFC (Transcript p.351).

5.19 The AFTRS believes that community access television on the 6th high power television channel would provide a valuable outlet for the work of students but, like the Film and Television Institute (W.A.), are concerned about the financial return to the film-maker (Submission No 46 p.8).

Training

5.20 Training is another area in which the 6th high power television channel could be useful for Australian independent film producers. Both DASET and Open Channel noted the benefits offered by the channel for training. Students attending the major film schools could gain valuable industry experience through being involved in film projects or through participating in putting programs to air. This experience would complement the training gained through the production components of their courses (Transcript p. 320, Submission No 39 p.10).

Availability of product

5.21 Realisation of the benefits of the 6th high power television channel to independent film producers as outlined above will depend on the availability of product. Open Channel discussed in their evidence the huge demand that it expects community access television will have for programming (Transcript p. 200).

5.22 The Committee has been assured by submitters and in evidence that there is a considerable quantity of work ready and waiting for such an outlet (see for example, Submission No 39 p.1, Transcript p.283,332). Figures are available from the Australian Film Commission which provide an overview of film, television and video production in Australia (Exhibit 28).

5.23 The ABC said that it 'remains the major user of Australian documentary programs', screening 'some 40 hours a year of independently produced documentaries, out of some 500 proposals submitted by approximately 200 entities across Australia' (Submission No 30 p.3).

5.24 The Sydney Public Television Group (SPTG) provided a list of some special interest distributors of film and video titles and included statistics on each of their total holdings (Submission No 64 p.13,14). The list provided by the Group included several thousand titles held by various bodies such as the National Film and Sound Archive, the Australian Film Institute and Metro Television. The Group quoted figures from the Exposed Screening group (exhibitors of short films and videos) indicating that some 3,500 short films are in production in Australia each year. The Sydney Public Television Group said that of the above 'only a few per cent of these find TV or theatrical release each year. This has left a backlog over the years of many thousands of titles' (Submission No 64 p.14).

5.25 While the 6th high power television channel will offer a range of benefits and provide opportunities for experimentation and innovation it will also need to offer more mainstream and quality programming in order

to attract viewers. Open Channel have stated that some quality programming is essential if the channel is to be able to attract an audience (Submission No 73 p.4).

Conclusions

5.26 It is clear that the 6th TV Channel, be it high powered or low powered, could expand available opportunities for screening the works of the independent film producers. It can thus improve, to quote from the terms of reference, 'the circumstances of the Australian independent film producers.'

5.27 It is also possible that there could be specific benefits. These would include training, innovation, exposure and more opportunities to move into mainstream forms of film-making.

5.28 However, there are too many variables for the Committee to be any more specific. For example, we do not know how many hours per week will be allocated on the 6th high power television channel to the work of independent film producers. This may well depend, among other things, on the sponsorship the work can obtain or attract. Alternatively, the licensee may decide to cross-subsidise the cost of showing products which are not mainstream.

5.29 Considered in isolation, improvement in the circumstances of the independent film producers is not a sufficient justification for using the 6th high power television channel, but it is a contributory factor, one that adds weight to other arguments being put forward.

5.30 The Committee was disappointed not to receive more information from the independent film producers themselves and as a result, had to rely on evidence from others, particularly the AFC and DASET.

Findings

5.31 The Committee finds that:

16. the 6th high power television channel could expand available opportunities for screening the works of independent film producers thereby improving the circumstances of the Australian independent film producers;
17. there could be specific benefits from use of the 6th high power television channel such as training, innovation, exposure and more opportunities to move into mainstream forms of film-making;
18. there are too many variables for the Committee to be more specific than this; they include the amount of viewing time given, the extent of sponsorship and cross-subsidy to support programs that are not mainstream; and
19. considered in isolation, improvements in the circumstances of independent film producers is not a sufficient justification for using the 6th high power television channel; but it is a contributory factor, one which adds weight to other arguments being put forward.

CHAPTER 6

ALLOCATION OF TIME AND ACCESS TO FACILITIES

Introduction

6.1 Chapter 6 addresses the third term of reference of the inquiry, which reads as follows:

To inquire into and report on the possible future use of the sixth high power television channel, for a range of non-commercial television services including community access television, educational television, televising of Parliamentary proceedings and as an additional outlet for independent film producers, to best serve the public interest, and particularly:

(c) appropriate means of allocating broadcasting time on this channel and managing access to program distribution and transmission facilities.

6.2 Emphasis is placed by the Committee on the allocation of broadcasting time between competing uses in examining this term of reference. Uses of the 6th high power television channel can be authorised in different ways depending on whether or not a particular use such as educational television is identified as the priority use for the channel.

6.3 The Committee has examined the matter of unmet community needs and drawn conclusions on them in chapter four of this report. There the Committee concluded that educational television should be accorded priority use of the 6th high power television channel but that it would be some time before educational interests would be in a position to use the channel.

6.4 One of the major questions addressed in this chapter is which system of licensing or authorisation best protects the long term interests of educational television. However, allocation of air-time can be an issue not only between different non-commercial uses of the channel but also within each of these uses.

6.5 Therefore, another important matter examined in this chapter is whether community access television will have mechanisms which guarantee equitable access to air-time and facilities for users of the channel. The Committee recognises that this matter would be pursued by the ABA during the licensing process. Its predecessor, the Australian Broadcasting Tribunal (ABT), said that applicants for a community broadcasting licence should be open organisations in which members of the community to be served by the licence were allowed to participate. The ABT said that the members of the community should be able to exercise control of the licence as well as participate in the selection and provision of programs (Submission No 7 p.3).

Background

6.6 The Department of Transport and Communications said that uses of the 6th high power television channel can be authorised by licence (granted by the ABA) or by establishing a statutory authority as is the case with the Australian Broadcasting Corporation and the Special Broadcasting Service (Submission No 15 p.10).

6.7 The department said that 'direct statutory authorisation of a use has been adopted where there has been no contest over (the) ...user, the user is Commonwealth owned and funded, and there has been direct parliamentary oversight of the user's activities' (Submission No 15 p.10).

6.8 If there were to be a contest over who the user should be then licensing would be the preferred option. In such cases the ABA would decide which applicant is most suitable. Licensing would also be the preferred option if it was deemed necessary for the ABA to attach conditions to, or even refuse renewal of a license.

6.9 There are two variations of the licensing option. The first is for the Minister (in accordance with Clause 84(1) of the Act) to give directions to the ABA to give priority to certain community interests in allocating community licences. For example, the Minister may specify educational television, and the ABA may impose conditions relating to educational television in the licence.

6.10 The second variation is channel sharing. This requires separate authorisation of each use, with each use taking responsibility for the content of its programs. Those uses that are likely to be contested would need to be subject to selection by the ABA through the normal licensing processes. Channel sharing would require either that time periods be specified in advance or that there be some arbitration mechanism in place to settle disputes (Submission No 15 pp.10-11).

The licensing option

6.11 Several submissions, particularly from the PBAA and community access television groups, recommended that the 6th high power television channel be community owned and operated. The PBAA recommended 'that the sixth channel be a community owned and operated service representing all the participating interests in the broadcast area' (Submission No 25 p.5). The Department of Employment, Education and Training has had an each way bet, recommending both that the 6th high power television channel be community owned and operated and also saying that 'at this stage DEET does not have fixed views about licensing arrangements' (Submission No 54 pp.27,32). The AEC has also recommended that licences for the 6th high power television channel be granted to community owned and operated organisations (Submission No 52 p.(ii)).

6.12 One of the conclusions of chapter four was that educational television should have priority use of the 6th high power television channel. The question that needs to be answered then is whether a community owned and operated channel is in the long term interests of educational television.

6.13 The AEC and DEET recommended that education be identified as having some priority on the channel. The Department of Employment, Education and Training was keen to have licences specifying education as a principal purpose. It also proposed that educational requirements for air-time could be negotiated between the educational bodies and the Australian Broadcasting Authority (Submission No 54 p.27).

6.14 The AEC recommended that 'elements of any programming policy for Sixth Channel stations include guaranteed access to specific broadcast times which will facilitate the delivery of education programs. This should include access to prime time slots and other times appropriate for the broadcast of live interactive programs to education and training institutions, business and the community' (Submission No 52 p.(iii)).

6.15 The Department of Employment, Education and Training said that by 1996-97 there could be a demand for about 13.5 hours a day for educational television. Their estimate did not take into account the additional demand that educational television could generate on the 6th high power television channel. The department was not able to distribute these hours between broadcasters, saying that the potential carriers could 'bid for rights to transmit it' (educational television) (Submission No 54 pp. 7,24). In evidence, DEET was critical of the costs and quality standards demanded by the ABC and SBS for educational programming and the lack of availability of prime time for the delivery of programs (Transcript p.367).

6.16 There is considerable uncertainty over the number of hours and the time slots required for educational television on the 6th high power television channel. These requirements could be very small. Alternatively

they could be large with a requirement for significant amounts of educational television during prime time on the 6th high power television channel.

6.17 It is unrealistic to expect a guarantee of priority access for educational programming which will require an increasing share of air-time, including prime-time, on all locally licensed community access television stations. It is unlikely that the licensees who would control the Programming Council would voluntarily give up, for example, significant amounts of prime time. The uncertainty created for each community access television licensee as to the level of educational programming it will be required to broadcast, as well as the uncertainty created for other providers of programming, and the uncertainty created for the audience would seem to ensure that this proposal would be doomed to failure.

6.18 The chances of successful negotiation with the ABA are slim. If the ABA follows the approach of its predecessor (the Australian Broadcasting Tribunal) it would require the successful applicant for a community broadcasting licence to be an open organisation where members of the community could exercise control and participate in the selection and provision of programs. In these circumstances one must question what the ABA can do, without imposing its will and preferences on the licensee, to ensure that the licensee gives educational television more time and/or different time slots than the licensee was prepared to give. One must also question whether this proposed action of the ABA could militate against objective (g) of the Act which reads as follows:

to encourage providers of commercial and community broadcasting services to be responsive to the need for a balanced coverage of matters of public interest and for an appropriate coverage of matters of local significance.

6.19 Community access television channels are not in the best long term interests of educational television. They will not be in a position to guarantee the hours or the time slots required by educational television. The only such guarantee is an educational television authority.

The educational television authority option

6.20 The Committee concluded in chapter 4 of this report that the provision of educational programming should be a priority use for the channel. However, the Committee also concluded in that chapter that educational interests were not yet in a position to make optimum use of the channel.

6.21 An educational television authority may need to be created to administer the channel and this body would be expected to make decisions on the allocation of air-time for programming. As education would be the priority use of the Channel, other users would presumably be allocated air-time for their programming only during those times that the Channel was not required for the broadcast of educational programming. This type of arrangement would cope with an increase over time in the level of educational programming required, as the statutory body would have sole responsibility for decisions on allocation of air-time.

The channel sharing option

6.22 A channel sharing arrangement implies the allocation of a separate licence or authorisation for each user of the 6th high power television channel. Each user would be legally responsible for the content of its programming (Submissions No 15 p.10, No 68 p.3).

6.23 This type of arrangement has not been proposed as a preferred option in any submissions or in evidence. The PBAA is opposed to the concept, principally because of the inflexibility this arrangement is likely to create for a service on the 6th TV channel (Submissions No 25 p.29, No 67 p.13,14).

6.24 The Committee agrees with the PBAA, but also believes that channel sharing arrangement is not in the long term interests of educational television. While there may be some benefit in arranging access to air-time in advance, this is outweighed by the inability of such an arrangement to cope with educational programming requiring a progressively greater share of air-time.

Fairness in decision making

6.25 The model of a Programming Council which would be responsible for managing access to air-time for different groups and organisations has been proposed by the PBAA (Submission No 25 p.30) and supported by virtually all the community access television groups. According to the PBAA, this Programming Council would work along democratic lines:

Representative community groups and organisations will have access to air-time according to the allocation policies determined by a Programming Council, based on principles of access, equity and participation (Submission No 25 p.30).

6.26 It is proposed by the PBAA that a Programming Council be established for each community owned and operated station. The Programming Council model and the concept of community owned and operated stations have been proposed both in submissions and in evidence as models of democracy at work (see for example, Submissions No 33 p.14, No 38 p.20-21, Transcript p.154,155).

6.27 Under the PBAA's model, each community TV licensee would be required 'to establish and maintain a representative, responsive and accountable Programming Council to recommend and synthesise community needs.' The Programming Council will be required to 'develop and review criteria for the selection and presentation of programs, training and subsidised access priorities' (Submission No 25 p.30).

6.28 The PBAA saw a station's Programming Council as providing the main forum for subscribers and members to influence short and medium term decision-making. The Programming Council would put the needs of local audiences first (Submission No 25 pp.28,30).

6.29 The model of a Programming Council is a means of meeting the requirements of Schedule 2 Part 5 Clause 9(2)(c) of the Act which states:

(2) Each community broadcasting licence is also subject to the following conditions:

(c) the licensee will encourage members of the community that it serves to participate in:

- (i) the operations of the licensee in providing the service; and
- (ii) the selection and provision of programs under the licence.

Access to facilities

6.30 The PBAA provides in its submission a model operational structure for a metropolitan-wide community access television station. The central element of the structure is the Central Transmission and Presentation Facility (CTPF), which will guarantee broadcast continuity, provide service presentation and announcements, as well as facilitating change-overs between program providers, for example from a nationally networked program to a local program (Submission No 25 p.33).

6.31 Local Access Studios (LAS) will be the main avenue for access and participation by the community. Several LAS would exist in, for example, Sydney. The LAS are intended to provide specialist, local and general programming as well as facilities for training and community access (Submission No 25 p.33).

Conclusions

6.32 Identification of a priority use for the Channel is an appropriate means of allocating broadcasting time on the 6th high power television channel for programming from different sources. The Committee concluded

in chapter four that educational television should be identified as the priority use for the channel. This is because of the fundamental importance of the educational system to the Australian economy and Australian society as a whole. These benefits outweigh the benefits of diversity of ownership and programming offered by community access television.

6.33 Neither the licensing option nor the channel sharing option are suitable because both restrain the long term development and benefits of educational television.

6.34 The establishment of an educational television authority to administer the channel, offering windows for community access television, is a suitable option for the longer term. However, as concluded in chapter four, educational interests are not yet in a position to make optimum use of the channel.

6.35 The AEC believes that a decision on licensing for the 6th high power television channel should be deferred. It supports a deferral for two years so that the outcomes of negotiations being conducted in TAFE and higher education can be taken into account in any decision on licensing of the channel. These negotiations may impact on the demand of the educational sector for educational television (Submission No 71 covering letter).

6.36 In addition, the Open Learning Technology Corporation is to conduct research 'which may make use of uncommitted capacity on existing broadcasters under more flexible programming policies' (Submission No 71 p.1).

6.37 The Department of Employment, Education and Training acknowledged in evidence that 'it would take a minimum of two years to get the agreement of all governments in this country to cooperate in a national educational delivery organisation' (Transcript p.369). In addition, there is uncertainty about the hours and the time slots required for educational programming (Submission No 54 pp.5,7).

6.38 A Programming Council, as proposed by the PBAA and others would appear to be a suitable means of enabling members and subscribers to participate in decisions on the allocation of time for programming for community access television on the channel.

Findings

6.39 The Committee finds that:

20. educational television should be given priority use for the 6th high power television channel;
21. the licensing option for the channel, by which community access television groups would own and control the licence, is not a suitable option because it restrains the long term benefits of educational television;
22. similarly, channel sharing is not a suitable option;

23. the establishment of an educational television authority with windows for community access television, is a suitable option for the longer term; however as concluded in chapter four, educational interests are not yet in a position to make optimum use of the channel; and
24. a Programming Council, established along the lines proposed by the PBAA and others, should enable members and subscribers to participate in decisions on the allocation of air-time for programming; this would be more a matter for the Australian Broadcasting Authority.

CHAPTER 7

PRIORITIES FOR TRANSMISSION INFRASTRUCTURE

Background

7.1 Term of reference (d) is examined in this chapter and reads as follows:

To inquire into and report on the possible future use of the sixth high power television channel, for a range of non-commercial television services including community access television, educational television, televising of Parliamentary proceedings and as an additional outlet for independent film producers, to best serve the public interest, and particularly:

(d) priorities for the provision of transmission infrastructure for such services in the event that there is a phased introduction.

7.2 This term of reference requires the Committee to consider which cities should be the first to be provided with transmission facilities for the 6th high power television channel. Such consideration is contingent on whether phased introduction is suitable for a particular use and also on whether the transmission costs will be met by the Commonwealth.

7.3 The PBAA defines transmission infrastructure as including the following facilities:

(a) transmitter facilities, including main transmitter and antenna, associated translators and antennae, antennae sites, studio to transmitter link;

(b) program distribution and presentation facilities, including replay units, cameras, studio and signal switching; and

(c) Local Access Studio, including replay units, studio, cameras and link between local and main studio (Submission No 25 p.36).

Community access television

7.4 Even if the Government is prepared to meet all the costs of transmission infrastructure, community owned and operated services using high power transmission on the 6th TV Channel are likely to undergo a phased introduction. This is because some service areas will not be in a position to introduce community access television immediately (Submission No 25 p.36). As discussed in chapter 8 (sources of funding), transmission infrastructure for a high power service is expensive (Submission No 15 p.6) and will be the largest single establishment cost in a service area for community access television groups (Submission No 25 p.37).

7.5 There are three possible methods for implementing a phased introduction of services on the 6th high power television channel. The first is to provide transmission infrastructure in cities such as Sydney and Melbourne. Both have well established community access television groups organised into consortiums which are ready to begin broadcasting

(Submission No 39 p.18, Transcript p.281). However, using DOTAC's figures the transmitter facilities for these two cities could cost in the order of \$9.1 million to \$11.1 million (Submission No 15 Attachment A p.1-2).

7.6 The second method would be to require that transmission infrastructure for cities and regions be established in response to demonstrated community demand (Submission No 25 p.36). The PBAA believed that:

the sixth channel should be introduced in both metropolitan and regional areas in response to demonstrated community demand. Development of the service in this way and not purely on population based servicing will largely guide how the phased introduction proceeds (Submission No 25 p.36).

7.7 The PBAA expanded on this concept of demonstrated community demand in evidence by explaining the process for the establishment of a public radio service. As part of this process, the individual or group interested in establishing the service is required to be able to demonstrate community demand for such a service. Essentially, this means consulting with the local community, establishing links to the community, and gauging support within the community for that service (Transcript pp.70-71).

7.8 The concept of demonstrated community demand has been supported by other individuals and groups. For example, Sydney's Community Access Television (CAT TV) stated that 'licences should be granted where community demand is demonstrated and judged largely where CTV is already active and test broadcasting' (Submission No 36 p.19). Open

Channel recommend that if there is to be a phased introduction of services then broadcasters in Sydney and Melbourne should be considered first because of their active community access television groups which have conducted successful test broadcasts (Submission No 39 p.18).

7.9 Clause 84(2) of the Act, as outlined in paragraph 1.18 has some relevance for consideration of this concept of 'demonstrated community demand'. In deciding whether to allocate a community broadcasting licence, the ABA must have regard to the capacity of an applicant to provide the proposed service, as well as the extent to which this service would meet the needs of the community. In effect, the ABA is asked to judge whether the proposed service will increase the diversity of programming available in the area.

7.10 A third method of implementing a phased introduction of services on the 6th high power television channel proposed by CAT TV is to allow community access television groups to begin broadcasting using low power transmitters and move to high power when finance is available (Submission No 36 p.19).

7.11 This developmental approach is supported by the PBAA and some community access television groups (see for example, Submissions No 20 p.42, No 67 p.40, No 69 p.1, No 65 p.2). This approach would allow services to begin with less capital required, but there may still be a need for financial assistance from government (Submission No 67 p.10).

Educational television

7.12 A phased introduction of services is not feasible if education is identified as the priority use for the 6th high power television channel. The principal attraction of the 6th high power television channel for educational purposes according to both DEET and the AEC is its capacity for national transmission. The department's preference is for the introduction of transmission facilities simultaneously across all states (Submission No 54 p.28). National coverage is also the main attraction for the AEC whose support for licensing of services on the 6th high power television channel is dependent on national coverage being available in 'a reasonable time frame' (Submission No 52 p.19).

Conclusions

7.13 Any consideration of a phased introduction of transmission infrastructure must first take account of the priority use identified for the channel in chapter four of this report. There the Committee concluded that education should be accorded priority use of the 6th high power television channel. The minimum requirement for educational television is the installation of transmission infrastructure for the channel in all capital cities.

7.14 Priorities for the phased introduction of transmission infrastructure for community access television on the 6th high power television channel should be based on demonstrated community demand rather than population alone.

7.15 The phrase 'demonstrated community demand' is similar to 'unmet needs' (see paragraph 4.3). They both require resolution of the question of whether there should be subsidy or cross-subsidy to support such services.

Findings

7.16 The Committee finds that:

25. any consideration of a phased introduction of transmission infrastructure must first take account of the priority use identified for the 6th high power television channel in chapter four of this report;
26. priorities for the phased introduction of transmission infrastructure for community access television on the channel should be based on demonstrated community demand rather than population alone; and
27. the minimum requirement for educational television is the installation of transmission infrastructure for the 6th high power television channel in all capital cities.

CHAPTER 8

SOURCES OF FINANCE

Introduction

8.1 This chapter deals with the final term of reference which reads as follows:

To inquire into and report on the possible future use of the sixth high power television channel, for a range of non-commercial television services including community access television, educational television, televising of Parliamentary proceedings and as an additional outlet for independent film producers, to best serve the public interest, and particularly:

(e) potential sources for non-Government financing of the transmission infrastructure and program production for such services.

8.2 This term of reference requires the Committee to identify potential sources of non-Government financing for the 6th high power television channel. It does not require the Committee to satisfy itself whether particular non-commercial services on the channel can be financially viable.

8.3 The identification of potential sources of non-Government financing is only relevant for community access television. Educational television and the televising of parliamentary proceedings will require Government funding. Neither the Presiding Officers of the Commonwealth Parliament nor DEET identified potential sources of non-Government financing for their operations in their submissions.

8.4 This term of reference is capable of wide interpretation. Obviously, it is too simplistic to assume that all the Committee is required to do is to identify or list potential sources of non-Government finance. Neither does the Committee believe that it has to assess the economic viability of the 6th high power television channel for community access television.

8.5 In this chapter the Committee will, in respect of possible uses of the 6th high power television channel, examine the potential sources for non-Government funding of community access television and in particular, consider whether changes should be made to the Act.

Sources of funding

8.6 The PBAA and the community access television groups have identified a range of potential sources of non-Government funding for services on the channel. These sources of finance are identified as having the potential to cover the operating costs and programming costs of a community owned and operated station (Submission No 25 pp.45-52).

Charges for air-time

8.7 The PBAA believes that charges for air-time levied on the providers of educational and parliamentary programming could be a substantial source of revenue for community access television. These charges are estimated to comprise some 22 per cent of projected income by the PBAA in its model of the average projected income for a community television broadcaster over a 5 year period (Submission No 25 p.46).

Sponsorship

8.8 Sponsorship announcements and sponsorship of programs have been identified by the PBAA and community access television groups as potential sources of non-Government finance. The PBAA believed that sponsorship announcements could provide 10 per cent of operating income for a community broadcaster, while sponsorship of programs could contribute a further 4 per cent (Submission No 25 p.10). Metro TV believed that sponsorship 'will be a substantial method of financing a community broadcaster' (Submission No 27 p.15).

8.9 Community access television groups which have been involved in test broadcasts during the past two years have some experience of raising funds through sponsorship. For example, SKA TV sold air-time to local businesses during its 1991 test transmissions (Submission No 43 p.8). Lismore's LINC TV believed that test transmissions by their very nature restrict the ability of a community broadcaster to raise funds through sponsorship (Submission No 38 p.29).

8.10 Schedule 2 Part 5 Clause (3) of the Act limits the broadcast of sponsorship announcements by community broadcasting licensees to 4 minutes in any hour of broadcasting. The PBAA and other community access television groups regarded this limit on sponsorship as too restrictive and have recommended that 8 minutes per hour be permitted and also that averaging of this limit be allowed over, perhaps, a 24 hour period (Submission No 25 p.10). The Sydney Public Television Group does not believe a community access television service can survive without government assistance if the limit on broadcasting of sponsorship announcements is left at 4 minutes per hour (Submission No 33 p.16).

8.11 The Australian Film Commission (AFC) believed that 'some form of sponsorship or advertising will be essential if community TV is to be viable' (Submission No 58 p.18). They raised the contentious issue of distinguishing between sponsorship and advertising and believed that advertising should be preferred to sponsorship for community access television. The AFC argued that public radio has experienced continuing problems with the distinction between sponsorship and advertising. The AFC believed that sponsorship is more likely than advertising to compromise programming independence as it has the potential to give sponsors a more direct role in the selection and scheduling of programs (Submission No 58 pp.19-20).

8.12 The AFC believed that community access television should be treated in a similar way to SBS television concerning advertising (Submission No 58 pp.18-19). According to DOTAC, SBS television can now 'broadcast advertisements between programs or in natural program breaks for up to five minutes per hour' (Submission No 15 p.13).

8.13 The Federation of Australian Commercial Television Stations (FACTS) believed that advertising and/or sponsorship levels 'must be limited to a few minutes per hour at most for community services.' The Federation are concerned that 'unless this is a prerequisite, we will see the inevitable commercialisation of community television services' (Submission No 50 p.4).

Volunteers and in-kind support

8.14 The PBAA and community access television groups such as CAT TV, the Sydney Public Television Group and the Melbourne Community Television Consortium have identified the use of volunteers and the provision of 'in-kind' services as additional sources of finance in the sense that they are an 'expenditure reduction' for the community broadcaster (Submissions No 25 pp.42-43, No 33 pp.16,18, No 36 p.23, No 40 p.10).

8.15 The CLC has sounded a note of caution concerning the potential for on-going finance from 'in-kind' support in its report to DOTAC on test transmissions by community access television groups. The CLC believed that while community access television groups are at the test transmission stage there is some advantage for manufacturers of items like cameras and videotapes to provide 'in-kind' support because the groups may purchase or lease the equipment should they become operational. The CLC's view is:

it seems likely that this support, along with the supply of program material gratis from producers (other than government departments, charities and others promoting their activities) and mainstream television stations would greatly diminish if public television were to become a reality (CLC 1989, p.138).

Training

8.16 Training is a possible source of non-Government finance. Organisations such as Open Channel already have well established training facilities and also levy charges for training courses which they conduct (Transcript pp.211-212). The PBAA believed that it is possible that the demand for training may increase with the establishment of community access television services (Submission No 25 p.50).

Levy on commercial television industry

8.17 Another potential source of non-Government finance which has been mentioned in submissions and pursued at public hearings is some form of levy on the existing television broadcasters. The broadcasters (commercial, ABC, SBS) are the beneficiaries of training provided to volunteers by the community broadcasters. Some of these trained volunteers are later employed by the television broadcasters (Submission No 64 pp.18-20).

8.18 While this training is of undoubted benefit and could be a source of cost reduction for these broadcasters, the volunteers themselves benefit as they improve their chances of receiving paid employment in their chosen field. The community television groups also benefit, as while providing this training free-of-charge, they receive free-of-charge the services of the volunteers being trained.

8.19 The PBAA believed that cross-subsidisation of community access television by commercial television is 'an appropriate form of support.' In addition to the training of volunteers, the PBAA argued that community

access television can relieve the commercial broadcasters of any obligation to provide programming for 'commercially unattractive audiences, such as the aged and unemployed youth' (Submission No 67 p.6).

8.20 Another type of levy on commercial broadcasters supported by the PBAA, is the adoption of the model under which the United Kingdom's Channel 4 was funded prior to the passage of the *Broadcasting Act 1990* (UK). Funding for the channel was provided by a levy of 17 per cent on the net advertising revenues of each of the commercial television broadcasters. In return, the broadcasters were permitted to sell advertising time on Channel 4. However, from 1 January 1993, Channel 4 is to become a corporation in its own right and will be required to sell its own advertising time (Submissions No 15 p.14, No 25 p.52).

Levy on Pay TV

8.21 A levy on the operations of a future Pay TV operator has been proposed by the PBAA and other organisations such as Open Channel and Metro TV. Open Channel have suggested that there should be a 'Community Service Obligation' levy paid by the Pay TV operator to provide some finance for community access television. They proposed a levy on the gross revenue of the operator and another levy on the program budget (Submission No 39 p.20). Metro TV drew on the situation in the United States where free channels are provided by cable operators for community access television (Submission No 27 p.15). The PBAA saw a levy on Pay TV as a guaranteed source of income and quote a resolution from their 1991 national conference:

That the Federal Government include in the licensing of any pay TV service the proviso that a minimum of 2.5 per cent of the service's gross revenue be allocated to the Public Broadcasting Foundation for distribution to the Community TV sector (Submission No 25 p.52).

Other sources of finance

8.22 The PBAA have also proposed some more innovative sources of non-Government financing for services on the channel. Drawing on a 1988 DOTAC publication, the PBAA suggested using down-time on the 6th high power television channel for the transmission of programs which could be recorded automatically by specially adapted video recorders. Charges would be levied by 6th high power television channel operators for the use of this down-time. Another proposal is the transmission of encoded information or programs (Submission No 67 pp.23-24).

8.23 The Melbourne Community Television Consortium have identified other sources of income available to community access television as memberships and subscriptions (Transcript p.217). The PBAA believed that subscriptions and memberships will be a significant source of income for community access television. They noted that these are one of three major sources of income for public radio (Submission No 25 p.48).

8.24 Local government has been identified as a possible source of income. SKA TV has received grants from local and state government bodies for specific projects and events. This included the purchase by St Kilda Council of \$13,000 worth of equipment for the use of SKA TV.

Ownership of this equipment reverts to SKA TV after 5 years. St Kilda Council has also assisted with the printing of promotional material (Submission No 43 pp.3,9).

8.25 A source of expenditure reduction identified by the PBAA and other groups including CAT TV is the exemption of community access television from sales tax. This would enable savings to be made on purchases, particularly of expensive equipment (Submissions No 25 p.9, No 36 p.24).

8.26 Other sources of non-Government finance identified by the PBAA and other groups such as CAT TV include merchandising. This could include the sale of items with community access television logos (Submissions No 25 p.49, No 36 p.20). The PBAA and SKA TV have identified special events and fundraising as further sources of finance (Submissions No 25 p.50, No 43 p.8).

8.27 While it has identified a range of non-Government sources of funding, Open Channel does not believe that community access television can operate without some government assistance. Its view is that:

The bulk of the running costs will come from sponsorship, subscriptions and the unpaid labour of volunteer workers but there will be a need for some government assistance. The question is at what level (Submission No 73 p.8).

8.28 Community Television Group - Brisbane Inc (CTV-Brisbane) 'believe that Community Television should be funded totally by its local community' (Submission No 17 p.8). It believes that if the community wants

to control the service, it has to be prepared to fund it, but that this is not possible with high power transmission because of its high cost (Transcript p.114).

Costs of infrastructure and equipment for the 6th high power television channel

8.29 The sources of funding discussed in the previous section have been identified by the PBAA and other community access television groups as having the potential to cover the operating costs and programming costs of a community owned and operated station. This term of reference also requires the Committee to identify potential sources for non-Government financing of transmission infrastructure. This section of the chapter identifies the costs of transmission infrastructure and discusses the potential for non-Government sources of finance in meeting the capital costs of that infrastructure.

8.30 A number of costs are associated with infrastructure for the 6th high power television channel and these will vary depending on whether high power or low power transmission is to be used. The costs of transmission infrastructure for a high power service will vary between the capital cities and regional areas. DOTAC estimated that the total establishment costs of providing transmission facilities for all capital cities would be approximately \$23 million (Submission No 15 p.6).

8.31 Sydney will be the most expensive, with minimum costs for the transmitter and associated equipment of \$4 million to \$6 million plus translator costs of around \$1.2 million. Costs in Melbourne will be slightly

lower, with transmitter and associated costs of around \$2.5 million and translator costs of approximately \$1.4 million. Costs in other capital cities are estimated at around \$2 million, plus about \$200,000 for translators where required. The costs in regional areas will be in the range of \$2 million to \$7 million plus extra costs for translators where required (Submission No 15 p.6 and Attachment A p.1-3).

8.32 The PBAA believed DOTAC's figures to be excessive and maintained that lower cost alternatives exist such as 'economically utilising the existing Commonwealth facilities and those of the Commonwealth funded broadcasters, particularly the SBS.' In contrast to the estimated cost of transmission infrastructure by DOTAC of \$4 million to \$6 million for Sydney, the PBAA suggested that a cost of \$2 million is possible (Submission No 67 p.24).

8.33 According to DOTAC the establishment costs outlined above, together with operating and maintenance costs, could be recovered from users through site sharing charges (Submission No 15 p.6). The department expanded in evidence on the concept of site sharing charges, explaining that as part of the transition to a separate National Transmission Agency a major exercise is to be undertaken of moving from cash accounting to accrual accounting for the calculation of site charges. The National Transmission Authority was established on 1 July 1992 to manage the Commonwealth's network of transmission facilities (Transcript pp.4-5,19).

8.34 Other items, such as switching equipment, may also be required for services on the 6th high power television channel. Switching equipment will be required in studios if the 6th high power television channel is to be

used for a range of different purposes and/or if programming needs to be changed from national to local and regional as happens on the existing television networks. The department regarded it as likely that such switching equipment would be expensive (Submission No 15 p.8) and could be between \$1 million and \$5 million depending on how elaborate an operation is required (Transcript p.25). As an example, the average cost to regional operators under aggregation for switching equipment, studio equipment and transmitters at national sites was said to be around \$15 million to \$20 million (Transcript p.25).

8.35 Operating costs, including power and maintenance costs of the transmission facility are estimated by DOTAC at about \$180,000 per year for each city, assuming a service of 20 hours per day (Submission No 15 p.7). Further expenditure would be required for other necessities such as studio facilities, rental of premises and payment of workers. However the PBAA have stated that considerable infrastructure including production facilities and equipment already exists. This would greatly reduce the establishment costs of services on the channel (Submissions No 25 p.25, No 67 p.26).

8.36 The transmission infrastructure for the channel has been identified by the PBAA as 'the largest single establishment cost in any service area' (Submission No 25 p.37). The PBAA has identified a number of potential sources of establishment finance including a one-off establishment grant, interest free establishment loans, local government grants and Federal and State government grants. Non-government sources of finance identified include charitable trusts, lotteries and art unions (Submission No 25 p.44).

8.37 The AFC 'supports the provision by the Commonwealth of establishment costs as recommended in the PBAA submission' (Submission No 58 p.20). Metro TV does not believe that community access television services should be established without at least a one-off establishment grant. Their view is that 'to expect a non-commercial service to be able to raise the initial funds for such transmission funds would appear unreasonable' (Submission No 27 p.13).

8.38 This view is supported by the Sydney Public Television Group which believed that to expect a non-profit service which has restrictions on sponsorship to pay for the capital costs of transmission infrastructure is 'economically unfeasible' (Submission No 64 p.5). Open Channel were concerned that if community access television is to be viable in the long term 'the Commonwealth will need to bear the initial costs of transmission infrastructure' (Submission No 73 p.6).

Conclusions

8.39 The evidence received on sources of finance related solely to community access television. The Committee believes that the sources of non-government funding identified in this chapter have more to do with financing the on-going operational and programming costs than with meeting the capital costs for transmission infrastructure for the channel. The general expectation was that the Commonwealth should provide the initial costs of transmission infrastructure.

8.40 A considerable amount of information was submitted or tendered on sources of non-government finance. Despite this, the Committee is unable to conclude whether revenue collected from these sources would cover the operating costs of what would be clearly an expensive operation.

8.41 One major way of raising revenue is from sponsorship. There is not enough information available for the Committee to arrive at a conclusion that 4 minutes per hour is too low to ensure the viability of community broadcasters. However, given that the SBS is permitted to broadcast advertisements for up to 5 minutes per hour, consideration should be given to raising the limit on sponsorship announcements by community broadcasters to 5 minutes per hour. If community access television is permitted on the channel, the effect of sponsorship limits should be monitored by the ABA.

8.42 A levy on the commercial television broadcasters to support community access television in recognition of the training provided by the community sector could be a difficult levy both to justify and to implement. The Government receives revenue from the commercial broadcasters in the form of licence fees. To charge a levy on top of this could be interpreted as being discriminatory as other industries would not be subject to a similar impost. As the ABC and SBS are also beneficiaries of this training any levy should also apply to them.

8.43 Income from sponsorship may be a more productive alternative source of finance for community access television. The Federation of Australian Commercial Television Stations was concerned that

'advertising/sponsorship levels must be limited to a few minutes per hour at the most for community services. Unless this is a prerequisite, (FACTS) will see the inevitable commercialisation of community television services'. The concern of FACTS was that this scenario 'would begin to erode the sole revenue source of commercial television and radio' (Submission No 50 p.4).

8.44 The Committee does not believe that community access television would become commercialised as licensees are required to be non-profit organisations. Any excess funds gained from sponsorship would presumably be used for programming or similar purposes.

8.45 If FACTS is correct and its members' advertising revenue is affected by sponsorship on community access television, it may be that community access television is providing a service that viewers want and these viewers are judged by various sponsors as a market they wish to reach. In this case, community access television would be doing no more than complementing the commercial broadcasters. Of course, these circumstances would require no taxpayer subsidy for community access television.

8.46 Community access television, particularly with an emphasis on the local community, could actually widen the sponsorship market by bringing in new players such as local small businesses. These outlets may find the costs of advertising on the existing television services too high and their metropolitan and/or national focus unsuitable for their business. The Committee concluded in chapter four that community access television would add to diversity of ownership and programming; it is possible that it may also add to diversity of sources of sponsorship.

8.47 In this way, community access television could open up new areas of local sponsorship revenue beyond the reach of commercial television. This would be more a case of baking a bigger sponsorship/advertising cake rather than dividing the existing cake into smaller pieces.

8.48 A levy on Pay TV to support community access television is one way of not requiring taxpayer subsidy to cover operating costs. The Committee sees no reason why the Pay TV viewer or operator should subsidise the viewers or operators of community access television. A tax on the Pay TV viewer (assuming the levy is passed on) could be inequitable. An assumption appears to have been made here that wealthier people will subscribe to Pay TV and those less well-off will patronise community access television.

8.49 A levy on Pay TV could affect its viability. It is expected that Pay TV is likely to face financial losses in at least its early years.

8.50 Two things from the evidence stand out in respect of sources of finance. Both relate to taxpayer subsidy. The first is in respect of transmission infrastructure where the expectation is for government funding. The other is operating costs where there is no certainty of revenue covering these costs.

8.51 These and other matters are addressed in the next and concluding chapter of this report.

Findings

8.52 The Committee finds that:

28. potential sources of non-Government financing will at best only make a partial contribution to the capital costs of the infrastructure required for high power transmission of services on this channel;
29. it is doubtful whether all the operational and programming costs of community access television can be met from these sources of finance; and
30. there is no justification for the imposition of a levy on the commercial television broadcasters or on operators of future Pay TV services to support community access television.

11/11/11

1. The first part of the document discusses the importance of maintaining accurate records of all transactions. This is essential for ensuring the integrity of the financial statements and for providing a clear audit trail. The records should be kept up-to-date and should be easily accessible to all relevant parties.

2. The second part of the document outlines the various methods used to collect and analyze data. This includes both qualitative and quantitative techniques, and the use of statistical software to process large volumes of information.

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CHAPTER 9

CONCLUSIONS

Significant outcomes of the analysis of the terms of reference

9.1 This concluding chapter of the report brings together the salient features of the preceding 8 chapters and uses them to develop final conclusions.

9.2 The structure of the report has followed the terms of reference which are capable of wide interpretation. It could be said that the question the Committee was asked to answer, prompted by the terms of reference, was whether community access television groups should be awarded licences to provide services on the 6th high power television channel provided that they would cater for the interests of educational television, televising of Parliament and independent film producers.

9.3 This interpretation of the terms of reference reflects a desire to assist proponents of public broadcasting (television) who have fought long and hard for community television licences. There is a belief amongst them that 'it is the community's turn' and they should not be put off by having to wait for cable (Sydney Public Television Group, Transcript p.300).

9.4 Yet the inquiry could not have come at a worse time. It has come at a time when there is rapid technological change in the development of alternative delivery systems, such as satellite and cable, which impact on

the radio frequency spectrum. These developments offer the prospects of reducing spectrum scarcity and have influenced the Committee in its adoption of a forward looking approach to the inquiry.

9.5 The ideal conditions posited at paragraph 1.21 do not exist. Scarcity of spectrum and the costs of high power transmission have led the Committee to deal with three matters which were detailed in paragraph 1.23; namely, choosing between commercial and non-commercial uses, priorities for non-commercial uses, and subsidies.

9.6 There are two important strands of conclusions that stand out from analysis of the terms of reference. The first deals with educational television, that is, priorities for non-commercial uses.

9.7 The Committee has identified educational television as the priority use for the 6th high power television channel. Educational television is preferred to community access television because of the fundamental importance of the educational system to the Australian economy and Australian society as a whole. These benefits outweigh the benefits of diversity of ownership and programming offered by community access television. Community access television stations on the 6th high power television channel are not in the best long term interests of educational television as they will not be in a position to guarantee the hours or the time slots that may be required by educational television in the medium to longer term.

9.8 However, educational interests are not yet in a position to make sufficient use of the channel. They are uncertain about the hours required for educational programming and are also uncertain about the timeslots which would be required for this programming. Negotiations are being conducted in TAFE and higher education which may impact on the demand of the educational sector for educational television. Because of this, the AEC dropped its initial support for community owned and operated organisations on the channel and requested that a decision on licensing for the channel be deferred for two years (Submission No 71, covering letter).

9.9 Even if priority on the channel was to be given to educational television and even if programming was available, agreement between governments on a national delivery organisation are some years away. The Department of Employment, Education and Training acknowledged in evidence that 'it would take a minimum of two years to get the agreement of all governments in this country to cooperate in a national educational delivery organisation' (Transcript p.369).

9.10 The second important strand of conclusions deals with community access television. While there are benefits, in particular the potential for diversity of ownership and diversity of programming offered by community owned and operated stations on the channel, the concern of the Committee is about taxpayer subsidies and the expectation of many submitters that government should pay for the establishment of transmission infrastructure.

9.11 The Department of Transport and Communications has estimated that the total establishment costs of providing transmission facilities for all capital cities would be approximately \$23 million. Although the PBAA has challenged these costings from DOTAC, the Committee cannot discount the latter. They translate into site recovery charges, about which little is known. The department has estimated the annual operating costs for each city at \$180,000. Also, the costs of additional equipment and other running costs could be substantial. There is no certainty that revenue raised by community access television stations could cover these costs.

9.12 It is possible or even probable that without taxpayer subsidy community access television on the 6th high power television channel will not succeed. The Committee is also concerned that the subsidy could be open ended. This raises the question of why there should be a subsidy at all.

9.13 This brings us back to the advantages of community access television. As advanced by many persons who made submissions, the major advantages are the potential to increase diversity of ownership and diversity of programming. But these advantages should be examined against the backdrop of rapid technological change.

9.14 The impact of rapid technological change will greatly increase the means for delivering broadcasting services. This will facilitate the entry of new players into the market and have the potential to increase diversity of ownership and the diversity of news, views and opinions that society receives.

9.15 We have already experienced some of these developments. Others are almost upon us. Video cassette recorders have already achieved a high rate of penetration in Australian households⁶ and personal computers are becoming very popular. Subscription television (Pay TV) is no longer on the horizon. It is around the corner.

9.16 The second generation of AUSSAT satellites will provide television, audio and data services directly to the home. Digital compression will have a profound impact on the economics and channel capacity of satellite broadcasting. Channel capacity with digital compression can generally be expected to increase by a factor of four (Submission No 55 Attachment D p.1).

9.17 Optical fibre is already in place on major telecommunication trunk routes and it now interconnects all metropolitan telephone exchanges operated by Telecom Australia. The extension of optical fibre to households, expected by AOTC to be around the late 1990's, will provide consumers with the capacity to receive a multitude of services (Submission No 63 p.1).

9.18 With these changes and the potential for further change, taxpayer funded community access television on the 6th high power television channel is not a cost-effective solution. Financial resources (taxpayer) are scarce. And scarce resources have alternative uses.

6 The report into pay TV by the Committee's predecessor in the 35th Parliament noted that 'consumer studies and common sense suggest that the VCR is a close substitute for a pay tv movie channel' (*To pay or not to pay?* 1989, p.10).

9.19 The Committee is therefore unable to support government funding of transmission infrastructure or other costs for community access television on the 6th high power television channel.

9.20 As noted in chapter one, the sub-committee issued an *Options/Issues Paper* in June 1992. The quality of the responses received was generally very high, with the PBAA and the Sydney Public Television Group taking the opportunity to provide the inquiry with useful additional information. Copies of the *Options/Issues Paper* were sent to each of the 58 submitters, however, only 12 responses have been received to date.

9.21 The *Options/Issues Paper* identified and discussed 11 options for use of the channel, some of which can be subsumed into others. Four of these options are considered as follows:

- . reserve the channel for community access television with windows for educational television using high power transmitters;
- . reserve the channel for national educational television with windows for community access television using high power transmitters, administered by either a Commonwealth or Commonwealth/State statutory body;
- . defer a decision on the possible non-commercial uses of the 6th high power television channel; and
- . reserve the channel for community access television using low power transmitters for a limited period.

Choosing from options for use of the 6th high power television channel

9.22 Option one reserves the channel for community access television with windows for educational television using high power transmitters. As already discussed, educational television has been identified as the priority use for the 6th high power television channel. There are several reasons why the Committee does not support this option. Firstly, community owned and operated stations on the channel are not in the best long term interests of educational television. Secondly, it is possible or even probable that without taxpayer subsidy community access television on the 6th high power television channel will not succeed. The Committee is also concerned that the subsidy could be open ended. With rapid technological change, taxpayer funded community access television on the channel would not be a cost-effective solution. Therefore, the Committee does not support this option for use of the channel.

9.23 Option two, the establishment of an educational television authority to administer the channel, offering windows for community access television, is the best option for the longer term. As previously discussed, educational interests are not yet in a position to make optimum use of the channel. In these circumstances, the option available to the Committee would be to reserve the channel for educational use and review the position after a period of say three years. This is the same as the next option.

9.24 The third option would see a deferral of a decision on the possible non-commercial uses of the 6th high power television channel. This option would result in a waste of spectrum. Although scarce, spectrum is not a resource which is depleted by use. In these circumstances, the Committee

sought an option which provides the benefits of community access television, protects the long term interests of educational television, does not require taxpayer subsidy, and enables effective use of the spectrum.

9.25 Option four, which reserves the channel for community access television on a continuing trial basis until 1 July 1997 utilising low power transmitters, achieves these objectives. The Committee accepts that, subject to planning by the ABA, services on the channel under this option may not be universal, particularly in Sydney and Melbourne.

9.26 There are several advantages presented by this option. Community access television groups will be able to further develop non-Government sources of finance. A limited period of tenure on the channel should enable them to identify and pursue sources of revenue from areas such as sponsorship, memberships and subscriptions. It would also provide opportunities to establish and maintain an audience which will be important because community access television stations will need to gain a sufficient audience in order to survive.

9.27 Services using low power transmitters can still lead to wider diversity of ownership and programming and may have a greater ability to meet the needs of local communities than services utilising high power transmission. Services aimed at discrete local communities may also be more likely to attract sponsorship from sources such as local small businesses. This type of outlet may not currently advertise on existing television services both because of the costs and the metropolitan and/or national focus of these services. The Committee believes that, given that the SBS is permitted to

advertise for up to 5 minutes per hour, consideration should be given to raising the limit on sponsorship announcements by community broadcasters to 5 minutes per hour.

9.28 Another advantage is that a period of tenure on the channel would give community access television groups an opportunity to 'fine tune' their services and organisations. In addition, this option will permit some community access television groups to begin services virtually immediately.

9.29 This option of community access television operating on the channel utilising low power transmission has been supported by some submitters and in evidence. The Community Television Group - Brisbane supported the use of low power transmission to deliver community access television as it believed that community access television should be funded totally by its local community. It identified cost as the major drawback of high power transmission; 'I do not believe that a local community group could fund it because of the high cost' (Submission No 17 p.8, Transcript pp.113-114).

9.30 Mr Andy Nehl stated that low power services on the 6th TV Channel could be established in cities such as Melbourne, Sydney and Canberra and regional areas such as Bathurst and Lismore without Government assistance (Submission No 20 pp.41-42).

9.31 The Melbourne Community Television Consortium said that it wanted very local stations. It noted the technical problems associated with micro-stations or municipal stations but said 'there is not such a big problem with having a sub-metropolitan station - perhaps two or three in one city' (Transcript p.226).

9.32 If the Committee was to recommend the issuing of licences by the ABA to permit community access television groups to provide services utilising low power transmission for a limited period of tenure on the channel, the ABA would be required to conduct the public processes of developing frequency allotment plans and licence area plans as well as the licensing procedure itself. The length of time required by the ABA to conduct these processes could delay community access television services until at least late 1994. The Committee believes that permitting the 6th TV Channel to be made available immediately for community access television using low power transmission on a continuing trial basis until 1 July 1997 will permit some groups to begin broadcasting within a short period of time. This option should also ensure that a problem does not arise whereby any group may feel that the issuing of a licence entails some notion of permanence on the channel. It should be emphasised that the Committee does not at this stage support permanent community access television services on the 6th TV Channel.

9.33 The 6th high power television channel should be included in the review of television services to be conducted by 1 July 1997. Clause 215 of the Act describes the purpose of this review as follows:

215. The Minister must, before 1 July 1997, conduct a review of the television industry to assess:

- (a) the national benefits that would accrue if more than 3 commercial television broadcasting services were permitted in licence areas; and
- (b) the operation of the condition relating to Australian content on satellite subscription television broadcasting licences.

9.34 The requirements of educational television for use of the 6th high power television channel should also be considered by this review. If it is established that educational television does not require the channel, then its use by community access television should be considered. Given that by 1997, community access television would have been operating on a continuing trial basis for some time, its proponents should be in a position to provide any review with hard evidence on its ability to identify, measure and satisfy unmet needs in the community.

9.35 Appropriate recommendations on this option are made by the Committee in the next section of this chapter.

Recommendations

9.36 The Committee considers that a decision on the non-commercial uses of the 6th high power television channel should be preceded by a decision on whether the channel should be used for a commercial or a non-commercial purpose. This can be done by the Minister basing the decision on the available information. Alternatively, the Minister could call for expressions of interest from potential commercial users other than

broadcasters and then make a decision on whether the 6th high power television channel should be used for one of these uses or for non-commercial television.

9.37 **The Committee recommends that:**

1. **A decision on permanent use of the 6th high power television channel should not be made prior to the review of the television broadcasting industry to be conducted by the Minister by 1 July 1997 in accordance with Clause 215 of the *Broadcasting Services Act 1992*.**

2. **The Channel should be made available immediately for community access television using low power transmitters on a continuing trial basis until 1 July 1997.**

3. **The Government should review Schedule 2 Part 5 Clause (3) of the *Broadcasting Services Act 1992* which limits the broadcast of sponsorship announcements by community broadcasting licensees to 4 minutes per hour with a view to extending this limit to 5 minutes per hour in line with the limit on advertising applicable to the Special Broadcasting Service.**

9.38 When the limited period for community access television is completed, if educational interests are in a position to utilise the channel and alternative technologies are not available, community access television will be required to vacate the channel in favour of educational television.

However, it is possible that educational television could operate utilising high power transmission and community access television could broadcast during those hours the channel was not required for educational programming utilising low power transmission. All of the above would obviously be subject to the findings of the review of television services discussed in paragraph 9.33.

9.39 However, by this time, cable and/or satellite delivery of educational programming may be a more cost effective alternative. As discussed in chapter three, OPTUS Communications said that digital compression yielding up to 10 channels per satellite transponder should be possible, albeit with a degraded picture quality. OPTUS believed that this may be appropriate for applications such as distance education 'particularly if there is a consequent price advantage' (Submission No 59 p.2). As discussed in chapter three, optical fibre cable offers the capacity for interactivity, which makes it a desirable means of delivering educational television.

9.40 Community access television may then be able to remain on the 6th TV Channel utilising low power transmission co-existing and perhaps complementing community access television delivered via alternative means such as cable.

Quality of evidence

9.41 The Committee was impressed by the enthusiasm of submitters and witnesses and the application they displayed in endeavouring to gather information requested during the public hearings. The Committee recognises

the problems faced by groups consisting mainly of volunteers in providing this information and appreciates the effort of all concerned.

9.42 The Committee's task has been made more difficult by the paucity of hard evidence to support the claims of community access television groups and the lack of certainty in the arguments presented by educational interests.

9.43 Claims have been made that community access television represents the community at large. Community access television groups have also made claims about the amount of programming available from Australian independent film producers. They have also made unsubstantiated claims of the need in the community for community access television. Unfortunately, assertions and assumptions are not a substitute for hard evidence.

9.44 There has been a lack of certainty in the arguments presented by the proponents of educational television. Educational interests are not agreed on the value of educational television and are uncertain when they will be in a position to utilise fully the benefits offered by the 6th high power television channel. They are also uncertain about how much air-time they will require and uncertain about what time-slots this programming will occupy. This uncertainty was reflected in the position of the AEC which initially recommended that 'licences for the Sixth Channel be granted to community owned and operated organisations' (Submission No 52 p.17). However, in its reply to the Options/Issues Paper, the AEC later supported 'the deferral of a decision on the possible non-commercial uses of the Sixth Channel for two years' (Submission No 71 p.1).

9.45 The Committee considers that this lack of certainty coupled with assertions, assumptions and claims not supported by research or argument presented by community access television groups has made more difficult its task of drawing conclusions and making recommendations on the non-commercial uses for the 6th high power television channel.

Peter Morris MHR
Chairman
September 1992

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House of Representatives Standing Committee on Transport, Communications and Infrastructure, *Management of the Radio Frequency Spectrum*, October 1991.

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Tkal, L, *Technology survey report*, Sydney, Open Training and Education Network, 1992.

CONDUCT OF THE INQUIRY, EVIDENCE AND WITNESSES

The Inquiry

1. The House of Representatives Standing Committee on Transport, Communications and Infrastructure was appointed under Sessional Order 28B on 8 May 1990. The Committee is empowered to inquire into and report on any matter referred to it by either the House or a Minister.
2. On 31 October 1991 the Committee received the reference from the then Minister for Transport and Communications the Hon K C Beazley MP.
3. The Committee appointed a sub-committee comprising the Hon P F Morris (Chairman), Mr A Cadman MP and Mr R Gorman MP on 1 April 1992 to inquire and report on the reference.
4. The reference was advertised in the Australian, Sydney Morning Herald and Melbourne Age on 7 December 1991. The advertisement asked for submissions to be lodged by 28 February 1992. The closing date for submissions was extended to 31 May 1992, following oral representations from organisations which use volunteer labour.

5. The sub-committee released a Options/Issues Paper in June 1992 to which submitters were asked to respond. The Paper canvassed 11 options for use of the channel and discussed issues that had arisen during the inquiry. The Options/Issues Paper was incorporated into the Hansard of 8 July 1992.
6. The sub-committee took evidence at 8 public hearings from 15 submitters.

Evidence

7. The evidence consists mostly of written submissions made to the Committee, oral evidence taken by the sub-committee at public hearings and documents received in the course of the inquiry.
8. Eighty five written submissions were received. The written submissions which have been authorised for publication along with the oral evidence will be bound and copies sent to the National Library and the Parliamentary Library. A set will be retained in the committee secretariat.
9. The submissions authorised for publication are as follows:

| SUBMISSION | ORGANISATION | DATE RECEIVED |
|-------------------|--|----------------------|
| 1 | Adult Education Centre for Deaf and Hearing Impaired Persons Inc | 21.01.92 |
| 2 | Australian Association of Adult and Community Education | 27.02.92 |

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| 3 | Brisbane Independent Filmmakers | 28.02.92 |
| 4 | ACESAT Satellite Corp Pty Ltd | 28.02.92 |
| 5 | Adelaide Community and Educational Television Inc (ACE Television) | 02.03.92 |
| 6 | Citizen's Access TV Group | 02.03.92 |
| 7 | Australian Broadcasting Tribunal | 02.03.92 |
| 8 | Deaf Society of NSW | 02.03.92 |
| 9 | The University of Qld | 02.03.92 |
| 10 | Independent Studios | 28.02.92 |
| 11 | EMA Open Learning Pty Ltd | 03.03.92 |
| 12 | Queensland Watchdog Committee | 03.03.92 |
| 13 | The Australian Federation of Deaf Societies | 28.02.92 |
| 14 | Award Community Television Inc | 05.03.92 |
| 15 | Department of Transport and Communications | 05.03.92 |
| 16 | Queensland University of Technology | 02.03.92 |
| 17 | Community Television Group - Brisbane Inc | 11.03.92 |

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| 18 | Professor J J Bailey Chair of Film and Media Studies Griffith University | 13.03.92 |
| 19 | Student and Community Assess Television (SCAT) | 13.03.92 |
| 20 | Mr A Nehl | 13.03.92 |
| 21 | Women in Film and Television Queensland Inc | 13.03.92 |
| 22 | Professor L R Webb Griffith University | 06.03.92 |
| 23 | Schools TV Broadcasting Consortium | 13.03.92 |
| 24 | The Department of the Arts, Sport, the Environment and Territories | 16.03.92 |
| 25 | Public Broadcasting Association of Australia (PBAA) | 20.03.92 |
| 26 | The University of Sydney Television Service | 20.03.92 |
| 27 | Metro Television Ltd | 27.03.92 |
| 28 | HEURISTIC Video Pty Ltd | 27.03.92 |
| 29 | National Distance Education Conference | 30.03.92 |
| 30 | Australian Broadcasting Corporation | 30.06.92 |

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| 31 | Film and Television Institute WA Inc | 31.03.92 |
| 32 | Media Resource Centre Inc | 31.03.92 |
| 33 | The Sydney Public Television Group | 31.03.92 |
| 34 | Government of Western Australia | 31.03.92 |
| 35 | Queensland Anti-Bases Coalition | 03.04.92 |
| 36 | Community Access Television (Sydney) | 31.03.92 |
| 37 | Queer TV | 31.03.92 |
| 38 | Local Informative Network Community Television (Linc TV) | 10.04.92 |
| 39 | Open Channel Co-operative Ltd | 24.04.92 |
| 40 | Melbourne Community Television Consortium | 24.04.92 |
| 41 | Lismore Comedy Cafe | 22.04.92 |
| 42 | Lismore Enterprise Development Agency | 22.04.92 |
| 43 | St Kilda Access Television | 30.04.92 |
| 44 | Linc TV Inc | 13.05.92 |
| 45 | Communications Law Centre | 29.05.92 |
| 46 | Australian Film Television and Radio School | 27.05.92 |
| 47 | Department of Employment, Education and Training | 29.05.92 |

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| 48 | Spastic Centres of South Australia | 18.05.92 |
| 49 | Charles Sturt University | 01.06.92 |
| 50 | Federation of Australian Commercial Television Stations | 01.06.92 |
| 51 | Presiding Officers of the Parliament | 03.06.92 |
| 52 | Australian Education Council Working Party (AEC) | 04.06.92 |
| 53 | NOVUS Television | 03.06.92 |
| 54 | Department of Employment, Education and Training | 05.06.92 |
| 55 | Department of Transport and Communications | 09.06.92 |
| 56 | University of Technology Sydney | 09.06.92 |
| 57 | Television Unlimited | 19.05.92 |
| 58 | Australian Film Commission | 19.06.92 |
| 59 | OPTUS Communications | 19.06.92 |
| 60 | Special Broadcasting Service (SBS TV) | 22.06.92 |
| 61 | National Indigenous Media Association of Australia | 25.06.92 |
| 62 | Department of Transport and Communications | 25.06.92 |
| 63 | Australian and Overseas Telecommunications Corporation | 26.06.92 |

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| 64 | The Sydney Public Television Group | 06.07.92 |
| 65 | Mr A Nehl | 06.07.92 |
| 66 | ACE Television | 08.07.92 |
| 67 | PBAA | 08.07.92 |
| 68 | Department of Transport and Communications | 08.07.92 |
| 69 | Television Unlimited | 09.07.92 |
| 70 | Linc TV | 18.07.92 |
| 71 | AEC Working Party | 18.07.92 |
| 72 | SCAT TV | 13.07.92 |
| 73 | Open Channel Co-operative Ltd | 20.07.92 |
| 74 | Communications Law Centre | 24.07.92 |
| 75 | Department of Transport and Communications | 23.07.92 |
| 76 | Department of Employment, Education and Training | 24.07.92 |
| 77 | PBAA | 07.07.92 |
| 78 | Access Television | 30.07.92 |
| 79 | Special Broadcasting Service | 03.08.92 |
| 80 | Film and Television Institute (W.A.) Inc | 10.08.92 |
| 81 | The Sydney Public Television | 17.08.92 |

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| 82 | Australian Broadcasting Corporation | 17.08.92 |
| 83 | Australian Film Institute | 17.08.92 |
| 84 | Australian Education Council Working Party | 17.08.92 |
| 85 | Metro TV | 17.08.92 |

Exhibits

10. The following exhibits were received during the course of the inquiry:

| EXHIBIT NO | DESCRIPTION |
|-------------------|---|
| 1 | Channels for change: an opportunity to guarantee access and equity in Australian television services, PBAA 1990. |
| 2 | Networking public TV, compiled by Cayte Latta 1990. |
| 3 | Public television in Melbourne: the preview broadcasts and beyond, Open Channel Co-operative Ltd 1982. |
| 4 | Community Television test transmissions, PBAA 1992. |
| 5 | A sound investment: the case for funding public broadcasting. Budget submission to Federal Government, Public Broadcasting Foundation May 1992. |

- 6 Community Cable Television Channel One (CTV1), Annual Report 1991-92.
- 7 CTV1 - sample videocassette
- 8 Optus announces price reductions for satellite tariffs, Press Release, 3 March 1992.
- 9 Letter from Lismore Enterprise Development Agency 22 April 1992. Letter to Chairman in support of LINC TV and community access television in general.
- 10 P r o g r a m G u i d e November/December 1991, PTV. Program guide and map of transmission sites and reception areas for test broadcasts in Melbourne, Nov/Dec 1991.
- 11 Principles for a joint public television service for Melbourne, Melbourne Community Television Consortium (MCTC).
- 12 Public Television Questionnaire. Questionnaire from MCTC to community groups in Melbourne on their needs for access to television.
- 13 Community Outreach Report: prepared for the Melbourne Community Television Consortium Submission. Report of results of above questionnaire.

- 14 Towards a workable model: a public television service for Melbourne, October 1990. Also includes some figures updated to May 1992.
- 15 Youth programs 1991, Metro Television. Videocassette, 37 minutes.
- 16 Koori media compilation, Metro Television 1989. Videocassette, 17 minutes.
- 17 National Indigenous Media Association of Australia (NIMAA), Briefing Paper.
- 18 Future Direction of Aboriginal broadcasting, Townsville Aboriginal and Islander Media Association (TAIMA).
- 19 Perleeka Television: an Aboriginal Corporation. Submission to the inquiry.
- 20 CAT TV, Community Access Television, Information 1992.
- 21 The role of the Commonwealth in Australia's cultural development: a discussion paper, Department of Arts, Sport, the Environment and Territories, April 1992.
- 22 The Commonwealth of Australia film and television program, DASETT.

- 23 Australian Film Commission,
Annual Report 1990-91.
- 24 Australian Film Television and
Radio School, Annual Report
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- 25 Film Australia, Annual Report
1991.
- 26 Australian Film Finance
Corporation Pty Ltd, Annual
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- 27 National Film and Sound
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- 28 The CAAMA Group - An
Introduction to the CAAMA
Group of Companies.
- 29 Letter from Mr Tony Slatyer
(DOTAC) to Mr Greg Hoy
dated 8 April 1991.
- 30 Australian Film Commission,
National Survey of Film,
Television and Video Production,
1990-91.
- 31 Australian Film Commission, the
home video industry in Australia,
1992.
- 32 Australian Film Commission,
Analysis of the performance of
Australian films since 1980, 1991.

Witnesses

11. The following witnesses have appeared before the sub-committee and were examined:

| ORGANISATION/WITNESSES | DATE(S) OF APPEARANCE |
|--|------------------------------|
| Department of Transport and Communications | 27 May 1992 |
| Mr Colin Knowles Assistant Secretary Station Planning Branch Broadcasting Operations Division | |
| Mr Anthony Slatyer Assistant Secretary National and Public Broadcasting Policy Branch Broadcasting Policy Division | |
| Public Broadcasting Association of Australia | 27 May 1992 |
| Ms Grada Hulshoff Executive Director | |
| Mr G Hoy TV Standing Committee Representative | |
| Mr G Morgan Community TV Coordinator | |
| Linc TV Lismore | 28 May 1992 |
| Ms Marion Conrow Station Manager and Director | |

Ms Linda Perry
Managing Director
Marketing, Research and Sales

Community Television Group Brisbane Inc

28 May 1992

Mr William Parr
Secretary

Adelaide Community and Educational Television Inc

1 June 1992

Mrs Rita Freeman
Chairperson

Mr Nicholas Cockram
Secretary

St Kilda Access Television and Development Inc

1 June 1992

Mr Andrew Colbert
Secretary

Mr Michael Collins
Member

Open Channel Cooperative Ltd

3 June 1992

Mr John Moore
Acting Executive Director

Mr G Miller
Consultant

Melbourne Community Television Consortium Inc

3 June 1992

Mr Peter Lane
Chairperson

**Department of the Arts, Sport, the Environment
and Territories**

4 June 1992

Mr Ronald Brent
Assistant Secretary
Film Branch

Mr Frank Maloney
Director
Film Programs Section

Community Access Television

4 June 1992

Mr Tony Collins
Director

Ms G West
Board Member

Sydney Public Television Group

4 June 1992

Mr Jeffrey Cook
Secretary

Ms Wendy Spencer

Metro Television Group

4 June 1992

Mr Gregory Hoy
Treasurer

Ms Bronwyn Coupe
Training Coordinator and Board Member

Mr Adam Eatock
Board Member

Department of Employment, Education and Training

24 June 1992

Mr Paul Hickey
Deputy Secretary

Dr Diane Bolton
Director
National Open Learning Policy Unit

Mr Donald Brewster
Assistant Secretary
TAFE and Training Infrastructure Branch

Ms Vanessa Elwell-Gavins
Acting Director
Literacy and ESL Section

Mr Michael Gallagher
First Assistant Secretary
Higher Education Division

Mrs Mary Lovett
Assistant Secretary
Schools and Curriculum Division

Individual

24 June 1992

Mr Andy Nehl

**Australian Education Council Working Party on a
National Education Communications Framework**

25 June 1992

Mr Lloyd Lacey
Manager
Open Learning Development Services

Mr Phillip Arthur
Executive Officer

Department of Employment, Education and Training 25 June 1992

Dr Diane Bolton
Director
National Open Learning Policy Unit

National Indigenous Media Association of Australia 25 June 1992

Mr Wayne Wharton
Secretary

Mr Adam Eatock
Member

Public Broadcasting Association of Australia 25 June 1992

Ms Grada Hulshoff
Executive Director

Mr Geoffrey Morgan
Community TV Coordinator

Mr E Wilkinson
Adviser

Department of Transport and Communications 8 July 1992

Mr Colin Knowles
Assistant Secretary
Station Planning Branch
Broadcasting Operations Division