

The National Programme appeals to a minority audience (under 10 percent) and costs considerations have led the Corporation to use a lower power transmitter.

Evidence from M. F. King, Station Manager of 3ZA, emphasised the present loss to Westport listeners of community affairs and talkback programmes broadcast from 3ZA between 9 a.m. and midday which were popular with other listeners to the station. There was also a loss of 25 hours a week of potential advertising revenue during those programmes.

One objection was received, which pointed out that some people who were able to receive the transmission of the National Programme for 5 hours daily from the 2000 watts transmitter would now receive it from a 400 watt transmitter. However, coverage maps indicate that the number affected in this way would be small. The vast majority of potential listeners to the National Programme will, as a result of this change, be able to receive the National Programme for 24 hours every day instead of 5 hours on weekdays and 12 on Sundays.

The installation of the lower power transmitter enables the broadcast of 3 programmes to the area to start at an earlier date than if the Corporation had to wait for the larger capital commitment of a power powerful transmitter.

The tribunal considers the proposals reflect the needs of the people in the area and they are desirable in the public interest. They will bring a genuine programme choice 24 hours a day to the people of Westport and the surrounding areas.

If in the event there proved to be a significant number of National Programme listeners in the area who receive an inadequate signal from the 3YW 400 watt transmitter but receive a satisfactory signal from the 2000 watt transmitter of 3ZA programme, the Corporation will no doubt take this into account in planning future development.

The amendments will be granted as applied for effective from a date to be advised by the Corporation.

Dated at Wellington this 16th day of February 1984.

Signed for the Tribunal:

B. H. SLANE, Chairman.

The applications will be granted effective from a date to be advised by the Corporation.

Dated at Wellington this 16th day of February 1984.

Signed for the Tribunal:

B. H. SLANE, Chairman.

Decision No. 6/84  
BRO 32/83

*Before the Broadcasting Tribunal*

IN the matter of the Broadcasting Act 1976 and in the matter of applications by RADIO AVON LIMITED for renewal of warrant AM-48/3XA:

*Chairman:* B. H. Slane.

*Members:* L. R. Sceats, A. E. Wilson.

*Hearing:* Christchurch, 27 October 1983.

*Counsel:* J. N. Burton for applicant.

*Appearance:* A. T. O'Brien for New Zealand Journalists Union.

THE warrant for this station expired on 13 June 1983. The warrant holder applied within the appropriate time for a renewal. Public notice of the application for renewal was advertised in the press and also announced on the station over a period of 1 week. Apart from the appearance of the New Zealand Journalists Union there were no appearances by any other persons nor any opposition to the renewal of the warrant.

We intend to deal with the matter of the news service separately later.

There has been no evidence produced to us of any breach of the warrant during the 5-year term. Therefore the applicant is entitled to have a renewal of warrant for a term of 5 years to 13 June 1988.

The warrant contains a condition requiring the warrant holder to comply with the decision of the authority and the conditions specified therein and otherwise with the proposals contained in the application. Condition 4 (c) reads:

"That the holder of the warrant shall comply with the conditions of this decision, shall be responsible at all times for matters broadcast from the station, and otherwise shall comply with the proposals contained in the application as amended at the hearing unless otherwise approved or directed by the authority in writing."

Evidence was given by P. L. Mortlock, chairman of the company, who produced copies of the original proposals and detailed the respects in which the programmes have departed from the original proposals. We are satisfied that none of these amount to a breach of the condition.

It was proposed to use that the condition should be reworded along the lines of conditions approved for other stations upon renewal.

As there have been some minor changes, we believe it appropriate to also add the proviso that applies in relation to other stations which in effect gives them the right to continue on the format and content existing at the date of renewal.

We see no point in continuing the reference to the responsibility of the warrant holder for the matter broadcast as this is adequately covered by the Act and regulations.

It has been suggested by the applicant that we should insert a provision permitting network advertising before and after news bulletins. We consider that this is not an appropriate occasion to make that sort of alteration and that a joint application would need to be made by the stations proposed to be affected by the network advertising. It is also a matter in which other warrant holders may wish to be heard.

The Tribunal therefore deletes Condition 4 (c) and substitutes a condition:

"The warrant holder shall not substantially depart from the basic format and content of its programmes or the type or extent of services intended to be provided at the time of the granting of the warrant without the prior consent of the Broadcasting Tribunal and subject to any conditions which the Tribunal might impose in the public interest. Provided however that the warrant holder may continue to provide the same services and basic format of its programmes as it was providing at 23 October 1983."

*News Service*

The president of the New Zealand Journalists Union, Mr O'Brien, made submissions which expressed concern in general terms about private radio news services. Mr O'Brien said that Radio Avon, of all the private stations covered by the Union, had the best record of commitment to news, and this had also been noted from time to time by the Tribunal. Mr O'Brien submitted that, despite the

Decision No. 2/84  
BRO 117-118/83

*Before the Broadcasting Tribunal*

IN the matter of the Broadcasting Act 1976 and in the matter of an application by the BROADCASTING CORPORATION OF NEW ZEALAND to amend warrant AM-12 (1YX) and AM-20 (1ZN):

*Chairman:* B. H. Slane.

*Member:* L. R. Sceats.

*Hearing:* Wellington on the 15th day of February 1984.

*Counsel:* G. R. Rowe for applicant.

DECISION

THE Broadcasting Corporation of New Zealand applied for the amendments to enable Radio New Zealand to relocate the transmitter for Whangarei from Tikipunga to Otaika. The Corporation wished to replace its present transmitting equipment and to resite it in a less populated area.

In order to minimise the drop in field strength in the north brought about by moving the transmitters south and in order to increase the field strength in Dargaville, the Corporation also applied to increase the power of the station—in the case of 1YX from 2 kW to 2.5 kW and of 1ZN from 2 kW to 5 kW.

The change to 1ZN would also benefit the communities at Marsden Point, Ruakaka and Waipu and provide a much improved service in the Wellsford area.

The Corporation did not seek such a large increase in power in the case of the National Programme because of a wider coverage overlaps between the Northland National Programme repeater transmitters due to their lower frequencies.

Evidence was given confirming the reasons for the change by D. J. Gatland, a supervising engineer with the Broadcasting Corporation of New Zealand.

Coverage maps were produced to the Tribunal. The Tribunal is satisfied that the proposals will bring improved coverage with no significant loss of service to listeners.

The proposals are desirable in the public interest and will serve the needs of people in areas who at present have not enjoyed completely satisfactory reception.