

**SUBMISSION TO THE INQUIRY OF THE HOUSE OF  
REPRESENTATIVES STANDING COMMITTEE ON  
COMMUNICATIONS INFORMATION TECHNOLOGY AND THE  
ARTS INTO COMMUNITY BROADCASTING**

Submission 80

**FROM THE NATIONAL INDIGENOUS TELEVISION (NITV) COMMITTEE**

**Executive Summary**

**In September 2005 the Australian Government announced that from 1 July 2006 it will fund the establishment of an Indigenous television service. The National Indigenous Television (NITV) Committee<sup>1</sup> is charged with the implementation of the new service; provisionally named National Indigenous Television (NITV).**

**The NITV Committee proposes that NITV, as a fully fledged, government licenced broadcast service, should be provided with the same digital spectrum access as the other mainstream broadcasters.**

**Such an allocation would provide an opportunity for NITV to act as a “channel multiplexer” to provide digital carriage of local community broadcasters. This would allow the community services to continue to be provided with spectrum “free of charge”, without the need for them to provide their own expensive technical infrastructure for digital services.**

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<sup>1</sup> See Appendix 1 for NITV Committee members. The NITV Committee is a voluntary, industry representative group which was formed by the Australian Indigenous Communications Association (AICA) to develop an effective strategy for the establishment of a national Indigenous television service. The group comprises representatives from AICA, Indigenous Remote Communications Association Aboriginal and Torres Strait Islanders Corporation (IRCA), Indigenous Screen Australia (ISA), IMPARJA Television and those with specific contributing industry expertise.

## Submission

The House of Representatives Standing Committee on Communications Information Technology and The Arts is conducting an enquiry into **community broadcasting** and seeks input from involved organisations on:-

- The scope and role of community broadcasting
- Content and programming requirements
- Technological opportunities
- Opportunities and threats to achieving a diverse and robust network of community broadcasters

### 1. **National Indigenous Television (NITV)**

In September 2005 the Australian Government announced that from 1 July 2006 it will fund the establishment of an Indigenous television service. (See Senator the Hon. Helen Coonan's Press Release at Appendix 2).

The National Indigenous Television (NITV) Committee is charged with the implementation of the new service provisionally named National Indigenous Television (NITV). (See a description of the implementation of NITV at Appendix 3 and a history of the inception of a national Indigenous television service at Appendix 4).

The new service will produce and commission diverse programming including news, children's and drama that reflect Australia's diverse Indigenous communities.

It will build on the existing narrowcast service of Imparja's Indigenous Community Television (ICTV) satellite transmission and other Indigenous production infrastructure nationwide, and will use a variety of other delivery platforms.

A principal aim of the service is to maximise the use of existing facilities so as to minimise the capital equipment requirements and thereby use most of the available funds for program production/acquisition/commissioning.

### 2. **Building NITV on the existing Indigenous Community Television (ICTV) service.**

Imparja has already deployed a satellite delivered remote community sustaining service, ICTV as part of its remote satellite delivery platform. This is used to deliver Indigenous programmes, education, health and community information, and Indigenous sport, all of which are re-broadcast by the participating RIBS (Remote Indigenous Broadcasting services formerly BRACS) operators. Under a 1.8 million dollar scheme administered by the community broadcasting

federation analogue transmitters will be deployed in up to 180 remote Indigenous communities.

This system has been identified by DCITA, (see Senator the Hon. Helen Coonan's Press Release at Appendix 2) as the basis for the new Indigenous television service. Discussions with DCITA have however indicated that the operational model proposed and the funding provided does not include consideration of any terrestrial digital delivery capability for NITV. This of course is also the case for the capital city community television operators who similarly do not have an identified transition path to digital broadcasting.

The NITV committee believes that without a free to air, full time dedicated transmission capability, the channel will never develop in the way it needs to, as a mainstream free to air broadcaster. This submission proposes a solution which will:

- a) provide NITV with capital city digital transmission;
- b) provide similar capability to the capital city community channels; and
- c) provide NITV with a potential revenue stream which could complement the ongoing government funding required.

### **3. Use of Channel 31 in capital cities.**

NITV believes that it is vital to ensure ongoing capacity for free to air delivery of community and Indigenous services. Channel 31 is commonly associated with community services, and such services provide a valued and valuable service to the community. Conversion of these services to digital poses a number of technical and commercial issues both for the government and the community broadcasters. Previous studies have also indicated the possibility of channel 31 being allocated to datacasting services. NITV wishes to propose an innovative solution.

### **4. Capacity for a national Indigenous television service.**

The setting up of a national Indigenous television service offers a potential vehicle for the digital delivery of both community and Indigenous television in capital cities.

Treating NITV in the same way as other (government funded) broadcasters would see it provided with its own 7MHz digital terrestrial channel. This would provide the capacity for up to 4 SD TV (multi-channelled) services and/or a number of innovative datacast services. As well as carrying its own content, NITV could act as a "channel multiplexer" to provide digital carriage of the local community broadcaster, as well as significant capacity for innovative narrowcast, broadcast and datacast services. This would allow the community service to continue to be provided with spectrum "free of charge", without the need for them to provide expensive technical

infrastructure for digital services. It would also provide capacity for new and innovative service providers who maybe would not wish (or be able) to operate a full multiplex.

Of course a similar result could be obtained by allocating the community broadcaster the spectrum with an associated requirement to carry NITV. However this would mean NITV having to make separate arrangements with each capital city community channel. It is also the case that the long term financial and operational capabilities of community broadcasters has been somewhat variable and it would be unsatisfactory for NITV to be placed at risk by issues affecting the viability of each community broadcaster. Additionally, the community broadcasters are not permitted, by their licences, to become national networks and so they would not be in a position to deliver a national infrastructure or service to which NITV could contract. By contrast, as a fully fledged, government sponsored broadcast service there is every justification for parity treatment of NITV being provided with the same digital spectrum access as the other mainstream broadcasters.

**5. Community television and radio services in regional locations outside the capital cities.**

If NITV were treated with parity with other mainstream broadcasters and allocated a 7MHz digital multiplex in regional areas, then a similar arrangement to the capital cities could apply with NITV providing carriage of community and other local and narrowcast/datacast services. The NITV committee suggests that the combination of digital broadcasting and NITV provides an opportunity for the expansion of such community broadcast services, which should be grasped with vigour.

**6. Capital cost of conversion to digital.**

The NITV Committee acknowledges the capital cost of conversion of the Community Broadcasters and NITV to digital will be significant. (See DCITA report on The Future of Community Television 2002, Para 2.3) particularly if there were to be an analogue/digital simulcast for the Community television services.

Given the investment in NITV and Community Broadcasters up to the time of conversion, it seems consistent for the Australian government to provide security for these services in the digital environment by the provision of additional resources in the process of a national conversion to digital transmission; this would capitalise on the considerable investment by government and the Australian community.

## **7. RIBS scheme.**

Although not mentioned in the scoping document there are almost 100 Broadcasting to Remote Indigenous Broadcasting service (RIBS, formerly BRACS) television and radio stations licenced as community broadcasters operating in the remote broadcast areas. These operators contribute to and re-broadcast Imparja Television's ICTV satellite programme. The process by which these services will be maintained as part of the digital conversion scheme for remote areas (Broadcasting Services Act Part B) has not yet been developed. However, with NITV's imperative being to "build on" this service it is clear that the technical, operational and financial well being of the RIMOs (Remote Indigenous Media Organisations) which administer the RIBS transmission infrastructure, as well as funding and support for the digital conversion of these, will need to be considered either as a part of, or supplementary to, the NITV proposals.

## Appendix 1

### **NITV COMMITTEE MEMBERS**

**Mr Neil Turner** – Manager of Pilbara and Kimberley Aboriginal Media, closely involved with the development of the ICTV service. Formerly Co-ordinator of Ernabella Video Television (EVTV) and Pitjantjatjara Yankunytjatjara Media Association. Author of the *National Report on the Broadcasting for Remote Aboriginal Communities Scheme* for NIMAA in 1998.

**Ms Sally Riley** – Manager Indigenous Branch, Australian Film Commission.

**Ms Rachel Perkins** – Director, 'Radiance' & 'One Night the Moon'. AFC Commissioner, Chair of Indigenous Screen Australia. Former executive producer ABC & SBS Indigenous Units. Trained at CAAMA, graduate & former board member AFTRS.

**Mr Robert Lee** – Television and Radio Operations Manager, Goolarri Media, Broome.

**Mr Peter Johnson** - Station Manager since 2003 of Victoria's Indigenous radio service '3KND Kool & Deadly'; CEO South Eastern Indigenous Media Association. Commercial Producer/Director with editing and TD background, Managing Director Melbourne Production Company & Executive Producer.

**Ms Jan Forrester** - former ABC radio manager and journalist; project team member which prepared major feasibility study for ATSIC into the establishment of a National Indigenous Broadcasting Service (NIBS).

**Mr John Corker** - media lawyer, ex General Counsel for the Australian Broadcasting Authority and Imparja Television.

**Ms Priscilla Collins** - CEO of the CAAMA Group, the largest Indigenous owned and operated multimedia organisation in Australia, providing media services to the Indigenous and Non Indigenous community worldwide.

**Mr Owen Cole** - Chairperson of CAAMA and Imparja Television. Formerly CAAMA General Manager (and Acting CEO for Imparja TV) and Regional and Economic Development Manager of ADC/ATSIC. Provides economic development consultancy services to Indigenous communities and is a director on several large Indigenous owned businesses in Central Australia.

**Mr Russell Bomford** – Manager Indigenous Remote Communications Association Aboriginal and Torres Strait Islanders Corporation (IRCA)

**Mr Rod Bishop** - Former Director of the Australian Film Television and Radio School, Associate Professor RMIT University, film critic and film producer.

## Appendix 2

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### MEDIA RELEASE

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099/05

1 September 2005

### Telstra sale to benefit Indigenous broadcasting

The Minister for Communications, Information Technology and the Arts, Senator Helen Coonan said today the Government's \$3.1 billion *Connect Australia* package would significantly boost Indigenous radio and television broadcasting services.

The new \$90 million Backing Indigenous Ability program, part of the *Connect Australia* initiative, includes \$51.8 million in funds to develop Indigenous television and to restore ageing radio infrastructure in remote Indigenous communities.

"A recent Government report identified options for the creation of an Indigenous television service," Senator Coonan said.

"The Australian Government's response to the report will involve the development of an Indigenous television service at a cost of \$48.5 million over four years.

"This funding will develop Australia's Indigenous television and production sector and draw on the skills and capabilities of Indigenous media organisations throughout Australia."

Senator Coonan said she believed strengthening Indigenous television services would have a positive impact on Indigenous culture and identity.

"This new funding will support the production and broadcasting of more diverse programming, such as Indigenous news, children's and drama programs that reflect the breadth of our Indigenous communities. Indigenous culture will be represented in a positive light to Indigenous and non- Indigenous viewers," the Minister said.

The new Indigenous television service will build on an initiative already being transmitted on Imparja Television's narrowcast service that uses content provided by Remote Indigenous Media Organisations. New content will be developed for the service and will be available for transmission on other broadcasting platforms, such as community television.

The Australian Government will work in consultation with the Indigenous media sector to develop a governance model for the new television service that is inclusive of the interests of Indigenous people across Australia.

In another initiative under the Backing Indigenous Ability program, \$3.3 million will be provided to restore ageing radio infrastructure at remote Indigenous communities.

"These radio services are vital to Indigenous communities and this money will help restore and maintain this important service," the Minister said.

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[http://www.minister.dcita.gov.au/media/media\\_releases/telstra\\_sale\\_to\\_benefit\\_indigenous\\_broadcasting](http://www.minister.dcita.gov.au/media/media_releases/telstra_sale_to_benefit_indigenous_broadcasting)

## Appendix 3

### NITV Implementation

The Minister for Communications, Helen Coonan, announced funding of \$48.5 million over four years for an Indigenous television service in September 2005. Funding is available from 1 July 2006.

DCITA has funded the NITV Committee to employ a Project Officer and some casual/part time assistance to carry out the implementation process on behalf of the Committee for the period January-June 2006. The new service has been provisionally named National Indigenous Television (NITV).

The NITV Committee members are all volunteers and situated in locations across Australia from Broome, Perth, Melbourne, Sydney and Alice Springs; they meet every two weeks via teleconference. The funding for the very expensive conference calls is provided by the Australian Film Commission (AFC) as part of its ongoing support to the project. The AFC has also provided some travel expenses, a venue and catering for a 2 day meeting held by the Committee to work on the implementation process.

Indigenous Business Australia (IBA) has agreed to fund several consultancies for the preparation of a number of plans and research papers for the implementation. These include:

- NITV Business Plan – including organisational structure and operating budget;
- NITV Technical Plan – including broadcasting facilities and transmission options;
- NITV Programming Paper – including programming policy and commissioning guidelines, pricing policy, a balance of acquired and commissioned programming;
- NITV Location Options Paper – evaluating the potential location(s) for the service.

Once the plans and papers are prepared the Committee will consult nationally with Indigenous communities and organisations on the proposed television service. The DCITA implementation funding provides a limited travel budget to allow the NITV Committee to carry out this consultation. The Committee will follow this consultation process with a second summit (in conjunction with the AICA annual general meeting) to bring Indigenous media professionals and some community representatives from across Australia together to endorse the new television service.

The Committee also identified the need for a skills assessment to audit the current state of training for Indigenous media members and to evaluate the training needs of NITV and of the industry supplying the new service with



content. The Committee applied to DCITA for additional funding to appoint a consultant to perform this work and the funding has been approved.

The Committee is working with the Australian Film Commission to construct a database of Indigenous produced screen content and other screen content with Indigenous subject matter made by non Indigenous Australians. Fortunately, the AFC have been provided with additional funds to begin this process and it is likely it will allow the NITV to share the database.

The NITV Committee has commissioned a Constitution, which is being prepared on a pro bono basis by Allens Arthur Robinson. The NITV Committee anticipates NITV will be incorporated by 1 July 2006 and the Foundation Directors will be appointed to the NITV Board. The NITV Board will takeover from the NITV Committee and will contract with government under a Funding Agreement to receive the first drawdown of funds for the operation of NITV.

The NITV Board will begin appointing management staff for the establishment of NITV, with the goal of a first broadcast in 2007.

## Appendix 4

### History

Indigenous Australians have expressed a strong desire for an independent Indigenous television service in Australia for many years.

There have been a number of movements to establish a national Indigenous broadcasting/media service since 1980 when “Aboriginal Affairs personnel formed a media working party with representatives of the then Posts and Telecommunications Department” as described by Dr Michael Meadows of the Key Centre for Cultural and Media Policy at Griffith University in his research paper for the Productivity Commission into Broadcasting 2000.

Meadows began his paper with the statement that “the potential of the Indigenous media sector today can be accurately described as unrecognised and unrealised, largely as a result of *ad hoc* policy making.”

### Productivity Commission Inquiry into Broadcasting

In 1999 the Aboriginal and Torres Strait Islander Commission (ATSIC) and the (former) National Indigenous Media Association of Australia (NIMAA), lodged submissions with the Productivity Commission Inquiry into Broadcasting, outlining the achievements and the potential of Indigenous media. The final report of the Productivity Commission delivered in 2000 made the following three recommendations concerning Indigenous broadcasting.

*Recommendation 8.5*

*A new licence category for Indigenous broadcasters should be created, with appropriate conditions relating to advertising.*

*Recommendation 8.6*

*Spectrum should be reserved for Indigenous broadcasters to provide a primary service for Indigenous communities, where appropriate.*

*Recommendation 8.7*

*The Government should examine the need for, and feasibility of, establishing an Indigenous broadcasting service, including*

- *who should provide the service;*
- *how the service should be provided;*
- *the additional government resources required; and*
- *a timetable for implementation.*

## **NIBS Report**

Following these recommendations ATSIC and NIMAA commissioned a study into the practicability of a proposed National Indigenous Broadcasting Service (NIBS), (TV, radio, online) together with appropriate recommendations. This report, with detailed costings, governance considerations and a migratory strategy, was delivered to ATSIC in December 2000 and its contents subsequently discussed by Indigenous media and communications organisations nationally and with government.

After the NIBS report was delivered, two submissions to implement a national Indigenous broadcasting service were proposed to the government in cabinet but were not endorsed.

## **The Department of Communications, Information Technology and the Arts (DCITA) Review**

Pursuant to the Broadcasting Services Act 1992 a review was to be conducted before 1 January 2005 into:

*‘the viability of creating an Indigenous television broadcasting service and the regulatory arrangements that should apply to the digital transmission of such a service using spectrum in the broadcasting services bands.’*

## **NITV Committee and Summit**

The NITV Committee, a voluntary, industry representative group, first met on Friday 16 April 2004 to discuss a strategic approach to the DCITA review.

The NITV Committee is an industry representative group which was formed by AICA to develop an effective strategy for the establishment of a national Indigenous television service. The group comprises representatives from Australian Indigenous Communications Association (AICA), Indigenous Remote Communications Association (IRCA), Indigenous Screen Australia (ISA), IMPARJA Television, and Australian Film Commission (AFC) and those with specific contributing industry expertise. The aims of the group are to gain industry wide support for NITV and to lobby Parliamentarians for its establishment.

The Australian Film Commission (AFC) and the Australia Council agreed to provide financial support to allow the Committee to bring together participants from across Australia to attend a three day summit in order to agree on a proposal for a national Indigenous television service and for the preparation of a submission to the DCITA review.

The NITV Committee held a summit in Redfern, Sydney, 30 July 2004–1 August 2004 attended by Indigenous media professionals and some community representatives from across Australia.

The summit participants agreed on a number of principles that should underpin a national Indigenous television service owned and operated by Indigenous Australians with programming content created by and for Indigenous Australians.

The NITV Committee made a comprehensive submission to the review (copy available on request from NITV Committee).

The Review received numerous submissions and there was overwhelming support for the establishment of a national Indigenous television service.

A number of options for transmission were discussed in the Indigenous Television Review Report prepared by DCITA in August 2005.